

# Assignment #1

This assignment will help you plan for the road ahead by organizing issues you may need to address and resolve in order to finalize your divorce. Use the Evorce Property Distribution Worksheet you completed in Module 2 to assist you with this assignment.

## I. Essential Information

Your full legal name: \_\_\_\_\_

Your current street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Your telephone number: \_\_\_\_\_

Your email address: \_\_\_\_\_

Your Spouse's full legal name: \_\_\_\_\_

Your Spouse's current street address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Your Spouse's telephone number: \_\_\_\_\_

Your Spouse's email address: \_\_\_\_\_

Date you and your spouse were married (Month/Day/Year): \_\_\_\_\_

Where did you and your spouse get married?

City: \_\_\_\_\_ State: \_\_\_\_\_ County \_\_\_\_\_

Are you now separated?

Yes      Date of separation: \_\_\_\_\_

No

Have you or your spouse already filed for divorce?

Yes      Civil Case Number: \_\_\_\_\_

No

I don't know



# Vital Statistics Data

This data is needed for the required vital statistics certificate filed in the court proceeding.

	Husband	Wife
Birthplace	_____	_____
Date of birth	_____	_____
# of prior marriages	_____	_____
How prior marriage ended	_____	_____
Date prior marriage ended	_____	_____
Education (highest level completed)	_____	_____
Race	_____	_____
Social Security Number	_____	_____

## Employment

Are you employed?

- Yes . . . . Place of employment : \_\_\_\_\_  
. . . . Title: \_\_\_\_\_  
. . . . hourly rate/salary: \_\_\_\_\_  
. . . . Hours worked: \_\_\_\_\_  
. . . . how long with employer? \_\_\_\_\_  
. . . . do you receive health insurance through employer?  Yes  No

No

Is your spouse employed?

- Yes . . . . Place of employment : \_\_\_\_\_  
. . . . Title: \_\_\_\_\_  
. . . . hourly rate/salary: \_\_\_\_\_  
. . . . Hours worked: \_\_\_\_\_  
. . . . how long with employer? \_\_\_\_\_  
. . . . do you receive health insurance through employer?  Yes  No

No



List you and your spouse's income from all sources. If you are a W-2 employee, this answer may be simple. If one parent is self-employed or earns income from other sources, it may be a bit more complicated.

You:

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Your spouse:

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What proportion of your income is derived from earnings and investments, respectively?

You:

Earnings: \_\_\_\_\_

Investments: \_\_\_\_\_

Your spouse:

Earnings: \_\_\_\_\_

Investments: \_\_\_\_\_

Do either you or your spouse earn bonuses or other non-cash compensation like stock options? If so, how much have they been in the past and when are they usually received? Are the bonuses performance based? Have past bonuses been consistent and regular or more sporadic?

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Do you have children with your spouse?

No . . . . . Skip to section III.

Yes



## II. Parentage

There are two types of custody: (1) legal custody; and (2) physical custody. Physical custody refers to where the children will live. Legal custody addresses who will have the authority to make decisions regarding the education, health and welfare of your child(ren).

What kind of **legal** custody will you be requesting?

- Sole legal custody
- Joint legal custody

What kind of **physical** custody will you be requesting?

- Sole physical custody
- Joint physical custody

Are you and your spouse able to work together to make decisions?

- Yes
- No

Are there tools that might help you become better at communicating or making decisions?

- Yes
- No
- I don't know

Who should have “the final say” in decision-making regarding the minor child/children?

- I should have the final say
- My spouse should have the final say
- We should both have equal “final say” authority, resolving any major conflicts at mediation

Are there issues about the other parent that would justify a request for sole legal custody?

- Yes . . . . . Explain: \_\_\_\_\_
- No
- I don't know

Do you and your spouse parent well with each other?

- Yes
- No



Does it make sense to have a more specific schedule detailed in an enforceable order or would you prefer more flexibility? *(If you and your spouse do not parent well together, a specific schedule detailed in an enforceable order will save time and energy in the long run.)*

- Specific schedule detailed in an enforceable order
- Flexible arrangement

## Your Children

A child's age may influence how long he or she may (or may not) be able to go without seeing the other parent. As children get older, parents often prefer longer stretches of time with the child (such as an alternating week schedule). For young children, a schedule that alternates every couple of days or provides the non custodial parent with a dinner visit and alternating weekends may work better.

