

SEPARATION AGREEMENT WORKSHEET

FOR OFFICE USE ONLY	
Clients Name:	Clients Phone No.
Attorney:	Date:
<p>PRIVACY ACT STATEMENT</p> <p>AUTHORITY: 5 U.S.C. § 301; 44 U.S.C. § 3101 (E.O. 9397)</p> <p>PRINCIPAL PURPOSE: Obtain personal information to prepare legal document(s).</p> <p>ROUTINE USE(S): Information provided will be used by legal assistance personnel (attorneys and staff) to prepare a Separation Agreement requested by individual providing the information.</p> <p>DISCLOSURE: Voluntary; however, failure to provide the requested information may prevent furnishing of requested legal assistance services.</p>	

**THIS FORM MUST BE COMPLETED IN ORDER FOR THE LEGAL ASSISTANCE OFFICE
TO PREPARE SEPARATION AGREEMENT DOCUMENTS**

The Marine Corps Legal Assistance Offices on Iwakuni will represent only one party. The other party is strongly encouraged to get the advice of another attorney before signing the agreement. **FREE LEGAL ADVICE IS AVAILABLE TO THE OTHER PARTY AT ANOTHER LEGAL ASSISTANCE OFFICE.** Yokosuka Legal Office 243-5141. Sasebo Legal Office 252-3347.

The separation agreement will be binding and lasting. No party should agree to terms he or she does not understand. Please feel free to discuss any concerns with an attorney. If you have any questions arising from the worksheet, please call the Legal Assistance Office at 253-5591/5592.

The separation agreement **WILL TERMINATE ANY MILITARY SUPPORT ORDER.**

Questions regarding the following should be directed to the agency concerned:

Regarding	Agency	Phone Number
Family Violence	Family Service Center Military Police	253-6161 911
Early Return of Dependents	Service Members Command	Command
Shipment of Household Goods	Traffic Management Office	253-3172
State Specific Divorces	www.Divorcessource.com www.Divorcenet.com Applicable Court Websites	
Counseling	Personal Service Center	253-4526

If a question does not apply, please indicate N/A for "not applicable." It is vital that this worksheet be completed accurately and that both spouses be in complete agreement as to all terms. Please type or print NEATLY. Please answer all sections. Any discrepancies will cause delays.

NOTICE TO PARTIES

1. The Legal Assistance Office client is _____.
2. The parties must make full disclosure regarding real and personal property in this agreement.
3. This worksheet agreement will become the Separation Agreement when typed by the Legal Assistance Office.
4. The Legal Assistance Office will not mediate disputes regarding the Separation Agreement. Disputes create contested divorces and require civilian counsel.
5. That all legal documents necessary to accomplish the separation agreement will be prepared by the Legal Assistance Office on behalf of the client spouse using legal assistance services.
6. That the legal documents prepared will require signatures of both parties in order to be Binding, and that they should read the entire document prior to signing it.
7. That each party has a right to hire a civilian attorney to protect his or her interests, and it may be in their best interests to do so.
8. That each party is eligible to consult with a military attorney free-of-charge before signing this worksheet or the agreement that is to be prepared from this worksheet.

NOTICE TO SPOUSE USING THE SERVICES OF LEGAL ASSISTANCE

The Legal Assistance Office may only provide you with limited dissolution assistance. The legal assistance attorney can only assist you in your dissolution if your case is uncontested. Furthermore, legal assistance provided will be for a Pro Se dissolution. The client alone will be responsible for filing court documents, making court appearances, and performing any other required action. Because of the limited services Legal Assistance can provide, it may be in the your best interests to retain a civilian lawyer to handle your dissolution. The client should make full and fair disclosure to his or her spouse of all real and personal property of any nature whatsoever belonging in any way to the client and all sources and amounts of income received or receivable by the client. Furthermore, the client is notified that although an obligation based on a contract is assigned to one party by this dissolution agreement, the creditor may have a cause of action against the other party in the event that the party to whom the obligation was assigned defaults.

