

MANDATORY DISCLOSURE DOCUMENTS **REQUIRED BY THE COURT**

Rule 12.285 of the Family Law Rules of Procedure (revised 12/31/2020) require each party in a family law case (divorce or paternity) to provide copies of the documents listed below to the other party, through counsel, within 45 days of commencement of the action and certify, under oath, that same have been provided. This process is known as "Mandatory Disclosure." Failure to do so may result in the Court imposing fines and attorney's fees against you. Also, these documents must be provided to our office within a reasonable time so we may complete the certification form to accompany the documents.

When providing the documents listed below, please provide us with one copy. DO NOT PROVIDE ORIGINALS AND REMOVE STAPLES.

- A. Financial Affidavit: The Financial Affidavit Worksheet fully filled out on the form provided.

- B. Federal and State Income Tax returns: All federal and state income tax returns, gift tax returns, and foreign tax returns filed by you or on your behalf for the past three (3) years, including all attachments, including W-2, 1099, K-1, and all accompanying schedules and worksheets comprising the entire tax return.
 - a. A party may file a transcript of the tax return as provided by IRS Form 4506 T in lieu of his or her individual federal income tax return for purposes of a temporary hearing.

 - b. IRS forms, W-2, 1099 or K-1 for the past year, if the income tax return for that year has not been prepared. If no tax return for any of the prior 2 years beyond the past year, then IRS Form W-2, 1099, and K-1 for those prior 2 years as well.

- C. Pay stubs or evidence of income: pay stubs or other evidence of earned income for the six (6) months prior to delivery of the financial affidavit.

- D. Statement of income if not on pay stubs: A statement identifying the amount and source of all income for the preceding six (6) months if not reflected on the pay stubs.

- E. Loan applications and financial applications: All loan applications, financial statements, credit reports, or any other form of financial disclosure, including financial aid forms, prepared or used within the 24 months preceding service of the financial affidavit.

- F. Deeds and Promissory Notes: (1) All deeds evidencing any ownership interest in property held at any time during the last three (3) years. (2) All promissory notes or other documents evidencing money owed to either party at any time within the last 24 months. (3) All present leases wherein either party is receiving or has received payments at any time within the last 3 years for leased real or personal property, or owner or owned an interest.
- G. Banking Records (Checking, Savings, Money Market, CD's, and any other): (1) All periodic bank statements for the last twelve (12) months for checking accounts. (2) For all accounts that have check writing privileges, copies of cancelled checks and registers, whether written or electronically maintained. (3) All periodic bank statements for the last twelve (12) months for all other accounts (Savings, Money Market, CDs, etc.), regardless of whether or not the account has been closed.
- H. All brokerage accounts: All brokerage accounts within the last twelve (12) months. For all accounts that have check writing privileges, copies of cancelled checks and registers, whether written or electronically maintained.
- I. Profit sharing/retirement/pension: Most recent statement and statements for the past 12 months for profit-sharing, retirement, deferred-compensation, or pension plan, and the summary plan description.
- J. The most recent statement and statements for the past 12 months for any virtual currency transactions. Virtual currency is a digital representation of value that functions as a medium of exchange, a unit of account, and/or a store of value. A listing of all current holdings of virtual currency shall also be disclosed.
- K. Insurance: Life/health/dental: The declaration page, last periodic statement, statements for the past 12 months, and certificate for all life insurance policies insuring the party's life or the life of the party's spouse.
- L. All current health and dental insurance cards covering either party or their dependent children.
- M. Corporate/Partnership/Trust tax returns: returns for the last three (3) tax years in which party has an ownership or interest in a corporation, partnership, or trust.
- N. Promissory notes/credit/charge cards: (1) All promissory notes for the last 24 months, whether paid or not. (2) All credit card and charge account statements or other records of indebtedness as of the date of filing and for the last 24 months. (3) All lease agreements parties presently owe.

- O. Pre-Marital/Marital agreement: All written premarital or marital agreements entered into at any time by the parties, all affidavits and declarations of non-paternity or judgments of disestablishment of paternity for any minor or dependent child born or conceived during the marriage.
- P. In modification cases any agreement entered into following entry of the order to be modified).
- Q. Special equity/non-marital status claim: Documents relating to claims for an unequal distribution of marital property, enhancement or appreciation of nonmarital property, or nonmarital status of an asset or debt.
- R. Court order for child support: Any court orders directing that party pay or receive spousal or child support.