

# NEW CLIENT INFORMATION SHEET

TODAY'S DATE : \_\_\_\_\_

CLIENT NAME \_\_\_\_\_

EMPLOYER \_\_\_\_\_

HOME ADDRESS \_\_\_\_\_

WORK ADDRESS \_\_\_\_\_

PHONE \_\_\_\_\_

WORK PHONE \_\_\_\_\_

CAR/CELL PHONE \_\_\_\_\_

WORK EMAIL \_\_\_\_\_

SOCIAL SECURITY # \_\_\_\_\_

YES, YOU MAY E-MAIL ME HERE

HOME EMAIL \_\_\_\_\_

PAGER \_\_\_\_\_

YES, YOU MAY E-MAIL ME HERE

SPOUSE'S NAME \_\_\_\_\_

SPOUSE'S ADDRESS \_\_\_\_\_

SOCIAL SECURITY NUMBER \_\_\_\_\_

BILLING ADDRESS IF DIFFERENT THAN HOME

\_\_\_\_\_  
\_\_\_\_\_

OPPOSING PARTY \_\_\_\_\_

OPPOSING PARTY'S ADDRESS \_\_\_\_\_

OPPOSING PARTY'S ATTORNEY (if known) \_\_\_\_\_

HOW DID YOU FIND US?  A Friend referred me (name) \_\_\_\_\_

Another attorney referred me (name) \_\_\_\_\_

On the Internet \_\_\_\_\_

Other (please explain) \_\_\_\_\_

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## FOR OFFICE USE ONLY

STYLE \_\_\_\_\_

RETAINER QUOTED \$ \_\_\_\_\_

FEE AGREEMENT \_\_\_\_\_

RETAINER PAID \$ \_\_\_\_\_

ENGAGEMENT LETTER \_\_\_\_\_

THANK YOU SENT \_\_\_\_\_

CONFLICT CHECK \_\_\_\_\_

DATE FILE OPENED \_\_\_\_\_



## **DOMESTIC RELATIONS GENERAL INFORMATION**

This document is to provide you with information concerning certain aspects of the domestic relations laws of the State of Missouri (as interpreted by my office) court procedures and an explanation of some of my policies with regard to the handling of a dissolution of marriage (formerly called a divorce) or a modification of an existing divorce or dissolution decree.

Some of the matters contained on this page will not pertain directly to your situation. Obviously, the contents of this page are general in nature and each domestic relations matter is different based upon the specific facts of your case. Please ask your attorney questions concerning the application of these general provisions to your specific factual situation.

### **HOW YOUR DISSOLUTION BEGINS**

You must complete a statement of property and a statement of income and expenses (together referred to as financial statements) accurately, completely and realistically and these are filed with the petition or motion or the response to the petition or motion. A copy of these forms is included with this packet. Once returned to my office, they will be prepared in final form. If you have any questions or problems completing the statements, you should ask your attorney. These statements are extremely important to the analysis of your case.

In the State of Missouri, a suit for dissolution of marriage is generally filed in the county where the person filing the Petition resides. A Motion to Modify is generally filed in the Court where the Decree of Judgment of Dissolution of Marriage was originally entered. There are some exceptions to these rules.

After the Petition or Motion is filed, appropriate papers (called a summons) are prepared by the Clerk of the Court and forwarded to the Sheriff of the county where the other party can be served. This process usually takes approximately ten (10) days. Thereafter, it is up to the Sheriff to serve the papers. In some cases a Special Process server may be utilized and an extra cost will be incurred for the Special Process server.

The other party, called the Respondent in a dissolution of marriage action, is served at the address provided by you, generally either the home or the place of employment. It is important to provide the address where Respondent is most likely to be found and/or a time Respondent is most likely to be at the address provided in order to avoid undue delay in obtaining service.

### **GROUND**

The normal grounds for dissolution of marriage in Missouri are the allegations that the marriage is "irretrievably broken" and that there is no reasonable likelihood that the marriage can be preserved. Specific acts of misconduct are generally not included in the Petition.

## **TIME IN COURT**

After service of the summons, the other party has thirty (30) days in which to file a written response with the Court. This response must also be mailed to the attorney for the filing party, or that party if he or she doesn't have an attorney. If no response is filed, the person who filed the Petition or Motion may obtain a default judgment which means that the filing party will proceed in court without the participation of the other party.

Often the other party will obtain an additional thirty (30) days to file an answer. This means that from the date of service, it often takes sixty (60) days to receive a response. Most frequently, such an answer denies all the allegations made in the Petition. Do not be surprised if, in this initial answer, you find that facts which you know to be true are denied. This does not mean that the other party intends to contradict every fact, but it means that, for legal reasons, the other party will not admit these facts.

