LAW OFFICES OF
GUS MICHAEL FARINELLA

82-11 37TH AVENUE
SUITE 702
JACKSON HEIGHTS, NY 11372
(718) 899-1400
FAX (718) 899-8844

www.lawgmf.com

180 WEST 20TH STREET
SUITE 4M
NEW YORK, NY 10011
(212) 675-6161
FAX (212) 675-4367

DIVORCE INFORMATION SHEET

Date ______________

PERSONAL INFORMATION: CLIENT

Name ____
Date of birth ______________
Address ____
Home phone ______________
Length of residence: In New York __________
Birthplace ________________________________
Social Security No. ______________
Occupation _________________________________
Employer ________________________
Employer's address ____
Business phone ______________
Salary $_________per ______________Time at present job ______________________
Highest grade completed __________________Other training ___________________
Number of marriages terminated: By death ____________________________________
By legal action __________________________Dates __________________________

PERSONAL INFORMATION: SPOUSE

Name ____Date of birth ______________
Address ____Home phone ______________
Length of residence: In New York ____________________________
Birthplace ________________________________Social Security No. ______________
Occupation _________________________________Employer ________________________
Employer's address ______________________________Business phone ______________
Salary $_________per ______________Time at present job ______________________

Highest grade completed ___________________Other training ____________________
Number of marriages terminated: By death _____________________________________
By legal action __________________________Dates ___________________________

MARRIAGE

Place of marriage ___________________________Date ____________________________
Client's age at marriage ____
Age at each previous marriage ____
Spouse's age at marriage ____
Age at each previous marriage ____
Living with spouse now? ______________If not, when separated? ________________

Any reason to question validity of marriage?

1. Underage ______________
2. Under influence of drugs ______________
3. Fraud, duress, force ______________
4. Mental capacity of either party ______________
5. Permanent impotency of either party ______________
6. Concealed divorce ______________
7. Jest ______________

Possible grounds for dissolution:

1. Insupportability ______________
2. Living apart (1 years) ______________
3. Adultery ______________
4. Cruelty ______________
5. Felony conviction/imprisonment (1 year) ______________
6. Abandonment (1 year) ______________

CHILDREN

NAME	DATE OF BIRTH	SOCIAL SECURITY #	CURRENT RESIDENCE

Type of conservatorship desired:

1. Managing without support _______________
2. Possessory _______________

Amount of child support expected to receive/pay: $_______________per ___________

Does anyone have a court-ordered relationship with any child? _________________

Identify person by name, address, and relationship:

____

____

Identify date of court order and court, which made order:

____

____

What are desires of children?

____

____

Is wife pregnant? _______________If yes, what is expected birth date? ___________

Do the children own property other than personal effects of ordinary value? _______________If yes, describe the property owned by each child and estimate value of each item:

____

____

MATRIMONIAL PROPERTY

Real Property How Acquired and for Record

	Date	What Purpose	Location	Owner	Value & Equity Acquired
1.	__________	__________	__________	__________	_________________________
2.	__________	__________	__________	__________	_________________________
3.	__________	__________	__________	__________	_________________________
4.	__________	__________	__________	__________	_________________________
5.	__________	__________	__________	__________	_________________________

Does client have copy of deed, deed of trust, etc.? ____________________________

Are any of the lots "homestead"? _______________Which? ________________________

____

Is any of the property producing revenue? ____

If so, obtain description of property interest and income in detail:

____

____

____

Personal Property

1. Motor Vehicles

	Type	Year	Record Owner	Value
a.	________	________	________	________
b.	________	________	________	________
c.	________	________	________	________
d.	________	________	________	________

2. Deposit Accounts (bank, savings and loan, credit union, etc.)

	Source of	Type of	Account	Control Where	Amount
a.	________	________	________	________	________
b.	________	________	________	________	________
c.	________	________	________	________	________
d.	________	________	________	________	________
e.	________	________	________	________	________
f.	________	________	________	________	________

3. Securities (stock, bonds, debentures, etc.)

	No. of	Date	From	For Value	Units	Acquired	What Lien Against
a.	__________	__________	__________	__________	_______	__________	__________
b.	__________	__________	__________	__________	_______	__________	__________
c.	__________	__________	__________	__________	_______	__________	__________
d.	__________	__________	__________	__________	_______	__________	__________

Does client have access to securities? _______________Where are they? _______

____

4. Life Insurance

	Company	Cash Surrender Value	Owner	Beneficiary
a.	________________	__________________________	________________	________________
b.	________________	__________________________	________________	________________
c.	________________	__________________________	________________	________________
d.	________________	__________________________	________________	________________

