While you are waiting for class to begin, please:

- **If possible, watch this class on a computer, laptop or tablet**
- **Mute your audio**
- **Print your class materials: "Family Law Facilitator," "Family Law Facilitator Classes": https://www.santabarbara.courts.ca.gov**
- **Print and complete the "Property Worksheet"**
- Have a **pen and paper** available
- Be ready to **start promptly at 10:30 a.m.**

Thank you!

Welcome to the workshop: Financial Disclosures

FINANCIAL DISCLOSURES

SANTA BARBARA COUNTY SUPERIOR COURT

FAMILY LAW FACILITATOR

Deborah K Mullin, J.D.

FAMILY LAW FACILITATOR:

What can we do for you?

- Court attorney who can help you better represent yourself
- Available to either side
- Nothing is confidential
- Can help you with legal papers
- Can help you with service of the legal papers
- Can help with the filing of papers
- FLF does ***not*** go to court with you
- FLF does ***not*** represent you

Why do financial disclosures?

…because they are required under the law

YOUR GOAL? To get them done!

Let's review first

STEP 3B: Identify and solve your issues:

- Child custody and visitation
- Child support
- Spousal support
- Division of property: Both assets and debts

For more information on ways to get orders regarding your issues, see the "Resolve Your Issues" handout from the Family Law Facilitator's Office.

FL-107-INFO **Legal Steps for a Divorce or Legal Separation**

STEP 1. Start Your Case

- The **petitioner** (the person who files the first divorce or legal separation forms with the court) fills out and files with the court clerk at least a *Petition—Marriage/Domestic Partnership* (form FL-100) and a *Summons* (form FL-110) and, if there are children of the relationship, a *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act* (form FL-105).
- The forms needed to start your case and information about filing fees and fee waivers are available at "Filing Your Case," at courts.ca.gov/filing.
- The court clerk will stamp and return copies of the filed forms to the **petitioner**.

STEP 2. Serve the Forms

- **Someone 18 or older**–not the **petitioner**–serves the spouse or domestic partner (called the **respondent**) with all the forms from Step 1 plus a blank *Response—Marriage/Domestic Partnership* (form FL-120) and files with the court a proof-of-service form, such as *Proof of Service of Summons* (form FL-115), telling when and how the respondent was served. (To *serve* means "to give in the proper legal way.") For more information, see "Serving Your First Set of Court Forms" at courts.ca.gov/filing.
- The **respondent** has 30 days to file and serve a *Response*. So, the **petitioner** must wait 30 days before starting Step 4.

STEP 3. Disclose Financial Information

- At the same time as Step 1 or within 60 days of filing the *Petition*, the **petitioner** must fill out and have these documents served on the **respondent**: *Declaration of Disclosure* (form FL-140), *Income and Expense Declaration* (form FL-150), *Schedule of Assets and Debts* (form FL-142) or *Property Declaration* (form FL-160), and all tax returns filed by the party in the two years before serving the disclosure documents. These disclosure documents are not filed with the court.
- If the **respondent** files a *Response*, he or she must also complete and serve the same disclosure documents on the **petitioner** within 60 days of filing the *Response*.
- The 60-day time frame for serving the disclosures may be changed by written agreement between the parties or by court order.
- The **petitioner** and **respondent** each file a *Declaration Regarding Service* (form FL-141) with the court saying disclosures were served. If the **respondent** does not serve disclosures, the **petitioner** can still finish the case without them. For more information, see "Fill Out and Serve Your Financial Declaration of Disclosure Forms" at courts.ca.gov/filing (click on Step 4).

STEP 4. Finish the Divorce or Legal Separation Case in One of Four Ways

Respondent does not file a *Response* (called "default")

No *Response* and NO written agreement: Petitioner waits 30 days after Step 2 is complete and prepares a proposed *Judgment* (form FL-180), together with all other needed forms. See "True Default Case" at courts.ca.gov/truedefault.

No *Response* BUT written agreement: Petitioner attaches the signed and notarized agreement to the proposed *Judgment* (form FL-180), together with all other needed forms. See "Default Case with Written Agreement" at courts.ca.gov/defaultagree.

