

Family Law- Financial Disclosure

Documents To Bring to Us

About this checklist:

Financial disclosure is essential to the resolution of family law disputes. Failing to disclose / hiding money is a crime that can and will be used against you in a court of law. Below is a checklist of documents that are required for your case.

Accounts / debts should be as of the date of separation. Don't know when that is (we still live together, we are "on again off again "etc.) then get most recent. A copy is OK unless otherwise noted.

Documents in **Bold** are essential if you want to start court or know your rights. The rest can follow.

See also Intake Form and *13.1 Financial Statement with Instructions on our website.*

Identity Verification:

(Provide at least one of these Identity Verification Documents)

- Driver's License
- Passport
- Citizenship Card

Relevant Martial Documentation/Agreements/ Court Orders:

- Marriage Certificate
- Will**
- Marriage Contract/ Cohabitation Agreement**
- Seperation Agreement** (Interim/partial and/or final) for the current relationship and any previous relationships
 - Court Orders** (interim/temporary and/or final) for the current relationship and any previous relationships

Financial Information:

- Draft Financial Statement** – Court Form 13.1 from website or we will mail

Income:

- Personal Income Tax Returns** (Since separation or last 3 taxation years, whichever is longer), including all materials filed with the returns
- Notice of assessment/Notices of Reassessment** (Since separation or last 3 taxation years, whichever is longer) or if unavailable, Income and Deductions Printout from Canada Revenue Agency (since separation or last 3 taxation years, whichever is longer)
- Child Tax Benefit Notice/Statements**
- Universal Child Care Benefit/Statements/Documentation**
- GST/HST Credits Notice/Statements/ Documentation**
- Canada Pension Plan Benefits Notice/ Statements/ Documentation**
- Old Age Security Benefits Notice/Statements/Documentation**
- Pension Benefits Notice/ Statements/ Documentation**
- Pension Stubs(last 5)**
- RRSP Statement Contribution Limit Information

If Employed:

- Employment Contract
- Recent Pay Stubs (last5)**
Group Insurance Information Booklets*
- Employee Benefit Booklets
- Letter from client's Employer confirming all income received to date this year
- Employer Loan Documentation
- Share Options Documentation
- Profit Sharing Documentation

If Unemployed:

- Employment Insurance Notice/Statements**

- Employment Insurance Stubs (last 5)**
- Record of Employment**
- Social Assistance (including disability assistance) Notice/Statements/Documentation**
- Social Assistance (including disability assistance) stubs (last 5)**
- Worker's Compensation Notice/Statements/Documentation**
 - Worker's Compensation Stubs (last5)**
- Disability Benefits Notice/Statements/Documentation**
- Disability Benefits Stubs (last 5)**

If Self-Employed:

(also see Business Interests below and provide any applicable documents)

- Statement of income and Expenses/ Professional Activities** (since separation or the last 3 years, whichever is longer)
- Financial Statements for Sole proprietorship, if created** (since separation or the last 3 years, whichever is longer)

If Shareholder/Director/Officer of Corporation

(See Business Interests Below and provide any applicable documents)

Real Property:

- Agreements of purchase and sale for all real property**
- Transfers registered on title for all real property**
- Charges registered on title for all real property**
- Appraisal reports for all real property, if available**
 - Title Searches for all real property**
 - Mortgage Application and Documentation for all real property**
 - Net Worth Statements provided to support all mortgage applications**

Personal Property

- Car Purchase/Lease Application and Documentation**
- Purchase invoices for all valuable p[ersonal property (eg. Artwork,antiques, jewellery etc.)

Bank Accounts

- Bank statements for all bank accounts (since seperation or last 3 years, whichever is longer) and copies of cancelled cheques*

RRSPs/ RRIFs:

- RRSP/RRIF statements** (since seperaation or last 3 years, whichever is longer)

Securities:

- Statements of all securities** (since separation or last 3 years, whichever is longer)

Pensions/RPPs:

- Pension plan Notices/ Statements/ Documentation**
- Pension Plan Valuation

Insurance Policies (Life and/or Disability):

- Insurance Policies
- Statements from insurance company re: amount of insurance, value of insurance and beneficiary designation
- Insurance Notices/Statements

Business Interests: (all documentation noted below to be provided for all companies/businesses in which you had an interest, and for the period since separation or last 3 years, whichever is longer)

Description of the nature of each business, including locations telephone numbers, incorporation date, goods and services sold, number of employees, family members working in the business, organizational charts that show ownership structure and/or explain organization of comples corporate structure and all other relevant information, such as company brochures and/or nformation sheets, etc.

- Corporate Financial Statements
- Corporate Income Tax Returns, both feeral and provincial, including amended returns**

- Corporate Notices of Assessment/ Notices of Reassessment**
- Business valuations, if any**
- Shareholder Agreements**
- Articles of incorporation, by-laws, articles, and amendments**
- Bank Account Statements and cancelled cheques**
- Listing of all company credit cards and copies on monthly statements**
- Buy/Sell Agreements**
- Details and supporting documentation of shareholders' Loan and repayment***
- Offers to buy business or listing agreements to sell the business
- Offers to buy business or listing agreements to sell the business
- Appraosa; reports re: specific assets
- Management agreements
- Listing of all fixed assets owned by the business including costs, description, estimated market value and net book value
- Description of notes and loans payable, including promissory notes and description of security provided
- Listing of applicable industry publications that provide relevant information (description, of bussiness, success of bussiness, financial history of forecasts, etc)
- Detailing listing of all shareholders, showing number and class of shares held, date purchased and price paid
- Accountant's or auditor's year end notes
- Corporation share registers
- Monthly or interim statements
- Minutes of all director or shareholder meetings
- Analysis of management compensation
- Payroll records
- Listing of accounts recieveable

- Listing of accounts payable
- Listing of inventory
- Listing of marketable securities owned
- Listing of major customers and the value of their accounts
- Listing of major competitors, their market share and sales volume
- Listing of key employees
- Union details

Receivables (Money owned to client, including income tax refunds, accrued commissions, bonuses, royalties, shareholder loans etc.):

- Promissory Notes and evidence of repayment, if any (ie. Highlight in bank statements)**
- Loan Agreements and evidence of repayment, if any (ie. Highlight in bank statements)**
- Notices/Statements/Documentation**

Loyalty Points Programs:

- Loyalty Program Notices/Statements/Documentation**

Intellectual Property (eg. Patents, trademarks, copyrights):

- Listing of intellectual property in which you have an interest**
- Patents
- Agreements relating to any intellectual property, including licensing agreements**

Contingent Assets:

- Trust documentation (in which you have interest)**
- Estate documentation (in which you have interest)**

Debts:

- Promissory Notes and evidence of repayment, if any (ex: copies of cheques)**
- Loan/Line of credit application and documentation
- Net Worth Statements provided to support all Loan/Line of credit applications
- Credit Card Application and Documentation

- Net Worth Statements provided to support all Credit Card Applications

Other Assets (excluded in Ontario and some other provinces);

All relevant documentation regarding:

- **Property acquired by gift or inheritance from 3rd person *after* date of marriage**
- **Income from Gifted/Inherited Property(above) if donor/testator expressly provided for exclusion from division in the event of a separation**
- **Damages in connection with personal injury lawsuit**
- **Proceeds from a life insurance policy**
- **Property which can be traced back to funds received from any of above property in this section**
- **Property agreed to be excluded from division in the event of a separation pursuant to a Marriage/Cohabitation Contract/Agreement**

Date of Marriage Assets/Liabilities:

- All relevant documentation showing the fair market value of any asset/liability owned/owed at the date of marriage, even if no longer owned/owed**