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## PROSPECTIVE CLIENT DIVORCE INFORMATION WORKSHEET

Please fill out this form completely and bring it with you to your scheduled appointment. You may also fax this form in to (832)533-9831 or e-mail it to [jeannefugate7121@gmail.com](mailto:jeannefugate7121@gmail.com). Please note that the receipt of this form does not mean that I have agreed to represent you. I do not represent you until you have signed, delivered, and I have accepted of a copy of my written fee agreement. **Please see the attached Agreement for Legal Services document, execute and include it in the packet.**

Please attach any documents as required

Dear New Client:

The court system is somewhat tedious, frustrating, nerve-wracking and scary to all persons involved. We realize this and are only a phone call away. If you have any questions, feel free to call, but remember that my law clerk CANNOT give legal advice. If I am unavailable and the associate attorney is not available, please leave a detailed message and one of us will get back to you.

Please remember that when in trial, I have to devote my complete time and attention to the specific case and when it is time for your case, you will be given the same respect. So please leave detailed messages with my staff and they will relay it to me and respond as soon as possible.

One very important point to remember is that our office staff is limited so we can provide efficient and cost effective service to all of our clients. In order for us to operate efficiently, it is necessary to utilize our time to our utmost potential.

Please also note that we will notify you when a trial, hearing or meeting is to take place, be re-scheduled or be canceled.

Also be aware that the courts have a tendency for delays. There are many reasons for these delays; whether the delay comes from the Judge, opposing counsel, our office or you, just be prepared for them.

Before papers can be served on an individual, they must first be signed by the Judge. This could take one day or in some cases a few weeks. Unfortunately this is not under our control so please take this into consideration and like all things, we will notify you when we have been notified.

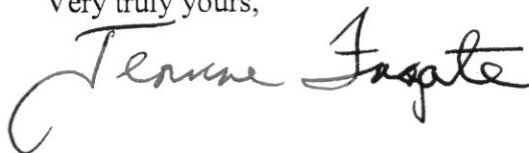
A lot of times people get nervous and scared when they are sent pleadings regarding their case. Please try to remember that most of a pleading is legal jargon and nothing to be alarmed about. We review every pleading that comes in or goes out of this office and if there is anything more than standard form and content, we will bring it to your attention. Let us specifically mention Interrogatories and Request for Production. These requests are standard and nothing to be alarmed about. Answer the questions to your best ability, and they will be reviewed and edited. As for the Production, explicit instructions will be enclosed, so you shouldn't have any problems if you read them.

We understand this is a very difficult and trying time for you and we do the best job we can, but you might consider getting involved in a self-help or support group. There are many people going through the same thing you are and it helps to have that support.

The forms we have included in this packet will help expedite things and give us valuable information for future use so we don't have to waste our time and your money. We realize they may be time-consuming but they are very necessary.

Thank you in advance for your prompt attention in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeanne Ingate". The signature is fluid and cursive, with a large initial "J" and a stylized "I".

## FOR YOUR INFORMATION

### ATTORNEY-CLIENT PRIVILEGE:

By virtue of the attorney-client relationship, there automatically arises what is known as the "attorney-client privilege." This privilege prohibits from disclosure any information, whether communicated orally or in writing, between the attorney and the client, so long as the communication was intended to be confidential. For example, this very information sheet you are reading is protected from disclosure to your spouse's attorney under the attorney-client privilege. Such communications also include all correspondence or documents from your attorney/staff to you, and vice versa (e.g., information sheets you prepare for us), as well as all telephone conversations and in-person conferences between you and your attorney and staff.

Caution: The attorney-client privilege exists only between you and your attorney and his immediate, in-house staff. The attorney-client privilege can be waived if the otherwise confidential information is disclosed to persons other than your attorney and his immediate staff. For example, if you tell your spouse something that your attorney has told you, then that information will lose its privilege from disclosure and will have to be disclosed by you in court. Also, the privilege does not exist between you and other persons who may be involved in your case to assist you (e.g., CPAs, appraisers, etc.). Therefore, be very careful what you say to these persons, even if they are "on your side," for anything you say or do may be required to be disclosed to your spouse's attorney.

### PROPERTY

This subsection is an elementary discussion of some of the basic rules underlying Texas marital property law.

1. TYPES OF PROPERTY: In the context of divorce law in Texas, all property, both real and personal, is characterized as two different types of property: (1) "separate property" and (2) "community property."

- a. Separate Property: "Separate property" is property either (1) owned or acquired by a spouse before marriage or (2) acquired by a spouse during the marriage by either (a) gift or (b) inheritance in a will or (c) inheritance due to descent (3) any recovery for personal injuries sustained during the marriage, except for recovery for loss of earning capacity during a marriage. It is the date of acquisition and the source of the property that controls, not how it is eventually paid for. For example, if one spouse owned a house or a car before marriage, it will be characterized at the time of divorce as that spouse's separate property, even if it was paid off in whole or in part during the marriage.

A gift includes, for example, any Christmas or birthday gifts from one spouse to another during marriage (even if purchased with community funds). If a gift or inheritance goes to both spouses (e.g. wedding gifts), then each spouse has an undivided fifty percent interest in that one piece of separate property.

Separate property can change forms without changing its character as separate property (this is often referred to as a "mutation"). For example, if wife has \$5,000 in cash which is her separate property and uses that \$5,000 cash alone to purchase outright a \$5,000 boat, then the boat would likewise be her separate property.

A court has no authority to take a spouse's separate property from him or her

at the time of divorce. Caution: Any property owned by either spouse at the time of divorce is, by law, presumed to be "community property."

