

Information & Instructions: Interrogatories and request for production of documents

PREVIEW

1. The time to respond to the discovery requests has been changed to 31 days in order to give the responding party a full 30 days to answer.

Form: Interrogatories and request for production

NO: [Cause Number]

IN THE MATTER OF THE MARRIAGE OF § IN THE DISTRICT COURT
[Petitioner Name], Petitioner §

v. § **PLEASE DO NOT COPY** §
[Respondent Name], Respondent § [District] JUDICIAL DISTRICT

AND IN THE INTEREST OF: §
[CHILD NAME] § [SUIT COUNTY] COUNTY, TEXAS

**[PARTY NAME]'S FIRST SET OF INTERROGATORIES
AND REQUEST FOR PRODUCTION**

TO: [Other Party Name], by and through [Other Party Attorney],[Other Party Address], attorney of record.

[Submitting Party Name] submits the following First Set of Interrogatories And Request

THIS DOCUMENT

For Production Of Documents.

The written Interrogatories are attached hereto and marked as "EXHIBIT A" and are made a part hereof for all purposes.

The Request for Production of Documents are attached hereto and marked as "EXHIBIT B", and are also made a part hereof for all purposes.

The Interrogatories shall be answered or objected to separately and fully in writing under oath.

THANK YOU

Each answer shall be preceded by the interrogatory to which the answer pertains.

The answers shall be signed and verified by the person making them.

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A copy of the answers and copies of the requested documents shall be served on the party submitting this request for discovery within thirty-one (31) days after the service of the Interrogatories and Request for Production but in no event later than [Deadline to File Response], by 5:00 p.m., OR you must FILE A WRITTEN RESPONSE WITH THE COURT objecting to said interrogatories and requests for production within said 31 days.

Answers and responses shall be supplemented not less than thirty (31) days prior to the beginning of trial in accordance with the Texas Rules of Civil Procedure.

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Respectfully Submitted,

[Law Firm Name]

By

[Attorney's Name]

[Attorney for Client Role]

[Attorney's Address]

[Telephone Number]

[Facsimile Number]

[Bar Card Number]

THIS DOCUMENT

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been served upon all attorneys of record and any parties who are not represented by an attorney on _____.

Attorney for: Other attorney's client's name

Attorney's name: Other attorney's name

Attorney's address: Other attorney's address

Type of Service:

___ U.S. Mail, certified return receipt requested no. _____.

___ U.S. Mail, first class.

___ Hand delivery by [name of delivery service]: _____.

___ Facsimile transmission to _____ [fax number] before 5 p.m.

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[Attorney's name]

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EXHIBIT A
PREVIEW
INTERROGATORIES

INTERROGATORY #1

What is your full name, residence address and telephone number, Texas driver's license number, and social security number.

ANSWER:

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INTERROGATORY #2

What is your employer's name, address, and telephone number?

ANSWER:

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INTERROGATORY #3

Please state your average gross monthly income for _____ and _____ through and including the date of compliance with this interrogatory.

ANSWER:

THANK YOU

INTERROGATORY #4

Do you have or will you have any other source of income other than your current employment (including income from trusts, inheritances, part-time jobs, gifts, payments from workers' compensation claims, and annuities (if any)) that you have received, are receiving, or will receive in the future?

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ANSWER:

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INTERROGATORY #6

If you answer to interrogatory number 5 is affirmative, what is the source of other income, the amount of the other income, and the frequency received.

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INTERROGATORY #7

Have you received or do you expect to receive the proceeds from any retirement, pension, IRA, Keogh, profit sharing or other benefits or accounts which exist through any past or present employer?

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ANSWER:

INTERROGATORY #8

If your answer to interrogatory number 7 is affirmative:

a.

What is the amount have you received or do you expect to receive?

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b. What is the date you received that amount or when you do expect to receive it?

c. What is the identifying number of each benefit, plan or account from which you received or do you expect to receive such benefit funds?

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INTERROGATORY #9

Are you eligible to receive a bonus of any kind (Christmas bonus, company profit bonus, sales bonus, etc.) from your employer?

ANSWER:

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INTERROGATORY #10

If you have received a bonus from any source, including your past or present employer, please indicate each amount for the years _____ and _____ through and including the date of compliance with this interrogatory.

