

DIVORCE: UNCONTESTED VS. CONTESTED

Divorce is the legal ending of a marriage. In New York, the Supreme Court is the only court that handles divorce cases. Unfortunately, divorce lawyers (also called matrimonial attorneys) can be expensive, and few organizations provide free legal assistance with divorce cases.

Access Justice Brooklyn provides advice to individuals seeking an Uncontested Divorce and assists unrepresented plaintiffs in completing the necessary paperwork, including those who wish to separate from an abusive partner. In addition, we provide direct assistance within the Kings County Family Court to resolve custody and visitation disputes and help clients obtain child or spousal support orders.

UNCONTESTED DIVORCE:

In an Uncontested Divorce there is no disagreement between the spouses to be decided in court. You may file for an Uncontested Divorce if there are no disputes regarding:

- The reason or “grounds” for the divorce – reasons can range from irretrievable breakdown in relationship, cruel and inhuman treatment, abandonment, confinement in prison, adultery, or living apart one year after separation
- Financial support or alimony
- The division of assets, including retirement accounts and pensions
- Custody and Child support – Family Court can help determine custody and child support prior to filing for a divorce.

CONTESTED DIVORCE:

If there is a disagreement or issue over the reason for the divorce, financial support, division of assets, custody and/or child support, the divorce may then become a Contested Divorce. Contested Divorces can get very complicated and usually take longer, requiring many court appearances.



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