Training Session Materials #3

From **MVLS**:

Mission Statement: MVLS removes barriers to justice through free civil legal help, community engagement, and advocacy for equitable laws.

Vision Statement: Our vision is for a fair legal system that is free of injustice and equitably serves underrepresented Marylanders.

What We Do:

Stabilizing Communities Through Legal Services, Community Partnership and Advocacy

MVLS directly helps Marylanders facing legal challenges, while also fighting to change systems that harm people living in or near poverty. MVLS accomplishes this through pro bono representation, community engagement, and legislative and administrative advocacy. Our volunteer attorneys and tax professionals help individual clients resolve their life-changing civil issues. MVLS staff attorneys build on that impact by building meaningful community partnerships and identifying specific inequities that are borne out in our clients' stories and in the legal system at large. We leverage this knowledge to advocate for more equitable laws.

MVLS Core Values

MVLS DEI Plan and Accountability

Structural Racism:

An Excellent resource for information about structural and institutional racism: the history and impact, visit: **Equal Justice Initiative** (EJI) website. *The Equal Justice Initiative is committed to ending mass incarceration and excessive punishment in the United States, to challenging racial and economic injustice, and to protecting basic human rights for the most vulnerable people in American society. See also Just Mercy by Bryan Stevenson (*Founder of EJI*)*

The **1619 Project** from the **New York Times.** *In August of 1619, a ship appeared on this horizon, near Point Comfort, a coastal port in the English colony of Virginia. t carried more than 20 enslaved Africans, who were sold to the colonists. o aspect of the country that would be formed here has been untouched by the years of slavery that followed. On the 400th anniversary of this fateful moment, it is finally time to tell our story truthfully.*

Learn about the MSBA Access to Justice Commission (A2JC).

Justice for all is a value that our society holds dear. Yet, Maryland's civil justice system does not work for many Marylanders, simply because they cannot afford to hire an attorney. There is no right to an attorney if you cannot afford one in most civil legal matters, unlike criminal matters. But the civil justice system is just as high-stakes, dealing with the legal aspects of life-altering issues like housing, economic security and abuse – and it disproportionately affects the poor and those of modest means as well as people and communities of color. About 40% of all Marylanders cannot afford to meet their basic human needs, let alone hire an attorney. But 75% of that group will likely face at least one civil legal issue every year and 92% of their civil legal issues will get no or inadequate legal help, leaving already vulnerable Marylanders to navigate the complex civil justice system on their own, with dire consequences.

The Maryland Access to Justice Commission exists to break down barriers in the civil justice system to make it accessible, equitable and fair for all Marylanders, not just those who can afford it.

Their Mission: We exist to make the civil justice system accessible, equitable, and fair for all Marylanders by uniting leaders to drive reforms and innovations.

A2JC fulfills its mission by advancing these core strategic priorities.

Coalitions | Advocacy | Reform | Equity: We strive to dismantle structural and institutional racism and other inequities in the civil justice system.

Implicit Bias:

How Prejudiced Are You? Recognizing and Combating Unconscious Bias | Jennefer Witter | TEDxAlbany
https://youtu.be/tEoajtG90qY?si=RIS9iiU8ZWRkxqUu

Take the Harvard Implicit Association Test (IAT)

Implicit Bias in Family Law: How it Presents and How You Can Mitigate It

BY IMANI SHANNON AND SUNITHA ANJILVEL

BIAS IN THE FAMILY: RACE, ETHNICITY, AND CULTURE IN CUSTODY DISPUTES Solangel Maldonado*

Implicit bias article by Nancy Grimm, former MVLS Family Law Director

Implicit Biases & People with Disabilities

MVLS Tips for Breaking Poverty Barriers to Equal Justice

Trauma Informed Advocacy:

MVLS Advocating for Survivors of Trauma Practice Tips for Attorneys by Heather Heiman and Jessica Emerson

Trauma Informed Legal Advocacy – Practical Tips

MVLS Trauma Informed Interviewing How To Create Safe Spaces and Build Trust While Developing a Client's Legal Case Presented by Jessica Emerson and Heather Heiman

Trauma Informed Interviewing Tip Sheet

MVLS Supporting Client Agency & Equity Incorporating Client Empowerment Models into Your Legal Practice presented by: Brigette Carr, Jessica Emerson and Heather Heiman

Supporting Client Agency & Equity Tip Sheet

ABA's Practical Tools for Lawyers: Steps in Supportive Decision Making

Resources for MVLS Volunteer attorneys:

MVLS: Know Your Rights & Resources — Judicare Resources for Family Law Volunteers

(Many of the resources provided in the above presentation are also for Pro Bono attorneys.

MVLS Client TIps

MVLS Sample Representation Agreement

MVLS Language Line Tips

MVLS Representation Expectations

MVLS Volunteer Tips

Filing Fee Waiver Form for MVLS Pro Bono Cases

MVLS Malpractice Insurance Coverage

PBRC Litigation Fund

Link to MVLS Pro Bono Portal to find available cases

Domestic Violence:

Court forms for Protective and Peace Orders

Protective Orders

Excellent overview from People's Law Library of Maryland with links to the statutes

What is the difference between a Protective Order and a Peace Order

Protective Order - FAQs

Petition from Protection Maryland Court form

Permanent Protection –Maryland form

Extreme Risk Protective orders - About

Maryland form

Removing records about protective and peace order from public view

Important information for you to understand when helping survivors:

Creating a Safety Plan from the House of Ruth

Link to 24-hour hotline from House of Ruth

Domestic Violence (DV) page from the Maryland Courts

Address Privacy

Maryland Safe at Home Address Confidentialty Program

Please check out the following and all the information from the Maryland Network Against Domestic Violence

Tips for Tech Safety

Maryland DV Service Providers

Understanding Abuse

Seeking Help and Staying Safe

Peace Orders

Peace Order information and videos from the Maryland Courts

Peace Orders from the People's Law Library of Maryland

Petition for Peace Order

Peace Order or Protective Order...Which One?

Mediation:

Mediation from the Maryland Courts

Maryland Program for Mediator Excellence (MPME): MEDIATION AND CONFLICT RESOLUTION OFFICE OF THE MARYLAND COURTS

-FIND A MEDIATOR

Community Mediation Maryland - Free Mediation services for all Marylanders

Settlement Agreements:

MSBA Marital Settlement Agreement Sample (1).pdf - this link will take you to a comprehensive template for a Settlement Agreement. I obtained it from a VERY helpful, thorough and prompt law librarian at the **Montgomery County Law Library. Email address: MoCoLawLibrary@mdcourts.gov** This is an excellent resource for ALL attorneys. You do not have to live or practice in Montgomery County. You can also request sample pleadings for a variety of types of family law cases.

There is a Maryland MSA form available **here.** It is a simple MSA and part of the Maryland Court **family law forms**.

Separation Agreements from the People's Law Library of Maryland

MARYLAND PARENTING PLAN TOOL

Maryland Divorce and Separation Law, 11th Edition (E-Pub with downloadable forms) from MSBA

Uncontested Divorce: See Instructions below

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May 20, 2025

VIA EMAIL
CLIENT NAME
Client Street Address
Client City/State/Zip code
Client Email

Re: Upcoming Uncontested Divorce Hearing – In-Person Appearance Required

Dear [Client Name],

I am writing to confirm the details of your uncontested divorce hearing, which is scheduled for **[Time] on [Date]**. This hearing will be held **in person** at the following location:

[Courthouse Name]
[Courthouse Address]

Please allow ample time for travel, parking, and going through courthouse security. You may need to walk a short distance from the parking area to the building. Once inside, look for the docket display screen and locate your name to identify the correct courtroom.

Please plan to meet me **10–15 minutes before the scheduled hearing time** in the hallway outside the assigned courtroom. I will meet you there to review final details before we go in.

I have previously submitted the proposed Judgment of Absolute Divorce and the vital statistics form. Since this matter will likely be heard by a Magistrate rather than a Judge, please be aware of the following:

- The Magistrate will make a recommendation for divorce at the hearing.

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- There is a **10-day exceptions period** following that recommendation, during which either party may file exceptions (an internal appeal).
- If **both parties waive** the exceptions period, the file can be sent directly to a Judge for final signature.
- If **either party does not waive**, the file will sit for 10 days before being forwarded to a Judge.
- Your divorce is not final until the Judge signs the Judgment and the Clerk's Office enters it.

To help you prepare, below are the questions that I or the Magistrate may ask you during the hearing:

1. Please state your full name and address.
2. How long have you been a Maryland resident prior to filing?
3. Has your residency been continuous?
4. When and to whom were you married?
5. Where and when was the marriage? Was it civil or religious?
6. Are either you or your spouse in the military?
7. Are there any other cases pending between you and your spouse?
8. Is either party currently incarcerated?
9. Were any children born of this marriage? If so, what are their names and ages?
10. When did you and your spouse separate?
11. Who left the family home?
12. Has your separation been continuous and uninterrupted since [Insert Date]?
13. Did you and your spouse resume cohabitation or marital relations during this time?
14. Is there any reasonable hope of reconciliation?
15. Are you seeking alimony from your spouse?
16. Do you understand that if you waive alimony now, you cannot seek it in the future?
17. Regarding your Marital Settlement Agreement:
    a. Can you identify the document?

