THE STATE OF TENNESSEE

CHANCERY COURT

FOURTH JUDICIAL DISTRICT

T. E. FORGETY, JR., CHANCELLOR

Serving the Counties of:

Cocke
Grainger
Jefferson
Sevier

LOCAL RULES OF PRACTICE

Adopted Pursuant to Rule 18
of
Rules of the Supreme Court of Tennessee

this 25th day of April, 2008

LOCAL RULES

1. Rules of Court: Applicability, Suspension and Definitions

2. Court Sessions

3. Discovery

4. Motions

5. Setting Cases for Trial and Continuances

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7. Pre-Trial Procedure and Briefs

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RULE 1. RULES OF COURT: APPLICABILITY, SUSPENSION AND DEFINITIONS

Section 1.01 Former Rules Abrogated

All former rules of local practice except as readopted herein are abrogated.

Section 1.02 Applicability

Each rule is applicable to the Chancery Court of the Fourth Judicial District, State of Tennessee.

Each rule is applicable in all types of cases unless otherwise indicated by a particular rule.

Section 1.03 Suspension of Rules

Whenever the Court determines that justice requires it, it may suspend any of these rules.

Section 1.04 Definitions

The following definitions apply to terms used in these rules:

Clerk: The Clerk and Masters of the Chancery Courts, or their designees.

T.R.C.P.: Tennessee Rules of Civil Procedure

Section 1.05 Citation

These rules may be cited as 'Local Rules of Practice, 4th District, Chancery Court Section_____.'

Section 1.06 Reference to Circuit Court Rules

References to Circuit Court rules are for convenience only.

RULE 2. COURT SESSIONS *(Ref. Circuit Court Rule 1)*

Section 2.01

Regular or adjourned sessions of Court will open at 9:00 a.m., or at such time as the Court directs. The Court will ordinarily hear uncontested matters (completely uncontested) first, and it is not necessary to have such matters placed on the daily docket in order to have them heard.

Section 2.02

Court sessions will be set forth in a yearly calendar which is maintained by the Court, and available to all persons through the office of the Clerk and Master in each county in the District.

RULE 3. DISCOVERY *(Ref. Circuit Court Rule 17)*

Section 3.01 Interrogatories to Parties; Requests for Admission

No party shall serve on any other party more than thirty (30) interrogatories or requests for admission without leave of Court. For purposes of this Rule, a sub-part of any interrogatory or request for admission shall count as an additional interrogatory/request. Any motion seeking permission to serve more than thirty (30) interrogatories or requests shall set out the additional interrogatories or requests the party wishes to serve, together with the reasons establishing good cause for the service of the additional interrogatories or requests. If a party is served with more than thirty (30) interrogatories or requests, without order of the Court, he shall respond only to the first thirty (30).

Section 3.02 Motions to Compel Discovery

Motions to compel discovery shall:

(a) Either (1) quote verbatim the interrogatory, request, question, or subpoena at issue, or
(2) be accompanied by a copy of the interrogatory, request, subpoena, or excerpt of a deposition which shows the question;

(b) State the reason supporting the motion.

(c) Recite that counsel have made a good faith effort to resolve the dispute prior to filing of the Motion

Section 3.03 Motions for Protective Orders; To Quash Subpoena

Motions for protective orders filed pursuant to Rule 26.03, T.R.C.P., motions to quash subpoenas for discovery filed pursuant to Rule 45.02, T.R.C.P., or any motion asking that discovery be postponed or restricted shall:

(a) Either (1) quote verbatim the interrogatory, request, question, or subpoena at issue, or
(2) be accompanied by a copy of the interrogatory, request, subpoena, or excerpt of a deposition which shows the question;

(b) State with particularity the grounds for the motion;

(c) Be accompanied by an affidavit or other evidence showing the need for the order; and

(d) Be accompanied by a proposed protective order.

