



550 West Main Street, Suite 950
Knoxville, TN 37902
865-440-6345

INSTRUCTIONS

THE MOST COMMON REASON FOR DELAY IS INCOMPLETE FORMS.

Ways to return the questionnaire:

- (1) Mail to the following address:
James R. Owen, Attorney
Attention: Divorce
550 West Main Street, Suite 950
Knoxville, TN 37902
- (2) Email: jody@knoxdwi.com
- (3) Fax: 865-622-5250

Please include the following information:

- Completed questionnaire.
- Please provide all information requested in the packet.
- Please include all vehicles, even if they were purchased before the marriage.
- Please include all debt, including credit cards, loans, etc.
- Child Support Questionnaire (only required if you have children).
- Signed Engagement Agreement.

Submission of these forms does not automatically indicate representation. An attorney will review all forms, and if your case is accepted, you will be contacted to make payment and finalize representation.

The attorney fee for a non-contested divorce without children is \$750.00.

The attorney fee for a non-contested divorce with children is \$1,250.00.

The filing and court fees are separate. Filing fees for Knox County 4th Circuit Court are as follows:

Non-contested divorce without children is \$239.75.

Non-contested divorce with children is \$314.75

**** If you pay with a credit/debit card, you will be charged a 3% fee****

Thank you!



OWEN LAW FIRM

JAMES R. OWEN, ATTORNEY AT LAW

550 West Main Street, Suite 950

Knoxville, Tennessee 37902

Phone: 865-440-6345

www.cheapdivorceknoxville.com

jody@knoxdwi.com

Dear Prospective Client:

Please find enclosed an engagement agreement, an agreed-upon divorce questionnaire, a child support worksheet, and a parenting plan.

Overview

An agreed divorce is just that: a divorce where both parties agree upon all the issues and/or items. ***No agreed divorce is possible if only one of the parties wants a divorce, if there is a conflict with respect to issues of property or children, or if only the current whereabouts of the husband or wife are known.*** Our office will only represent the husband or wife, *not both* unless our office specifically agrees otherwise. Also, please note that the Courts will not usually grant a divorce when the wife is pregnant in her last trimester. An uncontested, agreed divorce based on irreconcilable differences with children can be finalized ninety (90) days from the date of filing of the divorce Complaint, depending on Court date availability.

Fee

Representation does not begin until the engagement agreement is signed by both the client and Mr. Owen and the fee has been received or payment arrangements have been approved by Mr. Owen. The attorney's fee is \$1,250.00 for an agreed divorce involving children. Please note that once we begin your paperwork our fee is nonrefundable whether or not you decide to go through with the divorce. Any changes will require an additional fee of a minimum of \$50.00 per change. This fee has been calculated based on the preparation of standardized forms, including a Complaint, Answer, Affidavit, Marital Dissolution Agreement, Parenting Plan, Final Order, and one appearance before the court. ***Any special circumstance, requirement, or provision by a client that alters or adds to the expected performance of this office or its legal staff will entitle our office to terminate representation or charge an hourly fee of \$350 per hour in addition to the flat fee above at our discretion.*** (Some examples of such changes are failure to appear for a court hearing, failure to disclose required information, unexpected pregnancy, reconciliation and/or dismissal of the divorce, etc.)

Costs

The court filing fee is \$314.75 for an agreed divorce involving children and this usually covers most, if not all, of the court costs. You should note that you are responsible for any additional court costs that may be incurred.

Procedure

Once our office receives all the completed materials and fees from you, we will draft the legal documents mentioned above for the divorce. Once the documents are completed, you will need to come to our office to review and sign them. Your spouse will also need to sign the documents and have them notarized. We offer this service, but it is not mandatory for your spouse to sign in our office. Once our office receives the legal documents signed and notarized by both the husband and wife, our office will file them with the Court, usually within 48 hours. The Court Filing fee is due when the papers are received by our office. *Note: you can expedite the filing of your divorce by ensuring that your questionnaire is complete and your divorce papers are signed in a timely manner. Most delays are due to the length of time that it takes for a client to return the documentation or because once returned, the documentation is incomplete.*

Once the documents are filed both parties (husband and wife) are required to attend parenting classes approved by the court. ***Your court date will not be set until you have successfully completed a pre-approved Fourth Circuit parenting class.*** Please note that failing to complete parenting classes within the 90-day period is also a breach of our representation agreement and will terminate our representation of you.