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b. What is the date of the agreement?
c. Do you recognize the signatures on the final page?
d. Do you recognize your spouse's signature from being married?
e. Are either of you attempting to invalidate the agreement in any way?

18. Are both you and your spouse consenting to this divorce, as stated in the Complaint and Answer?

If you have any questions or concerns about your appearance or the hearing itself, please feel free to contact me in advance. We will also have a few minutes before the hearing to go over any last-minute questions.

Sincerely,

Jessica E. Zadjura

Preparing Your Case from the People's Law Library of Maryland

Custody and Divorce Client Notebook

Custody factors

Alimony factors

Marital Property factors

JOINT STATEMENT OF PARTIES CONCERNING MARITAL AND NON-MARITAL PROPERTY (Md. Rule 9-207(b))

JOINT STATEMENT OF THE PARTIES CONCERNING DECISION-MAKING AUTHORITY AND PARENTING TIME (Md Rule 9-204.2)

Trials:

Presenting Your Case to the Court from the People's Law Library of Maryland

Brief Opening Statement

Direct Examination – See below

Some resources provided by Montgomery County Law Library

Raising the bar: practice tips and trial techniques for young Maryland lawyers / Paul Mark Sandler.

Anatomy of a trial: a primer for young lawyers / Paul Mark Sandler, Esquire.

Trial advocacy in a nutshell / by Paul Bergman, Professor of Law, Emeritus University of California, Los Angeles.

This collection of books also might be useful:

Trial techniques and trials / Thomas A. Mauet.

Examining Witnesses: Direct, Cross and Expert Examination / Haydock and Sonsteng

Opening and Closing: How to Present a Case / Haydock and Sonsteng

Planning to win: Effective Preparation / Haydock and Sonsteng

CLIENT – MERITS TESTIMONY

GENERAL QUESTIONS:

1) State your name and address
2) How old are you?
3) Are you currently married?
4) To whom are you currently married?
5) How old is [redacted]?
6) When were you and [redacted] married?
7) Where were you and [redacted] married?
8) Was the ceremony religious or civil?
9) Did you and [redacted] have any children as a result of your marriage/relationship?
    a. If so, how many children do you and [redacted] have together?
    b. One of those children, [redacted], was adopted by you?
    c. Isabella is [redacted] biological daughter?
10) State the children's names and ages
11) Did there come a time when you and[redacted]r separated from one another?
12) When did you and [redacted] separate?
13) Have you and she been living separate and apart since that time, without interruption and without resumption of marital relationship?
14) Is there any hope of you and [redacted] reconciling with one another?

CUSTODY QUESTIONS:

15) Were you and [redacted] able to resolve legal and physical custody amongst yourselves?
    a. What is the custodial arrangements between you and [redacted] for the children?
16) Were the terms of the agreement put on the record before the Court?
    a. That occurred on January [redacted]?
    b. Before Judge [redacted]?
17) Have you and [redacted] been able to resolve the language of the subsequent consent order?
    a. If no, what is your understanding of the remaining issue with the language of the consent order?
18) What are you asking the Court today?
19) Have you been able to order a copy of the transcript of the January [redacted] agreement?
    a. If yes, what is the status of the transcript?
20) What are you asking the Court to do so resolve the consent order for custody?

**** ASK THE COURT TO TAKE JUDICIAL NOTICE OF THE AGREEMENT ON THE RECORD BEFORE JUDGE [redacted] ****

EMPLOYMENT QUESTIONS:

21) Let's talk about [redacted]'s work history – if you know, can you please review [redacted]'s work history, starting with when you were married to present?
    a. If you recall, what timeframes was she at each employer?

b. Did she work full-time at any of these jobs?

i. If so, which ones?

ii. If no, how many hours per week did she work approximately at each job?

c. If you recall, how much did she earn at each of these jobs?

i. Was that per year, per hour, per week, etc.?

22) If you know, does [redacted] have a high school diploma?

a. How do you know this?

23) If you know, does [redacted] have a college degree?

a. How do you know this?

24) If you know, has [redacted] taken any college courses?

a. How do you know this?

25) If you know, has [redacted] taken any trade school classes?

a. How do you know this?

26) What conversations, if any, did you and [redacted] have about her employment throughout the course of your marriage?

a. Were these conversations in person, over the phone, via text, etc.?

27) How frequently, if you recall, did you and [redacted] have conversations about her employment throughout the course of your marriage?

28) What was the ultimate outcome of these conversations?

29) If you know, does [redacted] have any retirement as a result of her employment during your marriage?

a. How do you know this?

b. To the best of your knowledge, did [redacted] disclose any retirement accounts in her name in discovery in this case?

30) Let's switch to your employment – have you been employed throughout the course of your marriage to [redacted]?

a. If yes, where are you currently employed?

31) How long have you been employed with [redacted]?

a. If you know, what was the exact date of your employment with [redacted]?

b. To be clear, you were employed with [redacted] prior to your marriage to [redacted]?

32) Are you a salaried employee or hourly employee at [redacted]?

33) If you know, what is your annual salary?

**** EXHIBIT: CLIENT'S MOST RECENT PAYSTUB ****

34) Do you recognize this document?

35) What is it?

36) How did you obtain it?

37) What is the date of this paystub?

38) To the best of your knowledge, is this a truthful and accurate copy of the original?

**** EXHIBIT: CLIENT'S 2018 W-2 ****

39) Do you recognize this document?

40) What is it?

41) How did you obtain it?

42) What is the year of this W-2?

43) To the best of your knowledge, is this a truthful and accurate copy of the original?

44) Do you have health insurance as a result of your employment with [redacted]?

    a. Who is covered on your health insurance?

45) Does your health insurance include medical insurance, dental insurance, and vision insurance?

    a. If yes, is the cost of each of these insurances reflected on your paystub that we just looked at?

46) Are you paid weekly, bi-weekly, or twice per month?

    a. The costs for medical, dental, and vision insurances on your paystub are the bi-weekly amount, correct?

    b. The costs for medical, dental, and vision insurances on your paystub are the bi-weekly amount for the entire family, correct?

**** EXHIBIT: MEDICAL/DENTAL/VISION INSURANCE COSTS ****

47) Do you recognize this document?

48) What is it?

49) To the best of your knowledge, is this a truthful and accurate copy of the original?

50) Is it reflective of the cost of medical, dental, and vision insurances for you as an individual versus the cost you incur for the family?

51) To the best of your knowledge, will you be able to cover [redacted]r on your insurance after you are divorced from her?

52) If you know, what, if any, change in cost will you have for your medical, dental, and vision insurances once you no longer cover [redacted]r?

53) Do you receive any fringe benefits as a result of your employment with [redacted] – for example, cell phone reimbursement, vehicle allowance, etc.?

54) Do you have retirement as a result of your employment with [redacted]?

a. If yes, how many retirement accounts do you have as a result of your employment with [redacted]?

b. What types of retirement accounts do you have as a result of your employment with [redacted]?

**** EXHIBIT: [redacted] BUSINESS RECORDS ****

55) Do you recognize these documents?

56) What are they?

57) These were obtained via subpoena in this matter?

58) These were produced to [redacted] and [redacted] in discovery in this matter?

59) Based on these business records, what was your initial date of employment with [redacted]?

60) Were these two accounts established before or after your marriage to [redacted]?

61) If you know, how much did you have in your 401k with [redacted] as of the date you were married to [redacted]?

a. What, if anything, did you do to obtain this information?

b. Were you successful in your ability to obtain this information from [redacted]?

c. What response, if any, did you receive from [redacted] as a result of your attempt to obtain the value of your 401k as of the date that you and [redacted] were married?

OTHER EXPENSES FOR THE CHILDREN:

62) Let's change topics… do you incur any costs for work-related daycare for the children as a result of your employment?

63) To the best of your knowledge, does [redacted] incur any costs for work-related daycare for the children as a result of her employment?

64) Do you and [redacted] incur any uninsured medical expenses for the children?

    a. If yes, what uninsured medical expenses do you current incur for the children?

    b. Were these uninsured expenses incurred by agreement of you and [redacted]?

65) Is it your intention to continue the children's therapy with [redacted]?

    a. Why is that your intent?

66) What, if any, agreement did you and [redacted] reach about the children continuing in therapy with [redacted] moving forward?

67) How frequently, if you know, do each of the children see [redacted]?

    a. Is that per week, every other week, per month, etc.?

68) What is the cost per session for each child (or the children) to see [redacted]?

69) If you know, is [redacted] covered by your insurance company?

    a. You and [redacted] are required to pay this expense 100% out of your pocket?

70) During the course of this divorce case, who has covered [redacted]'s cost?

    a. Why have you been the one to cover [redacted]'s cost to date?

