

## DIVORCE INTERVIEW SHEET (rev. 10/2023)

We need the following information to ensure that your divorce is appropriately classified as “uncontested,” as well as prepare the necessary paperwork. If you and your spouse disagree on any of the following, our office will not consider the matter “uncontested.” **Please print legibly and answer all questions as completely as you can.** We will answer any questions you have regarding items below during your intake appointment, if one is necessary.

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

### Your Information

Name: \_\_\_\_\_  
*First Middle Last Maiden*

Your address: \_\_\_\_\_  
Street  
City, State, Zip

County: \_\_\_\_\_ Social Security No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_ State of Birth: \_\_\_\_\_

Gender: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Monthly Income: \_\_\_\_\_ Employer: \_\_\_\_\_  
*(Before Taxes, include overtime if you regularly receive overtime, and an average of bonuses)*

Level of Education: \_\_\_\_\_ Ethnicity? \_\_\_\_\_

How Many Times Have You Been Married? \_\_\_\_\_ How Did Your Last Marriage End? \_\_\_\_\_

On What Date Did Your Last Marriage End? \_\_\_\_\_ *(Example: Divorce/Death)*

### Your Spouse's Information

Name: \_\_\_\_\_  
*First Middle Last Maiden*

Spouse's address: \_\_\_\_\_  
Street  
City, State, Zip

County: \_\_\_\_\_ Social Security No. \_\_\_\_\_

Date of Birth: \_\_\_\_\_ State of Birth: \_\_\_\_\_

Gender: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Monthly Income: \_\_\_\_\_ Employer: \_\_\_\_\_  
*(Before Taxes, include overtime if you regularly receive overtime, and an average of bonuses)*

Level of Education: \_\_\_\_\_ Ethnicity? \_\_\_\_\_

How Many Times Have They Been Married? \_\_\_\_\_ How Did Their Last Marriage End? \_\_\_\_\_

On What Date Did Your Last Marriage End? \_\_\_\_\_ *(Example: Divorce/Death)*

### Marriage Information

Date of Marriage: \_\_\_\_\_

Date of Separation: \_\_\_\_\_

Location of Marriage: \_\_\_\_\_

County: \_\_\_\_\_

City, State

Have you seen a marriage counselor, either alone or with your spouse?  YES  NO

Have you or your spouse spoken to an attorney (other than our office) about a divorce?  YES  NO

If yes, please explain: \_\_\_\_\_

Has your spouse spoken to our office about this divorce or any other legal matter?  YES  NO

Have you been a resident of the county in which you now live for at least three months?  YES  NO

Have you or your spouse ever been a member of the Military?  YES  NO

If YES, you or your spouse? \_\_\_\_\_

**Grounds**

The grounds for a divorce would normally be irreconcilable differences.

Should the grounds be irreconcilable differences?  YES  NO

If not, please state the reason: \_\_\_\_\_

**Debts**

List ALL debts incurred during the marriage that are still outstanding.

CREDITOR	PURPOSE OF DEBT	AMOUNT OWED	PAID BY WHOM?	
			Petitioner (You)	Respondent (Spouse)
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
<i>Example:</i> America's First Bank	Car Loan 2016 Subaru Outback	\$9,000.00	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Do any of the debts above need to be refinanced?  YES  NO

If so, please state which debts, who must refinance, and how much time they will have to do so: \_\_\_\_\_

(If you need more space, CHECK HERE  and use the next sheet)

**CREDIT REPORT:** Under federal law you are entitled to receive a free copy of your credit report once a year. If you have questions about your indebtedness or the indebtedness of your spouse, you may want to get a copy of your credit report. To get a copy at no charge contact: [www.annualcreditreport.com](http://www.annualcreditreport.com), call (877) 322-8228 or send a written request to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. You must provide your name, date of birth, Social Security number and current and previous address, if you have moved within the past two (2) years.

**Assets**

Do either you or your spouse have a retirement, 401(k), I.R.A., or pension plan?  YES  NO

If yes, what type of account is it, who is to receive it or how is it to be divided?  
\_\_\_\_\_

Is ALL of the personal property (furniture, vehicles, etc. including intangible assets such as bank accounts, I.R.A.'s stocks, etc.) owned by you and/or your spouse PRESENTLY divided to your satisfaction?

