

**MANDATORY DISCOVERY IN YOUR
DISSOLUTION OF MARRIAGE CASE**

The Florida Supreme Court has adopted a Rule (12.285), which requires that in all dissolution of marriage cases which involve contested financial matters, certain documents regarding the financial matters of the parties should be provided to the opposing party automatically. The same rule provides that a Financial Affidavit must always be filed. This is intended to make the process of obtaining a dissolution of marriage easier. In order for us to comply with the Rule, you must provide this office with the information necessary to comply with the Rule. This information is also helpful to us in preparing your dissolution of marriage case for settlement and/or trial. In order to assist us in this process, please fill out this questionnaire and return it to our office with the applicable documents. Thank you in advance for your co-operation. Your co-operation will make it easier for us to represent you in an effective manner and will allow us to keep your attorneys fees and costs to a minimum.

1. Is the total of the income into your household more than \$50,000.00?

Yes / / No / /

2. Have you prepared a **financial affidavit**?

Yes / / No / /

If you have not prepared a financial affidavit, please fill out the financial affidavit provided to you by this office. If you do not have a blank financial affidavit, please call this office to request a blank financial affidavit. **Providing a completed financial affidavit is required in all cases, even where the parties are able to resolve their financial issues.**

3. Have you filed any of the following **tax returns** for the past three years?

Income Tax Returns

2005?	Yes / /	No / /
2004?	Yes / /	No / /
2003?	Yes / /	No / /

Please provide us with a copy of each of the returns you have checked above.

If you have not yet filed a tax return for the year 2005, it is acceptable to provide us with copies of all W-2, 1099 and K-1 forms you have received instead of providing us with the tax return for the year 2005. If you provide us with this information instead of a copy of your tax return, you should provide us with a copy of the tax return when it is filed.

Have you filed, been required to file or has anyone filed on your behalf any of the following tax returns for any of the last three years?

Gift or Intangible Personal Property Tax Returns

Yes / / No / /

Please provide us with a copy of each of the returns you have checked above.

If you are required to file any of these returns for any of the past three years, please identify the returns due, including for which years you are required to file each return and an explanation of why the return has not yet been filed and when the return is expected to be filed.

_____ .

4. Are you regularly employed or do you receive **earned income** or periodic income from any source?

Yes / / No / /

If the answer above is yes, is the income you receive always in the same amount?

Yes / / No / /

If your income varies, please identify the factors listed below which affect the amount of income which you receive for any given pay period.

Number of Hours Worked / /
Overtime / /

Is overtime mandatory or optional? Mand / / Opt / /
Is overtime always available? Yes / / No / /
Is overtime seasonal? Yes / / No / /

Bonuses
Guaranteed? Yes / / No / /
Predictable? Yes / / No / /

Do you have more than one source of income? Yes / / No / /

If you have more than one source from which you regularly receive income, please list the sources of income here.

- 1.
- 2.
- 3.

How often are you paid?

(If you receive income from more than one source, please answer this question for each source from which you receive income by using the number for the source on the list above.)

Monthly / /
Two Times Per Month / /
Every Two Weeks / /
Weekly / /

For all sources of income, please provide three months worth of evidence of the amount of the income. For instance, three months of pay stubs, copies of benefit checks or other evidence of the receipt and amount of the income.

Do you receive any income for which you have no paystubs, benefit checks or other evidence of the receipt and amount of the income?

Yes / / No / /

If you answered yes to this question, you will need to prepare a written statement regarding this income which provides information regarding the source and amount of the income.

5. Have you prepared any **loan applications** within the last twelve months?

Yes / / No / /

If you answered yes, please provide copies of all of the loan applications prepared within the last twelve months.

Have you prepared, had prepared or used any **financial statements** within the last twelve months?

Yes / / No / /

If you answered yes, please provide copies of all financial statements which were prepared or used within the last twelve months.

6. Have you been **deeded** any real property within the last three years?

Yes / / No / /

Have you **deeded** any real property to anyone within the last three years?

Yes / / No / /

If you answered yes to either question, please provide a copy of the deed or deeds.

Do you have an interest in a lease?

Yes / / No / /

If you answered yes, please provide a copy of the lease or leases.

7. Do you have a checking account?

Yes / / No / /

If you answered yes, please provide a copy of the statements for the account(s) for the last three months.

Do you have a savings account, money market account or certificate of deposit?

Yes / / No / /

If you answered yes, please provide a copy of the statement for the account(s) for the last twelve months.

8. Do you have a brokerage account?

Yes / / No / /

If you answered yes, please provide a copy of the statements for the brokerage account for the last twelve months.

9. Do you have a profit-sharing, retirement, deferred compensation, or pension plan (IRA, 401K, 403(b), SEP, KEOGH or other similar account)?

Yes / / No / /

If you answered yes, please provide a copy of the most recent statement from your plan and the summary plan (The plan administrator is required to provide you with a copy of the summary plan upon request).

Does your spouse have a profit-sharing, retirement, deferred compensation, or pension plan (IRA,401K,403(b),SEP, KEOGH or other similar account)?

Yes / / No / /

If you answered yes and have a copy of information regarding your spouse's plan, please provide it to this office.

10. Do you and/or your spouse have a life insurance policy which insures your life?

Yes / / No / /

Does this life insurance policy have a cash value?

Yes / / No / /

If yes, what is the approximate value of the life insurance policy?

Do you and/or your spouse have a life insurance policy which insures your spouse's life?

Yes / / No / /

Does this life insurance policy have a cash value?

Yes / / No / /

If yes, what is the approximate value of the life insurance policy?

Please provide a copy of the declarations page, the last periodic statement and the certificate for all life insurance policies described above.

Please also provide copies of the insurance cards for medical, dental or health insurance which are in your possession and for policies that cover your spouse or your child or children.

11. Do you and/or your spouse own any businesses?

Yes / / No / /

If yes, do you or your spouse primarily run the business or businesses?

If yes, does the other spouse participate in the business?

What service or product does the business produce?

Are any special licenses required to operate the business?

What do you believe the business is worth?

Please provide all corporate, partnership, and trust tax returns for the last three years where you and/or your spouse has an ownership interest of thirty percent or more in the corporation, partnership or trust.

12. Please list all credit accounts and other debts.

Owed To:

Amount Due: Mo. Pmt.:

Please provide copies of all promissory notes, all credit card and charge account statements and leases for the past year.

13. Have you and your spouse entered into a pre-nuptial agreement, marital agreement, marital settlement agreement or any other agreements regarding alimony, re-payment of debt, distribution of property or any other matter pertaining to the marriage or between yourself and your spouse.

Yes / / No / /

Please provide copies of all pre-nuptial agreements, marital agreements, marital settlement agreements, or any other agreements related to the marriage or between yourself and your spouse.

14. Do you believe that property which is titled in the name of yourself, your spouse or you and your spouse jointly should be treated as non-marital property or that you or your spouse should be awarded an unequal share of the property?

Why?

Please list and provide any documents which support or explain why you or your spouse should be awarded an unequal share of property.

ONCE YOU HAVE PROVIDED ALL OF THESE DOCUMENTS AND COMPLETED A FINANCIAL AFFIDAVIT, YOU SHOULD NOTIFY THIS OFFICE IF YOU HAVE A SIGNIFICANT CHANGE IN YOUR ASSETS, DEBTS OR INCOME. PLEASE PROVIDE ANY DOCUMENTATION YOU HAVE REGARDING THE CHANGE IN CIRCUMSTANCES.

Thank you for taking the time to complete this document and provide your documents. Please remember that the more complete information you provide to this office, the better prepared we can be to provide for your representation.