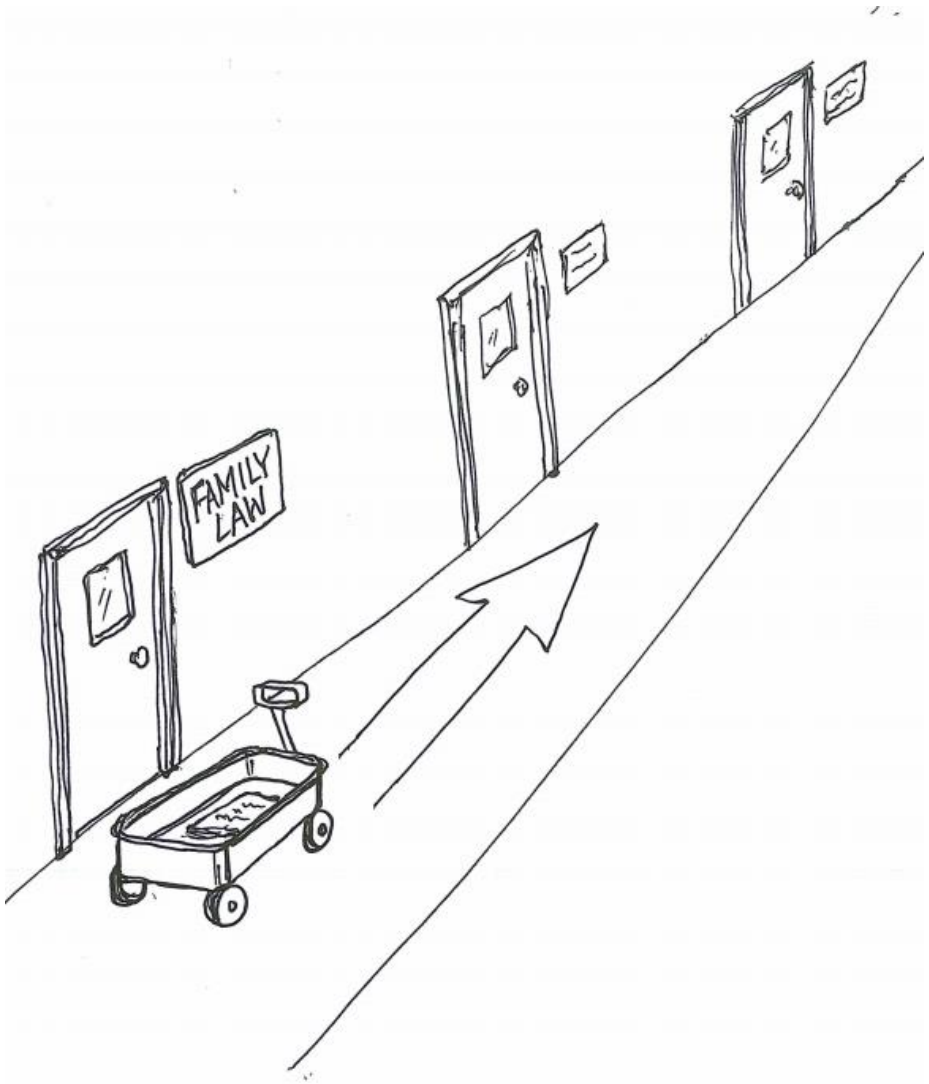
Respondent files a *Response*

***Response* AND written agreement:** Either party files *Appearance, Stipulations, and Waivers* (form FL-130) and the proposed *Judgment* with written agreement attached and other needed forms. See "Uncontested Case" at courts.ca.gov/uncontested.

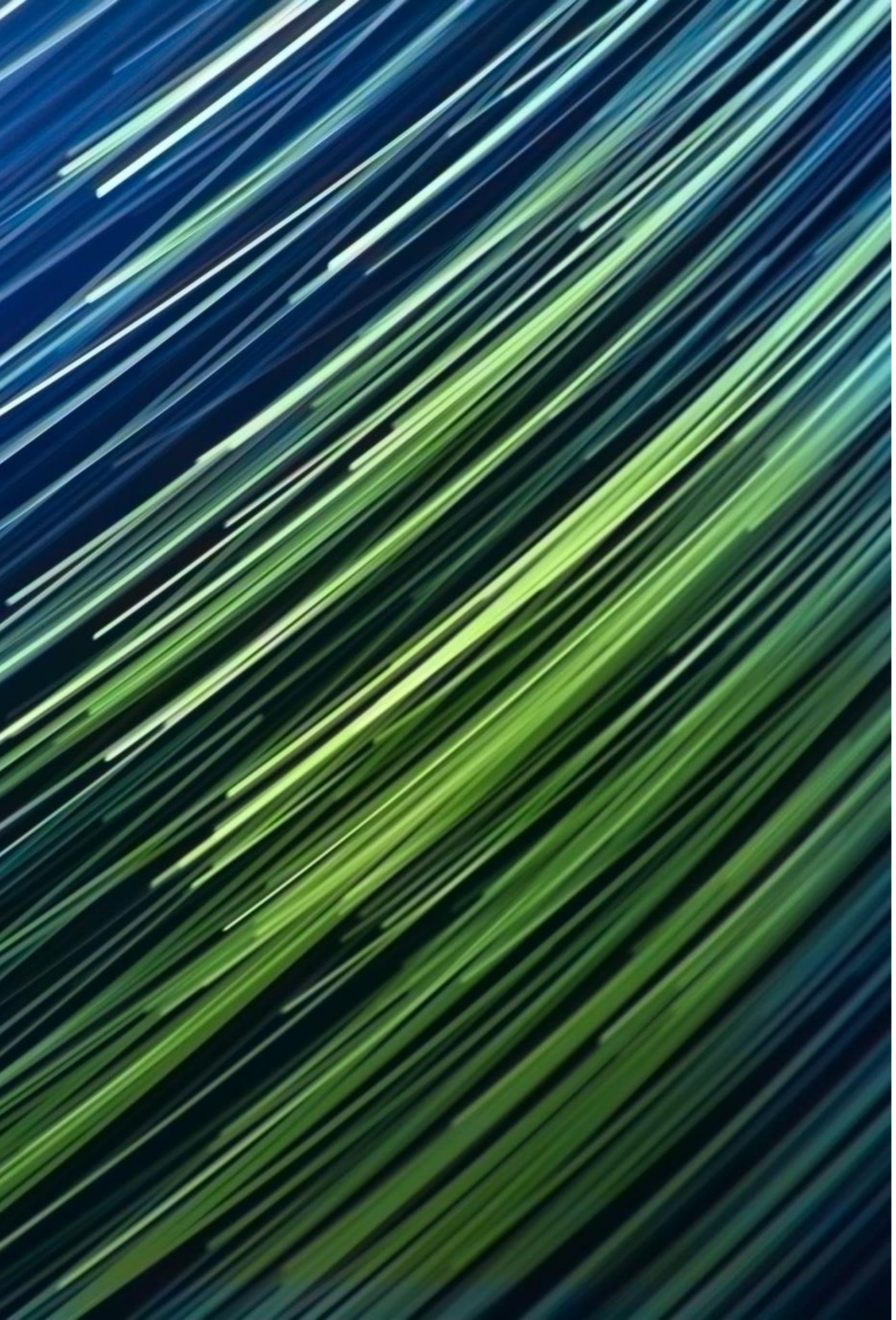
***Response* and NO agreement:** Parties must go to trial to have a judge resolve the issues. See "Contested Case" at courts.ca.gov/contested.

