

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
JUDICIAL DISTRICT COURT

VERSUS

DOCKET NO. \_\_\_\_\_

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
PARISH, LOUISIANA

Filed: \_\_\_\_\_

\_\_\_\_\_  
DEPUTY CLERK

**FAMILY COURT AFFIDAVIT**

STATE OF \_\_\_\_\_

PARISH/COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned Notary Public, personally appeared

\_\_\_\_\_  
Who, after being duly sworn, stated:

I CERTIFY that the information in this affidavit is true and correct to the best of my knowledge, information and belief, that I will immediately correct any errors which I discover after this affidavit has been completed and will notify (the Hearing Officer or Court, whichever is applicable) and the other party immediately after discovery of the error.

I CERTIFY that I will send copy of this affidavit to the other party (and the Hearing Officer or Court, whichever is applicable) not less than \_\_\_\_\_ days before the (the Hearing Officer Conference or Court hearing date, whichever is applicable).

I CERTIFY that in all child custody and visitation cases, I shall have a continuing duty to advise this Court of any lawsuit concerning the children in this state or any other state which may affect the outcome of this lawsuit (R.S. 13:1821) and that if I knowingly make a false statement herein that the punishment may include fines or jail time.

I CERTIFY that I know that it is a crime to intentionally give a false answer, under oath, to any of the questions herein (La. RS 14:123) and false or incomplete answers may result in fines or jail time.

I CERTIFY that I have attached copies of all financial documentation as ordered by the court.

\_\_\_\_\_  
SIGNATURE OF PARTY

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

<b>YOUR INFORMATION – NOTE: If there is an Order of Protection in effect providing that your address be confidential, your physical address and telephone/fax number need not be disclosed. However, a mailing address must be provided.</b>	
Full Name:	
Street Address	Telephone:
City, State, Zip:	Fax:
Mailing Address (If Different)	
<b>YOUR ATTORNEY'S INFORMATION (IF YOU ARE REPRESENTED)</b>	
Full Name:	
Mailing Address:	Telephone:
City, State, Zip:	Fax:

The following pages contain several sections. You shall by order of the court complete each of the sections that apply to your case. Please check the sections you have completed and attached.

- 1. Child Custody and Visitation Matters
- 1A. Custody/ Visitation by a Parent
- 1B. Custody or Visitation by a Non-Parent
- 1C. Relocation of a Child's Residence more than 75 miles or out of state.
- 2. Child Support and/or Spousal Support
- 2A. Child Support
- 2B. Spousal Support
- 3. Use of Family Home/Community Movables
- 4. Injunctions
- 5. Contempt of Court – Child or Spousal Support Matters
- 6. Contempt of Court - All Matters except Support
- 7. Motion to Compel Discovery
- 8. Income and Expense Sheet (Required for every case involving Child Support, Spousal Support or Contempt involving support matters or monetary payments)

**1. CHILD CUSTODY AND VISITATION MATTERS**

This Section to be completed in all cases involving Child Custody and Visitation. NOTE: if there is an Order of Protection in effect ordering your address be confidential, or if you have executed an affidavit or pleading under oath alleging you or your child's health, safety, or liberty would be jeopardized by disclosing identifying information, this information shall be sealed until after a hearing in which the Court determines that the disclosure is in the interest of justice. See La. R.S. 13:1821.

CHILDREN IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH

Where do the children live currently?

