



Law Office of Brian L. Bennett, P.C.
2803 Boilermaker Court
Valparaiso, Indiana 46383
219.228.7823 Office
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admin@bennettlegalservices.com

FAMILY LAW
CLIENT INFORMATION QUESTIONNAIRE

I. PERSONAL FACTS

A. Name:
Address:
Telephone: Home (____)_____ Work (____)
Email: _____
Date of birth:
Driver's license number: *[Copy]*
Social Security number: *[Copy]*

B. Spouse's name:
Address:
Telephone: Home (____)_____ Work (____)
Date of birth:
Driver's license number: *[Copy]*
Social Security number: *[Copy]*
Spouse's Attorney:
Address:
Telephone: Home (____)_____ Work (____)

C. Have you been a resident of Indiana for the last six months and a resident of _____ County for the last three months?

If not, please state your place of residence for the last six months:

D. Have any of your children under age 18 lived outside the State of Indiana during the last five (5) years?

E. Have your children lived with any person other than you and/or your spouse? (Yes or No) Name of person with whom children have lived and dates:

F. Are there any other pending legal proceedings concerning your children? If yes, please complete: Location of court _____ Cause No.: _____

G. Child(ren)'s name(s), birthdate(s), age(s) and place(s) of birth:

- 1.
- 2.
- 3.
- 4.
- 5.



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H. Date of marriage/place of marriage:

I. Date of separation:

J. Court and Judge case assigned:

II. PROPERTY

Please provide the information requested below to the best of your ability. Copies of documents evidencing ownership (e.g., deeds, passbooks, pinkslips, agreements, etc.) will be helpful. Please do not be limited by the space below in supplying us with the information concerning your assets. Use separate paper where necessary.

A. Family residence:

1. Address:
 2. Form of title (separate property, community property, joint tenancy, tenancy in common):
 3. Date of purchase or acquisition:
 4. Purchase price:
 5. Amount borrowed at time of purchase:
 6. Loan balance as of date of separation:
 7. Present loan balance:
 8. Source of funds for purchase or acquisition:
 9. Source of funds for mortgage payments:
 10. Approximate present fair market value (attach appraisals, if available):
- (Attach copies of deed(s), if available. Also, if more than one residence involved, please complete items 1 through 10 on separate paper for the other residence(s).)

B. Other real property and commercial property:

1. Address:
2. Form of title (separate property, community property, joint tenancy, tenancy in common):
3. Date of purchase or acquisition:
4. Purchase price:
5. Amount borrowed at time of purchase:
6. Loan balance as of date of separation:
7. Present loan balance:
8. Source of funds for purchase or acquisition:
9. Source of funds for mortgage payments:



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10. Approximate present fair market value:

(Attach attach appraisals, copies of deed(s), if available. Also, if more than one residence involved, please complete items 1 through 10 on separate sheet for the other residence(s).)

C. Household furniture, furnishings and fixtures:

1. Possession:
2. Items of special value:
3. Insured Items:
4. Items acquired by gift, inheritance or owned before marriage (attach appraisals and/or inventory, if any):

D. Automobiles: Please supply year, make, model, license number, form of title, date of purchase, source of funds, for down payment and monthly payments, financing information (creditor, balance, etc.) (Attach copies of certificates of ownership, if available.)

- 1.
- 2.
- 3.
- 4.
- 5.

E. Life insurance policies: Please indicate name of company, type of policy, policy number, owner, beneficiary, face amount and cash value. (Attach copy(ies) of policy(ies), if available.)

- 1.
- 2.
- 3.

F. Bank accounts and certificates of deposit: Please supply bank, branch, name and number of account, type of account, approximate balance and source of funds. (Attach copy(ies) of passbook(s), if available.)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

G. Safe deposit boxes: Indicate bank, box number, persons who have access, description of contents.

- 1.



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- 2.
- 3.
- 4.

H. Business interests: indicate name, type of entity, nature of business, date started, names of other owners, partners, or shareholders and percentage of interests.

- 1.
- 2.
- 3.
- 4.