NOTICE TO SPOUSE NOT USING LEGAL ASSISTANCE SERVICES

If the non-client spouse desires the services of a lawyer, he or she must consult with a lawyer at another legal assistance office or with a civilian attorney. The non-client spouse is under no obligation to provide any information on the attached sheet and that the information on the worksheet will be used to assist the client spouse in obtaining dissolution of the marriage. The information on the attached worksheet is voluntarily released and done so with full knowledge of the non-client's rights to first consult with a lawyer. The non-client spouse should make full and fair disclosure to the client spouse of all real and personal property of any nature whatsoever belonging in any way to him or her and all sources and amounts of income received or receivable by him or her. The non-client spouse also is notified that they are proceeding with a marital change in an uncontested manner. Furthermore, the non-client spouse also realizes that although an obligation based on a contract is assigned to one party by this dissolution agreement, the creditor may have a cause of action against the other party in the event that the party to whom the obligation was assigned defaults.

I. PERSONAL INFORMATION: 個人情報

A. HUSBAND 夫

1. Full name: _____
(First) (Middle) (Last)
氏名 ファースト ミドル ラスト
2. Domicile is the state you consider your PERMANENT HOME. _____
本籍地
3. Residence is where you are physically living now. 現住所

(PSC OR Complete Address) (Camp/City, State) (Zip Code)
キャンプ・市・州 郵便番号
4. Active duty military? Yes No Service: USMC USN USAF DOD RET CIV
現役ですか はい いいえ 軍別: 海兵隊 海軍 空軍 国防省 退役 民間人
- a. Unit name: _____
部隊名
- b. Total service time: Years _____ Months _____ Rank _____
従軍期間 年 月 階級
5. Telephone: Home _____ Work _____
電話番号 自宅 職場

B. WIFE 妻

1. Full name: _____
(First) (Middle) (Last)
氏名 ファースト ミドル ラスト
2. Domicile is the state you consider your PERMANENT HOME. _____
本籍地
3. Residence is where you are physically living now 現住所

(PSC OR Complete Address) (Camp/City, State) (Zip Code)
キャンプ・市・州 郵便番号
4. Active duty military? Yes No Service: USMC USN USAF DOD RET CIV
現役ですか はい いいえ 軍別: 海兵隊 海軍 空軍 国防省 退役 民間人
- a. Unit name: _____
部隊名
- b. Total service time: Years _____ Months _____ Rank _____

従軍期間 年 月 階級

5. Telephone: Home _____ Work _____
電話番号 自宅 職場

6. Is wife pregnant now? Yes No Expected due date: _____
現在妊娠中ですか はい いいえ 出産予定日

II. MARRIAGE: 婚姻

A. Date of marriage: _____
結婚年月日

B. City and State of marriage: _____
結婚をした州名及び市名

C. Total time married: Years _____ Months _____
結婚期間 年 月

D. Who will file for divorce? _____ Husband _____ Wife
誰が離婚を申告しますか 夫 妻

E. County/State where divorce petition is expected to
be filed: _____ (Not Okinawa!)
離婚届を提出する予定の州・郡 (沖縄を除く)

III. SEPARATION: 別居

This is the date the parties separated with the intent never to resume the marital relationship. This date has important implications regarding the accumulation of marital property and marital debt. **Date of separation:** _____

今後夫婦関係を回復する意思がないことを決意して当事者が別居した年月日を記入する。この日付は累積夫婦資産及び債務に関して重要な意味を有する。

IV. CHILDREN: 子供

Complete for each child born of the marriage and/or adopted during the marriage.
 夫婦間に生まれた子供及び結婚中に養子にした子供についてそれぞれ記入する。

Child's full name 子供のフルネーム	DOB 生年月日	Natural Child of Father/Mother/Both 父親・母親・両親 の実子	Child to Live with Father/Mother 父親・母親 と同居予定	Is Child Adopted 養子です か

V. CHILD CUSTODY: Please indicate below the type of custody arrangement both parties desire.

子供の親権： 当事者双方が希望する親権の内容を記入して下さい。

_____ A. **Joint Legal Custody:** Both parents have an equal voice in major life decisions, but only one parent has primary physical custody.

共同の法的親権：人生における重要な決定事項については両方の親が発言権を有するが、身上親権に関しては片方の親が一義的権利を有する。

_____ child will reside primarily with **Wife; or**
 子供は一義的に**妻**と同居する 又は

_____ child will reside primarily with **Husband**
 子供は一義的に**夫**と同居する

_____ B. **Joint Physical (Shared) Custody:** The child will live with one parent for a specified period of time and then live with the other parent a specified period, e.g., weekly or monthly alternating custody periods.

