

FORM: FINANCIAL DISCLOSURE BOOKLET

Filing in this booklet – General Guidance

The financial disclosure booklet is in two parts. Initially, there is a form for your completion. Behind it, there is a Certificate of Compliance, outlining what documents you have provided to the other party. The first form, Financial Disclosure Form and the Certificate of Compliance must be filed with the Court. The documents you provide with your Certificate of Compliance ARE NOT FILED WITH THE COURT.

This booklet is designed to help you draw together all your financial information and to help you think about your finances. Your mediator needs this information to help you discuss options for the resolution of your case.

Do not be put off by the detail requested. It may be that not all the financial detail requested applies to you. Where any section is “not applicable”, write “N/A”.

If you find there is not enough space to list your response completely, please write “see attached” and add the additional items on the back of the sheet or on additional pages that you attach.

Questions you may have:

WHY IS IT NECESSARY TO COMPLETE THE BOOKLET?

It is essential that discussions in mediation take place with full knowledge of each other’s finances and other relevant circumstances.

DO I HAVE TO INCLUDE EVERYTHING?

Yes, you should include everything in your name or your joint names, or in your name with another person. This should include any assets or debts in this country or in any other country. If in doubt, include it at this stage and it can be discussed further in the course of mediation.

WHAT HAPPENS AFTER I HAVE FILED THE BOOKLET?

A copy of this form will be given to your spouse/partner. You will receive a copy of that party’s form and documents also.

Please fill in this form as fully and accurately as possible. Disclosure must be full, frank and complete and must include all assets, debts, income and expenses. Without this, it could mean that any proposals you develop might be at risk or could be set aside by the Court.

Do not include your position or any proposals for resolution. These issues will be discussed in mediation.

Form: Financial Disclosure Form

Section 1: About you

Full legal name	
Date of birth	
Date of Marriage (if applicable)	
Date of Cohabitation with the opposing party	
Date of Separation (if applicable)	
Are you residing with a third party other than your spouse and, if so, are you providing support to that person(s) or are they providing support for you?	<i>If so, please outline the person(s) and support</i>

Section 2: Children

<p>Children of this relationship:</p>	<p><i>Names and ages:</i></p> <p><i>As to each child, with whom does the child reside:</i></p> <p><i>As to each, school attending:</i></p>
<p>Children of other relationships:</p>	<p><i>Names and ages:</i></p> <p><i>As to each child, with whom does the child reside:</i></p> <p><i>As to each, school attending</i></p>

Section 3: Employment

Where are you employed or are you self-employed:	<i>Employer's name and address:</i> <i>Nature of your employment:</i> <i>If you are self-employed, nature of your employment:</i>
As to your wage:	<i>What are you paid and how often:</i>
As to self-employment	<i>What is your overall income:</i> <i>What business expenses do you have in order to obtain that overall income:</i>
What other benefits do you have through your employment?	<i>List other benefits and amounts thereof:</i>
If you are unemployed, are there any health issues that relate to your unemployment?	<i>Please outline, if applicable:</i>

<p>If you are unemployed and there are no health issues, what efforts have you made to be employed or why are you not currently seeking employment?</p>	<p><i>Please outline, if applicable:</i></p>

Section 4: Assets

Real Estate owned:	<i>As to each:</i> <i>Location:</i> <i>How titled:</i> <i>Value:</i>
Real Estate Charges/Mortgages:	<i>As to each property:</i> <i>To what bank or other entity owed:</i> <i>Balance owed:</i> <i>Monthly payment:</i>
Bank and other financial accounts:	<i>List per account, citing last three numbers of each account:</i> <i>Name of bank or other entity:</i> <i>How account is titled:</i> <i>Highest balance in the last six months:</i>

	<p><i>Current balance:</i></p>
Pension:	<p><i>As to each pension:</i></p> <p><i>Where is it held:</i></p> <p><i>Current balance:</i></p> <p><i>Was any portion received before marriage and, if so, what portion:</i></p>
Automobiles	<p><i>How titled:</i></p> <p><i>Vehicle: make and year</i></p> <p><i>Estimated value:</i></p> <p><i>Lien, if any:</i></p>
Other assets valued over CI\$1,000	<p><i>List per asset:</i></p> <p><i>Asset:</i></p>