1. List all parishes/counties and states where the children have lived in the past five (5) years

PARISH/COUNTY	STATE OR COUNTRY	WHEN CHILDREN LIVED THERE (DATES)

2. List all persons other than you with whom the children have lived in the past five (5) years

NAME	ADDRESS	RELATIONSHIP

3. Have the children ever been involved in any of these cases? If the answer is yes please check below:
- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Divorce/Separation | <input type="checkbox"/> Paternity         | <input type="checkbox"/> Juvenile Court   | <input type="checkbox"/> Parental Rights Termination |
| <input type="checkbox"/> Custody/Visitation | <input type="checkbox"/> Protective Order  | <input type="checkbox"/> Child Protection | <input type="checkbox"/> Adoption                    |
| <input type="checkbox"/> Child Support      | <input type="checkbox"/> Restraining Order | <input type="checkbox"/> Abuse/Neglect    | <input type="checkbox"/> Other _____                 |

4. If you checked yes to #3 above, answer the following:

A. Name of Children:
B. Type of case (custody, visitation, paternity, OCS, protective order, etc.)
C. Court, Parish/County and State: Docket #:
D. Is the case is still open/on-going?

If you know of any person NOT a party to this case who has physical custody or claims to have custody/visitation rights to a child listed above, please provide the following:

Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

**A. CUSTODY / VISITATION BY A PARENT**

**1. INFORMATION ON PARENTS**

What is your relationship to the children?	Who is the children's other parent?
Were you married to the other parent at the time of the children's birth?	
If the answer to the last question is no, and you are the father, have you signed an Act of Acknowledgement?	
Are you listed on the birth certificate?	Is there a Judgment of Paternity? Please give details:
Is paternity contested?	

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH

What type of custody do you have with these children?
Who is the primary domiciliary parent?
What is your custody/visitation schedule with these children?
Do you have any restrictions or conditions on your custody or visitation? <span style="float: right;">If so please list, and attach copy of the judgment.</span>

## **2. INITIAL CUSTODY / VISITATION DETERMINATION**

**This section is to be completed only if this is an initial determination of custody or visitation.**

Is there a temporary custody or visitation court order in effect?	Provide details of any temporary order regarding custody and visitation, with restrictions and conditions, if any.
---	--

<b>AREAS OF DISPUTE BEFORE THE COURT. Please check those that apply.</b>	
<input type="checkbox"/> Type of custody (joint custody vs. sole custody)	<input type="checkbox"/> Amount of time the children are with each parent (custody/visitation schedule)
<input type="checkbox"/> Who should be named as "domiciliary parent?"	<input type="checkbox"/> Conditions of custody or visitation (restrictions, supervision)
With whom do the children presently live? How long? Why are they living with this parent?	
Who has been the children's primary caretaker? (provide details if necessary)	

What type of custody/visitation arrangement for the <b><u>other</u></b> parent is in the children's best interest in your opinion?
Is shared (about equal) physical custody possible? <span style="float: right;">Why or why not?</span>
If you seek sole custody, briefly state the reasons (please note that <b><u>joint</u></b> custody is presumed to be in the best interest of the children and the party seeking <b><u>sole</u></b> custody has the burden of overcoming the presumption in favor of joint custody):
If you have asked, <b><i>in pleadings already filed with the Court</i></b> , that the other parent's custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.

Do you claim that the other parent has physically or sexually abused you or the children?
If so, has a judge or the Department of Children and Family Services found abuse before? <span style="float: right;">If so, give details.</span>
Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If so, list facts which support the request.
Are you willing to participate in mediation? <span style="float: right;">(If physical abuse is an issue parties are not required to mediate.)</span>

What is your usual and customary work schedule, holiday and vacation schedule?
What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

## **3. MODIFICATION OF CUSTODY / VISITATION**

**This section is to be completed only if there has been a previous final judgment of custody or visitation**

What was the date of the last custody / visitation judgment?	Was this judgment a result of a judge trial or by the consent of the parties (consent judgment)?
Give details of the previous judgment on custody and visitation, with restrictions listed, if any.	
If the judgment was a considered decree (after a judge trial), what have you claimed in your pleadings are the material facts affecting custody that have changed since the last judgment?	

Is a temporary order in effect? If the answer is yes, please give details.

Areas of dispute before the Court. Please check those that apply.

<input type="checkbox"/> Type of custody (joint custody vs. sole custody)	<input type="checkbox"/> Amount of time the children are with each parent (custody/visitation schedule)
<input type="checkbox"/> Who should be named as "domiciliary parent"	<input type="checkbox"/> Conditions of custody or visitation (restrictions, supervision)

What type of custody/visitation for the **other** parent is now in the children's best interest in your opinion?