Engagement Letter

Read the engagement letter carefully, as it spells out your rights, obligations, and agreement with our office. You need to sign the engagement letter and send it back to our office with your other completed materials. You will receive a copy of the engagement letter when you come into our office to sign your paperwork.

Agreed Divorce Questionnaire

You need to fill out the questionnaire completely and correctly because this is the information that will be used to prepare the legal documents for your divorce. For your agreement, write out exactly who gets what. The Court will enter an Order that states that the parties fairly and equitably divided up their marital estate.

Assets – Please note that the assets obtained during your marriage are usually “marital property” under the law. This may be true even if your name is the only name on the title. Until the court finalizes your divorce, any property owned by you or your spouse remains marital property. Therefore, even though our divorce packets contain general asset transfer language, it is important that all property that is titled (cars, trailers, homes, etc.) be listed specifically in the questionnaire.

Debts - Please remember that this is an agreement between you and your spouse and is not legally binding on your creditors. *If both spouses are listed on the debt (for example, credit cards, automobiles, houses, etc.), both of you will still be liable to the creditor regardless of your divorce agreement.* If the spouse responsible for the debt stops paying it, the other spouse has the right to seek to enforce the divorce agreement against the other spouse but the creditor may seek to enforce the debt against either party.

Parenting Plan

If you have children from this marriage, then you must fill out the Parenting Plan accurately and completely. The Parenting Plan covers all the main issues regarding any children once the divorce is finalized. ***Please note that child support is statutory and cannot be negotiated by the parents.*** Unless the parents can show equality of time spent with the children and equality of income or other monies to the children, the Court will defer to the basic child support obligation in the statutes. The more equality between the parents' living situation, the more inclined the Court will be to allow a downward departure from the basic child support obligation. The new child support guidelines mandate that parties complete a calculation form and attach it to the Parenting Plan. The calculated amount from the form requires child support to be paid by one parent to the other parent. Because of the complexity of this form, our office will fill it out for you using information you supply on the enclosed Child Support Worksheet.

You must advise Mr. Owen if you or your spouse have ever been subject to any child support or child custody court order. Note that failure to disclose that you or your spouse have been subject to a court order for child support or child custody is also a breach of our representation agreement and will terminate our representation of you and may subject you to civil and/or criminal penalties.

Parenting Classes

Both Parents ***must*** attend parenting classes before the divorce can be finalized. If one party does not complete the parenting classes, the Court will order the non-attending parent to complete the parenting classes within a certain time period. ***If the non-attending parent does not follow the Court's order, that parent will be held in contempt and could face jail time.***

For information regarding acceptable parenting classes for Knox County Fourth Circuit Court, please contact the Clerk's office at 865-215-2404 or visit the webpage: https://www.knoxcounty.org/fourthcircuitcourt/pdfs/PES_classes_handout.pdf

Health Insurance

If you have health insurance that covers your spouse or your spouse has health insurance that covers you, you or your spouse may be entitled to COBRA coverage. ***You have 60 days from the date that your divorce is granted to notify the health insurance carrier to obtain COBRA coverage or the entitlement is lost.*** COBRA coverage usually requires that the person covered pay the monthly premium cost.

Thank you for your business. We look forward to working with you during this difficult transitional period in your life.

Sincerely Yours,
James R. Owen- Attorney at Law

Parenting Plan/ Child Support Questions

1. Who is the Primary Residential Parent: _____
2. **Day-to-Day Schedule:** Please list the times and dates the child or children will be with each parent. Example: The child will be with the mother weekly from Monday to Friday. The child will be with Father from Friday 6 p.m. to Sunday 8 p.m.

Per this agreement, how many days a year will the child be with mother _____, father _____

3. **Holiday Schedule:** You may choose from the template below. However, you may also use the day-to-day schedule above for these holidays. You must agree on these.

HOLIDAY SCHEDULE AND OTHER SCHOOL-FREE DAYS

Indicate if the child will be with the parent in ODD or EVEN numbered years or EVERY year:

	MOTHER	FATHER
New Year's Day	_____	_____
Martin Luther King Day	_____	_____
Presidents' Day	_____	_____
Easter Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Passover Day (unless otherwise coinciding with Spring Vacation)	_____	_____
Mother's Day	_____	_____
Memorial Day (if no school)	_____	_____
Father's Day	_____	_____
July 4 th	_____	_____
Labor Day	_____	_____
Halloween	_____	_____
Thanksgiving Day & Friday	_____	_____
Children's Birthdays	_____	_____
Other School-Free Days	_____	_____
Mother's Birthday	_____	_____
Father's Birthday	_____	_____
Other: _____	_____	_____

**A holiday shall begin at _____ p.m. on the night preceding the holiday and end at _____ p.m. the night of the holiday unless otherwise noted here _____.