Section 5: Debts:

<p>Outline any existing debts that were incurred during the course of the marriage:</p>	<p><i>As to each debt:</i></p> <p><i>What entity is owed:</i></p> <p><i>How much is owed:</i></p> <p><i>What comprises the debt:</i></p> <p><i>Who incurred the debt:</i></p> <p><i>Amount paid against the debt monthly:</i></p>
<p>Outline any debts that were incurred prior to the marriage:</p>	<p><i>As to each debt:</i></p> <p><i>What entity is owed:</i></p> <p><i>How much is owed:</i></p> <p><i>What comprises the debt:</i></p> <p><i>Who incurred the debt:</i></p> <p><i>Amount paid against the debt monthly:</i></p>

Section 6: Other

Is there any other fact or circumstance which you believe carries weight in the handling of your case?

Section 7: Income and expenses

PER CALENDAR MONTH	
Salary	
Overtime	
Income from self-employment	
Income from government assistance	
Rental income	
Income from government assistance	
Other income	
TOTAL INCOME	

PER CALENDAR MONTH	
Pension contributions	
Health insurance for yourself	
Health insurance for your spouse	
Health insurance for your children	
Payments on an existing maintenance order	
TOTAL DEDUCTIONS	

PER CALENDAR MONTH	HOME OVERHEAD
Mortgage or rent	
Home insurance	
Strata, HOA or other homeowner fees	
Electricity	
Water	
Other utilities:	
Repairs:	
SUB-TOTAL	

PER CALENDAR MONTH	HOUSEHOLD
Groceries	
Household help/maid	
Household cleaning supplies	
Internet	
TV programming	
Yard maintenance	
Other: please list	
Other: please list	
SUB-TOTAL	

PER CALENDAR MONTH	PERSONAL
---------------------------	-----------------

Clothing	
Shoes	
Toiletries and cosmetics	
Pharmaceutical	
Uncovered medical and therapeutic	
Hair dressing	
Medical	
Dental	
Optical	
Laundry/dry cleaning	
Work lunches	
Subscriptions	
Professional groups	
Mobile phone	
Auto lien	
Auto tag/license	
Auto insurance	
Auto gas	
Auto repairs	
Meals out	
Entertainment	
Sports	
vacations	
Gifts at holidays	
Gifts for special occasions	
Other: please identify	
Other: please identify	
SUB-TOTAL	

PER CALENDAR MONTH	CHILD(REN) EXPENSES
School fees	
Nursery fees	
Nanny	
Nanny work permit	
Nanny insurance	
Nanny pension	
Nanny other	
Babysitting	
Tutoring	
School trips	
School clothing	
School parties/teacher gifts	
Extracurricular sports	
Extracurricular music	
Books and craft materials	
Clothing	
Shoes	

Toiletries	
Uncovered medical/therapeutic	
Uncovered dental/orthodontia	
Uncovered prescription	
Holiday gifts	
Birthday gifts	
Parties for other children	
Summer camp	
Vacations	
Other: please identify	
Other: please identify	
Other: please identify	
SUB-TOTAL	

PER CALENDAR MONTH	
Overall income	
Overall expenses	
Net (deficit)	

Set out BRIEFLY any other matters which you think may be relevant to your application for financial provision for yourself and/or a child(ren) or for the variation of financial provision for yourself and/or a child(ren).

Signed

Date: _____

INSTRUCTIONS FOR COMPLETION OF A CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE

When should this form be used?

Mandatory disclosure requires each party in a family law case where financial orders are sought, to provide the other party with certain financial information and documents.

These documents must be exchanged with the other party within 30 days of attending a MIAM.

The mandatory disclosure rule applies to all original proceedings and to summons to vary, except where the Respondent is served by constructive service and does not answer.

You should use this form to notify the court and the other party that you have complied with the mandatory disclosure requirement.

Each party must provide the other party with the documents listed on this form, regardless of whether it is an initial or subsequent proceeding. This does not apply to actions for enforcement.

ONLY THE ORIGINAL OF THE COMPLETED CERTIFICATE IS FILED WITH THE COURT

EXCEPT FOR THE STATEMENT OF MEANS, NO DOCUMENTS SHALL BE FILED IN THE COURT FILE WITHOUT A PRIOR COURT ORDER.