- b. Community Property: "Community property" is any property acquired by either or both spouses during marriage by other than gift or inheritance. This includes virtually everything purchased during marriage. It is important to remember that a marriage legally endures even after separation; therefore, anything earned, purchased, or even merely contracted for, during your separation (whether before or after the divorce petition has been filed) will be characterized as community property. This is true even if the property is not physically received until after marriage. For example, if the day before the divorce is granted a wife contacts to purchase a new home (with closing set off for one month later), or husband enters into a partnership agreement, this will be characterized as community property.

All property which exists in whole or in part in the name of either spouse at the time of divorce is presumed by law to be community property. This is referred to as the "community property presumption." Therefore, if you have any separate property, or if you are in possession of property which does not belong to either you or your spouse, you must point these out to your attorney.

In Texas, earnings from separate property are community property. For example, if husband has \$5,000 in a bank account at the date of marriage, the \$5,000 remains his separate property, but all interest earned on the \$5,000 becomes community property.

Unlike separate property, a court has the authority to divide community property in any manner that it deems to be "just and right."



## CONSERVATORSHIP

1. The Texas Family Code speaks in terms of "conservatorship" of children, meaning the legal status between the children and their parents after the divorce or temporary orders hearing as it relates to controlling the children's lives, having possession of and access to the children, and supporting the children.

The Code expressly sets out a non-exclusive list of rights, privileges, duties and powers of parents. In a nutshell, these rights and duties may be categorized into three areas: (1) the right to make major decisions regarding the children; (2) the right to have physical possession of the children; and (3) the duty to financially support the children. Conservatorship orders divide these various rights and duties among the parents after the divorce or temporary orders hearing.

a. Types of Conservatorships: A managing conservatorship can be either a "sole managing conservator" or a "joint managing conservatorship." Joint managing conservatorship is now presumed to be in the best interest of children.

1. Sole Managing Conservatorship: A "sole managing conservatorship" exists when one parent alone is appointed the managing conservator of the child and given virtually all of the rights, privileges, duties and powers of a parent to the exclusion of the other parent. In such event, the other parent will be the "possessory conservator."

2. Possessory Conservator: A "possessory conservator" is generally given (1) only a handful of rights and duties to make decisions for the children which can be exercised only when the children are actually in the physical possession of the possessory conservator, (2) the right to certain limited times of possession of the children (often referred to as "visitation rights"), and (3) the duty to pay the managing conservator child support for the benefit of the children.

3. Joint Managing Conservatorship: Generally in Texas now, due to the presumption all conservatorships are joint managing conservatorships, joint managing conservators share in the rights and duties of raising their children. A court shall order that both parties are to be "joint managing conservators" of the children unless the presumption is overcome by the evidence of child neglect or family violence.

It should be noted, however, that joint managing conservators vary. A joint managing conservatorship order may be either a "pure" or real joint managing conservator, or a joint managing conservatorship in name only, or any combination thereof. A "pure" (real) joint managing conservatorship authorizes both parents to equally exercise jointly most of the rights, privileges, duties and powers of a parent. On the other hand, under a joint managing conservatorship which exists in name only, while both parents are given the title of joint managing conservator, one parent is in reality, by the detailed terms of the joint managing conservatorship order, given all of the rights and duties of a sole managing conservator, while the other "joint managing conservatorship" is in reality treated like a possessory conservator. There are advantages and disadvantages to going either route, which will be discussed with you by your attorney.

Possession of and Access to Child: The joint managing conservators are given certain exact times of possession of and access to the children. Usually, one parent is considered to be the primary custodian of the child and has the child at all times except for those court-ordered times of possession of and access to the children (sometimes referred to as "visitation rights") given to the other parent.

The legislature has by statute adopted what is referred to as a "Standard Possession Order." Basically, the Standard Possession Order gives the non-custodial parent the right to possession of the children on every first, third and fifth weekend (Friday through Sunday), every Thursday evening, and one-half of all holidays. To encourage the development of a close and continuing relationship between each parent and the child, it is the policy of this state to encourage frequent contact between a child and each parent. In a Standard Possession Order, the court will specify that the parties may have possession of the children at times mutually agreed to in advance by the parties. In the absence of the mutual agreement, the parties shall have possession pursuant to the court order.

2. CHILD SUPPORT: The non-custodial parent, who has less physical possession of the children, is generally required to pay financial child support to the primary custodial parent for the benefit of the children. Child support consists of periodic (e.g. monthly) payments to the custodial parent.

The legislature by statute has adopted Child Support Guidelines. Basically, the amount of child support under the Guidelines will be based upon percentages (based on the number of children) of the support payor's "net resources" (as defined in the Guidelines). For example, the guidelines require the payor to pay 20% of his "net resources" for one child, 25% for two children, 30% for three children, 35% for four children, and 40% for five children, etc. Most courts follow the guidelines absent unusual circumstances.

Also, the Family Code requires that the payor's child support be withheld from his wages by his employer and paid to the custodial parent.

Child support is usually ordered to be paid through the Texas Child Support Disbursement Unit. The agency then keeps a record of all payments received and forwards the payment to the child support recipient.

Other "child support" is also required in the form of health insurance for the children, orders requiring the payment of non-covered medical expenses, etc.

Child support is due until the child turns eighteen or, thereafter, until the end of the school year in which the child graduates from high school. IMPORTANT: If a child is mentally or physically impaired to the extent of requiring continuous care, child support may be ordered to be paid indefinitely past the child's 18th birthday. If this is the case with any of your children, be sure to inform your attorney.

## PARENTING CLASS

There are a number of programs to assist children with the disruption and trauma of divorce. The important thing for divorcing parents to understand is that divorce does not mean the end of the family: Even when the marriage is dissolved, the parents will remain parents. Even in the midst of chaos in their own lives, it is imperative that parents cooperate with one another to meet the needs of the children.

