

Instructions for Filling Out the *Parenting / Financial Disclosure Statement*

NOTE: Fill in the *Parenting / Financial Disclosure Statement* form **ONLY** if you and the other party do not reach an agreement on **ALL** of the issues and you must go to trial so the Judge can make a decision on how to settle the issues.

The *Parenting / Financial Disclosure Statement* gives the court updated information regarding income, employment, property, children and other issues since you filed your court documents. The other party will also submit a *Parenting / Financial Disclosure Statement*. The court will schedule a hearing called a “Pretrial Conference.” Unless excused by the court, you must attend the hearing prepared to negotiate a final settlement on all issues. If you do not go to the Pretrial Conference, the court can issue a final order or decree without considering anything that you have asked for, and can order you to pay the other party’s attorney’s fees, if any. If you and the other party cannot reach an agreement at the Pretrial Conference, the court will issue an order identifying the issues about which you disagree, scheduling the trial date, and setting the date by which you and the other party must exchange your list of exhibits and witnesses to be offered at trial.

The questions asked in the *Parenting / Financial Disclosure Statement* form are similar to questions asked on other forms you have already filled out. The purpose of this form, however, is to give the court updated information in preparation for trial. To answer the questions asked about you, you should look at your court documents. To answer the questions asked about the other party, you should look at the other party’s court documents that may have been filled out.

Filing Non-Public Documents with the Court

NOTE! Most documents filed with the court are considered public documents and are available to the public. Certain information that is filed with the court may be considered confidential based on court rule and not available to the public. To keep this information confidential and not available to the public, you must take certain steps that are described below.

The steps listed below are for filers who are filing paper documents. Filers who are using eFS to submit their court documents must identify and designate their filings as required in Minn. Gen. R. Prac. 11.03 and 14.06.

Confidential Information Form 11.1

All social security numbers, employer identification numbers, and financial account numbers (also called “restricted identifiers”) must not be listed on papers you file with the court. This is to protect your privacy, the other parties and your children. Only provide social security numbers, employer identification numbers, and financial account numbers when the court requires this information to be provided to the court. For example, if you must provide the court with bank account numbers, or medical account numbers, do not include any account number in your document (your motion, supporting affidavit, etc.). Instead, you must use Form 11.1 to list these confidential numbers.

If account numbers are not required to be provided to the court, and the numbers appear on documents that are considered available to the public, (such as medical invoices or credit account numbers on statements) you must remove the number on the document before filing the document with the court.

Cover Sheet for Non-Public Documents Form 11.2

Most documents filed with the court are public. However, some documents are considered non-public documents based on court rules. You **must** identify these documents as non-public at the time you file the documents with the court. You must complete and file the “Cover Sheet for Non-Public Documents Form 11.2” (also called Form 11.2 cover sheet) when you file non-public documents. The most common non-public documents are called “financial source documents.” Examples of financial source documents include:

- Paycheck stubs, employer statements, W-2 forms, or business income and business expenses
- Copies of your tax returns and schedules
- Bank statements
- Credit card statements
- Check registers

You may also need to submit other documents that court rules identify as non-public documents, such as a medical record. For example, a report from a doctor that provides a medical diagnosis or treatment plan for you or your child would qualify as a medical record.

You must use the Form 11.2 cover sheet when filing other non-public documents, such as medical records, with the court. One Form 11.2 cover sheet can be used for submitting all non-public documents.



The failure to use Form 11.2 or Form 11.1 may result in your document being rejected by court administration, being available to the public, stricken from the court record, and sanctions from the court.

See Rule 11 of the Minnesota General Rules of Practice for more information about how to file documents containing social security numbers, financial account numbers, “financial source documents” and other non-public documents.

Form 11.1 and Form 11.2 can be found at www.mncourts.gov/forms under the court forms category of “Confidential Information” and is court form number CON111 and CON112.

Helpful materials may be found at your public county law library. For a directory, see <http://mn.gov/law-library/research-links/county-law-libraries.jsp> . For more information, contact your court administrator or call the Minnesota State Law Library at 651-297-7651.

Fill out the *Parenting / Financial Disclosure Statement* by following these instructions:

FILL IN THE TOP PART OF THE FORM:

The information on the top part of the form is the same as on all of the other forms you have filled out.

- Write in the court file number. If you are the party who started the court action, you are the Petitioner and the other party is the Respondent. Fill in the boxes and blanks in the top of the form as it appears on the *Petition, Complaint, or other initiating document*.
- On the right-hand side of the page, above ***PARENTING / FINANCIAL DISCLOSURE STATEMENT***, check off whether you are the Petitioner or Respondent.

FILL IN THE REST OF THE FORM:

Note: The following instructions are numbered the same as the paragraphs/questions on the form.

1. Fill in the personal information about you and the other party, including:
 - a. Full name
 - b. Age
 - c. How many years you and the other party have been married to each other (applies to divorce cases only)
 - d. The date you and the other party separated (applies to divorce cases only)
 - e. Present mailing address
2.
 - a. Check all boxes that apply regarding any type of protective order that exists between you and the other party.
 - b. Answer YES or NO if you are now or have been afraid of the other party.

