

Divorce Information and Worksheet

Instructions: This worksheet is designed to be used by persons contemplating a divorce. It may also be used by your attorney. Completing this form before your initial interview with your attorney may save you valuable time and money.

Part 1 - Definitions – Terms and Explanations

Definitions – Terms and Explanations	
1. Complaint	The pleading used to commence a divorce action that is filed with the court clerk, usually in the county of residence of the parties.
2. Petition	Same as complaint. Some States use the term Petition instead of complaint.
3. Plaintiff	The person who files the complaint. May be called Petitioner if a Petition is used instead of a complaint. If a Joint Complaint is allowed, the parties may be called Co-Plaintiffs or Co-Complainants.
4. Defendant	The person who the complaint is filed against. This person is usually required to answer the complaint within a certain number of days, or file a waiver to the complaint. After the complaint is filed, the defendant is usually served with a copy of the complaint and a summons directing the defendant to answer the complaint.
5. Co-Plaintiffs	When both parties sign the complaint in a divorce action it is called a Joint Complaint or Joint Petition. Some states allow Joint complaints and some do not.
6. Summons	This is a document signed by the Court Clerk and served on the defendant. It informs the defendant that a complaint has been filed and directs the defendant to file an answer within the required time.
7. Cover Sheet	Some states require a cover sheet to be filed with the complaint, petition or joint complaint which provides basic information about the parties and the action. These are used by the court for easy reference and also sometimes for statistic reporting. Some clerks will supply you with the required cover sheet and others will direct you to where a copy can be obtained.
8. Information Sheet	Same as Cover Sheet. Some states use the term Information sheet instead of cover sheet.
9. Waiver of Process	In cases where the defendant does not desire to file an answer, or where the defendant agrees to the divorce, the defendant will file a waiver of process. In states that allow a waiver of process, the waiver takes the place of the summons and no summons are issued you the clerk when the complaint is filed.
10. Entry of Appearance	Often the defendant will include an entry of appearance with the waiver of process and the forms are sometimes combined into a single form. The entry basically provides that the defendant enters his or her appearance in the case and may consent to an entry of divorce.
11. Court Clerk	Courts have clerks who handle the court papers, hearings and other matters. A complaint is filed with the Court clerk usually in the county of residence of the parties. The clerk is the clerk of the court who handles domestic matters in your county, such as the chancery clerk, Family Court Clerk, etc. There may be more than one clerk in your county for different types of courts.
12. Waiting Period	Some states have a waiting period from the time of filing the complaint before the matter may be heard or a final judgment entered. If so, you cannot set the case for trial or present a judgment of divorce until the waiting period has expired.

Definitions – Terms and Explanations	
13. Final Judgment	The form which concludes the divorce is called a final judgment. i.e. Final Judgment of Divorce or Dissolution of Marriage. It is presented to the Court after all requirements to obtain the divorce have been met. In a no-fault case, the final judgment may attach and incorporate the terms of a settlement agreement or recite the provisions of a filed settlement agreement.
14. Dissolution	Some states use the term dissolution of marriage instead of divorce. In those States, the complaint and judgment will provide "Complaint for Dissolution of Marriage" or "Final Judgment of Dissolution of Marriage."
15. Declaration	Same as Complaint or Petition. Some States use the term declaration instead of Complaint or Petition.
16. Military Affidavit	Under a Federal Soldiers and Sailors' Civil Relief Act, a divorce action may not be allowed to proceed if the defendant is in the active military service. This affidavit states that the defendant is not in the active military service and is required to be filed in most States in order to show the Court that the action can proceed because the defendant is not in the military.
17. UCJA	Uniform Child Custody Jurisdiction Act - An act adopted by most states determining which state's courts have jurisdiction over custody matters.
18. Joint Custody	Some States allow joint custody in certain cases where both parents are entitled to care for and obtain information about the children. Support may still be paid and joint custody may be equal or divided. Some courts do not favor joint custody while others routinely accept it. Joint custody does not necessarily mean equal time parenting. Depending on your state's definition, it may simply mean both parents have meaningful involvement.
19. Physical Custody	In States that use this terms it means the parent that will have physical custody of the children while the other parent will have visitation rights. Joint Physically Custody is also used.
20. Legal Custody	In some States, legal custody means that although one parent may have physical custody, both parents have joint legal custody and are equally entitled to make decisions regarding the health, care and general welfare of the children, as well as have equal access to all information concerning the children. Parties may have Joint Legal custody.
21. Custodial Parent	Same as physical custody.
22. Non-Custodial Parent	Parent that does not have physical custody.
23. Child Support	Amount of money usually paid to the custodial parent for the maintenance and support of the children.
24. Child Support Factors	In determining the amount of child support to be paid, the Courts and statutes have looked to child support factors to determine the amount of support, such as the income of the parties, age of children, etc.
25. Child Support Guidelines	All states now have child support guidelines to assist the a Court and parties to calculate the amount of child support that should be paid. If the guidelines are followed, the chance of the support amount the parties agree to will be approved is increased. If the child support guidelines are not followed, reasons must be provided as to why there should be a deviation form the guidelines in the case. The deviation may be more or less than the guidelines.
26. Visitation	Right of the non-custodial parent to visit with the children. i.e. Every other weekend.
27. Settlement Agreement	Agreement between husband and wife settling all property, mental, child support, custody, and other issues.

