Rhode Island Family Law

Attorneys

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Related Services

Family Law
Alimony
Alimony Modification
Child Custody & Visitation
Child Support
Child Support Modification
Divorce
Domestic Violence & Restraining Orders
Prenuptial Agreements
Rhode Island Family Law

Overview

A divorce, a custody dispute, or a request for a protective order comes with questions about where a child will go to school, how a household will manage on one income, and how you will navigate the next several years. Rhode Island Family Court judges respond best to parents and spouses who show up with a clear, well-supported plan rather than a list of grievances.

Cohen Cleary family law attorneys represent individuals and families throughout Rhode Island and Massachusetts in divorce, custody, child support, alimony, domestic violence protection, and prenuptial and postnuptial planning. Every case is unique. Every divorcing parent is trying to hold the family together. Every family is going through a difficult time. We provide steady, responsive counsel to address your unique needs rather than taking a one-size-fits-all approach. Our attorneys build a strategy around your specific circumstances and see it through with discipline and care. Forging a path forward with certainty and longevity.

Our Rhode Island Family Law Services

Cohen Cleary's family law practice covers the full range of issues that arise when Rhode Island families are in transition. Our attorneys handle:

- **Divorce**, including contested and uncontested proceedings, equitable distribution of assets, and orders during the pendency of the case
- **Child Custody, Visitation, and Modification**, addressing both legal and physical custody, parenting plans, relocation disputes, and post-judgment modifications when circumstances change
- **Child Support and Paternity**, establishing support obligations and parental rights for married and unmarried parents
- **Child Support Modification**, adjusting existing orders when material changes in income, employment, or family structure warrant court review
- **Alimony**, representing clients seeking or defending against spousal support under Rhode Island General Laws § 15-5-16, which governs alimony awards in the Family Court
- **Alimony Modification**, pursuing or opposing changes to existing alimony orders based on changed circumstances
- **Domestic Violence and Restraining Orders**, helping victims obtain protective orders under Rhode Island General Laws § 15-15 (Domestic Abuse Prevention) and develop safety plans
- **Prenuptial Agreements**, drafting and negotiating agreements that protect assets and set clear expectations before marriage
- **Postnuptial Agreements**, drafting and negotiating agreements that protect assets and set clear expectations during marriage

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How Our Rhode Island Family Law Attorneys Help

Our family law attorneys practice regularly in the Rhode Island Family Court. That familiarity shapes how we prepare every case.

Rhode Island Family Court Judges hear hundreds of cases. What distinguishes yours is not the volume of paperwork or emotional intensity. It is the organized presentation, credible proposals, and a demonstrated willingness to prioritize the interests of any children involved. We prepare cases with that audience in mind.

For divorce matters, we evaluate the full financial picture early, including assets, debts, income, and future earning capacity, so that settlement discussions and litigation strategy are built on complete information rather than assumptions.

In custody disputes, we focus on developing parenting proposals that reflect the child's actual routine and needs, because Rhode Island Family Courts apply the best-interests-of-the-child standard, pursuant to R.I. Gen. Laws § 15-5-16, as detailed in the Rhode Island Supreme Court's decision in Pettinato v. Pettinato. It is not a presumption of equal time.

For clients needing a child support lawyer or an alimony attorney, we ensure that financial claims are grounded in accurate data and positioned within the Income Shares Model Rhode Island courts apply under R.I. Gen. Laws § 15-5-16.2 and the Rhode Island Family Court's child support guidelines.

For clients facing domestic violence, we move quickly to secure protective orders while coordinating with the broader legal strategy for any related custody, support, or criminal proceedings.

We also handle enforcement and contempt actions when court orders are violated. A family court order is only as effective as the willingness to enforce it, and we ensure that clients who have fought for fair terms can rely on them.

Why Rhode Island Families Choose Cohen Cleary

At Cohen Cleary, our practice teams combine deep subject-matter experience with disciplined execution and responsive client service. We do not take a one-size-fits-all approach. Every matter is handled with careful preparation, clear communication, and a strategy tailored to the client's goals and the realities of the forum.

Clients choose Cohen Cleary because we deliver:

Practice-Focused Legal Experience

Our attorneys work in defined practice areas, allowing us to develop practical insight into the legal, procedural, and regulatory nuances that matter most in each case. This focus allows us to anticipate issues, avoid unnecessary delays, and position matters for efficient resolution.

Clear Guidance and Proactive Communication

We prioritize clarity at every stage. Clients receive straightforward explanations of their options, timely updates on developments, and practical advice grounded in real-world outcomes.

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Strategic Advocacy with Trial Readiness

Whether a matter calls for negotiation, mediation, or litigation, our attorneys prepare every case with discipline and foresight. We pursue efficient resolution when possible and are fully prepared to advocate aggressively when necessary to protect our clients' interests.

