

Pre-Divorce Consultation Questionnaire

Provided by The Modern Woman's Divorce Guide ~ www.moddivorce.com

BEFORE you decide to divorce, meet with several family lawyers and ask these questions (and any more you think of) to understand your state's family laws and how divorce would affect you.

The Divorce Process

1. Which state's laws apply to my divorce?
2. If my husband is in the military does that affect the divorce process? If so, how?
3. Do I need grounds for divorce (e.g., adultery, abuse, etc.)? If so, what are they?
4. Do I have grounds for divorce? If so, how will I prove them?
5. Would the court consider my husband's affair or abuse during a divorce?
6. Would my husband's affair or abuse affect the division of our property?
7. Would the court penalize me if I had an affair? If so, how?
8. Do I need to be legally separated from my husband before I can get divorced?
9. Should I file for legal separation or annulment before or instead of divorce?
10. What do I need to do to begin divorce proceedings?
11. How much would it cost to get divorced?
12. How long would it take to get divorced?
13. Is there anything I should do before filing for divorce? If so, what?

Support/Alimony Issues

1. Would my husband be required to pay spousal support (alimony) and/or child support?
2. Would I have to pay spousal support (alimony) and/or child support?
3. How are spousal support and/or child support calculated?
4. How much spousal support and/or child support would I receive?
5. How much spousal support and/or child support would I have to pay?
6. Would spousal support and/or child support payments ever terminate? If so, when?

7. What happens to spousal support and/or child support if my husband quits or loses his job?
8. Would my husband be required to pay for my health insurance and/or our children's health insurance?
9. Would I have to pay for my husband's health insurance and/or our children's health insurance?
10. If I've been a stay-at-home mom since our children were born, would I have to go back to work?
11. Should I get a job?
12. Should I quit my job?

Financial Matters

1. How would the court divide our assets?
2. Would I get to keep our house?
3. Would we have to sell our house?
4. Would my husband be entitled to receive one-half of the business I own?
5. Would I get to keep property I owned before marriage or would it be divided in divorce?
6. Would I get to keep money I inherited or received as a gift during our marriage or would it be divided in divorce?
7. Would I get to keep a court judgment I received before or during marriage or would it be divided in divorce?
8. Would I receive a portion of my husband's personal injury award received before or during our marriage?
9. How would the court divide our debt?
10. Would I be reimbursed money my husband spent in his affair during our marriage?
11. Would I be reimbursed money we used for my husband's education earned during our marriage?

12. Would I have to repay my husband money we used for my education earned during our marriage?
13. Would I be liable for my husband's debts (e.g., gambling) incurred before or during our marriage?
14. How can I determine if my husband is hiding income or assets?
15. What evidence would I need to prove my husband's actual income and/or net worth?
16. Can I close all of our joint accounts (e.g. checking, savings, credit cards, etc.)? Should I?
17. Can I withdraw cash from our joint bank accounts without my husband's consent?
18. Can I take my name or my husband's name off our real property without my husband's consent?
19. Can I change my will, trust and/or account beneficiaries?
20. Can I cancel or change the beneficiaries on my insurance policies?

Family Matters

1. How would the court determine custody of and visitation with our children?
2. Would marital fault (e.g., adultery) affect custody of our children?
3. Would the court order my husband or me to move out of our house?
4. Could I continue living in our house during the divorce?
5. If I moved out of our house during the divorce would it affect my chances of keeping the house after the divorce?
6. If I moved out of our house and the children stayed with my husband, would it affect my custody rights?
7. Could I move to another city or state with my children?
8. Could I prevent my husband from moving to another city or state with my children?

Disclaimer: The contents of this document should not be used as a substitute for competent legal advice from a licensed lawyer, doctor or therapist. Please consult a licensed lawyer, doctor or therapist who is familiar with your case and your state's laws.