YES  NO If no, list the property to be divided:

IN WHOSE POSSESSION		PROPERTY	TO BE AWARDED TO	
Petitioner (You)	Respondent (Spouse)		Petitioner (You)	Respondent (Spouse)
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

(If you need more space, CHECK HERE  and use the next sheet)

**Real Property**

Do you or your spouse own any real property (home or land)?  YES  NO

If yes, list the property address and how it should be divided: \_\_\_\_\_

\_\_\_\_\_

**Name Change**

Do you or your spouse want a previous/maiden name restored to you/them?  YES  NO  UNKNOWN

If yes, which party and what name is desired? \_\_\_\_\_

**Alimony**

Should alimony be awarded to either spouse?  YES  NO

If alimony is awarded, specify the amount per month: \_\_\_\_\_ How long should it be awarded: \_\_\_\_\_.

To whom should alimony be awarded: \_\_\_\_\_

**Waiting Period**

Are you interested in asking the Court to waive the required 30-day waiting period?  Yes  No  Maybe

If yes, for what reason: \_\_\_\_\_

*(Courts sometimes require a showing of extraordinary circumstances, so please list any consequences you or your spouse may face if not waived. For example, qualifying for financial assistance, obtaining insurance, new marriage, etc.)*

**Fee Waiver**

Are you able to pay the \$333 filing fee? The Court requires you to be indigent to waive the fee.  YES  NO

If no, would you like us to prepare a fee waiver?  YES  NO

**ADDITIONAL DEBT AND PROPERTY INFORMATION FROM PAGE 2 and 3, IF APPLICABLE:**

*Debts (Continued from Page 2)*

CREDITOR	PURPOSE OF DEBT	AMOUNT OWED	PAID BY WHOM?	
			Petitioner (You)	Respondent (Spouse)
_____			<input type="checkbox"/>	<input type="checkbox"/>
_____			<input type="checkbox"/>	<input type="checkbox"/>
_____			<input type="checkbox"/>	<input type="checkbox"/>
-----				
_____			<input type="checkbox"/>	<input type="checkbox"/>
_____			<input type="checkbox"/>	<input type="checkbox"/>
_____			<input type="checkbox"/>	<input type="checkbox"/>

*Property (Continued from Page 3)*

IN WHOSE POSSESSION		PROPERTY	TO BE AWARDED TO	
Petitioner (You)	Respondent (Spouse)		Petitioner (You)	Respondent (Spouse)
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>

**OTHER NOTES:**

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\*\*\* If there are no minor children, skip to bottom of page 8 \*\*\*

Children

NAME OF CHILD / SOCIAL SECURITY NUMBER / DATE OF BIRTH / CURRENT AGE/ GENDER

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

Where have your child(ren) lived for the last five years (county, city, state) and who have they lived with?

CHILDS INITIALS / WHERE THE CHILD LIVED / HOW LONG THEY LIVED THERE / WHO DID THEY LIVE WITH

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Rule 100

The court must be notified of any party being witness to or participating in any litigation concerning custody, child support, or parent time. The court also needs to be informed of any criminal or delinquency cases regarding a party or parties' minor children, any protective order cases involving a party, any juvenile cases pending, any persons that are not a party to these proceedings that has physical custody of the parties' minor children.

Are there any cases the court needs to be informed of pursuant to Rule 100?  Yes  No

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please complete the following for all minor or dependent adopted or born of this marriage children (under the age of 18 and/or still in high school):

Who should be given permanent LEGAL CUSTODY (make decisions regarding the children, such as what school they go to, if they have certain medical procedures or if they participate in religious ceremonies) of the child(ren)?

- PETITIONER (ME)
- RESPONDENT (SPOUSE)
- JOINT

If you selected joint legal custody, do you want one party be the tie breaker regarding important decisions?  Yes  No

If yes, who should be designated with final say/tie breaking authority: \_\_\_\_\_

Who should be given permanent PHYSICAL CUSTODY (where the child(ren) reside) of the children?