RULE 4. MOTIONS *(Ref. Circuit Court Rule 3)*

Section 4.01 Docketing Motions for Hearing; Time; Notice

(a) Motion Days

The Chancery Court will hold regular motion days once per month in Sevierville and Dandridge, on days as scheduled on the Court's yearly calendar. Counsel may consult that calendar for available motion days.

(b) Notice to Clerk

(1) A party desiring a hearing on a regular motion day shall, at least twenty-four (24) hours in advance, notify the Clerk where the matter is to be heard, the style of the case, the case number, the names of all affected counsel, and the county of origin. The Clerk will then set the motion, provided the docket for the date requested permits.

(2) The Court will also hear motions on days other than regular motion days. A party desiring a hearing otherwise than on a regular motion day shall contact the respective Clerk, at least twenty-four (24) hours in advance, for permission to so set the same for a given date, and depending upon the condition of that day's docket, the Clerk will grant such permission or suggest another suitable date.

(c) Notice of Hearings

In any event, counsel as between themselves must comply with all provisions of the Tennessee Rules of Civil Procedure as to notice to opposing counsel and time for presentation of motions, responses, etc. Counsel are strongly encouraged to make diligent efforts to contact opposing counsel and arrange an agreeable date for a hearing, rather than simply sending a notice of a date. In the event that such efforts are not made, the Court may continue the hearing to a reasonably convenient date.

RULE 5. SETTING CASES FOR TRIAL AND CONTINUANCE

Section 5.01 Method of Setting *(Ref. Circuit Court Rule 2)*

Cases shall be set for trial in one of the following ways:

(1) By the court at regular docket soundings to be held as scheduled on the Court's yearly calendar. Counsel may consult that calendar for docket sounding dates;

(2) By agreement of counsel after consultation with the Court; and

(3) By the Court with notice to counsel.

Section 5.02 Continuances *(Ref. Circuit Court Rule 4)*

(a) Cases may not be continued by agreement and may be continued only by leave of Court. Cases will not be continued except for good cause which shall be brought to the attention of the Court as soon as practicable before the date of the trial. The application for a continuance must be supported by an affidavit setting out the grounds for the requested continuance.

(b) Absence of a witness will not be grounds for a continuance unless the witness has been subpoenaed in accordance with the requirements of these rules and the Rules of Civil Procedure.

(c) When the application for the continuance is based upon the illness of a party, or a material witness, there must be filed therewith a written statement of a physician specifying the type of illness, whether same is temporary or permanent, and whether or not such person is able to appear in court. (The Court may allow the late filing of the application and affidavit.)

(d) When the application for the continuance is based upon the fact that a material witness cannot be found, an affidavit must be filed giving the name of the witness, the substance of the testimony that will be given by such witness; whether the affiant has personally talked with such witness or some other supporting reason as to why he believes the witness will so testify, and detail the efforts made to locate the witness.

(e) When a case is set at a docket sounding, or by agreement, or set upon motion without objection to having it set, failure to have completed discovery, unavailability of counsel on the trial date, inability to take a deposition, or failure to have completed any other trial preparation will not be grounds for continuance.

Section 5.03 Award of Fees and Expenses

In cases continued, the Court may award expenses and attorney's fees, including compensation to witnesses for lost income and/or travel expenses, and tax the same as Court costs.

RULE 6. SUBPOENAS *(Ref. Circuit Court Rule 13)*

Subpoenas for a local witness must be issued and dated by the Clerk no later than seven (7) days before the date of trial. If the witness resides out of county, the subpoena must be issued by the Clerk and mailed or otherwise transmitted to the out of county sheriff or other authorized person no later than ten (10) days before the date on which the case is set for trial.

RULE 7. PRE-TRIAL PROCEDURE AND BRIEFS *(Ref. Circuit Court Rule 18)*

(1) In all actions set for trial on the merits, at least seven (7) days prior thereto:

(a) The names and addresses of all witnesses shall be furnished to opposing counsel.

