

DIVORCE DATA PACK

Dear Prospective Client:

If you are considering a divorce, we know this can be a very difficult time for you. We would be happy to talk to you if you need sound legal advice on your Family Law problems. We cannot, however, offer anyone free legal advice.

Your case will require an initial personal consultation so that we can understand the facts of your case and advise you on your rights and duties. We do not charge for an initial consultation unless you retain us. The initial consultation should give you a really good idea of what you can expect to happen in your divorce.

Before we can begin representing you, the firm requires (1) a signed contract which explains our respective obligations and (2) a retainer fee plus initial costs prior to instituting any action. The size of the retainer fee required will be determined after our initial consultation and will be based on our estimation of the amount of our time needed to resolve your case. Our standard rate in most cases is \$200 per hour.

Family Law includes simple divorces, complex divorces, child custody, child support, visitation, and paternity actions as well as post-divorce matters such as changes in custody, visitation, child support, compliance with court agreements or orders.

Though some of the questions or situations may not apply to your situation, your efforts to complete the attached **Divorce Data Pack** and provide us with copies of any information or documents pertinent to this matter (including copies of all prior court papers, mortgages, bank statements, mortgages, loan documents, credit card statements, paycheck stubs, etc.) will go a long way to help evaluate your Family Law situation and will help to contain your legal expense.

If we are retained as your attorney, you will be billed for the amount of professional time required to adequately represent your interests in this matter. We would advise you that anything and everything you do to complete the attached questionnaire and to provide any substantiating documentation will help to reduce the amount of attorney and paralegal time required in this action. Please help us help you to contain your legal expense. Any information you provide will, of course, be kept confidential and you are under no obligation until we each execute a written Contract for Legal Services.

Thank you for considering WATERS, TYLER, SCOTT, HOFMANN & DOANE, LLC to handle your divorce.

NOTE: The act of filling out and even mailing in or delivering to this firm any Data Pack does not establish an attorney-client relationship with WATERS TYLER SCOTT HOFMANN & DOANE, LLC. Such a relationship is created only when a Contract of Legal Services has been entered into by you and an attorney.

DIVORCE DATAPACK

Please Print

Today's Date: _____

YOUR **FULL** LEGAL NAME:

{First Name} {Middle Name} {Last Name} {Jr., Sr., etc.}

PRESENT ADDRESS:

{Street Address or P. O. Box} {City} {County} {State} {Zip}

How long at this address? _____

TELEPHONE:

Home -- _____ Work – _____

CELL PHONE, PAGER OR OTHER CONTACT NUMBER: _____

E-MAIL ADDRESS:

How did you learn about us?

Referral from another attorney: _____

Personal referral from: _____

Internet

Yellow pages

Other: _____

PERSONAL INFORMATION ON YOU

YOUR AGE ON LAST BIRTHDAY: _____

MAIDEN NAME (if Wife): _____

YOUR DATE OF BIRTH: _____

SOCIAL SECURITY NUMBER: _____ - _____ - _____

YOUR PLACE OF BIRTH: _____

YOUR OCCUPATION: _____

YOUR EMPLOYER: _____

NATURE OF INDUSTRY: _____

RESIDENT OF INDIANA SINCE: _____

PREVIOUS ADDRESS: _____

How long at that address? _____

NUMBER OF TIMES MARRIED: _____

PERSONAL INFORMATION ON YOUR SPOUSE

SPOUSE'S **FULL** LEGAL NAME: _____
{First Name} {Middle Name} {Last Name} {Jr., Sr., etc.}

MAIDEN NAME (if spouse is Wife): _____

SPOUSE'S PRESENT AGE: _____

SPOUSE'S DATE OF BIRTH: _____

PLACE OF BIRTH: _____

SPOUSE'S SOCIAL SECURITY NUMBER: _____ - _____ - _____

SPOUSE'S TELEPHONE NUMBER: _____

SPOUSE'S PRESENT ADDRESS: _____

How long at that address? _____

PREVIOUS ADDRESS: _____

How long at that address? _____

SPOUSE'S OCCUPATION: _____

NATURE OF INDUSTRY: _____

SPOUSE'S EMPLOYER: _____

SPOUSE'S EMPLOYER'S ADDRESS: _____

RESIDENT OF INDIANA SINCE: _____

NUMBER OF TIMES MARRIED: _____

YOUR MARRIAGE

DATE OF MARRIAGE: _____

WHERE WERE YOU MARRIED? _____
{City} {County} {State}

DATE OF SEPARATION: _____

CIRCUMSTANCES OF SEPARATION: _____

Has there been any domestic violence between the parties during the marriage? Yes No

If yes, please explain: _____

Are any Protective Orders currently in effect? _____

Please describe why you feel this marriage is "irretrievably broken".

