

# TIPPECANOE COUNTY RULES OF FAMILY LAW

## *PREAMBLE*

These local rules have been enacted to help effectuate a dignified and effective means of resolving all family law disputes, but especially those disputes involving minor children. While recognizing our adversarial system for resolving family law problems, these local rules mandate that attorneys not ignore but embrace their equally important roles as negotiators and advisors and their special responsibility for the quality of justice.

These local rules are based upon the Lake County Rules of Family Law. The Lake County Rules contain extensive commentary which is incorporated herein by reference. The Judges of Tippecanoe County are grateful to Charlie Asher for advocating the philosophy of Cooperative Divorce and developing the websites incorporated into these rules.

### **TR 79-FL00-1          Scope, Citation, and Definition, Cooperative Approach and Liberal Construction**

A.      Scope. These rules shall apply to family cases in the Tippecanoe Circuit Court and all the Superior Courts, I, II, III, IV, V, and VI of Tippecanoe County.

B.      Citation. These rules may be cited as the Tippecanoe County Rules of Family Law and abbreviated as F. L. R.

C.      Definition. Family cases shall include all cases involving claims for or related to marital dissolution or separation, paternity, child custody, parenting time or visitation with a child, and support of a child or spouse.

### **TR 79-FL00-2          Statement of Policy and Purpose**

**The Circuit and Superior Courts of Tippecanoe County are committed to a cooperative model for the handling of family cases by parents, attorneys, and judges.** These rules shall be liberally construed and applied to serve the healthy and child-sensitive functioning of families. In all family cases with children, the goal will be protecting the best interests of those children.

### **TR 79-FL00-3          General Obligations of Cooperation of Attorneys and Parties**

A.      Attorneys and parties in family cases are expected to act with the courts as co-problem solvers, not mere problem-reporters. Attorneys shall both inform and remind their clients about the judicial expectations of cooperation in family cases, assist their clients to understand and observe these standards, and encourage clients to participate in co-parenting classes, counseling, mediation, and other appropriate problem-solving processes.

B. To establish and maintain an atmosphere which fosters cooperative problem-solving, all parties and attorneys shall:

- (1) explore resources which may reduce conflict, build cooperation, and protect children;
- (2) attempt reasonable cooperative measures before resorting to the court;
- (3) avoid disrespectful language and behavior; and,
- (4) avoid unnecessary motions or petitions, hearing and arguments.

**LR 79-FL00-4 Initial and Provisional Hearings**

Unless considerations of safety or other good cause make it unreasonable, before the date and time set for an initial or provisional hearing, counsel shall meet with each other (or any unrepresented party) in a good-faith attempt to resolve all matters.

**LR 79-FL00-5 Mandatory Website Work for Parents**

A. Dissolution of Marriage. In all dissolution cases where the parties have any children together under the age of 18, both parties shall complete the work on [www.UpToParents.org](http://www.UpToParents.org) within 30 days of initial filing.

B. Legal Separation. In all separation cases where the parties have any children together under the age of 18, both parties shall complete the work on [www.WhileWeHeal.org](http://www.WhileWeHeal.org) within 30 days of initial filing.

C. Paternity. In all paternity cases, both parents shall complete the work on [www.ProudToParent.org](http://www.ProudToParent.org) within 30 days of the court's finding of paternity.

D. Following completion of the website work required by this rule, the parents shall merge or exchange their chosen Commitments from their website work.

**LR 79-FL00-6 Co-Parenting Class**

A. Dissolution of Marriage and Legal Separation. Mandatory Attendance. In all dissolution and separation cases where the parties have any children together under the age of 18, both parties shall complete a co-parenting class. The court may order both parties to attend additional co-parenting classes in post-decree matters.

B. Paternity. In all paternity cases the court may order the parties to attend and complete a co-parenting class.

## **LR 79-FL00-7      Proof of Compliance**

- A.      Dissolution of Marriage and Legal Separation. To monitor compliance, within 60 days of the initial filing of an action for dissolution or separation, each party shall file a verified certification of their completion of the mandatory website work as required under FLR. 5, above, and of any mandatory co-parenting class as required under FLR. 6, above, a sample form of which is attached hereto as Appendix “A”.
- B.      Paternity. To monitor compliance, within 45 days of the court’s finding of paternity, each party shall file a verified certification of completion of the mandatory website work as required under FLR 5, above. A sample form is attached hereto as Appendix “B”.
- C.      Any party failing to timely file such a certification may be subject to a hearing on such a failure.

## **LR 79-FL00-8      Parenting Plan Proposals**

- A.      The Indiana Parenting Time Guidelines provide useful outlines of the **minimum** time each parent should have with the children to maintain frequent, meaningful, and continuing contact with them. Any parenting time plan submitted by agreement that provides for less than the **minimum** time allowed under the Indiana Parenting Time Guidelines must contain a written explanation for deviating from those guidelines. Agreed parenting plans that exceed the **minimum** time allowed under the Guidelines will not require a written explanation.
- B.      Unless they have already executed an agreed parenting plan, the parties shall each prepare and exchange their written Parenting Plan Proposals utilizing the form which is attached hereto as Appendix “C”. Parents, personally and with the help of counsel and all useful counseling, mediation and other problem-solving resources, shall continue to attempt to reach an agreed parenting plan. Parents shall bring their respective Parenting Plan Proposals to all hearings, mediation sessions, and settlement discussions.

## **LR 79-FL00-9      Protocols after Initial Filing**

- A.      Duties Regarding Consultation. Except in emergencies or when it might create a danger or substantial prejudice or is otherwise unreasonable to do so, counsel and pro se parties shall have a personal or telephonic consultation to resolve any issue before filing or seeking any other relief through the court. Counsel and pro se parties contacted for a consultation shall make themselves reasonably available for consultation. The duty of consultation shall be continuing.
- B.      Substance of Consultation. In the consultation, counsel and pro se parties shall:
- (1)      attempt to resolve all matters at issue;
  - (2)      confirm the parties’ compliance with FLR 5, FLR 6, FLR 7 and FLR 8;  
and,
  - (3)      discuss the resources they believe the parents could use to resolve current and future issues and to build cooperation.

C. Cooperation Update - Mandatory. All motions and pleadings other than the initial filings shall include a statement confirming compliance with items (1) through (3), above, including the date of the required personal or telephonic consultation; or, shall recite the specific reasons for the lack of a consultation.

D. Parents shall review and bring a copy of their website Commitments, as required by FLR 5 and the current Parenting Plan Proposals, as required by FLR 8, to every hearing.

