

No Fault Divorce Turns a Year Old in New York

"You had to prove that your spouse had cheated on you, abused you physically, emotionally or abandoned you," said Tully Rinckey Attorney Barbara King.

When it came to divorce, the court used to require a reason for derailment. But for a year now, New York has said skip the blame game and sign here.

"Now you don't need an agreement first and you don't have to wait a year," said King. "You simply claim the no fault grounds and then the couple can reach an agreement or the court can decide what to do."

No fault divorce was signed into law last August and became effective six weeks later. In the time since, divorce lawyers say they've seen an increase in business.

"I can't tell you for sure if it's the no fault law that has increased it, but what we did find out is that filings have gone up 12 percent," said King.

The process, while not securing nuptials, does save time and money. Attorney Barbara King said she's seen more and more former clients return to take advantage of the new rules.

"It shortens the process," said King. "If you don't have to go in to your lawyer and prove that your spouse abused you, all you have to do is, well the divorce is a given. So we just have to spend our time and money fighting over what's really worth fighting over if we can't settle it."

And settlement is the priority, said King. No matter how easy the process has become, she says she'll never stop encouraging clients to work through it.

"If a husband and wife go to court and battle their divorce out in court, who's going to win?" asked King. "And the answer is, the lawyers will win. Because the lawyers will get paid. It's smarter to try and resolve your issues and keep the money to put your kids through college and not mine."