

# PRENUPTIAL AGREEMENT QUESTIONNAIRE

Please complete this form and return to the address listed above. For optimum accuracy, please type or print clearly. If necessary please use additional sheets of paper to answer the questions.

GENERAL CLIENT INFORMATION				
CLIENT NAME (LAST)	FIRST	MI	SOCIAL SECURITY NUMBER	BIRTH DATE / /
PROSPECTIVE SPOUSE'S NAME (LAST)	FIRST	MI	SOCIAL SECURITY NUMBER	BIRTH DATE / /
CLIENT'S ADDRESS				
HOME TELEPHONE	HOME FAX		CELLULAR PHONE	
WORK TELEPHONE	WORK FAX		EMAIL	
ANTICIPATED DATE OF MARRIAGE / /				
I. PERSONAL AND FAMILY DATA				
A	DOES EITHER PARTY HAVE ASSUMED OR FORMER NAMES, SUCH AS A MAIDEN NAME, OR NICKNAMES, THAT SHOULD BE INCLUDED? <input type="checkbox"/> YES <input type="checkbox"/> NO IF SO, WHAT ARE THEY?			
B	DOES EITHER PARTY HAVE PREVIOUS MARRIAGE(S)? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE STATE THE NAME(S) OF THE FORMER SPOUSE(S), AND THE YEAR THAT THE DEATH OCCURRED, OR DISSOLUTION OF MARRIAGE WAS FINAL.			
C	ARE BOTH PARTIES U.S. CITIZENS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF NOT A U.S. CITIZEN, WHAT IS THE COUNTRY OF CITIZENSHIP? _____ FOR WHOM? _____			
D	ARE THERE ANY CHILDREN FROM A PRIOR MARRIAGE OR PRIOR RELATIONSHIP FOR EITHER PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO			
	NAME	BIRTH DATE / /	MOTHER'S NAME	FATHER'S NAME
		/ /		
		/ /		
E	WE STRONGLY RECOMMEND THAT YOUR PROSPECTIVE SPOUSE IS REPRESENTED BY SEPARATE COUNSEL IN ORDER TO STRENGTHEN THE EFFECTIVENESS OF THE PRENUPTIAL AGREEMENT. IF YOUR PROSPECTIVE SPOUSE WILL RETAIN COUNSEL, PLEASE FURNISH SUCH COUNSEL'S NAME AND CONTACT INFORMATION.			
NAME OF COUNSEL		ADDRESS		
WORK TELEPHONE		EMAIL ADDRESS		

## II. CLIENT'S ASSETS & OTHER FINANCIAL INFORMATION

<b>A</b>	<b>REAL ESTATE. IF POSSIBLE, PLEASE PROVIDE COPIES OF THE DEEDS (NOT DEEDS OF TRUST).</b>		
ADDRESS	TITLE IS HELD AS FOLLOWS:	FAIR MARKET VALUE \$	AMOUNT OWED \$
		\$	\$
		\$	\$
<b>B</b>	<b>IRAS (INDIVIDUAL RETIREMENT ACCOUNTS)</b>		
NAME OF INSTITUTION AND OWNER	ACCOUNT NUMBER	VALUE \$	DESIGNATED BENEFICIARY
		\$	
		\$	
<b>C</b>	<b>OTHER RETIREMENT PLANS (INCLUDING PENSIONS AND DEFERRED COMPENSATION)</b>		
NAME OF PLAN	PARTICIPANT VALUE \$	DESIGNATED BENEFICIARY	
	\$		
<b>D</b>	<b>LIFE INSURANCE AND ANNUITIES</b>		
NAME OF COMPANY	ACCOUNT NUMBER	FACE AMOUNT \$	DESIGNATED BENEFICIARY
		\$	
		\$	
<b>E</b>	<b>STOCKS AND BONDS. LIST BELOW OR PROVIDE COPIES OF RECENT STATEMENTS OR CERTIFICATES.</b>		
NAME OF SECURITY OR BROKERAGE	TITLE OF ACCOUNT IS AS FOLLOWS:	NUMBER OF SHARES (IF APPLICABLE)	CURRENT VALUE \$
			\$
			\$
<b>F</b>	<b>CASH</b>		
NAME OF FINANCIAL INSTITUTION	TITLE OF ACCOUNT IS AS FOLLOWS:	ACCOUNT NUMBER	CURRENT BALANCE \$
			\$
			\$
<b>G</b>	<b>INCOME</b>		
ANNUAL SALARY OF CLIENT \$		ANNUAL SALARY OF PROSPECTIVE SPOUSE \$	
DO YOU HAVE INCOME FROM OTHER SOURCES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE LIST.			
SOURCE OF INCOME		ANNUAL AMOUNT \$	