The court will order the parties to attend a parent education course. The course will be at least four hours long and will be designed to educate parents about the consequences of divorce on parents and their children. The course will include information pertaining to:

- \*The emotional effects of divorce on parents
- \*The emotional and behavioral reactions to divorce by young children and adolescents
- \*Parenting issues relating to the concerns and needs of children at different stages of development
- \*Stress indicators in young children and adolescents
- \*Conflict management
- \*Family stabilization through development of co-parenting relationship
- \*Financial responsibilities of parenting
- \*Family violence, spousal abuse and neglect
- \*The availability of community services and resources

## THINGS TO AVOID

There are a number of very important things for you to carefully avoid throughout your entire divorce case.

1. Don't disclose confidential information to others.

Remember, the attorney-client privilege only exists between you and your attorney and his immediate, in-house staff. Therefore, in order to keep this type of confidential information privileged from disclosure, do not discuss it with or give it to anybody, including your spouse and including any professional hired to assist you in this case.

2. Don't hide/destroy property or documents.

Whether or not any temporary orders have been entered, never destroy, waste, hide, alter, collateralize or otherwise do anything to affect the title or the value of any property, or destroy or alter any documents. Be sure to consult with your attorney regarding any questions that you have with respect to dealing with present property and existing documents.

3. Don't incur unusual debts/liabilities.

Whether or not temporary orders have been entered, never incur unusual debts or liabilities (e.g., charge an unusually high amount of clothes, an expensive vacation, etc.) This will generally be considered against you by the judge and, more often than not, the judge will first make an overall "just and right" division of the property and debts and then, thereafter, order that you be solely responsible for any such unusual liabilities.

4. Don't belittle your spouse to other people, especially the children.

Judges and juries do not take kindly to one spouse belittling the other spouse to third persons, and especially the children. Everyone realizes that there are certain people with whom you will confide about your divorce and that some criticism of your spouse is natural; however, try as hard as you can to keep this to a minimum, for these people may have to testify under oath as to all of the negative remarks or hot-headed threats you may have made against your spouse in a moment of anger. It is not uncommon to take the deposition of the best friend of one of the spouses, who will admit that the spouse has stated that "I'm going to take that so-and-so to the cleaners, and I don't care what it costs, even if I have to lie to the court to do it." These remarks will have extremely undesirable consequences.

Above all else, never criticize your spouse in front of or to the children. It cannot be overemphasized how detrimental this will be to your case. It has literally cost many a parent custody of the children. Judges and juries are extremely critical of this behavior. Most mental health professionals will tell you that the children get their own self-esteem from both parents; therefore, when one parent tells the child that the other parent is "no good," this can leave long-lasting scars on the child's self-image. Also, child psychologists warn that eventually this criticism of the other parent will backfire on the criticizing parent; the child, as he grows older, starts to know the other parent in a different and better light and feels that his earlier alienation from that parent was unjustified and caused by the other parent; they eventually resent the criticizing parent. In any event, you are strongly advised against making any criticism of the other parent or taking any action which could remotely tend to alienate the affections of the children for the other parent.

5. Don't start a business, or contract for or purchase property.

Even if you are separated and the divorce petition has been filed, you are still legally married, and any property purchased, even if it is on the day before the divorce, will be considered community property. If that property is not divided at the time of the divorce, then it will be considered undivided community property to which both parties have an interest. Even years after the divorce, the court can require you to partition that property or order it sold, so that your spouse can own a share of the property. The same rule applies to the establishment of a business. Before you purchase any property or enter into any contracts during the pendency of your divorce, consult your attorney.

### COMMON QUESTIONS

The following are questions frequently asked by persons at the beginning of divorce litigation. The answers provided are general. You should ask your attorney to discuss the specifics of your case.

1. When can I begin to date?

Not until the divorce is final. Adultery is a ground for the granting of a divorce based upon fault. Your legal status as a married person does not change until a divorce is granted. Although some judges are lenient regarding dating while a divorce is pending, you should be cautious about taking the risk. The fact that your spouse may be dating should not be an excuse or justification for your conduct. You need to wear the "white hat." If you do decide to date, you should know that it may impact adversely on a child custody dispute. In no event should you introduce the children to your dates. No community funds should be spent for the entertainment of third parties.

2. How do I get a "legal separation"?

There is no such thing as a "legal separation" under Texas law. Even though temporary orders may be entered by the court, they are not to be construed as a legal separation.

3. Can I open my spouse's mail?

No. If you receive any mail addressed solely to your spouse, it should be forwarded to him or to her by you or through your attorney.

4. Should I close bank accounts and/or credit accounts?

If you have been served with a Temporary Restraining Order, you will be prohibited from closing accounts. If you have not, you are free to close the accounts. You should consider the possible consequences. Closing an account without notice to your spouse may cause unnecessary embarrassment. It may also increase hostility and mistrust.

If your spouse is likely to spend or hide money in an account or run up large balances on a credit card, it may be a wise decision. If you close bank accounts, you should not spend the funds. The best plan is to deposit all the funds from the closed account into a new account, solely in your name, so that you can fully account for the transaction later.

5. Do I tell the truth?

Although there are many rules to follow during a trial, perhaps the most important rule to follow is *always tell the truth*. Lying under oath in Texas is perjury and a serious offense. Lying rarely works and is not worth the threat of jail time. Most people are poor liars and lawyers are trained to point out inconsistencies in testimony. Even a "little white lie" can sabotage your case. If discovered, the judge and/or jury will not believe another word you have to say.

6. Can a witness testify by affidavit?

No, except in very limited circumstances relating to business records. Generally, testimony must be given in person at the time of trial, or by pre-trial deposition. This gives each side the opportunity to examine and cross-examine the witness. An affidavit cannot be cross-examined.



