

CLIENT QUESTIONNAIRE - FAMILY LAW DISPUTES
(PATERNITY, CUSTODY, CHILD SUPPORT, ETC)

Please review and answer all the questions that apply. If you already answered a question and it is repeated, then just refer back to the prior question# that already answered it. If a question does apply to you, please explain in detail. Please type up answers on computer.

I. BASIC INFO

A. YOUR BACKGROUND INFO

1. In terms of your background:
 - a. Full name, address, DOB & last 3 digits of social security # and driver's license #
 - b. Where were you born, where did you grow up at, and what cities have you lived in during last 10 years?
 - c. What is your family background?
 - (1) Are parents still living?
 - (2) Are they married or divorced to each other?
 - (3) If divorced or split up, do they have a new significant other?
 - (4) What is your relationship with them? (Good terms or bad?)
 - (5) Do they live in town, or if not then where?
 - (6) Any significant problems/conflicts with them growing up?
 - (7) Are they currently involved in your and child/ren's lives?
 - (8) Any problems with them being around the kids?
 - (9) Any problems in their background or current behavior that other party might use against you?
 - d. What is your educational background?
 - e. What is your work history?
 - f. Do you have any criminal history, or ever been under investigation by Child/Adult Protective Services or any other government agency? If so, list charges and outcome.
2. What is your occupation, and your net monthly income (gross income minus only the following deductions - Federal Income Tax, Social Security & Medicare)?
3. If you are not employed, are you disabled, and do you receive any disability benefits?
4. Describe your marital history, and identify any children of any prior relationships.
5. Who is the other party we are dealing with, and what is your relationship with them?

B. THE OTHER PARTY'S BACKGROUND INFO

6. In terms of the other party's background:
 - a. Where were they born, where did they grow up at, and what cities have they lived in during last 10 years? ?
 - b. What is their family background? (same questions as above)

- c. What is their educational background?
 - d. What is their work history?
 - e. Do they have any criminal history, or ever been under investigation by Child/Adult Protective Services or any other government agency? If so, list charges and outcome.
7. What is their occupation, and their net monthly income (gross income minus only the following deductions - Federal Income Tax, Social Security & Medicare)?
8. If they are not employed, are they disabled, and do they receive any disability benefits?
9. Describe their marital history, and identify any children of any prior relationships.

D. RELATIONSHIP WITH THE OTHER PARTY

10. How, where, and when did you meet the opposing party?
11. Describe the initial relationship with the party, and how it went bad/ended.
12. Did you and the other party have any children? If so, please fill out sections III & IV.

E. FAMILY VIOLENCE ISSUES

13. Is either party alleging that they are “family violence” issues in the case? If so:
- a. Who is alleging it?
 - b. What exactly are they alleging?
 - c. When did such incidents allegedly take place?
 - d. Did they ever take place in the presence of a child?
 - e. Are there any police reports relative to the allegations? (If so, please provide)
 - f. Was either party ever arrested for such allegations? (If so, please provide Case #)
 - g. If so, what was the outcome? (Probation, Jail, etc)
 - h. Has the other party also been accused of committing family violence?
 - i. Was either party intoxicated at the time of the offense?

F. TEMPORARY ORDERS - RESTRAINING ORDER OR PROTECTIVE ORDER

14. Is either party seeking a Temporary Restraining Order? If so, what are the grounds:
- a. Other party is harassing.
 - b. Other party is destroying or denying access to property
 - c. Other party is denying access to the child/ren
 - d. Need court to decide who gets to stay in house
 - e. Need court to decide who gets temporary custody
15. Is either party seeking a Protective Order? If so, why?

- a. Other party has committed family violence
- b. I am concerned for my safety and/or safety of my child
- c. I need to exclude spouse from home (Did abuse occur been in last 30 days?)

II. ESTABLISHMENT OF PATERNITY OF CHILD/REN

- 16. Children's names and dates of birth?
- 17. Which party is seeking to establish paternity?
- 18. Is other side contesting paternity?
- 19. Has a paternity test already been done, or if not, does either party want a paternity test?
- 20. Is the alleged father's name on the birth certificate?
- 21. Did the alleged father sign an "Acknowledgment of Paternity"?
- 22. Did the alleged father ever sign a "Denial of Paternity" form?
- 23. Did the alleged father ever sign a "Recission" form in relation to the Acknowledgment or Denial of Paternity form?
- 24. If so, was it filed (the earliest of the two dates)
 - a. within 60 days of the date the prior document was signed, or
 - b. within 60 days of any order relating to paternity or child support?
- 25. Is there already any kind of court order issued declaring him to be the father?
- 26. Presumption of Paternity Questions:
 - a. Were the parties married when the child was born?
 - b. Was child born within 301 days of date of divorce?
 - c. In the case of a marriage that was declared void or invalid, Did the alleged father marry the mother before the birth of the child, or within 301 days of divorce, death, or marriage being ruled invalid?
 - d. Did the alleged father marry the mother after the child was born? And if so:
 - i. Did the alleged father sign an Acknowledgment of Paternity?
 - ii. Is the father's name listed on the birth certificate?
 - iii. Did the alleged father promise to support he child as his own in a court record?
 - e. Did the alleged father reside with the child for the first 2 years of the child's life and represented to others that the child was his own?
- 27. Has it been more than 4 years since any of the events above?

