

# INSTRUCTIONS

## Financial Affidavit

### Important Notices and Resources

The Court has forms and instructions, for some types of cases, as a general guide to the court process. These instructions explain the steps in more detail and answer common questions, but are not a full guide to the law. Court employees may be able to give general information on court rules and procedures, but they cannot give legal advice.

#### Have questions about court forms or instructions?

- Visit “[Self-Help Centers](http://mncourts.gov/Help-Topics/Self-Help-Centers.aspx)” online (mncourts.gov/Help-Topics/Self-Help-Centers.aspx).
- 📞 Call the Statewide Self-Help Center at 651-435-6535.

#### Not sure what to do about a legal issue or need advice?

- Talk with a lawyer or see if there is a legal advice clinic in your area.
- Visit the “[Find a Lawyer](http://mncourts.gov/Help-Topics/Find-a-Lawyer.aspx)” Help Topic online (mncourts.gov/Help-Topics/Find-a-Lawyer.aspx).

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 court administration or call the Minnesota State Law Library at 651-297-7651.

### Forms Needed

- *Financial Affidavit* (FAM102)
- *Cover Sheet for Non-Public Documents – Form 11.2* (CON112)

The [Financial Affidavit \(FAM102\)](#) is available on the Minnesota Judicial Branch website in the “Family” forms category (mncourts.gov/GetForms.aspx?c=18&p=68).

### General Information about the *Financial Affidavit*

#### Purpose of the Financial Affidavit

##### *In General*

A party may use the *Financial Affidavit* (FAM102) to give their financial information to the court and other party in a family case.

## **Child Support**

In all cases where the court will decide or modify child support, the parents must serve and file a *Financial Affidavit* to disclose their financial information, including all sources of income for determining child support for the joint child or children of the parents. See [Minn. Stat. § 518A.28](https://revisor.mn.gov/statutes/cite/518A.28) (revisor.mn.gov/statutes/cite/518A.28).

A **joint child** means the dependent child of both parents in the child support proceeding. Information a party includes in the *Financial Affidavit* will provide the court with information needed to calculate child support.

## **Filling Out the Financial Affidavit Form**

See detailed instructions below.

## **Serving and Filing the *Financial Affidavit***

### **Service**

“Service of process” is a legal term that means giving the other parties copies of any papers you file with the court. You can read about [service of process in the Help Topic](https://mncourts.gov/Help-Topics/Service-of-Process.aspx) on the Minnesota Judicial Branch website (mncourts.gov/Help-Topics/Service-of-Process.aspx).

The *Financial Affidavit* and proof of income (such as pay stubs and income tax returns) must be served on the following:

- The other party in the case; and
- The public authority if the public authority is providing child support enforcement services.

### **Filing**

A party files their *Financial Affidavit* and proof of income with court administration when they file their other court papers (examples: petition, motion, responsive motion).

## **Keeping Your Financial Information Confidential**

**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 (CON111) and Form 11.2 (CON112) can be found at [www.mncourts.gov/forms](http://www.mncourts.gov/forms) under the court forms category of “Confidential Information.”

## Step 1

### Fill Out *Financial Affidavit* Form (FAM102)

#### The Caption

The caption is at the top of the first page.

The diagram shows the caption section of the Financial Affidavit (FAM102) form. At the top, a grey box contains the text: "See Instructions (FAM101) for help in filling out this form." Below this, the form is divided into two columns. The left column starts with "State of Minnesota" and "County of:" followed by a line and a blue box labeled "A". Below that is "Judicial District:" followed by a line and a blue box labeled "B". Further down is a line and a blue box labeled "E" above the word "Petitioner". Below that is "AND" followed by a line and a blue box labeled "F" above the word "Respondent". At the bottom of the left column is a line and a blue box labeled "G" above the word "Intervenor". The right column starts with "District Court" and "Court File Number:" followed by a line and a blue box labeled "C". Below that is "Case Type:" followed by a line and a blue box labeled "D". At the bottom center of the form is the text "Financial Affidavit (FAM102)".

- A. List the **county** where the court case is located (where you will be filing the *Financial Affidavit* and your other court papers).
- B. List the **judicial district** number. Each county belongs in 1 of 10 [judicial districts](http://mncourts.gov/Find-Courts.aspx) ([mncourts.gov/Find-Courts.aspx](http://mncourts.gov/Find-Courts.aspx)).
- C. List the **court file number** if one has been assigned. If this is a new case, there will not be a court file number assigned yet, and you can leave this blank.
- D. List the **case type** if you know it. If you are not sure what the case type is, you can look at the "Civil Case Type and Filing Codes Index," which is available in the "eFile and eServe Resources" tab of the ["File a Case" section of the Minnesota Judicial Branch website](http://mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx) ([mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx](http://mncourts.gov/File-a-Case/File-in-A-District-Trial-Court.aspx)).
- E. List the full name of the Petitioner.
- F. List the full name of the Respondent.
- G. List the Intervenor, if any. If there is not an Intervenor in your case, you can leave this blank.

