

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA

IN RE: THE FORMER MARRIAGE OF

FAMILY DIVISION

CASE NO.:

and

**STANDARD FAMILY LAW INTERROGATORIES
FOR MODIFICATION PROCEEDINGS**

TO BE COMPLETED BY THE PARTY SERVING THESE INTERROGATORIES

I am requesting that the following standard questions be answered: [/ **all** that apply]

1 Background Information 2 Education 3 Employment 4 Assets 5 Liabilities 6 Miscellaneous 7 Long Form Affidavit

In addition, I am requesting that the attached questions be answered.

The answers to the following questions are intended to supplement the information provided in the Financial Affidavits, O Florida Family Law Rules of Procedure Form 12.902(b) or (c). You should answer the group of questions indicated in the above shaded box. The questions should be answered in the blank space provided below each separately numbered question. If sufficient space is not provided, you may attach additional papers with the answers and refer to them in the space provided in the interrogatories. You should be sure to make a copy for yourself. Each question must be answered separately and as completely as the available information permits. All answers are to be made under oath or affirmation as to their truthfulness.

I, _____, being sworn, certify that the following information is true:

1. **BACKGROUND INFORMATION:**

- a. State your full legal name and any other name by which you have been known.
- b. State your present residence and telephone numbers.
- c. State your place and date of birth.

2. **EDUCATION:**

- a. List all business, commercial, and professional licenses that you have obtained since the entry of the Final Judgment sought to be modified.
- b. List all of your education since the entry of the Final Judgment sought to be modified including, but not limited to, vocational or specialized training, including the following:

- (1) name and address of each educational institution.
- (2) dates of attendance.
- (3) degrees or certificates obtained or anticipated dates of same.

3. **EMPLOYMENT:**

a. For each place of your employment or self-employment since the entry of the Final Judgment sought to be modified, state the following:

- (1) name, address, and telephone number of your employer.
- (2) dates of employment.
- (3) job title and brief description of job duties.
- (4) starting and ending salaries.
- (5) name of your direct supervisor.
- (6) all benefits received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

b. Other than as an employee, if you have been engaged in or associated with any business, commercial, or professional activity since the entry of the Final Judgment sought to be modified that was not detailed above, state for each such activity the following:

- (1) name, address, and telephone number of each activity.
- (2) dates you were connected with such activity.
- (3) position title and brief description of activities.
- (4) starting and ending compensation.
- (5) name of all persons involved in the business, commercial, or professional activity with you.
- (6) all benefits and compensation received, including, for example, health, life, and disability insurance; expense account; use of automobile or automobile expense reimbursement; reimbursement for travel, food, or lodging expenses; payment of dues in any clubs or associations; and pension or profit sharing plans.

c. If you have been unemployed at any time since the entry of the Final Judgment sought to be modified, state the dates of unemployment. If you have not been employed at any time since the

entry of the Final Judgment sought to be modified, give the information requested above in question 3.a for your last period of employment.

4. **ASSETS:**

a. **Real Estate.** State the street address, if any, and if not, the legal description of all real property that you own or owned during the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. For each property, state the following:

(1) the names and addresses of any other persons or entities holding any interest and their percentage of interest.

(2) the present fair market value.

b. **Tangible Personal Property.** List all items of tangible personal property that are owned by you or in which you have had any interest during the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, including, but not limited to, motor vehicles, tools, furniture, boats, jewelry, art objects or other collections, and collectibles whose fair market value exceeds \$100. For each item, state the following:

(1) the percentage and type interest you hold.

(2) the names and addresses of any other persons or entities holding any interest.

(3) the present fair market value.

c. **Intangible Personal Property.** Other than the financial accounts (checking, savings, money market, credit union accounts, retirement accounts, or other such cash management accounts) listed in the answers to interrogatories 4.d and 4.e below, list all items of intangible personal property that are owned by you or in which you have had any ownership interest (including closed accounts) within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, including, but not limited to, partnership and business interests (including good will), deferred compensation accounts unconnected with retirement, including but not limited to stock options, sick leave, and vacation pay, stocks, stock funds, mutual funds, bonds, bond funds, real estate investment trusts, receivables, certificates of deposit, notes, mortgages, and debts owed to you by another entity or person. For each item, state the following:

(1) the percentage and type interest you hold.

