

Checklist for completing the Financial Declaration

- You must complete a form before you file it. These instructions will help you complete the forms.
- The judicial services representative cannot complete a form for you.
 - Attach a copy of any document referred to in the form.
 - Keep a copy of all documents for your records.
 - Attend all court hearings.
 - Some forms may not apply in your case.
 - Check with your court about local requirements.

(1) Notice of URCP 26.1 Disclosure and Discovery Requirements in Domestic Relations Actions

- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent or the attorney for the Petitioner or Respondent.
- Print the judicial district number, the county name and the court address on the blank lines. Complete the heading exactly as it appears in the petition.
- Date and sign the form.
- Serve the form with the petition on the other party and file proof of service with the court. URCP 4 governs service of the petition.

(2) Financial Declaration

- URCP 26.1 requires that each party serve on the other a financial declaration form and its supporting attachments if the respondent files an answer. After serving the documents, the parties must file with the court a certificate of service proving that the documents have been served, but usually the financial declaration and its supporting documents are **not** filed with the court.
- Print your name and contact information at the top of the first page. Check whether you are the Petitioner or Respondent.
- Print the judicial district number, the county name and the court address in the blank lines.
- Complete the heading exactly as it appears in the petition in your case.
- Paragraph (1): Print your Social Security Number.
- Paragraph (2)(A): Print your occupation or type of employment.

- Paragraph (2)(B): Check the correct box to show whether you are employed. If you are employed, complete the information about your employer. If you have more than one employer, complete the information for each employer.
- Paragraph (3): Print the gross monthly amount you receive under each source of income that applies to you. Gross income means the amount you are paid before any deductions are taken from your pay. For income amounts that change from month to month, calculate the annual total and divide by 12 months to list a monthly amount. List any alimony or child support payments you receive from a prior court order not related to this case. Leave blank any items that do not apply to you. Use the "other" line to disclose sources of income that are not listed and describe briefly that type of income. Add the amounts and print your total gross monthly income. Attach the required documents proving income. If you have no income, check the box and explain why you have no income.
- Paragraph (4): Print the amount of your monthly tax deductions according to the type of deduction. These are deductions required by law and which you do not make voluntarily. There may be other funds withheld automatically from your paycheck that you will report in Paragraph (11), Monthly Expenses. Add the amounts and print your total monthly deductions. Attach the required documents proving monthly tax deductions.
- Paragraph (5): Print the total gross monthly income amount listed in Paragraph (3) and the total monthly tax deductions amount listed in Paragraph (4). Then subtract the amount in Paragraph (4) from the amount in Paragraph (3) Print the answer under "Net Income."
- Paragraph (6): Complete this paragraph if you own real property (for example, a house or land). In section (A) print the address of the house you own, the date you bought it, whose name(s) are on the title, the amount you paid for the house, and the current value of the house. If you and the other party jointly own the property, then check the boxes for both "petitioner" and "respondent." If there are mortgages, you must list them, the amount owed to the mortgagor, and the amount of monthly payments you make on the mortgage. If there are two or more mortgages or loans, list all of them. Attach supporting documents like copies of mortgage statements, mortgage or loan documents, deeds of title, and what you used to determine the current value of the house or property (for example, a copy of the most recent tax assessment or appraisal). In section (B), provide the same information and supporting documents for any other real property that you own. Attach more pages if you own additional real property.
- Paragraph (7): Complete this paragraph if you own motor vehicles including cars, trucks, motorcycles, boats, trailers, or major equipment like a tractor. If there are loans, list them. Also print the name and address of any lender who holds a lien on the property. If there are no loans or liens on the property item, then leave the "Lien Holder" section blank. Check whose name(s) are on the title. If you and the

other party jointly own the property, then check the boxes for both “petitioner” and “respondent.” Print the current value, any amount you owe on a loan, and the monthly payments on the loan. Attach supporting documents like loan documents, payment statements, titles, and the basis for the current value you list (for example, information from the Kelley Bluebook website, www.kbb.com, or the NADA website, www.nada.com).