#### **LR 79-FL00-10 Requirements before Custody Evaluations**

All requests for custody evaluations must be (1) in writing (2) certify that both parties and their counsel, if any, have engaged in at least one good faith attempt to resolve the issues through the use of a settlement conference or mediation.

The court will not grant a request for or otherwise order a custody evaluation except following a Status Conference in the presence of both parties and their attorneys, if any, during which the court has been satisfied that:

- A. both parties have completed the mandatory website work pursuant to FLR 6, above; and,
- B. both parents have completed any required co-parenting class pursuant to FLR 7, above; and,
- C. both parties have exchanged Parenting Plan Proposals pursuant to FLR 8, above; and,
- D. both parties and their attorneys, if any, have engaged in at least one good faith attempt to resolve the issues through the use of a settlement conference or consultation pursuant to FLR 9, above; and,
- E. the court has carefully considered and reviewed, with both parties and their attorneys, if any, the use of other resources.

#### **LR 79-FL00-11 Case Captioning**

Parties in dissolution, separation, and paternity cases shall not be captioned or designated as “petitioner”, “respondent”, “plaintiff”, or “defendant”. The parties shall be designated as “Mother”, “Father”, “Husband”, or “Wife”, “Former Husband”, “Former Wife”, and “Putative Father”. All captions shall comply with applicable statutes and case law.

#### **LR 79-FL00-12 Form of Summons**

Parties in dissolution, separation, and paternity cases shall prepare and utilize forms of summons as set forth herein.

A. Dissolution of Marriage and Legal Separation. In dissolution and separation cases, the appropriate summons shall be used and shall be substantially the same as the form(s) which attached hereto as Appendix “D” and “D-1”.

B. Paternity. In paternity cases, the summons shall be substantially the same as the form which is attached hereto as Appendix “E”.

### **LR 79-FL00-13 Judges’ Notice**

Whenever the initial filing is prepared by an attorney, the attorney shall also prepare and provide the client and the Clerk with a sufficient number of copies of the appropriate the Judges’ Notice as required herein. In cases filed by pro se parties, the Clerk shall provide the appropriate Judges’ Notice. The Judges’ Notice to Parents Going Through Divorce is attached as Appendix “F” and Judges’ Notice to Parents in Paternity Cases is attached as Appendix “G”.

### **LR 79-FL00-14 Financial Declaration Form**

A. Requirement. In all relevant cases including dissolutions, separation, paternity, post-decree, or support proceedings and, irrespective of which court, each party shall prepare and exchange, within 60 days of initial filing for dissolution or separation or within 30 days of filing of any paternity or post-decree matters, the appropriate Financial Declaration Form (see Appendix “I” and “J”). These time limits may be extended or shortened by court order for good cause shown. In those cases where there is service, but no appearance by counsel, it is the responsibility of the initiating party to provide the other party with the appropriate blank Form and to notify that party of the duty to prepare and serve the same.

B. Exceptions. The Form need not be exchanged if:

- (1) the parties agree in writing within 60 days of the initial filing to waive exchange;
- (2) the parties have executed a written agreement which settles all financial issues;
- (3) the proceeding is merely at a provisional or emergency relief stage;
- (4) the proceeding is one in which the service is by publication and there is no response; or,
- (5) the proceeding is post-decree and concerns issues without financial implications.

Provided, however, when the proceeding is post-decree and concerns an arrearage, the alleged delinquent party shall complete the entire Form, while the support recipient need complete merely the portion thereof which requires specification of the basis of the arrearage calculation (with appropriate supporting documentation).

C. Use at trial. The Forms are intended primarily as mandatory discovery though, subject to appropriate objection, they shall be admissible at the request of any party. Therefore, particularly in view of the presumptive nature of the Indiana Child Support Guidelines, direct examination on form data shall address only unusual factors which require explanation or corrections and shall not, particularly with respect to issues of support, be routinely permitted. For evidentiary purposes, the pages of the Form shall be deemed severable.

D. Supporting documents. For the purposes of providing a full and complete verification of assets, liabilities, and values, each party shall attach to the form all information reasonably required and reasonably available. This shall include recent bills, wage and tax records, and bank, pension and year-end mortgage statements. “Reasonably available” means that material that may be obtained by letter accompanied with an authorization, but does not mean material that must be subpoenaed or is in the possession of the other party. Appraisals of real estate and pensions, or appraisals of personal property such as jewelry, antiques, or special collections (stamps, coins, or guns, for example) are not required. However, once an appraisal is obtained, it must be exchanged unless the appraisal was obtained in accordance with the provisions of Trial Rule 26(B) (4) (b) and is not expected to be utilized during trial. Moreover, the court may direct that an appraisal be obtained just as it may designate the appraiser.

E. Privacy - Sealing of Forms. Whenever the interest of privacy so requires, the court may, upon motion, direct the admitted Forms sealed until further order. However, such requests shall not be made as a matter of course.

When ordered sealed, the Court Reporter shall place the Forms in a flat manner in an envelope of sufficient size, seal the envelope, and affix a copy of the order. Forms may be withdrawn at the conclusion of the case on such terms as the court allows.

F. Financial Declaration Form as Mandatory Discovery. The exchange of Forms constitutes mandatory discovery. Thus, Indiana Rules of Procedure, Trial Rule 37 sanctions apply. Additionally, pursuant to Trial Rule 26(E) (2) and (3), the Form shall be supplemented if additional material becomes available. Further, any additional discovery, such as a motion to produce, interrogatories, or depositions of the parties shall not commence until the Forms are exchanged and, once exchanged, shall not seek information already obtained.

#### **LR 79-FL00-15 Indiana Child Support Guidelines**

A. Worksheet Required. In all proceedings involving child support, each party shall file with any settlement or enter into evidence during any trial Indiana Child Support Guidelines Worksheets - one or more depending upon the facts. Further, the Worksheet(s) shall, when reasonably possible, be delivered to the other parent simultaneously with the Financial Declaration Form, but, in any event, within 10 days of receiving the other parent’s Form. The Worksheets shall be promptly supplemented if any changes occur prior to resolution. All Worksheets shall be signed by the party(ies) submitting the Worksheet.

B. Support Settlement Agreements. If an agreement concerning support provides any deviation from the amount calculated under the Indiana Child Support Guidelines, the parents shall present the court with a written explanation justifying the deviation.