3. Complete the table by listing the names, birth dates, and ages of the minor joint children born to you and the other party.
 - a. Check YES or NO if any of the minor joint children have special needs, and if YES, please describe the special needs.
 - b. Check YES or NO if you and the other party have an agreement regarding parenting time, and if YES, please describe that agreement and whether it is in writing.
 - c. Check YES or NO if you and the other party have created a parenting plan. A parenting plan is a written agreement created by parents explaining how they will meet the needs of the child or children. The plan can be as detailed as you want and cover all aspects of raising your children. The Plan must include
 - a schedule of the time each parent spends with the child
 - who will make certain decisions about the child
 AND
 - a way to settle arguments
 All cases involving joint children will include an order addressing custody and parenting time, but a parenting plan is optional. For more information see Minnesota Statute § 518.1705, subd. 6 (2010).
 - d. Check YES or NO if you and the other party agree on legal custody of the minor joint children, and if YES, explain that agreement.
 - e. Check YES or NO if you and the other party agree on physical custody of the minor joint children, and if YES, explain that agreement.
 - f. List the first and last initials, the age, and date of birth for any of your nonjoint children.
 - g. Check YES or NO if the wife is pregnant, and if YES, list the due date. This question only applies in marriage dissolution actions.
 - h. Minnesota law requires both parents to attend a parent education program in any proceeding where custody or parenting time is contested. If this action includes a contested issue of custody or parenting time, list the name of the agency and the parenting education program scheduled or attended.
4. a. Check YES or NO whether you are employed and if YES, print the name of your employer and write in how long you have worked there. **ATTACH A COPY OF YOUR PAYCHECK STUB(S) FOR AT LEAST THE LAST MONTH AND, IF POSSIBLE, FOR THE LAST THREE MONTHS.**

Complete the table by listing your monthly **GROSS** (before taxes) income for each category that applies.

If you are paid two times per month (such as on the 1st and 15th of each month), add together those two gross amounts, and write that amount on the line. If you are paid every other week, multiply the gross amount from one paycheck by 26 (the number of times you are paid each year), and write that amount on the line. If you are paid only one time per year, divide that amount by 12 and write that amount on the line.

- b. Check YES or NO whether you or the other party receive child support for nonjoint children, and if YES, state if you or the other party receives it and how much per month.
 - c. Check YES or NO whether you currently receive any form of public assistance and if YES, check all boxes that apply.
 - d. If you checked YES for question 4(c) above, check whether you served the County Attorney's Office.
 - e. List all sources of income or support that you did not include in question 4(a) above.
5. List all of your necessary monthly expenses.
- 6.
- a. Write in the amount of money withheld from your paycheck each month for federal taxes.
 - b. Write in all other amounts deducted from your income, including state income tax, Social Security (FICA) and Medicare, retirement contribution, union dues, health care / medical coverage for you and your family, and dental coverage for you and your family.
 - c. Write in any other paycheck deductions. (example: child support)
 - d. Add together all deductions from your income and write that on the line.
 - e. To figure out your net take home pay, subtract line d from your total monthly income received that you listed in question 4a.
 - f. List your tax withholding status. For example: write M-2 if you are married and claim two deductions.
 - g. Check YES or NO whether you have medical and dental insurance coverage in place, and if YES, list who is covered under that policy.

Answer Questions 7 through 11 if your court action is a marital dissolution action. For all other court actions, skip Questions 7 through 11 and go to Question 12.

7. For any home owned by you and the other party (i.e. your spouse) together, fill in the date the property was purchased, the purchase price, the present fair market value (this can be found on the most recent tax statement), the balance due on any mortgage(s) or loans, the net value of the property (the market value minus the total due on mortgages or loans), the monthly mortgage payment, and the amount of any rental income received (if any). Provide the same information for any other real property (such as a cabin) owned by you alone, your spouse alone, or both of you together. Attach another sheet of paper if you need more room and at the top of the paper write “Exhibit 7A.”
8. For any personal property you and the other party (i.e. your spouse) own, whether you own it together or individually, fill in the estimated market value. For stocks and bonds, include the stock name and number. For checking and savings account, include the bank name and the type of account. Fill in the value and other information regarding any pension, profit sharing, IRA g, Keogh, deferred compensation, or other plan owned by you or the other party (i.e. your spouse).
9. Check YES or NO if you are making any claim for nonmarital property. If YES, List all items you claim are your non-marital property and include the value of each item. **Non-marital property means:** (1) anything owned before the marriage; (2) anything received as a gift, bequest, devise or inheritance during the marriage; (3) anything that was received in trade or in exchange for non-marital property; (4) anything that is an increase in the value of non-marital property; (5) anything received after the valuation date set by the court; or (6) anything excluded by a valid ante nuptial contract.
10. For each insurance policy owned by you or the other party (i.e. your spouse), list the name of the insurance company, the type of insurance, death_benefit amount, the cash value, the balance due on any loans, the name of the insured, the name(s) of the beneficiary(ies), and the owner(s).
11. List all debts (**do not** list any debts already included in question 7, such as loans for cars or houses owed by you and the other party (i.e. your spouse), including the type of debt, who the debt is owed to (i.e. name of the creditor), the minimum monthly payment, and the balance due). Attach another sheet of paper if you need more room and at the top of the paper write “Exhibit 11A.”

Check YES or NO to answer the questions about bankruptcy.

12. Fill out the “Cover Sheet for Non-Public Documents” Form 11.2 (CON112), and include the documents listed in “Parenting/Financial Disclosure Statement” (FAM108).

Sign and date the form. If you have an attorney, have the attorney sign it and fill in the attorney's address, phone, and attorney identification number.

Make two copies of the *Parenting / Financial Disclosure Statement*. Keep one copy for your records.

Make sure that one copy of the *Parenting / Financial Disclosure Statement* is delivered to the other party and file the *Parenting / Financial Disclosure Statement* with the court by the deadline set by the court.

Attend the pretrial conference prepared to settle as many issues as possible.

If all issues are not settled at the pretrial conference, the court shall issue an order which schedules any remaining discovery and any contemplated motions, identifies the contested issues for trial, and provides for the exchange of witness lists and exhibits to be offered at trial.