Forms for clients to fill out

Calculate what the **Child support** and **spousal support** would be if you went through legal channels instead of mediation. The law requires us to tell the judge what the amount would be, according the formula, so that you are making an informed decision. (If you need help with the numbers, another option would be for you to use the free online Rosenthal Calculator and fill in the amounts from there on this form.) You would let us know why you are deviating from that amount, as well.

The **Statement of Net Worth** must be filled out and verified with the attorney. The Statement of net worth has within in- the budget, please-each person do your own budget numbers, on separate budget sheets, then do the SNW together on the same form. It is better if you can do it on the computer- easier to read and remember your numbers.

**Personal Property**-fill out the non retirement assets, retirement assets, real property parts of assets and liability form on the computer and attach the document- makes writing your agreement significantly faster and less expensive for you to do it than pay me to do what you can do.

PERSONAL DATA AND INFORMATION

|  |  |
| --- | --- |
| PERSON 1 | PERSON 2 |
|  |  |
| First Name: | First Name: |
| Middle Name: | Middle Name: |
| Last Name: | Last Name: |
|  |  |
| Cell Phone: | Cell Phone: |
| Work Phone: | Work Phone: |
|  |  |
| E-Mail: | E-Mail: |
| Address: | Address: |
| City, State: | City, State: |
| Zip Code: | Zip Code: |
| County: Monroe | County: Monroe |
| Employer Name: | Employer Name: |
| General Health: | General Health: |
| Birth Date: | Birth Date: |
| Birthplace: | Birthplace: |
|  | Maiden Name: |
| Education: | Education: |
| Marriage: 1st [] 2nd [] 3rd [] | Marriage: 1st [] 2nd [] 3rd [] |
| Date of Marriage: |  |
| Religious Ceremony []  Civil Ceremony [] |  |
| City:  County:  State of Ceremony: |  |
| Child of this Marriage: | Child’s Date of Birth/Child’s Health Status |
|  |  |
|  |  |
|  |  |

SCHEDULE A: Division of Marital Property & Statement of Net Worth

NAME NAME

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Asset | Liability | Item | Asset | Liability |
|  |  | **Liabilties** |  |  |
|  |  | Credit Card Debt  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Credit Card Debt  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Car Loan  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Other  Name of Institution  Last four digits of account  Whose is it?  How much |  |  |
|  |  | Other loan  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Car Loan  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Credit Card Debt  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Credit Card Debt  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Other debt |  |  |
|  |  | **Non Retirement Assets** |  |  |
|  |  | Real Property (house etc)  Name of Institution  Last four digits of account  Whose is it?  How much owed |  |  |
|  |  | Savings Account  Name of Institution  Last four digits of account  Whose is it?  How much |  |  |
|  |  | Savings Account  Name of Institution  Last four digits of account  Whose is it?  How much |  |  |
|  |  | Checking Account  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Checking Account  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  | Other (describe)  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  | **Retirement Assets** |  |  |
|  |  | **Pension/401 K,investments, 403 B etc.** |  |  |
|  |  | Name of Institution  Type of asset  Last four digits of account  Whose asset is it?  How much |  |  |
|  |  | Name of Institution  Type of asset  Last four digits of account  Whose asset is it?  How much |  |  |
|  |  | Other  Name of Institution  Last four digits of account  Whose asset or liability is it?  How much |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

Fill in the above assets and liabilities- with who owns what, how much is owed or owned and the most recent numbers, what institution they are from and the last four digits of the account number. We are figuring out how we are going to divide these, and have to list them for the attorney writing up the separation agreement. We will want to ensure you are working these out so that they meet your standards of fairness.

\*The parties have discussed the tax implications for their distributions of assets and the implications of pre-tax vs. post-tax assets. A 25% estimated tax has been applied when applicable.

Some retirement accounts have very specific rules that need a QDRO in order to distribute them and you may benefit from meeting with a Certified Divorce Financial Analyst (CDFA).