<b>H</b>	<b>OTHER ASSETS (E.G. PARTNERSHIPS, OTHER BUSINESS INTEREST, OR HIGHLY VALUED AUTOMOBILES, ANTIQUES, ART, JEWELRY, ETC.)</b>	
	ASSET	FAIR MARKET VALUE
		\$
		\$
		\$
<b>I</b>	<b>DOES EITHER PARTY EXPECT TO INHERIT PROPERTY?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO   WHO? _____ IF YES, PLEASE LIST THE ESTIMATED VALUE: \$ _____	
<b>J</b>	<b>ASIDE FROM ANY MORTGAGES OR DEEDS OF TRUST FROM REAL ESTATE, DO YOU HAVE ANY DEBT?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE LIST.	
		\$
		\$
<b>K</b>	<b>DO YOU HOLD ANY ASSETS IN JOINT TENANCY WITH YOUR PROSPECTIVE SPOUSE?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE LIST.	
<b>L</b>	<b>DO YOU HOLD ANY ASSETS IN JOINT TENANCY WITH SOMEONE OTHER THAN YOUR SPOUSE OR JOINTLY WITH ANOTHER PARTY?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE LIST.	
<b>III. PROPERTY</b>		
<p>THE DEFINITION OF SEPARATE PROPERTY CAN AFFECT WHAT PROPERTY EACH PARTY CONTROLS DURING THE MARRIAGE, AND THEIR RIGHTS IN THE EVENT OF A DIVORCE OR WHEN ONE SPOUSE DIES.</p> <p>UNDER CALIFORNIA LAW, THE DEFINITION OF SEPARATE PROPERTY AUTOMATICALLY INCLUDES PROPERTY ACQUIRED BY A PARTY PRIOR TO THE MARRIAGE AND PROPERTY ACQUIRED (AT ANY TIME) BY GIFT OR INHERITANCE. IN ADDITION, IN MOST CIRCUMSTANCES, SEPARATE PROPERTY ALSO INCLUDES ANDY RENTS AND PROFITS FROM THE SEPARATE PROPERTY DEFINED ABOVE.</p> <p>ALTERNATIVELY, COMMUNITY PROPERTY REFERS TO ALL OTHER PROPERTY ACQUIRED DURING MARRIAGE BY EITHER SPOUSE AS A RESULT OF HIS OR HER EFFORT (E.G. EMPLOYMENT COMPENSATION).</p> <p>A PREMARITAL AGREEMENT CAN CONFIRM AND ALSO CHANGE THE CHARACTERIZATION OF PROPERTY DEPENDING ON THE PARTIES' AGREEMENT.</p>		
<b>A</b>	<b>PLEASE CHECK WHICH PROPERTY YOU WOULD LIKE TO REMAIN SEPARATE PROPERTY</b>	
	<input type="checkbox"/> PROPERTY ACQUIRED BY GIFT OR INHERITANCE	<input type="checkbox"/> PROPERTY ACQUIRED BEFORE MARRAIGE
	<input type="checkbox"/> INCOME DERIVED FROM SEPARATE PROPERTY	<input type="checkbox"/> RETIREMENT OR PENSION BENEFITS OWNED BEFORE MARRAIGE
	<input type="checkbox"/> THE PROCEEDS OF THE SALE OF SEPARATE PROPERTY	<input type="checkbox"/> INCREASES IN THE VALUE OF YOUR SEPARATE PROPERTY ASSESTS CAUSED BY YOUR EFFORTS DURING MARRIAGE
	<input type="checkbox"/> COMPENSATION FOR PERSONAL SERVICES DURING MARRIAGE	<input type="checkbox"/> RETIREMENT OR PENSION BENEFITS ACQUIRED DURING MARRAIGE
	<input type="checkbox"/> PROPERTY ACQUIRED IN EXCHANGE FOR SEPARATE PROPERTY OR ACQUIRED WITH THE SALE OF SEPARATE PROPERTY	
<b>B</b>	<b>YOU MAY ACQUIRE JOINT OR MARITAL PROPERTY, SUCH AS A HOME ACQUIRED IN BOTH YOUR NAMES AND GIFTS. CHECK IF YOU ANTICIPATE THE FOLLOWING:</b>	
	<input type="checkbox"/> YOU MAY ACQUIRE SOME COMMUNITY PROPERTY WITH YOUR PROSPECTIVE SPOUSE.	
	<input type="checkbox"/> YOU DO NOT INTEND TO CREATE ANY COMMUNITY PROPERTY ALTHOUGH DOING SO IS POSSIBLE.	
	<input type="checkbox"/> NO PROPERTY ACQUIRED DURING MARRIAGE IS TO BE TREATED AS COMMUNITY PROPERTY (UNLESS THE PARTIES SIGN A SEPARATE WRITING IDENTIFYING SUCH AS COMMUNITY PROPERTY).	
	<input type="checkbox"/> ALL PROPERTY YOU ACQUIRE DURING MARRIAGE, UNLESS FALLING WITHIN THE DEFINITION OF SEPARATE PROPERTY, SHOULD BE TREATED AS COMMUNITY PROPERTY.	