#### **LR 79-FL00-16 Preparation of Orders**

A. Exchange. It shall be the duty of the parties’ attorneys to prepare decrees and other orders as directed by the court. The attorney so directed is first to submit them to all other attorneys of record

or to the unrepresented party to enable them to challenge any provision thereof before submission to the court for entry.

B. Additions. If the preparing attorney believes the other attorney or the other party, if the other party is proceeding pro se, is unreasonably withholding approval as to form, or if either believes the other is attempting to make additions not addressed by the court, either may submit a proposed form to the court and shall attach thereto a written explanation of the dispute. The other party shall have 7 days to respond before the court enters any order. The court may enter sanctions against a party who has unreasonably withheld approval or attempted to make additions not addressed by the court.

C. Signatures. The signature line for counsel or pro se litigant shall indicate Approved As To Form. Such signature indicates that the order correctly reflects the court's ruling. It does not necessarily signify that the signing party or attorney agrees with the ruling.

### **LR 79-FL00-17 Sanctions**

If a party or counsel fails to timely prepare, exchange or file a Financial Declaration Form or Child Support Worksheet or to cooperate in providing information therefore in a timely manner, either is subject to sanctions under Trial Rule 37.

### **LR 79-FL00-18 Attorney Fee Requests**

A. Affidavits. When attorney fees (except those sought provisionally) are requested from the opposing party, the requesting attorney shall submit an appropriate affidavit, which, if the affidavit comports with these rules, the court shall admit as an exhibit.

B. Content. The affidavit shall indicate the:

- (1) requested fee and the basis thereof;
- (2) amounts counsel has billed, contracted for, or been promised; and,
- (3) amount counsel has received from all sources.

A copy of the written fee contract, if any, shall be attached to the affidavit and deemed a part thereof. Opposing counsel may cross examine the requesting attorney as to any of the submitted material.

### **LR 79-FL00-19 Agreed Matters - Submission**

No agreed matter shall be submitted unless accompanied with a signed agreement, and other appropriate documents, such as the decree, a wage withholding order, or a qualified domestic relations order. However, if the parties reach a settlement on the courthouse steps, then the court shall accept evidence of that settlement on the record, and enter the appropriate order upon preparation and filing by counsel within 21 days after submission, or such additional time as the court may allow.

### **LR 79-FL00-20 Orders Excluding Parent from the Residence**

In all instances where emergency or extraordinary relief is requested including, but not limited to, excluding a parent from the residence, the court shall require full compliance with the provisions of Trial Rules 65(B) and 65(E). In situations involving allegations of physical abuse, intimidation or stalking, relief may be sought by a separate filing for an Order of Protection.

*(Effective January 1, 2012)*

## **Index to Appendices**

Certificate of Compliance in Dissolution Cases	Appendix A
Certificate of Compliance in Paternity Cases	Appendix B
Parenting Plan Proposal	Appendix C
Summons and Notice of Hearing in Proceedings of Dissolution of Marriage	Appendix D
Summons in Proceedings for Dissolution of Marriage	Appendix D-1
Summons and Notice of Initial Hearing in a Paternity Case	Appendix E
Judges' Notice to Parents Going Through Divorce	Appendix F
Judges' Notice to Parents In Paternity Cases	Appendix G
Financial Declaration Form: Dissolution of Marriage	Appendix H
Financial Declaration Form: Paternity and Post-Decree	Appendix I

## Appendix A

CAPTION

### CERTIFICATION OF COMPLIANCE IN DISSOLUTION CASES

The undersigned, as the (select: Mother or Father) in the within cause, does hereby certify that:

1. On (type date) I did complete the mandatory website work as required by FLR 5 and have attached hereto my certificate to confirm the same; and,
2. On (type date) I did complete the mandatory co-parenting class as required by FLR 6 and have attached hereto my certificate to confirm the same.

I affirm under the penalties for perjury that the foregoing representations are true.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Type name), (select: Mother or Father)

## Appendix B

CAPTION

### CERTIFICATION OF COMPLIANCE IN PATERNITY CASES

The undersigned, as the (select: Mother or Father) in the within cause, does hereby certify that:

On (type date) I did complete the mandatory website work as required by the FLR 5 and have attached hereto my certificate to confirm the same.

I affirm under the penalties for perjury that the foregoing representations are true.

Date: \_\_\_\_\_

\_\_\_\_\_  
(Type name), (select: Mother or Father)



2. The declared legal residence of our children for school and legal purposes will be:

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3. Due to the circumstances of the lives of the members of our family, including work schedules and the like, our parenting time schedule for our children to be with each of us will vary from the **minimum** set forth in the Indiana Parenting Guidelines, as follows:

Weekdays: \_\_\_\_\_

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Weekends: \_\_\_\_\_

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Holidays and Special Days: \_\_\_\_\_

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Extended Parenting Time/Summer Vacation: \_\_\_\_\_

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4. In the event of disagreement, we will speak to one another first to try to resolve any parenting issues. If we are unable to resolve all the issues, then we will utilize the following: (Circle all that apply and add any additional ones.)

- A. Redoing the (select: [www.UpToParents.org](http://www.UpToParents.org)/[www.ProudToParent.org](http://www.ProudToParent.org)) website work.
- B. Additional co-parenting classes, including re-attending the basic class or attending high-conflict classes.
- C. Mediation.
- D. Arbitration.
- E. Individual, joint, family, or child counseling.
- F. Appointment of a parenting time coordinator (PTC) to work with us.
- G. Appointment of a guardian ad litem (GAL) for our children.
- H. Other (specify): \_\_\_\_\_

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5. Other provisions of our parenting plan would be: \_\_\_\_\_

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Dated: \_\_\_\_\_

\_\_\_\_\_  
(Select: Mother/Father)

\_\_\_\_\_  
(attorney's name)

Indiana Attorney No.: \_\_\_\_\_

(firm name)

Attorney for (select: Mother/Father)

(address)

(phone number)

### ACCEPTANCE

By our signatures, we, as the parents, now agree to all of the terms set forth above as our Parenting Agreement and that this document is now admissible in to evidence in court.

\_\_\_\_\_  
(Select: Mother/Father) (Select: Mother/Father)

Date: \_\_\_\_\_, 20 \_\_. Date: \_\_\_\_\_, 20 \_\_.

\_\_\_\_\_  
(attorney's name) (attorney's name)

Indiana Attorney No.: \_\_\_\_\_

(firm name) (firm name)

Attorney for (select: Mother/Father) Attorney for (select: Mother/Father)

(address) (address)

(phone number) (phone number)

As dedicated parents, we will do our best to:

Remember that our children's only job is to be children, not our messengers, spies, counselors, confidants, or carriers of our hurt.

