

# Can a Mediator Help Me with a “No Fault” Divorce?



Many couples in [New York](#) choose to get divorced without going to trial. The easiest way for them to do so, is by a “no fault” divorce. A “no fault” divorce means that the couple state that there has been an “irretrievable breakdown of the marriage for at least six months.” The couple is not required to *prove* a breakdown of the marriage.

Couples filing for a “no fault” divorce will enter into a written agreement that sets forth a settlement of all economic issues, distribution of property, maintenance, custody and support issues, if any.

Previously, a couple had to prove grounds for divorce, such as abandonment, adultery, cruel and inhuman treatment, among others. A “no fault” divorce is quicker and easier than moving forward with divorce on one of the above grounds.

In the mediation arena, a “no fault” divorce is also preferable because it keeps the couple on target of their real goal – the divorce – rather than focusing on the underlying cause that led the couple to seek a divorce. Focusing on the underlying reason for the divorce tends to lead to animosity and possibly retribution and can derail an amicable settlement.

The mediator can assist the couple with entering into a

written agreement. The mediator can facilitate the resolution of the items necessary to accomplish the main goal of divorce. [The mediator can assist the couple in raising points the couple may have not ever considered and working with the parties to come to terms on these issues.](#) The mediator can assist with subscribing the terms into a written agreement.

Once an agreement has been reached, the couple can file for an [uncontested divorce](#) on this basis.

Contact [Sheree Donath](#) to find out if [mediation is the best option for you](#) and how the process works.