## **PARENTING PLAN**

Any case for a Dissolution of Marriage or Motion to Modify a previous Judgment or Decree that involves the custody of children requires the filing of a "Proposed Parenting Plan." Copies of two of the form proposed parenting plans used in St. Louis County are enclosed in your packet. There may be different, more specialized plans that are applicable to your case. We will discuss that with you.

## **MOTION FOR TEMPORARY CHILD SUPPORT, CUSTODY, MAINTENANCE, ATTORNEY'S FEES, COSTS, SUIT MONIES**

Once a dissolution or divorce case is filed and service has been obtained, either party may file a Motion for Temporary Orders (called a PDL). The purpose of this Motion is to request the Court to order one party to provide for child support, maintenance and / or the payment of some debts for the period during which the case is pending. The Court may also make a temporary determination regarding the custody of any children and will establish a visitation schedule for the non-custodial parent. This Motion may also include a request for money for attorney's fees, deposition costs and / or other expenses that will be necessary for the preparation of the case. Generally, attempts are made to settle these motions after consultation between the attorneys and the Court. The parties to have a right, however, to have the motion heard in open court and decided by the Judge.

As a general rule, a PDL Motion cannot be filed in a case involving a motion to modify. There are some exceptions to this rule that you should discuss with your attorney.

## **CHILD SUPPORT**

Child support is money paid by one parent to the other parent to assist in the support of the minor children. In the State of Missouri, the Supreme Court has developed uniform child support guidelines (commonly referred to as the Form 14). These guidelines establish a presumption of the amount of child support to be paid and are generally based upon the monthly gross income of both of the parties. As each case is different, you should discuss the child support guidelines with your attorney.

## **MAINTENANCE**

Maintenance is money paid by one spouse to the other spouse to assist in the support of him or her. Maintenance received is generally taxable income to the party receiving it and deductible to the person paying it if it is paid pursuant to a court order or written agreement and certain other requirements are met.

Each case is different and an award of maintenance is dependent upon the circumstances of your particular case. No person is automatically "entitled" to maintenance. There are no Supreme Court uniform guidelines by which the amount of maintenance is to be determined. The trial court is granted broad discretion in determining whether to award maintenance and, if so, for what amount and for what period of time.

## **DISCOVERY**

According to the Rules of Court, each party is entitled to "discover," under oath, certain relevant facts known by the other party. The tools of discovery most commonly used in domestic cases are called "Interrogatories," "Depositions," and "Requests for Production of Documents."

The purpose of these tools is to enable the attorney to discover information and to be ready for trial or resolution of the case by settlement. The Court, under the law, is obligated to divide and allocate all Property, both marital and non-marital, and to apportion debts. These tools provide assistance in locating, identifying, and valuing all property. These tools also provide assistance in addressing the other issues which the court must also consider such as determining child custody, child support, maintenance, allocation of debts and whether to award attorneys fees and litigation costs.

## **INTERROGATORIES**

Interrogatories are written questions submitted to the opposing Party that must be answered under oath within thirty (30) days. Extensions of time to answer the Interrogatories can be obtained, if necessary, and often are. Your answers will be prepared in final form by your attorney. You must provide your answers to these questions when the interrogatories are sent to the other party.

## **DEPOSITIONS**

Each party has the right to require the other party or generally any other witness to answer questions, under oath, in person, usually in the attorney's office. Both lawyers are present during this questioning, and the testimony given is under oath. The opposing lawyer asks questions of the witness in much the same fashion as courtroom questioning. All of these questions and answers are then transcribed into a written record (called a transcript), which may be used in court. Lawyers from both sides may request a copy of this transcript; and your attorney will generally require a deposit, in advance, to cover the costs of these depositions.

## **REQUEST FOR PRODUCTION OF DOCUMENTS**

Each party has the right to require the other party to produce certain documents in their possession, or under their control, for inspection. These documents may include canceled checks, bank statements, income tax returns, credit card information, stock information, business records

and other relevant documents. You will have to produce any documents called for in the request when you send it to the other party.

### **NON-CONTESTED CASES**

After discovery is completed, the case is ready for trial or settlement. If the parties are in agreement as to all issues and desire to settle the case, it is called a "non-contested" case. When a settlement is reached, the attorneys will draft an agreement setting forth all the provisions of that settlement and both parties will have an opportunity to review the agreement to make sure it expresses their understanding of the settlement. A copy is then filed with the Court at the time of the hearing. One of the parties must generally be present to testify; this party is generally the person who filed the petition or motion. The Court will examine the agreement to make sure that it satisfies certain basic legal requirements. In non-contested cases, this agreement settles all aspects of the case and at the conclusion of the hearing, the judgment of dissolution is granted. In some non-contested cases, certain papers may be filed and no hearing is required.