Children, their date of birth, and their age:

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Have you historically been the primary caretaker for your children? *(For example, did you take them to the doctor or dentist; parent/teacher conferences; soccer etc.)*

- I am/was the primary parent
- My spouse is/was the primary parent

Detail the City, State, and County where each child was born: \_\_\_\_\_

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Were all minor children at issue in this proceeding born in Utah?

- Yes
- No

Detail the Street address, City, State, and County where each child has resided for the last five (5) years, and who they lived with: \_\_\_\_\_

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Do you or your spouse have another child (or other children) that your child(ren) have a relationship with?

- Yes . . . . How many other minor children do you have? \_\_\_\_\_
- No

Does your child have any special needs that would impact the schedule?  
*(For example, maybe transitions are particularly difficult, perhaps one home is closer to the tutor the child sees two days a week, or maybe he plays baseball on a traveling team and is gone with the team (and Dad) most weekends.)*

Notes:

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Does your child have a preference on living/visiting arrangements?

- Yes . . . . . which parent? \_\_\_\_\_
- No

Do both you and your spouse live within a reasonable distance of school and extra-curricular activities? (If not, a schedule that minimizes commutes and concentrates time might be preferable.)

- Yes
- No

Do you and your spouse both work? If so, do you both have a regular schedule? Is there a way to capitalize on one parent's availability when the other parent is at work? *(For example, if one parent works weekends and the other doesn't, it might work well to craft a parent time schedule that assigns weekends to the non-weekend-working parent and weekdays to the other.)*

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Is one household more stable than the other?

- Yes . . . . . which household? \_\_\_\_\_
- No

Are both parents available to ensure participation in extracurricular activities?

- Yes . . . . . which parent? \_\_\_\_\_
- No



The court must be notified of any party being witness to or participating in any litigation concerning custody, child support, or parent time. The court also needs to be informed of any criminal or delinquency cases regarding a party or parties' minor children, any protective order cases involving a party, any juvenile ecases pending, andy persons that are not a party to these proceedings that has physical custody of the minior children. Are thre any such cases the court needs to be informed of?

- Yes . . . . . If yes, describe? \_\_\_\_\_
- No

If JOINT physical custody is selected, please indicate the number of **overnights** for each parent and a proposed schedule for the children. Remember, the total number of overnights between you and your spouse must equal 365. If going for a 50/50 schedule, one spouse can have 183 overnights, while the other has 182.

\_\_\_\_\_ # of overnights: You                      \_\_\_\_\_ # of overnights: Spouse

Proposed Schedule: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Holidays

You will also want to consider holidays when developing your parent time schedule. **Note:** You may find the list of holidays and other details on the Evorce Parenting Plan Discussion Guide

Does one parent celebrate any special holidays with the child or children that the other parent doesn't?

- Yes
- No

Which holidays with which parent?  
With you:

\_\_\_\_\_  
\_\_\_\_\_

With your spouse:

\_\_\_\_\_  
\_\_\_\_\_



Are there any religious or holiday traditions that one parent observes that the other doesn't?

- Yes
- No

Which traditions and which parent?

Traditions only you observe:

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Traditions only your spouse observes:

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Are there any holidays or events that are especially important to you? (Perhaps you have a large Christmas Eve family event every year or maybe there is an annual camping trip the weekend after school gets out.)

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## Summer

If you do not specify summer visitation, it will be defined in 30-3-35. Do you wish to have the decree specify a summer-time visitation schedule?

- Yes
- No

What should the summer parent-time schedule be? \_\_\_\_\_

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# Right of First Refusal

Rather than having to depend on a third party (daycare, nanny, etc.) to provide child care for the children, the custodial parent can agree to cooperate so that the other parent, if willing and able to transport, can provide child care for periods that exceed a certain period of time (example: 3 hours)

Would you like to participate in the right of first refusal?

