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OF COUNSEL
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FAMILY LAW CLIENT QUESTIONNAIRE

I. PERSONAL INFORMATION

Full Name of Client: _____

Social Security Number: _____

Address: _____

Home Phone: _____

Mobile Phone: _____

Work Phone: _____

Full Name of Spouse: _____

Social Security Number: _____

Address: _____

Home Phone: _____

Mobile Phone: _____

Work Phone: _____

Date of Marriage: _____

Place of Marriage: _____

| Children: | Age: | DOB: |
|------------------|-------------|-------------|
| Full Name: _____ | _____ | _____ |
| Full Name: _____ | _____ | _____ |
| Full Name: _____ | _____ | _____ |
| Full Name: _____ | _____ | _____ |

II. SEPARATION

1. You do not need a separation agreement to obtain a divorce, so if that is the reason you are seeking a separation agreement, discuss this with your attorney.

2. You should not leave the marital residence or separate until your attorney has told you that it is legally permissible for you to do so. Your leaving could be construed as an abandonment.

3. If you have already separated, or you are about to separate, please state the intended date of separation. For purposes of your agreement, separation means ceasing to live together under one roof.

4. Date of separation or intended separation: _____

5. Have you lived continuously separate and apart since the date of separation stated above? _____

6. Isolated incidences of sexual relations do not generally constitute a resumption of marital relations. Discuss any questions about whether your separation has been continuous with your attorney.

III. EMPLOYMENT AND INCOME

Name of employer: _____

Address of employer: _____

Salary or hourly wages: _____

Years employed: _____

Person to contact to obtain information: _____

Name of employer: _____

Address of employer: _____

Salary or hourly wages: _____

Years employed: _____

Person to contact to obtain information: _____

*** Attach a copy of your four most recent wage receipts or verification of income for at least the previous six (6) months.**

Spouse Employment And Income:

Name of employer: _____

Address of employer: _____

Salary or hourly wages: _____

Years employed: _____

Person to contact to obtain information: _____

Name of employer: _____

Address of employer: _____

Salary or hourly wages: _____

Years employed: _____

Person to contact to obtain information: _____

*** Attach a copy of your four most recent wage receipts or verification of income for at least the previous six (6) months.**

*** Provide a copy of tax returns for the three (3) years. If you and your spouse did not file joint tax returns, provide a copy of your tax returns and your spouse's tax returns for the two (2) calendar years.**

Describe any other income you or your spouse receives, e.g. rental income:

IV. PROPERTY

1. It is absolutely essential to provide a *complete* list of all of your assets (properties) and liabilities (debts) in order to advise you on your case. Failure to disclose property or debts may have legal consequences.

2. If there is a claim for Equitable Distribution, the court will classify, value and divide marital property and marital debts. Any separately owned property remains the property of the person whose name is on the title.

3. The court generally makes an equal division of marital property; however, in some cases the court may make an unequal division.

4. Generally, "separate property" is property acquired prior to the marriage, after separation, acquired by inheritance at any time, or acquired by gift directly to one spouse at any time and "marital property" is all other property acquired during the marriage and before separation.

10. Describe any improvements and the cost of such improvements:

*** Please attach mortgage payment history for the past twelve (12) months.
Second Home or Investment Property:**

1. Complete address or brief description (attach a copy of the deed if available):

2. Was property purchased, inherited, received as a gift? _____

Date purchased, inherited or received as a gift: _____

3. If purchased, original purchase price and source of funds used to purchase: _____

4. Fair market value of property as of date of separation (attach a copy of a recent appraisal if available): _____

5. Outstanding mortgages and/or liens on property as of date of separation:

| Name of lender | Balance |
|----------------|---------|
| _____ | _____ |
| _____ | _____ |

6. Net fair market value (fair market value less mortgages and liens) of property as of date of separation: _____

7. Proposed distribution of property to husband or wife: _____

8. Is property to be sold? _____

9. Who has made payments since the separation, and the amount of said payments? _____

10. Describe any improvements and the cost of such improvements:

*** Please attach mortgage payment history for the past twelve (12) months.**

B. Automobiles, Boats, Other Vehicles

In connection with each motor vehicle owned by you or your spouse, provide the following:

| Year | Make | Model | FM Value | Lien | Date Aq. | Distribution (H/W) |
|------|------|-------|----------|------|----------|--------------------|
| | | | | | | |
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1. Describe who made payments since the separation and the amount of these payments:

