

— A Road Map to —

DIVORCE

THE PROCESS OF DIVORCE IN NEW YORK



WELCOME

I am a solo practitioner, concentrating in the area of matrimonial and family law. This includes uncontested and contested divorces, divorce mediation, separation agreements, support, custody, and prenuptial agreements.

I approach law from a very personal view, looking to the total and individual needs of my clients. I have a diversified background, including tenure as a college professor and administrator, which, I believe, has given me a humanistic perspective. I am always in touch with my clients and am always available to remedy their problems and bring them peace of mind.

If possible, I use the less painful and less expensive divorce mediation method with my wife Iris Wolk, my social work partner for mediation, who has had many years of experience helping individuals and families get through this difficult time.

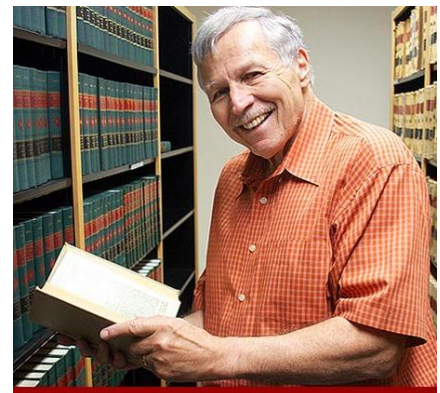
I immediately get back to my clients, will give them personal attention and they will work only with me, except for divorce mediation, and they will not have to deal with other associates, paralegals or staff.

My fees are affordable and the initial phone or office consultation is free. I am available, if necessary, days, evenings and weekends. I practice in Rockland, Westchester, Orange and surrounding New York counties.

Allan Wolk

Attorney at Law
96 Third Street
New City, New York 10956

Phone: (845) 634-8179
Fax: (845) 634-2827
E-Mail: awlegal@aol.com



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The New York legal system can be complicated, even when it is used to settle common family issues like divorce. Couples divorce all the time, but every family is different and every situation has its own snags. Litigation is what many people think of when they hear “divorce,” but most divorces do not start in the courtroom. The divorce process is progressive and escalates from step to step as previous options fail to create an agreeable settlement. If a couple is able to do so, ending their marriage before it reaches the court system saves money, frustration, and heartache. Once the decision to divorce is made, the process is usually described as follows.

- **Uncontested Divorce**
- **Divorce Mediation**
- **Litigated Divorce**

Uncontested Divorce

There are two different types of uncontested divorces. In the first, couples have no issues to resolve. They own no property together and have no children or viable claim to alimony. This allows them to pursue this type of divorce. In the second type of uncontested divorce, there are a few basic issues to resolve, but each spouse has agreed to a divorce settlement before filing their paperwork. Since everyone agrees, there is no need for negotiation and if they choose to hire an attorney, he or she will need to only prepare the settlement paperwork.

Divorce Mediation

Mediation is a civilized, amicable method for settling a divorce when there are some issues involved. It is the most cost-effective option when spouses are unable to agree to certain issues without third party assistance. The neutral mediator sits down with the spouses together to help them reach an agreement about their divorce. This is an effective method if both spouses are capable of communication and compromise.



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Litigated Divorce

When no other option is effective, couples head to court to settle their divorce. Each spouse has his or her own attorney and the issues are resolved by filing motions with the court. Financial information is submitted through a formal process and the court has final say over the division of assets, as well as the custody and visitation of children. The submission of motions CAN culminate in a trial, which is open to the public. The cost for a litigated divorce can vary a great deal and be very steep, especially when couples manipulate and play games with the process.



Preparing for Divorce Mediation

If you and your spouse can still manage to sit down and have a non-confrontational conversation, it's highly recommended that you try to go through your divorce using mediation. Your attorney or mediator will explain to you what information is necessary to bring to the settlement, but often documents and information include:

- Financial documents, including bank statements, tax returns, retirement account information, and estate planning documents
- Schedules of children and proposed parenting plans
- Documents concerning ownership of shared property
- Requests for spousal maintenance
- Information concerning any businesses owned by the spouses
- Anything else related to requests or disputes in the divorce settlement

Skilled mediators work with couples to ensure the quickest and most amicable route to a settlement. Sometimes couples that seem far from any kind of agreement are able to compromise and reach a settlement through mediation. When couples have a clear vision of their overall objectives and priorities, mediators are able to help them communicate their way to a settlement without bickering in the courtroom.

However, if mediation is unsuccessful, couples have the option of calling an end to the

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procedure and moving forward with a different option, including other forms of alternative dispute resolution. It should be noted that mediation is more often successful than not in divorce cases.

One of the most important aspects of achieving a successful mediation is to find a skilled mediator. Allan received his J.D. Law at Pace University School of Law. He also earned his Ph.D. in Political Science from New York University and M.A. in International Relations from the City University of New York.

Allan Wolk provides experienced mediation services to divorcing couples throughout Rockland, Westchester, Orange, and surrounding New York Counties. He is a solo practitioner that handles both contested and uncontested divorces, as well as separation agreements, and custody and support issues. He believes his personal approach to mediation is the key to successfully helping couples mediate their divorce in a timely, affordable, and emotionally sound manner. He and his wife, Iris Wolk, a skilled social worker, both meet with couples for a brief number of sessions, and have had overwhelming success to helping them achieve their goals.

To learn more, contact Allan at 845.634.8179 or by email at awlegal@aol.com.

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