- PETITIONER (ME)
- RESPONDENT (SPOUSE)
- JOINT

**Joint Physical Custody (anywhere from 111-254 overnights for one parent)**

If JOINT custody is selected, please indicate the percentage of overnights for each parent and a proposed schedule for the children. *Remember if using percentages, the total between spouse 1 and spouse 2 must equal 100%; if using days, the total between you and your spouse must equal 365.*

**Example:** 50% You 50% Spouse. 183 Days You and 182 days Spouse.

\_\_\_\_\_ % YOU \_\_\_\_\_ % SPOUSE **OR** \_\_\_\_\_ DAYS YOU \_\_\_\_\_ DAYS SPOUSE

Proposed Schedule: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Sole Physical Custody Visitation (under 111 overnights for the noncustodial parent)**

Normally the non-custodial parent is granted reasonable visitation with the child(ren). Reasonable visitation is generally what you and your spouse can agree upon. In the event you cannot agree, the statutory parent-time would apply. That is, the noncustodial parent would have one evening a week (Wednesday is default) and every other weekend with the minor child(ren).

Holidays are shared based on the year (odd/even) and are explained in our holiday time worksheets. If you would like to deviate from the standard parent-time visitation, please indicate below.

The divorce decree should provide for (check one):

Standard Visitation - Utah Code Ann. § 30-3-35 (one evening a week and every other weekend, Friday to Sunday)

Alternative schedule (must be less than 111 overnights): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Right of First Refusal**

Rather than having to depend on a third party (daycare, nanny, etc.) to provide childcare for children the custodial parent can agree to cooperate so that the other parent, if willing and able to transport, can provide childcare for periods that exceed a certain period of time (example: 4 hours)

Would you and your spouse like to participate in Right of First Refusal?  YES  NO

If so, how many hours and would you like any exceptions (grandparents / spouse): \_\_\_\_\_

**Summer-time Visitation**

If you do not specify summer visitation, it will be as defined in § 30-3-35 for sole custody arrangements, § 30-3-35.1 for a 60/40 split, § 30-3-35.2 for a 50/50 split and § 30-3-37 in the event the parties live more than 150 miles from each other. Do you wish to have the decree specify a summer-time visitation schedule?  YES  NO

If yes, please explain: \_\_\_\_\_

*(It is recommended to define this schedule especially in joint custody arrangements as §30-3-35 is tailored to a sole custody arrangement)*

**Financial**

Are you (or your spouse) receiving any financial assistance from the State of Utah?  YES  NO

If yes, please explain: \_\_\_\_\_

Have you (or your spouse) in the last year received any financial assistance from the State of Utah?

YES  NO If yes, please explain: \_\_\_\_\_

By law each party should pay one-half (1/2) of all day care expenses incurred for the minor children so that the parties can work or go to school full time.

Amount of work-related CHILD CARE paid each month: \$ \_\_\_\_\_

By law each party should pay one-half (1/2) of all out-of-pocket health/dental insurance premiums incurred for the minor children.

Who will maintain health insurance for the minor children?

PETITIONER (ME) - Number of People currently covered by that policy: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

RESPONDENT (SPOUSE) -Number of People currently covered by that policy: \_\_\_\_\_ Cost: \$ \_\_\_\_\_

BOTH *Complete information for each plan above.*

In addition to insurance premiums, each party will be ordered to pay one-half (1/2) of all routine and major medical, dental, etc. expenses incurred for the minor children and not covered by insurance.

Is there some reason why the parties should not each pay one-half (1/2) of the medical, dental, etc., expenses incurred for the minor children?  YES  NO

If yes, please explain: \_\_\_\_\_

Do you or your spouse have any court ordered child support or alimony obligations from any previous marriage or relationship?

YES  NO If yes, please explain: \_\_\_\_\_

### **Child Support & Universal Withholding**

The amount of child support to be paid will be determined using the Utah Uniform Child Support Guidelines based on the financial information you have provided. The child support to be ordered is required to meet at least the guideline amount. You will be informed as to the level of support the Guidelines require at your appointment.