(b) Copies of all exhibits which are proposed to be offered shall be furnished to opposing counsel. All exhibits shall be marked for identification prior to trial, and numbered sequentially beginning with Plaintiff's exhibits and continuing through Defendant's exhibits. Depositions to be used as evidence (other than for impeachment) shall be filed with the clerk and a copy furnished to the Judge. *(Ref. Circuit Court Rule 6)*

(c) Counsel may file pre-trial briefs by filing the original with the Clerk and then forwarding a copy to the Chancellor at his permanent office address.

(2) Depositions to be used as evidence (other than for impeachment) shall be filed with the Clerk at least five (5) days prior to trial.

RULE 8. SPECIAL PROCEDURES FOR DOMESTIC RELATIONS CASES *(Ref. Circuit Court Rule 10)*

Section 8.01 Unless otherwise ordered by the Court, all Domestic Relations cases must go to Mediation prior to trial

Section 8.02 Contested Divorce Cases

In all pendente lite hearings and contested divorce cases, the parties shall file with the clerk, with a copy furnished to opposing party or counsel, at least seven (7) days before the hearing, the following:

(a) A copy of the previous year's tax return, regardless of whether the returns were filed by the party or with each other jointly.

If a party's tax return has not been filed, a copy of all of the documents that reflect all of the income received from whatever source by either party for the previous year.

(b) A copy of the documents that reflect all of the income received from whatever source by either party from January 1 of the year of the hearing to the date of the hearing.

(c) A financial affidavit setting forth that party's actual or estimated necessary monthly expenses from the date of the affidavit to the date of the trial and their total monthly gross income from all sources. (See attached).

Section 8.03 Designation of Parties

In the complaint, answer, and other pleadings, it is requested that the parties or counsel avoid such terms as plaintiff, defendant, counter-plaintiff, and counter-defendant, using instead such easily understood references to parties as husband and wife.

Section 8.04 Financial Statements

In all contested divorce cases, both parties shall file sworn financial statements subject to such protective orders as may be applied for and granted. The parties shall also file sworn asset and liability statements. See attached form.

Policy – The failure to file the information required by the preceding rule, in whole or in part, without just cause will create a presumption that the other party's statements regarding whatever information is not supplied are true and that his/her request is valid.

Section 8.05 Parenting Issues

In cases involving minor children, all parties will comply with the provisions and procedures set out in the Tennessee Parenting Plan Act, T.C.A., §36-6-401. Reference is made to the Court's General Order of December 11, 2000. See attached.

Section 8.06 Pendente Lite Hearings/Temporary Hearings
(Ref. Circuit Court Rule 10.04; 10.06)

Comment: These rules and policies are formulated to deal with the ever-increasing volume of temporary support hearings and other pendente lite matters. They have been formulated so that the parties may have quick and easy access to the Court to obtain relief with the understanding that it is only temporary and that all of the issues can be litigated to their full extent at the final hearing. Pendente lite hearings will thus be expedited at the understandable risk that the Court make make pendente lite awards without all of the proof and knowledge it would have if there were a full hearing.

(A) Subject to the provisions of existing law, and excepting bona fide emergency situations, the parties will be required to participate in mediation prior to a pendente lite hearing.

(B) **Support Issues** *(Ref. Circuit Court Rule 10.06)*

(1) All temporary support matters shall be heard upon the filing of a Motion.

(2) With the filing of the Motion, or seven (7) days before the hearing, whichever is earlier, the Movant shall file with the Court; and furnish to opposing counsel, or the respondent, the following:

(a) A copy of the previous year's tax return, with a copy of all of the documents that reflect all of the income received from whatever source by either party for the previous year, regardless of whether the return was filed individually or jointly.

(b) A copy of all of the documents that reflect all of the income received from whatever source by either party from January 1 of the year of the hearing to the date of the hearing.

(c) A financial affidavit setting forth that party's actual or estimated necessary monthly expenses from the date of the affidavit to the date of the trial and their total gross monthly income from all sources. The first two pages shall conform to the form attached hereto as Exhibit "A".

(d) The Respondent shall then furnish to opposing counsel or Movant no later than two (2) full days prior to the date of the hearing all of the information requested in paragraph 2. Duplicate filing of documentary information is unnecessary.