The parties agree to divide all household items equitably and do not wish to assign values to those items. (not listed on Schedule A)

SCHEDULE B: New York State **Child Support** Standards Act Worksheet

1. Assumption: The child/ren is/are in (shared residence/primary residence with whom?\_\_\_\_)

1. Income for **Child Support** Purposes

Person 2 Person 1

Gross Income From All Sources $… $…

*Allowable Deductions*:

Spousal Maintenance ( …) ( …)

7.65% FICA/Medicare (multiply gross minus spousal by .0765) ( …) ( …)

Income for New York State

Child Support Standards Act Purposes (from the above) $… $…

1. Pro-Rata Payment Responsibility

Person 1’s Income $ …

Person 2’s Income $ …

Combined Family Income (add the income of person 1 and 2) $…

$ … Person 1’s Income (divided by combined family income) =…% Person 1’s Pro-rata share

$… Combined Family Income

$ … Person 2’s Income = …% Person 2’s Pro-rata share

$… Combined Family Income

**This percentage is used to calculate the parties’ pro-rata share of the basic child support and their respective responsibilities for uninsured healthcare costs and childcare costs while the parties are working or attending school.**

1. Annual Child Support

\*Combined Family Income (CFI)

… Child (This percentage is based on how many children 17%, 25%) x …%

Basic Annual Support (comes from percentage above multiplied by CFI) $…

* Based on first $148,000 of combined family income (let’s talk if your CFI is more than $148k) Note: This amount changes, so talk with your lawyer about the current number. Back in 2019 it was 148K

Person 2’s Share of **Basic Support** Person 1’s Share of **Basic Support**

Basic Support $… Basic Support $…

Pro-Rata Share X …% Pro-Rata Share X …%

Annual Support $ … Annual Support $…

Each person pays ***their*** share of the total amount necessary to support a child or several children.

Person 2’s Share of Support *Total Income* Person 1’s Share of Support *Total Income*

Person 2’s Income $… Person 1’s Income $…

X …% (… Child) x …% X …% (… Child) x …%

Annual Support $… Annual Support $…

APPENDIX C – WORKSHEETS

Post-Divorce Maintenance

Based on Income Cap of $184,000 for the Payor (2019- updated numbers please)

**FORMULA # 1 (*Child Support* to be Paid by Maintenance Payor)**

**PAYOR INCOME: $ \_\_\_\_\_\_\_**

**PAYEE INCOME: $ \_\_\_\_\_\_\_**

**TOTAL INCOME when added together: $ \_\_\_\_\_\_\_**

**STEP 1:**

Payor’s Income x 20% =

That amount Minus Payee’s Income x 25% =

RESULT # 1 =\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**STEP 2:**

Total Income X 40% =

Minus Payee’s Income =

**RESULT # 2 =**

**STEP 3:**

Determine the lower of the two results above which lower amount will

be the amount of the maintenance award.

Maintenance Award:

**FORMULA # 2 (No Child Support or Maintenance Payor is Custodial**

**Parent)**

**PAYOR INCOME: $ \_\_\_\_\_\_\_**

**PAYEE INCOME: $ \_\_\_\_\_\_\_**

**TOTAL INCOME: $ \_\_\_\_\_\_\_**

**Calculation 1:**

Payor’s Income x 30% =

Minus Payee’s Income x 20% =

**RESULT # 1 =**

**Calculation 2:**

Total Income X 40% =

Minus Payee’s Income =

**RESULT # 2 =**

**STEP 3:**

Determine the lower of the two results above, which lower amount will

be the amount of the maintenance award.

Maintenance Award:

Process Standards: Five E’s-

d. Are the parties Educated (information is public, perfect and complete)?

e. Are the agreements Equitable (as a whole, reasonably fair to both parties, in terms of accomplishing their long term goals, not balance sheets as legal outcomes)?

f. Are the agreements Effective (unambiguous and clear)?

g. Are the agreements Equilibrant (can longer be improved for either party, without diminishing value for either of them)?

h. Are the agreements Envy Free (where neither of the parties would exchange their total package of agreements with the other party)?