Is shared (about equal) physical custody a feasible arrangement? Why or why not?

If you seek sole custody, briefly state the reasons (please note that **joint** custody is presumed to be in the best interest of the children and the party seeking **sole** custody has the burden of overcoming the presumption in favor of joint custody):

If you have asked, **in pleadings already filed with the Court**, that the other parent's custody/visitation privileges should be supervised or should have special conditions or restrictions, please explain the factual basis for the request.

Do you claim that the other parent has physically or sexually abused you or the children? If the answer is yes, has a judge or the Department of Children and Family Services found abuse before? If so, give details and attach judgment.

Has a mental health, custody or substance abuse evaluation been requested in pleadings filed with the court? If the answer is yes, list facts which support the request.

Are you willing to participate in mediation? (If physical abuse is an issue parties are not required to mediate.)

What is your usual and customary work schedule, holiday and vacation schedule?

What is the usual and customary work schedule, holiday and vacation schedule of the other parent?

**B. CUSTODY OR VISITATION BY A NON-PARENT**

**1. INFORMATION ON NON-PARENT**

<b>WHAT IS YOUR RELATIONSHIP TO THE CHILDREN?</b>	<b>Please check below:</b>
<input type="checkbox"/> Maternal Grandparent	<input type="checkbox"/> Other Relative _____ (Please specify)
<input type="checkbox"/> Paternal Grandparent	<input type="checkbox"/> Other _____

OTHER CASES INVOLVING THE CHILDREN (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

HAVE THE CHILDREN BEEN ADOPTED? By Whom?

**2. INFORMATION ON PARENTS**

Who are the parents of the children?

Were the parents married at the time of the children's birth?

If the answer to the last question is no, did the father execute an Act of Acknowledgement?  
 Is father listed on the birth certificate? Is there a Judgment of Paternity? Please give details:

Is paternity in dispute?		
Are the parent(s) of the children no longer living? If so, indicate which parent.	MOTHER	FATHER
Are the parent(s) of the children in jail? If so, indicate which parent.	MOTHER	FATHER

**3. VISITATION**

Please answer this section if you are seeking visitation only

DESCRIBE THE LENGTH AND QUALITY OF YOUR RELATIONSHIP WITH THE CHILDREN.
Are the children in need of guidance, enlightenment or tutelage which can best be provided by you (La. C.C. Art. 136)? If so, state why.
Have the children expressed a preference on your request for visitation?
Are you willing to encourage a close relationship between the children and their parents?
Are you in good physical and mental health?
Do you have special needs?
Are the children in good physical and mental health?
Do the children have special needs?
Describe why you think it is in the children's best interest for you to have visitation:
What amount of visitation do you seek?
Are you in contact with the children's custodial parent? Describe your relationship.

**4. CUSTODY**

Please answer this section if you seek custody

What type of custody do you seek (Sole or Joint Custody)?
Would substantial harm occur to the children if custody is not granted to you?      If the answer is yes, please provide details.
Why would a transfer of custody to you be in the children's best interest?
Have the children been living with you in a wholesome and stable environment?      If the answer is yes, for how long?
If the children do not currently live with you, can you provide an adequate and stable home for the children?
What is your usual and customary work schedule?

**C. RELOCATION OF A CHILD'S RESIDENCE MORE THAN 75 MILES OR OUT OF STATE**

**1. INFORMATION ON PARENTS**

What is your relationship to the children?      Who is the children's other parent?
Were you married to the other parent at the time of the children's birth?
If the answer to the previous question is no, and you are the father, have you signed an Act of Acknowledgement?
Are you listed on the birth certificate?      Is there a Judgment of Paternity?      Please give details:
Is paternity contested?

