

MARITAL ASSETS AND FINANCES

The equitable distribution of marital property is a no fault claim. It is essential that all marital assets and liabilities be discovered and evaluated. A list of information and documents to be gathered follows, although it is by no means complete. Rather, it is a point of beginning, and lists documents which are common to many domestic cases. It is intended to be supplemented to obtain additional items which are unique to your particular case.

While separately-owned assets and liabilities are not subject to division, it is important to know what they are, and their values, as they may influence how the court divides the marital assets and liabilities.

The values of assets acquired during the marriage should be determined

- (a) at date of separation, and
- (b) at present.

The values of separate assets should be determined

- (a) at date of marriage;
- (b) at date of separation; and,
- (c) at present.

The following information will help us determine how your marital property may be equitably distributed by the courts or how we might best craft an agreement to divide the marital property on your behalf.

1. **Tax Returns.**

State, federal and intangible returns for the previous five years, including all schedules and other attachments to such returns, including, but not limited to, W-2, 1099, and K-1 forms.

2. **Financial Statements.**

Copies of all financial or net worth statements prepared by you or for you or your spouse in the last five years. List all banks and other institutions (and individuals) to which you have supplied financial statements within the past five years.

3. **Retirement Plans.**

If you are a participant in any profit sharing, pension, stock purchase, or retirement plan (including any KEOGH or 401 (k) plan), copies of all printouts or statements provided to you in the past three years (contact the bookkeeper, plan administrator, or person responsible for the maintenance of the plan for

copies of the summary plan description, a statement of your current interest in such plan, and its value. You are entitled to this information from your employer upon request).

4. **Retirement Accounts.**

Verification of any Individual Retirement Accounts (IRAs) which you or your spouse own. Identify the institution where the accounts are maintained and provide the account numbers, names of beneficiaries, and a statement of the balance in each account at separation and at present.

5. **Real Estate.**

If you or your spouse have an interest in any real estate (whether marital or separate), provide the address of each parcel, and a copy of the deed, notes, deeds of trust, and last paid tax bill for each parcel. This information must include a legal description for each parcel of real estate for use in pertinent legal documents.

6. If any real estate or personal property you own (including any owned wholly or in part by any corporation, partnership, or proprietorship in which you have a substantial interest) has been appraised for any reason within the past five years, provide copies of those appraisals.

7. **Life Insurance.**

The name of each insurance company, the face amount of the policy, a description of the policy (whether whole life, universal life, or term), the policy number, the owner of the policy, the beneficiary, its cash or other value at separation and at present, the annual premium, the terms and conditions of the policy, and the amount and terms of any loans outstanding against it.

8. **Medical Insurance.**

The company name, address, policy or group number, and subscriber number of all health, medical, and dental insurance which is maintained for your benefit, or for the benefit of any family member. This information is to include a statement detailing coverage for your spouse and children (to include stepchildren) and policy provisions relating to conversion after separation and divorce.

9. **Other Insurance.**

Copies of all insurance policies which you presently maintain, or which cover property which you own, or in which you have a substantial interest, including homeowners, automobile, personal property, and umbrella policies, together with all schedules and riders.

10. **Bank Accounts.**

Copies of all canceled checks, bank statements, and registers for all checking accounts to which you are a signatory for the last three (3) years together with records verifying deposits to and withdrawals from any other account at any other bank or financial institution from for the last three (3) years.

11. Securities.

A list of the stocks or bonds owned, the date of purchase, the purchase price, the current owner, the value at separation, and the present value. Also furnish copies of statements received from any brokerage firm within the past twelve months.

12. Business Interest.

If you or your spouse have an interest in any business entity, furnish copies of partnership or corporate state and federal tax returns and all schedules, together with copies of balance sheets and profit-and-loss statements for the past five years.

13. Estate or Trust Interest.

Statements providing verification of any interest which you or your spouse has in any trust, estate, inheritance, or other interest which you believe may become your property in the future. If such is the case, furnish a copy of any will, inventory, final accounting, or judgment describing or affecting that interest. If you have an interest in any trust, provide a copy of the trust agreement, the inventory, the most recent annual accounting, and tax returns for the past five years, if any, for the trust.

14. Written Agreement.

If you or your spouse have entered into any written agreement addressing support, property, or which imposes obligations upon you or confers benefits upon you, provide copies of same.

15. Safety Deposit Box.

If you or your spouse have access to a safety deposit box, furnish the location, box number, length of time you have had access to it, and a list of everything the box has contained at any time during the past five years.

16. List of Creditors.

A list of your creditors not covered above, including the name and address of each creditor, the purpose of the debt, the balance at separation, its present balance, the monthly payment, a statement as to what portion of the obligation you consider to be your individual debt, and what portion you consider to be a joint obligation with your spouse.

17. Salary and Other Income.

Your present annual salary, your pay period, the gross amount you receive for each pay period, and the itemized deductions from the periodic check.

18. Bonus and Commission Arrangements.

Verification of bonuses and commissions paid by your employer or company, and if you have an employment contract, provide a copy of same. Specify the amount of bonuses or commission for the following twelve months (to include the manner by which it is computed, the time it is earned, and the date it is to be paid).

19. Employment Fringe Benefits.

A statement of all fringe benefits, including, but not limited to, automobiles, automobile expenses, expense accounts, reimbursements of expenses, life insurance, medical insurance, medical reimbursement (both for you and your dependents), club dues, retirement programs, profit sharing, thrift plan, stock option plan, or pension benefits which are not addressed elsewhere.

20. Guarantee.

A statement of all obligations for which your spouse may be liable, such as guaranty agreements, lines of credit, bank card reserve accounts, and checkline accounts.

21. Claims.

If you are presently involved in any litigation, state the nature of the litigation, the caption of the lawsuit, the Court in which it is filed, and details of the relief sought. This information should be provided both as to claims made against you and claims brought by you.

22. Wills and Trust Instruments.

Copies of any wills and trust instruments you have executed in the past five years.

23. Credit Card Accounts.

Copies of all records, to include receipts, billing statements, charge slips, and the like with respect to any credit card account maintained by you (or by you jointly with any other person, or maintained for your benefit) for the last 3 years.

24. Recent Sales, Transfers, Exchanges or Conveyances.

The particulars of all sales, purchases, transfers, exchanges, or conveyances of any real or personal property in which you have an interest having a value in excess of \$500.00 at any time within the past five years which are not addressed elsewhere.