

# Divorce Questionnaire





## Divorce Questionnaire

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.

**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: \_\_\_\_\_

**Your 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: \_\_\_\_\_

\_\_\_\_\_

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:

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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:

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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:

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Do you have any debts? Yes \_\_\_\_\_ No \_\_\_\_\_

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

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### **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 \_\_\_\_\_