

APPENDIX C
Sample Divorce Agreement

(Requires Significant Adaptation to Each Case)

AGREEMENT made as of this _____ day of _____, 20 _____, between MARY JONES*, residing at 1234 Main Street, Garden City, New York 11530* (hereinafter referred to as the “Wife” or “Mother”) and JOHN JONES*, residing at 56788 Elm Street, Garden City, New York 11530* (hereinafter referred to as “Husband” or “Father”).

WITNESSETH:

WHEREAS, the parties were married to each other in New York, New York, on June 3, 1990*; and

WHEREAS, there are two children of the marriage, namely: Elmer Jones, born on November 2, 2003, and Andrew Jones, born on April 1, 2006*, and there are no expected children of the marriage; and

WHEREAS, certain unhappy and irreconcilable differences have arisen between the parties as a result of which they have separated and are now living separate and apart from each other; and

WHEREAS, a matrimonial action between the parties is now pending in the Supreme Court of the State of New York, County of Nassau*; and

WHEREAS, the parties desire to resolve certain issues of said action and to confirm their separation and to fix their respective financial and property rights, support rights and all other rights, privileges and obligations and matters with respect to each other arising out of the marital relationship and otherwise,

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I

SEPARATE RESIDENCE

It is, and shall be, lawful for the parties at all times to live separate and apart from each other and to reside from time to time at such places as each may see fit and to contract, carry on and engage in any employment, business or trade that either may deem fit, free from control, restraint or interference, direct or indirect, by the other in all respects as if they were unmarried.

ARTICLE II

NO MOLESTATION

Neither party shall in any way molest, disturb, trouble or interfere with the peace and comfort of the other or compel or seek to compel the other to associate, cohabit or dwell with him or her by any action or proceeding for restoration of conjugal rights or by any means whatsoever. Neither party shall directly or indirectly make statements to each other, or any other persons, that are derogatory of the other party.

ARTICLE III

SEPARATE OWNERSHIP

Except as otherwise expressly set forth herein, each party shall own, as his or her separate property free from any claim or right of the other, all the items of property, real, personal and mixed, of any kind, nature or description and wheresoever situate, that are now in his or her name, control or possession, with full power to dispose of the same as fully and effectually in all respects and for all purposes as if unmarried.