

CLIENT INFORMATION QUESTIONNAIRE

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 and financial aspects of your family law problem. All information will be held in strict confidence.

A. Client.

1. Identifying information.

a. **Name:** _____

b. **Age:** _____

c. **Date of Birth:** _____

d. **Place of Birth:** _____

e. **Social Security Number:** _____

f. **Driver's License Number:** _____

2. Location information.

a. **Address:** _____

b. **City, State, Zip:** _____

c. **Your home telephone number:** _____

d. **Your work telephone number:** _____

e. **Your cell telephone number:** _____

f. **Your fax number:** _____

g. **Your email address:** _____

3. Please complete the following concerning your employment and education.

a. Employer: _____

b. Job Title: _____

c. Address: _____

d. Gross Salary Per Month or Annually: \$ _____

e. Length of Employment: _____

f. Education: _____

g. Describe your employment skills or job training and work experience.

4. Income Statement.

Client		
Client's Gross Monthly Income	\$	
Less:		
Federal Tax Withholding	\$-	
State Tax Withholding	\$-	
Social Security	\$-	
Medicare	\$-	
Insurance	\$-	
Retirement	\$-	
Other	\$-	
Client's Net Monthly Income		\$
Income from other sources:		
Social Security	\$	
Other Pensions or Retirement	\$	
Disability Insurance	\$	
Financial Investments	\$	
Second Job	\$	
Client's income from other sources:		\$
CLIENT'S NET INCOME PER MONTH:		\$

5. Have you ever been a member of the U.S. Armed Forces? _____

If so, give the branch and dates of service: _____

6. Do you **now** have any major health problems? _____

If so, explain. _____

7. Describe your major health problems during the marriage.

8. **Have you been married before?** _____ If so, how many times? _____

Do you have children by a previous marriage? _____

If so, give full name, date and place of birth, and sex of each child of your previous marriages.

First	Middle	Last	Birth Date	M/F	SSN

With whom do these children live? _____

9. **Do you pay/receive child support?** _____

If so, how much? \$ _____ per _____.

10. **Do you pay/receive support alimony?** _____ If so, please explain.

B. Spouse.

1. Identifying information.

a. **Name:** _____

b. **Age:** _____

c. Date of Birth: _____

d. Place of Birth: _____

e. Social Security Number: _____

f. Driver's License Number: _____

2. Location information.

a. Spouse's Address: _____

b. City, State, Zip: _____

c. Spouse's work telephone number: _____

3. Complete the following concerning your spouse's employment and education.

a. Employer: _____

b. Job Title: _____

c. Address: _____

d. Gross Salary Per Month or Annually: \$ _____

e. Length of Employment: _____

f. Education: _____

g. Describe your employment skills or job training and work experience.

4. Income Statement

Spouse		
Spouse's Gross Monthly Income	\$	
Less:		
Federal Tax Withholding	\$-	
State Tax Withholding	\$-	
Social Security	\$-	
Medicare	\$-	
Insurance	\$-	
Retirement	\$-	
Other	\$-	
Spouse's Net Monthly Income		\$
Income from other sources:		
Social Security	\$	
Other Pensions or Retirement	\$	
Disability Insurance	\$	
Financial Investments	\$	
Second Job	\$	
Spouse's income from other Sources:		\$
SPOUSE'S NET INCOME PER MONTH:		\$

5. Has your spouse ever been a member of the U.S. Armed Forces? _____

If so, give the branch and dates of service: _____

6. Does your spouse **now** have any major health problems?

If so, explain. _____

7. Describe your spouse's major health problems during the marriage. _____

8. Has your spouse been married before? _____

If so, how many times? _____

Does your spouse have children by a previous marriage? _____

If so, give full name, date and place of birth, and sex of each child of spouse's previous marriages.

First	Middle	Last	Birth Date	M/F	SSN

With whom do these children live? _____

9. Does your spouse pay/receive child support? _____

If so, how much? \$ _____ per _____.

10. Do you pay/receive support alimony? _____ If so, please explain.

C. Marriage.

1. How long have you lived in Oklahoma? _____

2. What county do you reside in? _____

3. How long have you resided in that county? _____

4. Are you now separated from your spouse? _____

If so, give date of separation. _____

5. Have you seen any marriage counselor? _____

If so, give name and address. _____

6. Do you want to attempt to reconcile with your spouse? _____

7. Do you believe reconciliation is possible? _____

8. What is your religious preference? _____

9. What is your spouse's religious preference? _____

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

- | | |
|---|--|
| <input type="checkbox"/> Drugs | <input type="checkbox"/> Physical Violence |
| <input type="checkbox"/> Alcohol | <input type="checkbox"/> Toward Children |
| <input type="checkbox"/> Sexual Infidelity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Financial Disputes | <input type="checkbox"/> Incompatibility |
| <input type="checkbox"/> Physical Violence | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Toward Client | |