## Pre-trial Conduct- IMPORTANT ADVICE

### A. E-mail and Technology Minefield

With advances in technology, e-mails are becoming more and more prevalent. Additionally, people are communicating more with instant messaging (IMs), other cell-phone assisted communications, and MySpace and Facebook. A word to the wise: These communications can be preserved, reduced to writing, and offered as an exhibit at your trial. Resist the temptation to respond to every communication sent by your angry spouse. It is possible these messages are being sent as “teasers” to entice the receiving spouse to fire back an angry, knee-jerk response. This kind of evidence rarely helps; it can, however, hurt your case.

On the other hand, if your spouse suffers from “e-mail incontinence” and cannot help himself/herself, feel free to print them all and their attachments. Keep them for your lawyer. Don’t forget: if you **do** respond, it is imperative you remember that your response may also be admitted as evidence.

### B. Recording phone calls

**Do not record telephone calls to which YOU are NOT a party.** This rule applies even if you own the house, the telephone, and the wires that make that telephone operable. This rule also applies even if the child is talking on a telephone that is yours. If an expert, employed by your spouse’s attorney, testifies as to that expert’s professional opinion (for example, a counselor who testifies as to whether your child would be better off with you serving as primary conservator) and that expert’s opinion is based on recordings that were obtained illegally, that opinion may be excluded from evidence.

You **can**, however, record your own conversations. Under Federal Communications Commission’s regulations, you should advise the party of the other end that you are recording the conversation. Recordings that contain gaps in time are suspect. Therefore, if you are going to record your conversations, start the recorder at the beginning and do not turn it off until the conversation ends and the other party hangs up the telephone.

You may be asked to produce recordings during the discovery process. Make certain you give any/all recordings of **any** telephone conversations you have recorded to your attorney for safekeeping and, if necessary, for use at trial.

The circumstances surrounding any tape recorded conversation will determine whether or not the court deems the recording is admissible. For example, tape recordings of a child who is apparently being coached about what to say, or of an adverse party who is intentionally being drawn into a verbal war, may be excluded from evidence.

As you can see, telephone recordings can be a double-edged sword. Before you undertake recording **any** telephone conversation, it is imperative that you discuss this with your attorney.

**NOTE:** Calls taped from your Texas telephone may not be admissible in another state’s court because recording telephone conversations may not be legal in that state.

### C. Electronic recording

Courts are frequently exposed to parties who bring electronic digital recordings of interactions between the other parent and the children. There is little doubt that the opposing party can produce equally convincing recordings showing the complete opposite. As a result, electronic recordings, especially those from hidden cameras, should be used sparingly.



Discuss the pro's and con's of videotaping before doing so, as some actions, such as videotaping on another person's property, or through their window, may constitute criminal conduct.

D. Invasion of Privacy

Although much of what we do is in public view, we should be aware that we can be charged with invasion of privacy in certain situations. For example, if you see your spouse sitting in a sidewalk café sipping a latte with a lover, recording their voices may be considered an invasion of privacy. Videotaping this exact same scene, however, may not be an invasion. The use of special, powerful "eavesdropping devices" may cross the line and subject you to a claim for invasion of privacy. A general rule to follow is that, if a party being taped has a reasonable expectation of privacy, then videotaping him/her in that situation might well be considered an invasion of privacy.

Inappropriate behavior by the party being taped is not a defense when you have invaded their privacy- even when you have videotaped your spouse passionately kissing his/her lover through the window of the lover's home.

## BASIC DIVORCE PROCESS

### A. The Petition

The divorce process commences with one of the spouses filing a petition for divorce; the filing spouse is, therefore, called the "petitioner." The petition notifies the court, as well as the other spouse, of the intent to end the marriage. It also sets out what the petitioner is asking for, including division of property, allocation of debt, spousal support, payment of attorney's fees, custody, and child support.

### B. The Response

The other party, called the "respondent," must be served with the petition; in lieu of serving the petition on the other spouse, he/she may sign a "waiver of citation." If the respondent does not file a response and participate in the divorce proceedings, he/she may lose the right to present his/her side of the case to the court and the court may grant everything the petitioner requested.

**Note:** A second, independent attorney is always recommended to advise the other spouse. One attorney is not permitted to represent both parties and cannot legally advise the other side.

### C. Temporary Orders

Either party may ask the court to put temporary orders in place until the divorce is finalized.

The following issues are usually decided at a temporary hearing:

- \*Who stays in the house
- \*Who pays what bills
- \*Temporary spousal support
- \*Temporary child custody
- \*Interim attorney's fees

### D. Discovery

Each spouse has the right to obtain information from the other spouse about the assets and liabilities of the other spouse and the marital estate. This information is usually obtained through "discovery," which is a broad term for the process of gathering information. Discovery can be simple and speedy, or long, time consuming, and expensive. Discovery may include:

- \*Interrogatories (a list of written questions)
- \*Request for Admissions (a written list of issues/statements one spouse is asking the other to admit or deny)
- \*Depositions (questions asked and answered under oath in front of a court reporter)
- \*Request for Disclosure (written request for basic information about a case, a list of potential witnesses, etc.)
- \*Request for Production (written request for documents, photographs, calendars, bank

statements, records and any other tangible evidence to be used in the divorce proceedings)

E. Alternative Dispute Resolution

Once both parties have all the information they need to make informed decisions, most courts encourage parties to work through their differences without going to trial. If spouses cannot come to an agreement on their own, professionals are available to provide mediation or arbitration services.

F. Trial or Agreement

If the parties are able to agree on a resolution of all the issues, the attorney(s) will draft an agreed decree of divorce in compliance with Texas law. Once the decree is complete, both spouses will sign the agreed decree which sets out property and debt division, custody and child support. There may also be additional documents to be signed along with the decree, such as an agreement incident to divorce (setting out the agreed division of property, liabilities, and spousal maintenance, if any) transfer of title documents, and, if applicable, a qualified domestic relations order which distributes retirement benefits.