- Yes
- No

# Child Support

**In order to calculate guideline support, you will need to consider:**

Timesharing: What percentage of time does each parent spend with the child(ren)?

You: \_\_\_\_\_

Your spouse: \_\_\_\_\_

Which parent pays for health insurance for the child or children and how much is it?

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Does the child have health insurance?

- Yes . . . . . which parent pays for it? And how much? \_\_\_\_\_
- No

Are there child care costs for the child or children?

- Yes . . . . . How much are costs? \_\_\_\_\_
- No

Is there an agreement about how uninsured/uncovered health care costs and extracurricular activity costs will be shared? What activities do the children participate in and how much are they? Do any of the children have special medical needs/expenses that aren't covered?

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What will each parent's tax filing status be? (You may need to talk to your tax professional about this.)

Your tax filing status: \_\_\_\_\_

Your spouse's tax filing status: \_\_\_\_\_

Which parent will be entitled to claim the child or children as dependents each year for tax purposes? Will you each claim one child (if two children)? Will you alternate years?

\_\_\_\_\_

\_\_\_\_\_

Does one parent need to seek work or go back to school for training? How long is that expected to take and what is the plan?

\_\_\_\_\_

\_\_\_\_\_

Have you or your spouse in the last year received any financial assistance from the State of Utah?

Yes . . . . . If yes, please explain: \_\_\_\_\_

No

Utah law requires the parent paying child support to pay through Universal Withholding. To commence Universal Withholding, one parent must contact the Office of Recovery Services. Then, the employer of the parent obligated to pay support will be notified and child support will be deducted from the parent's paycheck automatically, forwarded to Office of Recovery Services, then forwarded to the parent receiving support. If both parents are willing to pay and receive child support directly, the parties can decline engaging the Universal Withholding mechanism. But both parties must consent to do so. Either party at any time can commence Universal Withholding. Would you like to waive the Universal Withholding requirement?

Yes

No



### III. Property, Assets, & Other Divorce Issues

The remaining questions pertain to all property and assets owned by either you and your spouse, individually, and jointly.

Do you have a prenuptial agreement or post-nuptial agreement? These agreements may significantly impact who property and debts are divided. If yes, state the main terms of the agreement:

- Yes
- No

State the main terms of the agreement:

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## Vehicles

How many vehicles do you and your partner own or lease? \_\_\_\_\_

### A. Vehicle #1

Year/Make/Model \_\_\_\_\_

When acquired \_\_\_\_\_

How much is owed on the Vehicle? \_\_\_\_\_

Payment made to : \_\_\_\_\_

Name(s) on loan/lien and title: \_\_\_\_\_

What was the source of funds to purchase vehicle?

- Marital funds
- Separate funds
- Vehicle was a gift . . . . who was gift from? \_\_\_\_\_
- Vehicle is leased

Value of vehicle: \_\_\_\_\_

Present possession: \_\_\_\_\_



B. Vehicle #2

Year/Make/Model \_\_\_\_\_

When acquired \_\_\_\_\_

How much is owed on the Vehicle? \_\_\_\_\_

Payment made to : \_\_\_\_\_

Name(s) on loan/lien and title: \_\_\_\_\_

What was the source of funds to purchase vehicle?

- Marital funds
- Separate funds
- Vehicle was a gift . . . . who was gift from? \_\_\_\_\_
- Vehicle is leased

Value of vehicle: \_\_\_\_\_

Present possession: \_\_\_\_\_

C. Vehicle #3

Year/Make/Model \_\_\_\_\_

When acquired \_\_\_\_\_

How much is owed on the Vehicle? \_\_\_\_\_

Payment made to : \_\_\_\_\_

Name(s) on loan/lien and title: \_\_\_\_\_

What was the source of funds to purchase vehicle?