11. Have you or your spouse ever filed for a divorce from each other? _____

If so, when and where? _____

12. Please give the date and place of your marriage.

Date: ____/____/____ City, State: _____

13. Does your spouse now have an attorney? _____

If so, whom? _____

14. (Only wife to answer) If a divorce is granted, should the wife's maiden or prior married name be restored? _____

a. If so, what name should be used? _____

b. Is the requested name maiden or prior married name? _____

15. **DOMESTIC TORT.** In law, the term “tort” means the intentional or negligent act of one person that causes injury or financial loss to another. It is important that you know this greatly simplified definition because there is a new area of law developing. This area is “domestic torts”. This is a lawsuit between husband and wife which is outside of the Divorce Decree and alleges the kinds of actions described below. Since this is a new area of law, it is difficult to say precisely what the court will accept as a domestic tort.

Some Courts are accepting the following kinds of activities as the proper subject of a domestic tort:

- a. Wrongful accusation of child abuse
- b. Intentional infliction of emotional distress
- c. Physical abuse between the parties
- d. Intentional interference with custodial rights
- e. Stalking and harassment
- f. Transmission of venereal disease

The goal of a person bringing a domestic tort action is a money judgement. In other words, the Plaintiff in the domestic tort action wants money over and above the Divorce Decree’s division of money for activities which occurred during the marriage.

It is important that we determine whether you should consider filing a domestic tort action. **It is also important that we not settle or try your divorce case and then have your spouse file a domestic tort action against you.**

Therefore, we will try to have the Divorce Decree contain a waiver of each party’s right to a domestic tort unless you specify otherwise. The purpose of the waiver is to end all litigation for actions occurring before the date of the divorce.

Do you want to pursue a “domestic tort” against your spouse?

Yes _____ No _____

16. **DISSIPATION.** Dissipation is the use of marital property for the sole benefit of one of the spouses for a purpose unrelated to the marriage at a time when the marriage is undergoing an irreconcilable breakdown. A trial judge may add that amount previously spent to the marital total estate before dividing the property so as not to financially harm the other spouse. There is no specific checklist for the types of dissipation. The courts recognize this can happen in many ways. Some of the most common ways are:

- a. Spending money on boyfriend/girlfriend
- b. Drug abuse
- c. Gambling

- d. Unexplained absence of money
- e. Recent "high living"
- f. Spending hidden from the other spouse

Do you think any of these apply? _____ Yes _____ No

If you answered yes, explain which one(s) apply and why you think they apply.

D. Children.

1. Please give full name, date and place of birth, sex, and Social Security number of each child of this marriage.

a. _____ (Name and Sex [M/F]) (SSN)

_____ (Place of Birth - City and State) (Date of Birth)

b. _____ (Name and Sex [M/F]) (SSN)

_____ (Place of Birth - City and State) (Date of Birth)

c. _____ (Name and Sex [M/F]) (SSN)

_____ (Place of Birth - City and State) (Date of Birth)

d. _____ (Name and Sex [M/F]) (SSN)

_____ (Place of Birth - City and State) (Date of Birth)

2. Do any of the children have exceptional health or dental needs? _____

If so, explain. _____

3. Do any of the children have special educational needs or problems? _____

If so, explain. _____

4. Will there be a dispute over custody of the children? _____

If not, custody will be with whom? _____

5. Where are the children living now? _____

6. What is the **weekly** cost of child care? _____

7. Do you have a good reason to tell the judge that visitation should be less than normal?

_____ If so, explain. _____

8. List all property (other than furniture and clothing) owned by the children.

9. Are there any trust funds or other savings for the benefit of the children? _____

If so, explain. _____

10. Has anyone received AFDC or DHS benefits for any child of this marriage?

_____ Yes _____ No

11. Through which parent's employer are the children currently being insured?

_____ Father _____ Mother

12. After the divorce, which parent do you want to have insure the children?

_____ Father _____ Mother

13. Oklahoma Child Support Guidelines require that the amount of insurance premium for the children be used in computing child support.

a. What would be the amount of the monthly health insurance benefit for the

employee/parent only? _____

b. What is the extra premium to insure the children? _____

14. I _____ DO _____ DO NOT want to ask the Court to have the following paragraph included in the Divorce Decree.

“Both parties are restrained and enjoined from smoking or allowing others to smoke indoors in the presence of the minor child in their respective homes. If the child is in the presence of anyone who is smoking, the parties are ordered to remove the child.”