### **CONTESTED CASES**

If the parties cannot come to a settlement, the information gathered by the discovery process will be assembled by the lawyers and a date will be set by the Court for a trial. Both parties will generally testify at the hearing, and the Court will consider their testimony and other evidence presented at the hearing. Sometimes, additional witnesses are necessary, including what we call "expert witnesses," (such as a doctor, psychologist, real estate appraiser or actuary). An expert witness will charge a fee for his or her time for preparation and for testifying. The use of an expert witness on your behalf will be discussed with you before the expert witness is hired. The anticipated costs of the expert witness will generally have to be paid prior to the rendering of his or her services. These anticipated costs may be included in the Motion for Temporary orders (a "PDL") discussed above.

### **COURT DATE**

In St. Louis County and St. Louis City, cases are set for trial after a conference with the judge and a review of all parties' "trial" calendars. Anticipate receiving a trial setting within fourteen (14) to Sixty (60) days of the request. The length of time necessary to set a case will depend to a large extent on the nature of the issues to be tried (i.e., custody, support and/or property or debt division) and the anticipated length of the trial on those issues, but also on the particular judge's style and schedule.

Pursuant to Missouri Supreme Court requirements, domestic cases should be resolved within one year. Most cases will be completed in a shorter period of time.

### **WHEN IS MY DISSOLUTION FINAL?**

A Judgment of Dissolution is final 30 days after it is entered by the Court, unless an appeal or post-trial motions are filed. During this 30-day period at a minimum and in some cases until the motions are resolved, you may not remarry. Should an appeal be taken, the Judgment and Decree of Dissolution as it relates to actually dissolving the marriage is deemed final, unless the appeal challenges that portion of the judgment / decree regarding the status of the marriage. If the appeal does not specifically challenge the status of the marriage and relates only to the Court's orders regarding property division, allocation of debts, child custody, child support, maintenance or attorneys fees, you are free to remarry while the appeal is pending.

## **COURT COSTS**

The filing fee for a Dissolution of Marriage in St. Louis County is now \$140.00 and in St. Louis City it is \$187.00. These costs are subject to change. Additionally, supplemental Court costs may be levied after trial, depending on the length of trial and other costs involved.

## **REQUIRED COUNSELING**

The Courts in all Counties in the State of Missouri, in any case in which there are minor children now require that the parents attend, separately, a series of counseling sessions (usually in the form of videotapes) as a pre-condition to granting a judgment and decree of dissolution.

## **APPEALS**

An entire second tier of the judicial process lies in the Court of Appeals. While the trial judges of the Circuit Court are granted broad discretion as to the propriety of their decisions, as an additional safeguard to meet the ends of justice, you may decide to seek appellate relief should you determine that you are not satisfied with the decision of the trial judge.

The appellate process is expensive and time consuming. Few appeals can be heard and decided in less than a year. My estimate is that it takes approximately twelve (12) months to eighteen (18) months to complete the process. Generally, most parties to a dissolution do not need to resort to the appellate courts. Appeals involve more attorney's fees and costs.

Date: \_\_\_\_\_

We represent: \_\_\_\_\_

### Party Stats Intake Sheet

	Husband	Wife
Full Name (& Maiden):		
Social Security #:		
Address:		
County:		
DOB & State born in:		
How long have you lived in the County and/or City		
How long have you lived in the State of Missouri		
Race:		
Highest Level of Education:		

Name and address of Employer:		
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Place of Marriage & County:	
Date of Marriage:	
Date of Separation:	

Name of Child(ren):	
DOB of Child(ren):	
SS# of Child(ren):	

Previous Marriage(s)? - # - If so, how did it end?	
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What is being requested? - custody - maintenance - fees	
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**IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI  
21ST JUDICIAL CIRCUIT**

In re the Marriage of:	)	
	)	
	)	
Petitioner,	)	
	)	Cause No.
and	)	
	)	Division
	)	
Respondent.	)	