共同（共有）身上親権：子供は特定の期間を一方の親と住み、その後、特定の期間もう一方の親と住む。（例：一週間又は一ヶ月毎に交互に一方の親と生活する等）

_____ Wife and Husband both have custody with alternating schedules as listed below:
 以下のスケジュールのとおり妻と夫が交互に子供と住む。

VI. CHILD VISITATION: 子供による面会

A. Schedule of Visitation: 面会のスケジュール

___ No specific schedule of visitation rights (reasonable visitation); **or**
主張すべき特定のスケジュールはなし（妥当な面会）又は

___ According to a generic schedule; **or**
定期的スケジュールにしたがって実施する。又は

___ According to a specified schedule and as agreed to between Husband and Wife
夫と妻が合意した次のとおり特定のスケジュールによるものとする。
as detailed: _____

B. Transportation costs for visitation: 面会に要する交通費の負担

___ Wife ___ Husband will pay all transportation costs; **or**
妻 夫が交通費をすべて負担する。 又は

___ Shared between Husband and Wife equally; **or**
夫と妻が平等に負担する。 又は

___ Other (Specify) _____
その他（明記）

C. Moving the children's residence: 子供の引越し：

___ No restrictions; **or**
制限なし。 又は

___ Moving from the State of _____ is prohibited.
特定の州（明記）からの引越しは禁止。

VII. CHILD SUPPORT: 子供の養育

Support payments, in most states, are controlled by State Child Support Standards or Guidelines. Support agreements below the minimum level may be invalidated by a court. A court may increase the obligation to the minimum level based on the income/salaries of the parties. Child support is normally paid by the non-custodial spouse. Every military member is required to support his or her lawful family members as detailed in Legal Admin Manual, Chapter 15. A support obligation established in a divorce is legal, binding, and enforceable. Any amount agreed upon by the parties in a signed separation agreement will be binding during the period of separation. Each party should talk to an attorney about how much support should be paid during the separation period.

A. Who will pay child support: ___ Husband ___ Wife
養育費を支払う者： 夫 妻

B. Total support for all children: 子供全員に対する養育費の総額

The child support payment per child: \$_____ per month for a total of \$_____
子供一人に対する一か月分の養育費及び子供全員に対する一か月分の養育費の総額を記入する。
per month for all children.

C. Schedule of child support payments: 養育費支払いのスケジュール

Will begin on: (MM/DD/YYYY) _____
支払い開始: (月・日・年)

Payments will be on the _____ and _____ of each month by:
支払いは毎月何日と何日 (明記) で、支払い方法は:

_____ cash 現金	_____ check 小切手
_____ military allotment 給料から差し引き	_____ money order 郵便為替

D. Termination of child support payments: 養育費支払いの終結

Normally child support obligations end when one of the following occurs: The child dies; the child reaches age 18 (or age 22 as long as the child enters and continues to attend college); the child marries; or the child is otherwise emancipated. Wife and Husband can agree to extend payments, for example, to cover college expenses.

_____ Support will terminate upon a child's death, marriage, emancipation, or upon the attainment of the age of 18 years by the child; **and**
養育は子供の死亡、結婚、経済的独立又は子供が18歳に年齢に達した時に養育を終了する。及び

_____ Will continue until the age of 22 years, if the child is attending college: **or**
子供が大学に入学した場合は22歳まで養育を継続する。又は、

_____ Will continue until the child attains the age of _____ years.
子供が特定の年齢 (明記) に達するまで養育を継続する。

E. Dependency exemptions: 扶養控除

In the absence of an agreement between the parties, the general rule is that the custodial parent gets the dependency exemptions. A noncustodial parent providing child support may be entitled to dependency exemptions if a decree of divorce or written separation agreement so provide.

_____ Wife _____ Husband is to get the dependency exemptions; **or**
妻・夫 (該当個所をチェック) が扶養控除を受ける。又は、

_____ Husband will get exemptions for _____ even _____ odd years; **or**
夫が偶数・奇数 (選択する) 年に控除を受ける。又は、

_____ Husband will claim the following child _____.
夫は明記した子について扶養控除を要求する。

VIII. SPOUSAL SUPPORT: Spousal support is an amount of money paid for temporary support in spouse's own right. It is not considered part of child support.