E. Uniform Child Custody Jurisdiction Enforcement Act Information

1. What addresses have the children lived in the last five years?

2. The names and present addresses of the persons with whom the children have lived during the past five years are:

(Name) (Address)

(Name) (Address)

3. Have you participated as a party, witness or in any other capacity in any other court action concerning the custody of the children? _____. If so, explain. _____

4. Is there any custody proceedings concerning the children pending in any other Court?

5. Do you know of any person, not a party to the proceedings, who has physical custody of the children or claims to have custody or visitation rights with the children? _____

If so, explain. _____

F. Indian Child Welfare Act Information

1. Are the children members of an Indian tribe or eligible for membership in an Indian tribe? _____

2. If so, please state the name of the tribe. _____

G. Client’s Monthly Budgeted Expenses

CLIENT’S MONTHLY BUDGETED EXPENSES		Monthly Amount
	Housing	
1	Mortgage Payment	
2	Second Mortgage Payment	
3	Taxes on real property (not included in mortgage)	
4	Home property (not included in mortgage)	
5	Rent	
6	Other	
	Utilities	
7	Electricity	
8	Natural gas	
9	Water	
10	Garbage	
11	Telephone	
12	Cell phone	
13	Internet service	
14	Cable television	
15	Other	

CLIENT'S MONTHLY BUDGETED EXPENSES		Monthly Amount
	Food	
16	Groceries	
17	School lunches	
18	Eating out	
	Children	
19	Child care	
20	Gifts (Birthday, Christmas, etc.)	
21	School activities expense	
22	Summer camp	
23	Yearbook	
24	School tuition	
25	School lunches	
26	Sports expenses	
27	Dance lessons	
28	Music lessons	
29	Tutor and other special learning expenses	
30	Allowances	
31	School pictures	
32	Child support in this case	
33	Child care in this case	
34	Child support in another case	
35	Child support in another case	
	Clothing	
36	Client	
37	Children	

CLIENT'S MONTHLY BUDGETED EXPENSES		Monthly Amount
	Car Expenses	
38	Car repairs	
39	Car payments	
40	Gasoline, oil & parking expenses	
41	Car tag	
42	Other	
	Medical Care	
43	Uninsured medical expenses	
44	Uninsured dental and orthodontic expenses	
45	Uninsured mental health care expenses	
46	Uninsured optical expenses	
47	Pharmacy expenses	
48	Other	
	Insurance	
49	Life	
50	Health	
51	Automobile	
52	Homeowner's (not included in mortgage payment)	
53	Renters	
54	Disability	
55	Other	
	Miscellaneous	
56	Vacations	
57	Monthly payments on debts	
58	Pet and veterinarian expenses	

CLIENT'S MONTHLY BUDGETED EXPENSES		Monthly Amount
	Miscellaneous (continued)	
59	Laundry and dry cleaning	
60	Entertainment and recreation	
61	Personal Items	
62	Newspapers and magazines	
63	Church and other charitable contributions	
64	Safe deposit box	
65	Miscellaneous	
	TOTAL	\$

H. Retirement, Pensions and Other Company Benefits

1. Do you or your spouse participate in any retirement plan or pension? _____

If so, explain. _____

2. Do you or your spouse participate in any company savings plan, such as a 401(K) plan? _____

If so, explain. _____

3. Date pension participation began. _____

4. Date pension participation ended. _____

5. Have you or your spouse ever earned any retirement benefits from the Federal Government, any state government or city government? _____

If so, explain. _____

I. Continued Health Insurance Coverage after Divorce

1. In the divorce brochure, there is an explanation of a federal law which permits the spouse who is covered under her ex-spouse’s employment group health insurance policy to continue that policy for up to 36 months. Please read that section carefully and check which of the following applies:

_____ I want to take advantage of the COBRA continued insurance.

_____ I do not want to take advantage of the COBRA continued insurance.

_____ I do not believe I am eligible for COBRA continued insurance because:

_____ a. My spouse does not have group health insurance from his employer.

_____ b. My spouse does not work for an employer who has 20 employees.

2. Health insurance for children.

_____ I want to be responsible for getting health insurance for the children.

_____ I want **my spouse** to be responsible for getting health insurance for the children.

J. Separate Property

1. Do you own any separate property (property owned before marriage or property received during marriage by gift or inheritance)? _____