- Marital funds
- Separate funds
- Vehicle was a gift . . . . who was gift from? \_\_\_\_\_
- Vehicle is leased

Value of vehicle: \_\_\_\_\_

Present possession: \_\_\_\_\_



D. Vehicle #4

Year/Make/Model \_\_\_\_\_

When acquired \_\_\_\_\_

How much is owed on the Vehicle? \_\_\_\_\_

Payment made to : \_\_\_\_\_

Name(s) on loan/lien and title: \_\_\_\_\_

What was the source of funds to purchase vehicle?

- Marital funds
- Separate funds
- Vehicle was a gift . . . . who was gift from? \_\_\_\_\_
- Vehicle is leased

Value of vehicle: \_\_\_\_\_

Present possession: \_\_\_\_\_

E. Vehicle #5

Year/Make/Model \_\_\_\_\_

When acquired \_\_\_\_\_

How much is owed on the Vehicle? \_\_\_\_\_

Payment made to : \_\_\_\_\_

Name(s) on loan/lien and title: \_\_\_\_\_

What was the source of funds to purchase vehicle?

- Marital funds
- Separate funds
- Vehicle was a gift . . . . who was gift from? \_\_\_\_\_
- Vehicle is leased

Value of vehicle: \_\_\_\_\_

Present possession: \_\_\_\_\_



F. Other vehicles, motors, snowmobiles, scooters, four wheelers, etc.?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

→ How should the vehicles be distributed upon final settlement? My **bottom line** is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Financial Institution Accounts

Detail all financial institution and investment accounts.

### A. Checking, Savings & Money Market Accounts

List the name of each financial institution at which you bank and detail each account that you and your partner have in your names individually, jointly with each other and jointly with others.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

When were each of these accounts opened (before or during the marriage)? Who opened each account – you or your spouse?

- |          |                   |
|----------|-------------------|
| 1. _____ | Who opened? _____ |
| 2. _____ | Who opened? _____ |
| 3. _____ | Who opened? _____ |
| 4. _____ | Who opened? _____ |
| 5. _____ | Who opened? _____ |



Was there money in each account at the time of marriage? How much?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

Who has contributed to each account and where did the funds come from to contribute to each of the accounts?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

→ How should the financial accounts be allocated upon final settlement? My **bottom line** is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Pensions, IRAs, 401(k)s, Retirement, and Employee Benefits Accounts

What accounts do you have and when were they opened?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

What was the balance of those accounts at the time of marriage and at the date of separation/now?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_



Are you or your ex currently collecting retirement or pension?

- No
- Yes

Are there any outstanding loans on any of the accounts?

- No
- Yes . . . . . Who took out those loans? \_\_\_\_\_  
 What were the funds used for? \_\_\_\_\_  
 Who is paying back the loan? \_\_\_\_\_

→ How should the retirement be divided upon final settlement? My **bottom line** for is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

### B. Other Financial Assets

Stocks or bonds: \_\_\_\_\_  
 Income Tax refunds: \_\_\_\_\_  
 Other Assets: \_\_\_\_\_

Name of CPA or Accountant: \_\_\_\_\_

## Business Interests & Partnerships

List all businesses and/or partnerships that you or your spouse own together or individually.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

When was each business started or acquired? What is the nature of each business?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_



What was or is either party's role in each business?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Who will keep each business?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

What is the estimated value of each business? (If you know)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

→ How should the businesses be handled in the final settlement? My **bottom line** for is as follows: \_\_\_\_\_

\_\_\_\_\_

## Life Insurance

List each life insurance policy that you and your partner have

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

When were these policies acquired (before or during the marriage) and by you or your spouse?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_



Are there any loans against any of the policies?

No

Yes . . . . . When were those loans taken out? \_\_\_\_\_

Who took the loans out? \_\_\_\_\_

What were the funds used for? \_\_\_\_\_

→ How should the life insurance be distributed upon final settlement? My **bottom line** for is as follows: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Real Property

Do you own real property?

Yes

No ((Skip to Debt, below):

A. Parcel #1

What is the address or location of this property? \_\_\_\_\_

\_\_\_\_\_

How is the property titled?

Jointly

Separately . . . . . Name title is held in: \_\_\_\_\_

When was the property acquired? \_\_\_\_\_

How was the property acquired?