2. Describe any repairs and the cost of such repairs:

3. Who will pay for liability, collision or other insurance for each vehicle:

*** Please attach Kelley Blue Book or NADA summary for each automobile, boat or other vehicle.**

C. Interests in Sole Proprietorships, Partnerships, or Other Business Interests

For all businesses which you or your spouse own an interest, please state:

1. Business name and address: _____

2. Percentage of interest owned: _____

3. Business organized as: (e.g. sole proprietorship): _____

7. Date purchased, inherited or received as a gift: _____

8. Original purchase price: _____

9. Source of funds used to purchase: _____

10. Net fair market value of business interest as of date of separation: _____
11. Net fair market value of business interest as of the present: _____
12. Proposed distribution of business interest: _____

*** Please attach all business profit and loss statements.**

*** Please attach all appraisals.**

D. Stocks and Bonds

Make a list of all stocks and bonds held by you or your spouse. State their values on the date of separation. This information may be obtained from stock listings on that date if the stock is traded on an exchange such as the NASDAQ, American, or New York Stock Exchange. If the stock is not traded on an exchange, discuss this matter with your attorney to obtain the proper value. Include debentures, stock options, and futures. State how these assets are to be divided:

| Description | Issued in Name of | Appx. No. of Shares | Appx. Value Per Share | Total Net Value |
|-------------|-------------------|---------------------|-----------------------|-----------------|
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Stocks and Bonds Distribution:

*** Please attach statements for the previous twelve (12) months for stocks, bonds and investments.**

E. Bank Accounts

In connection with each bank account (money market, certificate of deposit, savings account, checking account, business account), state the following:

| Bank | Acct. Type | Last 4 Digits of Acct. No. | Date of Sep. Balance | Present Balance | Distribution (H/W) |
|------|------------|----------------------------|----------------------|-----------------|--------------------|
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*** Please attach statements for the previous twelve (12) months for all savings, checking, money market accounts and CDs.**

F. Insurance

For each policy of life, health, or disability insurance in effect on the date of your separation, state the following:

| Owner | Company | Policy No. | Amount | Type | Distribution (H/W) |
|-------|---------|------------|--------|------|--------------------|
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*** Please attach document verifying the above Insurance information.**

G. Pension and Retirement Benefits

If any of your property includes vested or nonvested pension or retirement benefits, 401(k) plans, deferred compensation benefits, individual retirement accounts or military retirement benefits under the federal Uniformed Services Former Spouses' Protection Act, then with respect to each benefit state the following (you may need the assistance of your employer or plan administrator to complete this part):

Client's Pension or Retirement Benefits:

1. Name of employer: _____
2. Account holder: _____
3. Type of benefit: _____
4. Name of plan administrator: _____

5. Address of plan administrator: _____
6. Nature of benefit payable under plan: _____
7. Beginning date of payments: _____
8. Total value of benefit as of date of separation: _____
9. Total value of benefits as of the present: _____
10. Total value of benefits when payments will commence: _____
11. How payments are to be made: _____
12. Amount paid or to be paid: _____
13. Proposed distribution: _____

*** Please attach statements of the past three (3) years of the 401(k), pension or other retirement account.**

Spouse's Pension or Retirement Benefits:

1. Name of employer: _____
2. Account holder: _____
3. Type of benefit: _____
4. Name of plan administrator: _____
5. Address of plan administrator: _____
6. Nature of benefit payable under plan: _____
7. Beginning date of payments: _____
8. Total value of benefit as of date of separation: _____
9. Total value of benefits as of the present: _____
10. Total value of benefits when payments will commence: _____
11. How payments are to be made: _____

12. Amount paid or to be paid: _____

13. Proposed distribution: _____

*** Please attach statements of the past three (3) years of the 401(k), pension or other retirement account.**

H. Household Goods, Appliances, Metals, Collections, Antiques, Pets and Personal Items, Including Jewelry (Not Otherwise Listed in These Worksheets)

1. Make an inventory for each spouse of all household goods, appliances, pets and other personal property which you have in your possession and which you have not listed above. The inventory should contain a list of "marital property" and a list of "separate property" for each spouse. All items that were acquired by a spouse prior to marriage, inherited items, and items received as gifts solely to one spouse should be placed on that spouse's list of inventory as "separate" property items. All other items are "marital" property items. Items on the separate property inventory for a spouse shall remain the property of that spouse. Marital property items must be divided equitably. Assign a value at date of separation for all items on marital property inventory.