ANSWER:

THANK YOU

INTERROGATORY #11

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Have you filed a federal income tax return for the tax years _____ and _____.

ANSWER:

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INTERROGATORY #13

Do you receive any compensation or benefits from your present employer by way of meals, transportation, clothing allowance, expense accounts or other benefits which are not reflected on federal income tax returns for _____ and _____

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ANSWER:

INTERROGATORY #13

If your answer to interrogatory number 13 is affirmative:

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a. What is the nature of such compensation or benefits (cash, additional check, time off from your job with pay, etc.):

ANSWER:

THANK YOU
b. What is the frequency of such compensation or benefits (daily, weekly, monthly, annually, or per event).

ANSWER:

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c. What is the amount of such compensation or benefits:

ANSWER:

INTERROGATORY #14

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Do you have any savings, certificates of deposit, credit union accounts, checking or commercial accounts in your name or jointly with any other person or persons in any banks, credit unions, savings institutions, or other financial institutions?

ANSWER:

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INTERROGATORY #15

If you have answered interrogatory number 14 in the affirmative, please describe in detail the amount of same, your interest therein, the name of the institution, the account numbers, and the name of any and all joint owners, if any.

ANSWER:

THANK YOU

INTERROGATORY #16

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Please identify by name and address all financial institutions for which you have prepared a "financial statement" for [Date] and [Date] through and including the date of compliance with this interrogatory.

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ANSWER:

INTERROGATORY #17

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Since [Date], have you sold or purchased any property, real or personal (include in your answer purchases of jewelry, furniture, motor vehicles, land whether developed or not)?

ANSWER:

INTERROGATORY #18

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If your answer to interrogatory number 17 is in the affirmative, state the item(s) purchased, for whom purchased, and the price paid for each item.

ANSWER:

| Item Purchased | For Whom | Price Paid |
|----------------|----------|------------|
|----------------|----------|------------|

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INTERROGATORY #19

If you are entitled to receive income from another source, please identify the source and state the annual income from said source.

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ANSWER:

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INTERROGATORY #20

Please provide the names, ages and relationship to you of all persons residing in your residence.

ANSWER:

INTERROGATORY #21

Do you receive overtime pay from your employer?

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ANSWER:

INTERROGATORY #22

If your answer to interrogatory number 21 is affirmative, how many hours per month have you worked in _____?

ANSWER:

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INTERROGATORY #23

What is the amount of overtime pay you received in _____ and so far in _____, through and including the date of compliance with this interrogatory?

ANSWER:

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"EXHIBIT B"

REQUEST FOR PRODUCTION

DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions are applicable to each of the following items unless specifically negated by the context:

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1. Definitions

(a) The word "document" is used herein in its broadest sense to include any medium upon or with which information is recorded or preserved which belongs to, or is in or subject to the possession, custody, or control of, any of the parties named herein above, by whomever generated or received, including without limitation: writings; paintings; drawings; graphs; charts; notes; typewriting; photographs; slides; motion pictures; videotapes or cassettes; phonograph records; tapes or other mechanical recordings; computer records; information storage devices, disks, or printouts; brochures; pamphlets; maps; surveys; calendars; contracts; interoffice communications; telephone recordings; ledgers; books; statements of account journals; notices; letters; faxes; canceled checks; bank

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statements; invoices; bills; diaries; purchase orders; memoranda of telephone communications; telegrams; telexes or "TWX's" telecopies; drafts or preliminary versions of the foregoing; communications to or from any governmental or law enforcement subdivision, office, or agency; and, any other instrument, writing, recording, or data compilation of any nature whatsoever, including any carbon, photographic, microfilm, or other type of copy of such items, whether or not such copy is different from the original by reason of any markings, additions, commentaries, revisions, deletions or substitutions.

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(b) The word "person" as used herein shall mean and include an individual, a board or committee, corporation, partnership, joint venture, enterprise, or any other legal entity of any type, whether public or private.

(c) The words "you" and "your" as used herein mean and refer not only to the parties named herein above but also to their predecessors; present and former parents, subsidiaries, or divisions; officers; agents, including attorneys; employees; and, all other persons acting or purporting to act on behalf of any of the preceding.

THIS DOCUMENT

2. Instructions

(a) Singular and masculine forms of any nouns or pronouns shall embrace and be applied as the plural or as the feminine or neuter, as appropriate to the context, and vice versa.