**STATEMENT OF INCOME AND EXPENSES OF**

\*  
NAME

XXX-XX-\*  
SOCIAL SECURITY NUMBER

**I. INCOME**

**A. Name and address of employer: \***

Gross Wages or Salary and Commission paid each Pay Period	\$0.00
PAID: Monthly ___/Semi-Monthly ___/Bi-Weekly ___/Weekly ___	
Number of dependents claimed:	
<b>Payroll Deductions:</b>	
<u>F.I.C.A. (Social Security Tax)</u>	<u>\$0.00</u>
<u>Federal Withholding Tax</u>	<u>\$0.00</u>
<u>Medicare Tax</u>	<u>\$0.00</u>
<u>State Withholding Tax</u>	<u>\$0.00</u>
<u>City Earnings Tax</u>	<u>\$0.00</u>
	<u>\$0.00</u>
<hr/>	
Total Deductions each pay period	<u>\$0.00</u>
Net take home pay each pay period	<u><u>\$0.00</u></u>



B. Additional Income from Rentals, Dividends and Business Enterprises, Social Security, A.F.D.C., V.A. Benefits, Pensions, Annuities, Bonuses, Commissions and all other sources (give monthly average and list sources of income).

\$0.00

C. Total Average Net Monthly Income

\$0.00

D. Your share of the gross income shown on last year's Federal Income Tax Return

2. Expenses required to maintain previous standard of living stated on a MONTHLY average

A. Rent or mortgage payments

0.00

B. Utilities

- |                                  |      |      |
|----------------------------------|------|------|
| 1. Gas                           | 0.00 |      |
| 2. Water                         | 0.00 |      |
| 3. Electricity                   | 0.00 |      |
| 4. Telephone/Internet            | 0.00 |      |
| 5. Telephone - Mobile/Cellular   | 0.00 |      |
| 6. Trash Service                 | 0.00 |      |
| 7. Sewer                         | 0.00 |      |
| 8. Cable or Satellite Television | 0.00 | 0.00 |

C. Automobiles

- |                             |      |      |
|-----------------------------|------|------|
| 1. Gas and Oil              | 0.00 |      |
| 2. Maintenance              | 0.00 |      |
| 3. Taxes and License        | 0.00 |      |
| 4. Payment on the Auto Loan | 0.00 | 0.00 |

D. Insurance

- |  |      |      |
|--|------|------|
| 1. Life  | 0.00 |      |
| 2. Health & Accident                                 | 0.00 |      |
| 3. Disability  | 0.00 |      |
| 4. Homeowners (if not included in mortgage payments) | 0.00 |      |
| 5. Umbrella  | 0.00 |      |
| 6. Automobile  | 0.00 | 0.00 |

E. Total Payment Installment Contracts	0.00
F. Child Support Paid to Others for children not in your Custody (excluding children of this marriage).	0.00
G. Maintenance or Alimony (excluding Petitioner or Respondent herein)	0.00
H. Church and Charitable Contributions	0.00
I. Other Living Expenses (total of Items 1-7 listed below)	0.00

	Yours	Children in Your Custody
1. Food	0.00	0.00
2. Clothing	0.00	0.00
3. Medical Care, Dental Care and Drugs	0.00	0.00
4. Recreation	0.00	0.00
5. Laundry and Cleaning	0.00	0.00
6. Barber Shop or Beauty Shop	0.00	0.00
7. School and Books	0.00	0.00
	<u>0.00</u>	<u>0.00</u>

J. Day Care Center or Babysitter 0.00

K. All other Expenses Not Presently Identified  
(give as monthly average)

See Attachment "K" 0.00

L. Total Average Monthly Expenses 0.00

**STATEMENT OF INCOME AND EXPENSES**

**ATTACHMENT K: All other Expenses Not Presently Identified (given as a monthly average)**

1)	_____	_____
2)	_____	_____
3)	_____	_____
4)	_____	_____
5)	_____	_____
6)	_____	_____
7)	_____	_____
8)	_____	_____
9)	_____	_____
10)	_____	_____
11)	_____	_____
12)	_____	_____
13)	_____	_____
14)	_____	_____
15)	_____	_____
16)	_____	_____
17)	_____	_____
18)	_____	_____
<b>TOTAL:</b>		<u><u>\$0.00</u></u>

IN THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

IN RE THE MARRIAGE OF:

PETITIONER

DATE

VS

CASE NUMBER

RESPONDENT

TEAM/DIVISION

STATEMENT OF PROPERTY

NAME

SOCIAL SECURITY NUMBER

I. PROPERTY (include all marital property and separate property of both parties and designate owner of separate property.)

Present Value Amount Owed Marital or Separate Property

A. Real Estate - list any and all interests held in real estate (include legal description and name of mortgagor).

Four horizontal lines for text entry.

Table with 3 columns and 4 rows for data entry.

B. Motor Vehicles (including all automobiles, boats, trailers, aircraft, recreational vehicles and campers, and give year, make, model, and serial number and name of mortgagor).