I. Stocks and bonds: indicate description, number of shares, market value, location of certificates, source of funds and date acquired.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

J. Pension, retirement, profit sharing plans: indicate name of employer, name of participant, value of interest date stated.

- 1.
- 2.
- 3.

K. Assets of children: indicate description of item(s), owner, value, and person in possession or control.

- 1.
- 2.
- 3.
- 4.

L. Other assets: indicate description of item(s), owner, value, and person in possession or control.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.



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M. Separate property: separate property, as distinguished from community property, is generally described as the property you owned prior to your marriage or that was acquired by you during your marriage by gift, inheritance or with the income from your separate property. Please indicate below which items described above you believe to be your separate property and your reasons for such belief. (Attach continuation sheets if necessary.)

III. OBLIGATIONS

Indicate all presently outstanding debts and obligations, including date incurred, purpose, date due and terms of repayment. Include educational loans, if any, and who (you or spouse) obtained the education.

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

IV. INCOME

1. Your employer:
2. Address:
3. Phone:
4. Occupation/position:
5. Education (years):
6. If not employed:
 - a. When last employed?
 - b. What were your gross monthly earnings?
7. Spouse's employer:
8. Address:
9. Phone:
10. Occupation/position:



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11. Education (years):
12. Estimate of spouse's gross monthly earnings:

A. Your withholding information:

1. Number of withholding allowances claimed on W-4:
2. Marital status indicated:
3. Number of exemptions on last year's federal income tax return:

B. Gross income: You/Your Spouse

1. Total gross salary or wages, including commissions, bonuses and overtime paid during last 12 months:

\$ _____ \$ _____

2. All other money received during last 12 months, except welfare, AFDC, spousal support from this marriage or any child support:

\$ _____ \$ _____

Include pensions, social security, disability, unemployment, military basic allowance for quarters (BAQ), spousal support from a different marriage, dividends, interest or royalty, trust income and annuities. Include business income and income from rental property. Prepare and attach a schedule showing gross receipts less cash expenses for each business or rental property, specifying sources.

A. Deductions from gross income: You Spouse

- | | | |
|---|----------|----------|
| 1. State income taxes | \$ _____ | \$ _____ |
| 2. Federal income taxes | \$ _____ | \$ _____ |
| 3. Social security | \$ _____ | \$ _____ |
| 4. State disability insurance | \$ _____ | \$ _____ |
| 5. Health insurance | \$ _____ | \$ _____ |
| 6. Medical and other insurance | \$ _____ | \$ _____ |
| 7. Union and other dues | \$ _____ | \$ _____ |
| 8. Retirement and pension fund | \$ _____ | \$ _____ |
| 9. Savings plan | \$ _____ | \$ _____ |
| 10. Court ordered child or spousal support actually being paid for relationship other than that involved in this proceeding | \$ _____ | \$ _____ |
| 11. Other deductions (specify) | | |
| a. | \$ _____ | \$ _____ |
| b. | \$ _____ | \$ _____ |
| c. | \$ _____ | \$ _____ |



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A. Present monthly income, if different from 12-month average (please explain reason for different)

\$ _____ \$ _____

I. LIQUID ASSETS

A. Liquid assets under your control:

1. Cash \$
2. Checking accounts \$
3. Stocks \$
4. Bonds \$
5. Life insurance (cash value)
6. Other \$

B. Liquid assets under spouse's control:

1. Cash \$
2. Checking accounts \$
3. Stocks \$
4. Bonds \$
5. Life insurance (cash value)
6. Other \$

II. MONTHLY EXPENSES

Please list your monthly expenses as accurately as possible. An Expense Worksheet is attached for your assistance. A review of your check register, receipts and paid bills will help you to prepare this list. Note that this is not a budget, but the actual amounts that you have been spending in recent months (perhaps prior to separation). Please indicate the time period over which you have averaged the expenses. If you have been unable to spend money on certain items in recent months, e.g., on clothes or entertainment, please indicate an estimate of the amounts spent during your marriage when funds were more readily available to make such expenditures.

