

DIVORCE CONSULTATION/INTAKE

DATE _____

REFERRAL SOURCE _____

CONSULTATION FEE I UNDERSTAND I AM RESPONSIBLE FOR PAYMENT OF THIS FEE IN ADVANCE UNLESS I AM A MEMBER OF A LEGAL SERVICE PLAN WHICH COVERS THIS COST.

INITIALS

ATTORNEY-CLIENT RELATIONSHIP I UNDERSTAND THE ATTORNEY-CLIENT PRIVILEGE APPLIES TO ALL INFORMATION DISCLOSED DURING THE CONSULTATION HOWEVER, A SIGNED CONTRACT IS REQUIRED TO CREATE AN ONGOING ATTORNEY-CLIENT RELATIONSHIP.

INITIALS

YOUR INFORMATION - Use full legal name including generational suffixes (e.g. Jr., III)

First _____ Middle _____

Last _____ Maiden _____

Date of Birth _____ Place of Birth _____

DL# _____ Issuing State _____ SSN _____

Physical Residence _____ Use for Mailings? ☐ Yes ☐ No

City/State/Zip _____ County _____

E-mail Address _____ Use for Communications? ☐ Yes ☐ No

Home# (_____) _____ - _____ Work# (_____) _____ - _____ Cell# (_____) _____ - _____

Employer _____ Year s/Months Employed _____ yrs _____ mos

Employment Address _____ Position _____

Schedule _____ Earnings \$ _____ per _____

Pay Frequency ☐ WEEKLY ☐ BIWEEKLY ☐ SEMIMONTHLY ☐ MONTHLY

Pay Type(s) ☐ Salary ☐ Hourly ☐ Base+Commission ☐ Commission Only ☐ Overtime ☐ Bonuses

SPOUSE'S INFORMATION - Use full legal name including generational suffixes (e.g. Jr., III)

First _____ Middle _____

Last _____ Maiden _____

Date of Birth _____ Place of Birth _____

DL# _____ Issuing State _____ SSN _____

Physical Residence _____

City/State/Zip _____ County _____

E-mail Address _____

Home# (_____) _____ - _____ Work# (_____) _____ - _____ Cell# (_____) _____ - _____

Employer _____ Year s/Months Employed _____ yrs _____ mos

Employment Address _____ Position _____

Schedule _____ Earnings \$ _____ per _____

Pay Frequency ☐ WEEKLY ☐ BIWEEKLY ☐ SEMIMONTHLY ☐ MONTHLY

Pay Type(s) ☐ Salary ☐ Hourly ☐ Base+Commission ☐ Commission Only ☐ Overtime ☐ Bonuses

MARRIAGE INFORMATION

Date of Marriage _____ Place of Marriage (City/State) _____

- | | |
|--|--|
| ☐ Y - Ceremony Held? | ☐ Y - Either Spouse Incapacitated/Disabled? |
| ☐ Y - Common Law Declaration Filed? Attach copy | ☐ Y - Child(ren) with Special Needs? |
| ☐ Y - Currently Separated? | ☐ Y - Bankruptcy Pending? |
| ☐ Y - Prior Separations? | ☐ Y - Marriage/Individual Counseling? |
| ☐ Y - Spouse has filed for divorce? Attach copy | ☐ Y - Criminal History? |
| ☐ Y - Served with divorce papers? Attach copy | ☐ Y - Mental Illness? |
| ☐ Y - Domestic Violence? | ☐ Y - Alcohol/Drug Issues? |
| ☐ Y - Protective Orders? Attach copy | ☐ Y - Tax Issues/Debts? |
| ☐ Y - Criminal Charges Pending? | ☐ Y - Foreclosure? |
| ☐ Y - Child Protective Services Involved? | ☐ Y - Prior Marriages? |

Briefly describe any issues/concerns you have, including immediate needs:

CHILD(REN)'S INFORMATION

First _____ Middle _____ Last _____

Date of Birth _____ Place of Birth _____ Sex _____

US Citizen ☐ Yes ☐ No DL# _____ Issuing State _____ SSN _____ Race _____Physical Residence _____ Adopted ☐ Yes (date) _____ ☐ No

City/State/Zip _____ County _____

Current Age _____ Current School _____ Current Grade Level _____

Health Insurance ☐Y ☐N If yes, provider info: _____

- | | |
|---|--|
| ☐ Y - Child of the Marriage? | ☐ Y - Existing Court Orders as to this Child? |
| ☐ Y - Step-Child? | ☐ Y - Child has an Estate? |
| ☐ Y - Parentage in Question? | ☐ Y - Attorney General Involvement? |

First _____ Middle _____ Last _____

Date of Birth _____ Place of Birth _____ Sex _____

US Citizen ☐ Yes ☐ No DL# _____ Issuing State _____ SSN _____ Race _____Physical Residence _____ Adopted ☐ Yes (date) _____ ☐ No

City/State/Zip _____ County _____

Current Age _____ Current School _____ Current Grade Level _____

Health Insurance ☐Y ☐N If yes, provider info: _____

☐Y - Child of the Marriage?

☐Y - Step-Child?