配偶者の扶養費：配偶者の扶養費は、配偶者自身の権威により一時的に支払われる費用であり、子供の養育費の一部ではない。

____ Waived by both parties; **or**
当事者双方により放棄。又は、

____ Husband ____ Wife is to PAY spousal support to the ____ Wife ____ Husband
Bi-weekly \$ _____ or Monthly \$ _____ Total Monthly \$ _____
Payments due on _____ and _____ of each month beginning on _____.
夫・妻（該当箇所をチェック）が妻・夫（いずれかを選択）に対し、二週間に一度（金額を明記）
又は月々（金額を明記）支払う。
毎月支払う日にちを記入すること。支払い開始年月日を記入。

____ Support to terminate on remarriage of party receiving support; **and/or**
扶養費の支払いは、その扶養を受けている者が再婚した時点で終了する。及び/又は、

____ Support to terminate on a specific date _____; **and/or**
扶養費の支払いは、特定の日付（明記）をもって終了する。及び/又は、

____ Support payments to terminate on date of divorce of the parties
扶養費の支払いは、当事者の離婚の日付をもって終了する。

IX. REAL PROPERTY: 不動産

Do you own a marital residence, land, buildings or other property affixed to land (time share)? ____ Yes ____ No

あなたは結婚後に不動産を取得しましたか。又は、その他、土地に付随する資産（期間限定）を取得しましたか。はい、いいえ

1. Provide a full legal description or address of the property taken from your recorded deed
権利書に記載された資産について、そのすべての法的記述又はその住所を記入して下さい。

2. Title held now: 現在の権利

____ Sole to ____ Husband ____ Wife; **or**
夫・妻（選択）が単独で権利を有する。又は、

____ Joint Tenants, Husband and Wife, with right of survivorship
在存者取得権付き夫及び妻合有

3. Date property acquired: _____
取得年月日

4. Lenders Name: _____ Balance Owed: \$ _____
融資機関名 残高

5. Possession/Title:
所有・権利

____Husband ____Wife Will have possession/title of the property; **or**
夫・妻（該当個所をチェック）が資産の所有権を有する。又は、

____Husband ____Wife Will have possession/title only until _____,
or until the property is sold incident to this separation, whichever first occurs; **or**
まで（限定する）又は今回の別居に伴い資産を売却するまで（時期的に先行するのを選択）夫・妻（該当個所をチェック）が所有権を有する。又は、

____Husband ____Wife Will be solely responsible for the mortgage payments
夫・妻（該当個所をチェック）が単独でローンを支払う義務を有する

Note: If this is a joint mortgage obligation, the only way to be relieved from liability to the lender if the other party fails to pay is to have the mortgage company release you from the note.

____No property is to be divided by this agreement [has already been divided]; **or**
本合意によっていかなる資産も分割されない（すでに分割済み）。又は、

____Personal property to be divided as indicated below:
個人資産については下記のとおり分割する

Note: Do not list all items; list only big ticket (\$100.00 and over) items; or items that may be a matter of dispute.

A. **Vehicles:** 車両

1. Year _____ Make _____ Model _____ VIN No. _____
年式 製造会社 モデル 車体番号

____Husband ____Wife will receive possession to this vehicle; **and**
夫・妻（該当個所をチェック）がこの車両を所有するものとする 及び

____Husband ____Wife will pay the remaining loan balance of \$ _____
夫・妻（該当個所をチェック）がローンの残額（金額を記入）を支払う

2. Year _____ Make _____ Model _____ VIN No. _____
年式 製造会社 モデル 車体番号

____Husband ____Wife will receive possession to this vehicle; **and**
夫・妻（該当個所をチェック）がこの車両を所有するものとする 及び

____Husband ____Wife will pay the remaining loan balance of \$ _____
夫・妻（該当個所をチェック）がローンの残額を（金額を記入）を支払う

3. Year _____ Make _____ Model _____ VIN No. _____
年式 製造会社 モデル 車体番号

_____ Husband _____ Wife will receive possession to this vehicle; **and**
夫・妻（該当個所をチェック）がこの車両を所有するものとする 及び

_____ Husband _____ Wife will pay the remaining loan balance of \$ _____
夫・妻（該当個所をチェック）がローンの残額を（金額を記入）を支払う

B. **Bank Accounts, Bonds, Stocks, Mutual Funds, Certificates of Deposit:**
銀行口座、公債、株、投信、定期預金

Name of Institution 金融機関名	Balance 残高	Husband/Wife/Split 夫・妻・分割	Acct No. 口座番号
a. _____			
b. _____			
c. _____			
d. _____			
e. _____			

