

New York State Unified Courts System Public Access Law Libraries Separation Agreements

Legal Research Question? Ask a Librarian

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This handout describes legal research materials available on-line and in print in New York Court Public Access Law Libraries.

The information provided should be considered a starting point in your research and should not be interpreted as a comprehensive review of the subject or issue in question

CourtHelp Information:

separation agreement: A written agreement that lists the terms of separation. This usually says what money will be paid for child(ren), maintenance payments, division of marital property, child care and related issues. This agreement must be formally signed and witnessed (notarized) and covers the time before the divorce but after the separation [[CourtHelp Glossary](#) accessed June 7, 2017)

Statutes and Court Rules

- Special Note: Westlaw's Practice Commentaries serve as legal essays and should serve be the starting point for research.
- New York State Statutes Index should be checked
- Domestic Relations Law § 235 Information as to details of matrimonial actions or proceedings
- Domestic Relations Law § 244 Enforcement by execution of judgment order in action for divorce, separation or annulment
- General Obligations Law § 5-311 Certain agreements between husband and wife void

Secondary Sources

E-books

- 1 Family Law and Practice, Ch 9 Postnuptial Agreements
- Lindey and Parley on Separation Agreements and Antenuptial Contracts, Second Edition
- LexisNexis AnswerGuide: NY Matrimonial, Actions, Ch 13 Agreements
- New York Civil Practice: Matrimonial Actions: Ch 43, Prenuptial and Postnuptial Agreements
- NY Practice Guide: Domestic Relations, Ch 53 Antenuptial Agreements

LexisAdvance

- Lindey and Parley on Separation Agreements and Antenuptial Contracts, Second Edition
- LexisNexis Answer Guide: NY Matrimonial, Actions, Ch 13 Agreements
- New York Civil Practice: Matrimonial Actions: Ch 43, Prenuptial and Postnuptial Agreements
- NY Jur 2d, Domestic Relations §§ 1953 et seq.
- NY Practice Guide: Domestic Relations, Ch 53 Antenuptial Agreements

Westlaw

Print only

- Law and the Family Forms. Check the online catalog for local holdings.

Online

- 12 New York Forms, Legal and Business, Ch 27, Marriage, pt III Separation Agreements
- NY Jur 2d, Domestic Relations, § 1953 et seq.
- NY Prac Series: New York Law of Domestic Relations, Ch 7 Separation Agreements
- West's McKinney's Forms, Matrimonial and Family Law, Ch 5, Separation and Settlement Agreements

Important Disclosures:

Legal Advice

NY State Court System staff are pleased to provide you with basic legal information of relevance to New York State courts, caselaw, statutory and regulatory materials from standard legal reference sources. Our court employees, however, may not provide legal advice, interpret the law or assist with the processing of specific motions or cases.

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Separation Agreement Materials – Jacqueline Cantwell