☐Y- Parentage in Question?

☐Y - Existing Court Orders as to this Child?

☐Y - Child has an Estate?

☐Y - Attorney General Involvement?

First _____ Middle _____ Last _____

Date of Birth _____ Place of Birth _____ Sex _____

US Citizen ☐ Yes ☐ No DL# _____ Issuing State _____ SSN _____ Race _____

Physical Residence _____ Adopted ☐Yes (date) _____ ☐No

City/State/Zip _____ County _____

Current Age _____ Current School _____ Current Grade Level _____

Health Insurance ☐Y ☐N If yes, provider info: _____

☐Y - Child of the Marriage?

☐Y - Step-Child?

☐Y- Parentage in Question?

☐Y - Existing Court Orders as to this Child?

☐Y - Child has an Estate?

☐Y - Attorney General Involvement?

First _____ Middle _____ Last _____

Date of Birth _____ Place of Birth _____ Sex _____

US Citizen ☐ Yes ☐ No DL# _____ Issuing State _____ SSN _____ Race _____

Physical Residence _____ Adopted ☐Yes (date) _____ ☐No

City/State/Zip _____ County _____

Current Age _____ Current School _____ Current Grade Level _____

Health Insurance ☐Y ☐N If yes, provider info: _____

☐Y - Child of the Marriage?

☐Y - Step-Child?

☐Y- Parentage in Question?

☐Y - Existing Court Orders as to this Child?

☐Y - Child has an Estate?

☐Y - Attorney General Involvement?

IF THERE ARE ADDITIONAL CHILDREN PLEASE LIST ABOVE ON A SEPARATE PAPER.

CONSULTATION NOTES (for attorney use only)

RETAINER \$ _____

EXPENSE DEPOSIT \$ _____

TERMS OF DIVORCE

Uncontested/Agreed Divorce aka Waiver Divorce

Spouses agree to divorce and agree on all terms regarding characterization and division of property and debts and for children of the marriage, agree on custody, rights, duties, possession/access schedules and the support of the children, including medical/dental support/insurance coverage.

Contested Divorce

Any divorce in which the spouses disagree to any or all terms of the divorce (see above).

Collaborative Divorce

Spouses “opt out” of litigation (court proceedings) by contract and instead engage in the collaborative process to develop workable, long-term settlement plan that addresses the interests of everyone involved with the use of neutral professionals (financial & communications consultants) and legal counsel. Collaborative divorces are private (no public hearings or filings) and afford the Spouses much greater control over the outcome of the divorce. Information is shared freely in this process thus, in the unlikely event the collaborative process fails, the Spouses must hire separate legal counsel to litigate.

Mediation

Mediation is the use of a neutral individual to assist the Spouses in reaching an agreement resolving issues in disputes in the divorce. Mediation is routinely required by the courts prior to a trial setting.

Temporary Restraining Order (TRO)

A TRO is an Order obtained prior to any hearing to protect the Spouses and children and the property of the parties, until a hearing can be scheduled (within 14 days) for temporary orders.

Temporary Orders

Prior to a trial, the court can make one or more orders regarding the Spouses, children, property and debts including allocation of community income, payment of debts, custody, possession/access and support. Temporary Orders can include appraisals of property, drug testing, access facilitation, social studies and more.

Child Custody

Custody also called conservatorship is the allocation of rights/duties of the parents. The presumption in Texas is that parents should have joint custody, meaning they continue to share the majority of rights/duties of a parent..

Child Possession/Access

Parents can have possession of the children whenever both parents agree. Absent agreement, a schedule of when children are with their individual parents which includes provisions as to when and how possession is exchanged between parents is set forth in a possession schedule.

Child Support

The law requires a court to make orders for the support of the children under the age of 18 or over aged 18 if still enrolled in high school. This includes health and dental insurance premiums and the payment of medical and other expenses excluded by insurance. Statutory guidelines for child support are presumed to be in the best interest of the children. Parents are deemed to at least earn minimum wage for 40 hours a week.

Protective Order

A protective order is based upon sworn testimony regarding family violence or dating violence. The offender is prohibited from making contact with the victim(s) or coming within a certain distance of the victim(s) or his/her/their usual place of business, school, daycare and/or residence. Offenders are prohibited from possession firearms.

Separate Property Estate

If either spouse owned property (house, cars, financial accounts, retirement assets, etc.) PRIOR to the marriage or inherited property during marriage or received a gift of property during marriage, it belongs to that spouse's separate property estate. Debts owed by a spouse PRIOR to marriage are debts of the separate property estate. Separate property characterization must be proved.

Community Property Estate

All property owned by either spouse at the time of divorce that is not proved to be separate property belongs to the community property estate and is subject to division by the Court. Community property includes your earnings during marriage, income from separate property, and much more. Community debt is debt acquired during the marriage, regardless of which spouse incurred the debt.

Reimbursement Claims

If any one of the three estates (community, separate property of spouse 1, separate property of spouse 2) has paid debts of another estate (e.g. spouses use employment income to pay on the car note of spouse 1 which spouse 1 purchased PRIOR to marriage), a reimbursement claim may exist.