C. **Personal property, other than clothing:** 衣服以外の個人資産

HUSBAND'S PROPERTY
夫の資産

WIFE'S PROPERTY
妻の資産

(Use an additional page if necessary)
必要に応じて追加ページ使用のこと

XI. DIVISION OF DEBTS: 債務の分割

____ There are no debts subject to disposition; **or**
処分対象の債務なし 又は、

____ The following debts will be the liability of the party listed:
以下の債務については、記載の当事者が責任を負う

A.	Name of Institution 金融機関名	Balance 残高	Husband/Wife/Split 夫・妻・分割	Acct No. 口座番号
a.	_____	_____	_____	_____
b.	_____	_____	_____	_____
c.	_____	_____	_____	_____
d.	_____	_____	_____	_____
e.	_____	_____	_____	_____
f.	_____	_____	_____	_____
g.	_____	_____	_____	_____
h.	_____	_____	_____	_____
i.	_____	_____	_____	_____

XII. FILING TAXES: 税の申告

A. If the dissolution is final before midnight 31 December, the parties are single and must file as such for that tax year. Otherwise the parties will file as:
もし結婚の解消が12月31日夜中12時より以前に確定している場合は、当事者は独身ということであり、その年の税年度はその旨申告しなければならない。さもなければ、当事者は以下のとおり申告することになる。

H	W	
夫	妻	
_____	_____	Single; or 独身 又は
_____	_____	Married filing jointly; or 既婚 共同で申告 又は
_____	_____	Married filing separately; or 既婚 別々に申告 又は
_____	_____	Head of Household 世帯主

B. For joint filing, do the parties agree to share _____ equally **or** _____ proportionally a refund or deficit? 共同で申告する場合、当事者は、均等又は比例的に（該当箇所をチェック）還付又は加算を分かち合うことに合意しているか。

XIII. RETIREMENT BENEFITS: 退職手当

Pensions (including military retired pay) are divisible as marital property or community property under state law. The portion of a pension earned during the marriage is property that may be divided and distributed between the parties under a Separation Agreement or by court order. For example, a service member who is married for all 10 years of active duty service has served one-half (1/2) the time necessary to receive a pension. The spouse would have gained an interest in one-half (1/2) that time, or one-quarter (1/4) of the service member's retired pay. Please consult your attorney for further explanation.

A. **Military and Civilian Pension Rights: 軍及び民間の年金の受給権**

<u>Husband's or Wife's</u> 夫又は妻の年金	<u>Type of Plan (Military, 401K, etc.)</u> 年金の種類 (軍、401K、等)
---------------------------------------	--

_____ Husband and/or _____ Wife agrees to waive and give up all claims they may have for a part of spouses' military and/or civilian retirement income (to include IRAs); **or**
夫及び/又は妻(該当箇所をチェック)は、配偶者の軍及び/又は民間の年金収入の一部に関する要求をすべて放棄することを合意する。**又は**

_____ Husband will pay to the Wife _____ % of his retirement income; **or**
夫は妻に対し、夫の年金収入の _____ %を支払う。**又は**

_____ Wife will pay to the Husband _____ % of her retirement income; **or**
妻は夫に対し、妻の年金収入の _____ %を支払う。**又は**

Calculate the spouse's share based on the appropriate state formula, as set forth below.
しかるべき州の計算方式に基づいて配偶者の受け取り分を計算すること

Formula: _____ ; **or**
計算方法 _____ **又は**

_____ Settled by payment from Husband to Wife Amount: \$ _____ ; **or**
夫から妻に支払うことで解決済み 額 **又は**

_____ Settled by payment from Wife to Husband Amount: \$ _____ ; **and**
妻から夫に支払うことで解決済み 額 **及び**

_____ Sum to be paid on or before: _____
支払い期限

XIV. INSURANCE PROVISIONS: 保健規定

____ Neither party is obligated to maintain a life insurance policy; **or**
いずれの当事者も生命保険を負担する義務を負わない。 又は

____ Husband and / or ____ Wife is required to maintain life insurance in the amount of
\$_____ with the child the irrevocable beneficiary of said policy (a trust for the
child may be set up). If a life insurance policy is not maintained, their estate will be
liable to the child for said amount.