IMPORTANT NOTICES

- The earliest you can be divorced is six months and one day from one of these three dates (whichever occurs first): (1) the date Respondent was served with the *Summons* (form FL-110) and *Petition* (form FL-100), (2) the date the *Response* (form FL-120) was filed, or (3) the date the *Appearance, Stipulations, and Waivers* (form FL-130) was filed. Legal separation has no waiting period. You are NOT divorced or legally separated until the court enters a *Judgment* in your case.
- If you need court orders for child support, custody, parenting time (visitation), spousal or partner support, restraining orders, or other issues, file a *Request for Order* (form FL-300) asking for temporary orders. See "Request for Order Information" at courts.ca.gov/divorcerequests for more information.
- Annulments: See courts.ca.gov/annulment for information about annulments.
- You must keep the court and the other party informed of any change in your mailing address or other contact information. File and serve a *Notice of Change of Address or Other Contact Information* (form MC-040) on the other party or his or her attorney to let them know about the change in your contact information.



Pull that wagon to completion!



Financial Disclosure Goals:

Identify	**1. Identify the existence of an asset or debt, and**
Identify	**2. Identify the true nature of the asset or debt as either separate or community property, and**
Disclose	**3. Disclose your opinion regarding the value of each asset or debt—so that you can…**
Use	**Use your disclosures as a springboard to begin discussion with your spouse about division**

OPTIONS FOR CREATING YOUR LEGAL PAPERS:

California Courts Self-Help Center: Lots of Information and the free forms available that you complete on your own

Guide and File: Answer online questions and automatically create the forms. File electronically or print and file on your own.

Law Help Interactive: Free forms that you complete yourself by answering written interview questions

Links: On the next page…

Websites to create the legal forms:

- **California Courts Self-Help Center**: Extensive information and free forms to complete on your own: https://selfhelp.courts.ca.gov/divorce

- **Law Help Interactive**: By answering written interview questions, you complete legal forms for free: https://www.butte.courts.ca.gov/self-help/online-resources

- **Guide and File**: Answer online questions on your own and your forms are created for free. You can then print the documents to serve and file or electronically file: www.guideandfile.com

Getting ready to do disclosures:

- Run a credit check to determine all your debt: www.annualcreditreport.com
- **Get copies of all your important financial papers**:

Deeds
Mortgage statements
Bank statements
Car registrations
Investment account information

Tax returns
Pension/retirement plan statements
Paystubs
Credit card statements
Insurance information

SANTA BARBARA COUNTY SUPERIOR COURT
OFFICE OF THE FAMILY LAW FACILITATOR

FINANCIAL DISCLOSURES:
ARE THE ASSETS/DEBTS COMMUNITY OR SEPARATE?

The goal of the financial disclosures step is to (1) identify all assets and debts connected with either you or the other spouse or both of you and (2) determine the value of each.

Assignment:

1. Start by brainstorming all your assets and your debts below. Do NOT think "mine or yours." Just quickly list everything that you know.
2. Then put the dates of your marriage and separation at the top of p. 2.
3. Characterize each asset and debt as either separate or community property based on when the asset or debt was acquired (either before or during marriage or after separation). Then place each item in the appropriate column on p. 2. (Exceptions to community property rule: Property received by gift, inheritance or produced by separate property during marriage. These things are separate property.)

PROPERTY WORKSHEET

STEP 1: List all valuable property you can identify, such as: Vehicles/campers/trailers, real estate, bank accounts, pension or retirement plans, IRAs, computers, big screen TVs, smart phones, stocks and bonds, tax refunds, security deposit where you live, etc.

List all debts you can identify, such as: Credit card debts, medical/dental/orthodontia bills, back taxes, installment debts (such as to Ashley Furniture), personal loans from a friend or relative, student loans, etc.:

"Property Worksheet" Page 1

STEP 2: Now characterize your assets and debts as either separate property or community property by itemizing in the appropriate column (1, 2 or 3) below according to when the item was acquired.

DATE OF MARRIAGE

_______/______/_________
Month / Day / Year

Marital Period

DATE OF SEPARATION

_______/_____/_________
Month / Day / Year

Column 1	Column 2	Column 3
Separate Property (SP)	**Community Property (CP) *** * EXCEPTION TO CP RULE DURING MARRIAGE: Property received by gift, inheritance or produced by separate property during marriage. These things are considered to be separate property.)	**Separate Property (SP)**

"Property Worksheet" Page 2

DATE OF SEPARATION: Let's see….

- **When did I know in my heart of hearts that our marriage was over?**
- **When did I communicate this to my spouse?**
- **When did we physically separate?**

FL-140
Declaration of
Disclosure

FL-140

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address)*:

TELEPHONE NO.: FAX NO.:
E-MAIL ADDRESS:
ATTORNEY FOR *(Name)*:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Barbara
STREET ADDRESS: 1100 Anacapa Street
MAILING ADDRESS:
CITY AND ZIP CODE: Santa Barbara, CA 93101
BRANCH NAME: ANACAPA DIVISION

PETITIONER:
RESPONDENT:
OTHER PARENT/PARTY:

DECLARATION OF DISCLOSURE

☐ Petitioner's ☐ Preliminary
☐ Respondent's ☐ Final

CASE NUMBER:

DO NOT FILE DECLARATIONS OF DISCLOSURE OR FINANCIAL ATTACHMENTS WITH THE COURT

In a dissolution, legal separation, or nullity action, both a preliminary and a final declaration of disclosure must be served on the other party with certain exceptions. Neither disclosure is filed with the court. Instead, a declaration stating that service of disclosure documents was completed or waived must be filed with the court (see form FL-141).