Inherited

Purchased

Gift

What is the estimated or actual market value? \$ \_\_\_\_\_



What is the basis for the value?

- Estimated
- Appraisal . . . . . date of appraisal \_\_\_\_\_

Is there a first mortgage or indebtedness owed on the home?

- Yes . . . . . How much is the payoff? \_\_\_\_\_
- No

Any other mortgages or liens are owed on the home?

- Yes . . . . . How many? \_\_\_\_\_
- No

What are the current total pay-off amounts for subsequent mortgage/lien?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Was there a down payment on the home?

- Yes . . . . . How much? \_\_\_\_\_
- No

Where did the down payment come from (source of funds)?

- Earnings of husband and wife during the marriage
- Gift from family or friends
- Separate property funds  
If separate, which spouse \_\_\_\_\_ how much? \_\_\_\_\_

Have there been any improvements made to the property?

- No
- Yes

If improvements were made,

- How were they paid for? \_\_\_\_\_
- Who made the improvements? \_\_\_\_\_
- How much money was invested? \_\_\_\_\_
- What was the source of the funds invested? \_\_\_\_\_



Who has been making the mortgage payments?

- Husband
- Wife
- Both

B. Parcel #2

What is the address or location of this property? \_\_\_\_\_  
\_\_\_\_\_

How is the property titled?

- Jointly
- Separately . . . . . Name title is held in: \_\_\_\_\_

When was the property acquired? \_\_\_\_\_

How was the property acquired?

- Inherited
- Purchased
- Gift

What is the estimated or actual market value? \$ \_\_\_\_\_

What is the basis for the value?

- Estimated
- Appraisal . . . . . date of appraisal \_\_\_\_\_

Is there a first mortgage or indebtedness owed on the home?

- Yes . . . . . How much is the payoff? \_\_\_\_\_
- No

Any other mortgages or liens are owed on the home?

- Yes . . . . . How many? \_\_\_\_\_
- No

What are the current total pay-off amounts for subsequent mortgage/lien?

- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_



Was there a down payment on the home?  
 Yes . . . . . How much? \_\_\_\_\_  
 No

Where did the down payment come from (source of funds)?  
 Earnings of husband and wife during the marriage  
 Gift from family or friends  
 Separate property funds  
If separate, which spouse \_\_\_\_\_ how much? \_\_\_\_\_

Have there been any improvements made to the property?  
 No  
 Yes

If improvements were made,  
How were they paid for? \_\_\_\_\_  
Who made the improvements? \_\_\_\_\_  
How much money was invested? \_\_\_\_\_

What was the source of the funds invested? \_\_\_\_\_

Who has been making the mortgage payments?  
 Husband  
 Wife  
 Both

→ How should the real property be distributed upon final settlement? My **bottom line** is as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Miscellaneous Personal Property

This category includes furniture, furnishings, and other items of tangible personal property not otherwise listed.

Have you already divided all miscellaneous personal property to your satisfaction?

- Yes
- No

If no, list all items of personal property you wish to claim. Include details such as item of property, how item was acquired (gift, prior to marriage, etc), who has possession of item, and current value.

<b>In Whose Possession?</b>			<b>To Be Awarded to?</b>	
Petitioner	Respondent		Petitioner	Respondent
<input type="checkbox"/>	<input type="checkbox"/>	1. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	2. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	3. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	4. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	5. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	6. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	7. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	8. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	9. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	10. _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	11. _____	<input type="checkbox"/>	<input type="checkbox"/>

→ How should the miscellaneous personal property be divided upon final settlement? My **bottom line** is as follows: \_\_\_\_\_

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# Debt

List each loan, credit card debt, student loan etc. that you and your ex have – including those in your joint and individual names.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

When were those debts acquired? Who acquired the debt (you or your spouse)? What were the funds used for?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

Who has paid down which debts and what source did the money come from to pay down the debts?