OTHER CASES BETWEEN THE SAME PARTIES (including Support Enforcement and Protective Orders)	Docket Number	JDC/Parish/City Court

NAMES OF YOUR OTHER CHILDREN NOT AT ISSUE IN THIS CASE	GENDER	CURRENT AGE	DATE OF BIRTH
What type of custody do you have with these children?			

Who is the primary domiciliary parent?	
What is your custody/visitation schedule with these children?	
Do you have any restrictions or conditions on your custody or visitation?	If so please list, and attach copy of the judgment.

**2. COURT ORDERS IN EFFECT**

Is there a previous court order or judgment awarding custody?	If the answer is yes, answer these questions:
Give details of the previous judgment on custody/visitation, including the date of the last judgment, the name of primary domiciliary parent, if any, and any restrictions on custody or visitation.	
Does the previous judgment/order have any provision about relocation?	If the answer is yes, please details.
Is there a protective order or domestic abuse order in effect?	If the answer is yes, please give details and attach order.

**3. PARENT SEEKING TO RELOCATE CHILDREN**

**The following questions are to be filled out only if you are the party seeking to relocate.**

Where do you currently live? (City, Parish, and State)	
For how long?	
What is your marital status?	Who resides (besides the children at issue) in the home with you?
Do you seek to relocate with the children outside of the State of Louisiana?	
If the answer is yes, where and when?	
Give details of your reasons for relocation.	
Is there a court order awarding custody? (Attach the last court order)	
If the answer is yes, did the court order designate the principal residence of the child or were the parties awarded equal physical custody?	

Have you already relocated with the children?	If the answer is yes, give details of the temporary order allowing relocation or written consent of the other parent.
Have you requested a hearing on temporary relocation?	
What notice of proposed relocation was given to the other parent?	
Give the date and details. Attach a copy of the notice.	
Why is relocation in the children's best interest?	

**4. PARENT OPPOSING RELOCATION OF CHILDREN**

**The following questions are to be filled out only if you oppose relocation of the children**

Where do you currently live? (City, Parish, and State)
--

For how long?	
What is your current marital status?	Who (besides the children at issue) resides in the household with you?
Are you employed?	If the answer is yes, give details of your position and work schedule.
Did you receive notice of the proposed relocation of your children?	If the answer is yes, give the date and details.
Why do you oppose the relocation?	
Do you currently pay child support pursuant to a court order?	If the answer is yes, give the date and details.
Are you current in child support payments? Give details, including contempt proceedings and judgments.	Have you ever been in arrears in payment?
What is your level of involvement at the current time with your children?	
Do you exercise custody/visitation as court ordered?	If the answer is no, give details.
Do you currently have any protective orders or domestic abuse orders in effect against you?	

## 2. CHILD SUPPORT AND/OR SPOUSAL SUPPORT

YOUR CURRENT EMPLOYMENT			
Your Current Employer:			
Address, City, State, Zip:		Telephone Number:	
Position:	Length of Employment:	Gross Salary/Wages per month: \$	Net Salary/Wages per month: \$
Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, etc.):			
Your usual and customary work schedule:			
1. Are any of the following supplied to you by your employer?	YES	NO	VALUE (if actual value unknown, provide estimate)
Housing			\$
Automobile			\$
Fuel, Mileage, or Credit Card			\$
Meal Allowance			\$
Travel Allowance			\$
Health and/or Life Insurance			\$
Other (Health club, etc.)			\$

SELF EMPLOYED
Is your employment managed, controlled, or owned by you, a relative, or family member?
If Yes, give details:
Have you provided the documents required for self-employed persons on the HOC Order?

UNEMPLOYED	
Are you <u>un</u> employed?	
If so, indicate the last date on which you were employed:	
What is the reason for the termination of your employment (quit, fired, lay-off, business closed, disabled, etc)?	
If you are receiving unemployment, amount per month: \$	Anticipated Duration:
If you are receiving social security, worker's compensation, maintenance and cure, longshoremen and harbor workers or any type disability benefits, amount per month: \$	Anticipated Duration: Type (SSI, SSD, worker's comp, etc.):

If you claim you are disabled, but are not receiving disability benefits (SSD, Workmen's comp, Maintenance and Cure, etc), you must bring **certified copies** of your medical records with you to the hearing.