III. CASE INVOLVING CHILDREN OR CUSTODY/VISITATION DISPUTES

A. ESTABLISHMENT OF CUSTODY POSSESSION, AND/OR VISITATION ORDER

28. How many children are there, and what are their dates of birth?
29. Did the father assist the mother, or provide any financial support to the children during the pregnancy? (in cases where parties were not married and didn't live together during this time period).
30. Explain if the relationship developed and/or changed when the children were born.
31. Explain who played what role in raising the children, giving specifics as to who took care of the child and how (i.e. changing diapers, feedings, bathing, babysitting, educating, fulfilling medical needs, taking care of special needs, involvement in extra-curricular activities, etc.)
32. Identify and explain any disabilities, physical or mental health problems of the child/ren, and what treatment they are receiving, if any.
33. List and explain all your good qualities as a parent.
34. List and explain any significant mistakes you have made as a parent that the other party may know about and use against you. Explain how you have changed and/or learned from these mistakes so that they will not be repeated.
35. List and explain all the other party's shortcomings as a parent.
36. List and explain all the other party's good qualities as a parent as well, IF ANY.
37. List and explain the relationship of the other party to any significant other (new boyfriend/girlfriend/fiance/spouse, etc.), and the same for yourself. Any concerns about new party being in the life of your child/ren?
38. List, identify and explain the relationship of any other individuals in regular contact with, or living in the household with your ex. Any concerns about new party being in the life of your child/ren?
39. List, identify and explain the relationship of any other individuals in regular contact with, or living in the household with you. Any concerns by the other party about this person being in the life of your child/ren?
40. List & identify any support system you have in place to help you with taking care of the children. Explain their relationship, how close by they live, and any prior experience they have taking care of your child/ren, or other children.
41. Address with specificity all of the following areas regarding you and your spouse/ex-spouse, in regards to how it affects their parenting skills:

- (1) job stability;
- (2) residence stability;
- (3) psychological or emotional stability;
- (4) lifestyle and morality;
- (5) substance abuse;
- (6) criminal history;
- (7) excessive discipline or lack of discipline;
- (8) lack of medical attention;
- (9) neglect; and
- (10) abuse.

IV. CHILD SUPPORT ISSUES

The term “Obligor” refers to the person ordered to pay child support

The term “Obligee” is the person who is supposed to receive support

If possible, party needs to provide copies of potential Obligor’s pay statements, W-2’s or LES Statements.

A. ESTABLISHMENT OF CHILD SUPPORT

42. If there is no court order yet:
 - a. Are the parties married, but separated?
 - b. Are the parties divorced, but one party was not ordered to pay child support even though other party had custody?
 - c. Who has primary custody of the child/ren?
 - d. Who is seeking child support?

43. In regards to the person who is or may be ordered to pay child support:
 - a. What do they do for a living?
 - b. Who is their employer?
 - c. How long have they been employed there?
 - d. What is their net monthly income (Gross income minus only FICA, SS & Medicare taxes)? Military LES statements are more complicated.
 - e. Do they currently pay for health insurance for the children?
 - f. If so, how much? (Include just the extra amount they pay, IF ANY, for the kids portion of the insurance. Must no include the amount to cover themself or their spouse).
 - g. Do they have any other children they are obligated to support?
 - h. If so, how many?
 - i. If they are not employed, do they have some sort of documented disability?

V. CHILD PROTECTIVE SERVICES ACTIONS

44. Has the Texas Department of Family & Protective Services ever been involved in the case?

- a. Investigating you?
 - b. The other party?
 - c. Any party involved in this case
 - d. Treatment of the child in this case
 - e. Treatment of a different child
45. What are they investigating?
- a. Abuse? (Details)
 - b. Neglect? (Details)
46. What was the result of their investigation?
- a. Found that a report of abuse or neglect was “substantiated”
 - b. Found it was “unsubstantiated”
 - c. Found evidence was “inconclusive”
47. Were any of the parties ordered to abide by any “Safety Plan”? If so,
- a. Who?
 - b. What were the terms?
 - i. Drug tests?
 - ii. Parenting Classes?
 - iii. Supervised visits?
 - iv. Other
 - c. How has the other person complied with the term?
 - d. What has the other person not done to comply?
48. Is the case still open or closed?
49. Who made the allegations in the first place?