- Paragraph (8): Complete this paragraph if you own or partially own any business interest. Print the business name, address, description of the business, and the percentage of the business that you own. Also list the current value of the business. Attach any supporting documents.
- Paragraph (9): Complete this paragraph if you own any financial assets like a bank account or retirement fund.
 - Print the last four digits of any account you own. Print the name and address of the institution holding the asset, like the name and address of the bank where your money is. Check the names on the account if you own it with someone else. List the current balance. Contact the institution or plan administrator if you need to confirm the current value of the asset.
 - If money is owed to you, print the amount owed.
 - If you have cash, print the amount you have.
 - If you have “term” life insurance (for example, if the policy pays money to your beneficiaries only upon your death), then print the “face” value of the policy. The “face” value is the amount the policy will pay to your beneficiaries upon your death. If you own “whole” life insurance that has a cash value if you cash the policy while you are alive, then print the amount you would receive if you cashed the policy. Also provide the policy’s face value. Leave blank any sections that do not apply to you. Attach supporting documents like recent statements.
 - Report and describe any other monetary asset you might own.
- Paragraph (10): Report any debts you owe to others. Include amounts you owe on credit cards, any loans that you did not list in paragraphs 7 and 8, and any other bills you owe. Identify the creditor (the person or company you owe the money to), the purpose of the debt (for example, emergency medical expenses for your child), who is responsible for the debt, the amount owed, and the amount of monthly payments you make. If you make payment amounts that change from month to month, calculate the annual total and divide by 12 months to list a monthly amount. Attach supporting documents like payment statements.
- Paragraph (11): Print the amount for any monthly expenses that you have and leave blank any expenses that you do not have. If the expense varies from month

to month, calculate the annual total and divide by 12 months and print the monthly amount. Be precise as you can and avoid making estimates.

- Food and household supplies means food purchased and also non-grocery items such as household cleaning supplies and toiletries.
 - Alimony and child support includes amounts you pay based on a prior court order not related to the current case.
 - Entertainment includes activities you and your children engage in like going to the movies.
 - Education includes tuition, books, school supplies, and school fees. List separately the education expenses you pay for yourself and the education expenses you pay for your children.
 - Expenses for your children's extra-curricular activities may include such things as music lessons, sport team costs, camps, and scout costs.
 - Gifts include birthdays and holidays.
 - If you have other expenses, print the amount and briefly describe the expense.
 - Add the items listed and print the a total monthly amount.
- Paragraph (12): If you do not have payment statements, receipts, pay stubs, tax returns, or any method of proving an amount listed in the financial declaration, then you must provide an explanation of your method of estimating an amount listed. Print the paragraph number from where the required information appears in the form, the item you had to estimate, the amount you estimated, and the basis you used to make the estimate. If you did not have to estimate any amounts listed in the form, then leave this paragraph blank.
- Paragraph (13): If you are not able to provide supporting documents to prove an item reported in the financial declaration, then print the item and explain briefly why you cannot provide that document. For example, if your most recent tax returns are in the opposing party's possession and you cannot obtain them, then explain this situation briefly.
- Declaration and signature. This financial declaration is required by law and you must make this declaration truthfully.
- Date and sign the form.
- Attach any required documents and forms.
- Serve the form and any attachments on the other party by one of the methods described in the certificate of service. URCP 5 governs service.
- You must serve amendments to the financial declaration if there is new information or if there are changes to the information.

(3) Complete the Certificate of Service.

- After serving the documents, the parties must file with the court a certificate of service proving that the documents have been served, but usually the financial declaration and its supporting documents are **not** filed with the court.

(4) When is the financial declaration filed with the court?

- Do not file the financial declaration with the court until there is a hearing at which the judge or commissioner must decide a financial question related to spouse support, child support, equitable allocation of property and debts or responsibility for attorney fees and court costs. The most common hearings that will require the parties to file the financial declaration are:
 - hearing on motion for a temporary order;
 - pretrial and trial hearing on petition for temporary separation
 - pretrial and trial hearing on petition for divorce;
 - pretrial and trial hearing on petition to modify custody order;
 - pretrial and trial hearing on petition to modify support order; and
 - other hearings when requested by the court.
- If you need to file a financial declaration with the court, file **only** the financial declaration form itself and attach to it verification of all earned and un-earned income for the 12 months before the petition was filed, such as your most recent pay stub showing year-to-date wages and your most recent federal tax form 1040, 1040A or 1040EZ. Do not file the other attachments described in URCP 26.1 unless the court directs you to do so.