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

**Credit Report:** Under federal law, you are entitled to receive a free copy of your credit report once a year. If you have questions about your indebtedness or the indebtedness



of your spouse, you may want to get a cop of your credit report. To get a copy at no charge contact: [www.annualcreditreport.com](http://www.annualcreditreport.com), call (877) 322-8228, or send a written request to Annual Credit Report Request Service, P.O. Box 105281, Atlanta GA 30348-5281. You must provide your name, date of birth, Social Security Number, and current and previous address if you have moved within the past two (2) years.

→ How should the debt be allocated upon final settlement? My **bottom line** is as follows: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Alimony

Do you or your spouse need help to maintain your marital standard of living? If so, an award of spousal support may be appropriate. You must file an official Financial Declaration if you are asking the court to award you alimony. Starting January 1, 2019 alimony is no longer tax deductible by the payor spouse. It is likewise not considered taxable income to the recipient.

Will you or your spouse be requesting spousal support?

Yes

No

What was your standard of living, or lifestyle, during the marriage? Consider the type of home you owned or rented, cars you purchased, vacations you took (frequency and cost).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is either you or your spouse paying for any of the other's living expenses?

Yes . . . . . Who is paying? \_\_\_\_\_

No

Do either you or your spouse need additional education or training in order to re-enter the workforce?

Yes . . . . . Which of you? \_\_\_\_\_

No



Did either you or your spouse take time from the workforce during the marriage to take care of the home/family?

- Yes . . . . . Which of you? \_\_\_\_\_
- No

Did either you or your spouse earn their degree, certificate, or receive training for their career during the marriage?

- Yes . . . . . Which of you? \_\_\_\_\_
- No

How much money will you each need to maintain their lifestyle?

You: \_\_\_\_\_  
Your spouse: \_\_\_\_\_

How much longer do you and your spouse anticipate working?

You: \_\_\_\_\_  
Your spouse: \_\_\_\_\_

Does either you or your spouse have any health issues that impair their ability to work?

- Yes . . . . . Which of you? \_\_\_\_\_
- No

Will either you or your spouse leave the marriage with significantly more assets?

- Yes . . . . . Which of you? \_\_\_\_\_
- No

If alimony is awarded, specify the amount per month that should be awarded:

\$\_\_\_\_\_. For how long should it be awarded? \_\_\_\_\_.

To whom should alimony be awarded? \_\_\_\_\_.

→ What should happen with the issue of alimony upon final settlement? My **bottom line** is as follows (How much alimony should be paid each month, for how long should it be paid, and what date should it officially start?): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Name Change

Do you wish to return to a former surname, such as a maiden name or name you went by prior to this marriage?

- Yes . . . . . what is the name? \_\_\_\_\_
- No

# Civil Restraining Orders

Should there be civil restraining orders in your divorce decree?

- Yes
- No

If yes, please specify what restraining orders should be made: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Attorney Fees, Mediation Fees and/or Other Costs of Court

A judge may require that you or your spouse pay attorney fees and legal costs to the other party. Even if you don't end up having to go to court, you might need the assistance of an attorney to help you with the process, prepare documents or provide advice. The biggest factor here is whether or not one spouse has greater access to money (from earnings, asset or credit) to pay for the attorney fees of both parties.

Do you and your spouse have equal ability to pay? Do you both have equal access to funds/loans/credit cards?

You: \_\_\_\_\_  
Your spouse: \_\_\_\_\_

Is your spouse willing to negotiate and/or cooperate?

- Yes
- No:

Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Are either you or your spouse frustrating the settlement process?

No

Yes:

Explain:

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What should happen with the issue of attorney fees, mediation fees, and/or other costs of court upon final settlement? My **bottom line** is as follows: \_\_\_\_\_

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## Additional Property and Debt Considerations

Will you file joint tax returns for this year (assuming your divorce will not be final this year)?

No

Yes

I don't know

Will there be any tax consequences for proposed transfers of assets?

No

Yes

Are you able to pay the \$318 filing fee?

No

Yes

→ Will you be dividing the property or debt 50/50? If not, will one spouse be paid an equalization payment? How will that payment be made? \_\_\_\_\_

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## You're Finished!

Congratulations! Your hard work will pay off. You have compiled the necessary information to complete the divorce process. Do something nice for yourself to celebrate your great progress.