**This holiday schedule and other school-free days shall supersede the Day-To-Day Schedule.

If you would like to use the day-to-day schedule or other schedules of your choice, please indicate here: _____

4. **Fall/Spring Vacation:** You may use the day-to-day schedule, or you may work out an agreed schedule for this. _____
5. **Winter (Christmas Vacation):** Please indicate the agreed schedule. Please indicate if this is every year or even/odd years. _____

6. **Summer vacation:** Please indicate if this will be the day-to-day schedule or if you would like this to change due to the lack of school. Also, please indicate vacation trips (if you would like the other parent to give you written notice of any summer trips or if there is a set vacation schedule every year). _____
7. **Transportation:** Please indicate how the child will be transported or exchanged between the parents. If you would like a set location and or if the parents will drop off at each other's homes. _____
8. **Supervision:** Are there any orders from other courts stating visits with the child have to be supervised by either parent or do you wish for this to be supervised (this has to be agreed on if there are no court orders)? _____
9. **Major Decisions:** Education, non-emergency health care, religious upbringing, extra-curricular activities: Mother, Father, or Joint?
10. **Child Support:** *Please provide a copy of each parent's check stubs.* Please indicate the following: Father's gross monthly income _____
 Mother's gross monthly income _____
 Do you have an agreement of child support already? _____
 Who pays for the health insurance? _____, how much for just the child? _____
 Child Care: _____, how much? _____
 Does either parent claim any other children or pay child support for other children?

Are there any uncovered medical expenses the parties must pay for the child? _____
 Are there any federal benefits that are paid to the child? _____

11. **Taxes:** How do you want to claim the child on taxes? Please indicate if this is each year, even/odd years) _____
12. **Health Care:** Who will be responsible for carrying the child on health insurance?
 _____ Uncovered reasonable and necessary medical expenses, which may include but are not limited to deductibles or co-payments, eyeglasses, contact lenses, routine annual physicals, and counseling, will be paid by **mother** **father** **pro rata in accordance with their incomes**. After insurance has paid its portion, the parent receiving the bill will send it to the other parent within ten days. The other parent will pay his or her share within 30 days of receipt of the bill.
 If available through work, the **mother **father** shall maintain dental, orthodontic, and optical insurance on the minor child or children.
13. **Life Insurance:** If agreed upon by the parties, the mother father both shall insure his/her own life in the minimum amount of \$_____ by whole life or term insurance. Until the child support obligation has been completed, each policy shall name the child/children as sole irrevocable primary beneficiary, with the other parent other _____, as trustee for the benefit of the child(ren), to serve without bond or accounting.



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AGREED DIVORCE QUESTIONNAIRE

We are Representing? _____ (please list name)

Wife's Information/Party One

Name: _____

(No Nicknames, please include middle name)

Do you wish to return to using your Maiden Name? _____ Full Maiden Name: _____

Phone Number: _____ Email address: _____

Street address: _____

City, State, and Zip: _____

County: _____ Lived in than county 6 months or longer? ___ Yes ___ No

Birthplace (City, State): _____

Date of Birth: _____

Race: _____

No. of Previous Marriages: _____ How ended: divorce/deceased? _____

Social Security Number: _____

Employer: _____

Responsible for court costs? _____ Yes _____ No

Covered under Spouse's Health Insurance? _____ Yes _____ No

Enlisted in the military? _____ Yes _____ No

Husband's Information/Party Two

Name: _____

(No Nicknames, please include middle name)

Phone Number: _____ Email address: _____

Street address: _____

City, State and Zip: _____

County: _____ Lived in than county 6 months or longer? Yes No

Birthplace (City, State): _____

Date of Birth: _____

Race: _____

No. of Previous Marriages: _____ How ended: divorce/deceased? _____

Social Security Number: _____

Employer: _____

Responsible for court costs? Yes No

Covered under Spouse's Health Insurance? Yes No

Enlisted in the military? Yes No

MARRIAGE

Date of Marriage: _____ Date Decided on Divorce: _____

County/State of Marriage: _____ County/State of Separation: _____

LEGAL PROCEEDINGS

Have you filed for divorce within the last six months in this or any other county or state? _____