Be sure to remember that our love for our children is greater than any issue we could have with each other.

Respect each other's parenting time while also being flexible, so the children's lives can be as normal as possible.

Educate our extended families and close friends that they need to make peace as well.

Pay special attention to keep our appointments and schedules with each other and calling promptly if any problems come up.

## Appendix D

STATE OF INDIANA )  
COUNTY OF TIPPECANOE ) SS:

IN THE (Title, Address and Phone Number of  
Court)

IN RE: THE MARRIAGE OF  
(Name of Filing Party),  
(select: Mother, Wife, Father, Husband)  
and  
(Name of Spouse),  
(select: Mother, Wife, Father, Husband)

Cause No. \_\_\_\_\_

### SUMMONS AND NOTICE OF HEARING IN PROCEEDINGS FOR DISSOLUTION OF MARRIAGE

THE STATE OF INDIANA TO: (name of spouse being served)  
(address)

Your spouse has filed an action for dissolution of marriage in the Court stated above. A copy of the Petition (and, in some cases, other documents) together with a separate Notice from the Court which is printed on yellow paper are attached to or otherwise served with this Summons and contain important details regarding the nature of these proceedings. Local Rules in Tippecanoe County require that both you and your spouse complete certain, specific tasks and you should immediately and carefully review those requirements.

THIS IS YOUR OFFICIAL NOTICE that a hearing on Provisional Orders has been scheduled for \_\_\_\_\_, 20\_\_ , at \_\_\_\_M. before this Court, in (room number) which is located on the ( floor), at the address listed in the upper right hand corner of this Summons. If you wish to hire an attorney to represent you in this matter, it is advisable to do so before that date. If you do not appear for that hearing, a provisional order could be entered by default which could remain in effect until this action is concluded.

THIS IS YOUR OFFICIAL NOTICE that a final hearing has been scheduled for \_\_\_\_\_, 20\_\_ , at \_\_\_\_M. before this Court, in (room number) which is located on the ( floor), at the address listed in the upper right hand corner of this Summons. If you do not file a written appearance with the Clerk and serve a copy on your spouse's attorney, you may not receive notice of any further proceedings in this action. If you do not make such an appearance, a final decree could be entered by default which grants the relief sought in your spouse's Petition after the expiration of sixty (60) days from the date of the filing of the Petition. You are not required to file any written Answer to respond to the Petition; however, certain grounds for dismissal must be asserted in a timely fashion or are waived; and, if you have a claim for relief against your spouse you may be required to assert such a claim in a written pleading which must be filed with the Clerk and served on your spouse's attorney.

The following manner of service of this SUMMONS is hereby designated:

Date:

(Name of attorney for Filing Party)  
Indiana Attorney No: (insert)  
(firm name)  
Attorney for (select: Mother, Wife, Father, Husband)  
(address)  
(phone number)

JULIE ROUSH  
CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS  
By: \_\_\_\_\_  
Deputy Clerk

**PREPARATION DATA:**

All summons are to be prepared in triplicate with the original of each to be placed in the Court file with two copies available for service.

If service is by certified mail a properly addressed envelope shall be provided for the party being served. Certified mail labels and return receipts must also be furnished for each mailing and the cause number must appear on each return receipt, which shall be returnable to the Clerk at the address of the Court.

**CLERK'S CERTIFICATE OF MAILING**

I hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ , I mailed a copy of this Summons and a copy of the Petition to the party being served, , by mail, requesting a return receipt, at the address furnished by the filing party.

JULIE ROUSH  
CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Deputy Clerk

**RETURN ON SERVICE OF SUMMONS BY MAIL**

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Petition mailed to the party being served, \_\_\_\_\_, was accepted by the party being served on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Petition was returned not accepted on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

JULIE ROUSH  
CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS

Dated: \_\_\_\_\_, 20\_\_ .

BY: \_\_\_\_\_  
Deputy Clerk

**RETURN OF SERVICE OF SUMMONS BY SHERIFF**

I hereby certify that I have served the within Summons:

- 1) By delivering on \_\_\_\_\_, 20\_\_ , a copy of this Summons and a copy of the Petition to each of the within named person(s).
- 2) By leaving on \_\_\_\_\_, 20\_\_ , for each of the within named person(s) a copy of the Summons and a copy of the Petition at the respective dwelling house or usual place of abode, in \_\_\_\_\_, Indiana, with a person of suitable age and discretion residing within, whose usual duties or activities include prompt communication of such information to the person served, or by otherwise leaving such process thereat, and by mailing a copy of the Summons without the Petition to the said named person(s) at the address listed herein.
- 3) This Summons came to hand this date, \_\_\_\_\_, 20\_\_ . The within named \_\_\_\_\_ was not found in my bailiwick this date \_\_\_\_\_, 20\_\_ .

ALL DONE IN TIPPECANOE COUNTY, INDIANA.

BOB GOLDSMITH  
SHERIFF OF TIPPECANOE COUNTY, INDIANA

By: \_\_\_\_\_

**SERVICE ACKNOWLEDGED**

I hereby acknowledge that I received a copy of the within Summons and a copy of the Petition at in \_\_\_\_\_, Indiana, on this date, \_\_\_\_\_, 20\_\_ .

\_\_\_\_\_  
Signature of Party Served

## Appendix D-1

STATE OF INDIANA  
COUNTY OF TIPPECANOE, SS:  
IN THE (Title, Address and Phone Number of  
Court)  
IN RE: THE MARRIAGE OF  
(Name of Filing Party),  
(select: Mother, Wife, Father, Husband)  
and  
(Name of Spouse),  
(select: Mother, Wife, Father, Husband)  
Cause No.

### SUMMONS

### IN PROCEEDINGS FOR DISSOLUTION OF MARRIAGE

THE STATE OF INDIANA TO: (name of spouse being served)  
(address)

Your spouse has filed an action for dissolution of marriage in the Court stated above. A copy of the Petition (and, in some cases, other documents) together with a separate Notice from the Court which is printed on yellow paper are attached to or otherwise served with this Summons and contain important details regarding the nature of these proceedings. Local Rules in Tippecanoe County require that both you and your spouse complete certain, specific tasks and you should immediately and carefully review those requirements.

