

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

Family No.  
Docket No.

In the Matter of a Custody/Visitation Proceeding

\_\_\_\_\_,  
Petitioner

-against-

\_\_\_\_\_,  
Respondent

**PETITIONER'S FIRST  
SET OF INTERROGATORIES  
& REQUEST FOR  
PRODUCTION OF  
DOCUMENTS**

Hon.  
Family Court Judge

**INTERROGATORIES**

THE FOLLOWING INTERROGATORIES are demanded to be answered by the Respondent, \_\_\_\_\_, under oath within the time period provided by the CPLR. The requested information must be provided regardless of whether it is possessed by the Respondent personally or by her agents, representatives or persons acting on behalf of the Respondent.

Each Interrogatory is required to be answered on the basis of your entire knowledge. If any of the following Interrogatories cannot be answered in full, you are to answer to the fullest extent possible, specifying the reason for your inability to answer the remainder, and stating whatever information or knowledge you do have concerning the non-answered portion. If your answer is qualified in any way, please set forth the details of such qualification.

If you (Respondent) or anyone acting on your behalf should discover any new information or should change a position, you are obligated to supplement your answers within the time period permitted by law.

**REQUESTS FOR PRODUCTION OF DOCUMENTS**

You are requested to produce any and all documents requested herein, and those documents referred to in your answers to the interrogatories, within the time permitted by the CPLR, to \_\_\_\_\_ [name and address], for purposes of inspection and copying or, in lieu thereof, to produce true and legible copies, within the same time-frame, by mail or other similarly reliable means to \_\_\_\_\_ [name].

All business (including medical) documents produced shall be set forth in the order kept in the ordinary course of business, and all documents shall be labeled or otherwise specifically identified so as to correspond and be responsive to all appropriate answers to the Interrogatories. The requests shall be deemed to be continuing in nature, calling for prompt production by you of all documents which come into your possession, custody or control at any time prior to the conclusion of trial in this action, as well as all documents currently in your possession, custody or control.

## DEFINITIONS, PROCEDURES AND INSTRUCTIONS

A. As used herein, the word "person" shall mean a natural person, proprietorship, corporation, public organization, governmental body, or agency, partnership, group, association, or organization.

B. As used herein, the words "document" or "documents" shall mean any and all written or recorded material of any kind, including but not limited to, agreements, contracts, leases, addenda, amendments, letters, correspondence, medical records, memoranda, notes, telegrams, pamphlets, reports, ledgers, records, vouchers, checks, bank statements, invoices, studies, books, working papers, diaries, charts, papers, flow charts, program specifications, time cards, drawings, sketches, graphs, indices, data sheets, data processing cards, computer tapes or printouts, sound recordings, records of telephone or other conversations or meetings, telegrams, telex messages, inter-office communications, and any writings however produced or reproduced, including any non-identical draft or copy thereof.

C. As used herein, the word "communication" means a statement of any nature or description, whether oral or in writing, in which information was transmitted between two or more persons.

D. As used herein, the word "agent" means all persons, including but not limited to any representative authorized to act on the behalf of, or for the benefit of, another person.

E. Date or Period: If you do not know the exact date or period, please supply an approximation.

F. Identification of Act: "Describe," "state," "identify" or any forms thereof, when used in reference to an act (including an alleged offense), occurrence, contact, transaction, incident, decision, statement, communication or conduct (hereinafter collectively called "act") means to describe in substance the event or events constituting such an act, what transpired, the place and date and the identification of both all the persons involved and the documents relating or referring thereto.

G. Identification of Documents: "Describe," "state," "identify," or any forms thereof, when used in reference to a document, means to set forth, with respect to the original and each copy thereof, its title, or if untitled its nature (e.g., letter memorandum, telegrams, note chart, photograph, sound reproduction, computer printout, etc.), its date, the identity of the author, and, where different, the sender and signer. Also to be included are the identity of the person to whom the original document(s) or any copy was sent, the substance and description of the document sufficient to enable the party propounding these Interrogatories to request its production, the name and last known address of each person who has custody of the document. If it is no longer in your possession, custody, or control, state whether the document was lost, destroyed, or otherwise disposed of, and describe the surrounding circumstances, including your authorization and the date of such disposition. If you claim any privilege against disclosure of any of the above information with respect to any document, describe each such document

sufficiently to allow the party propounding these Interrogatories to understand the nature and origin of the document and the reason(s) for the privilege claimed.

H. Identification of Oral Communication: “Describe,” “state,” “identify,” or any forms thereof, when used in reference to an oral communication means to state the time, date, and place where the communication occurred, its nature and content, the identity of the individuals participating in or who heard it, and its substance.

I. Identification of Persons: “Describe,” “state,” “identify,” or any forms thereof, when used in reference to an individual means to state the individual’s full name, current business and residence addresses, present or last known business affiliation and position and dates so employed, and business affiliation and position at the time in question. When used in reference to an entity, the terms mean to state the type of entity, its official name or designation, and the principal place of business of such entity.

J. Identification of Statement: “Describe,” “state,” “identify,” or any forms thereof, when used in reference to a statement means to quote or state as precisely as possible, the time, date, place, and medium through which it was published, and to identify the person or entity making the statement.

