

INQUIRY FORM

Date: _____ *STRICTLY CONFIDENTIAL*

Re: Separation/Divorce/Custody/Access/other _____

Issues: please explain briefly _____

Do you currently have a lawyer? No / Yes: Name

Does opposing party currently have a lawyer? No / Yes: Name

Personal and Family Particulars

PERSONAL:

1. Full Name: _____

Address: _____

Email address: _____

Occupation: _____

Telephone : Home: _____ Office: _____ Cell _____

Date of Birth: _____ Place of Birth: _____

Domicile (where permanently resident): _____

Citizenship: _____

Marital Status (*including plans to re-marry*) _____

Date of Cohabitation/Relationship: _____

Place of Relationship: _____

Date of separation _____

Do you have a cohabitation/relationship contract? (if yes, please attach copy) _____

SPOUSE:

2. Spouse's Full Name: _____
Address: _____

Occupation: _____
Telephone : Home: _____ Office: _____
Date of Birth: _____ Place of Birth: _____
Citizenship: _____

PREVIOUS RELATIONSHIPS:

3. Have you been married before? _____
Date of Separation: _____ Date of divorce: _____
(Please attach copies of separation agreements and court orders).

Have your spouse been married before? _____
Date of Separation: _____ Date of divorce: _____
(Please attach copies of separation agreements and court orders).

CHILDREN:

4. Please give full names and ages of all your children and your spouse's children. Any circumstances relating to infirmity, adoption, legitimacy, custody, must be noted and discussed. If your children do not reside with you, please indicate this fact:

Full Name	Date of Birth	Birth Place	Residence	Age Now

We emphasize the importance of full financial disclosure for your protection.

1. Attach your personal tax returns for the past 3-year period with Notices of Assessment and all attachments.
2. Attach CORPORATE tax returns and annual financial statements for those companies that you have a greater than 10% shareholding interest (directly or indirectly), for the past 3-year period with Notices of Assessment and all attachments. This applies for family companies (that are family businesses) and companies that provide all or part of your annual income in which you hold shares directly or through a holding company.
3. Attach your spouse's tax returns if you have them.
4. Your occupation: _____ Your annual income: _____ and the name and address of your employer: _____

Attach your most recent paystub or payroll information records.

5. Your spouse's occupation: _____ Your spouse's annual income in current year: _____ and the name and address of your spouse's employer: _____

Attach your spouse's most recent paystub or payroll information records.

B: Summary of Assets in British Columbia

1. Bank Accounts and Term Deposits (Attach a recent monthly statement):

Institution	Type of Account	Account Owner	Is this Account used in the Relationship
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

2. Life Insurance:

Name of Insurance Company	Owner of Policy	Designated Beneficiary	Policy Number	Amount

3. RRSP or RIFF:

Name of Institution	Owner of RRSP/RRIF	Designated Beneficiary	Amount

4. Stocks and Bonds (approximate dollar value). Please give name of brokerage firm and account number as well as location of certificates if any:

Firm/Institution	Type of Account	Account Owner	Is this Account acquired or used in the Relationship
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

5. Pension Plans / Annuities:

Institution	Pension Owner	Acquired during the relationship	Designated Beneficiary

		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	

6. Describe any interest you may have in any proprietorships, partnerships or private companies if not already disclosed above:

7. **Apportionment:** What assets were brought into the relationship (acquired before relationship) or acquired through inheritance before or during the relationship? List these:

Asset Description	Owner	Acquired BEFORE the relationship	Inherited
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

8. **Land Ownership:** List each property and attach BC Assessment Authority Notice of Assessment for current year and title search if you have one:

REAL ESTATE	Civic Address #1	Civic Address #2	Civic Address #3
Registered Owner(s) Joint Tenants?			
Estimated Value (BC Assessment Auth. or estimated fair market value)	\$	\$	\$
Mortgage Balance Owing	\$	\$	\$
Is Mortgage Life Insured?	Yes / No	Yes / No	Yes / No
Approximate Equity	\$	\$	\$