Definitions – Terms and Explanations	
28. Residency Requirement	The length of time one or both parties reside in the State before a divorce action may be filed.
29. No-Fault	Uncontested agreed divorce.
30. Contested	Divorce where one party does not consent to the divorce.
31. Jurisdiction	The basis for the Court to hear a case. Which Court hears divorce.
32. Venue	The proper county in which to file the divorce.
33. Cooling Off Period	Required time interval between the date of filing and entry of divorce.
34. Financial Statement	Statement of parties' assets, liabilities, and net worth. Some states also include income and expenses.
35. Filing Fee	A fee that is paid at the time of filing of the complaint.
36. Child Support Worksheet	Worksheet used to evaluate child support to comply with child support guidelines.
37. Uncontested	Agreed divorce or divorce where defendant does not appear.
38. Separate Property	Property not considered marital property.
39. Marital Property	Property acquired during the marriage.
40. Equitable Distribution	Division of marital property between husband and wife.
41. Joint Property	Property owned by husband and wife equally.
42. Answer	Pleading filed to respond to a divorce complaint.
43. Discovery	Questions one party asks another party by various means.
44. Interrogatories	Written discovery questions from one party to another.
45. Deposition	Oral questions from one party to another.
46. Request for Admissions	Written questions in the form of asking party to admit truth.
47. Fault Grounds	Basis for divorce, such as adultery
48. No-Fault Grounds	No need to prove actual fault grounds
49. Irreconcilable Differences	A typical no-fault ground for divorce.
50. Irretrievably Broken	Same as irreconcilable differences.
51. Deadlines	Time within which action must be taken, such as filing an answer.
52. Hearing	Presenting testimony before the judge.
53. Pleading	Complaint, answer, etc. are called pleadings.
54. Joint Complaint	Complaint filed by both husband and wife.

Part 2. - Your Personal Information

Personal Information			
Your Name:		U.S. Citizen	Yes No
Address:		Date of Birth:	
		Social Security Number:	
City:	State:	Zip:	
Where do you presently live, if different than address above?			
How long have you lived at your present address?			
How long did you live at former address, if applicable?			
Birth State and County			
Have you ever lived in a community property state?			Yes No
If yes, what state?			
Do you have a known future residence address? Yes/No			
If yes, list address:			
Education level			
Describe your physical condition and any health problems you may have.			
Describe any emotional problems you may have.			
Employment			
Where are you employed?			
Position			
Address	City	State	Zip
Phone		Fax	
How long employed at present employer?			
Previous employer:		Position:	
Address	City	State	Zip
Education			
Educational Level		Degrees	

Part 3. - Spouse Personal Information

Personal Information – Spouse			
Spouse Name:		U.S. Citizen	Yes <input type="checkbox"/> No <input type="checkbox"/>
Address:		Date of Birth:	
		Social Security Number:	
City:	State	Zip	
Where does spouse presently live, if different than address above?			
How long has spouse lived at present address?			
How long did spouse live at former address, if applicable?			
Birth State and County			
Has spouse lived in a community property state?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If yes, what state?		
Does spouse have a known future residence address? Yes/No			
If yes, list address			
Education level of spouse.			
Describe spouse's physical condition and any health problems he/she may have.			
Describe any emotional problems spouse may have.			
Employment			
Where are you employed?			
Position			
Address	City	State	Zip
Phone		Fax	
How long employed at present employer?			
Previous employer:		Position:	
Address	City	State	Zip
Education			
Educational Level		Degrees	

Part 4. - Marriage

Marriage

Place of Marriage

Have you ever been separated from your spouse before?

Yes

No

If yes, please provide dates and details of separation.

Are you now separated from your spouse?

Yes

No

If yes, provide details of separation.

