

DOCUMENTS WE NEED FROM YOU

Oregon law requires both parties in a dissolution of marriage proceeding to exchange certain information with each other upon request. There may be penalties for failure to exchange this information. In fact, a divorce proceeding can be “reopened” if a party fails to disclose an asset.

This is the beginning of the “discovery” process, in which your lawyer will exchange information with the other side so that both sides can get to know the facts of the case and prepare themselves for negotiations or trial. Full disclosure is the general rule. Depending on the complexity of your case, you may need to produce more or different information later in the process.

For each category of documents listed below, please mark the checklist to tell us if no such documents exist (if, for example, there is no military retirement account), or if such documents exist but are not in your possession or control. You are only required to provide documents which you have or can get, not those which are available only to your spouse. Then provide a copy (not the original) to your lawyer of all requested documents which you are able to provide. Mark each set of documents with the corresponding request number. You will need to do this within a relatively short period of time after the divorce papers are filed or served, so please make this a priority.

Produce the listed documents as soon as possible, and keep us supplied with new statements and other documents as you receive them. This will enable us to comply with legal requirements and will allow us to move forward on your case without undue delay. We do not want to be in a position of having to explain to a judge why you did not produce documents that you could and should have produced.

I need copies, *not originals*, of the following:

- 1. **Tax Returns.** All federal and state income tax returns filed by you and your spouse for the last three calendar years, whether filed separately or jointly. Include all schedules, W-2's, and 1099's.
- 2. **Past Income Records.** All W-2 statements, year-end payroll statements, interest and dividend statements, and all other records of income earned or received by you and your spouse during the last calendar year if income tax returns have not been filed for the last calendar year.
- 3. **Current Income Records.** All records showing any income earned or received by you and your spouse for the current calendar year.
- 4. **Net Worth Statement.** Any financial, net worth statements and loan applications which you and your spouse have filed. Contact the financial institutions to which you submitted these statements and get copies if you did not keep a copy for yourself.
- 5. **Retirement Plan.** Contact the bookkeeper, plan administrator, or person responsible for your pension plan, profit-sharing plan, stock option plan, deferred compensation plan, PERS, Keogh, or tax sheltered annuity which you own or participate in through your employment and request a copy of the summary plan description, a statement

as to your current interest in such plan, and its monetary value. Your employer must provide this information upon your request. You may already have this information in your records. Also provide any such documents you have regarding your spouse's retirement benefits. Do not call your spouse's pension administrator or employer for information.

- 6. **Individual Retirement Account.** The name of the financial institution, account number, beneficiary, and a current statement showing the balance in any IRA accounts which either you or your spouse own.
- 7. **Military Retirement.** Any information you have on military retirement benefits which either you or your spouse now receive or are entitled to receive in the future.
- 8. **Real Estate.** Any documents you may have on real estate (land) which you or your spouse own. These include real estate contracts, appraisals and the most recent real property tax statements (county assessments). We must have a complete legal description for each parcel of real property since it will be included in pertinent legal documents. We can usually get the description from a title company if you do not have it.
- 9. **Life Insurance.** The face sheet of any life insurance policy owned by you or your spouse. It should state the name of the insurance company, face amount of the policy, policy number, owner of the policy, beneficiary, annual premium, and the terms and conditions of the policy.
- 10. **Medical Insurance.** The company name, address, policy or group number, and subscriber number for all health and medical insurance.
- 11. **Other Insurance.** All insurance policies you and your spouse have, including all homeowner's policies, automobile, and personal property insurance. Remember to include any schedules or riders.
- 12. **Bank Accounts.** The last twelve monthly statements for any bank (checking and savings), credit union or brokerage accounts in which you have an interest or had signing privileges in the past year, whether or not the account is now closed. This information can be obtained from the financial institution by you upon request if you do not have the current statements in your possession, but do not spend a lot of money getting copies from the bank without checking with us first.
- 13. **Safe Deposit Boxes.** Prepare a list with the name and address of the bank, the box number, and names of authorized signers for any safe deposit box to which you or your spouse have access. A listing of the contents of the box would be helpful but is not required.
- 14. **Securities.** Documents showing stocks, bonds, secured notes, mutual funds, and other investments in which you or your spouse have an interest. Include documentation showing the date of purchase, the purchase price, and the current owner of such securities. This information can be obtained directly from the person who handled the purchase of the securities for you or your spouse. Most major investment houses (Morgan Stanley Smith Barney, Prudential Bache, etc.) generate monthly statements. Provide these if you have them.

- 15. **Savings Bonds.** Copies of any government savings bonds owned by you or your spouse (or any savings bonds for your children). Prepare a list of the bonds, separated by denomination, stating the month of purchase and exact registration of each bond if that is easier.
- 16. **Collections.** Any appraisals which you have for any coin, stamp or other valuable collections owned by you or your spouse. Advise us if appraisals do not exist so we can arrange for appraisals to be done.
- 17. **Business Interests.** Copies of the partnership or corporate tax returns of any business entity in which you or your spouse have an interest. Provide copies of the balance sheets and profit and loss statements for the last three years. You might find this difficult to obtain if you do not have a controlling interest. Advise us and we will contact the necessary individuals to secure the information if you cannot obtain it.
- 18. **Estate or Trust Interests.** Tell us if you or your spouse have any interest in any estate or inheritance now or if you believe you will have such an interest in the near future. Provide us with a copy of the will, inventory, final account, and judgment effecting the interest. It is important for us to review the actual trust agreement, the inventory, most recent annual accounting, and tax returns for the last three years, for any trust in which you or your spouse have an interest.
- 19. **Previous Marriages.** A copy of the decree or judgment entered in any previous marriage for either you or your spouse.
- 20. **Written Agreements.** A copy of any written agreement entered into by you and your spouse concerning support, property or other matters. **You should under no circumstances enter into any further agreements with respect to this proceeding without first consulting this office.**
- 21. **Vehicles.** Title and registration for every vehicle in which you or your spouse own an interest. This includes cars, trucks, boats, motorcycles, trailers, campers, aircraft, and mobile homes. Indicate the amount of the lien and name of the creditor for any vehicle which you do not own free and clear.
- 22. **Liabilities.** If you owed money to a creditor at any time within the past year, all monthly billing statements received from that creditor during that period of time. For example, include mortgage payment statements, credit card bills, loan payments, etc. These statements should include the creditor's name and address, the account number, and the amount due.