(e) Counsel shall advise the Court of any case in which a motion has been filed requesting the Court to hear proof, and if the case is set on a Motions Day, that case will be set at the heels of the docket. Every effort will be made to limit temporary support hearings to a maximum of thirty (30) minutes.

(B) Co-Parenting Issues

Policy: In the event that there is no agreement between the parties regarding co-parenting time, it is suggested that the parent without primary responsibility should have at a minimum, the following co-parenting time and rights:

(1) 1st and 3rd weekends from Friday at 5:00 p.m. to Sunday at 5:00 p.m.

(2) December 25th at Noon to January 1st at 5:00 p.m.

(3) July 1st - 15th each year

(4) Thanksgiving - Friday at 5:00 p.m. to Sunday at 5:00 p.m.

(5) One-half of the child's spring vacation

(6) All those rights accorded by law, including but not limited to T.C.A., §36-6-110

(7) Unless agreed or ordered otherwise, all exchanges of the child(ren) shall be done between 5:00 p.m. and 5:15 p.m., with transportation by the parent receiving the child(ren).

Section 8.07 Domestic Cases Which Also Involve An Order of Protection

In any domestic case which also involves an Order of Protection, the Judge which hears the domestic case – whether Circuit Judge or Chancellor – will also hear the Order of Protection. The Clerk will prepare an Order of Interchange if necessary, so that the Order of Protection may be heard by the Judge which hears the domestic case. The case files will, however, be maintained separately, and an Order disposing of each case (which may be the same Order, but which must bear both case numbers) must be entered in each file.

RULE 9. CASES REMOVED TO FEDERAL COURT *(Ref. Circuit Court Rule 7)*

In all cases removed to the Federal District Court from the Chancery Court of this district, costs shall follow the costs as taxed in the Federal District Court. It shall be the responsibility of the party removing the case to Federal Court to advise the clerk of the court from which the case was removed as to the final disposition of the case. If the clerk is not notified within a reasonable time after final disposition of the case in Federal Court, costs will be taxed to the removing party.

RULE 10. JURY TRIALS

Section 10.01 Procedure

When a case is to be tried to a jury, the words **'JURY DEMAND'** shall be typewritten in capital letters on the first page of the pleadings opposite the style of the case above the space for the case number, and counsel shall call that fact to the attention of the Clerk when the case is set for trial.

Section 10.02 Number of Jurors

In jury cases the parties may stipulate that the jury will consist of any number of persons less than twelve.

Section 10.03 Taxing Juror Costs upon Settlement

If a case scheduled for jury trial is settled within 48 hours of when it is scheduled to begin, the Court may tax jury expenses as Court costs. The 48-hour period shall exclude weekends and holidays.

Section 10.04 Pre-trial Conference

It shall be the responsibility of counsel for the party demanding a jury trial to arrange and schedule with the Court and all counsel a pre-trial conference at least sixty (60) days prior to trial.

Counsel for each party will prepare a pre-trial memorandum to be presented at the pre-trial conference, which memorandum will contain the following information:

1. The names of all witnesses the attorneys expect to use at trial, with a designation of those who will be offered as experts.

2. The amount of time expected to be necessary for the trial of the case.

3. A brief statement of the position and/or defenses of the respective party, and a concise statement of the facts that will be litigated.

4. A concise brief with respect to all anticipated unusual evidentiary issues and all other unusual substantive issues of law, containing citations of the Shepardized cases and statutes relied upon. Photo copies of a specified statute or case in point may be submitted.

5. A statement of all special requests for jury instructions, including an exact typed or photo copy of all statutes and ordinances requested. If a special request is taken from the Tennessee Pattern Jury Instructions - Civil, or from a specific Tennessee reported case, or other authority, the exact citation should be given.