Does client have policies? ________________

6. Retirement, pension, profit-sharing plans

Type	Who Is Member	Since When	Value
a. __________	________________	________________	________________
b. __________	________________	________________	________________
c. __________	________________	________________	________________

7. Furniture and household goods and approximate value

a. ____

b. ____

c. ____

8. Other property (notes receivable, jewelry, coin collections, anything of significant value)

In Whose Possession	Identification	Date Obtained	How Acquired
a. ______________	______________	______________	______________
b. ______________	______________	______________	______________
c. ______________	______________	______________	______________
d. ______________	______________	______________	______________
e. ______________	______________	______________	______________
f. ______________	______________	______________	______________
g. ______________	______________	______________	______________
h. ______________	______________	______________	______________
i. ______________	______________	______________	______________
j. ______________	______________	______________	______________

Separate Property

1. If any of the foregoing matrimonial property was acquired by client before marriage or obtained by gift or inheritance after marriage by client, make a separate list of that property and indicate its present value and the nature of any encumbrances or liens against it.

2. If any of the foregoing matrimonial property was acquired by spouse before marriage or obtained by gift or inheritance after marriage by spouse, make a separate list of that property and indicate its present value and the nature of any encumbrances or liens against it.

3. Any gifts of foregoing property made without consent of spouse? If so, explain:

____

____

4. Have client and spouse resided outside Texas at any time during marriage? ______________If so, identify state, duration of residence, and property accumulated during that period:
____

____

____

5. Other information concerning property: ____________________________________

____

____

Miscellaneous

1. Are any tax refunds expected? ______________ If so, how much? $______________ Does client have tax returns? ______________

2. Describe the contents of any safety deposit box:
____

____
____

3. Is client due any wages, commissions, accrued pay of any type? ___________ If so, describe:
____
____ Is spouse?
_____________________If so, describe: ______________________
____

4. Is any litigation now pending in which client or spouse may recover damages?
______________________If so, describe: _______________________
____

5. Was personal injury award received by client or spouse during marriage? ____________If so, describe, including date and terms of judgment: ______
____

DEBTS AND OTHER LIABILITIES

1. Liabilities in Name of Client Only

Periodic Basis of Payments Obligation Creditor Address Balance

a. _____________ _____________________ _____________ _____________

b. _____________ _____________________ _____________ _____________

c. _____________ _____________________ _____________ _____________

d. _____________ _____________________ _____________ _____________

e. _____________ _____________________ _____________ _____________

f. _____________ _____________________ _____________ _____________

2. Liabilities in Name of Spouse Only Periodic

Basis of Payments Obligation Creditor Address Balance

a. _____________ _____________________ _____________ _____________

b. _______________ _________________________ _______________ _______________

c. _______________ _________________________ _______________ _______________

d. _______________ _________________________ _______________ _______________

e. _______________ _________________________ _______________ _______________

f. _______________ _________________________ _______________ _______________

3. Other Liabilities Periodic

Basis of Payments Obligation Creditor Address Balance

a. _______________ _________________________ _______________ _______________

b. _______________ _________________________ _______________ _______________

c. _______________ _________________________ _______________ _______________

d. _______________ _________________________ _______________ _______________

e. _______________ _________________________ _______________ _______________

f. _______________ _________________________ _______________ _______________

INCOME AND EXPENSE STATEMENT

Husband Wife

1. **Gross monthly income from:**
2. Salary and wages (including commissions, bonuses, and overtime) payable __________ (weekly/monthly/etc.) .... $__________ $__________
3. Pensions and retirement .... $__________ $__________
4. Social security .... $__________ $__________
5. Disability and unemployment insurance .... $__________ $__________
6. Public assistance (welfare, etc.) .... $__________ $__________
7. Child/spousal support relating to prior marriage .... $__________ $__________
8. Dividends and interests .... $__________ $__________
9. Rents .... $__________ $__________

10. Other sources: (specify) .... $__________ $__________

____

11. Total monthly income .... $__________ $__________

2. Itemized deductions from gross income:

Income taxes .... $__________ $__________

Social security .... $__________ $__________

Unemployment insurance .... $__________ $__________

Medical or other insurance .... $__________ $__________

Union or other dues .... $__________ $__________

Retirement or pension fund .... $__________ $__________

Savings plan .... $__________ $__________

Other: (specify) .... $__________ $__________ ______________________

Total deductions .... $__________ $__________

3. Net monthly income .... $__________ $__________

Total monthly expenses: (Specify which party is living with child[ren], if any, and list name and relationship of all members of the household whose expenses are included)