If your spouse is meeting certain of the expenses, please indicate the amount, following with "SP" ("spouse pays"). If your spouse is meeting such expense, but you do not know the amount, indicate "UNK-SP" ("unknown-spouse pays"). Where possible, attempt to segregate the expenses between you and your child(ren) with a slash (your share first, then the child(ren)'s).

A. List all persons living in your home whose expenses are included below and their incomes:

- 1.
- 2.
- 3.



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B. List all other persons living in your home and their income:

- 1.
- 2.
- 3.

Request for Information

Case Information

Court (Circuit/Superior Court)

Judge: _____

Cause No.:

Petitioner:

Name:

Respondent:

Name:

Address:

Address:

Email:

Telephone:

Email:

Telephone:

Social Security Number:

Social Security Number:

Date of Birth:

Date of Birth:

Attorney's Name:

Attorney's Name:



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Address:

Address:

Phone:

Phone:

Marital Information

Date of marriage:
 (month/date/ year)

Date of separation:
 (month/date/year)

Children

Child 1 _____ Child 2 _____
 Date of Birth: _____ Date of Birth: _____
 Sex: _____ Sex: _____

Retirement Plans

Please return this form, along with your executed retainer agreement:

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THE COMMON THREATS IN DISSOLUTION PROCEEDINGS

The divorcing person's guide to the psychological warfare of words that may be expected over the next several months.

"I will tell them X and you will never get the children."

"X" can be an affair, that you are seeing a therapist, having two or three glasses of wine per day or any other situation. Chances are, "X" has little or nothing to do with the best interests of the children and will be disregarded in any planning for the children's lives.

"Your attorney is a dud, or out to get our money, or why don't we use one attorney and save money, or your attorney is really partial to me, etc."

These are divide-and-conquer tactics. If there is a way to save attorney fees and costs, we welcome it and will be glad to discuss it with you.

"Unless you play this my way, you'll never get a dime."

The threatener has been used to being in charge of things, and that is no longer the case. The property will be divided and support will be awarded, most likely in accordance with little to no deviation from parenting time guidelines/property distribution standards.

"Why are you trying to take my money (my pension, my children, etc.)?"

The answer is simply because you are entitled to it, and you are willing to share.

"I'll go to jail before I'll pay you a dime."

So be it. There are various ways to enforce support obligations. Ultimately, contempt of court can mean a jail term; however, this is very rarely the case and most people end up paying voluntarily.

"I'll quit my job before I'll pay you that kind of money."

Attempt to get a witness to this kind of a statement. If intent to avoid support obligations by quitting one's job can be proven, these support obligations would continue at the same amount.

"When the judge sees my expenses, he will award less (more) than the support from the



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schedule."

This is not true unless there are extraordinary expenses. It should be remembered that the supported spouse will get less money than needed and the supporting spouse will pay more money than can be afforded.

"You'll never see the kids again."

There are laws prohibiting kidnapping. A parent who attempts to move to avoid visitation may find the visitation extended to longer periods of time with the added expense of travel costs.

Failure to allow visitation is one of the reasons why the courts change custody from one parent to the other.

"If you don't see this thing my way, the judge will order that we sell everything."

The court will not order the sale of an asset unless there is a good economic reason for it, which is in the best interests of both parties. Instead, the court will generally do all or a combination of the following:

Award individual assets or obligations to one or the other spouse;
Award an asset to both spouses 50%-50% because the asset, such as a limited partnership, cannot be valued; or
Provide that one spouse receive an asset (such as a residence) conditioned on an equalizing payment or promissory note to the other.

Where there are minor children and tight economic circumstances, the court may also temporarily award the family residence to the custodial parent with sale and equal division to occur later.

It is suggested that anyone suffering unduly from these kinds of comments and threats keep a running diary with dates, places, occasions and summaries of conversations occurring. (While it is not always best to use audio or video recordings – Indiana is a “one-party recording state”, so this may be the only way to prove statements/threats made by a party).

It is not recommended that you telephone your attorney as each of these threats come in. The purpose of listing them here is to show how common they are and that the best thing to do is ignore them and go forward with attempting to reach a reasonable resolution of the case at hand.