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**IS AN UNCONTESTED DIVORCE
THE RIGHT PATH FOR YOU?**

**EXPLORING THE ADVANTAGES
OF THE MARITAL SETTLEMENT
AGREEMENT IN NEW YORK**





Although divorce is never easy, an uncontested divorce might prove to be an easier path for you to pursue if you and your spouse are contemplating dissolving your marriage amicably.

In New York, the “marital settlement agreement” is the divorce tool utilized in the uncontested divorce process in circumstances where divorcing spouses can come to a mutually acceptable agreement regarding issues such as child custody, child support, division of real property, debt allocation and spousal support. Marital settlement agreements are typically prepared and negotiated by attorneys, who are skilled and therefore able to tailor the marital settlement agreement to the unique needs of all concerned.

If you are facing divorce, our team of experienced matrimonial attorneys at Angiuli & Gentile, LLP will advocate for you with support and compassion as you navigate this transition so that you can begin working towards building a more fulfilling life—your life after a divorce. Please contact us today at **718-816-0005** or at **www.aglawnyc.com** to schedule your consultation. We are in this together.

WHAT DO BOTH PARTIES HAVE TO AGREE TO IN ORDER TO FILE FOR AN UNCONTESTED DIVORCE?

Equitable Distribution: This means how you and your spouse will divide any assets and debts that may have accumulated during your marriage.

Spousal Support: This means how you and your spouse will resolve the issue of spousal support in order to ensure that the less-monied spouse will be able to maintain their standard of living until they reach a time where they can support themselves.

Child Support: This means how you and your spouse will provide for the payment of child support for any child(ren) born of the marriage who are under the age of 21 in order to cover basic expenses as well as childcare, healthcare, food and other necessities.

Custody and Visitation: This means how you and your spouse will resolve issues such as custody, parenting time, and parenting responsibilities for any child(ren) born of the marriage who are under the age of 21. It is important to note that there are two issues regarding custody in New York which include: (1) legal custody and (2) physical custody. Legal custody will give you the right to make decisions about your child(ren). Physical custody is the right to have your child(ren) live with you.

Depending on your personal circumstances, there may be other legal issues that must be included in your marital settlement agreement as well. Drafting a comprehensive marital settlement agreement requires careful consideration of all the issues related to dissolving your marriage and is the most critical portion of the uncontested divorce process in New York.

WHAT IS THE MAIN ADVANTAGE OF FILING FOR AN UNCONTESTED DIVORCE?

The most advantageous reason for an uncontested divorce is that it is a more amicable alternative to protracted litigation in court. In many cases, this alternative can lead to a considerably faster and much less expensive divorce.

Spouses who are able to resolve all of the issues related to dissolving their marriage through a marital settlement agreement can avoid the unknown consequences of having a judge decide those issues for them. You and your spouse can openly communicate and work together to come to an agreement on all of the issues related to dissolving your marriage by utilizing the help of specially trained collaborative divorce attorneys.

Once the marital settlement agreement has been signed by both parties, it becomes legally binding. As a result, a judge will then sign off on the terms and issue a final decree of divorce after all the necessary legal documents are filed with the court.

If you are contemplating a divorce, it is important that you consult with an experienced matrimonial attorney. Many of the issues surrounding divorce are complex and require thorough analysis. Please contact Angiuli & Gentile, LLP today at **718-816-0005** or at **www.aglawnyc.com** to schedule your consultation.

DO I NEED A LAWYER TO GET AN UNCONTESTED DIVORCE?

It is not uncommon for couples who are able to resolve most matters on their own to question the need to have a divorce attorney. Even in an uncontested divorce, however, the legal process remains complicated and nuanced. While you are not required to have an attorney, it is always wise to have legal representation to protect your interests. Further, if your spouse is going to have an attorney draft a marital settlement agreement, you should always hire your own attorney to review the agreement in order to protect your interests and to make sure that you haven't inadvertently given up any of your legal rights or overlooked something the agreement should be included.

With guidance from the law firm of Angiuli & Gentile, LLP, you can be confident that the terms you and your spouse have reached will be made clear in a well-considered, negotiated and carefully written marital settlement agreement that will provide a roadmap for you and your family going forward. Please contact us at **718-816-0005** or **www.aglawnyc.com** in order to schedule a consultation with one of our experienced divorce attorneys who will be able to explain the requirements you need to meet in order for an uncontested divorce to run as smoothly as possible.

Although divorce is never easy, here at Angiuli & Gentile, LLP, we can assist you with making informed decisions about what is best for you so that your divorce is not just the end of a relationship, but rather the beginning of your new life.



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We hope that this e-book has been helpful. If you are ready to begin the divorce process or if you have more questions, please contact us today at **718-816-0005** or at **www.aglawnyc.com**.

You will be glad that you did.
You deserve peace of mind.

Contact us today to
schedule and appointment.
We're in this together.

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This book does not constitute legal advice, and you are not a client of Angiuli & Gentile, LLP until you have retained the firm's counsel in writing. This e-book is designed for clients with matters that require the application of New York law. Other jurisdictions may have different rules and/or other state-specific laws that apply.