

## MATRIMONIAL QUESTIONNAIRE

### PROCEDURAL:

#### **Jurisdictional Questions**

You cannot file for divorce in the State of New York unless you meet one of the below requirements. Please check which applies to you:

- You were married in New York AND either your spouse or you are a currently a resident of New York and have been for at least one year.
- Your spouse and you have lived in New York as husband and wife AND either your spouse or you is currently a resident of New York and have been for at least one year.
- The grounds for divorce occurred in New York AND either your spouse or you is currently a resident of New York and have been for at least one year.
- The grounds for divorce occurred in New York AND both your spouse and you are currently residents of New York.
- Either your spouse or you have been a resident of New York for at least two years immediately preceding the commencement of this divorce action.

#### **Grounds for Divorce**

In New York, you must have grounds for divorce. You may choose one or more than one of the following that applies to you. Please check any ground(s) which you wish you allege in your Complaint for Divorce.

- Cruel and Inhuman Treatment: The conduct of your spouse endangers the physical or mental well being of you, as it render it unsafe or improper for you to cohabit with your spouse.
- Abandonment: Abandonment of you by your spouse for one year or more.
- Imprisonment: Your spouse has been in prison for three or more consecutive years.
- Adultery: Your spouse has committed adultery (consensual, sexual intercourse with another person).
- Separation Judgment: Your spouse and you have lived apart pursuant to a decree or judgment of separation for a period of one or more years after the granting of such decree or judgment, and you have submitted satisfactory proof that you have substantially performed all the terms and conditions of such decree or judgment.
- Separation Agreement: Your spouse and you have lived apart pursuant to a written agreement of separation (which was signed and acknowledged) for a period

of one or more years after the execution of such agreement and you have submitted satisfactory proof that you have substantially performed all the terms and conditions of such decree or judgment.

No Fault: The relationship between your spouse and you have irretrievably broken down for a period of at least six months.

**Are you the Husband or Wife in this matter?**

Husband     Wife

**Are you the Plaintiff or Defendant in this matter?**

If an action has not been commenced and you are the one who will commence it, you are the Plaintiff. If you have been served with an action for divorce, you are the Defendant.

Plaintiff     Defendant

If an action has been commenced, please provide any papers with which you were served.

**Do you know if your spouse has hired an attorney?**

Yes     No

If so, please provide the attorney's name and address (if you know it) \_\_\_\_\_

\_\_\_\_\_

**CLIENT AND SPOUSE INFORMATION:**

Name \_\_\_\_\_

Spouse's Name \_\_\_\_\_

Prior Names/Aliases \_\_\_\_\_

Spouse's Prior Names/Aliases \_\_\_\_\_

DOB \_\_\_\_\_

Spouse's DOB \_\_\_\_\_

SS# \_\_\_\_\_

Spouse's SS# \_\_\_\_\_

Address \_\_\_\_\_

Spouse's Address \_\_\_\_\_

Occupation \_\_\_\_\_

Spouse's Occupation \_\_\_\_\_

Employer and Address \_\_\_\_\_

Spouse's Employer and Address \_\_\_\_\_

Health Status \_\_\_\_\_

Spouse's Health \_\_\_\_\_

Education \_\_\_\_\_

Spouse's Education \_\_\_\_\_

Are either your spouse or you in the active military service of New York or any other State?

Yes     No  
 Spouse    You

Are either your spouse or you receiving public assistance?

Yes     No  
 Spouse    You

Marital Residence Address \_\_\_\_\_.

Who occupies the marital residence currently?

You    Spouse    Both    Neither

Do you or your spouse have health insurance? (check all that apply)

You    Spouse    Both    Neither

If at least you or your spouse has health insurance, please list the plan name, address, type of coverage, and identification number \_\_\_\_\_

\_\_\_\_\_.

**Marriage Information:**

Date of Marriage \_\_\_\_\_

Location of Marriage \_\_\_\_\_

Was the marriage  Civil or  Religious?

Current marital Status \_\_\_\_\_

Date separated, if applicable \_\_\_\_\_

**Children's Information:**

Name	Age	DOB	SS#	Address

Are any of these children from a prior marriage? [  ] Yes [  ] No  
If so, indicate which

\_\_\_\_\_.

