

# The Association of Politically Active Christians

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## **2010 MEMORANDUM OF OPPOSITION NO-FAULT DIVORCE (S.3890/A.3533, S.5667A/A.2580, A.5543) Contact: Stephen P. Hayford (518-364-5324)**

APAC opposes no-fault divorce legislation for the following reasons:

- **No-fault divorce encourages spouses to make quick decisions to end a marriage.** Because marriage is a good thing for wives, husbands, children, and society, and because divorce can be a traumatic experience and has wide-ranging repercussions for both adults and children, New York's government should not make it easier for people to divorce one another without fault grounds. The existing requirement of a one-year separation or of a specific allegation of fault allows people in crisis to pursue a divorce quickly, but allows other couples a one-year period of separation within which to consider whether divorce is truly the best option for their family. Many couples choose to reconcile their marriages during that one-year period. New York's public policy should (with certain exceptions where spouses or children are unsafe) promote marital reconciliation rather than a streamlined divorce process. In particular, New York should not encourage quick-and-easy divorces in situations where one spouse wishes to remain married, or in households with young children.
- **No-fault divorce places spouses with fewer financial resources (usually women) in an unfavorable position.** Thus, no-fault divorce is detrimental to the financial health of women and children.
- **No-fault divorce could increase the frequency of divorce in New York.** This would mean that even more children would grow up without the benefit of an intact family in New York State. New York law must place children's needs for family security at a higher priority than the preferences or convenience of adults.