

Divorce Questionnaire

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HELPING YOU • HELP YOURSELF

This Divorce Questionnaire is designed to help you focus your attention on the issues that may arise as a result of the breakdown of your marriage.

The following are some of the issues that will be addressed throughout this Questionnaire:

- **Spousal support:** Spousal support is an Order that one of the spouses must pay to the other spouse, usually on a monthly basis, a specified amount of money, either for a set period of time or indefinitely.

A question you should ask yourself is: Is one spouse a high-income earner while the other spouse earns much less? If so, the higher income earner will likely have to pay spousal support to the lower income earner on a monthly basis. Depending on the length of your marriage this could be payable for an indefinite amount of time and depending upon your lifestyle, the amount could be enough to equalize the incomes of both households.

- **Custody and access for the children of the marriage:** The word “custody” is broadly defined to include physical control over a child as well as the right to determine a child’s education, healthcare, religion, and other matters concerning the child’s well-being. The *Divorce Act* defines “custody” as including care, upbringing, and any other incident of custody, and there are three different types of custody: sole, joint, and shared.

Questions you should ask yourself include: Who will the children live with? Which parent will have access and when?

- **Child support:** Child support is an amount of money paid by one parent to the other parent. Child support is payable until a child is no longer defined as a “child of the marriage” in accordance with the *Divorce Act* or a “dependent” as defined by the *Family Law Act*. The amount of child support is determined by the *Child Support Guidelines* and is based on the income of the parent paying the support and the number of children for whom support is payable.

The above issues are only a few that may arise out of the breakdown of your marriage. If any of the above issues apply to you, then the Simple (Uncontested) Divorce

Plan that you've signed up for is **NOT** what you need. You'll require either our Separation Agreement Plan or Family Court Plan. For more information on both, go to: www.MyOntarioDivorce.com/startyourdivorce.

Helping you help yourself,

Bob Berman

Founder & Divorce Lawyer

Your Background Information:

Full Name: _____

Surname at Birth: _____

Surname before you were married: _____

Current address: (Street) _____

(City) _____ (Province) _____ (Postal Code) _____

Resident of this address since: (mm/yy) _____

Telephone numbers: (Home) _____ (Work) _____ (Mobile) _____

Email Address: _____

Date of Birth: (dd/mm/yy) _____ Place of Birth: _____

Spouse's Background Information:

Spouse's Full Name: _____

Spouse's Surname before you were married: _____

Current address: (Street) _____

(City) _____ (Province) _____ (Postal Code) _____

Spouse has been a resident of this address since: (mm/yy) _____

Name of Spouse's Lawyer (if known): _____

Spouse's Date of Birth: (dd/mm/yy) _____ Spouse's Place of Birth: _____

Information About the Relationship:

Date of Marriage: (dd/mm/yy) _____

Place of Marriage (City, Province, Country): _____

Do you have a copy of your marriage certificate? Yes ____ No ____

Was this your first marriage? Yes ____ No ____

Was this your spouse's first marriage? Yes ____ No ____

If this was not your first marriage, write down the date (dd/mm/yy) and location (City, Province, Country) of your previous divorce: _____

When did you begin cohabitating with your spouse? (dd/mm/yy) _____

When did you separate from your spouse? (dd/mm/yy) _____

Did you and your spouse try to reconcile? Yes ____ No ____

If yes, list dates of attempted reconciliations: (dd/mm/yy) _____

Did you and your spouse live together after you separated? Yes ____ No ____

If yes, for how long and who moved out of the home? _____

Information About the Children:

Full Name	Age	Birthday (dd/mm/yy)	Resident in (City)	Living With

Chart continues on next page...

Name of the school and what grade each child attends:

Child's Name	Name of School	Grade

Your Financial Information:

Education/qualifications: _____

Are you employed? Yes _____ No _____

If yes, what is your title, and the name and address of your employer? _____

What is your current gross annual income from employment? \$ _____

Are you self-employed? Yes _____ No _____

If yes, what is the nature, name and address of your business? _____

What is your current gross annual income from your business? \$ _____

Are you unemployed? Yes _____ No _____

If yes, since when have you been unemployed? (dd/mm/yy) _____

What did you do for work prior to unemployment? _____

Do you have any other forms of income? Yes _____ No _____

If yes, what are they? _____

Are you currently living with anyone? Yes _____ No _____

If yes, what is his or her name and what is the nature of your relationship? _____

Does this person work? Yes _____ No _____

If yes, what is his or her current gross annual income? \$ _____

Does this person contribute to the household expenses? Yes _____ No _____

If yes, how much does he or she contribute monthly? \$ _____

Your Spouse's Financial Information:

Spouse's education/qualifications: _____

Is your spouse employed? Yes _____ No _____

If yes, what is your spouse's title, and the name and address of his or her employer?

What is your spouse's current gross annual income from employment? \$ _____

Is your spouse self-employed? Yes _____ No _____

If yes, what is the nature, name and address of your spouse's business? _____

What is your spouse's current gross annual income from their business? \$ _____

Is your spouse unemployed? Yes _____ No _____

If yes, since when has your spouse been unemployed? (dd/mm/yy) _____

What did your spouse do for work prior to unemployment? _____

Does your spouse have any other forms of income? Yes _____ No _____

If yes, what are they? _____

Property Information:

Do you and/or your spouse own your own home? Yes _____ No _____

If yes, what is the address of the home (if different from your current residence)?

(Street) _____

(City) _____ (Province) _____ (Postal Code) _____

Whose name is on the title to the home? Mine ____ My Spouse's ____ Both ____

When did you buy the home? (dd/mm/yy) _____

What is the current estimated value of the home? \$ _____

Is there a mortgage on the home? Yes ____ No ____

If yes, what is the current amount owing? \$ _____

Do you own any other property (i.e. cottage, apartment, etc.)? Yes ____ No ____

If yes, write down the type of property you own and its address:

What is the current estimated fair market value of these properties? \$ _____

What is currently owed for mortgages on these properties? \$ _____

Do you own any vehicles (i.e. cars, boats, etc.)? Yes ____ No ____

If yes, write down the types of vehicles you own and their values:

Do you have any significant investments (i.e. RRSPs, mutual funds, stocks, etc.)?

Yes _____ No _____

If yes, write down what they are and their values:

Do you have any debts?

Yes _____ No _____

If yes, write down what they are and their amounts:

Existing Written Agreements

Did you and your spouse enter into a Marriage Contract? Yes _____ No _____

If yes, what is the date of the Marriage Contract (dd/mm/yy)? _____

Is there a spousal support waiver in the Marriage Contract? Yes _____ No _____

Is there a release with respect to property in the Marriage Contract? Yes _____ No _____

Have you and your spouse entered into a Separation Agreement? Yes _____ No _____

If yes, who drafted it? _____

What is the date of the Separation Agreement (dd/mm/yy)? _____

Did you and your spouse enter into a Cohabitation Agreement? Yes _____ No _____

If yes, what is the date of the Cohabitation Agreement (dd/mm/yy)? _____

Does the Cohabitation Agreement contain a spousal support waiver? Yes _____ No _____