What was date of separation?

Part 5. - Children

Children			
Name		Date of Birth	
Where do the children reside now?		Husband	Wife
		How long?	
Are there any special issues or circumstances to be considered regarding the children? (Medical problems, etc.)		Yes	No
If yes, please explain:			
Do the parents agree to terms of custody/visitation?		Yes	No
Do the parents agree to custody/visitation?		If Yes, please select: Sole custody to Wife with reasonable visitation to Husband Sole custody to Husband with reasonable visitation to Wife Joint custody to Husband and Wife Other-(describe)-	
Yes	No		
What is address where children presently reside?			
Is wife pregnant?		Yes	No
If yes, what is due date?			
Do the children have any special medical needs?		Yes	No
Children's Doctor			
Address			
City		State	Zip
Are children taking any speed medication		Yes	No
If yes, provide details.			

Part 6. - Prior Marriages

Your Prior Marriages				
Name	Date of Marriage	Date of Divorce	County/State of Divorce	
Children from prior marriages?				
Name			Date of Birth	
Do you pay support?	Yes	No	If yes, what amount and how paid?	

Your Spouse Prior Marriages				
Name	Date of Marriage	Date of Divorce	County/State of Divorce	
Children from prior marriages?				
Name			Date of Birth	
Does spouse pay support?	Yes	No	If yes, what amount and how paid?	

Part 7.

Income of Husband (Monthly)	Monthly	Yearly
<input type="checkbox"/> Salary		
<input type="checkbox"/> Dividends		
<input type="checkbox"/> Rental Income		
<input type="checkbox"/> Notes Receivable		
<input type="checkbox"/> Bonuses		
<input type="checkbox"/> Business		
<input type="checkbox"/> Other		
Total Income	\$	\$
Deductions from Income		
Gross Pay	\$	\$
Less Social Security	\$	\$
Less Federal Withholdings	\$	\$
Less State Withholdings	\$	\$
Other Deductions	\$	\$
Net Pay	\$	\$

Income of Wife	Monthly	Yearly
<input type="checkbox"/> Salary	\$	\$
<input type="checkbox"/>	\$	\$
Total Income	\$	\$
Deductions from Income		
Gross Pay	\$	\$
Less Social Security	\$	\$
Less Federal Withholdings	\$	\$
Less State Withholdings	\$	\$
Other Deductions	\$	\$
Net Pay	\$	\$

Part 9. - Joint Assets

JOINT ASSETS: DESCRIPTION OF JOINT ASSETS (To avoid confusion at a later date, describe each item as clearly as possible. These are considered marital assets and owned by both Husband and wife.)	Current Fair Market Value
<input type="checkbox"/> Cash (on hand)	\$
<input type="checkbox"/> Cash (in banks/credit unions)	
<input type="checkbox"/>	
<input type="checkbox"/> Stocks/Bonds	
<input type="checkbox"/>	
<input type="checkbox"/> Notes (money owed to you in writing)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Money owed to you (not evidenced by a note)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Real estate: (Home)	
<input type="checkbox"/> (Other)	
<input type="checkbox"/> Business Interests	
<input type="checkbox"/> Automobiles	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Boats	
<input type="checkbox"/> Other vehicles	
<input type="checkbox"/>	
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings in home	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings elsewhere	
<input type="checkbox"/>	
<input type="checkbox"/> Collectibles	
<input type="checkbox"/>	
<input type="checkbox"/> Jewelry	
<input type="checkbox"/>	
<input type="checkbox"/> Life insurance (cash surrender value)	
<input type="checkbox"/>	
<input type="checkbox"/> Sporting and entertainment (T.V., stereo, etc.) equipment	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Other assets	

JOINT ASSETS: DESCRIPTION OF JOINT ASSETS (To avoid confusion at a later date, describe each item as clearly as possible. These are considered marital assets and owned by both Husband and wife.)	Current Fair Market Value
<input type="checkbox"/>	
Total Assets of Husband and Wife (Marital Assets)	\$

Part 10. - Retirement Accounts

Retirement Accounts	Account Number	Current Fair Market Value
Husband Accounts:		
Wife Accounts:		