This is a private record.

My Name

Address

City, State, Zip

Phone

Email

I am the Petitioner
 Respondent

In the District Court of _____ County, Utah

Court Address _____

| | |
|---|---|
| <p>_____ Petitioner</p> <p>v.</p> <p>_____ Respondent</p> | <p>Financial Declaration</p> <p>_____ Case Number</p> <p>_____ Judge</p> <p>_____ Commissioner</p> |
|---|---|

Instructions:

Unless there is a hearing at which the judge or commissioner must decide a financial question related to spouse support, child support, equitable allocation of property and debts or responsibility for attorney fees and court costs, do not file this form with the court. File only a certificate of service stating that the Financial Declaration has been served on the other parties and the date of service. The judicial services representative cannot complete this form for you. Use the Checklist to help you understand and complete this form.

- You must update this information if it changes.
- Keep a copy of all documents for your records.

- Attend all court hearings.
- Attach the following to the completed Financial Declaration. Check all boxes that apply:
 - Additional pages as needed to complete paragraphs that don't have enough space. Write the paragraph number on the additional page.
 - Any documents referred to in this document.
 - The following documents required by Utah Rule of Civil Procedure 26.1 to be attached to this Financial Declaration: (Note: File this form with the court only if there is a hearing at which the judge or commissioner must decide a financial question related to spouse support, child support, equitable allocation of property and debts or responsibility for attorney fees and court costs. When filing this form with the court, attach only evidence of all earned and un-earned income for the 12 months before the petition in this case was filed, such as your most recent pay stub showing year-to-date wages and your most recent federal tax form 1040, 1040A or 1040EZ. Do not file the other attachments described here, unless the court directs you to do so.)
 - For the two tax years before the petition in this case was filed, complete federal and state income tax returns, including Form W-2, Form 1099, and Form K-1, and supporting tax schedules and attachments filed by you and by any entity in which you have a majority or controlling interest.
 - Pay stubs and other evidence of all earned and un-earned income for the 12 months before the petition in this case was filed.
 - All loan applications and financial statements prepared or used by the party completing the financial declaration within the 12 months before the petition in this case was filed.
 - Documents verifying the value of all real estate in which the party has an interest, including the most recent appraisal, tax valuation and refinance documents.
 - All statements for the 3 months before the petition in this case was filed for all financial accounts, including checking, savings, money market funds, certificates of deposit, brokerage, investment, and retirement.
 - If any of the documents required to be attached to this Financial Declaration are not reasonably available or are in the possession of the other party, then estimate the amounts entered on this Financial Declaration, and complete Paragraph (13) explaining the basis for the estimation and why the documents are not available.

(1) Social Security Number.

My Social Security Number is: _____

(2) Employment Status.

(A) My occupation is: _____.

(B) I am unemployed.

I am employed by:

| Name of Employer | Doing Business As (DBA) | Address & Telephone Number |
|------------------|-------------------------|----------------------------|
| | | |
| | | |
| | | |

(3) Gross Monthly Income. (Print your pre-tax income in the appropriate boxes below. Attach evidence of items listed, such as most recent pay stubs, federal and state tax returns for past 2 years, W-2 forms, or a work history report from the Department of Workforce Services. For income that changes from month to month, calculate the annual total and divide by 12 months to list a monthly average.)

| My Gross Monthly Income | Source of Income |
|-------------------------|--|
| \$ | Work (Including self employment, wages, salaries, commissions, bonuses, tips and overtime) |
| \$ | Rental Income |
| \$ | Business Income |
| \$ | Interest Income |
| \$ | Dividends |
| \$ | Retirement Income (Including pensions, 401(k), IRA, etc.) |
| \$ | Worker's Compensation |
| \$ | Social Security Disability (SSDI and SSI) |
| \$ | Private Disability Insurance |
| \$ | Social Security (Do not include SSDI or SSI) |
| \$ | Unemployment Benefits |
| \$ | Education Benefits |
| \$ | Veteran's Benefits |
| \$ | Alimony (from a prior marriage) |
| \$ | Child Support (from a prior order) |
| \$ | Payments from Civil Litigation |
| \$ | Victim Restitution |
| \$ | Public Assistance (Including FEP, welfare, etc.) |

| My Gross Monthly Income | Source of Income |
|-------------------------|------------------------------------|
| \$ | Support from household members |
| \$ | Support from non-household members |
| \$ | Other (Describe) |
| \$ | Other (Describe) |
| \$ | Total Gross Monthly Income |