If you and your spouse cannot resolve all your issues, the case will go to trial on any/all remaining issues. This could involve every issue, a few issues, or just one issue. A trial may last several hours, or several weeks, and can be costly-both financially and emotionally. If there are children involved, trials are even more difficult. The court is available, however, for those times when there is truly no other option and all other attempts at settlement have failed. At the trial, each side will present their evidence, witnesses, and personal testimony to the judge or a jury who will decide the contested issues. **BEWARE:** Trials are risky and no lawyer can predict the outcome.

G. Appeal

After a contested trial, if one of the parties believes the court made an error in his/her review of the evidence, or understanding of the law, that party may file an appeal with the Court of Appeals. Appeals are expensive and time consuming, and they rarely lead to an outright reversal of the trial judge's ruling.

H. Enforcement

If either party disobeys a court order, the court may enforce compliance. If one parent refuses to allow visitation, or fails to pay child support, for instance, the court may put the non-compliant parent in jail.

Law Office of Jeanne Fugate, PLLC

JEANNE FUGATE

Telephone (281) 859-9200  
Telecopier (832) 533-9831

CLIENT INTERVIEW SHEET

CLIENT NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

INSTRUCTIONS: Please complete this questionnaire. If you will spend the time to complete all items, you will give us the background information necessary to begin to understand the complexity of the personal aspects of your family law problem. All information will be held in strict confidence.

NOTICE: Pursuant to Texas Rule of Civil Procedure 192.5 along with all corresponding Rules of Evidence associated therewith, the information contained within this document comprises the work product of the attorney whose client name is referenced above. All information herein has been prepared in anticipation of litigation or for trial by or for a party or a party's representatives, including the party's attorneys, consultants, sureties, indemnitors, insurers, employees, or agents.

Referral

Who referred you to this office?

- \_\_\_\_\_: My friend whose name is \_\_\_\_\_
- \_\_\_\_\_: An Attorney whose name is \_\_\_\_\_
- \_\_\_\_\_: The Yellow Pages of the \_\_\_\_\_ directory.
- \_\_\_\_\_: The \_\_\_\_\_ Bar Association.
- \_\_\_\_\_: A Judge by the name of \_\_\_\_\_
- \_\_\_\_\_: Other \_\_\_\_\_

FOR OFFICE USE ONLY:

REFERRING ATTORNEY: \_\_\_\_\_

Please give your full name, date and place of birth, Social Security number, and driver's license number:

- a. Name : \_\_\_\_\_  
Maiden Name : \_\_\_\_\_
- b. Date of Birth : \_\_\_\_\_
- c. Place of Birth : \_\_\_\_\_
- d. Social Security : \_\_\_\_\_
- e. Driver's License # : \_\_\_\_\_

1. Where are you living now?

- a. Street Address : \_\_\_\_\_
- b. City : \_\_\_\_\_
- c. State & Zip Code : \_\_\_\_\_  
How long in State : \_\_\_\_\_
- d. County of Residence : \_\_\_\_\_
- e. How long in County : \_\_\_\_\_
- f. Residence telephone : \_\_\_\_\_
- g. Mobile telephone : \_\_\_\_\_
- h. Email Address : \_\_\_\_\_

2. Please complete the following concerning your employment:

- a. Employer : \_\_\_\_\_
- b. Job title : \_\_\_\_\_
- c. Full address : \_\_\_\_\_
- d. Telephone number : \_\_\_\_\_
- e. Gross salary/monthly : \_\_\_\_\_
- f. Annual gross (including bonuses, Stock options, etc.) : \_\_\_\_\_
- g. Length of employment : \_\_\_\_\_
- h. Education/Training : \_\_\_\_\_

3. Please give your spouse's full name, date and place of birth, Social Security number, drivers license number:

- a. Name : \_\_\_\_\_  
Maiden Name : \_\_\_\_\_
- b. Date of Birth : \_\_\_\_\_
- c. Place of Birth : \_\_\_\_\_
- d. Social Security : \_\_\_\_\_
- e. Driver's License # : \_\_\_\_\_

4. Where is your spouse living and what is your spouse's telephone number?

- a. Street Address : \_\_\_\_\_
- b. City : \_\_\_\_\_
- c. State & Zip Code : \_\_\_\_\_  
How long in State : \_\_\_\_\_
- d. County of Residence : \_\_\_\_\_  
How long in County : \_\_\_\_\_
- e. Residence telephone : \_\_\_\_\_

5. Please complete the following concerning your spouse's employment:

- a. Employer : \_\_\_\_\_
- b. Job title : \_\_\_\_\_
- c. Full address : \_\_\_\_\_
- d. Telephone number : \_\_\_\_\_
- e. Gross salary/monthly : \_\_\_\_\_
- f. Annual gross (including bonuses, Stock options, etc.) : \_\_\_\_\_
- g. Length of employment: \_\_\_\_\_
- h. Education/Training : \_\_\_\_\_

7. Please give the date and place of your marriage:

a. Date : \_\_\_\_\_

b. City, State : \_\_\_\_\_

8. Date of separation : \_\_\_\_\_

9. Enter name of Marriage Counselor, if applicable.

: \_\_\_\_\_

10. If there are any children of this marriage, thoroughly answer all questions.

Child #1

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

e. Social Security : \_\_\_\_\_

f. Disability, if any : \_\_\_\_\_

g. Child's Address : \_\_\_\_\_

h. Driver's License # : \_\_\_\_\_

Child #2

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

e. Social Security : \_\_\_\_\_

f. Disability, if any : \_\_\_\_\_

g. Child's Address : \_\_\_\_\_

h. Driver's License # : \_\_\_\_\_



Child #3

- a. Name of Child : \_\_\_\_\_
- b. Sex of Child : \_\_\_\_\_
- c. Date of Birth : \_\_\_\_\_
- d. Place of Birth : \_\_\_\_\_
- e. Social Security : \_\_\_\_\_
- f. Disability, if any : \_\_\_\_\_
- g. Child's Address : \_\_\_\_\_
- h. Driver's License # : \_\_\_\_\_