<b>C</b>	<b>RECHARACTERIZATION OF PROPERTY</b>
DO YOU WANT TO SPECIFY THAT IF YOU COMMINGLE YOUR SEPARATE PROPERTY TO ACQUIRE NEW PROPERTY, THE INTERESTS OF THE PARTIES ARE TO REMAIN SEPARATE PROPERTY (IN PROPORTION TO THE AMOUNT CONTRIBUTED BY EACH)? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DO YOU WANT TO SPECIFY THAT YOUR SEPARATE PROPERTY CAN ONLY BE RECLASSIFIED AS COMMUNITY PROPERTY BY A WRITING EXECUTED BY THE OWNER OF THE SEPARATE PROPERTY? <input type="checkbox"/> YES <input type="checkbox"/> NO	
IF YOU CONTRIBUTE SEPARATE PROPERTY TO ACQUIRE AN ASSET TO BE HELD IN THE NAMES OF YOU AND YOUR PROSPECTIVE SPOUSE, DO YOU WISH TO RECEIVE YOUR SEPARATE PROPERTY BACK IN THE EVENT OF DISSOLUTION OF MARRIAGE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, DO YOU WANT TO RECEIVE INTEREST OR APPRECIATION ON THE SEPARATE PROPERTY YOU RECEIVE BACK?	
<b>D</b>	<b>LIVING EXPENSES</b>
<b>WITH REGARD TO LIVING EXPENSES (E.G. FOOD, CLOTHING, MEDICAL INSURANCE, TRAVEL, AND ENTERTAINMENT), THE EXPENSES ARE TO BE</b>	
<input type="checkbox"/> SHARED BY THE PARTIES AS THEY MAY LATER AGREE <input type="checkbox"/> SHARED EQUALLY <input type="checkbox"/> PAID SOLELY BY ONE PARTY (HUSBAND ____ WIFE ____) <input type="checkbox"/> SHARED UNEQUALLY WITH THE AMOUNTS OR PROPORTIONS TO BE SPECIFIED IN THE AGREEMENT (E.G. BY FRACTION OR PERCENTAGE, FIXED AMOUNT, PROPORTION TO INCOME, ETC). <input type="checkbox"/> THE AGREEMENT WILL BE SILENT	
<b>WILL THE PARTIES ESTABLISH A JOINT CHECKING ACCOUNT FOR HOUSEHOLD AND LIVING EXPENSES</b> <input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> JOINT ACCOUNT WITH DEPOSITS BECOMING COMMUNITY PROPERTY <input type="checkbox"/> THE PARTIES WILL LATER AGREE ABOUT FUNDING AN ACCOUNT <input type="checkbox"/> AGREEMENT WILL STATE THE AMOUNTS TO BE FUNDED AND BY WHOM WITH DEPOSITS BECOMING COMMUNITY PROPERTY	
<b>IF DEPOSITS INTO THE JOINT CHECKING ACCOUNT ARE INSUFFICIENT TO COVER THE LIVING EXPENSES, HOW WILL THIS BE RESOLVED?</b>	
<b>IV. AGREEMENT PROVISIONS</b>	
<b>A</b>	<b>MARITAL RESIDENCE</b> WHERE WILL THE MARITAL HOME BE LOCATED?
ADDRESS	WHO OWNS THIS PROPERTY?
DO YOU EVER INTEND TO TRANSFER ANY OWNERSHIP INTEREST IN THIS MARITAL RESIDENCE TO YOUR PROSPECTIVE SPOUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DO YOU ANTICIPATE ANY IMPROVEMENTS TO THIS PROPERTY IN THE FUTURE? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, HOW DO YOU INTEND TO PAY THE DEBT ONCE YOU ARE MARRIED?	
IS THERE AN ENCUMBRANCE ON THIS PROPERTY? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, HOW DO YOU INTEND TO PAY THE DEBT ONCE YOU ARE MARRIED? PROPERTY TAX AND HOMEOWNER'S INSURANCE?	
<b>B</b>	<b>SPOUSAL SUPPORT</b>
DO YOU WANT YOUR PROSPECTIVE SPOUSE TO AGREE TO A WAIVER OF SPOUSAL SUPPORT? <input type="checkbox"/> YES <input type="checkbox"/> NO	
DO YOU WANT YOUR PROSPECTIVE SPOUSE TO AGREE TO A LIMITATION OF SPOUSAL SUPPORT? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHAT LIMITATION?	
DO YOU WANT YOUR PROSPECTIVE SPOUSE TO AGREE TO A LUMP SUM PAYMENT OF SPOUSAL SUPPORT? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHAT LUMP SUM?	
<b>C</b>	<b>GIFTS</b> ARE GIFTS TO THE OTHER SPOUSE TO BE THAT SPOUSE'S SEPARATE PROPERTY? OR TO REMAIN COMMUNITY PROPERTY?
<b>D</b>	<b>INCOME TAX RETURNS</b>
WITH REGARD TO FILING INCOME TAX RETURNS,	
<input type="checkbox"/> THE PARTIES WILL FILE JOINT RETURNS AND THE COST OF PREPARATION AND ANY TAX LIABILITY WILL BE PAID EQUALLY BY THE PARTIES <input type="checkbox"/> THE PARTIES WILL FILE JOINT RETURNS AND THE COST OF PREPARATION AND ANY TAX LIABILITY WILL BE APPORTIONED BASED ON THE SPOUSE'S INCOME <input type="checkbox"/> THE PARTIES WILL FILE JOINT RETURNS AND THE COST OF PREPARATION AND ANY TAX LIABILITY WILL BE PAID BY _____ <input type="checkbox"/> THE PARTIES WILL FILE SEPARATE TAX RETURNS AND EACH WILL BE RESPONSIBLE FOR THE COST OF PREPARATION AND ANY TAX LIABILITY <input type="checkbox"/> THE AGREEMENT WILL BE SILENT ON THE SUBJECT	

