

# HOW DO I GET OUT OF THIS MARRIAGE ?

## - Divorce Grounds in New York

### Till Death Do Us Part

The old adage - "till death do us part" - was historically taken quite seriously in New York, as for hundreds of years divorce was actually illegal in the State.

### New York Legalizes Divorce - Barely

Then in 1787, New York allowed spouses to become divorce, but only under the grounds of adultery. And mind you, adultery was (and technically remains) a crime punishable by jail.



### Real Reform ?

This 'reform' lasted for an astounding 187 years. But then in 1966, New York added several more ways beyond adultery to get divorced :

cruel and inhumane treatment  
- the danger of physical and or mental health within the past five years

abandonment  
- that one has been physically left by their spouse for one year or more

imprisonment  
- of at least three years

separation  
- by legal decree or valid agreement between the spouse for one year or more

That was it. Despite the seemingly vast reforms of 1966, New York did not add 'no-fault / irreconcilable differences' to the list of ways to get a divorce at that time.

### Better Late Than Never - 'No-Fault' Divorce Arrives

It was not until 2010 that New York finally became the very last State in the Country to enact 'no-fault' divorce. Now a spouse can obtain a divorce in New York on the grounds of 'irretrievable breakdown' - that the marriage has broken down irretrievably for at least six months. But even still, the Court cannot give you a divorce on these grounds until after property, custody, visitation, spousal support, and child support have been settled or decided.

### For Help With Divorce and All Family Law Cases

Contact -  
The Law Offices of Steven Gildin

- *Compassion for the Client,  
Aggressive Advocacy*

website : [ny-lawyer.com](http://ny-lawyer.com) ;  
call 24 / 7 ( 5 1 6 ) 5 2 4 - 5 6 5 7 cell ;  
or text \*\*lawny - The Fastest Way To A Quality NY Lawyer