I have no income because:

(4) Monthly Tax Deductions. (These are deductions required by law and which you do not make voluntarily. There may be other funds withheld from your paycheck that you will report in Paragraph (11), Monthly Expenses. Attach evidence of claims, such as most recent pay stubs, federal and state tax returns for past 2 years, W-2 forms, or a work history report from the Department of Workforce Services.)

| My Monthly Tax Deductions | Type of Tax Deduction |
|---------------------------|------------------------------|
| \$ | Federal Income Tax |
| \$ | State Income Tax |
| \$ | Municipal Income Tax |
| \$ | FICA |
| \$ | Medicare |
| \$ | Total Monthly Tax Deductions |

(5) Net Monthly Income.

\$ _____ Gross Monthly Income from (3)
 — \$ _____ — Monthly Tax Deductions from (4)
 \$ _____ = Net Income

(6) Real Property. (Attach evidence of items listed, such as mortgage statements, loan documents, most recent appraisal, basis of valuation, etc.)

(A)

| | | | |
|---|---|----------------|---------------------|
| Home Address | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other | \$ | \$ |
| Date Acquired | In Whose Name? | Original Cost | Current Value |
| First Mortgage or Lien Holder (Name & Address) | | \$ Amount Owed | \$ Monthly Payments |
| Second Mortgage or Lien Holder (Name & Address) | | \$ Amount Owed | \$ Monthly Payments |

(B)

| | | | |
|---|---|----------------|---------------------|
| Other Real Property Address | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other | \$ | \$ |
| Date Acquired | In Whose Name? | Original Cost | Current Value |
| First Mortgage or Lien Holder (Name & Address) | | \$ Amount Owed | \$ Monthly Payments |
| Second Mortgage or Lien Holder (Name & Address) | | \$ Amount Owed | \$ Monthly Payments |

(7) Personal Property. (Attach evidence of items listed, such as receipts, loan documents, basis of current value, etc.)

| Property (Such as vehicles, boats, trailers, major equipment, etc.) | Lien Holder (Name & Address) | In Whose Name? | Current Value | Amount Owed | Monthly Payments |
|---|------------------------------|--|---------------|-------------|------------------|
| Vehicle (Year, Make, Model) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ | \$ |
| Vehicle (Year, Make, Model) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ | \$ |

| Property (Such as vehicles, boats, trailers, major equipment, etc.) | Lien Holder (Name & Address) | In Whose Name? | Current Value | Amount Owed | Monthly Payments |
|---|------------------------------|--|---------------|-------------|------------------|
| Other (Describe) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ | \$ |
| Other (Describe) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ | \$ |
| Other (Describe) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ | \$ |

(8) Business interests. (Attach evidence of items listed.)

| Business Name | Address & Phone | Nature of Business | Percent Owned By | Current Value |
|---------------|-----------------|--------------------|--|---------------|
| | | | _____% Petitioner _____% Respondent | \$ |
| | | | _____% Petitioner _____% Respondent | \$ |

(9) Financial Assets. (Attach evidence of items listed, including last 3 months of bank statements, contracts, etc.)

| Asset | Name of Institution (Name & Address) | Names on Account | Current Balance |
|---|--------------------------------------|---|-----------------|
| Bank or Credit Union Account Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |

| Asset | Name of Institution (Name & Address) | Names on Account | Current Balance |
|---|---|---|--------------------|
| Bank or Credit Union Account Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Stocks, Bonds, Securities, Money Market Fund Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Stocks, Bonds, Securities, Money Market Fund Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Retirement Account (Pension, 401(k), IRA, etc.) Account number: _____ Plan Name _____ Plan Representative _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Retirement Account (Pension, 401(k), IRA, etc.) Account number: _____ Plan Name _____ Plan Representative _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Profit Sharing Plan Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Profit Sharing Plan Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Annuity Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |
| Annuity Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ |

| Asset | Name of Institution (Name & Address) | Names on Account | Current Balance |
|---|---|---|--|
| Money Owed to Parties | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ _____ |
| Cash | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ _____ |
| Life Insurance Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | Face Value \$ _____ Cash Value \$ _____ |
| Life Insurance Account number: _____ | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | Face Value \$ _____ Cash Value \$ _____ |
| Other (Describe) | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent <input type="checkbox"/> Other _____ | \$ _____ |