Utah law requires the parent paying child support to pay through Universal Withholding. To commence Universal Withholding, one parent must contact the Office of Recovery Services. Then, the employer of the parent obligated to pay support will be notified and child support will be deducted from the parent's paycheck automatically, forwarded to Office of Recovery Services, then forwarded to the parent receiving support. If both parents are willing to pay and receive child support directly, we may ask that the Court waive the Universal Withholding requirement, so long as both parties remain satisfied with the arrangement.

Would you like to ask the Court to WAIVE the Universal Withholding requirement?  YES  NO

Life Insurance

If a parent has maintained a life insurance policy during the relationship, a Court may require the policy to remain, and in some circumstances could order a higher policy be taken out, if there is a reasonable cost associated with it. The insurance policy would pertain to the parent paying child support and they would maintain life insurance on their own life naming the children as the beneficiaries as long as support is owed. Life insurance can also be used to cover alimony in the event of the obligor's death. A good way to calculate the amount of needed insurance is to take the monthly child support or alimony award and multiply that amount by the number of months that child support or alimony will be paid. If no policy is currently in place, the parties can still agree in an uncontested case to require such insurance.

Would you like the Court to order the parent paying child support to maintain life insurance?  YES  NO

If yes, what amount of life insurance should be ordered?

\$50,000  \$100,000  \$200,000  \$500,000  \$1,000,000  Other: \_\_\_\_\_

Taxes

There is no presumption as to which parent should be awarded the right to claim a child as exemptions/dependents for income tax purposes. Unless the parties can agree who will claim the children, the Court will award the exemption based on a case-by-case basis. Who should be allowed to claim the children as dependents/exemptions for tax purposes:

(It is very common to share odd/even years exemptions as long as the obligated party is current on child support and is what most Courts would order)

YOU  Odd Years  Even Years  Every Year

SPOUSE  Odd Years  Even Years  Every Year

OTHER (Please Explain): \_\_\_\_\_

Do you want the person owing child support to be able to claim the minor child(ren) if they are behind on child support as of December 31<sup>st</sup> of the year at issue? \_\_\_\_\_.

**\*\*\* RESUME HERE IF THERE ARE NO MINOR CHILDREN FROM THIS MARRIAGE. \*\*\***

HOW DID YOU HEAR ABOUT OUR DIVORCE SERVICES?

Friend - Name \_\_\_\_\_

Utah Legal Services

Utah State Bar

Attorney Referral - Name: \_\_\_\_\_

Court Clerk

Newspaper / Magazine

Television or Radio

Internet Search

Legal Aid Society

Other: \_\_\_\_\_



## AGREEMENT

\_\_\_\_\_ The undersigned agrees and understands that Elmore Law Office is providing this information and legal advice to the undersigned for the purpose of representing them (DIY) in an uncontested divorce action in a district court of the State of Utah; or for the purpose of Angela H. Elmore and Elmore Law Office (Divorce with Assistance) to represent the undersigned in an uncontested divorce action in a district court of the State of Utah. This information and advice is being provided by Angela H. Elmore, Esq., personally and/or by and through her staff, written data and sample documents.

\_\_\_\_\_ All of the information contained in the aforementioned answers is true, correct and complete. The undersigned acknowledges that the aforementioned information will be used to provide legal advice and therefore must be true, correct and complete.

\_\_\_\_\_ I agree and understand that I will thoroughly review the documents for my divorce prepared for me by Elmore Law Office before I approve them, sign them and before I or Elmore Law Office files them with the court. I have been informed that I should sign and file, or approve to have filed, those documents only if I completely understand and agree to the terms of the divorce as set out in those documents.

\_\_\_\_\_ I have been informed and understand that the papers that are being prepared are for an uncontested divorce action in which my spouse and I agree on all the terms of the divorce. I understand that in order to complete this divorce, I must know where my spouse is so that I (DIY), or Elmore Law Office (Divorce with Assistance), can contact them. I understand that if I do not know how to contact my spouse, and require formal or alternative service, that additional fees described below will need to be paid to proceed with serving my spouse.