- *In summary dissolution cases, each spouse or domestic partner must exchange preliminary disclosures as described in* Summary Dissolution Information *(form FL-810). Final disclosures are not required (see Family Code section 2109).*
- *In a default judgment case that is not a stipulated judgment or a judgment based on a marital settlement agreement, only the petitioner is required to complete and serve a preliminary declaration of disclosure. A final disclosure is not required of either party (see Family Code section 2110).*
- *Service of preliminary declarations of disclosure may not be waived by an agreement between the parties.*
- *Parties who agree to waive final declarations of disclosure must file their written agreement with the court (see form FL-144).*

The petitioner must serve a preliminary declaration of disclosure at the same time as the Petition or within 60 days of filing the Petition. The respondent must serve a preliminary declaration of disclosure at the same time as the Response or within 60 days of filing the Response. The time periods may be extended by written agreement of the parties or by court order (see Family Code section 2104(f)).

Attached are the following:

1. ☐ A completed *Schedule of Assets and Debts* (form FL-142) or ☐ A *Property Declaration* (form FL-160) for *(specify)*:
   ☐ Community and Quasi-Community Property ☐ Separate Property.
2. ☐ A completed *Income and Expense Declaration* (form FL-150).
3. ☐ All tax returns filed by the party in the two years before the date that the party served the disclosure documents.
4. ☐ A statement of all material facts and information regarding valuation of all assets that are community property or in which the community has an interest *(not a form)*.
5. ☐ A statement of all material facts and information regarding obligations for which the community is liable *(not a form)*.
6. ☐ An accurate and complete written disclosure of any investment opportunity, business opportunity, or other income-producing opportunity presented since the date of separation that results from any investment, significant business, or other income-producing opportunity from the date of marriage to the date of separation *(not a form)*.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) SIGNATURE

Form Adopted for Mandatory Use
Judicial Council of California
FL-140 [Rev. July 1, 2013]
CEB ceb.com Essential Forms

DECLARATION OF DISCLOSURE
(Family Law)

Family Code, §§ 2102, 2104, 2105, 2106, 2112
www.courts.ca.gov

FL-150

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: FOR COURT USE ONLY
NAME:
FIRM NAME:
STREET ADDRESS:
CITY: STATE: ZIP CODE:
TELEPHONE NO.: FAX NO.:
E-MAIL ADDRESS:
ATTORNEY FOR *(name)*:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Barbara
STREET ADDRESS: 1100 Anacapa Street
MAILING ADDRESS:
CITY AND ZIP CODE: Santa Barbara, CA 93101
BRANCH NAME: ANACAPA DIVISION

PETITIONER:
RESPONDENT:
OTHER PARTY/PARENT/CLAIMANT:

INCOME AND EXPENSE DECLARATION CASE NUMBER:

1. **Employment** *(Give information on your current job or, if you're unemployed, your most recent job.)*

Attach copies of your pay stubs for last two months (black out Social Security numbers).

a. Employer:
b. Employer's address:
c. Employer's phone number:
d. Occupation:
e. Date job started:
f. If unemployed, date job ended:
g. I work about hours per week.
h. I get paid $ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8 1/2-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1 - Other Jobs" at the top.)

2. **Age and education**
   a. My age is *(specify)*:
   b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed *(specify)*:
   c. Number of years of college completed *(specify)*: ☐ Degree(s) obtained *(specify)*:
   d. Number of years of graduate school completed *(specify)*: ☐ Degree(s) obtained *(specify)*:
   e. I have: ☐ professional/occupational license(s) *(specify)*:
      ☐ vocational training *(specify)*:
3. **Tax information**
   a. ☐ I last filed taxes for tax year *(specify year)*:
   b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
      ☐ married, filing jointly with *(specify name)*:
   c. I file state tax returns in ☐ California ☐ other *(specify state)*:
   d. I claim the following number of exemptions (including myself) on my taxes *(specify)*:
4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at *(specify)*: $
   This estimate is based on *(explain)*:

(If you need more space to answer any questions on this form, attach an 8 1/2-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: ______

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date:

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

FL-150 Income & Expense Declaration

PETITIONER: CASE NUMBER:
RESPONDENT:
OTHER PARTY/PARENT/CLAIMANT:

Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. ***(Black out your Social Security number on the pay stub and tax return.)***

5. **Income** *(For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)* — Last month | Average monthly
   a. Salary or wages (gross, before taxes) $
   b. Overtime (gross, before taxes) $
   c. Commissions or bonuses $
   d. Public assistance (for example: TANF, SSI, GA/GR) ☐ currently receiving $
   e. Spousal support ☐ from this marriage ☐ from a different marriage ☐ federally taxable* $
   f. Partner support ☐ from this domestic partnership ☐ from a different domestic partnership $
   g. Pension/retirement fund payments $
   h. Social Security retirement (not SSI) $
   i. Disability: ☐ Social Security (not SSI) ☐ State disability (SDI) ☐ Private insurance $
   j. Unemployment compensation $
   k. Workers' compensation $
   l. Other (military allowances, royalty payments) *(specify)*: $
6. **Investment income** *(Attach a schedule showing gross receipts less cash expenses for each piece of property.)*
   a. Dividends/interest $
   b. Rental property income $
   c. Trust income $
   d. Other *(specify)*: $
7. **Income from self-employment, after business expenses for all businesses** $
   I am the ☐ owner/sole proprietor ☐ business partner ☐ other *(specify)*:
   Number of years in this business *(specify)*:
   Name of business *(specify)*:
   Type of business *(specify)*:
   Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.
8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months *(specify source and amount)*:
9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because *(specify)*:
10. **Deductions** — Last month
    a. Required union dues $
    b. Required retirement payments (not Social Security, FICA, 401(k), or IRA) $
    c. Medical, hospital, dental, and other health insurance premiums *(total monthly amount)* $
    d. Child support that I pay for children from other relationships $
    e. Spousal support that I pay by court order from a different marriage ☐ federally tax deductible* $
    f. Partner support that I pay by court order from a different domestic partnership $
    g. Necessary job-related expenses not reimbursed by my employer *(attach explanation labeled "Question 10g")* $
11. **Assets** — Total
    a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts $
    b. Stocks, bonds, and other assets I could easily sell $
    c. All other property, ☐ real and ☐ personal *(estimate fair market value minus the debts you owe)* $

* Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.