**YOUR PRIOR EMPLOYMENT**

Your Prior Employer:

Address, City, State, Zip:

Telephone Number:

Position:

Length of Employment:

Wages: \$

Other (bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, stock options or shares, etc.):

Was the employment managed, controlled, or owned by you, a relative, or family member?

If Yes, give details:

**OTHER INCOME**

If you have any income or asset which is not shown anywhere else in this form (such as bonuses, commissions, interest, dividends, rental, royalties, crop income, oil & gas revenue, trust income, recurring monetary gifts or donations etc.), please list and explain fully:

**YOUR OWNERSHIP OR INTEREST IN A HOME OR REAL ESTATE**

Do you own a home and/or are you paying for a home?

Address, City, State:

Estimated Market Value: \$

Remaining Mortgage Balance: \$

Monthly Payment: \$

If you are not buying a home, give the name, address and telephone number of the owner of the place where you live:

Amount of rent (if any) or other arrangement:

Do you own or have an interest in any other real estate?

If yes, state the nature of the property and its market value, and any rental income and expenses:

**YOUR CURRENT MARRIAGE/SPOUSE (if support is an issue before the Court)**

If you are currently married, name of your current spouse:

Your spouse's current employer:

Address, City, State:

Telephone Number:

**OTHER PERSON'S EMPLOYMENT**

1. Is the person seeking support currently employed?

2. If so, where?

3. Has the person seeking support been employed during the marriage?

4. If not, why not?

5. What is the date of last employment of the person seeking support?

6. State the last income of the person seeking support: Monthly Gross \$ : Monthly Net \$

Please provide as much information as you can regarding the other party's employment, usual and customary work hours, travel obligations, income, and benefits:

**IF EITHER PARTY IS PAYING EXTRAORDINARY COMMUNITY DEBTS**

Name of Debtor

Amount paid per month

Present balance of the debt

\$

\$

\$

\$

\$

\$



**A. CHILD SUPPORT**

1. Is this an initial child support rule or a request to modify a previous child support order?		
2. If this is a modification, what is the date of the last judgment?		
2a. Was child support determined as per Louisiana Support Guidelines?		
3. What do you allege <b><u>in your pleadings</u></b> is the material change in circumstance that has occurred since the last judgment was entered?		
4. If a modification is requested, is it for an increase or a decrease in support?		
5. If your request for a modification is based upon a change in <b><u>your</u></b> income or financial circumstances, indicate your gross income at the time the support was last set by the Court (and provide a W-2 form or other supporting documentation), and the current amount of support ordered by the Court:		
6. If there are minor children in this case under five (5) years of age, please indicate the parent with whom the children primarily reside:		
7. What is the <b><u>annual</u></b> cost of childcare (be sure to include before-school, after-school, holiday, and summer costs in your annual cost)? Have you applied for childcare assistance? How much will childcare assistance pay?		
8. Is health insurance for the children available through the employer of either spouse?		
9. Who currently provides health insurance for the children?		
10. What is the actual cost of health insurance for <b><u>only</u></b> the children – you must provide documentation from your employer or the insurance company to show the difference in cost for employee only coverage, and employee plus children coverage, if the children are covered under a family plan.		
11. If there are any children-related medical or dental expenses which are “extraordinary” (allergies, braces, ADHD, etc) and which require either ongoing monthly payments and/or occasional payments in excess of \$100, or any child-related extracurricular activities, please describe the nature and cost of same:		
12. Are there children in private or parochial school whose support is at issue?		
13. If the children’s enrollment in private or parochial school is disputed, please explain your position:		
14. What is the <b><u>annual</u></b> cost of tuition and fees for children (registration, total annual tuition, books, supply fees, and other mandatory fees): Please itemize separately.		
14a. Do you get or expect to get tuition assistance?	How much?	
15. Have you filed a Rule seeking the right to claim the children as a tax exemption?		
16. If you seek a deviation from the Louisiana Child Support Guidelines, state the reason(s) supporting the deviation:		
17. Expense Sharing – Are you sharing expenses with a third party? If so, state the nature and amount of your expenses which are being shared with or paid by a third party.		
18. Do the children receive income? <span style="float:right">If the answer is yes, is the income of the children due to the disability of a child or a parent?</span>		
If due to disability of a parent, whose disability gave rise to the children’s income?		
Who currently gets the disability check?		
If the children’s income is not related to disability, please provide the nature, source and amount of the income and documentation of same.		
19. Are you paying court ordered child support for other children? If yes, for each list:		
<b><u>Parish where issued</u></b>	<b><u>Date of Judgment</u></b>	<b><u>Amount of Award</u></b>