<b>E</b>	<b>DEBTS</b>
WITH REGARD TO EXISTING DEBTS <input type="checkbox"/> EACH PARTY IS EXPRESSLY RESPONSIBLE TO PAY HIS OR HER OWN EXISTING DEBTS AT THE TIME OF THE MARRIAGE <input type="checkbox"/> ONE PARTY _____ WILL PAY ALL THE DEBTS OF THE OTHER SPOUSE _____ <input type="checkbox"/> THE AGREEMENT WILL BE SILENT ON THE SUBJECT	
<b>V. MISCELLANEOUS</b>	
<b>A</b>	<b>PRIOR AGREEMENTS</b>
HAVE YOU AGREED TO LEAVE YOUR PROSPECTIVE SPOUSE ANY SPECIFIC PROPERTY IN YOUR ESTATE PLAN (I.E. WILL OR TRUST)? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU AGREED TO NAME YOUR PROSPECTIVE SPOUSE AS BENEFICIARY OF ANY LIFE INSURANCE PROCEEDS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU AGREED TO NAME YOUR PROSPECTIVE SPOUSE ANY MONEY? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU AGREED TO NAME YOUR PROSPECTIVE SPOUSE AS BENEFICIARY OF ANY EMPLOYMENT BENEFITS? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU AGREED TO OWN ANY ASSETS JOINTLY WITH YOUR SPOUSE WITH RIGHT OF SURVIVORSHIP? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HAVE YOU AGREED TO TRANSFER ANY OF YOUR PROPERTY TO YOUR PROSPECTIVE SPOUSE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>B</b>	<b>RIGHTS UPON DEATH OF PARTY</b>
IN CALIFORNIA, THERE ARE CERTAIN RIGHTS AND BENEFITS A SPOUSE IS ENTITLED TO ONCE THE OTHER SPOUSE DIES. THESE RIGHTS INCLUDE, BUT ARE NOT LIMITED TO, THE RIGHT TO A FAMILY ALLOWANCE, THE RIGHT TO LIVE IN THE MARITAL RESIDENCE, THE RIGHT TO ACT AS AN EXECUTOR OF AN ESTATE.  DO YOU WANT YOUR PROSPECTIVE SPOUSE TO AGREE TO A COMPLETE WAIVER OF RIGHTS UPON YOUR DEATH UNLESS THERE IS A WRITING EXECUTED AFTER THE DATE OF THE MARRIAGE? <input type="checkbox"/> YES <input type="checkbox"/> NO	