6. A list of all exhibits and documentary evidence expected to be introduced at trial.

7. Counsel for the party demanding a jury trial will prepare and file a full and complete proposed charge to be given to the jury, covering all issues raised by the pleadings and the proof to be offered and the proper legal instruction to be given in connection with each such issue. This shall be submitted to opposing counsel for consideration and comment at least thirty (30) days prior to the trial. Opposing counsel shall then have fifteen (15) days within which to respond. **Note**: This proposed charge must be full and complete – it may not consist of only special requests to charge.

8. If a general verdict is not requested, then a statement of all issues of fact which counsel proposes should be submitted to the jury should be included, with a designation of which party has the burden of proof on each issue, and a proposed verdict form the jury will be asked to return.

9. Whether counsel agrees for the case to be tried by a six(6) person jury.

Counsel must meet and discuss all matters prior to the conference. During the meeting, counsel shall (1) stipulate to all agreed facts, (2) submit to opposing counsel for

inspection all exhibits and documentary evidence expected to be offered at trial, except those expected to be offered for impeachment purposes only, (3) discuss the possibilities of settlement, and (4) establish a scheduling plan which sets discovery and motion deadlines, etc. Counsel for the party demanding the jury trial shall prepare an order memorializing the stipulations, identifying the exhibits, and setting forth the scheduling plan.

Section 10.05 Jury Verdict Form/Special Interrogatories
(Ref. Circuit Court Rule 11)

In any jury case which will require a jury verdict form, or the submission of special interrogatories to the jury, counsel for the parties shall prepare a proposed form and file it with the Court at least ten (10) days prior to the trial. If the parties cannot agree, then they must schedule a conference with the Court, to be held at least five (5) days prior to the trial, where the issues regarding the form will be resolved.

Section 10.06 Exhibits and Documentary Evidence

All exhibits and documentary evidence expected to be introduced at trial, if not to be marked for identification at the pre-trial conference, must be marked for identification prior to the opening of the trial. Counsel will further be prepared to stipulate to the admissibility of exhibits and documentary evidence where possible. Any exhibit not listed and identified will not later be received in evidence, except for good cause shown. Any witness not listed in the memorandum will not be permitted to testify, except for good cause shown.

Section 10.07 Trial Jurors ***(Ref. Circuit Court Rule 12.02)***

No attorneys, parties, or witnesses shall engage in any conversation or conduct with any trial juror until his or her term of service has expired.

RULE 11. CLERK AND MASTER SALES; BIDS

Section 11.01 Title Examination

In any action wherein the Clerk and Master conducts a court sale of land, a title opinion or title insurance commitment shall be furnished to the Clerk and Master for his/her use and information only in the conduct of the sale. <u>This does not alter the law to the effect that the Court does not guarantee title, but is intended only to assist the Clerk and Master in conducting the best and fairest sale of the property</u>. The cost of the title opinion or title insurance commitment shall be taxed as cost.

RULE 12. PREPARATION AND PRESENTMENT OF ORDERS

(Ref. Circuit Court Rule 8)

(A) All judgments and orders shall be tendered for entry within fifteen (15) days after the decision or ruling by the Court; all orders must contain thereon the docket number. Unless the Court directs otherwise, it shall be the initial duty of the prevailing party, or the prevailing party's counsel, to prepare the judgment or order and to submit it to all other parties or counsel for approval. In the event that there is no response thereto, or the parties or counsel do not agree upon a proposed judgment or order, any party may serve a proposed judgment or order on all other parties or counsel with notice thereon of a hearing for entry of the judgment or order, which hearing shall be set through the Clerk and Master. Any other party or counsel may tender a proposed judgment or order to the Court with the signature of that party or counsel that a copy of the proposed judgment or order has been served on all other parties or counsel. In any matter where two or more cases have been consolidated, the Order disposing of the cases shall bear all the case numbers, and shall be filed in all the case files.

(B) A judge may suspend any of these rules whenever justice requires. (Additional rules may be added as may be required for the orderly administration of justice).

IT IS ORDERED AND ADJUDGED THAT THESE RULES SHALL BECOME EFFECTIVE ON THE 25 DAY OF April, 2008.

