

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

Assigned
Judge: _____

_____ Plaintiff,	
v.	
_____ Defendant.	

**CERTIFICATION OF
INITIAL DISCLOSURES
(EQUITABLE DISTRIBUTION)**

INSTRUCTIONS: The documents to be provided shall be for the time periods set forth through the date of service of the initial disclosures. They shall be provided to the opposing party/counsel and shall NOT be filed with the court. Only this completed Certification shall be filed with the court and a copy provided to the opposing party/counsel.

After the initial disclosures are made, each party has a continuing duty to amend or supplement the original documentation if there has been a substantial change in the form or substance of any of the original information provided.

Documents are considered to be in the custody or control of the party if such documents can be obtained by him or her if the party is a joint title or account holder, or if the documents were prepared by a third party (i.e., CPA, accountant, bookkeeper, etc.) at his or her direction or on his or her behalf whether individually or jointly with another.

If any of the documents required below have not been provided, in the space following each item you must give a detailed explanation of why the documents are not being provided and indicate what good cause exists for not providing the documents as required.

- I am the Plaintiff Defendant in this action. I have provided to the opposing party/counsel all of the documents listed below which are in my custody or control (check all that apply):

Real Property. All documents pertaining to any real property in which the party claims a legal or equitable interest during the marriage and owned on the date of separation, whether or not currently owned on the date of service of the initial disclosures, including, but not limited to, deeds, deeds of trust, promissory notes, closing documents, amortization schedules, appraisals, listing contracts.

Motor Vehicles. All documents pertaining to any motor vehicle (land, water, or air) in which the party claims a legal or equitable interest during the marriage and owned on the date of separation, whether or not currently owned on the date of service of the initial disclosures, including, but not limited to, titles, bills of sale, promissory notes, and amortization schedules.

Retirement Plans. All documents pertaining to any defined contribution plan, any defined benefit plan, pension plan, SEP, IRA, Keogh, retirement, profit-sharing plan or other deferred compensation or retirement plan in which the party claims a legal or equitable interest during the marriage and owned on the date of separation, whether or not currently owned on the date of service of the initial disclosures, including, but not limited to account statements, plan descriptions, benefit statements, and account valuations.

Insurance. All documents pertaining to any life, casualty, or liability insurance in which the party claims a legal or equitable interest on the date of separation, including, but not limited to, policy contracts or descriptions, statements, and premium payment vouchers.

Debts. All documents pertaining to any secured or non-secured debt for which the party claims the opposing party has a legal or equitable obligation on the date of separation, including, but not limited to, consumer credit account (credit card) statements, installment debt payment vouchers, promissory notes, account statements, and credit reports.

Stocks, Stock Options, Bonds. All documents pertaining to any stocks, stock options or bonds in which the party claims a legal or equitable interest during the marriage and owned on the date of separation, whether or not currently owned on the date of service of the initial disclosures, including, but not limited to investment account statements, company stock plan descriptions or statements, stock options or bonds documents.

Financial Accounts. All documents pertaining to any checking, savings or other financial account in which the party claims a legal or equitable interest during the marriage and owned on the date of separation, whether or not currently owned on the date of service of the initial disclosures, including, but not limited to, monthly account statements and check registers.

Individual Tax Returns. Complete copies of signed and filed individual federal and state tax returns filed by the party or on the party's behalf for the past five (5) years, whether filed individually or jointly with another, including all schedules and attachments (W-2 forms, 1099 forms, etc.) together with all year-end documentation (i.e., W-2 forms, 1098 forms, 1099 forms, extension requests, etc.). For the most recent tax year in the event the tax return or returns have yet to be filed, or if any of the last 5 years tax returns have not been filed, any requests for extension of time to file and correspondence with the taxing agency.

Business Tax Returns and Financial Statements. Copies of the signed and filed corporate, partnership, or LLC federal and state tax returns including all schedules and attachments for the past five (5) years if the party has or had an interest of 5% or greater, as a shareholder in a closely held corporation, partner in a partnership, member of a limited liability company or joint venture during the marriage and owned on the date of separation, whether or not currently a shareholder, partner or member on the date of service of the Initial Disclosures. In addition, provide: (1) fiscal year end financial statements (whether internal, audited, reviewed or compiled) for each full calendar year preceding the date of separation; (2) monthly financial statements (profit, loss and balance sheets) for each month preceding the date of separation if the separation occurred in a year for which a tax return had not yet been filed; and (3) a monthly financial statement for the month preceding, the month of, and the month following the date of separation.

Personal Financial Statements. All personal financial statements provided to any financial institution or other entity or person in the last three (3) calendar years preceding the date of separation through the date of service of the certification of initial disclosures.

Appraisals/Valuations. All opinions of value or appraisals of any real or personal property acquired by the parties during the marriage and owned on the date of separation.

Bills of Sale. All bills of sale or other documentation of real or personal property sold or transferred in the 12 months preceding the date of separation or after the date of separation through the date of service of the certification of initial disclosures.

Income. Documents showing all income from all sources since the party's last filed tax return.

2. CERTIFICATION: I, the Plaintiff the Defendant in this action, hereby certify that all of the documents as indicated above and required by Rule 11.6 of the Tenth Judicial District Family Court Rules for Domestic Court have been disclosed and provided to the opposing party/counsel. I further certify that if good cause exists for not providing certain documents, I have given a detailed explanation of such good cause in the space provided above.

This the _____ day of _____, 20_____.

Signature of Certifying Party
Plaintiff Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Certification of Initial Disclosures (Equitable Distribution) has been served on the opposing party/counsel in the following manner:

By depositing a copy in the US Mail in a properly addressed, postpaid envelope to: _____

By hand delivery to: _____

By facsimile to: _____ Fax No.: _____

Other: _____

Date: _____

Plaintiff
Attorney for Plaintiff

Defendant
Attorney for Defendant