(10) Debts. (Do not include amount owed on property reported in Paragraphs (7) and (8). (Attach evidence of items listed, such as credit card statements, loan documents, leases, bills, etc.)

| Debt Owed To (Name & Address of Creditor) | Purpose of Debt (Such as credit card, cash loan, installment payment, etc.) | In Whose Name? | Amount Owed | Monthly Payments |
|--|---|--|----------------|---------------------|
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ _____ | \$ _____ |
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ _____ | \$ _____ |
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ _____ | \$ _____ |
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ _____ | \$ _____ |

| Debt Owed To (Name & Address of Creditor) | Purpose of Debt (Such as credit card, cash loan, installment payment, etc.) | In Whose Name? | Amount Owed | Monthly Payments |
|--|---|--|----------------|---------------------|
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ |
| | | <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent | \$ | \$ |

(11) Monthly Expenses. (Include amounts other than taxes withheld from your paycheck. For expenses that change from month to month, calculate the annual total and divide by 12 months to list a monthly average. Include amounts you pay for yourself and any children or other dependents in your household.)

| My Monthly Expenses | Type of Expense |
|------------------------|--|
| \$ | Rent or mortgage |
| \$ | Real property taxes |
| \$ | Real property insurance |
| \$ | Real property maintenance |
| \$ | Food and household supplies |
| \$ | Clothing |
| \$ | Laundry and dry cleaning |
| \$ | Automobile loan |
| \$ | Automobile insurance |
| \$ | Automobile gasoline |
| \$ | Automobile maintenance |
| \$ | Public transportation |
| \$ | Electricity |
| \$ | Gas |
| \$ | Water, sewer and garbage |
| \$ | Telephone |
| \$ | Paid television (Cable, Satellite, Etc.) |
| \$ | Internet |
| \$ | Garnishments |
| \$ | Alimony (from prior marriage) |
| \$ | Child support (from prior order) |
| \$ | Child care |
| \$ | Education (children) |

| My Monthly Expenses | Type of Expense |
|---------------------|---|
| \$ | Education (self) |
| \$ | Extra-curricular activities (children) |
| \$ | Health care insurance premiums |
| \$ | Health care expenses |
| \$ | Other insurance (Describe) |
| \$ | Credit cards |
| \$ | Union or other dues |
| \$ | 401K or other retirement or pension fund contribution |
| \$ | Savings plan contribution |
| \$ | Entertainment |
| \$ | Donations |
| \$ | Gifts |
| \$ | Other (Describe) |
| \$ | Total |

(12) **Estimated Amounts.** I have estimated all or some of the amounts entered in the Paragraphs above.

| Paragraph | Item estimated | Amount estimated | Basis for estimation |
|-----------|----------------|------------------|----------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

(13) **Unavailable Documents.** I have not attached all or some of the documents required by Utah Rule of Civil Procedure 26.1 to support this Financial Declaration. They are not available to me.

| | |
|---|---------|
| The following documents are not available to me | because |
| | |

| The following documents are not available to me | because |
|---|---------|
| | |
| | |
| | |
| | |

I declare under criminal penalty of Utah Code Section 78B-5-705 that:

- the information in this Financial Declaration about myself is true and correct;
- any information about the other party is true and correct or is an estimate to the best of my information and belief;
- I have disclosed everything that is relevant to my financial status; and
- I understand that if I fail to fully disclose all assets and income in the Financial Declaration and attachments I may be subjected to sanctions under Utah Rule of Civil Procedure 37 including an award of non-disclosed assets to the other party, attorney's fees or other sanctions deemed appropriate by the court.

_____ Sign here ► _____
Date _____
Typed or Printed Name _____