PETITIONER:	CASE NUMBER:
RESPONDENT:	
OTHER PARTY/PARENT/CLAIMANT:	

12. **The following people live with me:**

Name	Age	How the person is related to me (ex: son)	That person's gross monthly income	Pays some of the household expenses?
a.				☐ Yes ☐ No
b.				☐ Yes ☐ No
c.				☐ Yes ☐ No
d.				☐ Yes ☐ No
e.				☐ Yes ☐ No

13. **Average monthly expenses** ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

a. Home:
(1) ☐ Rent or ☐ mortgage .... $
If mortgage:
(a) average principal: $
(b) average interest: $
(2) Real property taxes .... $
(3) Homeowner's or renter's insurance (if not included above) .... $
(4) Maintenance and repair .... $
b. Health-care costs not paid by insurance ... $
c. Child care .... $
d. Groceries and household supplies .... $
e. Eating out .... $
f. Utilities (gas, electric, water, trash) .... $
g. Telephone, cell phone, and e-mail .... $
h. Laundry and cleaning .... $
i. Clothes .... $
j. Education .... $
k. Entertainment, gifts, and vacation .... $
l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) .... $
m. Insurance (life, accident, etc.; do not include auto, home, or health insurance) $
n. Savings and investments .... $
o. Charitable contributions .... $
p. Monthly payments listed in item 14 *(itemize below in 14 and insert total here)* $
q. Other *(specify)*: .... $
r. **TOTAL EXPENSES** (a-q) *(do not add in the amounts in a(1)(a) and (b))* $
s. **Amount of expenses paid by others** $

14. **Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	

15. **Attorney fees** *(This is required if either party is requesting attorney fees.)*:
a. To date, I have paid my attorney this amount for fees and costs *(specify)*: $
b. The source of this money was *(specify)*:
c. I still owe the following fees and costs to my attorney *(specify total owed)*: $
d. My attorney's hourly rate is *(specify)*:

I confirm this fee arrangement.

Date:

(TYPE OR PRINT NAME) ▶ (SIGNATURE OF DECLARANT)

Income & Expense Declaration FL-150 Pgs. 3-4

PETITIONER:	CASE NUMBER:
RESPONDENT:	
OTHER PARTY/PARENT/CLAIMANT:	

CHILD SUPPORT INFORMATION
(NOTE: Fill out this page only if your case involves child support.)

16. **Number of children**
a. I have *(specify number)*: children under the age of 18 with the other parent in this case.
b. The children spend percent of their time with me and percent of their time with the other parent.
(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

17. **Children's health-care expenses**
a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
b. Name of insurance company:
c. Address of insurance company:
d. The monthly cost for the **children's** health insurance is or would be *(specify)*: $
(Do not include the amount your employer pays.)

18. **Additional expenses for the children in this case** — Amount per month
a. Child care so I can work or get job training .... $
b. Children's health care not covered by insurance .... $
c. Travel expenses for visitation .... $
d. Children's educational or other special needs *(specify below)*: .... $

19. **Special hardships.** I ask the court to consider the following special financial circumstances *(attach documentation of any item listed here, including court orders)*: — Amount per month — For how many months?
a. Extraordinary health expenses not included in 18b .... $
b. Major losses not covered by insurance *(examples: fire, theft, other insured loss)* .... $
c. (1) Expenses for my minor children who are from other relationships and are living with me .... $
(2) Names and ages of those children *(specify)*:
(3) Child support I receive for those children .... $

The expenses listed in a, b and c create an extreme financial hardship because *(explain)*:

20. **Other information I want the court to know concerning support in my case** *(specify)*:

FL-150 Info you will need:

- **Paystubs/proof of all unemployment benefits from the 2 most recent months**
- **Schedule C from most recent tax return if self-employed OR**
- **Profit and loss statements from the previous 2 years**
- **Calculation of average childcare expense/month**
- **Mortgage interest and property taxes/month**
- **Calculation of timeshare with children/month**
- **Cost of health insurance/month**
- **Retirement contributions/month**

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR *(name)*:	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Barbara STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: ANACAPA DIVISION	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY	
☐ PETITIONER'S ☐ RESPONDENT'S ☐ COMMUNITY AND QUASI-COMMUNITY PROPERTY DECLARATION ☐ SEPARATE PROPERTY DECLARATION	CASE NUMBER:

See *Instructions* on page 4 for information about completing this form. For additional space, use *Continuation of Property Declaration* (form FL-161).

