



38977 Sky Canyon, Ste 105
Murrieta, CA 92563
951/587-8970
Fax 951/290-5517
TheGreyLegalGroup.com

30-Day Divorce Client Worksheet

Please answer all questions fully. If you need more space than is provided for an answer, use additional paper, and attach it to this worksheet. Mark "N/A" for questions that do not apply.

CONFIDENTIALITY: The information you enter on this worksheet is confidential and is protected by Attorney-Client Privilege. The information will not be disclosed to anyone outside this office except while providing legal services on your behalf or as otherwise required by law.

Date: _____

1. Parties' Information

Your Full Legal Name: _____

Opposing Party's Full Legal Name: _____

Will you or the Opposing Party be restoring a maiden name? YES _____ NO _____

If so, Full Maiden Name: _____

Date of Marriage: _____

Date of Separation: _____

Have you lived in California for the last 6 months? YES _____ NO _____

Has Opposing Party lived in California for the last 6 months? YES _____ NO _____

Have you lived in Riverside for the last 3 months? YES _____ NO _____

Has Opposing Party lived in Riverside for the last 3 months? YES _____ NO _____

Is the Opposing Party in the military? YES _____ NO _____

2. Minor Children's Information (If no minor children, leave blank)

Child's Full Legal Name	Birthdate	Place of Birth (City/State)

Address(es) of where the children lived for the last 5 years

Dates

3. Other Court Cases Concerning Children (If no minor children, leave blank)

- A.** Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child listed above? YES ____ NO ____

*If yes, please provide us with a **copy of the orders** and provide the following information:*

Proceeding Type (please check):

Family Court ____ Guardianship ____ Juvenile Delinquency/Juvenile Dependency ____

Adoption ____ Other ____ (describe: _____)

Case Number: _____

Court (name, state, location): _____

Court Order or Judgment Date: _____

Name of each child: _____

Your connection to the case: _____

Case status (open, closed, pending): _____

- B.** Do you have one or more domestic violence restraining/protective orders now in effect?

YES ____ NO ____

*If yes, please provide us with a **copy of the orders** and provide the following information:*

Court Type (please check):

Criminal ____ Family ____ Juvenile Delinquency/Juvenile Dependency ____

Other _____ (describe: _____)

County and State: _____

Case Number: _____ Orders expire (date): _____

C. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case? YES _____ NO _____

If yes, please provide the following information:

Name of person: _____

Address: _____

Name of each child: _____

Has physical custody _____ Claims custody rights _____ Claims visitation rights _____

4. Support Information

A. Spousal Support

Spousal Support Explained: Once a divorce case is filed, the court can order either spouse to pay any amount necessary for the support of the other spouse. This includes both temporary and long-term support. For Long-Term Support Orders, Family Code § 4330 provides that in a judgment of dissolution or legal separation, the court may order a party to pay spousal support to the other in any amount, and for any period of time, that the court deems just and reasonable. The court is required to evaluate the factors contained in Family Code § 4320 and cannot use a calculator formula for determining support. In a marriage of over ten (10) years, the court, absent an agreement of the parties, does not have the authority to terminate spousal support. In a marriage of less than ten (10) years, spousal support is generally available for half the duration of the marriage, however it could be longer or shorter. The purpose of spousal support is to assist the lower income earning spouse in maintaining the marital standard of living.

If you are requesting that **spousal support be awarded** to either party, how much?

_____ Guideline (calculated from court calculator)

_____ Other Amount (agreed to between the parties)

Please provide the amount and duration of spousal support: \$ _____

What day(s) will it be paid? _____

If you are requesting that **no spousal support be awarded** to either party, are you requesting the court terminate spousal support completely or reserve the issue to potentially be revisited at a later date?