If so, detail your separate property. _____

2. Does your spouse own any separate property? _____

If so, detail your separate property. _____

K. Credit Cards.

1. VISA Credit Cards:

a. Account # _____

b. Account # _____

c. Account # _____

2. MasterCard Credit Cards:

a. Account # _____

b. Account # _____

c. Account # _____

L. Income Tax

1. Have you filed for all previous years? _____

Prepared by whom? _____

Refund expected? _____ If so, how much? \$ _____

2. Do you owe any State or Federal taxes? _____

3. Is there a possibility a tax lien has been or may be placed on your property? _____

4. Do you know of any reason that your prior tax returns may be challenged by the IRS or the state? _____

M. Miscellaneous

1. Does anyone owe you or your spouse any money? _____

If so, how much? \$ _____ Owed by whom? _____

2. Are you or your spouse involved in any lawsuits including Worker's Compensation or personal injury? _____

If so, explain. _____

3. Do you or your spouse have any personal injury or Worker's Compensation claims for which you have not yet filed a lawsuit? _____

If so, explain. _____

4. Do you own any livestock or mineral interests? _____

5. Do you or your spouse have any items of special financial value not mentioned above? _____

If so, explain. _____

6. Do you or your spouse have any items of special **sentimental** value of which I should be aware? _____

If so, explain. _____

7. Do you or your spouse have a safe deposit box? _____

If so, explain. _____

8. Do you or your spouse have any of the following:

____ a. Severance pay not already spent

____ b. Substantial unused vacation pay

____ c. A pending Worker's Compensation claim

____ d. Disability income

____ e. Trust income

____ f. A company car

____ g. An expense account

If so, please explain. _____

9. Last Will and Testament:

a. Do you have a will? _____ If so, prepared by whom? _____

b. Does your spouse have a will? _____ If so, prepared by whom? _____

10. At what address do you wish to receive mail from this office?

(Street Address)

(City, State and Zip)

11. Who referred you to this office? _____

12. **Do you have any additional information not specifically requested in this client information sheet which you think will be helpful to the attorney in representing you?** _____ **If so, explain.** _____

N. Discovery of Assets

1. Oklahoma law does not require your spouse to voluntarily disclose assets unless we request those disclosures. Therefore, your spouse may legally “hide” assets. Any asset not awarded by the Divorce Decree becomes the property of the person who possesses it. Therefore, a spouse may “hide” an asset and keep it after the divorce unless we ask about it in a legally approved manner.

A spouse only has to disclose financial information if we ask for the information in the legally approved discovery procedures. These procedures are:

- a. **Interrogatories**, which are written questions to the other party requiring written responses under oath.
- b. A **deposition**, which is the oral questioning under oath before a court reporter.
- c. **Requests for Admission**, which are written requests that the other party admits specific facts.
- d. **Requests for Production**, which are written requests that the opposing party submit certain documents for our use, such as payroll records, financial statements, tax returns, bank records and credit documents.

2. We would use these discovery procedures to gain additional information so that we could

more accurately present your case to the judge or arrive at a fair settlement. The issues about which we need information through discovery procedures are:

- a. Child custody.
- b. Visitation.
- c. Child support.
- d. Division of property.
- e. Division of debts.
- f. Support alimony.
- g. Attorney fees and costs.

3. The kinds of assets we would need to inquire about are not limited to, but include:

- a. Real property and any mortgages.
- b. Pension plans, Individual Retirement Accounts, Keogh plans and all other kinds of pension, profit sharing and thrift plans.
- c. Life insurance benefits and cash values.
- d. Financial accounts to include checking and savings accounts.
- e. Stockbroker accounts.
- f. Hidden assets including jewelry or gold.
- g. Property given to another person to hold during the divorce.
- h. Possible inheritances.
- i. Personal injury or other kinds of lawsuits in which the marital estate might benefit.

4. The kinds of financial documents we would seek are not limited to, but include:

- a. Tax returns for three to five years.
- b. Tax returns for any business either spouse may own.

- c. Current wage statements.
- d. Stockbroker account records.
- e. Employer pension and profit sharing information.
- f. Monthly bank statements with supporting checks.
- g. Financial statements given to financial institutions.
- h. Promissory notes and security agreements.
- i. Inventory of safe deposit box.
- j. Appraisal on various assets.

O. Client's Obligations

1. Client has a responsibility to closely follow the attorney's efforts to discover assets and if client wants a greater and more extensive investigation of the identity, location or value of an asset, client is responsible for directing the attorney to inquire further.

2. Client understands that if he chooses not to proceed with discovery in a greater detail, he risks the possibility that an asset will not be discovered or properly valued.

3. The attorney will be making decisions on the extent of discovery based upon his estimate of the potential benefit when weighed against the probable expense to the client. If the client wants greater discovery than the attorney is conducting, client shall be obligated to inform the attorney.

I HAVE READ THIS SECTION ON DISCOVERY OF ASSETS AND UNDERSTAND MY OBLIGATIONS.

I HAVE CAREFULLY REVIEWED THE INFORMATION PROVIDED ON THIS CLIENT INFORMATION QUESTIONNAIRE AND BELIEVE IT TO BE CORRECT.

Date

Client's Signature