2. You and your spouse should attempt to divide all items on the marital inventory in a mutually agreeable fashion. Make a list of items that are in controversy, and report those items to your attorney.

3. Items on the separate property inventory for a spouse shall remain the property of that spouse. You and your spouse should attempt to divide all items on the marital inventory in a mutually agreeable fashion. Highlight the items that are in controversy and report those items to your attorney.

4. Note: Generally, the courts will divide marital items on an equal basis so that each spouse will have items of equal value. If you cannot agree on marital items, you will have to provide the information requested above for your real estate and vehicles for each item of property. This may prove time consuming and costly to you and your spouse. Your separation agreement will contain either a list of all items for each party or a statement that you have already divided all items and neither party will claim items now held by the other.

V. DEBTS AND LIABILITIES

With respect to each debt or liability owed by you or your spouse on the date of separation, state the following:

1. Please identify the following debt and creditor information:

| Creditor | Last 4 Digits of Acct. No. | Secured Debt? | Distrib. (H/W) | Date of Separation Balance | Present Balance | Amount Paid Since Separation |
|----------|----------------------------|---------------|----------------|----------------------------|-----------------|------------------------------|
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2. Have you or your spouse filed a bankruptcy proceeding? _____

3. If so, state the court in which it was filed, the name of the case, the date it was filed, and the case number if available:

4. Please describe all unliquidated or contingent debt, lawsuit, or tax liability which is not pending or due at this time but may be asserted against you or your spouse within the next five (5) years, if any:

5. Summary: After considering the values of all items of real and personal property and the liabilities and debts to be distributed, have you made a relatively equal division of all the marital property? If not, will it be necessary for the spouse receiving less than one-half to be paid a distributive award in lump sum cash or monthly payments to compensate for the unequal division of property? If so, state the amount and method of payment or payments: _____

*** Please attach the previous 12 months of credit card statements.**

VI. CHILD CUSTODY

1. If you and your spouse have minor children, you should complete this section.

2. A decision must be made concerning the form of custody arrangement that you feel will be in the best interest of your child(ren). **For purposes of child support, sole custody becomes joint or shared custody when each spouse has the child more than 122 nights per year.**

3. Is there presently any dispute concerning whether the husband is the father of any child? If so, explain:

4. Do you agree that both parents are fit and proper persons to have custody and visitation rights with the child(ren)? If not, explain:

5. You should plan a visitation schedule taking into consideration the work schedules of each party and the schedules of the child(ren).

Basic Information:

| | Child 1 | Child 2 | Child 3 | Child 4 |
|----------------------------|---------|---------|---------|---------|
| Name | | | | |
| Date of Birth | | | | |
| SSN | | | | |
| Name of School or Daycare | | | | |
| Traditional or Year Round? | | | | |
| Special Needs | | | | |

Custody Schedule:

| | Child 1 (Mother/Father) | Child 2 (Mother/Father) | Child 3 (Mother/Father) | Child 4 (Mother/Father) |
|---|----------------------------|----------------------------|----------------------------|----------------------------|
| Preferred custody schedule during school year | | | | |
| Preferred custody schedule during summer or break | | | | |
| New Years | | | | |
| MLK Weekend | | | | |

| | | | | |
|-----------------------|--|--|--|--|
| Easter Weekend | | | | |
| Spring Break | | | | |
| Memorial Day Weekend | | | | |
| Fourth of July | | | | |
| Labor Day Weekend | | | | |
| Halloween | | | | |
| Veteran's Day Weekend | | | | |
| Thanksgiving | | | | |
| Christmas | | | | |
| Mother's Birthday | | | | |
| Father's Birthday | | | | |
| Child's Birthday | | | | |

Do you wish to have the following special provisions?