If you do not file a written appearance with the Clerk and serve a copy on your spouse's attorney, you may not receive notice of any further proceedings in this action. If you do not make such an appearance, a final decree could be entered by default which grants the relief sought in your spouse's Petition after the expiration of sixty (60) days from the date of the filing of the Petition. You are not required to file any written Answer to respond to the Petition; however, certain grounds for dismissal must be asserted in a timely fashion or are waived; and, if you have a claim for relief against your spouse you may be required to assert such a claim in a written pleading which must be filed with the Clerk and served on your spouse's attorney.

The following manner of service of this SUMMONS is hereby designated:

(select: Registered or certified mail, return receipt #

Sheriff of Tippecanoe County

Private service by:

Other (specify): )

Date:

(Name of attorney for Filing Party)

Indiana Attorney No: (insert)

(firm name)

Attorney for (select: Mother, Wife, Father, Husband)

(address)

(phone number)

JULIE ROUSH

CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS

By:

Deputy Clerk

PREPARATION DATA:

All summons are to be prepared in triplicate with the original of each to be placed in the Court file with two copies available for service.

If service is by certified mail a properly addressed envelope shall be provided for the party being served. Certified mail labels and return receipts must also be furnished for each mailing and the cause number must appear on each return receipt, which shall be returnable to the Clerk at the address of the Court.

## Appendix E

STATE OF INDIANA IN THE SUPERIOR COURT OF TIPPECANOE COUNTY  
JUVENILE DIVISION, 301 Main Street  
COUNTY OF TIPPECANOE Lafayette, Indiana 47901 (765) 423-9295  
IN THE MATTER OF THE PATERNITY OF: \_\_\_\_\_  
CAUSE NO. 79D03-0107-JP-0000

(Name of Child)

(Gender and Date of Birth)

(Name of Father),

Putative Father,

and

(Name of Mother).

Mother

(Name of Child) b/n/f (Name of Petitioner)

### SUMMONS

### AND NOTICE OF INITIAL HEARING IN A PATERNITY CASE

THE STATE OF INDIANA TO: (Name of Respondent)

(Address of Respondent)

A paternity action has been filed in the Court stated above. A copy of the Petition (and, in some cases, other documents) together with a separate Notice from the Court which is printed on yellow paper are attached to or otherwise served with this Summons contains important details regarding the nature of these proceedings. Local Rules in Tippecanoe County require that both parties to this case complete certain specific tasks. You should immediately and carefully review those requirements.

**THIS IS YOUR OFFICIAL NOTICE** that an Initial Hearing to Establish Paternity is scheduled for the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at \_\_\_ o'clock \_\_\_m. at the address listed in the upper right hand corner of this Summons. If you wish to hire an attorney to represent you in this matter, it is advisable to do so before that date. **If you do not appear for that hearing, a final order could be entered by default determining paternity, custody, parenting time and child support.**

If you do not file a written appearance with the Clerk and serve a copy on the attorney whose name and address is set forth at the bottom of this page, you may not receive notice of any further proceedings in this action. You are not required to file any written Answer to respond to the Petition; however, certain grounds for dismissal must be asserted in a timely fashion or are waived; and, if you have a claim for relief against the person who filed the Petition, you may be required to assert such a claim in a written pleading which must be filed with the Clerk and served upon the attorney whose name and address is set forth at the bottom of this page.

The following manner of service is designated: **Sheriff (or CMRRR, or Private Server etc.)**

Date: JULIE ROUSH

CLERK, SUPERIOR COURT OF TIPPECANOE COUNTY

Attorney for Putative Father By: \_\_\_\_\_

(Address of Attorney)

### CLERK'S CERTIFICATE OF MAILING

I hereby certify that on the day of \_\_\_\_\_, 20\_\_\_, I mailed a copy of this Summons and a copy of the Petition to the party being served, , by mail, requesting a return receipt, at the address furnished by the filing party.

JULIE ROUSH

CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS

Dated: \_\_\_\_\_, 20\_\_\_ . BY: \_\_\_\_\_

Deputy Clerk

### RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Petition mailed to the party being served, , was accepted by the party being served on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ .

I hereby certify that the attached return receipt was received by me showing that the Summons and a copy of the Petition was returned not accepted on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_ .

JULIE ROUSH

CLERK, TIPPECANOE CIRCUIT/SUPERIOR COURTS

Dated: \_\_\_\_\_, 20\_\_\_ . BY: \_\_\_\_\_

Deputy Clerk

**RETURN OF SERVICE OF SUMMONS BY SHERIFF**

I hereby certify that I have served the within Summons:

1. By delivering on \_\_\_\_\_, 20\_\_, a copy of this Summons and a copy of the Petition to each of the within named person(s).

2. By leaving on \_\_\_\_\_, 20\_\_, for each of the within named person(s) a copy of the Summons and a copy of the Petition at the respective dwelling house or usual place of abode, in \_\_\_\_\_, Indiana, with a person of suitable age and discretion residing within, whose usual duties or activities include prompt communication of such information to the person served, or by otherwise leaving such process thereat, and by mailing a copy of the Summons without the Petition to the said named person(s) at the address listed herein.

3. This Summons came to hand this date, \_\_\_\_\_, 20\_\_. The within named \_\_\_\_\_ was not found in my bailiwick this date, \_\_\_\_\_, 20\_\_.

ALL DONE IN TIPPECANOE COUNTY, INDIANA.

BOB GOLDSMITH

SHERIFF OF TIPPECANOE COUNTY, INDIANA

By: \_\_\_\_\_

**SERVICE ACKNOWLEDGED**

I hereby acknowledge that I received a copy of the within Summons and a copy of the Petition at in \_\_\_\_\_, Indiana, on this date, \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature of Party Served

## Appendix F

### JUDGES' NOTICE TO PARENTS GOING THROUGH DIVORCE

We, the Judges and Magistrates of Tippecanoe County, share the following information so that you will know of our commitment to the best interests of children. *Please read this information carefully, as we expect you and all other persons involved in your case to be partners in serving those best interests.*

1. As soon as possible, read the Tippecanoe County Rules of Family Law for important information about how divorce cases will be handled to:

ensure safety;  
reduce conflict;  
build cooperation; and,  
protect the best interests of all family members, especially all children.

2. If you and your spouse have any children under the age of 18, you **must** do the following within 30 days:

- a. Register for a co-parenting class.
- b. Complete the work on [www.UpToParents.org](http://www.UpToParents.org), and take your completed work to your co-parenting class, give a copy to your attorney, and bring it with you to all court appearances and other meetings.

