

Under New York law, the spouse who wants the divorce has to allege a reason why he/she should be divorced. Prior to October, 2010, the spouse seeking the divorce had to allege such things as that the other spouse had abandoned him/her, or treated him/her in a cruel manner, and on some other basis for the divorce.

However, in October, 2010, the legislature added a provision to the law that the spouse seeking the divorce now only has to allege that the marriage has irretrievably broken down, without alleging the break down was anyone's fault. This is what is called "no fault" divorce.