Telford E. Forgety, Jr.
Chancellor

CHANCERY COURT
FILED
HOUR:_____ M.
APR 25 2008
Carolyn L. McMahan
CLERK & MASTER
SEVIER COUNTY, TN

FORM A

PLEASE INDICATE: HUSBAND_____ OR WIFE_____

IN THE CHANCERY COURT FOR_____COUNTY, TENNESSEE

AT _____

_____
PLAINTIFF

_____

_____

_____
(Present Address)

VS.

DOCKET NO. _____

_____
DEFENDANT

_____

_____

_____
(Present Address)

AFFIDAVIT OF ASSETS AND LIABILITIES

Page #2 - SCHEDULE A. ASSETS

PLEASE INDICATE: HUSBAND_____ OR WIFE_____

ASSETS	HOW WAS PROPERTY/ ASSETS ACQUIRED (i.e. inherited, purchased separate or together)	HOW IS PROPERTY/ ASSETS TITLED	IS PROPERTY/ASSETS MARITAL OR SEPARATE	ESTIMATED FAIR MARKET VALUE OF PROPERTY/ASSETS	(A) NAME OF MORTGAGE/LIEN HOLDER AND (B) BALANCE	PAYMENT SCHEDULE
MARITAL RESIDENCE (address) _____ _____ _____			MARITAL_____ SEPARATE_____		(A) _____ _____ _____ (B) _____ _____ _____	
OTHER REAL PROPERTY						
1._____	1._____	1._____	1._____	1._____	1._____ (B) _____	1._____
2._____	2._____	2._____	2._____	2._____	2._____ (B) _____	2._____
3._____	3._____	3._____	3._____	3._____	3._____ (B) _____	3._____
4._____	4._____	4._____	4._____	4._____	4._____ (B) _____	4._____
5._____	5._____	5._____	5._____	5._____	5._____ (B) _____	5._____
6._____	6._____	6._____	6._____	6._____	6._____ (B) _____	6._____
7._____	7._____	7._____	7._____	7._____	7._____ (B) _____	7._____
8._____	8._____	8._____	8._____	8._____	8._____ (B) _____	8._____
9._____	9._____	9._____	9._____	9._____	9._____ (B) _____	9._____
10._____	10._____	10._____	10._____	10._____	10._____ (B) _____	10._____

ASSETS	HOW WAS PROPERTY/ ASSETS ACQUIRED (i.e. inherited, purchased separate or together)	HOW IS PROPERTY/ ASSETS TITLED	IS PROPERTY/ASSETS MARITAL OF SEPARATE	ESTIMATED FAIR MARKET VALUE OF PROPERTY/ASSETS	(A) NAME OF MORTGAGE/LIEN HOLDER AND (B) BALANCE	PAYMENT SCHEDULE
HOUSEHOLD FURNISHINGS (DO NOT ITEMIZE UNLESS EXTRAORDINARY)						
1.	1.	1.	1.	1.	1.	1.
2.	2.	2.	2.	2.	2.	2.
3.	3.	3.	3.	3.	3.	3.
4.	4	4.	4.	4.	4.	4.
5.	5.	5.	5.	5.	5.	5.
MOTOR VEHICLES						
1.	1.	1.	1.	1.	1.	1.
2.	2.	2.	2.	2.	2.	2.
3.	3.	3.	3.	3.	3.	3.
4.	4.	4.	4.	4.	4.	4.
5.	5.	5.	5.	5.	5.	5.
BANK ACCOUNTS (i.e. checking, savings, money market, IRA, retirement, etc.)						
1.	1.	1.	1.	1.	1.	1.
2.	2.	2.	2.	2.	2.	2.
3.	3.	3.	3.	3.	3.	3.
4.	4.	4.	4.	4.	4.	4.
5.	5.	5.	5.	5.	5.	5.