Does the Wife want her *maiden name restored*? Yes No Unknown

CHILDREN OF THE MARRIAGE

Number of children (regardless of age) born of this marriage: 0 1 2 3 4 5 (please circle)

Is there any possibility the Wife is currently pregnant? _____

Religious preferences of the parties as to the raising of the children:

If any children born as a result of this marriage are still minors (under 21 or not emancipated), please provide the following information for each:

(1) Name: _____

Date of birth: _____ Present Age: _____

Child's Social Security Number: _____--_____
--_____

Place of residence: _____

Child lives there with: _____

Child has lived there since: _____

Previous residence: _____

Child lived there with: _____

Dates child lived at that address: _____

Child's present school: _____ Grade: _____

With which parent does this child wish to live? _____

(2) Name: _____

Date of birth: _____ Present Age: _____

Child's Social Security Number: _____ -- _____ -- _____

Place of residence: _____

Child lives there with: _____

Child has lived there since: _____

Previous residence: _____

Child lived there with: _____

Dates child lived at that address: _____

Child's present school: _____ Grade: _____

With which parent does this child wish to live? _____

(3) Name: _____

Date of birth: _____ Present Age: _____

Child's Social Security Number: _____ -- _____ -- _____

Place of residence: _____

Child lives there with: _____

Child has lived there since: _____

Previous residence: _____

Child lived there with: _____

Dates child lived at that address: _____

Child's present school: _____ Grade: _____

With which parent does this child wish to live? _____

IF YOU HAVE MORE THAN THREE CHILDREN FROM THIS MARRIAGE, PLEASE
CHECK HERE AND CONTINUE ON A SEPARATE SHEET OF PAPER.

IF YOU HAVE ANY CHILDREN OF THIS MARRIAGE WHO ARE NOW **ADULTS** (*OVER 21, EMANCIPATED OR MARRIED*), PLEASE IDENTIFY THOSE CHILDREN BELOW:

Adult Child #1: Name: _____
Date of birth: _____ Present Age: _____
Emancipation status: Married Living on his/her own Living in our home

Adult Child #2: Name: _____
Date of birth: _____ Present Age: _____
Emancipation status: Married Living on his/her own Living in our home

Adult Child #3: Name: _____
Date of birth: _____ Present Age: _____
Emancipation status: Married Living on his/her own Living in our home

If more space is needed, please use a separate sheet of paper.

Child Custody, Support and Parenting Schedules

Do any of your children have **special needs** (physical limitations, disabilities, handicaps, learning or developmental delays, chronic medical conditions, psychiatric problems, etc.)? If so, please explain.

Have you and your spouse made any arrangements or agreements concerning custody, parenting schedules or support of the children? If so, please describe.

Do you wish to seek child support from your spouse? _____

Has any minor child of this marriage ever been involved in a custody dispute? If so, please give details.

Does anyone besides you and your spouse have any custody claim on any minor child of this marriage? If so, please identify.

Please state who (IN YOUR OPINION) is best suited to have custody of the children and briefly explain your position.

What **parenting schedule** (if any) are you and your spouse utilizing at the present time?

MAINTENANCE

Have you and your spouse made any arrangements or agreements concerning maintenance? If so, please describe.

Do you wish to seek maintenance from your spouse? _____

PRIOR MARRIAGES OF THE PARTIES

Have you or your spouse had any prior marriages? If so, please indicate how such marriage(s) ended [death, divorce, annulment, etc.].

Were any children born as a result of those prior marriages? _____

To which spouse? _____

Who has custody of these children? _____

If more space is needed, please use an additional sheet of paper.