Child #4

- a. Name of Child : \_\_\_\_\_
- b. Sex of Child : \_\_\_\_\_
- c. Date of Birth : \_\_\_\_\_
- d. Place of Birth : \_\_\_\_\_
- e. Social Security : \_\_\_\_\_
- f. Disability, if any : \_\_\_\_\_
- g. Child's Address : \_\_\_\_\_
- h. Driver's License # : \_\_\_\_\_

11. Health Care Coverage for Children: \_\_\_\_ Yes \_\_\_\_ No
- a. Name of Provider: \_\_\_\_\_
  - b. Policy Number: \_\_\_\_\_
  - c. Responsible Party: \_\_\_\_\_
  - d. Monthly Premium Cost: \$ \_\_\_\_\_
  - e. Medicaid Benefits: \_\_\_\_ Yes \_\_\_\_ No
  - f. Children's Health Insurance Program (CHIPs): \_\_\_\_ Yes \_\_\_\_ No
12. Will there be a dispute over custody of the children? \_\_\_\_\_  
If not, who will have custody? \_\_\_\_\_
13. List all property (other than furniture and clothing) owned by the children.  
: \_\_\_\_\_

14. Religious Preference:

- a. your preference : \_\_\_\_\_  
b. your spouse's : \_\_\_\_\_

15. Check as appropriate if your marital difficulties involve any of the following:

- \_\_\_\_\_ Drugs/alcohol  
\_\_\_\_\_ Sexual disappointment  
\_\_\_\_\_ Sexual infidelity  
\_\_\_\_\_ Financial dispute  
\_\_\_\_\_ Physical violence  
\_\_\_\_\_ Religion  
\_\_\_\_\_ Incompatibility  
\_\_\_\_\_ Other \_\_\_\_\_

16. Have you or your spouse ever filed for a divorce? \_\_\_\_\_  
If so, when and where? \_\_\_\_\_

17. Does your spouse now have an attorney? \_\_\_\_\_  
If so, whom? \_\_\_\_\_

18. If a divorce is granted, should the wife's maiden or prior name be restored? \_\_\_\_\_  
If so, what name will be used? \_\_\_\_\_

19. Have you been married before? \_\_\_\_\_  
If so, how many times? \_\_\_\_\_  
Any children? \_\_\_\_\_

If there are children from a previous marriage (or relationship), please give full name, sex, date and place of birth.

Child #1

- a. Name of Child : \_\_\_\_\_  
b. Sex of Child : \_\_\_\_\_  
c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

Child #2

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

Child #3

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

Child #4

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

With whom do these children reside? \_\_\_\_\_

20. Do you pay or receive child support? \_\_\_\_\_

Describe Child Support payments. \_\_\_\_\_ per \_\_\_\_\_

21. Has your spouse been married before? \_\_\_\_\_

If so, how many times? \_\_\_\_\_

Any children \_\_\_\_\_

If there are children from the previous marriage (or relationship) of your spouse, please give full name, sex, date and place of birth.

Child #1

a. Name of Child : \_\_\_\_\_

b. Sex of Child : \_\_\_\_\_

c. Date of Birth : \_\_\_\_\_

d. Place of Birth : \_\_\_\_\_

Child #2

- a. Name of Child : \_\_\_\_\_
- b. Sex of Child : \_\_\_\_\_
- c. Date of Birth : \_\_\_\_\_
- d. Place of Birth : \_\_\_\_\_

Child #3

- a. Name of Child : \_\_\_\_\_
- b. Sex of Child : \_\_\_\_\_
- c. Date of Birth : \_\_\_\_\_
- d. Place of Birth : \_\_\_\_\_

Child #4

- a. Name of Child : \_\_\_\_\_
- b. Sex of Child : \_\_\_\_\_
- c. Date of Birth : \_\_\_\_\_
- d. Place of Birth : \_\_\_\_\_

With whom do these children reside? \_\_\_\_\_

22. Does your Spouse pay or receive child support? \_\_\_\_\_  
Describe Child Support payments. \_\_\_\_\_ per \_\_\_\_\_

23. Please list all Real Estate Property:

[1.1] Real Estate Property #1

- a. Address : \_\_\_\_\_
- b. Legal Description : \_\_\_\_\_  
: \_\_\_\_\_  
: \_\_\_\_\_  
: \_\_\_\_\_
- c. Mortgage Company : \_\_\_\_\_  
Amount of Original Note : \_\_\_\_\_  
Note Executed by : \_\_\_\_\_  
Date of Original Note : \_\_\_\_\_
- d. Year Bought : \_\_\_\_\_

- e. Estimate Current Mkt. Value : \_\_\_\_\_  
f. Monthly Payments : \_\_\_\_\_  
g. Mortgage Balance : \_\_\_\_\_  
h. General Comments : \_\_\_\_\_

[1.2] Real Estate Property #2

- a. Address : \_\_\_\_\_  
b. Legal Description : \_\_\_\_\_  
: \_\_\_\_\_  
: \_\_\_\_\_  
c. Mortgage Company : \_\_\_\_\_  
Amount of Original Note : \_\_\_\_\_  
Note Executed by : \_\_\_\_\_  
Date of Original Note : \_\_\_\_\_  
d. Year Bought : \_\_\_\_\_  
e. Estimate Current Mkt. Value : \_\_\_\_\_  
f. Monthly Payments : \_\_\_\_\_  
g. Mortgage Balance : \_\_\_\_\_  
h. General Comments : \_\_\_\_\_