Four horizontal lines for text entry.

Table with 3 columns and 4 rows for data entry.

C. Bank Accounts - List all checking and savings accounts held either in your name alone or in your name and that of another person. Give the name of the institution, the names on the account and the account number. Be sure to include here all time deposit, etc.

Four horizontal lines for text entry.

Table with 3 columns and 4 rows for data entry.

**D. Household Goods -** Include all appliances, furniture, silver, antiques, televisions, stereos, etc. Attach list of each item with value of at least \$100 showing present value, amount owed and whether marital or separate property.

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Present Value	Amount Owed	Marital or Separate Property

**E. Personal Goods -** Include jewelry, furs, guns, cameras, coin and stamp collections, fishing and camping equipment, etc. Attach a list of each item with a value of at least \$100 showing present value, amount owed and whether marital or separate property.

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**F. Cash on Hand -**

**G. Securities -** List all stocks, bonds, promissory notes, mortgages and all other such property in which you have an interest and give the names in which the securities are held and identification numbers if any.

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**H. Life Insurance -** List the kind of policy, name of issuing company, policy number, owner of policy, insured, beneficiaries, face value and cash surrender value, if any (include any policies furnished by your employer).

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**I. Retirement, Pension and/or Profit Plans -** List number of plans in which you are enrolled or have interest, give names and address of plan administrators, present value of plan if known, and gross benefit payable at earliest retirement or maturity date. Is plan vested? If not, on what date will it vest? Please attach employee information concerning the plan if available.

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**J. Any interest in any Trust -** Give name of the trust, name and address of the trustee, name of settler, name of beneficiaries, nature of the interest you have in the trust and attach to this list a copy of the trust instrument.

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**II. DEBTS**

**Current  
Balance**

**Monthly  
Payments**

**A. List all loans from any bank or lending institution to you. Show who signed the loan, the date of the loan, and give the name and address of the lender and the outstanding balance.**

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**B. List all credit card balances and store charges - Show the name on the credit card.**

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**C. Other indebtedness - Show to whom and purpose of loan.**

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## **NOTICE OF MANDATORY PARENT EDUCATION CLASS**

The Family Court of St. Louis County requires that all parents who are seeking a divorce (legally known as dissolution of marriage) or a legal separation or who are seeking to modify a prior divorce order which involves issues of child custody or visitation or who are seeking a declaration of paternity or motion to modify a prior paternity order and who have in common at least one child under the age of 19 must attend a Parent Education Class sponsored through the Court. This class covers the impact of divorce, legal separation, divorce modification and paternity determinations on adults as well as children, and presents ways to help the family cope with changes resulting from these proceedings. The class focuses on increasing cooperation between parents with an emphasis upon reducing potential trauma for children. The parent who files the petition for divorce or legal separation or the motion to modify or paternity action (“petitioner”) must attend class within 45 days after filing the petition or motion; the other parent (“respondent”) must attend class within 45 days after service of the petition or motion, or the filing of a voluntary entry of appearance and waiver. The petitioner and respondent will be scheduled to attend separate classes. Please have your cause number available to give to the scheduler when you call. Several locations and class times are available each week. The cost is \$50 per person and attendance is reported to the Court. To schedule yourself for class as soon as possible, call St. Louis County Parent Education Program at 314-863-3310.



## **RULE 68.5**

The following documents must be exchanged in ALL cases:

1. Federal and State income tax returns, including all schedules, W-2, K-1 and 1099 forms for the preceding 3 years.
2. Wage stubs (or other evidence of wages, tips, or salaries if wage stubs are not issued) for the 3 months preceding the filing of the case;
3. Any statements or other documents evidencing expenses incurred in the last 12 months preceding the filing of the case pertaining to work related child care costs, premium payments for health insurance for the children of the parties, and dental and orthodontic costs attributable to the children of the parties.

The following documents must be exchanged in cases involving an award of maintenance, an award of property or a division of debt, or a request for the payment of attorney fees:

1. The 3 most recent statements for all bank accounts, and all other accounts held jointly or individually by the parties in any brokerage firm or other financial institution.
2. The most recent benefit statement for any retirement plan, whether vested or not vested, in which a party has an interest.
3. Any appraisals of any marital or separate property conducted in the 12-month period preceding the filing of the case.
4. Credit card statements and store charges for purchases occurring during the 3 months preceding the filing of the case.
5. The most recent mortgage statement for any real property owned jointly or separately by the parties and copy of the deed for any such property.
6. The most recent balance statement for any existing debt owed by either party.