Have you, your spouse or a child ever been involved in a child support or custody action? _____

Have you filed bankruptcy within the last 90 days or will you file a bankruptcy within 90 days? _____

Have you been a party to, or subject of, any court action, litigation or court order within the last year? _____

Explain: _____

CHILDREN BORN AT ANY TIME DURING THE MARRIAGE REGARDLESS OF FATHER:

(List ALL children, regardless of legitimate or illegitimate, legal status, or actual parentage)

Currently Pregnant? _____

NAME	Date of Birth	SS#	In your custody?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

*******If you have a child that was born during this marriage but is with another person, you will need to list the person's name and contact information and provide DNA testing results. We will need this third party to sign documents regarding the child*******

PROPERTY

*Please indicate ALL titleable property below, even if it was bought before the marriage or after the separation.
(Do Not List Items Held In The Name Of A Third Person.)*

House #1 Address: _____

Currently on the property title: Husband/ Wife/ Both

Will retain property after divorce: _____

Mortgage Company: _____

Mortgage currently in the name of: Husband/Wife/Both Responsible after divorce: _____

Mobile home: _____ Purchased during marriage: _____

House #2 Address: _____

Currently on the property title: _____ (Husband/Wife/Both)

Will retain property after divorce: _____

Mortgage Company: _____

Mortgage currently in the name of: Husband/Wife/Both Responsible after divorce: _____

Mobile home: _____ Purchased during marriage: _____

***** If more property, please list it on the back*****

MISCELLANEOUS TITLEABLE PROPERTY

(boats, motor homes, etc.)

Year, Make, Model, other information: _____

Currently on the title _____ Will retain property after divorce _____

Loan Company: _____ Account # _____

Who will be responsible after divorce _____ Purchased during marriage: ___ YES ___ NO

******* If additional, please list on back*******

VEHICLES

Husband's Vehicle

Year: _____ Make/Model: _____
Lien Company: _____ Who is on the current title: _____
Purchased during marriage: ___ YES ___ NO
Who will retain after divorce: Husband/ Wife/ Both
Who is on the current lien: _____ Who will be responsible after the divorce: _____

Wife's Vehicle

Year: _____ Make/Model: _____
Lien Company: _____ Who is on the current title: _____
Purchased during marriage: ___ YES ___ NO
Who will retain after divorce: Husband/ Wife/ Both
Who is on the current lien: _____ Who will be responsible after the divorce: _____

****** if other vehicles, please list on the back with all information necessary******

DEBT

Please list all debts (loans, credit cards, lines of credit, etc.), even if they're in only one name. If the debt type is a credit card, please put the last four digits of the account number in the appropriate area.

Household bills, such as utilities, medical bills, etc., do not need to be listed.

1. Creditor: _____ Account# _____
Currently named on debt _____ Debt Type: _____
Who will be responsible after divorce _____ Acquired during marriage: _____

2. Creditor: _____ Account# _____
Currently named on debt _____ Debt Type: _____
Who will be responsible after divorce _____ Acquired during marriage: _____

3. Creditor: _____ Account# _____
Currently named on debt _____ Debt Type: _____
Who will be responsible after divorce _____ Acquired during marriage: _____

4. Creditor: _____ Account# _____
Currently named on debt _____ Debt Type: _____
Who will be responsible after divorce _____ Acquired during marriage: _____

5. Creditor: _____ Account# _____
Currently named on debt _____ Debt Type: _____
Who will be responsible after divorce _____ Acquired during marriage: _____

******* If you have further debts, please list them on the back with all the information necessary*******

ATTESTATION

[_____] (Initials) I have advised my attorney of ALL children who, during my marriage, were:

1. Born to me or conceived by me, whether or not they are my spouse's child by blood and/or
2. Born to my spouse or conceived by my spouse, whether or not they are my child by blood and/or
3. Born to either or both of us regardless of whether we have legal custody or parental rights over the children or a court has determined parentage, child custody, visitation, or support for that child.

[_____] (Initials) I have disclosed all information requested of me, and I am not withholding information. The information I have provided is true, complete, and correct to the best of my knowledge and belief.

[_____] (Initials) I understand that Mr. Owen has the right to withdraw from representation if the information I have provided is inaccurate, incomplete or incorrect.

CLIENT'S SIGNATURE

Date