____

____

____

Rent or mortgage payments (residence) .... $__________ $__________

Real property taxes (residence) .... $__________ $__________

Real property insurance (residence) .... $__________ $__________

Maintenance (residence) .... $__________ $__________

Food and household supplies .... $__________ $__________

Utilities .... $__________ $__________ T

elephone .... $__________ $__________

Laundry and cleaning .... $__________ $__________

Clothing .... $__________ $__________

Medical .... $__________ $__________

Dental .... $__________ $__________

Insurance (life, health, etc.) .... $__________ $__________

Child care .... $__________ $__________

Payment of child/spousal support relating to prior marriage .... $__________ $__________

School .... $__________ $__________

Entertainment .... $__________ $__________

Incidentals .... $__________ $__________

Transportation .... $__________ $__________

Auto expenses (insurance, gas, oil, repair) .... $__________ $__________

Installment payment(s) (Insert total and itemize below) .... $__________ $__________

Payment to Creditor's ……………………………………………………$__________ $__________

DOCUMENTS CHECKLIST

(1) Marriage

(a) Marriage license or certificate.

(b) Decrees of dissolution of parties' marriage or former marriage.

(c) Death certificate of deceased former spouse.

NOTE: The above documents should be examined carefully if there is any question as to the validity of the marriage.

(2) Children

(a) Medical and hospital records.

(b) Letters from psychiatrist or psychologist.

(c) Letters from teacher or principal.

(3) Parents or Other Person(s) Seeking Conservatorship of Children

(a) Police records.

(b) Medical and hospital records.

(c) Letters from psychiatrist or psychologist.

(4) Prior Agreements Respecting Marital Property

(a) Antenuptial agreement.

(b) Postnuptial agreement.

(c) Any prior marriage settlement agreement.

NOTE: The agreement may be labeled as a property settlement, marital settlement, marital termination, or separation agreement. Any antenuptial, postnuptial, or marriage settlement agreement executed by either party with relation to a prior marriage should also be examined. It may contain information that will be helpful in determining the property rights of the client.

(d) Any agreement partitioning property, or establishing property as:

(i) Community property.

(ii) Separate property of either party.

(iii) Tenancy in common.

(iv) Partnership property.

(5) Employment and Income Taxes

(a) Copies of each federal income tax return filed during marriage by client and spouse, whether joint or separate returns.

(b) Payroll statements and check stubs.

(c) Each notice of unpaid income taxes.

(d) Any employment contract signed as employee by client or spouse.

(e) Any documents relating to employment of client or spouse and dealing with items such as:

(i) Overtime compensation.

(ii) Christmas or other bonuses.

(iii) Deferred compensation.

(iv) Tips.

(v) Business expenses paid by employer.

(vi) Other receipts arising out of employment.

(vii) Life, hospital, and medical insurance.

(viii) Vacation and sick leave benefits.

(ix) Severance pay.

(x) Pension, retirement, and profit-sharing plans.

(xi) Rights to purchase stock in employer corporation.

(6) Checking and Savings Accounts

NOTE: A checking or savings account may be held in the name of a married person and someone other than the spouse, such as a parent. It then must be determined whether the money involved actually belongs in whole or in part to the married person.

(a) All check stubs, cancelled checks, and statements since date of marriage for all checking accounts in name of client, spouse, both parties, client and third party, and spouse and third party.

(b) All passbooks since date of marriage in all savings accounts in name of client, spouse, both parties, client and third party, and spouse and third party.

NOTE: Include accounts held in banks, savings and loan associations, credit unions, and thrift and loan companies.

(c) All savings certificates since date of marriage and all statements showing income received during marriage from savings certificates.

NOTE: It is often necessary to carefully check all of the financial records referred to above in order to determine the value of the parties' assets and whether a particular asset is community or separate property. Tracing property through checking and savings accounts can become extremely involved. An attorney facing this situation should consider retaining an accountant for this purpose.

(7) Insurance Policies

(a) Each policy or certificate, whether in name of client or spouse or both, relating to all types of insurance.

NOTE: It is especially important that the attorney obtain detailed information with regard to any life, annuity, or endowment policy because the decree should specifically provide for the division of these assets.

(b) Any life, annuity, or endowment policies in name of any child of parties.

(c) All documents dealing with any change in insurance policies since date of marriage, including:

(i) Change of beneficiary.

(ii) Assignment.

(iii) Loan on policy.