- 1. Parent with secondary custody (visitation) to pay for transportation costs for custody exchanges.
- 2. Neither parent to remove the child(ren) out of the country without prior written consent.
- 3. Neither party to remove the child(ren) from the state of North Carolina without _____ day's notice to the other party.
- 4. Sixty (60) days' written notice to the other party before moving residence.
- 5. Neither party to stay overnight with person of opposite sex to whom they are not related.
- 6. Both parents to have equal access to medical and school records.
- 7. Each party to notify the other if the child(ren) is ill.
- 8. Each party authorized to seek emergency medical care.
- 9. Parents to confer on important matters such as discipline, special events, etc.

Please detail other special provisions or considerations concerning custody:

VII. CHILD SUPPORT

1. Does either parent carry medical insurance on the child(ren)? If so, will that parent agree to continue such coverage?

2. Note: The court will usually order the non-custodial parent to maintain such coverage and pay his/her proportionate amount based on the guidelines (use percentage of income) of the uninsured health care related expenses in addition to child support.)

3. Does either parent pay any work-related child care costs for the child(ren)? If so, how much per month? Please include daycare, camps and other related activities: _____

4. Is child support to be an obligation of the noncustodial parent's estate? (Child support is not usually an obligation of the estate, but the parties may agree to this provision) _____

5. Is child support to continue past age eighteen (18)? _____

6. Is the non-custodial parent agreeing to pay for college or other expenses? If so, enumerate expenses to be covered, such as tuition, room, board, lab fees, books, travel, monthly allowance: _____

7. Is payment of child support to be secured by a life insurance policy or disability insurance policy? _____

8. Are there any regular extraordinary expenses that either parent pays for the minor child? If so, please describe: _____

Child Support Summary Breakdown:

| | Mother | Father |
|---|--------|--------|
| Monthly Gross Income | | |
| Number of Overnights/Month with Child/ren | | |
| Monthly Health Insurance Premiums for Child/ren | | |
| Monthly Daycare Fee | | |
| Monthly Extraordinary Expenses for Children | | |

VIII. TAXES

1. Usually spouses file joint tax returns for the year in which they separate and all other years allowed by law. After the divorce is final, you may be required to file separate returns as provided by law. Do you wish to file joint returns for as long as allowed by law? _____

2. The tax dependency exemption for a child or children is usually allowed by law to the custodial parent, unless the custodial parent agrees to sign a waiver of the exemption. When there is one child, the parties may alternate the exemption between even and odd number years for that child or according to another arrangement. When there are two or more children, the dependency exemption for each child may be allocated between the parents to provide a benefit each year. Please state your preference: _____

3. In general, the party who pays child care expenses typically receives the child care credit on his or her tax return.

4. You may elect to file joint tax returns until you are divorced. Most parties elect to file joint tax returns for the year in which they separate and all other years allowed by law. After your divorce is final, you must file a separate return. Please state your preference: _____

5. What is your preference regarding any refunds or liabilities created from such returns? _____

IX. ALIMONY AND POST-SEPARATION SUPPORT

1. The question of whether a spouse is entitled to alimony and post-separation support from the other spouse is often a complex legal question. Generally, an financially dependent spouse who has been married for a period of time from the supporting spouse may have a claim for support from the financially supporting spouse. Whether a spouse is entitled to alimony and post-separation support should be discussed with your attorney.

2. Generally, one spouse must be dependent upon the other spouse for his or her support and maintenance.

3. Marital misconduct is relevant to post-separation support and alimony.

4. Although a number of factors may be considered, the key factors in determining the amount and duration of alimony payments are the needs of the dependent spouse, the prior standard of living of the parties and support spouse's ability to pay.

5. If it is determined that alimony is to be paid, the amount is usually based on the prior standard of living of the dependent spouse and the supporting spouse's ability to pay.

6. Alimony may be modified by showing a change in circumstances.

7. Alimony may be made in lump-sum or in periodic payments.

8. Generally, alimony payments are deductible to the party making the payments and are taxable income to the party receiving the payments.