A		B	C -	D =	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER	RESPONDENT
1.	REAL ESTATE		$	$	$	$	$
2.	HOUSEHOLD FURNITURE, FURNISHINGS, APPLIANCES						
3.	JEWELRY, ANTIQUES, ART, COIN COLLECTIONS, etc.						
4.	VEHICLES, BOATS, TRAILERS						
5.	SAVINGS ACCOUNTS						
6.	CHECKING ACCOUNTS						

Property Declaration FL-160 Pgs. 1 - 2

A		B	C -	D =	E	F	
ITEM NO.	BRIEF DESCRIPTION	DATE ACQUIRED	GROSS FAIR MARKET VALUE	AMOUNT OF DEBT	NET FAIR MARKET VALUE	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER	RESPONDENT
7.	CREDIT UNION, OTHER DEPOSITORY ACCOUNTS			$	$	$	$
8.	CASH						
9.	TAX REFUND						
10.	LIFE INSURANCE WITH CASH SURRENDER OR LOAN VALUE						
11.	STOCKS, BONDS, SECURED NOTES, MUTUAL FUNDS						
12.	RETIREMENT AND PENSIONS						
13.	PROFIT-SHARING, IRAS, DEFERRED COMPENSATION, ANNUITIES Home Depot Deferred Comp. Pl.	During marr.	6,441		6,441		
14.	ACCOUNTS RECEIVABLE, UNSECURED NOTES						
15.	PARTNERSHIP, OTHER BUSINESS INTERESTS						
16.	OTHER ASSETS						
17.	ASSETS FROM CONTINUATION SHEET						
18.	TOTAL ASSETS						

Calif. couple unearths Gold Rush coins worth $10M

Michael Winter
USA TODAY
0:14
0:54

Calif. couple unearths Gold Rush coins worth $10M
Michael Winter
USA TODAY

For a lucky California couple, their $10 million pot of backyard gold came with a shadow, not a rainbow.
While walking the dog last February, the couple stumbled across a treasure of 1,427 gold coins from the mid- to late-19th century buried in eight cans in the shade of a tree on their property in the state's famous Gold Country, according to Kagin's, the numismatic firm representing the anonymous finders……

FL-160

A		B	C	D	
ITEM NO.	DEBTS - SHOW TO WHOM OWED	DATE INCURRED	TOTAL OWING	PROPOSAL FOR DIVISION Award or Confirm to: PETITIONER	RESPONDENT
19.	STUDENT LOANS		$	$	$
20.	TAXES				
21.	SUPPORT ARREARAGES				
22.	LOANS-UNSECURED				
23.	CREDIT CARDS Chase Bank Visa *2345	During marriage	2,076		
24.	OTHER DEBTS				
25.	OTHER DEBTS FROM CONTINUATION SHEET				
26.	TOTAL DEBTS				

☐ A *Continuation of Property Declaration* (form FL-161) is attached and incorporated by reference.

I declare under penalty of perjury under the laws of the State of California that, to the best of my knowledge, the foregoing is a true and correct listing of assets and obligations and the amounts shown are correct.

Date:

(TYPE OR PRINT NAME) ▶ SIGNATURE

Property Declaration FL-160 Pgs. 3 - 4

FL-160

INFORMATION AND INSTRUCTIONS FOR COMPLETING FORM FL-160

Property Declaration (form FL-160) is a multipurpose form, which may be filed with the court as an attachment to a *Petition* or *Response* or served on the other party to comply with disclosure requirements in place of a *Schedule of Assets and Debts* (form FL-142). Courts may also require a party to file a *Property Declaration* as an attachment to a *Request to Enter Default* (form FL-165) or *Judgment* (form FL-180).

When filing a *Property Declaration* with the court, do not include private financial documents listed below.

Identify the type of declaration completed

1. Check "Community and Quasi-Community Property Declaration" on page 1 to use *Property Declaration* (form FL-160) to provide a combined list of community and quasi-community property assets and debts. Quasi-community property is property you own outside of California that would be community property if it were located in California.
2. Do not combine a separate property declaration with a community and quasi-community property declaration. Check "Separate Property Declaration" on page 1 when using *Property Declaration* to provide a list of separate property assets and debts.

Description of the Property Declaration chart

Pages 1 and 2

1. Column A is used to provide a brief description of each item of separate or community or quasi-community property.
2. Column B is used to list the date the item was acquired.
3. Column C is used to list the item's gross fair market value (an estimate of the amount of money you could get if you sold the item to another person through an advertisement).
4. Column D is used to list the amount owed on the item.
5. Column E is used to indicate the net fair market value of each item. The net fair market value is calculated by subtracting the dollar amount in column D from the amount in column C ("C minus D").
6. Column F is used to show a proposal on how to divide (or confirm) the item described in column A.

Page 3

1. Column A is used to provide a brief description of each separate or community or quasi-community property debt.
2. Column B is used to list the date the debt was acquired.
3. Column C is used to list the total amount of money owed on the debt.
4. Column D is used to show a proposal on how to divide (or confirm) the item of debt described in column A.

When using this form only as an attachment to a *Petition* or *Response*

1. Attach a *Separate Property Declaration* (form FL-160) to respond to item 9. Only columns A and F on pages 1 and 2 and columns A and D on page 3 are required.
2. Attach a *Community or Quasi-Community Declaration* (form FL-160) to respond to item 10, and complete column A on all pages.

When serving this form on the other party as an attachment to *Declaration of Disclosure* (form FL-140)

1. Complete columns A through E on pages 1 and 2, and columns A through C on page 3.
2. Copies of the following documents must be attached and served on the other party:
   (a) *For real estate* (item 1): deeds with legal descriptions and the latest lender's statement.
   (b) *For vehicles, boats, trailers* (item 4): the title documents.
   (c) *For all bank accounts* (item 5, 6, 7): the latest statement.
   (d) *For life insurance policies with cash surrender or loan value* (item 10): the latest declaration page.
   (e) *For stocks, bonds, secured notes, mutual funds* (item 11): the certificate or latest statement.
   (f) *For retirement and pensions* (item 12): the latest summary plan document and latest benefit statement.
   (g) *For profit-sharing, IRAs, deferred compensation, and annuities* (item 13): the latest statement.
   (h) *For each account receivable and unsecured note* (item 14): documentation of the account receivable or note.
   (i) *For partnerships and other business interests* (item 15): the most current K-1 and Schedule C.
   (j) *For other assets* (item 16): the most current statement, title document, or declaration.
   (k) *For support arrearages* (item 21): orders and statements.
   (l) *For credit cards and other debts* (items 23 and 24): the latest statement.
3. Do not file copies of the above private financial documents with the court.