**You are required to provide a certified copy of any judgment/court order or other document which requires you to pay child support for other children.**

**You are required to complete Section 8 – Income and Expense Sheet**

### **B. SPOUSAL SUPPORT**

1. If “final periodic spousal support” is opposed by you, please state the basis for opposing the claim for this form of spousal support (lack of need, inability to pay, fault), with an explanation:

2. If you request a modification or termination of court ordered spousal support, please state the facts supporting your request?

3. If your request for a modification (either increase or decrease) is based upon a change in **your** income or financial circumstances, state your gross and net income at the time the support was last set by the Court (provide supporting documentation):

**You are required to complete Section 8 – Income and Expense Sheet**

### **3. USE OF FAMILY HOME/COMMUNITY MOVABLES**

1. Who currently lives in the former marital home?

2. Does this party seek the continued and exclusive use of the home?

3. Does the non-resident party also seek the exclusive use of the home?

4. Who owns the former marital home?

5. Briefly state the reasons in support of **your** request to live in the home? (if applicable):

6. Are you requesting the exclusive use of any community or separate vehicles?

7. Who has possession of the community vehicles(s) at issue at this time?

8. List which vehicle (year, make, and model) and state whether it is community or separate property?

9. Briefly state the reasons in support of **your** request to have exclusive use of the vehicle (if applicable):

10. Are you requesting law enforcement assistance in returning to the home to retrieve clothing or other necessary items?

11. Are you requesting the use and possession of any other assets (furniture, appliances, etc.)?

12. If the answer is yes, please list and provide an explanation:

13. Is rental reimbursement for the family home an issue? If so, what is the rental value? Please provide proof.

### **4. INJUNCTIONS**

#### **COMMUNITY**

1. Has either party requested an injunction to preserve the community?

2. If there is a need for an exception to such an injunction (for example, to permit a business to be able to continue to operate), provide a detailed explanation of the facts supporting the exception:

#### **ABUSE / HARRASSMENT**

1. Has either party requested an injunction to protect a party or children?

2. If yes, provide **specific facts** which support such an injunction.

3. Are Protective Orders in effect?

4. If yes, please provide a copy of the petition and order.

### **5. CONTEMPT OF COURT – CHILD OR SPOUSAL SUPPORT MATTERS**

#### **CONTEMPT**

1. List each alleged count of contempt separately. For each, state the exact provision of a judgment or order that defendant has allegedly violated. Give the date of the judgment or order.

2. Please provide the dollar value of the claim: Child Support: \$ \_\_\_\_\_; Spousal Support \$ \_\_\_\_\_; Other Money Judgment \$ \_\_\_\_\_.

a. What proof does payor have that they have paid toward their ongoing monthly obligation or arrears?

b. What proof does payee have that they have not been paid on the ongoing monthly obligation or arrears?

c. What notice was payee sent of their share of court ordered obligations?

d. Has payor been held in contempt of court before?

e. If the answer to "d" is yes, list the date of each judgment of contempt.

f. If the answer to "d" is yes, list the violation which led to each finding of contempt and sentence imposed by the court.

g. Please state if a "purge" has been previously set by the court, and whether it was paid. (A "purge" is an order that gives a party more time to pay.)