9. If post-separation support and/or alimony payments are requested, list expected monthly cost of living expenses:

| Type of Expense | Date of Separation Monthly Expenses | Present Monthly Expenses | Type of Expense | Date of Separation Monthly Expenses | Present Monthly Expense |
|----------------------------|-------------------------------------|--------------------------|-----------------------------|-------------------------------------|-------------------------|
| Rent/Mortgage | | | Home Heating | | |
| Property/Rent Insurance | | | Water & Garbage | | |
| House Repairs | | | Life Insurance | | |
| Electricity | | | Cable | | |
| Utilities | | | Internet | | |
| Yard Maintenance | | | Home Security System | | |
| Pest Control Services | | | Automobile Payment | | |
| Automobile Insurance | | | Gas | | |
| Auto Repair/Maintenance | | | Auto Registration/Taxes | | |
| Food/Home Supplies | | | Pet Food/Vet/Ins./Kennel | | |
| | | | | | |
| | | | | | |
| Med. Insurance Prem. | | | Dent/Vision Insurance Prem. | | |
| Uninsured Medical | | | Uninsured Dent/Ortho | | |
| Uninsured Prescription | | | Other Uninsured Medical | | |
| Life/Disability Ins. Prem. | | | Work-Related Child Care | | |
| Mobile/Home Telephone | | | Eating Out | | |
| School Lunches | | | News/Magazines | | |
| Clothing/Accessories | | | Personal Upkeep | | |
| Laundry/Dry Cleaning | | | Education/Tuition/Supplies | | |
| Child Care/Summer Camp | | | Dues/Professional/Social | | |
| Extracurric/Sports/Dance | | | Church Donations | | |
| Other Charitable Donat. | | | Entertainment & Recreation | | |
| Club Dues & Assessments | | | Children's Allowances | | |
| Annual Vacation | | | | | |
| Gifts/Holidays/Birthdays | | | Other Child/Child Support | | |
| Other Spouse/Support | | | Professional Fees | | |
| School Loans | | | Retirement/Investment | | |
| Savings | | | College Fund | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| SUBTOTAL: | | | SUBTOTAL: | | |

TOTAL Date of Separation Monthly Expenses: \$ _____

TOTAL Present Monthly Expenses: \$ _____

10. Amount of post-separation support and/or alimony to be paid is \$ _____.

11. If alimony is to be paid, what is the preferred method, e.g. monthly?

12. Does either spouse carry health insurance for the other spouse?

13. Are you requesting the other spouse to continue covering you on his/her health insurance policy?

14. Note: the court may order the supporting spouse to maintain such coverage for the dependent spouse and pay all of the uninsured health care related expenses of the dependent spouse in addition to post-separation support and alimony. The insurance plan may state that this coverage must terminate upon the divorce but that COBRA coverage is available following divorce.

15. Please note if COBRA coverage is available following divorce and the cost of such coverage: _____

16. Is post-separation support and alimony to be an obligation of the supporting spouse's estate? _____

17. Post-separation support and alimony are not usually the obligation of the estate, but the parties may agree to this provision.

18. Is payment of post-separation support and/or alimony to be secured by a life insurance policy or disability insurance policy, deed of trust on property, wage withholding, etc.? _____

X. ATTORNEY'S FEES

1. Generally, a party may have a claim against the other party for attorney's fees for claims regarding custody, child support, alimony and post-separation support.

2. To qualify, a party must be an interested party proceeding in good faith on one or of the above claims and have insufficient means to defray the expense of pursuing the claim(s) and meet the other party as a litigant on substantially even terms.

3. Attorney's fees awards could range from \$0 to the full amount requested by a party.

X. MISCELLANEOUS

1. In the event that you reconcile after signing the separation agreement and property settlement, do you want the agreement to continue in effect until you enter into a written reconciliation agreement? _____

2. If you reach an agreement, this will settle all of your rights against the other spouse arising out of the marriage.

3. By not following the provisions of an agreement, you or your spouse may be liable for attorney's fees and court costs.

4. Agreements should not be made under any coercion, undue influence or threat.

5. Both parties should be afforded the opportunity to be represented by counsel.

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED ABOVE AND ON THE ATTACHED SHEETS IS COMPLETE, TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

_____ (SEAL) Date: _____
Client Name