(2) the names and addresses of any other persons or entities holding any interest and the names and addresses of the persons and entities who are indebted to you.

(3) the present fair market value or the amounts you claim are owned by or owed to you, at the time of answering these interrogatories.

You may comply with this interrogatory (4.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. However, if the date of acquisition, the purchase price, and the market valuations are not clearly reflected in the periodic statements which are furnished, then these questions must

be answered separately. You do not have to resubmit any periodic statements previously furnished under rule 12.285 (Mandatory Disclosure).

d. **Retirement Accounts:** List all information regarding each retirement account/plan, including but not limited to defined benefit plans, 401k, 403B, IRA accounts, pension plans, Florida Retirement System plans (FRS), Federal Government plans, money purchase plans, HR10 (Keogh) plans, profit sharing plans, annuities, employee savings plans, etc. that you have established and/or that have been established for you by you, your employer or any previous employer. For each account, state the following:

- (1) the name and account number of each account/plan and where it is located.
- (2) the type of account/plan.
- (3) the name and address of the fiduciary plan administrator/service representative.
- (4) the fair market value of your interest in each account/plan.
 - (a) present value
 - (b) value on the date of separation
 - (c) value on the date of filing of the petition for dissolution of marriage
- (5) whether you are vested or not vested; and if vested, in what amount, as of a certain date and the schedule of future vesting.
- (6) the date at which you became/become eligible to receive some funds in this account/plan.
- (7) monthly benefits of the account/plan if no fair market value is ascertained.
- (8) beneficiary(ies) and/or alternate payee(s).

e. **Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) names of each person authorized to make withdrawals from the accounts.

(5) highest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

(6) lowest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

You may comply with this interrogatory (4.e) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

f. **Closed Financial Accounts.** For all financial accounts (checking, savings, money market, credit union accounts, or other such cash management accounts) closed within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the:

- (1) name and address of each institution.
- (2) name in which the account is or was maintained.
- (3) account numbers.
- (4) name of each person authorized to make withdrawals from the accounts.
- (5) date account was closed.

g. **Trust.** For any interest in an estate, trust, insurance policy, or annuity, state the following:

(1) if you are the beneficiary of any estate, trust, insurance policy, or annuity, give for each one the following:

- (a) identification of the estate, trust, insurance policy, or annuity.
- (b) the nature, amount, and frequency of any distributions of benefits.
- (c) the total value of the beneficiaries' interest in the benefit.
- (d) whether the benefit is vested or contingent.

(2) if you have established any trust or are the trustee of a trust, state the following:

- (a) the date the trust was established.
- (b) the names and addresses of the trustees.
- (c) the names and addresses of the beneficiaries.

(d) the names and addresses of the persons or entities who possess the trust documents.

(e) each asset that is held in each trust, with its fair market value.

h. Name of Accountant, Bookkeeper, or Records Keeper. State the names, addresses, and telephone numbers of your accountant, bookkeeper, and any other persons who possess your financial records, and state which records each possesses.

5. **LIABILITIES:**

a. Loans, Liabilities, Debts, and Other Obligations. For all loans, liabilities, debts, and other obligations (other than credit cards and charge accounts) listed in your Financial Affidavit, indicate for each the following:

- (1) name and address of the creditor.
- (2) name in which the obligation is or was incurred.
- (3) loan or account number, if any.
- (4) nature of the security, if any.
- (5) payment schedule.
- (6) present balance and current status of your payments.
- (7) total amount of arrearage, if any.

You may comply with this interrogatory (5.a) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

b. Credit Cards and Charge Accounts. For all financial accounts (credit cards, charge accounts, or other such accounts) listed in your Financial Affidavit, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

- (1) name and address of the creditor.
- (2) name in which the account is or was maintained.
- (3) name of each person authorized to sign on the accounts.
- (4) account numbers.
- (5) present balance and current status of your payments.