9. **Personal Items:**

List items with a value exceeding \$4,000.00:

Item Description: E.G.: Boats, Vehicles, Paintings, Musical Instruments, Collections, Tools, Antiques	Registered Owner	Acquired during the relationship	Approx. Value
		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	
		Yes <input type="checkbox"/> No <input type="checkbox"/>	

Are any of these articles encumbered by secured loans or owned jointly with someone else? Yes / No

and if so, give details: _____

10. **Other Assets:**

(a) Mortgages/Agreements for sale owing to you: _____

(b) Other debts owing to you (family debts, notes, etcetera): _____

(d) Any other substantial assets: _____

10. Do you have any real or personal property outside British Columbia? If so please specify.

DIVISION OF DEBT

Summary of Debts: (other than mortgages previously noted)

Creditor	Life Insured?	Amount
	Yes / No	
	Yes /No	
	Yes / No	

1. Personal Loans owing:

_____ \$ _____

_____ \$ _____

2. Guarantees:

_____ \$ _____

_____ \$ _____

3. Support/Maintenance owed to others outside this relationship/relationship:

_____ \$ _____

_____ \$ _____

4. List any other substantial liabilities:

_____ \$ _____

_____ \$ _____

Other Matters

Please enter any other information that might be relevant to the separation from your spouse:

Do you have any additional comments or instructions?

Additional Matters re Separation Agreement

It is important to know the following information:

- 1. Separation **agreements** may not be given full effect by the court if the court finds that there was duress, undue influence, lack of full disclosure or inherent unfairness and consequently finds a resulting trust in favour of one party against the family assets.
- 2. Provisions about releasing a claim against a party's right of inheritance (i.e.: your estate) may not be effective because, if asked to review the terms, a court has discretion to overturn those provisions. We advise you to obtain a Divorce Order (if you are married) to terminate the other party's spousal rights to inherit your estate.
- 6. You should provide a copy of this **Agreement** and the divorce order to the executor of your will.
- 7. **You should have your will reviewed and redone in contemplation of final separation and/or divorce. This will avoid legal issues about property division and rights in your estate.**

DOCUMENT CHECKLIST:

The following is a list of documents that we usually (not always) need to obtain and review in each family file no matter how awkward or difficult it may be for the parties to provide these documents. This is required because all courts that deal with family law matters will be more inclined to set aside a property division agreement if there has been incomplete or inaccurate disclosure of assets and financial information. To avoid these risks, we take the view that it best to obtain the highest level of disclosure from each party that is warranted by the circumstances. The court will require an ORIGINAL relationship certificate to be filed together with family law documents if a divorce is claimed in the Writ.

1. Personal tax returns and Notices of Assessment (3-years) Yes No
2. Corporate tax returns and Notices of Assessment (3-years) Yes No
3. Corporate financial statements (3-years) Yes No
4. Mortgage, credit card and line of credit monthly statements (Month of separation and most recent monthly statement) Yes No
5. Pension Plan information booklet, annual pension statement Yes No
6. Insurance certificate or other information about life and disability insurance policies (term and other) Yes No
7. BC Assessment Authority "Notice of Assessment"(Year of separation and most recent annual statement) Yes No
8. Municipal property tax notice (current year) Yes No
9. Land title "Certificate of Title (if any)" Yes No
10. [RE DIVORCE CLAIM] ORIGINAL MARRIAGE CERTIFICATE (government issued) Yes No
11. RRSP, RESP and RIFF statements of accounts (Month of separation and most recent monthly statement) Yes No
12. Vehicle + boat + other assets over \$4000 lease or loan or purchase records Yes No
13. Personal chequing, saving bank account statements (Month of separation and most recent monthly statement) Yes No
14. Pay stubs or pay roll records for most recent 3-month period