

**COMPLIANCE WITH FAMILY LAW
RULE 12.285 - MANDATORY DISCLOSURE**

ITEM √ if applicable	NOT APPLICABLE	NOTE
<input type="checkbox"/> Federal income tax return for the past 3 years	<input type="checkbox"/> N/A	
<input type="checkbox"/> State tax return for the past 3 years	<input type="checkbox"/> N/A	
<input type="checkbox"/> Gift tax returns for the past 3 years	<input type="checkbox"/> N/A	
<input type="checkbox"/> Intangible personal property tax return for the past 3 years	<input type="checkbox"/> N/A	
<input type="checkbox"/> IRS forms W-2, 1099, and K-1 for the past year	<input type="checkbox"/> N/A	
<input type="checkbox"/> Pay stubs or other proof of earned income for the 3 months prior to service of the financial affidavit	<input type="checkbox"/> N/A	
<input type="checkbox"/> Statement identifying the amount and source of all income received from any source during the 3 months preceding service of the financial affidavit	<input type="checkbox"/> N/A	
<input type="checkbox"/> All loan applications and financial statements prepared or used within the 12 months preceding service of the financial affidavit	<input type="checkbox"/> N/A	
<input type="checkbox"/> All deeds within the last 3 years	<input type="checkbox"/> N/A	

<input type="checkbox"/> All promissory notes within the last 12 months	<input type="checkbox"/> N/A	
<input type="checkbox"/> All present leases in which the party owns or owned an interest, whether held in the party's name individually or jointly, in the party's name as trustee or guardian for another, or in someone else's name on the party's behalf	<input type="checkbox"/> N/A	
<input type="checkbox"/> All periodic statements from the last 3 months for all checking accounts	<input type="checkbox"/> N/A	
<input type="checkbox"/> All periodic statements from the last 12 months for all other accounts (even if closed) (i.e., savings accounts, money market accounts, etc.), whether held in the party's name individually or jointly, in the party's name as trustee or guardian for another, or in someone else's name on the party's behalf	<input type="checkbox"/> N/A	

<input type="checkbox"/> All brokerage account statements in which either party held/holds within the last 12 months an interest (whether in the party's name individually or jointly, in the party's name as trustee or guardian for another, or in someone else's name on the party's behalf)	<input type="checkbox"/> N/A	
<input type="checkbox"/> The most recent statement for any profit sharing, retirement, deferred compensation, or pension plan in which the party is a participant or alternate payee	<input type="checkbox"/> N/A	
<input type="checkbox"/> The summary plan description for any retirement, profit sharing, or pension plan in which the party is a participant or an alternate payee	<input type="checkbox"/> N/A	
<input type="checkbox"/> The declarations page for all life insurance policies insuring the party's life or the spouse's life	<input type="checkbox"/> N/A	
<input type="checkbox"/> The certificate for all life insurance policies insuring the party's life or the spouse's life	<input type="checkbox"/> N/A	

<input type="checkbox"/> All health and dental insurance cards covering either of the parties or their dependent children	<input type="checkbox"/> N/A	
<input type="checkbox"/> All credit card and charge account statements and other records showing the party's indebtedness as of the date of filing this action and for the last 3 months	<input type="checkbox"/> N/A	
<input type="checkbox"/> All written premarital or marital agreements between the parties	<input type="checkbox"/> N/A	
<input type="checkbox"/> All documents and tangible evidence supporting the party's claim of special equity or nonmarital status of an asset or debt for the time period from the date of acquisition to the date of production or from the date of marriage if based on premarital acquisition	<input type="checkbox"/> N/A	
<input type="checkbox"/> Any court orders directing a party to receive or pay spousal or child support	<input type="checkbox"/> N/A	

INSTRUCTIONS

Florida Family Law Rule of Procedure 12.285 provides that the parties to a divorce case must provide to the opposing party certain documentation regarding various financial matters. The checklist above references all of the documentation that the rule requires to be provided.

Of course, not all of the required documentation will apply to a particular party. For example, if a party has not resided in the past three years in a state that has an income tax and, therefore, does not require yearly state tax returns to be filed, then the requirement to provide the last three years worth of state tax returns may not apply to that particular party.

Sometimes a particular item does apply to a party, but the party does not have the documentation required in their possession. However, if the party can reasonably gain access to the documentation, then the party should expend the effort to obtain the documentation. For example, if a party does not have the last three months of checking account statements in their possession, but the party can go online and print the statements in question, then the party should obtain the statements. Similarly, if a party, for example, does not have the declarations page for a life insurance policy, but the party can contact the insurance company and obtain it, then the party should request the documentation.

It is important to provide the documentation for the time period indicated. It is not uncommon, for example, for parties to supply one month's statement for a financial account when three month's worth are required. To clarify, if documentation covering a certain time period is required, then (assuming the particular account in question existed for the entire time period) anything less than documentation covering the entire time period is not in compliance with the rule. Failure to comply with the rule may result in court sanctions being levied against the party who is not in compliance. Further, if a party's counsel must expend time urging the party to come into compliance, then the party will incur additional attorney's fees that could have been avoided.

To streamline the attorney's review of the documentation you provide, and thereby save on attorney's fees, the party should provide the documentation organized in the same order as indicated above. Providing the documentation in a divided and labeled format would further streamline the attorney's work. If the material is presented to the attorney in an incomplete or disorganized manner, then the attorney will have to spend time (which equates into additional attorney's fees) getting the party to supply the missing documentation or organizing the documentation so that compliance pleadings can be filed and so that the documentation can be presented to the opposing party in a professional manner.

If a party does not have the required documentation, then the party needs to state in the note section above the reasons therefore. If the party has ordered the documentation, but will have to wait for its arrival before it can be provided to the attorney, then that should also be indicated in the note section, along with the anticipated arrival date. Additional pages of explanation can be provided. Please be sure to provide the completed checklist with your documentation.