PLEASE INDICATE: HUSBAND_____ OR WIFE_____

ASSETS	HOW WAS PROPERTY/ ASSETS ACQUIRED (i.e. inherited, purchased separate or together)	HOW IS PROPERTY/ ASSETS TITLED	IS PROPERTY/ASSETS MARITAL OF SEPARATE	ESTIMATED FAIR MARKET VALUE OF PROPERTY/ASSETS	(A) NAME OF MORTGAGE/LIEN HOLDER AND (B) BALANCE	PAYMENT SCHEDULE
STOCKS, BONDS, MUTUAL FUNDS ETC.						
1. _____	1. _____	1. _____	1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____	5. _____	5. _____	5. _____
MISCELLANEOUS (i.e. other items not itemized above including business property, etc.)						
1. _____	1. _____	1. _____	1. _____	1. _____	1. _____	1. _____
2. _____	2. _____	2. _____	2. _____	2. _____	2. _____	2. _____
3. _____	3. _____	3. _____	3. _____	3. _____	3. _____	3. _____
4. _____	4. _____	4. _____	4. _____	4. _____	4. _____	4. _____
5. _____	5. _____	5. _____	5. _____	5. _____	5. _____	5. _____
6. _____	6. _____	6. _____	6. _____	6. _____	6. _____	6. _____
7. _____	7. _____	7. _____	7. _____	7. _____	7. _____	7. _____
8. _____	8. _____	8. _____	8. _____	8. _____	8. _____	8. _____
9. _____	9. _____	9. _____	9. _____	9. _____	9. _____	9. _____
10. _____	10. _____	10. _____	10. _____	10. _____	10. _____	10. _____

PLEASE INDICATE: HUSBAND_____ OR WIFE_____

INCOME

EMPLOYER: _____ POSITION: _____

_____

_____

_____

(Address)

(A) GROSS MONTHLY INCOME: $_____

Deductions:

FICA $_____

Withholdings $_____

_____ $_____

_____ $_____

_____ $_____

_____ $_____

(B) ADDITIONAL INCOME: $_____

$_____

$_____

$_____

SOURCE OF ADDITIONAL INCOME: _____

_____

_____

_____

(C) TOTAL NET INCOME: $_____

This affidavit shall be filed with the following documents:

A. A copy of the previous year's tax return, or if not available, a copy of the documents that reflect all of the income received from whatever source by either party for the previous year.

B. A copy of all of the documents that reflect all of the income received from whatever source by either party from January 1 of the year of the hearing to the date of the hearing.

Under the penalty of perjury I make oath that the financial information setforth above is accurate to the best of my knowledge.

This _____ day of _____, 20 _____.

_____ _____

HUSBAND WIFE

SCHEDULE B. - LIABILITIES

PLEASE INDICATE HUSBAND_____ OR WIFE_____

AFFIDAVIT OF MONTHLY INCOME AND EXPENSES

1. Rent or Mortgage $_____
2. Real Estate Taxed $_____
3. Homeowner's or Renter's Insurance $_____
4. Homeowners' Dues $_____
5. Electricity $_____
6. Gas $_____
7. Water $_____
8. Garbage $_____
9. Telephone $_____
10. Cellular Phone $_____
11. Food $_____
12. Clothing $_____
13. School Costs $_____
14. Alimony to Prior Spouse(s) $_____
15. Child Support for Prior Children $_____
16. Child Care/Day Care $_____
17. Life Insurance $_____
18. Health Insurance $_____
19. Medical, Dental and Medicines (not including insurance payments) $_____
20. Installment Payments: $_____
    Auto
    _____
    _____
    _____
    _____
21. Auto Insurance $_____
22. Transportation (not including auto payment, but include gas and maintenance) $_____
23. Laundry and Dry Cleaning $_____
24. Cable TV $_____
25. Internet $_____
26. Home/Yard Maintenance $_____
27. Taxes $_____
28. Recreation and Entertainment $_____
29. Miscellaneous $_____

DISCRETIONARY EXPENSES

1. Charitable Contributions $_____
2. Vacation $_____
3. Gifts $_____
4. Clubs $_____
5. Miscellaneous $_____
6. _____ $_____
7. _____ $_____
8. $_____