THE DOCUMENTS LISTED ON THE FORM ARE TO BE GIVEN TO THE OTHER PARTY. THERE IS A CONTINUING DUTY TO SUPPLEMENT THIS INFORMATION AS NEW INFORMATION ARISES DURING THE PENDENCY OF THE CASE AND UNTIL A FINAL CONSENT ORDER IS ENTERED.

If a Summons to Vary is filed, seeking modification, then the mandatory disclosure requirements begin again even if previously provided.

This form should be typed, or printed in black or blue ink.

After completing this form, you should file the original with the court registry, and keep a copy for your records. A copy of this form must be exchanged with any other party in your case.

What should I do next? After you have provided the other party all of the financial information and documents and have filed this form certifying that you have complied with this rule, you are under a continuing duty to give promptly the other party any information or documents that change your financial status or that make the information already provided inaccurate.

Special notes. You may provide copies of required documents although originals may be inspected upon demand.

CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE

WITH THE CERTIFICATE OF COMPLIANCE WITH MANDATORY DISCLOSURE ONLY THE ORIGINAL OF THIS COMPLETED FORM IS FILED WITH THE COURT. EXCEPT FOR THE STATEMENT OF MEANS, NO DOCUMENTS SHALL BE FILED IN THE COURT FILE WITHOUT A PRIOR COURT ORDER.

I, _____ (name), certify that I have complied with the mandatory disclosure by providing the below checked documents to the opposing party, or his or her attorney, as follows: [Check all that apply]

- a. ☐ Form: Financial Disclosure Form.
- b. ☐ Pay stubs or other evidence of earned income for each of the preceding 6 months.
- c. ☐ A statement identifying the source and amount of all other income I derived from any source for the preceding 6 months.
- d. ☐ All loan applications and financial statements prepared on my behalf for any purpose or used for any purpose within the preceding 12 months.
- e. ☐ All deeds to real estate in which I presently own or owned an interest within the past 3 years and any related charges thereon.
- f. ☐ All promissory notes in which I presently own or owned an interest within the last 12 months.
- g. ☐ All present leases in which I own an interest.
- h. ☐ All periodic statements for the last 6 months for all financial accounts, including, without limitation, checking, savings, investments accounts, and/or certificates of deposit.
- i. ☐ All brokerage account statements for the last 12 months.
- j. ☐ Most recent statement for any pension, profit sharing, deferred compensation, or retirement plan in which I have an interest.
- k. ☐ The declaration page, the last periodic statement, and the certificate for any group insurance for all life insurance policies insuring my life or the life of my spouse or child(ren) .
- l. ☐ All health and dental insurance cards covering either me or my spouse and/or our dependent child(ren).
- m. ☐ Any Corporate, partnership, and/or trust records for the last 3 years, for any entity in which I have an ownership or interest (not including assets owned in an investment account and otherwise disclosed).

- n. ____ All credit card and charge account statements and other records showing my (our) indebtedness as of the date of the filing of this action and for the prior 3 months.
- o. ____ All promissory notes on which I presently owe or owned within the past year. All lease agreements I presently owe.
- p. ____ All premarital and marital agreements between the parties to this case.
- q. ____ If a Summons to Vary, all written agreements entered into between the parties at any time since the order to be modified was entered.
- r. ____ All documents and tangible evidence relating to claims for an unequal distribution of marital property, enhancement or appreciation in non-marital property, or non-marital status of an asset or debt.
- s. ____ Any court order directing that I pay or receive spousal maintenance or child maintenance from a party unrelated to the parties in this action.

I certify that a copy of each document which complies with the above disclosure was [check all used]: () e-mailed () mailed () hand delivered to the person(s) listed below on _____.

Other party or his/her attorney to whom documents were sent:

Name: _____

Address: _____

E-mail Address(es): _____

Certificate of Compliance with Mandatory Disclosure

I, _____, understand that I am swearing or affirming under oath to the accuracy of my compliance with the mandatory disclosure requirements and that, unless otherwise indicated with specificity, this disclosure is complete. I further understand that the punishment for knowingly making a false statement or incomplete disclosure includes fines and/or imprisonment.

Signature: _____

Dated: _____

Notary

Sworn to or affirmed and signed before me by _____

NOTARY PUBLIC or DEPUTY CLERK