

From: Valerie Brown
Sent: Tuesday, January 23, 2007
Subject: RE: Star Ledger article on Irreconcilable Differences

Congratulations to everyone for your hard work in advancing this very important bill, now law!

I want to especially thank Ivette Alvarez, Brian Schwartz, Jeralyn Lawrence, Judge Fall, Frank Louis, Phil Sobel, Hanan Isaacs, Anju Jessani, Tom Snyder, and David Perry Davis for the letters, meetings with legislators, phone calls, testimony before the legislature and generally for believing in this issue. My hope is that this new law will benefit thousand of New Jerseyans and allow them to bring closure to their marriage with dignity.

The new law is effective immediately. A copy of the final Senate version of the bill will be forwarded to you today.

Again, thank you for all your effort.

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'Irreconcilable differences' offers faster, more humane divorce

Tuesday, January 23, 2007
BY ROBERT SCHWANEBERG
Star-Ledger Staff

Couples in New Jersey can now get a much quicker divorce if they declare they have "irreconcilable differences" under a bill signed into law by Gov. Jon Corzine.

The new law -- signed by Corzine on Saturday and announced by his office yesterday -- replaces a system that required couples seek ing to end a marriage to either live in separate residences for 18 months or charge one spouse with adultery, "extreme cruelty," "habitual drunkenness" or some other

form of misconduct or mental illness.

Now a divorce can be granted if "irreconcilable differences" have "caused the breakdown of the marriage for a period of six months" and there is "no reasonable prospect of reconciliation."

The same standard can be used to dissolve "civil unions" between same-sex couples once those become available next month. In a statement, Corzine said "it is my clear understanding that this bill will be applicable to same-gender couples who have entered into a civil union as well as to mixed-gender couples joined in matrimony."

Wayne Positan, president of the New Jersey State Bar Association, said it "has long supported" allowing divorce for irreconcilable differences. By not requiring divorcing spouses to air their dirty laundry, it "will help eliminate some of the lasting emotional scars," he said.

The bill has been pending in various forms since 1995, when it was proposed by a divorce law study commission. It faced opposition from the New Jersey Catholic Conference, which argued the state should strengthen marriages rather than "facilitate divorce."

Positan said the goal of the new law is not to make divorce easier, but to adopt "a more humane approach." If a marriage has ended, he said, it is better to encourage the spouses to work out issues of property division and child custody than hurl charges of cruelty at each other.

"When it's over, it's over; so move on," Positan said.

Livingston lawyer Gary Skoloff, who teaches family law at Seton Hall Law School, said the new law "makes it less costly for people who can't afford to move out" to get divorced.

But he said it would not necessarily shorten the time from the filing of a complaint to finalizing a divorce. A divorce between spouses who have amicably resolved all issues can be granted in about two months, Skoloff said, while one that involves a battle over property division or custody of children will take a year or longer.

Sen. Nicholas Scutari (D- Union) sponsored the bill (S1467). Similar legislation passed both houses in 1999 but died when then-Gov. Christie Whitman conditionally vetoed it and lawmakers failed to approve her recommended changes.

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