(b) Each of the following categories is to be construed and responded to independently and not to be referenced to any other item herein for purposes of limitation.

(c) Documents produced pursuant to this Request should be tendered either in the precise form or manner as they are kept in the usual course of business or organized and labeled to correspond with the categories which follow in this Request.

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(d) If any party named herein above has ever had any of the documents referred to herein in his possession, custody, or control, but does not now, that party is requested to

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state the following with respect to each such document:

1. the present location thereof, if known, or all reasons why the party cannot or does not know the location thereof;

2. the date each such document left the possession, custody or control of the party;

3. the reasons why each such document is not now in the possession, custody or control of the party; and

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4. the names and addresses of all persons having knowledge about matters which are the subject of inquiry in the immediately preceding paragraphs 1 through 3.

(e) If any document requested herein has been destroyed, you are requested to describe in detail the circumstances of any reasons for such destruction and to produce all documents which relate to either the circumstances or the reasons for such destruction.

THIS DOCUMENT

(f) If any document requested herein is withheld under claim of privilege, or is not produced for whatever reason, you are requested (1) to state with specificity the claim of privilege or other reason used to withhold production and (2) to identify each document by date, author, and subject matter, without disclosing its contents, in a manner sufficient to allow it to be described to the Court for filing on the privilege or other reason asserted. You are further requested to produce those portions of any such document which are not subject to a claim of privilege or other reason for non production by exercising or otherwise protecting the portion for which a privilege is asserted, if such a technique does not result in disclosing the contents of the portions for which some privilege is asserted.

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(g) These requests for production are continuing in nature. If further information or documents come into your possession or are brought to your attention during preparation for trial, supplementation of your response is required.

(h) Except where otherwise specified or indicated by the content, each of the following categories requests information from the date of marriage or entry of the most recent order to the date of your responses to the request for production, subject to the duty to

supplement
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REQUEST #1

Please produce a statement of earnings for the years ____ through and including the date of compliance with this request.

RESPONSE:

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REQUEST #2

Please produce copies of all U.S. individual and business federal income tax returns and accompanying schedules and documents used in connection with the preparation of such returns for the years _____, if a return for _____ has been prepared.

RESPONSE:

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-

THANK YOU

REQUEST #3

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Please produce copies of any and all documentation pertaining to monies owed to you by another person or entity as of the date of compliance with this Request including, but not limited to, loans, advances, refunds, debts and claims.

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RESPONSE:

REQUEST #4

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Please produce copies of any and all documentation pertaining to all debts and liabilities owed by you to another person or entity, including but not limited to charge accounts, notes, mortgages, personal or signature loans, and liens and pledges.

RESPONSE:

THIS DOCUMENT

REQUEST #5

Copies of any and all bank statements, deposit slips, withdrawal slips, certificates of deposit, books and records of account pertaining to monies on deposit in any bank, savings and loan association, credit union, or other financial institution, which stand in your name individually, or in your name jointly with others, or which are subject to withdrawal or control by you for the years _____ through and including the date of compliance with this request.

RESPONSE:

THANK YOU

REQUEST #6

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Please produce copies of any and all financial statements submitted to any bank or other financial institution by you for the years _____ through _____ and including the date of compliance with this.

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RESPONSE:

REQUEST #7

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Please produce information pertaining to your monthly living expenses as they were on the date of entry of the last modification order. For your convenience, we are providing space for your response to this request.

RESPONSE:

Rent/Mortgage payment:

THIS DOCUMENT

Homeowners/renters' insurance:

Utilities, including telephone:

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Food:

Document # _____
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Health/dental insurance premiums:

Automobile insurance:

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Automobile payments:

Gasoline/oil/parking/bus fares:

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Child care/school tuition:

Lunches/school supplies:

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Haircuts:

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Clothing:

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Cleaning and laundry:

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Legal fees:

Gifts:

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Church support:

Entertainment activities for child:

THANK YOU

Miscellaneous:

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Any and all documentation pertaining to all pension plans, profit-sharing plans, retirement plans, IRA and other employee benefit plans in which you own an interest or which you owned an interest before retirement, whether vested or contingent, including but not limited to, current statements.

RESPONSE:

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THANK YOU

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