

DISCLAIMER: The information below is the opinion of Patricia L. McKinnon, Esq., and should not be considered “legal advice.” Each person’s legal case is unique, with its own set of facts and applicable laws. You should consult with an attorney, of your own choosing, before acting on any of the information below.

WHAT DOCUMENTS WILL YOUR ATTORNEY ASK YOU TO PROVIDE?

Your attorney may ask you to provide a copy of the following documents in order to help you complete your family law case. It is very helpful to gather this documentation prior to meeting with your attorney. However, you do not need to provide ALL of this documentation prior to your first meeting with your attorney, nor do you need to provide original documents. Please note that a copy of the documents is often acceptable rather than the original document.

- 1. Written History of Your Relationship With the Other Party.** In your own words, talk about when your relationship started, and how you met the other party. Include key events that you believe led up to the present situation.
- 2. Completed Financial Declaration Including Your Last Three Paystubs.** You will need to provide the Court with a completed Financial Declaration. You can obtain a copy of this document from your attorney. In order to complete the Declaration, you will need to obtain a copy of your last three paystubs, and prepare a monthly budget showing the amounts you currently owe for your mortgage/rent, utilities, car payment, car insurance, credit cards (including the total owing), student loans, personal expenses, and health insurance provided to you and the other party/your child or children.
- 3. Copies of Your Last Three Tax Returns.** Whether you filed individual tax returns, or joint returns, your attorney will need a copy of your last three years State and Federal tax returns, including all schedules and attachments. This includes your W-2 for the year. If you did not file a joint tax return, then your attorney will ask you to provide a copy of the other party’s individual tax return for the past three years if you have access to these documents.
- 4. Copies of Your Monthly Checking/Savings Account Statements.** Regardless of whether you have an individual or joint savings and/or checking account, your attorney will want to see a copy of the recent statements. If you have a joint account, you should be able to obtain a copy of those statements yourself even if you do not have them at this time.
- 5. Real Estate Records.** If you have a home, your attorney will need a copy of the latest Deed for that home including the Mortgage. If you rent an apartment, then your attorney will ask you to provide a copy of your last rental agreement. If you believe the other party owns real estate, then you should provide a copy of the Deed and Mortgage for that property, to your attorney, if you can obtain a copy on your own.
- 6. Current Mortgage Balance.** Your attorney will ask you to obtain a printout from your mortgage lender showing the current amount owing on your mortgage including the balance owing on a second mortgage or line of credit.

7. Appraisals. If your home has been appraised by a bank or real estate professional, within the past three years, then you will want to obtain a copy of that appraisal for your attorney to review.

8. Copy of Vehicle Or Boat Titles And Loans. If you or the other party own a vehicle or boat, then your attorney will want you to provide a copy of the title. If you have a loan on a vehicle or boat, then please provide a copy of the loan document to show the original amount owing and ask your lender to provide a statement regarding the current amount owing.

9. Net Worth Statement. If you or the other party has been required to prepare a financial statement or net worth statement, in the last five years, in connection with obtaining a loan or line of credit, please provide a copy to your attorney. If you know you prepared this kind of document, but do not have a copy, then please contact the financial institution that required you to prepare this document and ask for a copy.

10. Retirement Plans. If you or your spouse have participated in a profit sharing, pension, Keogh, or annuity, then you will need to provide a copy of the statements, including what is called a “summary plan description” for the plan from the plan provider. You will also need to know whether or not a survivor benefit is in existence for a pension plan.

11. IRA and other retirement accounts. If you, or your spouse, have an IRA, please provide a copy of a recent statement showing the current balance in the account, the account number, and the name of the financial institution where the IRA is located at this time.

12. Life Insurance. If either you or the other party has life insurance of any kind, either through an employer, or through a private purchase, your attorney will need a copy of the existing policy, including the name of the company holding the policy, the policy number, the named beneficiaries for the policy, the policy type (term, or whole life), the annual premium, and whether or not there is a cash value to the life insurance if it is a whole life policy. If there are any liens or loans against the policy, please provide documentation on that issue as well.

13. Health Insurance. If you provide health insurance for yourself, and/or the other party and your children, please obtain a copy of the current chart from your employer showing the cost for medical, dental and vision costs for: a) you alone; b) you + the other party; and c) family. This is NOT the amount you pay out of your paycheck, but the amount a new hire would be charged for insurance coverage now. If the other party provides health insurance, then see if you can obtain this chart from the other party, or from the other party’s employer (if you are covered by the insurance).

14. Securities. If you or the other party owns bonds, stocks, or other such assets, your attorney will need a list of such items, including the date of purchase, the purchase price, and the current owner of the items. This information can be obtained from the agency that sold you, or your spouse, the securities. If you received a year end statement, or a recent statement, regarding the value of the securities, then please provide a copy of those statements as well.

15. Estate or Trust Interests. Provide a copy of the Will, Inventory, Final Accounting, Trust Agreement and Judgment regarding the interest you, or the other party, have in an Estate or

Trust, including your future interest in an Estate or Trust. If the Estate or Trust has filed tax returns in the past five years, then your attorney needs a copy of those documents as well.

16. Business Interests. If you or the other party own a business, or have any interest in a business, then you will need to provide a copy of the businesses tax returns for the past three years including any schedules or attachments to those returns. Your attorney will also want to see a profit and loss statement for the business for the past three years. If you cannot obtain these documents, please let your attorney know.

17. Burial Plots or Safe Deposit Boxes. If you or the other party own a burial plot, it is important that you provide a copy of the Deed for the plot to your attorney. If you or the other party have a safe deposit box, then provide your attorney with the written address where the safe deposit box is located, the number assigned to the box, and a list of what you believe is contained inside the safe deposit box.

18. Premarital or Prenuptial Agreement. If you and the other party signed a Premarital or Prenuptial Agreement, prior to being married to each other, then it is very important that you provide a copy of this document to your attorney right away.

19. Previous Orders Regarding Custody of Other Children. If you or the other party have children from another relationship, which children are currently under the age of 19, then it is important for your attorney to have a copy of the current Order regarding custody, parenting time and child support for those children. If you do not have a copy, then let your attorney know so that your attorney can attempt to locate a copy.

20. Copies of Emails, Texts, Letters, Documents or Photographs That You Think Are Important. If you have documents either sent by you to the other party, or received from the other party, or sent to you or received by you from a third person, that you think are important to the issues in your case, then provide a copy to your attorney.

21. List of Questions for Your Attorney. Before you meet with your attorney for the first time, it is a good idea to prepare a list of questions for your attorney to give your attorney during your first meeting. Put the questions in order by priority, i.e., your most important question should be listed first.

REMEMBER THAT A DELAY IN PRODUCING THE ABOVE DOCUMENTATION MAY CAUSE A DELAY IN COMPLETION OF YOUR CASE. YOU DO NOT NEED TO HAVE EACH AND EVERY DOCUMENT BEFORE YOU MEET WITH YOUR ATTORNEY.