_____ Terminate (will not receive or pay support and cannot be awarded after)

You _____ Opposing Party _____ Both _____
_____ Reserve (will not be given at this time but the court has jurisdiction to award later)

You _____ Opposing Party _____ Both _____

B. Regarding Child Support you are requesting: (*If no minor children, leave blank*)

_____ Guideline (calculated from court calculator)

_____ An agreed upon amount by both parties (Non-guideline Child Support)*

If so, what is the amount? \$ _____

What day(s) will it be paid? _____

***Non-Guideline Child Support Explained:** You may stipulate to an order for child support that is either higher or lower than the statewide child support guideline amount, with the approval of the court. Family Code §§4057(b)(1), 4065. Courts allow parties to agree to a stipulated amount because this is consistent with the child support guidelines principle of ensuring "fair and efficient settlements of conflicts between parents and ... minimiz[ing] the need for litigation." Family Code §4053(j).

If the parties stipulate to a support amount that is below guideline support, in order for the court to approve the settlement, all of the following *must* be true: (1) Each of the parties are fully informed of their rights concerning child support; (2) The order is being agreed to without coercion or duress; (3) The agreement is in the best interests of the children involved; (4) The needs of the children will be adequately met by the stipulated amount; and (5) The right to support has not been assigned to the county under Welfare & Institution Code §11477 and no public assistance application is pending.

A stipulation to an amount that is either higher or lower than the guideline amount affects the moving party's burden on a subsequent motion to modify child support. If you stipulated to a child support order below the guideline amount, **no change of circumstances** needs to be demonstrated to modify the child support order to the applicable guideline level, or above. Family Code § 4065(d).

If you stipulated to a child support order higher than the guideline amount, the child support award cannot be modified downward unless the payer **demonstrates a change of circumstances** justifying a downward modification. *Marriage of Laudeman*, 92 CA4th at 1015.

5. Custody/Visitation (*If no minor children, leave blank*)

A. Regarding Child Custody you are requesting:

Legal Custody be awarded to: You _____ Opposing Party _____ Joint _____

Physical Custody be awarded to: You _____ Opposing Party _____ Joint _____

If you are requesting *Sole Custody* (legal or physical), please include an explanation why:

B. Regarding Child Visitation you are requesting:

Child Visitation be awarded to: You _____ Opposing Party _____

Is there an agreement for visitation days/times? Please explain in as much detail as possible:

Is there an agreed upon holiday schedule? Or will you be rotating odd/even years? Holidays to consider, included, but not limited to: New Year's Eve/Day, MLK Weekend, President's Weekend, Spring Break, Mother's Day, Father's Day, July 4th, Summer Break, Labor Day Weekend, Columbus Day Weekend, Halloween, Veteran's Day, Thanksgiving Day/Break, Winter Break, Winter Holidays, Children's Birthdays) Please explain:

Are there any special days in the year that you or Opposing Party are requesting? Please explain:

Are there any preplanned vacation travel plans? Examples could include designating a set number of days per year for vacations and/or giving priority in odd/even years to each parent. Please explain:

6. Division of Community Assets & Debts

[illegible]

///

Retirement Accounts: If either you or the Opposing Party have Retirement Accounts during the marriage, the portion of the account during the marriage is community property, even if the account was opened prior to the marriage. Generally, in a defined contribution plan, the value of the community property is the amount in the account at date of separation. Generally in a defined benefit plan (pension) the value of the account is not determined until date of retirement, rather a fraction is used to determine the community property interest. The valuation of your retirement accounts will not be evaluated by The Grey Legal Group, APC, and The Grey Legal Group, APC will offer no legal opinion regarding the desired division of these accounts. Valuation requires independent assistance from an actuary to determine the value of retirement accounts. If you chose to divide retirement in your divorce, after Judgment is entered a Qualified Domestic Relations Order (QDRO) will need to be prepared and filed for each retirement account divided.

How have you and the Opposing Party agreed to divide Retirement Accounts? (Please list out each account and specify how you would like each divided. If dividing the accounts please indicate who will be paying the cost for the QDRO, or if the cost will be divided equally)

How have you and the Opposing Party agreed to divide your community debts? (Please list out all debts, if any, and specify how you would like each divided.)

7. Other Reached Agreements

Please list out any other agreements you have reached with the Opposing Party.

8. Do you have any specific questions for the Attorney?