VI. GENERAL ADVICE AND EVIDENCE NEEDED

1. Be very careful what you say to or around the other party. They may be audio or videotaping you without your knowledge. They may also be saving your texts & e-mails as well. In some cases, they may have even hired a private investigator to follow you.
2. Provide us with a list of witnesses we can call to help you at court. Please include their address, phone numbers, whether they will need to be subpoenaed to testify or show up voluntarily, and a short statement about what each witness can testify to. Call them and let them know about the court date to see if they will show up, and let them know we may contact them. Also, give us the same info on any witnesses you think the other party might call too.
3. Start gathering up and making copies of all relevant legal and financial documents, such as: driver's licenses, social security cards, tax returns, pay stubs, birth and marriage certificates, passports, tax returns, pay stubs, retirements information, property deed records, bills (mortgage, car and credit card statements), school records, medical records, texts, e-mails, etc. Also make a list of, and take pictures and/or videotape or all your significant assets, in case they go missing later.
4. In custody dispute cases, give us approximately 25 pictures with you and the kids around the house and city participating in various fun, educational, or extra-curricular activities. Show them growing up with you at different ages, holidays, activities, etc. Also, take a few pictures of the neighborhood, apartment or house (nice clean living room, fully stocked fridge and pantry, and child's room).
5. Also, in custody cases, get us copies of school records (report cards, attendance reports, behavioral reports) daycare records, medical records (including immunization records), extra-curricular activity records, awards, certifications, baptismal certificates, etc. related to the children. .
6. Also, in custody cases, make sure you know all relevant basic info about your children, including: date of birth; social security #, shoe size, shirt size, favorite food, special medical needs, allergies, doctors, teachers, classes, friends, etc. Be able to explain exactly how you are a good parent, and/or why the kids are better off with you. Be as involved as you can in your children's life. Have plans in case of emergencies, and be able to show that you know where your children are at all times, and that your children, and/or their supervisors, know how to contact you at all times. Know the names, addresses and phone numbers of the family doctor, dentist, and all person's responsible for your children, including baby sitters. This would also include a list of friends and family who could help you with the children in an emergency.
7. Keep a journal/diary on a daily basis or as events relevant to your spouse or children occur, especially of their behavior before and after visitation periods. In your diary or calender begin keeping a record of key events in your children's daily life. Compare your role in your children's life to the other party's role.
8. Also, try not discuss details of the case with the children. Try to leave them out of any

dispute as much as possible. Do not force them to be in the middle, or choose sides. Judges do not like to see that.

9. Never violate a court order regarding the children, or give the other party any other excuse to make you look bad in court. Show the Court you are trying to be reasonable.

10. Be patient. Remember the Court system is not perfect, and often a slow and unpleasant process.

PLEASE PROVIDE ELECTRONIC VERSIONS OF ALL DOCUMENTS & PICTURES REQUESTED WHENEVER POSSIBLE. YOU CAN E-MAIL THEM TO US, OR PUT THEM ON A DISK OR THUMB DRIVE AND DROP THEM OFF AT OUR OFFICE. (IF SENT BY E-MAIL, PLEASE TRY TO GROUP ITEMS INTO JUST A FEW E-MAILS INSTEAD OF SENDING 10 OR MORE E-MAILS). YOU CAN ALSO USE DROP-BOX OR ONE DRIVE AS WELL.

ALSO PLEASE TRY TO GET THEM TO US AT LEAST 2 WEEKS PRIOR TO ANY COURT HEARING SO THAT WE HAVE TIME TO REVIEW, ORGANIZE, AND MAKE COPIES OF THEM. IF YOU WAIT UNTIL THE LAST MINUTE, THEN WE WILL REQUIRE THAT YOU PRODUCE 3 PHYSICAL COPIES OF EACH, BECAUSE THAT IS HOW MANY WE NEED TO TAKE TO COURT IF WE WANT TO INTRODUCE THEM INTO EVIDENCE.

PICTURES SHOULD BE RENAMED TO IDENTIFY THE PARTIES AND LOCATION IN THEIR NAME.

PLEASE CALL IF YOU HAVE ANY QUESTIONS ABOUT THESE INSTRUCTIONS, OR THE PROCESS IN GENERAL.