3. If you and your spouse have any children under the age of 18, you should attempt to establish your own plan for the decision making and living arrangements that will serve to nurture and protect your children. A plan which is worked out between the parents to fit the needs of their children and family is almost always the best. You should review the Indiana Parenting Time Guidelines. The Court considers those Guidelines to be the **minimum** parenting time for each parent to have frequent, meaningful, and continuing contact with their children.

4. You and your spouse must complete and exchange Financial Declaration Forms with all required attachments.

## Appendix G

### JUDGES' NOTICE TO PARENTS IN PATERNITY CASES

We, the Judges and Magistrates of Tippecanoe County, share the following information so that you will know of our commitment to the best interests of children. *Please read this information carefully, as we expect you and all other persons involved in your case to be partners in serving those best interests.*

1. **If either of you question whether or not the man named as the father in this case is the father, and the man named as the father has not signed a paternity affidavit admitting paternity of the child at issue**, the Court will order genetic testing at the initial hearing to establish paternity. If the man named as father is found not to be the father by genetic testing, the case will be dismissed.
  
2. **If paternity is established**, whether by agreement or otherwise, or following genetic testing, the Local Rules of the Circuit and Superior Court of Tippecanoe County, Indiana, require you to do the following:
  - A. **Complete the work on [www.ProudToParent.org](http://www.ProudToParent.org)** and furnish the Court with a certification that you have done so.
  
  - B. **Complete and exchange Financial Declaration Forms with all required attachments.**
  
3. **In addition, if paternity is established**, whether by agreement or otherwise, or following genetic testing, you will be expected to do the following:
  - A. **Devise a Parenting Plan for your children.** A Parenting Plan consists of the decision making and living and financial arrangements that will serve to nurture and protect your children as the years progress. A plan which is worked out between the parents to fit the needs of their children and family is almost always best. You should review the Indiana Parenting Time Guidelines. The Court considers those Guidelines to be the **minimum** parenting time for each parent to have frequent, meaningful, and continuing contact with their children. If you fail to devise a successful Parenting Plan for your children, this Court may require you to attend and complete, at your own expense, a co-parenting class.
  
  - B. **Read the Tippecanoe County Rules of Family Law and the Indiana Parenting Time Guidelines** for additional important information on the Court's expectation that everyone involved in your case will be a partner in:  
  
**ensuring safety;**  
**reducing conflict;**  
**building cooperation; and,**  
**protecting the best interests of all family members, especially all children.**

## Appendix H

### DISSOLUTION OF MARRIAGE: FINANCIAL DECLARATION FORM STATE OF INDIANA: CIRCUIT AND SUPERIOR COURTS OF TIPPECANOE COUNTY

IN RE THE MARRIAGE OF: Cause No. \_\_\_\_\_

\_\_\_\_\_  
(select: Mother, Wife, Father, Husband)  
and

\_\_\_\_\_  
(select: Mother, Wife, Father, Husband)

FINANCIAL DECLARATION OF: \_\_\_\_\_

*This declaration is considered mandatory discovery and must be exchanged between the parties within 60 days of the initial filing of the Dissolution of Marriage. Parties not represented by counsel are required to comply with these practices. Failure by either party to complete and exchange this form as required will authorize the court to impose sanctions set forth in Rule 6 of the Tippecanoe County Rules of Family Law. If appraisals or verifications are not available within 60 days the from must be exchanged within 60 days with a notation that appraisals or verifications are being obtained and then the Declaration shall be supplemented within 30 days thereafter.*

Husband: \_\_\_\_\_ Wife: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

Soc. Sec. No.: \_\_\_\_\_ Soc. Sec. No.: \_\_\_\_\_  
Badge/Payroll No.: \_\_\_\_\_ Badge/Payroll No.: \_\_\_\_\_  
Occupation: \_\_\_\_\_ Occupation: \_\_\_\_\_  
Employer: \_\_\_\_\_ Employer: \_\_\_\_\_  
Date started this employment: \_\_\_\_\_ Date started this employment: \_\_\_\_\_  
Birth Date: \_\_\_\_\_ Birth Date: \_\_\_\_\_  
Date of Marriage: \_\_\_\_\_  
Date of Physical Separation: \_\_\_\_\_  
Date of Filing: \_\_\_\_\_

35

List Names, dates of birth, and social security numbers of all children of this relationship, whether by birth or adoption:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List Names and dates of birth of any other children living at the residence of the person responding (identify if these are children of the responding party) and for each such person indicate the amount of support, if any, that is received:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Part I. INCOME AND EXPENSES STATEMENT**

**Attach COMPLETE copies of your Federal Income Tax Returns for the last three taxable years including all W2's and 1099's. Also attach proof of all wages earned in the present year up to the date of your response.** If current wage statement shows year to date wages and itemized deductions this is sufficient. If current wage statement does not indicate year to date earnings and deductions attach the 8 most recent pay stubs.

**Person Responding**

**A. Gross yearly** income from Salary and Wages, including commissions, bonuses, allowances and overtime received in most recent year. \_\_\_\_\_

**Average gross pay per** pay period (indicate whether you are paid weekly each 2 weeks or twice per month)

\_\_\_\_\_

**B. Gross Monthly Income From Other Sources**

List and explain in detail any Rents received, Dividend income, or Pension, Retirement, Social Security, Disability and/or Unemployment Insurance benefits - or any other source including Public assistance, food stamps, and child support received for any child not born of the parties of this marriage.

\_\_\_\_\_

\_\_\_\_\_

Some of these items may not apply to support or maintenance computations.

36

**C. SELECTED LIVING EXPENSES: List names and relations of each member of the household of the Responding party whose expenses are included.**

\_\_\_\_\_

\_\_\_\_\_

**For each expense attach verification of payment** even if it is not specifically requested on this form – please note that Indiana uses an Income Shares model for determining support and thus in most cases the expenses that a party has or does not have are not relevant in determining support under the Indiana Support Guidelines.

**However if** you claim your expenses justify a deviation from the support guidelines attach a detailed list of expenses together with verification of same.

**Person Responding**

Rent or Mortgage payments (residence) \_\_\_\_\_

Real Property Taxes (residence) if not included in mortgage payment \_\_\_\_\_

Real Property Insurance (residence) if not included in mortgage payment \_\_\_\_\_

Cost of **all** Medical Insurance - specify time period -

Attach verification of payment if not on pay stub \_\_\_\_\_

Cost of **only** that medical insurance that is related to the

children of this action - specify time period - attach

verification from employer or insurance company \_\_\_\_\_

Child care costs - **to permit work** - specify time

period (per day, week, month) - attach verification \_\_\_\_\_

Pre-School Costs (specify time period week, semester or year) \_\_\_\_\_

School Tuition - per semester (Grade or High School) \_\_\_\_\_

Book Costs - per semester (Grade or High School) \_\_\_\_\_

**For Post High School Attach separate list with explanation of loans and scholarships and grants \_\_\_\_\_**

Child support paid for children other than those involved in this case - attach proof of payment \_\_\_\_\_

**D. IN ALL CASES INVOLVING CHILD SUPPORT:** Prepare and attach any Indiana Child Support Guideline Worksheet (with documentation verifying your income); or, supplement with such a Worksheet within ten (10) days of the exchange of this Form.