[1.3] Real Estate Property #3

- a. Address : \_\_\_\_\_  
b. Legal Description : \_\_\_\_\_  
: \_\_\_\_\_  
: \_\_\_\_\_  
c. Mortgage Company : \_\_\_\_\_  
Amount of Original Note : \_\_\_\_\_  
Note Executed by : \_\_\_\_\_  
Date of Original Note : \_\_\_\_\_  
d. Year Bought : \_\_\_\_\_  
e. Estimate Current Mkt. Value : \_\_\_\_\_  
f. Monthly Payments : \_\_\_\_\_

- g. Mortgage Balance : \_\_\_\_\_
- h. General Comments : \_\_\_\_\_
- [1.4] Real Estate Property #4
- a. Address : \_\_\_\_\_
- b. Legal Description : \_\_\_\_\_
- : \_\_\_\_\_
- : \_\_\_\_\_
- c. Mortgage Company : \_\_\_\_\_
- Amount of Original Note : \_\_\_\_\_
- Note Executed by : \_\_\_\_\_
- Date of Original Note : \_\_\_\_\_
- d. Year Bought : \_\_\_\_\_
- e. Estimate Current Mkt. Value : \_\_\_\_\_
- f. Monthly Payments : \_\_\_\_\_
- g. Mortgage Balance : \_\_\_\_\_
- h. General Comments : \_\_\_\_\_

24. List all Bank Accounts, Savings Accounts, C.D.'s, Credit Union, Savings bonds:

- [2.1] Account #1
- a. Name of Bank : \_\_\_\_\_
- Address : \_\_\_\_\_
- b. Account Type : \_\_\_\_\_
- (Checking, Savings, IRA, etc.)
- c. Account Name : \_\_\_\_\_
- d. Account Number : \_\_\_\_\_
- e. Amount on Deposit : \_\_\_\_\_
- f. Authorized Users : \_\_\_\_\_
- [2.2] Account #2
- a. Name of Bank : \_\_\_\_\_
- Address : \_\_\_\_\_
- b. Account Type : \_\_\_\_\_

(Checking, Savings, IRA, etc.)

- c. Account Name : \_\_\_\_\_
- d. Account Number : \_\_\_\_\_
- e. Amount on Deposit : \_\_\_\_\_
- f. Authorized Users : \_\_\_\_\_

**[2.3] Account #3**

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_
- b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)
- c. Account Name : \_\_\_\_\_
- d. Account Number : \_\_\_\_\_
- e. Amount on Deposit : \_\_\_\_\_
- f. Authorized Users : \_\_\_\_\_

**[2.4] Account #4**

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_
- b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)
- c. Account Name : \_\_\_\_\_
- d. Account Number : \_\_\_\_\_
- e. Amount on Deposit : \_\_\_\_\_
- f. Authorized Users : \_\_\_\_\_

**[2.5] Account #5**

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_
- b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)
- c. Account Name : \_\_\_\_\_
- d. Account Number : \_\_\_\_\_
- e. Amount on Deposit : \_\_\_\_\_
- f. Authorized Users : \_\_\_\_\_



[2.6] Account #6

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_  
b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)  
c. Account Name : \_\_\_\_\_  
d. Account Number : \_\_\_\_\_  
e. Amount on Deposit : \_\_\_\_\_  
f. Authorized Users : \_\_\_\_\_

[2.7] Account #7

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_  
b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)  
c. Account Name : \_\_\_\_\_  
d. Account Number : \_\_\_\_\_  
e. Amount on Deposit : \_\_\_\_\_  
f. Authorized Users : \_\_\_\_\_

[2.8] Account #8

- a. Name of Bank : \_\_\_\_\_  
Address : \_\_\_\_\_  
b. Account Type : \_\_\_\_\_  
(Checking, Savings, IRA, etc.)  
c. Account Name : \_\_\_\_\_  
d. Account Number : \_\_\_\_\_  
e. Amount on deposit : \_\_\_\_\_  
f. Authorized users : \_\_\_\_\_

23. List all Motor vehicles, Boats, Airplanes, Cycles, Trailers:

[3.1] Vehicle #1

- a. Year / Make / Model : \_\_\_\_\_

b. Vehicle ID Number : \_\_\_\_\_  
c. Name on Title : \_\_\_\_\_  
d. Vehicle in Possession of : \_\_\_\_\_  
e. Mortgage with : \_\_\_\_\_  
Address : \_\_\_\_\_  
Loan Balance : \_\_\_\_\_

[3.2] Vehicle #2

a. Year / Make / Model : \_\_\_\_\_  
b. Vehicle ID Number : \_\_\_\_\_  
c. Name on Title : \_\_\_\_\_  
d. Vehicle in Possession of : \_\_\_\_\_  
e. Mortgage with : \_\_\_\_\_  
Address : \_\_\_\_\_  
Loan Balance : \_\_\_\_\_

[3.3] Vehicle #3

a. Year / Make / Model : \_\_\_\_\_  
b. Vehicle ID Number : \_\_\_\_\_  
c. Name on Title : \_\_\_\_\_  
d. Vehicle in Possession of : \_\_\_\_\_  
e. Mortgage with : \_\_\_\_\_  
Address : \_\_\_\_\_  
Loan Balance : \_\_\_\_\_

[3.4] Vehicle #4

a. Year / Make / Model : \_\_\_\_\_  
b. Vehicle ID Number : \_\_\_\_\_  
c. Name on Title : \_\_\_\_\_  
d. Vehicle in Possession of : \_\_\_\_\_  
e. Mortgage with : \_\_\_\_\_  
Address : \_\_\_\_\_