When filing this form with the court as an attachment to *Request to Enter Default* (FL-165) or *Judgment* (FL-180)
Complete all columns on the form.

For more information about forms required to process and obtain a judgment in dissolution, legal separation, and nullity cases, see ***http://www.courts.ca.gov/8218.htm.***

COMMUNITY PROPERTY FL-160:

Tips for completing…

Mark

Mark a new FL-160 as "Community Property Declaration " on p. 1

Focus

Focus on the assets and debts acquired DURING MARRIAGE (column 2 on worksheet)

Identify

<u>Specifically identify </u>the item (year, make and model; account numbers, etc.)

Determine the fair market value **(ex. Zillow, Kelly Blue Book, Craig's list, garage sale)**

Remember

NOTE: <u>DO NOT</u> put the proposed division in column F. Leave column F blank. (Later, I promise!)

SEPARATE PROPERTY FL-160:

Tips for completing…

Mark

Mark a NEW FL-160 as "Separate Property Declaration " on p. 1

Focus

Focus now on the assets and debts acquired BEFORE MARRIAGE and/or AFTER THE DATE OF SEPARATION (columns 1 and 3 on "Property Worksheet")

Identify

1. **Specifically identify the item**
2. **Determine the fair market value**
3. **Put the value in column F to indicate that the item is either "Petitioner's" or "Respondent's" separate property**

NOTE

NOTE: You use the same form to show both YOUR separate property AND YOUR SPOUSE'S separate property!

TIP FOR BOX #2 COUPLE:

If you and your spouse expect to come to an agreement to finish your divorce (Box #2), then you can do the following to make it easier:

- Petitioner completes the FL-160 CP and the FL-160 SP and sends them to the Respondent with the other disclosure documents
- Respondent looks over the FL-160s and, using a different color pen, writes in any changes (ex. adding a new item, changing the value, deleting something)
- Respondent dates and signs below the Petitioner’s signature and gives a copy to the Petitioner with Respondent’s other disclosure documents
- Petitioner and Respondent review the FL-160s together, try to agree on the assets and debts listed and their division and then Petitioner creates one final version of each form—ready to be attached to the Judgment!

FL-141

ATTORNEY OR PARTY WITHOUT ATTORNEY (*Name, State Bar number, and address*):	
TELEPHONE NO.: FAX NO.:	
E-MAIL ADDRESS:	
ATTORNEY FOR (*Name*):	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Santa Barbara STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: CITY AND ZIP CODE: Santa Barbara, CA 93101 BRANCH NAME: ANACAPA DIVISION	
PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	
DECLARATION REGARDING SERVICE OF DECLARATION OF DISCLOSURE AND INCOME AND EXPENSE DECLARATION ☐ Petitioner's ☐ Preliminary ☐ Respondent's ☐ Final	CASE NUMBER:

1. I am the ☐ attorney for ☐ petitioner ☐ respondent in this matter.
2. ☐ Petitioner's ☐ Respondent's *Preliminary Declaration of Disclosure* (form FL-140), current* *Income and Expense Declaration* (form FL-150), completed *Schedule of Assets and Debts* (form FL-142) or *Community and Separate Property Declarations* (form FL-160) with appropriate attachments, all tax returns filed by the party in the two years before service of the preliminary disclosures, and all other required information under Family Code section 2104 were served on:
   ☐ the other party ☐ the other party's attorney by ☐ personal service ☐ mail
   ☐ Other (*specify*):
   on (*date*):
3. ☐ Petitioner's ☐ Respondent's *Final Declaration of Disclosure* (form FL-140), current* *Income and Expense Declaration* (form FL-150), completed *Schedule of Assets and Debts* (form FL-142) or *Community or Separate Property Declarations* (form FL-160) with attachments, and the material facts and information required by Family Code section 2105 were served on:
   ☐ the other party ☐ other party's attorney by ☐ personal service ☐ mail
   ☐ Other (*specify*):
   on (*date*):
4. ☐ Service of ☐ Petitioner's ☐ Respondent's ☐ preliminary ☐ final declaration of disclosure
   ☐ current income and expense declaration has been waived as follows:
   a. ☐ The parties agreed to waive final declaration of disclosure requirements under Family Code section 2105(d.) (Form FL-144 may be used for this purpose.) The waiver ☐ was filed on (*date*):
   ☐ is being filed at the same time as this form.
   b. ☐ The party has failed to comply with disclosure requirements, and the court has granted the request for voluntary waiver of receipt under Family Code section 2107 on (*date*):
   c. ☐ This is a default proceeding that does not include a stipulated judgment or settlement agreement. Petitioner waives final disclosure requirements under Family Code section 2110.

**Current* is defined as completed within the past three months providing no facts have changed. (Cal. Rules of Court, rule 5.260.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME) SIGNATURE

NOTE: File this document with the court.
Do not file a copy of the Preliminary or Final Declaration of Disclosure or any attachments to either declaration of disclosure with this document.