3. Are you asking that the party violating the court order be sentenced to jail time?

4. Estimate the amount of attorney fees which you have incurred in seeking the relief before the Court (you should only respond to this question if you are seeking to enforce a court order): \$ \_\_\_\_\_

5. If the issue is reimbursement for medicals, extracurriculars, etc., list how and when demand for reimbursement was made. Provide a summary of all such expenses and the amount of the other party's pro-rata share of same, and attach all supporting proof with the documents organized in the order and manner in which the expenses are listed in the summary.

6. What is the payor's ability to pay?

7. Is there a non-support case pending? If the answer is yes, please provide details.

8. If you are the payor, please state any defense you may have to non-payment of the amounts claimed.

**NOTICE TO PAYORS:** Please be advised that your ability to pay will be an issue before the court and you must come prepared to present testimony and evidence you want the Court or Hearing Officer to consider on your hearing date. You are also required to complete the attached Section 8 – Income and Expense Sheet.

**SUPPORT PAYMENT HISTORY (complete this section only if support arrearages is an issue before the Court and attach additional sheets if necessary)**

Date (mm/dd/yyyy)	Amount Owed	Amount Paid	Arrearage or Overpayment	Cumulative Arrearage or Overpayment	Notes
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	

	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
	\$	\$	\$	\$	
<b>TOTAL</b>	\$	\$	\$	\$	

**6. CONTEMPT OF COURT – ALL MATTERS EXCEPT SUPPORT**

1. List each count of contempt separately and for each, state the judgment or order that defendant has allegedly violated, and specify the particular provision violated. Give date of the judgment or order, and date of each occurrence.

2. When did the alleged acts of contempt occur?

3. What relief are you seeking?

4. Are you asking that the party violating the court order be given jail time?

5. Estimate the amount of your attorney fees directly related to your contempt claim (you should only respond to this question if you are seeking to enforce a court order) \$ \_\_\_\_\_

**7. MOTION TO COMPEL DISCOVERY**

**ANSWER TO INTERROGATORIES AND/OR REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Were copies of the interrogatories and the alleged insufficient responses filed with your Motion to Compel?

2. Was a Rule 10.1 Certificate of Conference filed with your Motion to Compel?

3. Was reasonable notice of intent to file the Motion to Compel given to opposing party? By what method?

4. Provide a list of exactly what you say was not provided, or what was deficient, and provide a copy of your letter to the other party itemizing same, and any response thereto.

5. List reasonable expenses incurred in seeking and obtaining this order to compel (attorney fees and costs).

**8. INCOME AND EXPENSE SHEET**  
(ALL categories are to be calculated on a monthly basis)  
(Supporting documentation is required)

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
<b>A.</b>	<b><u>INCOME OF PARTY</u></b>			
	1. Wages and Commissions (Gross)			
	2. Bonuses (Gross)			
	3. Car Allowance			
	4. Other Expense Reimbursement			
	5. Interest			
	6. Dividends			
	7. Rents and Royalties (Net)			
	8. Business Profits (Pre-Tax)			
	9. Recurring Capital Gains			
	10. Trust Income			
	11. Recurring Gifts			
	12. Other (Please detail)			
	Total Gross Monthly Income of Party			