夫及び/又は妻（該当個所をチェック）は、子を取消不可受取人（子のために被信託人をたてる
ことも可能）とする _____ドルの生命保険を負担しなければならない。もし生命保険が負担さ
れていない場合は、上記額と同額の夫及び/又は妻の財産を子に払う義務を負う。

夫・妻 <u>H/W INSURER</u>	保険証券番号 <u>POLICY #</u>	額面 <u>FACE VALUE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

XVI. MEDICAL INSURANCE: 医療保険

A. Medical Coverage for Wife or Husband: 妻又は夫の医療保険

____ Husband ____ Wife will maintain coverage on spouse until the divorce is final; **and**
離婚が確定するまでは、夫・妻（いずれかを選択）が配偶者の医療保険を負担する。及び、

____ If ____ Husband ____ Wife leaves military service, they will purchase independent medical
coverage for spouse

もし夫・妻（該当個所をチェック）が除隊した場合は、彼/彼女は、その配偶者に対して個人医療
保険をかけることとする。

B. Extraordinary medical expenses: 特別医療費

____ Husband's ____ Wife's extraordinary medical expenses not covered by military or
independent medical coverage will be paid _____ % by Husband and _____ % by Wife
軍又は個人医療保険から支払われない夫・妻（該当個所をチェック）の特別医療費については、
夫が _____ %および妻が _____ %負担する。

C. Medical coverage for children:

____ Husband ____ Wife will maintain medical coverage on the child until no longer entitled to
child support; **and**

夫・妻（該当個所をチェック）は、子が養育費を受ける資格がなくなるまで子の医療保険を負担す
る。及び、

____ If ____ Husband ____ Wife leaves the military service, they will purchase independent
medical coverage for the children

もし夫・妻（該当個所をチェック）が除隊した場合は、彼/彼女は、子供たちに対して個人医療保
険をかけることとする。

D. Children's extraordinary/uncovered medical expenses: 子供に係る特別医療費/保険適用外の医療費

____ Children's extraordinary medical expenses not covered by military or independent medical coverage will be paid _____ % by Husband and _____ % by Wife
軍又は個人医療保険から支払われない子供の特別医療費については、夫が %および妻が %負担する。

E. TriCare/DEERS: トライケア/DEERS

____ Husband ____ Wife is active duty military and will ensure that the child is enrolled in DEERS and that TriCare benefits are available for the child; **or**

夫・妻（該当個所をチェック）は現在兵役に就いており、子が DEERS に登録され、又、トライケアの保険が子に適用されることを保証する。又は

____ Both Husband and Wife will share equally the cost of TriCare or other medical deductible amounts for the children's medical expenses

夫及び妻の両者は、トライケア又は子の控除可能な医療費額を平等に負担する。

XV. CLAIMS AGAINST THE ESTATE OF THE OTHER SPOUSE: 配偶者の財産に関する要求権利

____ Husband agrees that the estate of Wife will pass to the heirs of the Wife as if the Husband had died before the Wife. Husband further agrees not to contest the will of Wife; **and**

夫は、妻より先に死亡した場合、妻の財産が妻の相続人に遺産が相続されることに同意する。さらに、夫は妻の遺言に対し異議を唱えない。及び、

____ Wife agrees that the estate of Husband will pass to the heirs of the Husband as if the Wife had died before the Husband. Wife further agrees not to contest the will of Husband.

妻は、夫より先に死亡した場合、夫の財産が夫の相続人に遺産が相続されることに同意する。さらに、妻は夫の遺言に対し異議を唱えない。

XVI. OTHER その他

A. Please specify any other mutually agreed upon terms that were not covered by the above sections:

上記以外に相互に合意した事項があればそのすべてを明記してください。