Form Adopted for Mandatory Use
Judicial Council of California
FL-141 [Rev. July 1, 2013]

DECLARATION REGARDING SERVICE OF DECLARATION OF DISCLOSURE AND INCOME AND EXPENSE DECLARATION (Family Law)

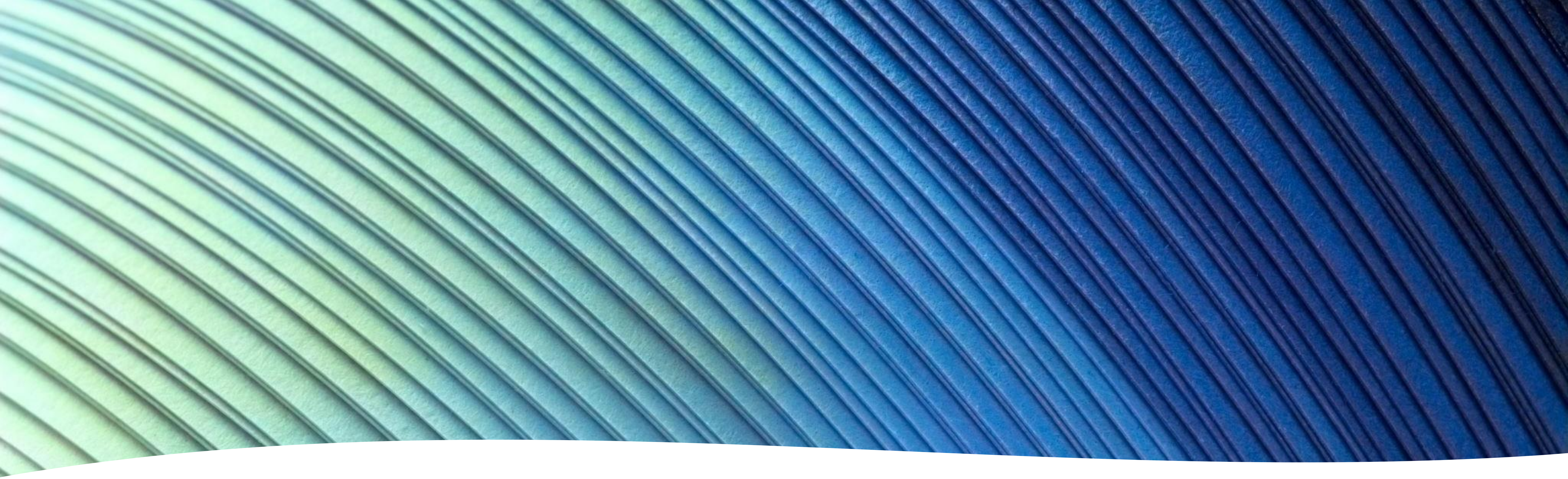
Family Code, §§ 2102, 2104, 2105, 2106, 2112
www.courts.ca.gov

The Finish Line!

FL-141

Declaration re: Service of Declaration of Disclosure

FILE WITH THE COURT!



Now, are you ready to pull that wagon some more?

Division of property (assets and debts) is done either by agreement OR by court order

If you go to court, the judge is REQUIRED to EQUALLY divide your property

You two have the right to divide any way you want

Retirement and pension plans: To divide or not to divide…

SPECIAL RULES APPLY:

- 401(k), ESOP, 457(f) plans need a Qualified Domestic Relations Order (QDRO) to be divided
- Federal plans have their own Qualified Relations Orders
- CA employees including teachers have special plans with their own Qualified Relations Orders
  - **Plan will need to be joined into the case**
- IRAs (both standard and ROTH) are divided by Judgment
- **Worthwhile to serve a "Notice of Adverse Interest" on the retirement plan administrator**

MAY NEED ADDITIONAL LEGAL HELP!

RETIREMENT PLAN JOINDER—INFORMATION SHEET

Type of Retirement Plan	Examples	Joinder Required
Governmental plan of a state, county, public school or university, or other public agency	California Public Employees' Retirement System (CalPERS), California State Teachers' Retirement System (CalSTRS), and University of California Retirement System (UCRS) (includes both qualified plans and nonqualified plans, such as Int. Rev. Code, § 457(b) or (f) deferral plans or Int. Rev. Code, § 403(b) Tax Sheltered Annuity (TSA)	Yes
Federal government plan	Federal government plans including all military branches, Civil Service Retirement System (CSRS), Federal Employees Retirement System (FERS), Foreign Service Pension System (FSPS)	No
Funded plan (whether or not qualified) covering employees working for private-industry employer (includes collectively bargained plans)	Int. Rev. Code, § 401(k) plan, defined benefit pension plan (traditional or cash balance), profit-sharing plan, money purchase or target benefit pension plan, Employee Stock Ownership Plan (ESOP), Tax Sheltered Annuity (TSA)	No (ERISA covered)
Unfunded nonqualified plan covering employees working for private-industry or tax-exempt employer (other than excess benefit plans)	Supplemental executive retirement plan, Int. Rev. Code, § 457(f) deferral plan, Stock Appreciation Right (SAR) or phantom stock plan, severance plan	No (ERISA covered)
Plan (qualified or nonqualified) covering only business owners and spouses or employees of a church	Int. Rev. Code, § 401(k) plan, defined benefit pension plan (traditional or cash balance), profit-sharing plan, money purchase or target benefit pension plan, Keogh, Tax Sheltered Annuity (TSA)	Yes
Individual Retirement Account or annuity	Individual Retirement Account (IRA), Roth IRA	No (not true retirement plans; Qualified Domestic Relations Orders (QDROs) do not apply). May be divided by judgment or order
All others		Generally yes

For domestic partnerships and same-sex marriages, please consult an attorney as federal laws apply and rules may vary.

Form Approved for Optional Use
Judicial Council of California
FL-318-INFO [New January 1, 2009]

RETIREMENT PLAN JOINDER—INFORMATION SHEET (Family Law)

Family Code, § 2337
www.courtinfo.ca.gov

Is this your dawn or your sunset???

- Take steps to become fully informed
- Disclose, disclose, disclose—
- (you'll sleep better at night)
- Take the high road AND maintain healthy boundaries
- REMEMBER: Some things, such as peace of mind, freedom, joy, adventure, and opportunity, are priceless and probably much more important than all that stuff in the garage…

Thank you.

Office of the Family Law Facilitator

For further assistance, please:
call 805.882.4660

or email us at SBFLF@sbcourts.org

Check us out at https://santabarbara.courts.ca.gov

And remember…It will get better.