Loan Balance : \_\_\_\_\_

25. List all Retirement, Pensions, and Savings Plans.

Defined Contribution, Defined Benefit, IRA/SEP, Military Benefits, Nonqualified, Government Retirement

a. Do you participate in any retirement plan? \_\_\_\_\_

[4.1] If so, describe the plan: \_\_\_\_\_

b. Does your Spouse participate in any retirement plan? \_\_\_\_\_

[4.2] If so, describe the plan: \_\_\_\_\_

c. Do you participate in any company savings plan? \_\_\_\_\_

[4.3] How much is in the plan: \$ \_\_\_\_\_

d. Does your Spouse participate in any company savings plan? \_\_\_\_\_

[4.4] How much is in the plan: \$ \_\_\_\_\_

26. List any other Deferred Compensation Benefits (e.g., workers' compensation, disability benefits, bonuses and other "special payments," employee stock options, and other forms of compensation)

a. [5.1] Name or Type of Your Benefit: \_\_\_\_\_

Please describe the benefit: \_\_\_\_\_

b. [5.2] Name or Type of your Spouse's Benefit: \_\_\_\_\_

Please describe the benefit: \_\_\_\_\_

26. List all Life Insurance or Annuities:

[6.1] Insurance #1

a. Insurance Company : \_\_\_\_\_

Policy # : \_\_\_\_\_

Date of Issue : \_\_\_\_\_

b. Face Amount : \_\_\_\_\_

c. Insuring Life of : \_\_\_\_\_

d. Beneficiary : \_\_\_\_\_  
e. Type of Policy (Whole Life) (Term) (Universal)  
f. Amount of Premiums : \_\_\_\_\_  
Frequency : \_\_\_\_\_  
Cash Value : \_\_\_\_\_  
g. Loans against policy : \_\_\_\_\_

[6.2] Insurance #2

a. Insurance Company : \_\_\_\_\_  
Policy # : \_\_\_\_\_  
Date of Issue : \_\_\_\_\_  
b. Face Amount : \_\_\_\_\_  
c. Insuring Life of : \_\_\_\_\_  
d. Beneficiary : \_\_\_\_\_  
e. Type of Policy (Whole Life) (Term) (Universal)  
f. Amount of Premiums : \_\_\_\_\_  
Frequency : \_\_\_\_\_  
Cash Value : \_\_\_\_\_  
g. Loans against policy : \_\_\_\_\_

[6.3] Insurance #3

a. Insurance Company : \_\_\_\_\_  
Policy # : \_\_\_\_\_  
Date of Issue : \_\_\_\_\_  
b. Face Amount : \_\_\_\_\_  
c. Insuring Life of : \_\_\_\_\_  
d. Beneficiary : \_\_\_\_\_  
e. Type of Policy (Whole Life) (Term) (Universal)  
f. Amount of Premiums : \_\_\_\_\_  
Frequency : \_\_\_\_\_  
Cash Value : \_\_\_\_\_

g. Loans against policy : \_\_\_\_\_

27. List any Brokerage or Mutual Fund Accounts:

[7.1] Account #1

a. Name of Account : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[7.2] Account #2

a. Name of Account : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[7.3] Account #3

a. Name of Account : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[7.4] Account #4

a. Name of Account : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

28. List all Stocks, Bonds, and Other Securities (include securities not previously disclosed in this interview):

[8.1] Investment #1

a. Name of Stock : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[8.2] Investment #2

a. Name of Stock : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[8.3] Investment #3

a. Name of Stock : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

[8.4] Investment #4

a. Name of Stock : \_\_\_\_\_

b. Estimate amount invested : \_\_\_\_\_

29. List all Closely Held Business Interests:

[9.1] Interest #1

a. Name of Business : \_\_\_\_\_

b. Percentage of Ownership : \_\_\_\_\_

Number of Shares Owned : \_\_\_\_\_

c. Value of Interest : \_\_\_\_\_

[9.2] Interest #2

a. Name of Business : \_\_\_\_\_

b. Percentage of Ownership : \_\_\_\_\_

Number of Shares Owned : \_\_\_\_\_

c. Value of Interest : \_\_\_\_\_

29. Does anyone owe you or your spouse money? \_\_\_\_\_

How much is owed \$ \_\_\_\_\_

Owed by whom : \_\_\_\_\_

30. Are you involved in any lawsuits? \_\_\_\_\_

If so, please explain : \_\_\_\_\_

31. Do you own any livestock or mineral interest? \_\_\_\_\_

32. Do you belong to any clubs with an equity interest? \_\_\_\_\_

If so, where : \_\_\_\_\_

33. List any and all Other Assets name any other assets or property not named above:

\_\_\_\_\_

\_\_\_\_\_

34. Debts: (Other than house and/or automobiles; e.g., Charge Cards, Personal Loans, etc.)

a. \_\_\_\_\_ \$ \_\_\_\_\_

b. \_\_\_\_\_ \$ \_\_\_\_\_

c.	_____	\$	_____
d.	_____	\$	_____
e.	_____	\$	_____
f.	_____	\$	_____
g.	_____	\$	_____
h.	_____	\$	_____
i.	_____	\$	_____
j.	_____	\$	_____
k.	_____	\$	_____
l.	_____	\$	_____
m.	_____	\$	_____
n.	_____	\$	_____

35. Income Tax

a. Have you filed for all previous years? \_\_\_\_\_  
     Prepared by whom : \_\_\_\_\_

b. Refund received? : \_\_\_\_\_  
     If so, how much : \$ \_\_\_\_\_

36. Last Will and Testament

a. Do you have a will? : \_\_\_\_\_  
     Prepared by whom : \_\_\_\_\_

b. Does your spouse have a will? \_\_\_\_\_  
     Prepared by whom : \_\_\_\_\_

37. Separate Property

a. Do you own any separate property (property owned before marriage or property received during marriage as a gift or inheritance)? \_\_\_\_\_  
     If so, detail property : \_\_\_\_\_  
     \_\_\_\_\_  
     \_\_\_\_\_



38. Does your spouse own separate property? \_\_\_\_\_

If so, detail property : \_\_\_\_\_