Client-Centered Service

We treat every matter with urgency and respect. Our clients rely on us for responsive service, sound judgment, and steady counsel through complex legal challenges.

In our Rhode Island family law work, this approach helps clients navigate custody disputes, divorce proceedings, and support matters with clarity, efficiency, and confidence.

Our Approach to Family Law

Pursuing full custody to 'win' a divorce can work against you in Rhode Island. Rhode Island Family Court judges weigh each parent's willingness to support the child's relationship with the other parent as one of the core factors in any custody decision, and aggressive positioning can signal to a judge that you're not prioritizing your child's stability. We counsel clients to build a strategy around what the court values, not around what feels emotionally satisfying.

That principle applies across all family law matters. We prepare every case for trial but pursue resolution when it serves the client's long-term interests. Not every case belongs in a courtroom, and not every settlement is a compromise. The goal is a durable outcome that holds up under real-world conditions, not just one that looks favorable on paper.

Serving Families Across Rhode Island and Massachusetts

Cohen Cleary represents family law clients throughout Rhode Island, with attorneys who appear regularly before the Rhode Island Family Court. Our attorneys are familiar with the Family Court's procedural rules and practices across its Providence, Kent, Newport, and Washington County. The firm also maintains an active family law practice in Massachusetts, with offices in Taunton and Plymouth, giving clients on either side of the state line access to attorneys familiar with both systems.

Because family law is state-specific, our attorneys maintain deep familiarity with the procedural rules, judicial preferences, and local practices that shape outcomes in Rhode Island and Massachusetts alike. This dual-state presence allows us to serve clients throughout Rhode Island and Massachusetts with the local knowledge that matters in family court proceedings.

Schedule a Consultation With a Rhode Island Family Law Attorney

Family law matters require both legal skill and sound judgment. If you are facing a divorce, custody dispute, support issue, or need for a protective order in Rhode Island, contact Cohen Cleary to schedule a consultation. We will review your situation, explain your options, and help you develop a clear strategy for moving forward.

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Frequently Asked Questions About Family Law in Rhode Island

How long does a divorce take in Rhode Island?

Timelines vary depending on whether the divorce is contested or uncontested. Rhode Island divorces follow a two-step process: after a nominal hearing, the court grants the divorce 'nisi,' and a mandatory 90-day waiting period under R.I. Gen. Laws § 15-5-23 must pass before the judgment becomes final. An uncontested divorce typically takes around four to six months from filing to final judgment; a contested divorce, particularly one involving disputed custody, support, or property issues, can take a year or more. Your divorce attorney can provide a realistic timeline after reviewing the facts of your case.

Do Rhode Island courts favor mothers in custody cases?

No. Rhode Island law does not presume that either parent is a better custodian based on gender. Courts apply a best-interests-of-the-child standard. The outcome depends on the specific facts, not assumptions about gender.

Is everything split 50/50 in a Rhode Island divorce?

No. Rhode Island divides the marital estate on an *equitable distribution* standard. In determining the allocation of marital assets, the Rhode Island Family Court evaluates a number of facts including:

- The length of the marriage;
- The conduct of the parties during the marriage;
- The contribution of each party during the marriage in the acquisition, preservation, or appreciation in value of their respective estates;
- The contribution and services of either party as a homemaker, which legally entitles a non-employed spouse to a share of the family assets by recognizing their essential supportive role;
- The health and age of the parties;
- The amount and sources of income of each of the parties; the occupation and employability of each of the parties;
- The opportunity of each party for the future acquisition of capital assets and income;
- The contribution by one party to the education, training, licensure, business, or increased earning power of the other;
- The need of the custodial parent to occupy or own the marital residence and to use or own its household effects, taking into account the best interests of any children of the marriage;
- Either party's wasteful dissipation of assets, or any transfer or encumbrance of assets made in contemplation of divorce without fair consideration; and
- Any other factor which the court shall expressly find to be just and proper.

What is the difference between legal custody and physical custody in Rhode Island?

Legal custody refers to decision-making authority over major aspects of a child's life, including education, medical care, and religious upbringing. Physical custody, or placement, refers to

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where the child lives. Parents can share legal custody while one parent has primary placement with a defined parenting schedule for the other. These are separate determinations, and the court addresses each based on the child's best interests.

Can a Rhode Island family court order be changed after it is finalized?

Yes, under certain circumstances. Custody, child support, and alimony orders can be modified when there has been a material change in circumstances since the original order. Common triggers include significant changes in income, relocation, a child's changing needs, or cohabitation by a former spouse. The party seeking modification must file with the court and demonstrate that the change justifies a new order.

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