71) Have there been any other uninsured medical expenses for the children since the inception of this litigation?

    a. If so, for what?

    b. If yes, who paid those expenses?

c. If yes, what was the cost per session for that expense?

ROLES IN THE FAMILY:

72) Prior to your separation from [redacted], what was your role in the family?

a. What, if any, expectations regarding your role in the family did you and [redacted] discuss amongst yourselves?

73) What, if anything, did you do to maintain the household on a daily/weekly/monthly basis prior to your separation from [redacted]?

74) What, if anything, did you do with the children on a daily/weekly/monthly basis prior to your separation from [redacted]?

75) How, if at all, has your role with the children changed since you and [redacted] separated?

76) Prior to your separation from [redacted] what was her role in the family?

a. What, if any, expectations regarding her role in the family did you and [redacted] discuss amongst yourselves?

77) What, if anything, did [redacted] do to maintain the household on a daily/weekly/monthly basis prior to your separation from her?

78) What, if anything, did [redacted] do with the children on a daily/weekly/monthly basis prior to your separation from her?

79) What, if any, conversations did you and [redacted] have about your respective roles in this family prior to your separation?

80) What, if any, concerns did you express to [redacted] about her role in the family prior to your separation?

a. How did that conversation take place with [redacted]?

b. Was the conversation in person, via text message, over the phone, etc.?

c. How did she respond to the concerns you address to her, if you recall?

81) Who handled the finances between you and [redacted]?

82) Who cooked dinner for the family?

83) Who cleaned the house for the family?

84) Who maintained the house and yard for the family?

85) Who assisted the children with their homework (as necessary)?

86) Who took the children to/from their extracurricular activities?

87) Who scheduled the children's doctor and dentist appointments?

a. Who took the children to their doctor and dentist appointments?

88) Who bathed the children (as necessary)?

STANDARD OF LIVING:

89) Where did you and [redacted] live throughout your marriage (prior to separation)?

90) Describe the [redacted] property

a. How many bedrooms does it have?

b. How many bathrooms does it have?

c. Describe the backyard

d. Describe the neighborhood the house is in

91) Do you own the home on [redacted]?

a. If yes, when was the home purchased?

b. It was purchased prior to your marriage to [redacted], correct?

92) How is the home currently titled?

    a. When did it become titled in both yours and [redacted]'s names, if you recall?

93) Is there a mortgage on the [redacted]t property?

    a. What bank is the mortgage with?

    b. Whose name is on the mortgage?

        i. You are the only one liable for the mortgage?

    c. If you know, what is the outstanding mortgage amount?

94) If you know, approximately how much is the home currently worth?

95) What, if any, improvements did you and [redacted] make to the home during your marriage?

96) Where do you currently reside?

    a. Is this where you moved immediately upon separating from [redacted]?

    b. If no, where did you live when you initially separated from [redacted]?

97) Did there come a time when you left the marital home?

    a. When was that?

98) Where did you move upon leaving the marital home?

    a. How long did you reside there?

99) Where did you move after staying with family?

100) How long have you lived at [redacted]?

    a. Do you rent or own the residence located at [redacted]?

101) Describe the residence at [redacted]

    a. How many bathrooms does it have?

    b. How many bedrooms does it have?

c. Describe the backyard

d. Describe the neighborhood

102) How does your residence at [redacted] differ from the [redacted] property, if at all?

103) Describe your standard of living when you and [redacted] enjoyed during your marriage

a. Were you able to purchase vehicles during this time?

i. If yes, did you take out a loan for these vehicles?

b. Were you able to take vacations during this time?

i. If yes, where did you go?

ii. How frequently did you take vacations?

iii. How did you pay for these vacations?

c. Were you able to put money in savings during this time?

d. Were you able to pay off debt during this time?

104) How does the standard of living you enjoyed during your marriage to [redacted] differ from the standard of living you are currently experiencing?

a. Are you incurring debt?

b. Are you able to put money in savings?

c. Are you able to take vacations?

i. If yes, how many vacations have you taken since your separation from [redacted]?

ii. Where did you go?

iii. How much did each vacation cost?

iv. How were you able to pay for that vacation?

d. Are you able to pay for your everyday needs?

i. If yes, how have you been able to do this?

105) Are there any similarities to the standard of living you enjoyed during your marriage to [redacted] that you are still currently enjoying?

106) What, if any, financial contributions are you making to [redacted]r's household on hers and the children's behalf since your separation from [redacted]?

a. How, if at all, does this differ to the financial contribution to the family that you made before your separation from [redacted]?

107) What, if any, financial contributions has [redacted] made to your household for yours or the children's benefit since you two separated?

PARTIES' PHYSICAL/MENTAL HEALTH:

108) Do you suffer from any physical or mental conditions that affect your ability to work?

109) To the best of your knowledge, does [redacted]r suffer from any physical condition that would affect her ability to work full-time?

110) To the best of your knowledge, does [redacted]r suffer from any mental condition that would affect her ability to work full-time?

111) [redacted] testified that she suffers from_____(physical or mental health condition). Were you aware that she had such a diagnosis prior to today?

a. Based on your relationship with [redacted], how, if at all, do you believe _____(physical or mental health condition) affects [redacted]s ability to work full-time?

   i. Why do you believe that_____(physical or mental health condition) does not affect her ability to work full-time?

   ii. What, if anything, in [redacted]s behavior/actions leads you to believe this?

CAUSE OF THE BREAKDOWN OF THE MARRIAGE:

112) Let's talk about your separation from [redacted]r…. Can you please remind the Court when you and [redacted] separated?

113) Describe the circumstances that led to yours and [redacted]'s separation

   a. Who left the home?

   b. Why did she leave the home?

114) What conversations, if any, did you and [redacted] have about your separation?

   a. Did those conversations occur in person, over the phone, via text, etc.?

   b. When did those conversations occur, if you recall?

115) What, if anything, led up to your separation from [redacted]r?

116) What, if anything, did you discover that led you to believe that [redacted]r was having an affair?

117) Did you forgive her for this affair?

118) To the best of your knowledge, has [redacted]r had more than one affair during your marriage?

a. How do you know this?

b. When did this occur?

119) What, if anything, did you do to try to save your marriage after you learned of [redacted]'s first affair?

a. Did you attend marriage counseling?

i. If yes, who was the marriage counselor?

ii. How frequently did you attend?

iii. Did you and/or [redacted] attend individual sessions with the marriage counselor?

b. Did you and [redacted] take any vacations just the two of you?

c. Did you purchase anything for [redacted] in an attempt to salvage your marriage after her first affair?

120) If you know, did anyone else know about [redacted]r's first affair?

a. If yes, who knew?

121) If you recall, did you and [redacted] have other "issues" in your marriage besides her having an affair?

a. If yes, what were those issues?

b. What conversations, if any, did you and [redacted] have about those other issues/concerns?

c. If you recall, how did you and [redacted]r remedy those other concerns?

122) How long did you live under this "nesting" arrangement (where [redacted] resided down the street with the neighbor when she was not caring for the children)?

123) What, if anything, changed that resulted in you moving out of the marital home?

124) How do you respond to [redacted]s allegations that you put your hands on Brent?

125) How do you respond to [redacted]r's allegations that you committed domestic violence against her?

FINANCIAL STATEMENTS:

**** EXHIBIT: CLIENT'S AMENDED LFFS ****

126) Let's look at your current financial situation… do you recognize this document?

127) What is it?

128) What is the date on this financial statement?

129) Did you prepare this financial statement?

130) What documents, if any, did you use when preparing this financial statement?

131) To the best of your knowledge, is this is a truthful and accurate representation of your monthly income and expenses?

132) If you know, how are your expenses going to change when the new custody schedule goes into effect on February 15th?

a. Do you anticipate that your food expense will increase at that time?

    i. If you know, how much do you anticipate that expense increasing?

b. Do you anticipate the clothing expense for the children will increase at that time?

    i. If you know, how much do you anticipate that expense increasing?

c. Are there any other expenses you anticipate increasing at that time?

    i. If so, which expense?

    ii. If you know, how much do you anticipate that expense increasing?

d. Are there any expenses you anticipate will decrease as of February 15th?

i. If yes, which expense?

ii. If you know, how much do you anticipate that expense decreasing?

133) You currently lease the [redacted] property, correct?

a. When does that lease expire?

b. Do you know where you will be living when that lease expires?

134) How have you been able to cover your monthly deficit to date?

135) Have you incurred any debt as a result of this litigation?

a. If so, how much?

136) Have you had an opportunity to review [redacted]r's Amended LFFS she recently filed in this matter?

137) What, if anything, stands out to you about her financial statement?

138) In your belief, is there anything that is over-inflated in this financial statement?

139) In your belief, is there anything under-inflated in this financial statement?

140) Have you been paying [redacted] child support pursuant to the PL Order?

a. How much have you been paying to [redacted] per month?

b. How have you provided these funds to [redacted] via bank transfer, check, etc.?

c. If you know, has [redacted]r historically cashed your checks in a timely fashion?

d. What is the date of the most recent check you provided to [redacted]r?

i. If you know, has she cashed that check yet?

MARITAL PROPERTY:

**** EXHIBIT: JOINT 9-207 STATEMENT PREVIOUSLY FILED ****

141) Let's talk about the marital property in this case… do you recognize this document?

142) What is it?

143) Did you assist me in the completion of this document prior to it be filed with the Court?

144) To the best of your knowledge, is this a truthful and accurate copy of the original filed with the Court?

145) Let's go through each item…. When was this item acquired?

146) If you know, when was this item acquired?

147) If you know, where is this item currently?

148) If you recall, how did you arrive at this value?

149) To the best of your knowledge, is that currently the value of that item?

a. Why or why not?

**** EXHIBIT: CLIENT CURRENT BANK STATEMENTS ****

**** EXHIBIT: OP'S MOST RECENT BANK STATEMENTS ****

**** EXHIBIT: CLIENT'S CURRENT 401K/PENSION STATEMENTS ****

**** EXHIBIT: KBB VALUE FOR CLIENT'S VEHICLE ****

**** EXHIBIT: KBB VALUE FOR OP'S VEHICLE ****

150) Do you recognize each of these documents?

151) Please tell the Court what each document is

152) How did you obtain each document?

153) To the best of your knowledge, is each document a truthful and accurate copy of the original?

154) What is your position on the [redacted] account ending in [redacted] (belonging to the children)?

a. Why is this account not titled to the children, if you know?

155) How do you respond to [redacted]r's claim regarding the [redacted] acquisition?

156) Who is currently driving the [redacted]?

157) Who is currently driving the [redacted]?

158) What, if any, personal property in the marital home would you wish to retain?

a. How was each of these items acquired?

b. When was each of these items acquired?

159) How do you respond to [redacted]r's allegation regarding the $[redacted]0 money market account that was previously jointly-titled to you and her?

a. Why did you put this money in an account in your name?

160) Did you and [redacted] previously have any other joint bank accounts?

a. What happened to each of those accounts?

161) There was a lot of testimony about the amount of cash you withdrew from your bank accounts since you and [redacted] separated in Fall 2017. Do you typically carry cash?

a. For what purposes do you typically use cash?

b. Why do you use cash over credit/debit cards?

c. Is this something you did throughout your marriage to [redacted]?

d. To the best of your knowledge, was [redacted] aware of the fact that you used cash for as many purchases as possible?

i. What leads you to believe that she was aware of this?

**** EXHIBIT: CASH RECEIPTS ****

162) Do you recognize these documents?

163) What are they?

164) Over what timeframe do these documents span?

165) Is this all of your cash receipts for this timeframe?

166) To the best of your knowledge, are they a truthful and accurate representation of the original receipts?

167) There was a lot of testimony about the amount of money you spent on furnishing the [redacted] property when you relocated there. Can you please explain to the Court why you had to purchase new furniture when you moved?

a. Did you furnish just certain rooms when you moved into [redacted], or did you furnish the entire home?

b. How much, if you recall, did you spend on furniture for the [redacted] property?

**** EXHIBIT: FURNITURE RECEIPTS ****

168) Do you recognize these documents?

169) What are they?

170) How did you obtain them?

171) To the best of your knowledge, are they truthful and accurate copies of the originals?

172) Do you believe the cost you paid for furniture is fair and reasonable in light of the circumstances?

ATTORNEY'S FEES:

173) Have you incurred attorney's fees in defending this action?

**** EXHIBIT: CLIENT'S ATTORNEY'S FEES FROM [redacted] ****

174) What are these documents?

175) Are you familiar with the charges stated in these bills?

176) How much have you been billed since your retaining the services of my office?

177) Do you believe that the attorney's fees stated in these bills are reasonable?

178) Do you believe that the charges that you incurred in this matter were necessary in defending yourself in this action?

179) Have you incurred attorney's fees for a best interest attorney in this case?

a. The BIA that was appointed was [redacted]?

180) If you know, how much have you paid to [redacted] for her services to date?

**** EXHIBITS: ORDERS RE: BIA FEES ****

181) Do you recognize these orders?

182) These orders were entered in this case regarding [redacted]'s fees?

183) You were to pay these fees upfront from marital funds, correct?

184) The Court was granted the authority to attribute these fees to both you and [redacted] at this divorce trial, correct?

185) If you know, how much have you paid to [redacted] to date for her services?

**** EXHIBITS: RECEIPTS FROM BIA'S OFFICE ****

186) Do you recognize these documents?

187) What are they?

188) How did you obtain them?

189) Representative of the fees that you have paid to [redacted]'s office to date?

190) To the best of your knowledge, these are truthful and accurate copies of the originals?

191) If you know, how much do you and [redacted] owe to [redacted]?

**** EXHIBITS: OUTSTANDING INVOICES FOR BIA ****

192) Do you recognize these documents?

193) What are they?

194) How did you obtain them?

195) To the best of your knowledge, are these truthful and accurate copies of the originals?

REQUESTS FROM THE COURT:

196) You are asking the Court for an absolute divorce from [redacted]?

197) Are you asking the Court to incorporate the transcript from the January [redacted] custody agreement in to the Judgment of Absolute Divorce?

198) What are you asking the Court to do with respect to child support in this matter?

199) Thereafter, are you asking that you continue to pay child support to [redacted] directly?

200) Are you asking that you continue to pay health insurance for the children until they emancipate?

201) Are you asking the Court to order you and [redacted] to divide any uninsured medical expenses for the children over $100 pro rata in accordance with your income?

202) Are you asking the Court to order you and [redacted] to divide any agreed upon work-related daycare expenses for the children pro rata in accordance with your income?

203) What are you asking the Court to do with respect to alimony for [redacted]?

204) You are not seeing alimony from [redacted] as part of your request to the Court?

a. You understand that you cannot come back and later seek alimony from [redacted]?

205) What are you asking the Court to do with respect to the marital home on [redacted]?

206) Are you asking the Court to allow you to pay the mortgage on that property in lieu of child support if the Court grants [redacted]s request for possession and use of the home?

207) Are you asking for 50% of the proceeds from the sale of the home?

208) What are you asking the Court to do with respect to the marital share of your 401k?

209) What are you asking the Court to do with respect to the marital share of your pension?

210) What are you asking the Court to do with respect to the bank accounts?

211) What are you asking the Court to do about [redacted]s dissipation claim?

212) What are you asking the Court to do with respect to the vehicles?

213) What are you asking the Court to do with the personal property in the [redacted]t home?

214) What are you asking the Court to do with respect to [redacted] attorney's fees?

215) What are you asking that the Court do with respect to the BIA's fees?

216) What are you asking the Court to do with respect to your attorney's fees?

MERITS TESTIMONY

GENERAL/DIVORCE QUESTIONS:

1) State your name and age
2) You are currently married to [redacted]
    a. On what date were you and [redacted] married to one another?
    b. In what city and state were you two married?
    c. Was your wedding ceremony religious or civil in nature?
3) After the wedding, did the two of you hold yourselves out to the community as husband and wife?
4) How old is [redacted]
5) Where do you currently reside?
    a. What is the address of the home?
6) How long have you resided in the State of Maryland?
7) You have 1 child with [redacted] correct?
    a. State her name and age

**** EXHIBIT: PICTURES OF [redacted] ****

8) Do you recognize these pictures?
    a. What are they?
    b. Who took these pictures?
    c. Where did you obtain them from?
    d. Approximately when were these pictures taken (i.e., over what time frame)?
    e. Are they truthful and accurate copies of the original pictures?
9) Describe [redacted] to the Court briefly

a. Personality?

b. Activities?

c. Likes/dislikes?

d. Your relationship with [redacted]

e. [redacted] relationship with each child

10) A couple background questions that the Court needs from you…

a. Neither you nor [redacted] in the active duty military, correct?

b. Neither you nor [redacted] are incarcerated in any penal institution of this State or any other State as evidenced by both your presences here today?

c. There are no other lawsuits pending in this State or any other State related to your divorce or custody of your daughter, correct?

GROUNDS FOR DIVORCE/TIMELINE OF RELATIONSHIP:

11) Walk me through a timeline of yours and [redacted] relationship with one another please

a. Where did you meet?

b. When did you meet?

c. How long did you two date before becoming engaged?

d. When did you two begin living with one another?

e. Where did you live in chronological order throughout the various stages of your relationship with one another

i. How close to your respective families were you at each residence?

ii. How close to your friends were you at each residence?

iii. Where did each of you work throughout your relationship with one another?

1. Describe work demands for each of you

iv. What, if any, stressors and/or disagreements did you and [redacted]r have throughout your relationship with one another?

v. What, if any, positives did you and [redacted]r have throughout your relationship with one another?

12) Are you, [redacted] currently living together?

13) Who left the family home?

14) When did [redacted] leave the family home?

a. If you recall, did [redacted] tell you she was leaving the family home with [redacted] and not returning?

b. What, if any, understanding did you have about [redacted] intent to return to the family home with [redacted] when she initially left?

i. What, if any, conversations did you and [redacted] have about this arrangement being temporary?

c. Did there come a time when it became apparent that [redacted] was not returning to the family home with [redacted]

i. Approximately when was that?

ii. What, if any, conversations did you have with [redacted]r about her returning to the family home with [redacted] prior to filing for divorce in this matter?

15) Prior to [redacted] leaving the home with [redacted] what, if any, issues existed in your marriage?

   a. Outside of [redacted] moving from the family home, describe in detail some of the issues that have led to the breakdown of your marriage and give examples for each

      i. Timeliness

      ii. Money

      iii. Job opportunities

      iv. Move to Maryland

      v. Relationship with each party's extended family

   b. Were these issues present throughout the marriage, or did they arise over time?

16) What, if any, steps did you and [redacted] attempt to resolve your marital issues?

   a. Approximately what time frames, if you recall, were you and [redacted] in therapy together?

      i. With whom?

      ii. Was therapy virtual or in person?

      iii. Was therapy together or individual or both?

   b. From your perspective, what, if anything, was the outcome of these therapy sessions?

17) Would continuing the marriage be in your best interest or the best interest of your family?

18) Is there any reasonable hope or expectation of reconciliation between you and [redacted]?

19) If you know, where does [redacted] currently reside?

a. How far apart are your respective residences?

20) Do you currently reside in the family home?

a. Why not?

b. Why did you move to your current residence?

c. How far is your current residence from [redacted] home?

21) Describe your home to the Court

a. Type of home – single family, townhouse, apartment, etc.?

b. How many bedrooms?

c. How many bathrooms?

d. Back yard?

e. Basement?

f. Park in the neighborhood?

**** EXHIBIT: PICTURES OF HOME ****

22) Do you recognize these pictures?

a. What are they?

b. Who took these pictures?

c. Where did you obtain them from?

d. Approximately when were these pictures taken?

e. Are they truthful and accurate copies of the original pictures?

PHYSICAL CUSTODY QUESTIONS:

23) Let's talk about [redacted] describe the pregnancy to the Court

a. Typical? Atypical?

i. How/why based on your understanding?

ii. Concerns?

2) How was [redacted] birth with [redacted]?

a. When was she due?

i. Was she premature?

1. If so, how many weeks/days?

b. Was [redacted] born with any medical conditions?

c. Tell the Court about that – NICU, surgery, etc.

i. Does [redacted] have any underlying medical concerns now resulting from this?

3) In NY/NJ, what did a typical work week look like in your home?

a. If you recall, how did you and [redacted] divide the child rearing duties for [redacted] during the work week?

i. Give examples or walk the Court through a typical workday

4) If you recall, was [redacted] in daycare during this time?

5) Briefly, what did weekends look like in your home in NY/NJ prior to [redacted] leaving with [redacted]?

a. What did [redacted] do on the weekends?

b. What did you do on the weekends?

c. What did [redacted] do on the weekends?

6) In MD, prior to [redacted] leaving the family home with [redacted], what did a typical work week look like in your home?

a. If you recall, how did you and [redacted] divide the child rearing duties for [redacted] during the work week?
    i. Give examples or walk the Court through a typical workday
b. If you recall, was [redacted] in daycare during this time?
c. Is she currently in school?
    i. If yes, where?
    ii. That school is in both yours and [redacted] school district?
    iii. What are her school hours, if you know?

7) Give the Court some examples of things you did with [redacted] prior to [redacted] leaving the family home

8) Briefly, what did weekends look like in your home in MD prior to [redacted] leaving with [redacted]?
    a. What did [redacted] do on the weekends?
    b. What did you do on the weekends?
    c. What did [redacted] do on the weekends?

9) What sorts of things did you [redacted], and [redacted] do as a family when living in MD?
    a. How frequently, if you recall, did you see your family during this time?
    b. How frequently, if you recall, did you see [redacted] family during this time?

10) Prior to [redacted] leaving the home…
    a. Who cooked for the family?
    b. Who cleaned the home?
    c. Who fed [redacted] meals?

d. Who helped [redacted] with her morning routine?

e. Who helped [redacted] with bathing and bedtime?

f. Who took [redacted] to the doctor's office or to dental appointments?

11) How, if at all, has your access and participation in [redacted]'s life changed since [redacted] moved out of the family home with her?

a. What do weekdays look like for you now in contrast to when you were living together in an intact family?

b. What do weekends look like for you now in contrast to when you were living together in an intact family?

c. Do you have any phone calls or video chats with [redacted] in between your "visits" with her?

12) Did you consent to [redacted] moving to her family's apartment with [redacted]

a. What, if any, understanding did you have about the circumstances regarding that move?

b. What, if any, understanding did you have about this situation being temporary?

13) What, if any, conversations did you and [redacted] have about this situation being temporary?

14) What, if any, conversations did you have with [redacted] about her and [redacted] returning to the family home where you currently reside?

15) Who, if at all, is present when you see [redacted] in [redacted] current residence?

16) How frequently do you see [redacted] current residence per week?

a. When was the last time you were there?

b. If you know, who resides in that home with [redacted]

17) Based on your observations of [redacted] current residence, please describe it to the Court

a. Type of home – single family, townhouse, apartment, etc.?

b. How many bedrooms?

c. How many bathrooms?

d. Back yard?

e. Basement?

f. Park in the neighborhood?

g. If you know, does [redacted] have her own bedroom?

h. If you know, does [redacted] have her own bed?

i. If you know, where does [redacted] sleep?

i. If you recall, did [redacted] sleep with either/both you and [redacted] prior to [redacted] relocating from the family home?

18) During these "visits" with [redacted] residence, do you have any individual time with [redacted]?

a. Are you ever left alone to care for [redacted]?

19) Based on your observations, how do these "visits" with [redacted] residence go?

a. What, if any, changes in [redacted] have you observed since she began living with [redacted] and her family?

b. What, if any, changes in your relationship with [redacted] have you observed since she began living with [redacted] and her family?

c. What, if any, challenges do you face or experience during these "visits" with [redacted] residence?

20) What, if any, attempts have you made to have individual time with [redacted] in your care since that time?

a. What, if any, conversations have you and [redacted] had about [redacted] having [redacted] time in your sole care?

b. What, if any, response has [redacted] given to you when you have made such requests?

**** EXHIBITS: ACCESS REQUESTS BETWEEN PARTIES ****

21) Do you recognize these text messages?

22) What are they?

23) Who are these text messages between?

24) Where did you obtain them from?

25) Approximately when were these text messages exchanged (i.e., over what time frame)?

26) Are they truthful and accurate copies of the original text messages?

27) What, if any, other opportunities have you had to see or spend time with [redacted] in recent weeks?

a. Alternating therapy sessions

b. Field trip

28) Let's talk about the therapy sessions… how did this become an opportunity for you to have 1 on 1 time with [redacted]?

a. Was [redacted] present during you transporting [redacted] to/from therapy?

b. How many times has this occurred?

c. Describe your interactions with [redacted] during these times, including her demeanor towards you

d. Based on your observations, did [redacted] seem uncomfortable with you on either of these instances?

29) Let's talk about the field trip… when was this?

a. What was the field trip for?

30) What, if any, communications did you and [redacted] have about you chaperoning the field trip at the time signups occurred?

**** EXHIBIT: FIELD TRIP COMMUNICATIONS ****

31) Do you recognize these text messages?

32) What are they?

33) Who are these text messages between?

34) Where did you obtain them from?

35) Approximately when were these text messages exchanged (i.e., over what time frame)?

36) Are they truthful and accurate copies of the original text messages?

37) Describe what occurred to the Court during the fieldtrip based on your observations

a. How much interaction did you have with [redacted] during the fieldtrip?

i. Describe those interactions with the Court

38) To the best of your knowledge, what, if any, concerns has [redacted] expressed to you as her reason for withholding access to [redacted]

a. Alcohol use

b. Anger management

c. [redacted]'s discomfort

39) Describe to the Court yours and [redacted] alcohol use throughout your relationship with one another

   a. How, if at all, has either of your use of alcohol changed during this time?

   b. If you know, why was there such a change?

   c. What, if any, conversations did you and [redacted] have about alcohol use when she decided to abstain from it entirely?

   d. Approximately when did this occur?

      i. Has this been a source of contention in your marriage since that time?

40) Do you currently drink alcohol?

   a. When was the last time you drank alcohol?

   b. Prior to June 2024, under what circumstances did you consume alcohol?

   c. To the best of your knowledge, did you ever consume alcohol in excess while caring for the Minor Child?

41) If you know, were you ordered to obtain a substance abuse assessment in this matter as a result of [redacted] Counter-Complaint?

   a. What, if any, understanding do you have about the outcome of that assessment?

**** EXHIBIT: CTC ASSESSMENT RESULTS ****

**** ASK COURT TO TAKE JUDICIAL NOTICE OF RESULTS IN COURT FILE ****

42) Do you recognize this document?

43) What is it?

44) What is the date of the report?

45) To the best of your knowledge, is this a truthful and accurate copy of the original report from [redacted] Center?

46) If you know, did [redacted] recommend you take an anger management class?

    a. To date, have you taken an anger management class?

**** EXHIBIT: ANGER MANAGEMENT CLASS INFO ****

47) Do you recognize these documents?

48) What are they?

49) What is the date of these documents?

50) To the best of your knowledge, is this a truthful and accurate copy of the original report from the anger management class you took?

51) What, if any, other classes did [redacted] recommend you take as part of the custody evaluation?

52) What, if any, conversations or communications did you have with [redacted] about signing up for these parenting classes?

    a. Approximately when did you communicate with her about this?

    b. What, if any, response did she provide you?

**** EXHIBIT: PARENTING CLASS COMMUNICATIONS ****

53) Do you recognize these text messages?

54) What are they?

55) Who are these text messages between?

56) Where did you obtain them from?

57) Approximately when were these text messages exchanged (i.e., over what time frame)?

58) Are they truthful and accurate copies of the original text messages?

59) Did you ultimately take the parenting classes you informed [redacted] of?

**** EXHIBIT: PARENTING CLASS INFO ****

60) Do you recognize these documents?

61) What are they?

62) What is the date of these documents?

63) To the best of your knowledge, is this a truthful and accurate copy of the original documents from the parenting classes you took?

64) What, if any, concerns do you have about the continuation of the current custodial arrangements?

   a. Limited interactions between you and [redacted]

   b. Continued reinforcement that you are someone she should fear or be uncomfortable around

   c. Lack of socialization for [redacted]

   d. Disregard for schedules/timing by [redacted]

   e. Issues with [redacted] extended family

   f. Changes in [redacted]'s demeanor

65) What specifically, if anything, causes you to have these concerns?

   a. Give examples for each if not already testified to

66) What physical custody schedule are you seeking from the Court?

   a. Is that the one outlined in the joint 9-204 statement filed with the Court?

**** EXHIBIT: 9-204 STATEMENT ****

**** ASK COURT TO TAKE JUDICIAL NOTICE OF 9-204 STATEMENT IN COURT FILE ****

LEGAL CUSTODY QUESTIONS:

67) Let's talk about your communication and relationship with [redacted]… describe your ability to communicate with [redacted] regarding [redacted] prior to her leaving the family home

    a. Did you and she discuss decisions for [redacted] together during this time that you recall?

68) How, if at all, did your communications with [redacted] regarding [redacted] change once you moved to MD from NY/NJ?

69) From your perspective, were you able to reach joint decisions for [redacted] once you moved to MD until [redacted] relocated from the family home with [redacted]?

    a. If necessary, give 1-2 examples of how decision-making went prior to [redacted] leaving the home with [redacted]

70) Since [redacted] left the family home with [redacted], how has she communicated with you about [redacted], if at all?

    a. Give 2-3 examples

71) How, if at all, has [redacted] communication with you changed since you filed for divorce in this matter?

    a. Give 2-3 examples to the Court

72) Is [redacted] currently enrolled in school?

    a. Where at?

    b. What grade is she in?

    c. What is her teacher's name?

    d. If you know, how is [redacted] doing in kindergarten?

73) Is that school in both yours and [redacted] school district?

74) How or from where, if at all, do you receive information regarding [redacted]'s schooling?

75) Do you have the ability to get [redacted] to/from school during the week?

76) Did [redacted] previously attend daycare?

    a. If you recall, how did [redacted] get to/from daycare previously?

77) How or from where, if at all, did you receive information from [redacted] daycare?

78) Is [redacted] currently enrolled in any extracurricular activities to your knowledge?

    a. Tell the Court how that came about

79) What, if any, conversations did you and [redacted] have about dance prior to [redacted] being enrolled?

80) Do you have any objection to [redacted] being enrolled in dance?

    a. What, if anything, do you object to?

81) How or from where, if at all, do you receive information regarding [redacted] dance?

82) Has [redacted] ever paid for [redacted] dance?

    a. If you know, who pays for this?

    b. How do you know this?

83) Is [redacted] currently enrolled in any religious activities to your knowledge?

    a. Tell the Court how that came about

84) What, if any, conversations did you and [redacted] have about Sunday school prior to [redacted] being enrolled?

85) When did you learn that [redacted] was enrolled in Sunday school classes?

    a. What information was initially conveyed to you about the Sunday school classes, if you recall?

    b. Who provided you that information, if you recall?

c. How, if at all, do the Sunday school classes differ from what you were told by [redacted]?

86) Do you have any objection to [redacted] being enrolled in Sunday school?

a. What, if anything, do you object to?

**** EXHIBIT: CHURCH TEXT MESSAGE ****

87) Do you recognize these text messages?

88) What are they?

89) Who are these text messages between?

90) Where did you obtain them from?

91) Approximately when were these text messages exchanged (i.e., over what time frame)?

92) Are they truthful and accurate copies of the original text messages?

93) In additional to Sunday school classes, what church does [redacted] attend with [redacted], to your knowledge?

94) Prior to [redacted] moving out, did the 3 of you attend church as a family regularly?

a. What, if any, conversations did you and [redacted] have regarding how [redacted] would be raised in relation to her religion?

95) What, if any, concerns do you have about [redacted] attending church with [redacted]?

a. Why do you have this concern?

96) What, if any, conversations or communications have you and [redacted] had about swim lessons for [redacted]?

a. How recently was this communication, if you recall?

b. What, if any, response did [redacted] have to your request to enroll [redacted] in swim lessons?

**** EXHIBIT: SWIM LESSON TEXT MESSAGE ****

97) Do you recognize these text messages?

98) What are they?

99) Who are these text messages between?

100) Where did you obtain them from?

101) Approximately when were these text messages exchanged (i.e., over what time frame)?

102) Are they truthful and accurate copies of the original text messages?

103) What, if any, conversations or communications have you and [redacted]r had about summer camp(s) [redacted]

a. How recently was this communication, if you recall?

b. What, if any, response did [redacted]r have to your request to enroll [redacted] in summer camp(s)?

**** EXHIBIT: SUMMER CAMP TEXT MESSAGE ****

104) Do you recognize these text messages?

105) What are they?

106) Who are these text messages between?

107) Where did you obtain them from?

108) Approximately when were these text messages exchanged (i.e., over what time frame)?

109) Are they truthful and accurate copies of the original text messages?

110) Is [redacted] currently enrolled in therapy?

a. Tell the Court how that came about

111) What, if any, conversations did you and [redacted] have about therapy prior to [redacted] being enrolled?

112) Do you have any objection to [redacted] being enrolled in therapy?

a. What, if anything, do you object to?

**** EXHIBIT: THERAPIST TEXT MESSAGES ****

113) Do you recognize these text messages?

114) What are they?

115) Who are these text messages between?

116) Where did you obtain them from?

117) Approximately when were these text messages exchanged (i.e., over what time frame)?

118) Are they truthful and accurate copies of the original text messages?

119) Let's talk about the *pendente lite* order in this matter – that PL Order indicates that you and [redacted], were to participate in reunification therapy with [redacted]?

a. What, if any, research did you and [redacted] do before entering that agreement?

b. What, if anything, happened after the PL Order was entered as it relates to reunification therapy with [redacted]

c. To date, has reunification therapy started?

i. To the best of your knowledge, why not?

120) How do you and [redacted] currently communicate as it relates to [redacted] and [redacted] decisions that need to be made for her?

121) What, if any, concerns do you have about yours and [redacted] ability to communicate and reach joint decisions for [redacted] moving forward?

122) What legal custody are you seeking from the Court?

CHILD SUPPORT/EXPENSE QUESTIONS:

123) Let's change topics… do you incur any childcare costs at this point for [redacted]

a. What, if any, childcare costs do you anticipate occurring for [redacted] during her summer break from school?

b. What, if any, research have you done regarding the cost of summer camp(s)?

i. When did you conduct this research?

ii. How did you conduct this research?

iii. What, if anything, did you learn as a result of this research?

124) To the best of your knowledge, does [redacted] incur any costs for work-related daycare for [redacted] as a result of her employment?

125) Do you and [redacted] incur any uninsured medical expenses for [redacted]?

a. If yes, what uninsured medical expenses do you current incur for [redacted]?

b. Were these uninsured expenses incurred by agreement of you and [redacted]?

126) Is it your intention to continue [redacted]'s therapy with [redacted]

a. Do you believe it in [redacted] best interest for her to do so?

127) How frequently, if you know, does [redacted] see [redacted]

a. Is that per week, every other week, per month, etc.?

b. Would you like to continue alternating taking [redacted] to those therapy sessions?

128) What is the cost per session for [redacted] to see [redacted]

129) If you know, is [redacted] covered by [redacted] insurance company?

130) During the course of this divorce case, who has covered [redacted] cost?

a. Do you believe you and [redacted] should continue to alternate paying for [redacted] session with [redacted]

131) Have there been any other uninsured medical expenses for [redacted] since the inception of this litigation?

a. If so, for what?

b. If yes, who paid those expenses?

EMPLOYMENT/INCOME QUESTIONS:

132) Let's switch to your employment – have you been employed throughout the course of your marriage to [redacted]?

a. Time frame

b. Employer name

c. Job title

133) Are you currently employed?

a. If yes, where?

134) How long have you been employed with [redacted]?

135) What is your job at [redacted]

136) Do you work there full-time or part-time?

**** EXHIBIT: CLIENT'S MOST RECENT PAYSTUB ****

137) Do you recognize this document?

138) What is it?

139) How did you obtain it?

140) What is the date of this paystub?

141) To the best of your knowledge, is this a truthful and accurate copy of the original?

142) How much are you paid per semester by [redacted]?

143) Do you have opportunities to teach at [redacted] during the summer or winter?

a. If you know, why not?

144) Do you currently have a full-time job?

a. Why not?

145) When were you last employed full-time?

146) What was the name of the company?

a. How long were you employed there?

147) Why did you leave that employment?

a. To be clear, you did not leave through any fault of your own?

148) What, if any, severance did you receive as a result of your employment?

a. When did that severance stop, if you recall?

149) Have you applied for unemployment as a result of your layoff?

a. When did you do that approximately, if you recall?

b. If you know, has your unemployment application been approved?

i. If no, you have not received any benefits as a result of the pending application?

ii. If you know, what is the maximum amount per week you might receive in unemployment?

150) What, if any, steps have you taken to secure new jobs and/or income since you were laid off?

**** EXHIBIT: JOB SEARCH LOG ****

151) Do you recognize this document?

152) What is it?

153) Who created it?

154) What timeframe does it span?

155) To the best of your knowledge, is it a truthful and accurate copy of the original?

156) Have you had any interviews as a result of these job applications?

a. To date, have you had any job offers as a result of those interviews?

FINANCIAL STATEMENTS:

**** EXHIBIT: CLIENT'S AMENDED LFFS ****

157) Let's look at your current financial situation… do you recognize this document?

158) What is it?

159) What is the date on this financial statement?

160) Did you prepare this financial statement?

161) What documents, if any, did you use when preparing this financial statement?

162) To the best of your knowledge, is this is a truthful and accurate representation of your monthly income and expenses?

a. Let's look at your income statement… what is this $[redacted] approximately) figure listed here?

i. To be clear, you are not currently receiving unemployment at this time, but this is what you anticipate receiving if you are approved?

163) If you know, how are your expenses going to change if you are awarded shared/joint physical custody o[redacted] as a result of this trial?

a. Do you anticipate that your food and household product expenses will increase at that time?

i. If you know, how much do you anticipate those expenses increasing?

b. Do you anticipate the clothing expense for [redacted] will increase at that time?

i. If you know, how much do you anticipate that expense increasing?

c. Are there any other expenses you anticipate increasing at that time?

i. If so, which expense?

ii. If you know, how much do you anticipate that expense increasing?

164) How have you been able to cover your monthly deficit to date?

165) Have you incurred any debt as a result of this litigation?

a. If so, how much?

**** EXHIBIT: PROMISSORY NOTES ****

166) Do you recognize these documents?

167) What are they?

168) What is the date on each of these documents?

169) Are they truthful and accurate copies of the originals?

170) When did you incur these debts?

171) For what purpose did you incur these debts, if you recall?

172) Tell the Court about your credit card debt

a. When was this debt incurred?

b. How is the debt currently being paid?

c. In whose name is this debt?

d. Has [redacted] contributed to any credit card debt in your name during the marriage?

173) If you know, does [redacted] have credit card debt?

174) If you know, how was this credit card debt incurred?

a. By whom?

b. For what purpose, if you know?

175) Who is paying [redacted] credit card debt?

a. Has she historically paid it throughout the marriage?

176) What, if any, conversations did you and [redacted] have about how you would spend money on credit cards and who would pay during the marriage?

a. To the best of your knowledge, how, if at all, has [redacted] position on the debt in her name changed as part of this divorce case?

b. How do you respond to her claims about this issue in her Counter-Complaint for Divorce?

177) Have you had an opportunity to review [redacted] financial statement she filed in this matter?

178) What, if anything, stands out to you about her financial statement?

a. Not reflective of her income, including bonus

b. Not reflective of $[redacted] annual year end bonus from her boss via Zelle for the last 2 years since moving here

c. Did not file a long form financial statement

d. Do not believe she has any real household living expenses – no rent, utilities, etc., as she is living with her mom and sister

179) Have you been paying [redacted] child support pursuant to the PL Order?

a. How much have you been paying to [redacted]r?

i. With what frequency?

b. How have you provided these funds to [redacted] bank transfer, check, etc.?

PARTIES' PHYSICAL/MENTAL HEALTH:

180) Do you suffer from any physical or mental conditions that affect your ability to work or care for [redacted]?

181) To the best of your knowledge, does [redacted]r suffer from any physical condition that would affect her ability to work or care for [redacted]?

182) To the best of your knowledge, does [redacted]r suffer from any mental condition that would affect her ability to work or care for [redacted]?

183) During the course of your relationship with [redacted] what, if any, concerns have you had about her diabetes?

184) What, if any, difficulties are you aware of that [redacted] has had historically in managing her diabetes?

a. How do you know this?

185) To the best of your knowledge, what, if any, difficulties has [redacted]r had recently managing her diabetes?

a. How do you know this?

MARITAL PROPERTY QUESTIONS:

**** EXHIBIT: JOINT 9-207 STATEMENT PREVIOUSLY FILED ****

186) Let's talk about the marital property in this case… do you recognize this document?

187) What is it?

188) Did you assist me in the completion of this document prior to it be filed with the Court?

189) To the best of your knowledge, is this a truthful and accurate copy of the original filed with the Court?

190) Let's go through each item…. When was this item acquired?

191) If you know, when was this item acquired?

192) If you know, where is this item currently?

193) If you recall, how did you arrive at this value?

194) To the best of your knowledge, is that currently the value of that item?

195) Why or why not?

**** EXHIBIT: CLIENT CURRENT BANK STATEMENTS ****

**** EXHIBIT: OP'S MOST RECENT BANK STATEMENTS ****

**** EXHIBIT: CLIENT'S CURRENT 401K STATEMENTS ****

**** EXHIBIT: OP'S CURRENT 401K STATEMENTS ****

**** EXHIBIT: LIFE INSURANCE STATEMENTS FOR BOTH PARTIES ****

**** EXHIBIT: KBB VALUE FOR CLIENT'S VEHICLE ****

196) Do you recognize each of these documents?

197) Please tell the Court what each document is

198) How did you obtain each document?

199) To the best of your knowledge, is each document a truthful and accurate copy of the original?

200) Let's talk about the [redacted] 401k – tell the Court what that was and your understanding of it

a. This account no longer exists, correct?

b. How, if you know, are these funds captured on the 9-207 statement?

**** EXHIBIT: [redacted] DOCUMENTS ****

201) Do you recognize these documents?

202) What are they?

203) What are the dates of the documents?

204) To the best of your knowledge, are these truthful and accurate copies of the originals?

205) How do you respond to [redacted] claim that her bank accounts are not marital property?

206) Let's talk about [redacted] jewelry valued at over $25,000 – tell the Court what this is specifically

a. Is this property insured?

b. How is the insurance been paid historically throughout the marriage?

c. What, if any, conversations did you and [redacted] have about who her engagement and wedding rings belong to ultimately?

207) Do you currently have a vehicle that you drive?

a. For what purpose do you drive this vehicle?

208) How is the vehicle titled?

209) Does [redacted] use this vehicle?

a. If you know, how does she get places – work, errands, etc.?

210) Does the car have a loan?

a. Who makes the payments for the car?

211) Why, if you know, is this vehicle titled [redacted] name alone?

212) If you know, why is the loan on this vehicle in [redacted] name alone?

213) Ideally, what would you like to have happen with this vehicle and its loan?

214) Are you asking that you be awarded possession and use of this vehicle for a period not to exceed 3 years post-divorce?

a. Are you willing to continue being liable for the debt associated with this vehicle during that time?

215) Would you like an opportunity to refinance or payoff the loan associated with this vehicle prior to the end of that 3 years?

a. If you are able to do so, would you ask that [redacted] transfer title to this vehicle at that time?

ATTORNEY'S FEES QUESTIONS:

216) Have you incurred attorney's fees in defending this action?

**** EXHIBIT: CLIENT'S ATTORNEYS' FEES TO DATE ****

217) What are these documents?

218) Are you familiar with the charges stated in these bills?

219) How much have you been billed since your retaining the services of my office?

220) Do you believe that the attorney's fees stated in these bills are reasonable?

221) Do you believe that the charges that you incurred in this matter were necessary in defending yourself in this action?

222) These charges do not include my time for trial this week, correct?

223) How have you paid your attorney's fees to date?

a. Who has paid those fees on your behalf?

224) Are you expected to repay your mother for the money she has paid to my office?

**** EXHIBIT: PROMISSORY NOTE TO CLIENT'S MOTHER ****

225) What is this document?

226) Who created it?

227) Who signed it?

228) What is the date on this document?

229) To the best of your knowledge, is this a truthful and accurate copy of the original?

Evidence

Maryland Rules of Evidence

Proving a Fact in Court from the People's Law Library of Maryland

From the Custody and Divorce Handbook:

SCRIPT FOR TEXT MESSAGES/EMAILS

MADAM CLERK, could you please mark this document as EXHIBIT_____.

YOUR HONOR, I wish to identify this document as EXHIBIT_____.

QUESTIONS TO WITNESS (OR YOURSELF IF YOU ARE WITNESS):

Q: I am showing you what has been marked as exhibit_____, what is this document?

A:

Q: Do you recognize it?

A:

Q: How did you obtain it?

A:

Q: When did you receive it the email/take the screen shot?

A:

Q: How did you obtain it?

A:

Q: When did you receive it?

A:

Q: Have you made any alterations to the document?

A:

Q: What is the significance of the document?

A:

YOUR HONOR, I move Exhibit_____into evidence.

SCRIPT FOR PHOTOGRAPHS

MADAM CLERK, could you please mark this document as EXHIBIT_____.

YOUR HONOR, I wish to identify this document as EXHIBIT_____.

QUESTIONS TO WITNESS (OR YOURSELF IF YOU ARE WITNESS):

Q: I am showing you what has been marked as exhibit_____, what is this document?

A:

Q: Do you recognize this photograph?

A:

Q: Are you familiar with what is shown (person, object, etc) in the photograph?

A:

Q: How are you familiar with what is shown in the photograph?

A:

Q: Does the photograph fairly and accurately represent what is shown as your remember it?

A:

YOUR HONOR, I move Exhibit_____into evidence.

RULE 5-902. SELF-AUTHENTICATION

CERTIFICATION OF CUSTODIAN OF RECORDS OR OTHER QUALIFIED INDIVIDUAL (Md. Rule 5-902(12))

SCRIPT FOR BUSINESS RECORDS

MADAM CLERK, could you please mark this document as EXHIBIT_____.

YOUR HONOR, I wish to identify this document as EXHIBIT_____.

QUESTIONS TO WITNESS (OR YOURSELF IF YOU ARE WITNESS):

Q: I am showing you what has been marked as exhibit_____. Are you familiar with the business records in this exhibit?

A:

Q: Can you identify these documents?

A:

Q: Were these documents prepared in the ordinary scope of the business of your company?

A:

Q: How are these documents stored after they are prepared?

A:

Q: How are these documents retrieved?

A:

Q: Is it a regular part of your business to keep and maintain records of this type?

A:

Q: Are these documents of the type that would be kept under custody ro control?

A:

Q: What is the significance of the document?

A:

YOUR HONOR, I move Exhibit_____into evidence.

Attorney's Fees – Family Law Article

§ 7-107. Award of expenses -- divorce

§ 8-214. Award of expenses - Property Dispo

§ 9-105. Unjustified denial or interference with visitation - custody and visitation

§ 9.5-312. Costs, fees, and expenses - UCCJEA

§ 11-110. Order to pay reasonable and necessary expenses – alimony

§ 12-103. Award of expenses - support and custody

Sanction in: Maryland Rules 1-341(b) for bad faith; Rule 2-433 for discovery sanctions

Henriquez v. Henriquez, 413 Md. 287 (2010) - holding pro bono attorney can be compensated

Affidavit in Support of Attorney Fees for Pro Bono Attorneys – see below

IN THE CIRCUIT COURT FOR ANNE ARUNDEL COUNTY, MARYLAND

[redacted] *

Plaintiff, *

v. * Case No.: [redacted]

[redacted] *

Defendant. *

* * * * * * * * * * * * *

AFFIDAVIT IN SUPPORT OF ATTORNEY'S FEES

I, J[redacted] an attorney in good standing in the State of Maryland, am over the age of 18, have personal knowledge about the matters and facts set forth herein, am competent to be a witness thereto, and certify as follows:

1. I am an attorney in the law firm of [redacted]. We represent Plaintiff, [redacted], in the above action and I make this affidavit based on personal knowledge.
2. Attached hereto is a copy of the invoices showing services rendered to Plaintiff covering the firm's representation in connection with Defendant's Complaint for Modification of Custody, Visitation, Child Support, and Other Appropriate Relief, Defendant's Petitions (2) for Contempt, and Plaintiff's Counter-Claim to Modify Custody and Child Support filed herein.
3. In accordance with Maryland Rule 5-902, I hereby certify that the attached records are maintained on a daily basis in the usual course of business as regular practice and are contemporaneously prepared based on the information transmitted by myself and other legal personnel with personal knowledge of the matters set forth herein. The attachments accurately reflect the legal services rendered on Plaintiff's behalf and the time expended in connection with said legal services.

4. My customary and usual billing rate for similar legal services at the outset of this action was [redacted] per hour but has since increased to [redacted] per hour. Said rates are at or below the customary rate fees charged for said services in Anne Arundel County by a family law attorney with several years' experience. This is the hourly rate approved and agreed to by Plaintiff and attorney in this matter.
5. The customary and usual billing rate for the paralegals in our firm is [redacted] per hour. Said rate is at or below the customary rate fees charged for said services in Anne Arundel County by a paralegal with several years' experience. This is the hourly rate for paralegals approved and agreed to by Plaintiff and attorney in this matter.
6. The Plaintiff's Hourly Fee Agreement requires that he compensate the firm at the rates set forth above.
7. From February [redacted] through May [redacted], Plaintiff incurred attorney's fees in the amount of $[redacted] in connection with this matter.
8. In addition to the above attorney's fees, the undersigned performed [redacted] hours of trial preparation time on May 10, 2021, for a total of $[redacted]. Undersigned counsel estimates [redacted] hours of trial time for May [redacted], for an estimated additional sum of [redacted].
9. Based on the attorney's fees set forth in Paragraphs 7 & 8 above, Plaintiff's estimated total attorney's fees equate to [redacted] for the present matter.

AFFIRMATION

I solemnly affirm under penalties of perjury that the contents of the foregoing document are true to the best of my knowledge, information, and belief.

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 2021, a copy of the foregoing was sent via email and/or U.S. First Class Mail, postage prepaid, to:

Attorney for Defendant

Attorney for the Minor Children

Attorney Signature

Post Trial:

Sample Exceptions from Magistrates Report and Recommendations

Appeals to the Appellate Court of Maryland from the Maryland Courts

Maryland Court Guide to Self-Represented Appeals (step by step)

Next Steps:

One of our Cohort members suggested in the FL Cohort Survey that it would be helpful to receive information about How to Grow Your Family Law Practice. We created the following suggestions:

Suggestions on Growing Family Law Practice (1).pdf

Please continue to help MVLS clients. You can visit the Pro Bono Portal to see all of the cases available.

Just some of the MVLS Program Benefits:

- 1. Become involved in improving the lives of others through your legal representation.
- 2. Interact with people from diverse backgrounds which allows one to gain and develop other perspectives.
- 3. "If you're in a position to give back within your field, you should take it," Kate, a Judicare Volunteer, said. "These are people's lives—and you really are making a difference in their protection, stability, and overall quality of life."
- 4. Use and develop your legal skills to enhance and grow your practice.
- 5. Engage with and learn from a wonderful community of committed attorneys through an interactive listserv and mentoring activities.
- 6. Access and participate in family law trainings provided by MVLS.
- 7. Develop a sense of accomplishment by providing a worthwhile and valuable service to your community and to our clients.
- 8. Network at two large events every year: A Taste for Pro Bono and Celebrate Pro Bono.

- 9. An MVLS Volunteer shared the following: "The experience strengthened my commitment to advocating for women and children in crisis. This is a reflection of the empathy and resilience that define the MVLS volunteer community.
- 10. Opportunity to: be featured widely as Volunteer of the Month, to receive one of our annual awards and/or to be featured on our social media pages.

Resources for Pro Bono Family law attorneys:

- A network of excellent, supportive family law attorneys; including mentorship;
- MVLS family law staff attorney;
- MVLS Family Law Listserv;
- MVLS Family Lawyer Monthly Open Office Hours;
- Malpractice insurance;
- MVLS Volunteer Resources;
- PBRC Litigation Fund;
- Office space available to meet with MVLS clients;
- MVLS Trainings;
- Discounted Westlaw access for your MVLS cases (when available);
- Regular updates on relevant legislation, programs, and news articles affecting your area of law;
- Language Access Services; and more...

*Once you have 3 years of experience or 2 years of experience and an experienced family law attorney at your firm, you can join the Judicare panel which pays $120 per hour to attorneys, up to a total of $4200.