Part 11. - Separate Assets of Husband

ASSETS: DESCRIPTION OF SEPARATE ASSETS OF HUSBAND (To avoid confusion at a later date, describe each item as clearly as possible.)	Current Fair Market Value
<input type="checkbox"/> Cash (on hand)	\$
<input type="checkbox"/> Cash (in banks/credit unions)	
<input type="checkbox"/>	
<input type="checkbox"/> Stocks/Bonds	
<input type="checkbox"/>	
<input type="checkbox"/> Notes (money owed to you in writing)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Money owed to you (not evidenced by a note)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Real estate: (Home)	
<input type="checkbox"/> Date Acquired	<input type="checkbox"/> Purchase Price:
<input type="checkbox"/> (Other)	
<input type="checkbox"/> Business interests	
<input type="checkbox"/>	
<input type="checkbox"/> Automobiles	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Boats	
<input type="checkbox"/> Other vehicles	
<input type="checkbox"/>	
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings in home	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings elsewhere	
<input type="checkbox"/>	
<input type="checkbox"/> Collectibles	
<input type="checkbox"/>	
<input type="checkbox"/> Jewelry	
<input type="checkbox"/>	
<input type="checkbox"/> Life insurance (cash surrender value)	
<input type="checkbox"/>	
<input type="checkbox"/> Sporting and entertainment (T.V., stereo, etc.) equipment	
<input type="checkbox"/>	
<input type="checkbox"/>	

ASSETS: DESCRIPTION OF SEPARATE ASSETS OF HUSBAND (To avoid confusion at a later date, describe each item as clearly as possible.)	Current Fair Market Value
<input type="checkbox"/> Other assets	
<input type="checkbox"/>	
Total Assets of Husband	\$

Part 12. - Separate Assets of Wife

ASSETS: DESCRIPTION OF SEPARATE ASSETS OF WIFE (To avoid confusion at a later date, describe each item as clearly as possible.)	Current Fair Market Value
<input type="checkbox"/> Cash (on hand)	\$
<input type="checkbox"/> Cash (in banks/credit unions)	
<input type="checkbox"/>	
<input type="checkbox"/> Stocks/Bonds	
<input type="checkbox"/>	
<input type="checkbox"/> Notes (money owed to you in writing)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Money owed to you (not evidenced by a note)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Real estate: (Home)	
<input type="checkbox"/> (Other)	
<input type="checkbox"/>	
<input type="checkbox"/> Business interests	
<input type="checkbox"/>	
<input type="checkbox"/> Automobiles	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Boats	
<input type="checkbox"/> Other vehicles	
<input type="checkbox"/>	
<input type="checkbox"/> Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings in home	
<input type="checkbox"/>	
<input type="checkbox"/> Furniture & furnishings elsewhere	
<input type="checkbox"/>	
<input type="checkbox"/> Collectibles	
<input type="checkbox"/>	
<input type="checkbox"/> Jewelry	
<input type="checkbox"/>	
<input type="checkbox"/> Life insurance (cash surrender value)	
<input type="checkbox"/>	
<input type="checkbox"/> Sporting and entertainment (T.V., stereo, etc.) equipment	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

ASSETS: DESCRIPTION OF SEPARATE ASSETS OF WIFE (To avoid confusion at a later date, describe each item as clearly as possible.)	Current Fair Market Value
<input type="checkbox"/> Other assets	
<input type="checkbox"/>	
Total Assets to Wife	\$

Part 13. - Liabilities of Both Husband and Wife

LIABILITIES AND DEBTS: DESCRIPTION OF DEBT(S) OF BOTH HUSBAND AND WIFE. INDICATE WHETHER DEBT IS HUSBAND'S, WIFE'S OR BOTH (To avoid confusion at a later date, describe each item as clearly as possible.)	Debt of H, W, B	Monthly Payment	Current Amount Owed
<input type="checkbox"/> Mortgages on real estate: (Home)			
<input type="checkbox"/> (Other)			
<input type="checkbox"/>			
<input type="checkbox"/> Charge/credit card accounts			
<input type="checkbox"/>			
<input type="checkbox"/> Auto loan			
<input type="checkbox"/> Auto loan			
<input type="checkbox"/> Bank/credit union loans			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/> Money you owe (not evidenced by a note)			
<input type="checkbox"/>			
<input type="checkbox"/> Judgments			
<input type="checkbox"/>			
<input type="checkbox"/> Other			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
Total Debts and Liabilities of Husband and Wife		\$	\$

Part 14 - Documents that May be Needed

Documents (May be needed)	
Federal, State, and Local Tax Returns	
Payroll and W2 Forms	
Deeds	
Business Tax Returns	
Mortgages	
Leases	
Bank Account Records	
Stock Certificates	
CD's	
Auto Titles	
Insurance Petitions	
Appraisals	

Part 15 - Inheritance

Property Acquired by Inheritance

Describe property inherited by husband (please provide dates)

Describe property inherited by wife (please provide dates)