\_\_\_\_\_ I understand that if the divorce becomes contested (that is, my spouse and I cannot agree on the terms of the divorce), that I probably will not want to represent myself in the divorce action and want to seek further legal advice and assistance from an attorney. Angela H. Elmore and Elmore Law Office may represent me in such a contested divorce for additional fees if the contested divorce is in the State of Utah. I understand that any work done beyond the scope of an uncontested divorce will be charged hourly and a new fee agreement will need to be signed for the Elmore Law Office to continue representing me.

\_\_\_\_\_ I have been informed and understand that if I am using the DIY service and I do not have my spouse sign the Acceptance of Service, Appearance, and Stipulation or have my spouse served appropriately, and file the Acceptance of Service, Appearance, and Stipulation or proof of service with the Court within 120 days of the date I file the Divorce Petition, the court may dismiss my divorce action without notice, and may require me to start the entire process again, including paying a new filing fee.

\_\_\_\_\_ If I am using the DIY service, I understand that Elmore Law Office will provide advice, as well as all completed documents for my divorce and the step-by-step procedure for me to handle my own divorce. The fee for the DIY service is Five Hundred and Seventy-five Dollars (\$575.00) for an action not involving custody of children. The fee for DIY service is Seven Hundred and Twenty-Five Dollars (\$725.00) for an action involving custody of children. In addition to these fees, a Three Hundred Thirty-Three Dollars (\$333.00) filing fee must be paid to the court clerk to file the case and the cost must be paid to attend the Divorce Education and Orientation classes (approx. \$55.00 per parent) if there are minor children.

\_\_\_\_\_ If I am using the DWA service, I understand that Elmore Law Office will provide advice, complete all documents for the uncontested divorce, send an acceptance package to my spouse, and file all documents with the Court to initiate and finalize the divorce. I understand that the Divorce with Assistance service is Eight Hundred and Fifty Dollars (\$850.00) for an action not involving minor children, plus the Three Hundred and Thirty-Three (\$333.00) filing fee, for a total of One Thousand One Hundred and Eighty-Three Dollars (\$1183.00). An action involving minor children is Eleven Hundred Dollars (\$1100.00), plus the filing fee, for a total of One Thousand Four Hundred and Thirty-Three Dollars (\$1433.00). Divorce Education and Orientation courses are not included in these fees.

\_\_\_\_\_ I understand if I meet with Elmore Law Office staff and discuss terms of my divorce, but I do not have the documents prepared, I will receive a refund of the fees paid except for \$75.00, which represents fees for that intake appointment. I understand that if Elmore Law Office prepares documents for me, but my spouse contests the case after the fact, I will only receive a refund for work not completed. I understand that work not completed, for purposes of calculating a refund, will be based on the office's current hourly rates for billing, which is \$275.00/hr. for attorney, \$100.00/hr. for paralegal, and \$75.00/hr. for legal secretary work. (Example: support staff billing at \$75.00 x .25 hours = \$18.75.)

\_\_\_\_\_ Included in the fee I pay, is the typing of the divorce papers. However, I understand Elmore Law Office will type the papers ONLY ONCE. Therefore, I must be sure that my spouse and I agree as to the terms of the divorce.

\_\_\_\_\_ If it is necessary to re-draft the divorce documents because of changes I wanted, or an error in the information I provided to the office, Elmore Law Office will charge an additional fee of Two-Hundred Dollars (\$200.00). If I want to attempt to waive the required 30-day waiting period before my divorce can be finalized or if I must request to have my spouse served by alternative means (publication, service by email, etc.) because formal service by constable or process server was unsuccessful, an additional One-Hundred Dollars (\$100.00) will be charged for the extra paperwork for either process. If I request any additional waivers to be

prepared, such as fee waivers, waivers of divorce education/orientation classes, etc., there will be an additional minimum \$100.00 charge for each such waiver.

**I HAVE READ AND UNDERSTAND AND AGREE TO THE ABOVE TERMS.**

\_\_\_\_\_  
DATE

Angela H. Elmore, Attorney at Law  
Elmore Law Office  
214 East 500 South Street  
Salt Lake City, Utah 84111

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINT NAME