



At Martin Grossbach, P.C., our highly experienced attorneys offer a wide range of personalized representation in all aspects of matrimonial and family law matters. We understand the impact these matters and issues have on our clients and their families. We understand that no matter is routine, no two cases alike. As such, we work tirelessly to create individualized resolutions for each client we undertake to represent.

What sets us apart is our understanding that, in addition to the "law" of the case, there is the emotional aspect of the case. Emphasizing comprehensive, compassionate and cutting-edge service, our clients remain our priority from the moment they join our "family."

Our firm has the experience and expertise to navigate your case from beginning to conclusion and beyond. We handle all matters in the Supreme Court and Family Court.



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This brochure is for informational purposes.

Since individual situations and legal issues vary, it is important to contact an attorney to discuss your specific legal situation.



Matrimonial & Family Law

*The difference between ordinary
and extraordinary is that little EXTRA.*

Our Approach

Having helped clients through these difficult and trying times for over four decades, we take pride in providing personal attention and individualized representation. We are committed to keeping you informed, providing prompt responses, thorough and clear explanations to all questions and concerns. Communication with our clients is the key. Our goal is to help guide you and get you through what is one of the most difficult and emotional times in your life.

What We Do

In handling any matrimonial or family law matter, there are various issues on which we must work to resolve. While there are laws and statutes that govern and guide us in resolving the various issues, the most important thing to keep in mind is that this is an area of law that depends on the facts of each case. Therefore, while we can give you some general guidelines and information, there are always exceptions. Resolving these complicated matters becomes a business deal. Our goal is to negotiate the best global resolution. Some of the big topics we are faced with when handling a matrimonial matter include:

- Equitable Distribution
- Child Custody
- Child Support
- Spousal Maintenance (previously known as Alimony)

Equitable Distribution

A common misconception is that equitable distribution means a completely equal division of assets. This is not always the case. While New York law has a statute that governs equitable distribution and the factors to be considered in dividing marital assets, equitable distribution requires a much more thorough analysis. This analysis includes: identifying separate property vs. marital property; where there is separate property, determining if and under what circumstances such separate property has been converted or transmuted into marital property; and determining if there has been a wasteful dissipation of assets. These are just a few of the various issues we are required to address in order to craft a fair and equitable division of the assets.

Child Custody

In New York, custody is an issue to be addressed if there are children of the marriage under the age of 18. Most clients do not realize that there are two parts to custody to be resolved: physical (or residential) custody, which is where the child(ren) primarily reside, and legal custody, which is who makes the decisions for the child(ren) regarding health, education, religion and general welfare. As in equitable distribution, there are statutes in New York that govern custody, but again, each case is different and there are numerous factors which we must consider in resolving both parts of custody.

Related to custody, and equally important, is access (or visitation) for the noncustodial parent. Custody is often one of the most difficult, contentious and emotional issues to be addressed. Oftentimes, parents lose sight of the fact that although they will no longer be married or living together, they will continue to be mother and father to their children. When children are involved, their best interests must be the primary concern in resolving these difficult issues.



Child Support

Child support laws were established to ensure the ongoing obligation of both parents to continue to support their child through emancipation, even though the family would not remain intact. In New York State, basic child support payable by the noncustodial parent is calculated based on a formula set by statute. First, using the income of the parties and statutory deductions, we come up with a number upon which the child support will be calculated. Then, the child support amount is determined based on a set percentage tied to the number of children of the family entitled to support. Last, the noncustodial parent's financial obligation is calculated based on what percentage his or her income is to the parties' total income.

In addition to basic child support, there are certain statutory child support add-ons. Some of these are mandatory, others discretionary.

Whether we are representing the custodial parent, receiving the support or the noncustodial parent paying support, we are mindful of the various considerations and issues on both sides.

Spousal Maintenance

(previously known as Alimony)

Like equitable distribution, custody and child support, the laws governing maintenance are set by statute in New York. In working through the issue of maintenance, we are required to address some of the following: temporary maintenance and the amount, durational maintenance, is this a case where maintenance should be payable and, if so, how long should maintenance be payable and in what amount. Again, like all the other issues, this requires a case-by-case analysis of the specific facts of each case. Oftentimes, the resolution of maintenance depends on the other issues addressed above and how they were resolved.

Conclusion

As you can see, this is not a simple process. In one of the most difficult times in your life, you need to have trust in your representative. Not only trust in their legal expertise, knowledge and experience, but trust in the fact that your attorney will support you through the everyday issues that arise, be available for you and protect your interests. We look forward to hearing from you. The attorneys at Martin Grossbach, P.C. will provide you with the comprehensive, competent and individualized service you need.