K. As used herein, the word “or” shall be construed either conjunctively or disjunctively to bring within the scope of these Interrogatories any information which might otherwise be construed to be outside their scope.

L. As used herein, the words “relating to” means pertinent, relevant, or material to, evidencing, having a bearing on, or concerning, affecting, discussing, or otherwise dealing with the subject matter in any way whatsoever.

M. As used herein, the word “representation” means a statement of any nature or description, whether oral or in writing, intended to influence another person.

N. As used herein, the word “witness” means the name, address, and telephone number of each person having knowledge of discoverable matters or the item in question.

O. As used herein, the words “checking”, when used as a verb, and “to check” means to examine, review, or verify the condition of something.

P. As used herein, the word “checking”, when used as an adjective, means the type of bank account.

Q. Other Terms: The singular includes the plural, and vice versa. The masculine includes the feminine and neutral genders, and the past tense includes the present tense when the clear meaning is not distorted by the change of tense.

R. Lack of Information: If you have no information about the subject of a particular Interrogatory, or if for some reason you are unable to answer it, the response should specifically

so state. No Interrogatory should be left blank without some response. If you have some information but believe that further information which you know but is not available to you would also be responsive to the Interrogatory, you should provide the information you now have and specifically state when the balance of all information will be provided. If you cannot provide it all, you should provide the name of the person or entity that would be able to provide it. The fact that a full answer cannot now be given is not a basis for you to fail to provide such information as is currently available or known to you.

S. Privilege: When an Interrogatory calls for the information or identification of a document or communication which you claim as protected by any privilege or other limitation on disclosure, the answer to the Interrogatory should state the existence of the information, communication, or document. It should also state each privilege or limitation claimed, with a summary of all facts and circumstances upon which the claim is based. You should not claim a privilege without also supplying the information above.

T. State Each and Every Fact: In providing answers to these Interrogatories, you are to state each and every fact (or forms thereof) pertaining to or supporting a particular event, allegation, contention, answer or set of facts. You are to fully set forth, describe, and identify each and every ultimate evidentiary fact (including but not limited to each and every act, event, occurrence, omission, transaction, document, communication, and person involved) which you claim or contend constitute, support, or pertain to the particular allegation, contention, answer, or set of facts in question.

## **INTERROGATORIES**

INTERROGATORY No. 1: Please state your full name, residential address, mailing address, and phone number.

ANSWER:

INTERROGATORY No. 2: Please state the date you began residing at this address.

ANSWER:

INTERROGATORY No. 3: Please state all other addresses you have resided at since the birth of your daughter/son, \_\_\_\_\_, on \_\_\_\_\_, and state the dates that you resided there.

ANSWER:

INTERROGATORY No. 4: In reference to your answers to interrogatories nos. 1 and 3, please state all persons who shared each residence with you, providing their full names, current addresses, and phone numbers.

ANSWER:

INTERROGATORY No. 5: Please state your current employment, employer's address and phone number, and work hours.

ANSWER:

INTERROGATORY No. 6: Please state your income.

ANSWER:

INTERROGATORY No. 7: Please state the particulars of your current residence, including but not limited to the size of the residence; whether your son/daughter has a separate bedroom; and whether there are communal spaces and if so, who those communal spaces are shared with;

ANSWER:

INTERROGATORY No. 8: Please state the commute to your current employment from your current residence, including distance and means of transportation.

ANSWER:

INTERROGATORY No. 9: Please state all other daycare provided by a person or a facility since the birth of your daughter/son, \_\_\_\_\_, with addresses and phone numbers of those persons or facilities.

ANSWER:

INTERROGATORY No. 10: Please state the cost of the daycare identified in your answer to Interrogatory No. 9, and who paid for such daycare.

ANSWER:

INTERROGATORY No. 11: Please state whether you received government assistance for the cost of any daycare.

ANSWER:

INTERROGATORY No. 12: Please state whether you have spoken disparagingly about the Petitioner, \_\_\_\_\_, in front of your daughter/son.

ANSWER:

INTERROGATORY No. 13: Identify each expert or other individuals retained by you or your attorney whom you expect to call as a witness at trial and, as to each, provide all information discoverable.

ANSWER:

INTERROGATORY No. 14: To the extent not identified in your answers to the preceding Interrogatories, please identify all individuals you intend to call as witnesses at trial, and provide a brief summary of the extent of the testimony of each such individual(s).

ANSWER:



## REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION No. 1: Please produce any and all documents you identified in your responses to the preceding Interrogatories.

REQUEST FOR PRODUCTION No. 2: Please produce any and all documents you intend to offer as exhibits at the time of trial and any documents, not privileged, that you may refer to in order to refresh your recollection in advance of or during trial.

REQUEST FOR PRODUCTION No. 3: Please produce all written communications, including text messages, between you and the Petitioner, since the day you learned of your pregnancy with your daughter/son.

REQUEST FOR PRODUCTION No. 4: Please produce all contracts entered into for daycare.

REQUEST FOR PRODUCTION No. 5: Please produce all invoices, bills, receipts, cancelled checks, or other evidence of charges and payments, for daycare.

REQUEST FOR PRODUCTION No. 6: Please produce all applications for government assistance in paying for daycare.

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**Petitioner reserves the right to supplement these interrogatories and requests.**

Date:

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Petitioner, *pro se*