(6) total amount of arrearage, if any.

(7) highest and lowest balance within each of the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter.

You may comply with this interrogatory (5.b) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

c. Closed Credit Cards and Charge Accounts. As to all financial accounts (credit card, charge accounts, or other such accounts) closed with no remaining balance, within the last 3 years, or since the entry of the Final Judgment sought to be modified, if shorter, in which you have had any legal or equitable interest, regardless of whether the interest is or was held in your own name individually, in your name with another person, or in any other name, give the following:

(1) name and address of each creditor.

(2) name in which the account is or was maintained.

(3) account numbers.

(4) name of each person authorized to sign on the accounts.

(5) date the balance was paid off.

(6) amount of final balance paid off.

You may comply with this interrogatory (5.c) by providing copies of all periodic (monthly, quarterly, semi-annual, or annual) account statements for each such account for the preceding 3 years, or since the entry of the Final Judgment sought to be modified, if shorter. You do not have to resubmit account statements previously furnished under rule 12.285 (Mandatory Disclosure).

6. MISCELLANEOUS:

a. If you are claiming a diminished earning capacity since the entry of the Final Judgment sought to be modified as grounds to modify alimony or deviate from the child support established in your case, describe in detail how your earning capacity is lowered and state all facts upon which you rely in your claim. If unemployed, state how, why, and when you lost your job.

b. If you are claiming a change in a mental or physical condition since the entry of the Final Judgment sought to be modified as grounds to modify alimony or change the child support established in your case, describe in detail how your mental and/or physical capacity has changed and state all facts upon which you rely in your claim. Identify the change in your mental and/or physical capacity, and state the name and address of all health care providers involved in the treatment of this mental or physical condition.

c. If you are requesting a change in shared or sole parental responsibility, primary residency, the parenting schedule, or any combination thereof, for the minor child(ren), describe in detail the change in circumstances since the entry of the Final Judgment sought to be modified that you feel justify the requested change. State when the change of circumstances occurred, how the change of circumstances affects the child(ren), and why it is in the best interests of the child(ren) that the Court make the requested change. Attach your parenting schedule.

d. If you do not feel the requested change in shared or sole parental responsibility, primary residency, the parenting schedule, or any combination thereof, for the minor child(ren) is in their best interests, describe in detail any facts since the entry of the Final Judgment sought to be modified that you feel justify the Court denying the requested change. State, in your opinion, what change, if any, of the parenting arrangement is justified or agreeable to you and why it is in the best interests of the child(ren).

7. **LONG FORM AFFIDAVIT:** If you filed the short form affidavit, Florida Family Law Rules of Procedure Form 12.902(b), and you were specifically requested in the Notice of Service of Standard Family Law Interrogatories to file the Long Form Affidavit, Form 12.902(c), you must do so within the time to serve the answers to these interrogatories.

I certify that a copy of this document was [**one** only] () mailed () faxed and mailed () hand delivered to the person(s) listed below on *{date}* _____.

Other party or his/her attorney:

Name: Randy Kaye Garvey, Esquire
Address: 1851 W. Indiantown Road, Suite 100
City, State, Zip: Jupiter, FL 33458
Telephone Number: (561) 688-2688
Fax Number: (561) 746-8592

I understand that I am swearing or affirming under oath to the truthfulness of the answers to these interrogatories and that the punishment for knowingly making a false statement includes fines and/or imprisonment.

Dated: _____

Signature of Party
Printed Name: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____
Fax Number: _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

Sworn to or affirmed and signed before me on _____ by _____.

NOTARY PUBLIC or DEPUTY CLERK

[Print, type, or stamp commissioned name of notary or clerk.]

____ Personally known
____ Produced identification
____ Type of identification produced _____

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW: [fill in **all** blanks]

I, *{full legal name and trade name of nonlawyer}* _____,
a nonlawyer, located at *{street}* _____, *{city}* _____,
{state} _____, *{phone}* _____, helped *{name}* _____,
who is the [**one** only] ___ petitioner **or** ___ respondent, fill out this form.