Further, if there exists a parenting plan or pattern then state the number of overnights the non-custodial parent will have the child during the year.

The yearly number of overnights is \_\_\_\_\_

**E. POST HIGH SCHOOL EDUCATION EXPENSE**

If any of the children subject to this case are attending post high school classes, or will attend within the next six months list the following information for each such student. **Further attach to this financial affidavit any documentation you have in support of these answers.**

Name of Student \_\_\_\_\_

Name of School \_\_\_\_\_

Cost of School per year - If applicable, include room and board \_\_\_\_\_

Identify all student financial aid including grants, scholarships, and loans and for each indicate what it is and how much will be received: \_\_\_\_\_

\_\_\_\_\_  
Note in those cases where it is appropriate parties may want to engage in additional discovery concerning assets that might be applied to education such as IRA's, 401 K's etc. Note further that withdrawals from IRA's for educational expenses do not suffer a 10% penalty (IRC code sec 72 (t) 2 (e).

**F. Debts And Obligations:** (Include credit union) attach additional sheets as needed. Indicate any special circumstances, i.e., premarital debts, debts in arrears on the date of physical separation, or date of filing and the

amount or number of payments in arrears.

**ATTACH A COPY OF THE MOST RECENT STATEMENT FOR EACH LISTED DEBT**

**Creditor's Name & Persons on**

**Account**

**Balance**

**Monthly Payment**

**PART II. NET WORTH - ATTACH ALL AVAILABLE DOCUMENTATION TO VERIFY VALUES -**

List all property owned either individually or jointly. Indication who holds or how the title is held: (H) Husband, (W) Wife, or (J) Jointly or other appropriate indication. WHERE SPACE IS INSUFFICIENT FOR COMPLETE INFORMATION OR LISTING PLEASE ATTACH SEPARATE PAGE.

**A. Household Furnishings:** (Value of Furniture, Appliances, and Equipment, as a whole - You need not itemize - indicate whether you use replacement cost or garage sale value) \_\_\_\_\_

**B. Automobiles, Boats, Snowmobiles, Motorcycles, Etc.:**

**Year - Make & Present Value**

**Titled Owner**

**Balance Owed**

**C. Cash and Deposit Accounts:** (including ALL banks, savings and loan associations, credit unions, thrift plans, mutual funds, certificate of deposit, savings and/or checking accounts, IRA's and annuities). **This also includes listing the contents of any safety deposit boxes.** Use additional page if necessary.

**Name of Institution &**

**Type of Account**

**Owners**

**Account No.**

**Balance**

**D. Securities:** (Stocks, Bonds, Etc) - use additional page if necessary

**Company Name**

**Owner**

**Shares**

**Value**

**E. Real Estate:** (attach separate sheet with the following information for each separate piece of real estate).

Address: \_\_\_\_\_ Type of Property: \_\_\_\_\_

\_\_\_\_\_ Date of Acquisition: \_\_\_\_\_

Original Cost: \_\_\_\_\_ Present Value: \_\_\_\_\_

Basis for Valuation: \_\_\_\_\_

(Attach appraisal if obtained)

1<sup>st</sup> MORTGAGE BALANCE AS OF DATE OF ANSWER: \_\_\_\_\_

Other liens (amount and type): \_\_\_\_\_

Monthly payment on each mortgage: 1<sup>st</sup>: \_\_\_\_\_ 2<sup>nd</sup>: \_\_\_\_\_

To whom paid: \_\_\_\_\_

Taxes (if not included in Mtg. payment): \_\_\_\_\_

Insurance (if not included in Mtg. payment): \_\_\_\_\_

Special Assessments (including utility or condo assessments): \_\_\_\_\_

Identify Individual contributions to the real estate (for example, inheritance, pre-marital assets, personal loans, etc.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**F. Retirement Plans:** List monthly amount you would be entitled to at earliest retirement date (indicating that date) if you stopped work today. Your response should indicate date of valuation. Further, if it is a defined interest plan list present amount in plan and date of valuation.

Also, identify whose plan it is and list both the name and the address of administrator of plan - indicate whether plan is vested - if not vested, indicate when it will vest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Attach documents from each plan verifying information. If not yet received, attach a copy of your written request to the plan(s).**

**G. Life Insurance:** Give name of insured, beneficiary, company issuing, policy #, type of insurance (term, whole life, group), face value, cash value and any loans against - include plans provided by employer:

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**H. Business or Professional Interests:** Indicate name, share, type of business, value less indebtedness, etc.:

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**I. Other Assets:** (this includes coin, stamp or gun collections or other items of unusual value). Use additional pages as needed:

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**PART III. VERIFICATION**

I declare, under the penalty of perjury, that the foregoing, including any valuations and attachments, is true and correct and that I have made a complete and absolute disclosure of all of my assets and liabilities. Furthermore, I understand that if, in the future, it is proven to this court that I have intentionally failed to disclose any asset or liability, I may lose the asset and may be required to pay the liability. Finally, I acknowledge that sanctions may be imposed against me, including reasonable attorney's fees and expenses incurred in the investigation, preparation and prosecution of any claim or action that proves my failure to disclose income, assets or liabilities.

DATE: \_\_\_\_\_

\_\_\_\_\_  
PARTY'S SIGNATURE

**PART IV. ATTORNEY'S CERTIFICATION**

I have reviewed with my client the foregoing information, including any valuations and attachments, and sign this certificate consistent with my obligation under Trial Rule 11 of the Indiana Rules of Procedure.