FINANCES OF THE PARTIES

You will need to complete the separate **VERIFIED FINANCIAL DISCLOSURE STATEMENT**, which must be prepared by our office, verified by you under oath and filed with the Court within 45 days of the filing of the Petition for Dissolution. It is not essential that you *complete* this **VERIFIED FINANCIAL DISCLOSURE STATEMENT** prior to your initial consultation with our office, but we ask that you review it and fill it out as best you can before your first visit to our office so we can answer whatever questions you might have. However, this form must be filed within 7 days after retaining our office at which time a meeting will be scheduled with you to discuss your responses. Any documentation of the facts or figures which you can provide to substantiate your statements in the **VERIFIED FINANCIAL DISCLOSURE STATEMENT** form will reduce the time necessary for us to prepare your case (e.g., tax returns, paycheck stubs, mortgage statements, copies of bills, proof of non-marital property origin, auto registrations, statements from banks accounts, etc.).

CHRONOLOGY

We need a brief "snapshot" of your life, before and after your marriage. Please fill this page out as best you can. We recognize this may seem redundant, but having this information on one page is very useful to us.

Client's Date of Birth: _____ Spouse's Date of Birth: _____

Previous Marriages
by Either Party
(Dates and Names): _____

Dating began with
Current Spouse: _____

Date of Marriage: _____

Children's Names and
Birth Dates: _____ Born: _____

_____ Born: _____

_____ Born: _____

_____ Born: _____

Acquisition of Major
Assets (house, car, etc.) _____ Date: _____

_____ Date: _____

_____ Date: _____

Dates of Parties' Current
Employment and Positions:

Husband's Current Employer: _____

Position: _____

Annual Salary: _____

Wife's Current Employer: _____

Position: _____

Annual Salary: _____

Other significant events
during marriage: _____

**YOUR INITIAL GOALS FOR
EVENTUAL DIVORCE SETTLEMENT**

Please outline for us what you see as your initial goals for resolution of this matter:

Custody of Child(ren): Not applicable Joint Sole Other:

Parenting Time with Child(ren): Not applicable
 Child(ren) to reside primarily with _____
 Child(ren) to spend every other weekend with other parent
 Child(ren) to have portion of summer with other parent
 Other arrangement –

Restoration of Non-Marital Property: Briefly identify any non-marital property (personal or real) that you feel strongly about being restored to you (*e.g.*, inheritances, gifts to you, things you owned before the marriage)

Division of Real Estate: Briefly identify any real property owned by either or both of you and who you think should have it at the conclusion of this divorce

Division of Personal Property: Briefly identify who should end up with what personal property items:

Household Goods, Furniture, Furnishings, Appliances, Decor Items, Tools, etc. –

Pets –

Automobiles –

Bank Accounts –

Investment Accounts (stocks, bonds, mutual funds, CDs, etc.) –

Pension and Retirement Accounts –

Responsibility for Debts –

Life Insurance Policies –

Business Interests –

Child Support: Both parents are obligated to contribute to the support of their minor children and the calculation of child support is a mathematical formula proscribed by the Indiana Supreme Court Child Support Guidelines based on the combined gross monthly income of the parties (or imputed income if a party is unemployed or voluntarily underemployed)

Do you expect to pay or receive child support? _____

Maintenance: Indiana does not have alimony, but instead there is maintenance. It is not automatically awarded in divorce, and there are many, many factors which go into the court's determination of whether or not maintenance is appropriate. Whether or not maintenance is awarded depends on the facts and circumstances on a case by case basis.

Do you expect to pay or receive maintenance? _____

Attorney Fees: Generally speaking, it is difficult to negotiate the voluntary payment of your fees by the other spouse; however, if the Court is required to decide, they will reluctantly evaluate disparity in the respective parties' estates and incomes.

Do you expect to ask for a contribution toward your attorney fees from your spouse? _____

Current Marital Circumstances

Check one of the following:

Did you expect this separation?

Yes, for a long time _____

Yes, but only recently _____

Unexpected _____

Do you want this separation/divorce?

Not at all _____

Have mixed feelings _____

Want it very much _____

No, but am resigned to it _____

Feel it is for the best _____

Check all of the following which apply:

Factors contributing to the decision to separate or divorce:

Domestic violence _____

Always had difficulty communicating _____

Differences in education level _____

Differences in expectations about marriage _____

Changes in lifestyle, values _____

Verbal abuse _____

Sexual difficulties _____

Recently had difficulty communicating _____

Differences in interests _____

Differences in ethnic or racial background _____

Differences in expectations about family life _____

Lacked love for one another _____

Bored _____

In love with another person _____

Financial problems _____
Abuse or neglect of children _____

Unfaithful, infidelity _____
Job or school commitment _____

Suspiciousness, jealousy _____
Trouble with in-laws _____
Drug use _____
Depression _____
Other (explain):

Neglect of home _____
Drinking _____
Physical abuse _____
Sexual abuse _____

Major life events and/or changes occurring within the last twelve months:

Started school or training program _____
Entered job market _____
Lost job _____
Financial troubles _____
Legal problems _____
Separation or divorce of friend or relative _____
Drinking or drug problems _____
Began psychotherapy _____
Significant weight gain or loss _____
joined the household _____
left the household _____
Pregnancy _____
Abortion _____
Changes in childcare _____
Onset of menopause _____
Victim of a crime _____
Undertaken major new expenses _____
Other (explain):

Graduated from school or training program _____
Changed job _____
Moved residence _____
Increase in financial responsibilities _____
Arrested and/or jailed _____
Health problems (self, spouse, children) _____
Began treatment for drinking or drug problems _____
Began new medications _____
Nanny, au pair or aging parent _____
Nanny, au pair or aging parent _____
Death of a household pet _____
Miscarriage _____
Fertility problems _____
Children had trouble in school _____
Mid-life crisis _____
Auto accident _____
Natural disaster _____

LEVEL OF CONFLICT:

On a scale of 1-10, rate the level of conflict and anger in your marriage PRIOR TO THE INITIATION OF THE DIVORCE PROCESS OR SEPARATION:

BEFORE THE SEPARATION

	Lowest									Highest
Level of conflict in marriage	1	2	3	4	5	6	7	8	9	10
Level of your anger	1	2	3	4	5	6	7	8	9	10
Level of your spouse's anger	1	2	3	4	5	6	7	8	9	10

NOW THAT YOU ARE IN THE DIVORCE PROCESS, rate the level of conflict and anger:

DURING YOUR DIVORCE

	Lowest									Highest
Level of conflict in marriage	1	2	3	4	5	6	7	8	9	10
Level of your anger	1	2	3	4	5	6	7	8	9	10

Level of your spouse's anger 1 2 3 4 5 6 7 8 9 10

Personal concerns and priorities at time of separation or divorce:

At this time of major change in our family:

I worry that I will _____

I am concerned that my children will _____

It's important to me that the separation/divorce process _____

I think that my spouse will _____

With regard to the future:

I worry that I will _____

I am concerned that my children will _____

It's important to me that the separation/divorce process _____

I think that my spouse will _____

Your Support System

The following are my current sources of **emotional** support:

Family and Friends _____

Neighbors _____

Co-workers _____

Religion or spiritual practice _____

Therapist/counselor _____

Lawyer _____

Other: _____

Your Occupation

What is your occupation? _____

Are you current employed? Yes/No

If yes, where are you employed? _____

How long have you held your current position? _____

How satisfied are you with your current job/work situation?

Very satisfied _____ Moderately satisfied _____
Moderately unhappy _____ Extremely unhappy _____

Your Personal History

Have you ever had any physical or mental illnesses, significant health problems or serious accidents that affected you for an extended period of time? If so, please list:

Your health in early childhood was generally:

Good _____ Fair _____ Poor _____

At present, your health is generally:

Good _____ Fair _____ Poor _____

Special Health Concerns: _____

How long ago was your last physical? _____

Are you concerned about your own drug/alcohol use or that of your partner? Yes/No

If yes, please explain:

List all drugs you are currently taking (including aspirin, vitamins, sleeping pills, etc.):

Are you currently in couples, family or individual therapy or counseling? Yes/No

If yes, with whom? _____

Have you previously been in couple's, family or individual therapy or counseling? Yes/No

If yes, what type of counseling was it? _____

For how long? _____

With whom? _____

Your Income

What is the approximate gross (before taxes) monthly income you have to live on at the present time? \$_____

Describe changes, if any, in your income or lifestyle since your separation:

Please return completed Data Pack to:

Les D. Merkley, Attorney at Law

WATERS TYLER SCOTT

HOFMANN & DOANE, LLC

1947 East Spring St.

New Albany, IN 47150

(812) 949-1114

Fax (812) 949-2189

If you have questions, please call Karla at (812) 206-6073