What is the custody situation of the children from a prior marriage?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Current custody situation

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_.

Are there any orders on custody/visitation in place? [  ] Yes [  ] No  
If so, please provide copies of any such documents.

Current child support arrangement \_\_\_\_\_

\_\_\_\_\_.

Are there any orders on child support in place? [  ] Yes [  ] No  
If so, please provide copies of any such documents.

**EXPENSES:**

Please see attached.

**INCOME:**

Please state your income per week, per month, or per year (and indicate which) \_\_\_\_\_

\_\_\_\_\_.

Please attach your previous year's W-2 and income tax returns for the past 3 years.

**ASSETS:**

Do you have any cash?

Yes  No

If so, where is it located, how much is there, and how did you obtain that cash? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_.

Do you have any bank accounts?

Yes  No

If yes, please complete the chart below.

Bank Name and Location	Type of Account (checking, savings, CD's, Totten trusts, etc.)	Account Number	Balance	Disposition (joint/husband/wife)

Do you have any stocks, options, or brokerage accounts?

Yes  No

If so, please state the type, location and current amount? \_\_\_\_\_

\_\_\_\_\_.

Does anyone owe you any money?

Yes  No

If yes, please complete the chart below.

Name and Address	Original Amount of Debt	Current Amount of Debt

Do you have any interest in a business?

If so, please provide the name and address of the business, your involvement in that business. \_\_\_\_\_

\_\_\_\_\_.

Do you have life insurance?

Yes  No

If so, what is the insurance company name and address, the policy number and the current cash surrender value? \_\_\_\_\_

Do you have a vehicle that you currently own, lease, and/or drive?

Yes  No

If so, please fill in the following chart:

Make, year and model	Lease or Own or Neither	Who is on the lease or who is the owner?	Current value of the vehicle	Any loans outstanding

Do you own any real estate??

Yes  No

If so, please fill in the following chart:

Address and Type of Property	Owner	Current Mortgage	Fair Market Value

Do you have any interest in any trusts (including pension, profit-sharing, legacies, deferred compensation and others)?

Yes  No

If so, please state the type, location and current amount? \_\_\_\_\_

Do you have any contingent interests (including stock options, interests subject to life estates, prospective inheritances, etc.)?

Yes  No

If so, please state the type, location and current amount? \_\_\_\_\_

Do you have any valuable household furnishings or jewelry worth more than \$500?

Yes  No

If so, please complete the following chart.

Item	Owner	Location	Current Value

Do you have any other assets not mentioned above? (examples include: tax shelter investments, collections, judgments, causes of action, patents, trademarks, and/or copyrights)

If so, please provide describe the asset and the current value. \_\_\_\_\_

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**LIABILITIES:**

Does you owe anyone money?

Yes  No

If yea, please complete the following chart.

Name and Address	Original Amount of Debt	Current Amount of Debt

Do have any mortgages on real estate?

Yes  No

If yes, please complete the chart below.

Address and Type of Property	Mortgagor(s)	Original Debt	Current Debt

Do you owe any taxes?

Yes  No

If so, please state what type, the amount due, and due date. \_\_\_\_\_

Do you have any loans on life insurance policies?

Yes  No

If so, please provider the insurance provider's information and the amount owed.

Do you have any other liabilities or debts not mentioned above? (examples include: tax shelter investments, collections, judgments, causes of action, patents, trademarks, and/or copyrights)

If so, please provide describe the liability or debt and the current value. \_\_\_\_\_

**OTHER INFORMATION:**

Have you sold or transferred any assets in the past three year, or during the marriage (whichever time is shorter)?

Yes  No

If yes, please complete the following chart.

Description of Asset	Person To Whom You Transferred Property	Relationship To This Person	Date of Transfer

Are you paying for or receiving support from your spouse now?

Yes  No

If so, how much, how often, and for what purpose? \_\_\_\_\_

\_\_\_\_\_.

Are there any related cases pending in civil, family, or criminal court? (Including orders of protection)

Yes  No

If yes, please complete the following chart.

Case Title	Index/Case No.	Court	Judge (if assigned)