DATE: \_\_\_\_\_

\_\_\_\_\_  
(attorney's name)

Indiana Attorney No.:

(firm name)

Attorney for (select: Mother/Father)

(address)

(phone number)

**Appendix I**

**PATERNITY & POST DECREE: FINANCIAL DECLARATION FORM**  
**STATE OF INDIANA: CIRCUIT AND SUPERIOR COURTS OF TIPPECANOE COUNTY**  
IN RE THE MARRIAGE OF: Cause No. \_\_\_\_\_

\_\_\_\_\_  
(select: Mother, Wife, Father, Husband)  
and

\_\_\_\_\_  
(select: Mother, Wife, Father, Husband)

FINANCIAL DECLARATION OF: \_\_\_\_\_

*This declaration is considered mandatory discovery and must be exchanged between the parties within 30 days of the filing of any paternity case or any post decree matter. Parties not represented by counsel are required to comply with these practices. Failure by either party to complete and exchange this form as required will authorize the court to impose the sanctions set forth in Rule 6 of the Tippecanoe County Rules of Family Law, these include costs and attorney fees.*

Father: \_\_\_\_\_ Mother: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

Soc. Sec. No.: \_\_\_\_\_ Soc. Sec. No.: \_\_\_\_\_  
Badge/Payroll No.: \_\_\_\_\_ Badge/Payroll No.: \_\_\_\_\_  
Occupation: \_\_\_\_\_ Occupation: \_\_\_\_\_  
Employer: \_\_\_\_\_ Employer: \_\_\_\_\_  
Date stated this employment: \_\_\_\_\_ Date started this employment: \_\_\_\_\_  
Birth Date: \_\_\_\_\_ Birth Date: \_\_\_\_\_

List the following Dates as Applicable:  
Date of Dissolution: \_\_\_\_\_ Date of most recent support order: \_\_\_\_\_  
Date of Filing of this paternity action: \_\_\_\_\_  
Date of Filing of this post decree action: \_\_\_\_\_

List Names, dates of birth, and social security numbers of all children of this relationship, whether by birth or adoption:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List Names and dates of birth of any other children living at the residence of the person responding (identify if these are children of the responding party) and for each such person indicate the amount of support, if any, that is received:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Part I. INCOME AND EXPENSES STATEMENT**

**Attach COMPLETE copies of your Federal Income Tax Returns for the last three taxable years including all W2's and 1099's. Also attach proof of all wages earned in the present year up to the date of your response.** If current wage statement shows year to date wages and itemized deductions this is sufficient. If current wage statement does not indicate year to date earnings and deductions attach the 8 most recent pay stubs.

**Person Responding**

**A. Gross yearly** income from Salary and Wages, including commissions, bonuses, allowances and overtime received in most recent year. \_\_\_\_\_

**Average gross pay per** pay period (indicate whether you are paid weekly each 2 weeks or twice per month)

\_\_\_\_\_

**B. Gross Monthly Income From Other Sources<sup>2</sup>**

<sup>2</sup>Some of these items may not apply to support or maintenance computations.

List and explain in detail any Rents received, Dividend income, or Pension, Retirement, Social Security, Disability and/or Unemployment Insurance benefits - or any other source including Public assistance, food stamps, and child support received for any child not born of the parties of this marriage.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**C. SELECTED LIVING EXPENSES: List names and relations of each member of the household of the Responding party whose expenses are included.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**For each expense attach verification of payment** even if it is not specifically requested on this form – please note that Indiana uses an Income Shares model for determining support and thus in most cases the expenses that a party has or does not have are not relevant in determining support under the Indiana Support Guidelines.

**However if** you claim your expenses justify a deviation from the support guidelines attach a detailed list of expenses together with verification of same.

**Person Responding**

Rent or Mortgage payments (residence) \_\_\_\_\_

Real Property Taxes (residence) if not included in mortgage payment \_\_\_\_\_

Real Property Insurance (residence) if not included in mortgage payment \_\_\_\_\_

Cost of **all** Medical Insurance - specify time period -

Attach verification of payment if not on pay stub \_\_\_\_\_

Cost of **only** that medical insurance that is related to the children of this action - specify time period – attach verification from employer or insurance company \_\_\_\_\_

Child care costs - **to permit work** - specify time period (per day, week, month) - attach verification

Pre-School Costs (specify time period week, semester or year) \_\_\_\_\_

School Tuition - per semester (Grade or High School) \_\_\_\_\_

Book Costs - per semester (Grade or High School) \_\_\_\_\_

**For Post High School Attach separate list with explanation of loans and scholarships and grants** \_\_\_\_\_

Child support paid for children other than those involved in this case - attach proof of payment \_\_\_\_\_

**D. IN ALL CASES INVOLVING CHILD SUPPORT:** Prepare and attach any Indiana Child Support Guideline Worksheet (with documentation verifying your income); or, supplement with such a Worksheet within ten (10) days of the exchange of this Form.

Further, if there exists a parenting plan or pattern then state the number of overnights the non-custodial parent will have the child during the year.

The yearly number of overnights is \_\_\_\_\_

**PART II. ARREARAGE COMPUTATION**

If case involves a claim of a support or other arrearage, attach all records or other exhibits regarding payment history and compute the arrearage as of the date of the filing of the petition or motion which raises that issue. Explain in detail how arrearage is calculated.

\_\_\_\_\_  
\_\_\_\_\_

**PART III. POST HIGH SCHOOL EDUCATION EXPENSE**

If any of the children subject to this case are attending post high school classes, or will attend within the next six months list the following information for each such student. **Further attach to this financial affidavit any documentation you have in support of these answers.**

Name of Student \_\_\_\_\_

Name of School \_\_\_\_\_

Cost of School per year - If applicable, include room and board \_\_\_\_\_

Identify all student financial aid including grants, scholarships, and loans and for each indicate what it is and how much will be received:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note in those cases where it is appropriate parties may want to engage in additional discovery concerning assets that might be applied to education such as IRA's, 401 K's etc. Note further that withdrawals from IRA's for educational expenses do not suffer a 10% penalty (IRC code sec 72 (t) 2 (e).

**PART IV. VERIFICATION**

I declare, under the penalty of perjury, that the foregoing, is true and correct and that I have made a complete and absolute disclosure of all of my income and expenses as asked. I acknowledge that sanctions may be imposed against me, including reasonable attorney's fees and expenses incurred in the investigation, preparation and prosecution of any claim or action that proves my failure to disclose income or liabilities.

DATE: \_\_\_\_\_  
\_\_\_\_\_ PARTY'S SIGNATURE

**PART V. ATTORNEY'S CERTIFICATION**

I have reviewed with my client the foregoing information, including any valuations and attachments, and sign this certificate consistent with my obligation under Trial Rule 11 of the Indiana Rules of Procedure.

DATE: \_\_\_\_\_

(attorney's name)

Indiana Attorney No.:

(firm name)

Attorney for (select: Mother/Father)

(address)

(phone number)