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
<b>B.</b>	<b><u>PAYROLL DEDUCTIONS OF PARTY</u></b>			
	1. Federal Income Tax			
	2. State Income Tax			
	3. Social Security Tax			
	4. Medicare Tax			
	5. 401K Contributions			
	6. 401K Loan			
	7. Mandatory Retirement Contributions			
	8. Health Insurance			
	9. Life Insurance			
	10. Other (Please detail)			
	Total Payroll Deductions			
<b>C.</b>	<b><u>TAX LIABILITY (not deducted from payroll)</u></b>			
	1. Federal Income Taxes			
	2. State Income Tax			
	3. Self Employment Tax			
	4. Other			
	Total Tax Liability			
	<b>TOTAL NET MONTHLY INCOME</b>			
<b>D.</b>	<b><u>INCOME OF CHILDREN</u></b>			
	1. Social Security			
	2. Investment			
	3. Trust			
<b>E.</b>	<b><u>MONTHLY EXPENSES (List current, ongoing expenses):</u></b>			
	<b>1. HOUSING</b>			
	a. Rent			
	b. First Mortgage			
	c. Second Mortgage			
	d. Homeowners Insurance			
	e. Flood Insurance			
	f. Renter's Insurance			
	g. Real Estate Taxes – House (not included in mortgage note)			
	h. Security System			
	i. Pest Control			
	j. Pool Service			
	k. Lawn Service			
	l. Homeowner's/Condo Association Dues			
	m. Furniture Rental			
	n. Repairs/Maintenance			
	o. Maid Service			
	p. Other (Please detail)			
	<b>2. FOOD AND HOUSEHOLD SUPPLIES</b>			
	<b>3. CLOTHING</b>			
	<b>4. TRANSPORTATION/AUTOMOBILE</b>			
	a. Car Note/Lease			
	b. Gas			
	c. Maintenance (Oil change, etc.)			
	d. Insurance			
	e. Repairs			
	<b>5. MEDICAL AND DENTAL</b>			
	a. Health Insurance (Hospitalization and Major Medical)			

		<u>PARTY</u>	<u>CHILDREN</u>	<u>TOTAL</u>
	b. Dental Insurance			
	c. Prescriptions (cost not covered by insurance)			
	d. Over the Counter Medications			
	e. Routine medical and dental exams (cost not covered by insurance)			
	f. Contacts/Glasses/Eye Exams			
	g. Counseling/Therapy (cost not covered by insurance)			
	h. Orthodontics (cost not covered by insurance)			
	i. Expenses (cost not covered by insurance)			
	<b>6. UTILITIES</b>			
	a. Water			
	b. Electricity			
	c. Natural Gas/Propane			
	d. Cable/Satellite TV			
	e. Garbage			
	f. Household Landline Telephone			
	g. Cellular Telephone			
	h. Computer			
	<b>7. LAUNDRY AND CLEANING</b>			
	<b>8. PERSONAL AND GROOMING (Cosmetics, haircuts, nails, etc)</b>			
	<b>9. EDUCATION EXPENSES</b>			
	a. Tuition (less amount of tuition assistance)			
	b. Registration			
	c. Transportation			
	d. Mandatory Fees			
	e. Fees (Gym, band, cheerleading, sports etc.)			
	f. Books and Supplies			
	g. Tutoring			
	h. Other (Field Trips, etc.)			
*	<b>10. CHILD CARE EXPENSES – WORK RELATED</b>			
	a. School Year Daycare (less child care assistance)			
	b. Summer Daycare (less child care assistance)			
	c. Before/After Care (not included above)			
	d. Babysitter			
	<b>11. CHILD CARE EXPENSES – NON-WORK RELATED</b>			
	a. Daycare			
	b. Babysitter			
	<b>12. GARNISHMENTS</b>			
	<b>13. JUDGMENTS OF CHILD SUPPORT (For children other than those of this relationship)</b>			
	<b>14. FIXED OBLIGATIONS</b>			
	a. Credit Cards (minimum monthly payment)			
	Account	Total Balance		
	1.	\$		
	2.	\$		
	3.	\$		
	4.	\$		
	5.	\$		
	b. Credit Union	\$		
	c. Department Store	\$		
	d. Disability Insurance			
	e. Life Insurance			
	f. Other (Please detail)			
	<b>15. ENTERTAINMENT/HOLIDAY EXPENSES</b>			
	a. Birthdays			
	b. Holiday expenses			
	c. Gifts from children to others			
	d. Books, magazines, newspapers, etc.			
	e. Entertainment			

