

# McDOW & URQUHART LLC

## Basic Information Sheets

### YOUR PERSONAL INFORMATION

Name Last  
First Middle Suffix  
Nickname? Full Maiden Name

Address  
City State Zip  
Home # Cell # Work #

Date of Birth  Place of Birth

Social Security # E-mail

Employer  
Occupation Gross Monthly Income

Employer's Address  
City State Zip

---

YOUR SPOUSE'S PERSONAL INFORMATION

Name Last First MI  
First Middle Suffix  
Nickname? Full Maiden Name  
Address  
City State Zip  
Home # Cell # Work #  
Date of Birth  Place of Birth  
Social Security # E-mail  
Employer  
Occupation Gross Monthly Income  
Employer's Address  
City State Zip

---

INFORMATION REGARDING YOUR MARRIAGE

Date of Marriage  Date of Separation   
Place of Marriage  
What number marriage is this for? You Your Spouse

---

---

## CHILDREN OF THE MARRIAGE

# of  
Children

(1) Name

DOB

M

F

(2) Name

DOB

M

F

(3) Name

DOB

M

F

(4) Name

DOB

M

F

(5) Name

DOB

M

F

Do any of your children have special medical or physical needs?

Y

N

How many children do you have by anyone other than your spouse?

How many children does your spouse have by anyone other than you?

---

## JURISDICTION AND VENUE

In what county did you and your spouse last live together?

If "other," please list

Have you and your spouse each lived in South Carolina for the past three months?

Y

N

Have you lived in South Carolina for the past full year?

Y

N

Has your spouse lived in South Carolina for past full year?

Y

N



---

## GROUNDS FOR SEPARATION OR DIVORCE

South Carolina recognizes five grounds for divorce; adultery, habitual drunkenness, physical cruelty, desertion, and separation for more than one year. Proving one or more grounds for divorce in court is necessary before the judge grants a divorce. A married couple cannot simply agree to get a divorce and they cannot agree upon grounds that do not exist.

As your lawyer my greatest concern about the grounds for divorce is how those grounds affect child custody, child support, alimony, equitable apportionment of property, attorney's fees, and other collateral issues. Therefore I need information regarding possible grounds for divorce even if you do not want a divorce on those grounds.

Some lawyers and a few judges believe that a domestic relations case cannot be started while you and your spouse continue to live together, especially if there is not a fault ground for divorce. I prefer that you and your spouse separate before we file our case but that is not absolutely necessary.

Who moved from the marital home?

Why did you separate? (Keep this brief at this point)

---

Adultery

Adultery occurs when a married person has sexual intercourse subsequent to marriage with a person other than his or her spouse. Adultery may include other inappropriate sexual conduct. Adultery bars the adulterous spouse from receiving alimony.

Do you believe that your spouse has committed adultery? (If no, skip to next section)

Y        N

State the name and address of each person with whom you believe your spouse has committed adultery:

(1) Name

Address

(2) Name

Address

(3) Name

Address

Has your spouse been in a motel room, home, or other situation with a person of the opposite sex under such circumstances as would cause a reasonable person to believe that adultery has been committed?

Y      N

State the name, address, and telephone number of any private investigator you have hired to obtain information about your spouse:

(1) Name

Address

Telephone #

(2) Name

Address

Telephone #

State the names, addresses, and telephone numbers of anyone who can testify to any fact that would support your belief that your spouse has committed adultery:

(1) Name

Address

Telephone #

(2) Name

Address

Telephone

(3) Name

Address

Telephone

---

Physical Cruelty

Physical cruelty occurs when one person inflicts one or more acts of violence upon another person causing physical pain, bodily injury, and a fear of future danger.

Has your spouse ever hit you or committed any act of physical cruelty upon you? (If no, skip to the next section)

Y      N

State the approximate date and place of each act of physical cruelty:

(1) Date

Place

(2) Date

Place

(3) Date

Place

Have you ever received medical treatment as the result of any act of physical cruelty by your spouse?

Y      N

Has your spouse ever been arrested or prosecuted for an act of physical cruelty upon you?

Y      N

State the names, addresses, and telephone numbers of anyone who can testify to any fact that would support your allegations of physical cruelty:

(1) Name

Address

Telephone #

(2) Name

Address

Telephone #

---

Habitual Drunkenness

Habitual drunkenness is the fixed habit of using alcohol or drugs to excess. The best test for habitual drunkenness is whether or not your spouse's drinking or drug use causes problems in the marriage.