(iv) Cancellation or surrender.

(v) Written disclaimer or release of community property interest in insurance policy by client or spouse.

(d) Any document or other record relating to proceeds received from insurance policy.

NOTE: It is often necessary to trace the disposition of such proceeds carefully.

(8) Stocks and Bonds

(a) All certificates for stocks and bonds in name of client or spouse or both.

NOTE: The value of stocks and bonds, other than those issued by a closely held corporation, can be ascertained from the local daily newspaper or the Wall Street Journal, or by requesting a stock and bond broker to check on the value.

(b) If a client or spouse or both have or have had account with stock or bond broker, all statements and confirmation slips from broker since date of marriage.

(c) If shares of stock in closely held corporation are involved, in order to assist in determining their value, examine following documents insofar as they involve period commencing with ownership of stock:

(i) Federal income tax returns filed by corporation.

(ii) Statements of net profit or loss issued by corporation.

(iii) Balance sheets of assets and liabilities issued by corporation.

(iv) Financial statements presented by corporation to financial institutions.

(v) Buy-and-sell agreements or any other contract affecting transferability of stock.

NOTE: The back of each stock certificate should be examined for transfer restrictions.

(vi) Articles, bylaws, and minute book of corporation.

NOTE: In cases involving the determination of the value of closely held stock, the attorney should consider retaining an accountant.

(d) All records dealing with dividends, interest, and other distributions received during marriage from stocks and bonds.

(9) Real Property

(a) Each deed or other document of title for each interest in real property owned since date of marriage by client or spouse or both.

(b) Copy of any title insurance policy or title opinion issued since date of marriage for any real property owned by client, spouse, or both.

(c) Any declaration of homestead.

(d) Real property tax bills.

(e) Any written appraisals made of real property owned by client, spouse, or both.

NOTE: Appraisals may have been prepared for purposes such as listing the property for sale, financing, or a proposed condemnation.

(f) All records relating to purchase of real property since date of marriage, such as:

(i) Written contract for purchase (sales contract).

(ii) All closing papers.

(iii) Purchase money or assumed notes.

(iv) Deeds of trust.

(v) Broker agreements for any transfer of property.

(g) All records by which a third party holds real property for benefit of client or spouse or both.

NOTE: Real property is sometimes placed in the name of a trustee.

(h) All leases in which client or spouse or both are involved as lessor or lessee.

(i) All records showing income received during marriage from community real property.

(10) Sole Proprietorship and Partnership Interests

(a) All federal tax returns (for example, income or employer tax returns) filed by partnership during marriage.

(b) All statements of net profit or loss prepared during marriage.

(c) All balance sheets of assets and liabilities prepared during marriage.

(d) All financial statements presented to financial institutions.

(e) All employment contracts with employees.

(f) Any agreements with employees relating to sale to them of interest in business.

(g) Any written offers to buy or sell business, partnership, or interest in either.

(h) Partnership agreement.

(i) Any buy-and-sell agreements entered into by partners.

(j) All documents tending to show whether interest in business is community or separate property.

NOTE: The assistance of an accountant or an economist may be desirable in order to determine the value of the business or partnership interest and to prepare and assemble sufficient information to determine the extent to which it represents community property. If a partnership is involved and the client is not a partner, consideration should be given to deposing a partner of the spouse to obtain information regarding the partnership business.

(11) Personal Property of Extraordinary Value

(a) All available purchase slips, appraisals, insurance policies, and other documents relating to value of personal property of extraordinary value, such as:

(i) Jewelry.

(ii) China and crystal.

(iii) Silverware.

(iv) Valuable items of furniture and furnishings, such as high-fidelity stereo equipment, Oriental rugs, and appliances.

(v) Antiques.

(vi) Works of art.

(vii) Coin and stamp collections.

(b) Any documentary evidence indicating whether any of above items are community or separate property.

(12) Safe Deposit Boxes and Other Places of Safekeeping Make complete inventory of contents of any place of safekeeping secured in name of client, spouse, or both, such as:

(a) Bank safe deposit boxes.

(b) Savings and loan safe deposit boxes.

(c) Vaults in storage companies.

(d) Office, home, or hotel safes or vaults.

(13) Wills and Trusts

NOTE: The client's present will should be examined because it is generally important that a new will be executed.

(a) If client or spouse is distributee of estate in probate, obtain from attorney for executor of estate:

(i) Copy of will.

(ii) Copy of inventory and appraisement.

(iii) Letter stating when distribution may be expected and probable amount that will be received by client or spouse.