



Divorce in the age of COVID

By: [Julianne Mosher](#) January 19, 2021

The holidays: Usually a time of peace and love, is typically a quieter season for divorce attorneys. Couples try to work things out, or put on a good face for family gatherings.

However, in the age of COVID-19, when unhappy couples are stuck together in quarantine, Marissa Pullano, a partner at Jaspan Schlesinger LLP, said that this season was busier than ever.

“It’s interesting...Typically during the holidays, I’ve experienced that it’s quiet,” she said. “This year there was no stopping. There were clients calling me on Christmas Eve, New Years Eve, New Years Day, even during the midst of lockdowns, I was getting a lot of inquiries.”

Pullano said that even early-on in the pandemic, she was getting calls from potential clients asking what they should do. That’s when she and her firm decided to publish blogs surrounding this hot topic, with advice to help navigate this life-changing process.

In her post, “Contemplating Divorce in Quarantine,” published in April of 2020, she discussed a step-by-step guide on what potential clients should consider. These included compiling all financial data and disclosures to spouses and securing an online footprint. She also recommends counseling.

“A lot of insurance companies are allowing individuals to take advantage of counseling during the pandemic,” she said. “In my experience, divorce is a complicated web of emotions and people handle it differently.”

And with courts currently operating on a virtual basis to avoid in-person gatherings, Pullano said that she’s seeing her clients ask for an alternative approach.



Marissa Pullano

“I’ve been seeing a lot of mediation, collaborative law and arbitration,” she said. “And I’ve been trying to work with my clients to consider ways to resolve cases that can be resolved in an alternative litigation, just because of the logistical issues with the courts, and timing.”

She said that one of the biggest issues during the pandemic was that many cases were halted since March — there was no movement until May and June.

But whether it’s mediation or virtual litigation with a potential 2021 divorce, there’s a lot a couple needs to remember beyond going their separate ways.

“People need to be prepared and understand it’s not an easy process,” she said. “It requires planning and understanding your financial landscape.”

That’s why John Whiteman, a partner with Joseph Law Group, joined partner Melissa Negrin-Weiner from Genser Cona Elder Law, earlier last month in a webinar to talk about what to expect from all angles when considering divorce. From estate planning to finances, the attorneys were joined by financial advisors who all work together.

“A client may be seeing one of us, but it really affects all of us,” Whiteman said. “If you’re going through a marriage or divorce, family law touches on all parts of it.”

At his firm, Whiteman is seeing a mix of different inquiries amidst the coronavirus pandemic. He believes that a lot of people are holding off on getting married due to current restrictions, while some are holding off on engagements to make sure they’re still compatible.

“Some are contemplating engagement or marriage and hitting pause to make sure they want to go through it,” he said. “But they’re starting to see stressors and are holding off.”

And a global pandemic, presidential election, civil unrest and economic crisis could cause a little bit of anxiety in the home.

“People are around each other more, the dynamic is different,” he said. “I think it’s fair to say that whoever was going through the divorce process, this has confirmed the divorce process. People who were thinking about a divorce are going through with it.”

One of the reasons he said he’s seen an uptick in business is because of the constant tension inside the household, especially now, nearing a year since the start of quarantine.

But he, too, suggests those considering divorce to make sure they speak to a mental health professional.



John Whiteman



Melissa Negrin-Weiner

“I don’t want people to get divorced, we treat cases differently than most other places out there,” he said. “Any attorney who says to get a divorce is doing a disservice. ...It should come from a therapist.”

That’s because there are so many twists and turns a person will have to evaluate when the divorce goes through — or if a second marriage comes along.

“We’ve had people come to us to see if they should get married with a second marriage,” Negrin-Weiner said. “Older individuals who are retired on fixed incomes, from a tax perspective, ask if it makes sense to get married, or stay single but stay together.”

She said that at her firm, they see a lot of second marriages, with clients who have children from previous relationships.

“A lot of different types of planning needs to take place to make sure everyone is treated the way they should be treated if something were to happen,” she said. “Planning wills and making sure their children or their families from before the second marriage are basically taken care of the way they should have been.”

She recommends that in every life milestone, from marriage to divorce, people need to review their estate plans and beneficiary designations as part of the divorce agreement.

“People often forget to do that,” she said. “Your estate plan doesn’t affect just you. It’s so much of what happens down the line behind you and up the line in front of you.”

But before divorce becomes finalized in a relationship, Whiteman said it’s important to have two separate conversations.

“You need to reflect internally to make sure you can proceed with it at the end of the day,” he said. “Each person needs to have a conversation with themselves, and although it might lead to conflict, it makes sense for an intact couple to talk with one another.”