Does your spouse have an alcohol or drug problem? (If no, skip to the next section)

Y      N

How Often does your spouse use alcohol or drugs?

Daily

Weekly

Other

If "Other"  
please  
describe

Has your spouse ever been arrested or charged with "driving under the influence" or "drunk driving?"

Y      N

Has your spouse ever been arrested or charged with any other alcohol or drug related offense?

Y      N

State the names, addresses, and telephone numbers of anyone who can testify to any fact tending to prove your spouse's habitual use of alcohol or drugs:

(1) Name

Address

Telephone #

(2) Name

Address

Telephone

(3) Name

Address

Telephone

---

Desertion

Desertion is one spouse leaving the other (1) without the spouse's consent (2) without justification (3) with no intent to resume the marriage (4) for one year. All four elements must exist to prove a case of desertion.

Have you and your spouse been separated for one year? (If no, skip this section and the next)

Y      N

Was the separation without your consent?

Y      N

Did your spouse have a valid reason to separate?

Y      N

Have you encouraged your spouse to return and resume the marriage?

Y      N

State the names, addresses, and telephone numbers of anyone who can testify to any fact that would support your belief that your spouse deserted you:

(1) Name

Address

Telephone #

(2) Name

Address

Telephone #

(3) Name

Address

Telephone #

---

One Year Separation

One year separation is a no fault ground for divorce. All that must be proven is that you and your spouse did not live together for a period greater than one year.

Have you and your spouse lived separate and apart for more than one year?

Y      N

State the names, addresses, and telephone numbers of anyone who can testify to any fact that would support your allegations that you and your spouse have lived separate and apart for at least one year:

(1) Name

Address

Telephone #



(2) Name

Address

Telephone #

(3) Name

Address

Telephone #

---

PROPERTY

---

Real Property

Do you or your spouse own your home or other real estate?

Y      N

How is it titled?

When was it  
purchased

Purchase  
Price

Present  
Value

Balance of  
1st mortgage

Balance of  
equity line

If there is other real estate, please describe:

---

Retirement or Other Tax-Deferred Savings

Do you have a pension, retirement plan, 401(k) plan, or tax deferred savings?

Y        N

Name of  
Plan

Present  
Value

Does your spouse have a pension, retirement plan, 401(k) plan, or tax deferred savings?

Y        N

Name of  
Plan

Present  
Value

For more plans, please describe:

---

Motor Vehicles

Use the space to identify and describe each motor vehicles owned by either you or your spouse including year, make, model, date purchased, current driver, current mileage and any other relevant notes:

---

Miscellaneous

What other major assets do you or your spouse own? Include description, date purchased, purchase price, and any other relevant information.

---

## DEFENSES

At the initial interview we will discuss whether your spouse has any claims or defenses based on allegations of marital misconduct on your part. I will ask you three questions. Do not answer these questions in writing. Wait until I ask you these questions in my office.

(1) Do you have a problem with alcohol or drugs or is there anyone who believes that you have a problem with alcohol or drugs?

(2) Have you ever committed any act of physical cruelty on your spouse or is there any reason to believe that your spouse will claim physical cruelty?

(3) Have you ever committed adultery or is there anyone who believes that you have committed adultery?

---

---

### RELIEF SOUGHT

To ask the right questions, we need to know what you want. For this purpose, and this purpose only, we want you to assume that anything is possible. Do not be concerned with whether you are entitled to the relief. Do not be concerned with whether your responses will appear greedy. Check the items of relief that you either want or want to discuss:

Child Custody

Child Support

Alimony

Division of Marital Property and Debts

Restraining Order

Payment of Attorney's Fees by your Spouse

Resumption of Maiden or Former Name

Name You Wish to Resume:

Other Items You would Like to Discuss (Please List)

---

### MISCELLANEOUS

How much have you benefitted from reading Separation and Divorce in South Carolina: A Client's Guide?

Greatly

Some

Very Little

None

Why did you choose McDow & Urquhart, LLC rather than another lawyer or law firm?

Do you understand that you will be charged for your initial conference and do you agree to pay for the initial conference?

Y      N

Do you understand that if the answers to these questions are not truthful, then the advice you receive based on these answers may be faulty?

Y      N

How did you hear about us?

referral

phone book

internet

other

If referral,  
please list

If "other,"  
please list

Any other information, not covered elsewhere, that we need to know:

---

Date answers completed:

Type your name to serve as your electronic signature: