

Oral Stipulation checklist:

Name of Case: Matrimonial action; commenced on _____
Plaintiff _____ v. Defendant _____
Both are personally present. (If either/both absent, state so).

Appearances: For Plaintiff _____
For Defendant _____
Law Guardian _____

Biographical Info: The Parties were married on _____
in the (Town/City) of _____, County of _____,
State of _____,
in a (civil/religious) ceremony.

The Parties have _____ (#) unemancipated children, to wit:
(Name) _____, born _____
(Name) _____, born _____
(Name) _____, born _____
(Name) _____, born _____
(Name) _____, born _____

Grounds: The Parties have agreed that the Plaintiff/Defendant will take the divorce based upon the grounds set forth in his/her Complaint/Counterclaim. The Plaintiff/Defendant hereby respectfully requests permission to withdraw his/her Answer/Reply to the same, as well as his/her Complaint/Counterclaim. (If mutual, clearly state so and that each is withdrawing answers)

Custody/Visitation:

Legal Custody of the minor child(ren) shall be:

- Sole to Mother or Father
- Joint

Physical custody of the minor child(ren) shall be:

- With Mother
- With Father
- Shared, with the schedule of custodial times to be as follows

Other terms and conditions concerning custody and visitation are as follows (i.e., prohibitions on consumption of alcohol, transportation issues, what happens if visitation missed, prohibitions against derogatory comments about the other party, etc.):

Child Support:

The Plaintiff's annual gross income is \$ _____, less FICA of \$ _____, resulting in a net income of \$ _____.

The Defendant's annual gross income is \$ _____, less FICA of \$ _____, resulting in a net income of \$ _____.

The combined parental income is \$ _____, of which _____% is attributable to Plaintiff and _____% is attributable to the Defendant.

The applicable child support percentage for the Parties _____ (#) unemancipated children is _____%.

Plaintiff/Defendant will pay child support to (*Support Collection Unit for disbursement to*) the Plaintiff/Defendant in the amount of \$ _____ weekly/bi-weekly/monthly, with payments to commence on _____ (date). This amount is/is not a deviation from the Child Support Standards Act.

(IF deviation) – Such deviation is appropriate, based upon the following factors:

There are (*no*) child support arrears as of this date. (If so) – Total arrears owed to the Plaintiff/Defendant as of the date of this Stipulation are fixed in the amount of \$ _____, and are to be paid by the Plaintiff/Defendant at the rate of \$ _____ per _____ until paid in full. Such payments are in addition to the base child support payments previously set forth herein.

The Plaintiff/Defendant will (*continue to*) provide health insurance coverage for the minor child(ren). The Parties will divide the (*dependent portion of the health insurance premium and*) uninsured necessary health care expenses, with the Plaintiff paying ____% and the Defendant paying ____% of such expenses. Such expenses include, but are not limited to, medical, dental, orthodontic, psychological and ophthalmologic expenses. The Party who incurred the expense will be reimbursed within _____.

The Parties will divide any childcare expenses, necessary for the Plaintiff/Defendant to work or attend school, with the Plaintiff paying ____% and the Defendant paying ____% of such expenses. Such payments are to be made *within ____ days in incurring the expense; ____ days after receiving documentation of the expense; other* _____.

Other terms and conditions of child support (such as whether and how to divide extracurricular expenses, educational expenses, etc.):

Spousal Maintenance:

The Parties have agreed that the Plaintiff/Defendant will pay spousal maintenance to the Plaintiff/Defendant, in the amount of \$_____ per _____. Such payments will commence on _____ and continue for a period of _____ years/months; or the *death of Plaintiff/Defendant/either Party; remarriage of the Plaintiff/Defendant; other (specify)* _____, whichever first occurs.

OR

The Parties have both agreed to waive spousal maintenance from the other as both are capable of being self-supporting and neither is in danger of becoming a public charge.

Income Taxes:

The Parties will divide the income tax exemptions for the child(ren) as follows:

Attorney's fees:

Each Party will be solely responsible for his/her own attorney's fees in connection with this matter.

OR

The Plaintiff/Defendant will pay the Plaintiff/Defendant's attorney's fees, costs and disbursements in this connection with this matter in the amount of \$ _____, with such payments to be made within _____ days of this date.

Equitable Distribution:

For each of the below assets, it is important to include the approximate value and, if possible, the approximate date of valuation.

Real Property: List the address of each property, how currently titled, will it be sold or retained by a Party. If retained, who is responsible for preparing Deed and how mortgage will be satisfied. If the Party retaining the property needs to refinance the mortgage, the time frame in which to do so. If sold, detail with specificity how proceeds will be handled; who is responsible for mortgage and other expenses until property is sold and who, if either, will have use of the property during that time.

Vehicles: Specify each vehicle and who is retain each, or if a vehicle is to be sold. For each vehicle being retained, also specify timeframe for title to be provided, if necessary and whether there is a loan and how that is to be handled. For vehicles being sold, specify how proceeds of sale will be handled.