## Questions 1-14

My name is _____ <b>Your Full Name</b> _____. The following information is true and correct:
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Fill in your full name.

Next, you will be giving detailed information about your financial and family situation. The information must be true and accurate. Try not to skip any questions. If something does not apply to your situation, you can state that in your answer. When the judicial officer reviews a party's form, questions that are not answered can look like the party just didn't finish filling out the form.

The items below are numbered the same way they are on the *Financial Affidavit*.

1. **Marital Status.** Check the box that describes your marital status.
2. **Employment.** This question has more than one part.

<p>2. <b>Employment.</b> I am currently: <input type="checkbox"/> Unemployed. <input type="checkbox"/> Employed. I have _____ <b>How many jobs do you have?</b> _____ (number) jobs.</p>
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The first part: **Are you currently working?**

- If you are not working right now, you can check “unemployed” and move to #3.
- If you currently have a job, check “Employed,” and fill in the number of jobs you have.

**2**

- If more than 1 job, include information about the first job below. Then fill out the *Jobs Attachment* at the end of this *Financial Affidavit* with information about your other jobs.

**Job #1**

a. Employer: \_\_\_\_\_ **a**

b. Employer's Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_ **b**

c. Occupation or type of work: \_\_\_\_\_ **c**

d. I started working at this job on \_\_\_\_\_ **d** (date).

e. I work \_\_\_\_\_ **e** (number) hours per week at this job.

f. Gross pay (before taxes and deductions) I earn \$ \_\_\_\_\_ **f** per:

Hour.     Week.     Month.     Year.  
 Other: \_\_\_\_\_

This amount  does/ does not include overtime pay.

The next part: **Give information about your jobs.** If you have more than 1 job, fill in the details about *one* of your jobs in the section titled “Job #1.” Then give information about the other jobs in the “Jobs Attachment” at the end of the *Financial Affidavit*.

- List the name of your employer.
- Include the employer’s address. If you work remotely, you can list your employer’s mailing address or business address.
- List your occupation or type of work.
- Tell when you started working at this job. If you do not remember the exact date, you can give a month and year (for example, *July 2023*), or you can state “around” or “approximately” and then give a month and year.
- List how many hours a week you work at this job. If that number changes, you can state that on the form, and you can give an *average* number of hours per week.
- There are several things to fill out in “f.”
  - The **amount** you earn and the **time frame** (Examples: “I earn \$18 per hour.” “I earn \$40,000 per year.”).
  - Whether the amount **includes overtime pay**.

<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: inline-block; margin-right: 5px;"></div> <b>2 Continued</b>	<b>Jobs Attachment</b>
Continued from #2 ("Current Employment") of the <i>Financial Affidavit</i> (FAM102).	
<b>Job #</b> _____	
a. Employer: _____	
b. Employer's Address: _____	

At the end of the *Financial Affidavit* form, there is a "Jobs Attachment" section. Fill out this section if you have more than 1 job.

3. **Previous Employment.** In #3, tell about your past jobs.
4. **Other Income.** If you have income from other sources, list that information in #4. Be sure to include:
  - The amount you receive;
  - How often you receive the income; and
  - Any other important information about the income.

If you do not have other income, you can fill in "none." If you have income from a source that is not listed, you can list that income in the space for "Other."

5. **Proof of Income and Form 11.2.** You do not have to fill out anything on #5. This is a statement letting the judicial officer know that you are including proof of your income when you file your forms.



It is very important that you give **proof** of your financial situation (for example: pay stubs, tax returns). When filing paper forms, you will need to use the **Form 11.2** Cover Sheet to keep your financial documents private. See the ["Keeping Your Financial Information Confidential" section](#) above.

### ***Public Assistance and Supplemental Security Income (SSI)***

The next two questions are about **public assistance** and **SSI** that you, the other party, and/or your joint children receive.

<p><b>6. Public Assistance or Supplemental Security Income (SSI) for myself and/or Children.</b></p> <p>I receive the following for myself or for our joint children:</p> <p><input type="checkbox"/> <b>No Public Assistance.</b></p> <p><input type="checkbox"/> <b>No SSI.</b></p> <p><input type="checkbox"/> <b>Public Assistance or SSI as follows:</b></p>
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6. Check the box or boxes that apply to **your** situation. There are three main choices:

- *The first box:* You do not receive public assistance benefits for you or your joint children.
- *The second box:* You do not receive SSI for you or your joint children.
- *The third box:* You or your joint children receive public assistance and/or SSI.

If you checked **the third box**, then check the box or boxes underneath that describe the type of public assistance or supplemental income that you receive.

**6**  **Public Assistance or SSI as follows:**

- SSI received for: \_\_\_\_\_
- MSA (Minnesota Supplemental Security Aid)
- GA (General Assistance)
- SNAP (Supplemental Nutrition Assistance Program, also known as food stamps)
- MFIP (Minnesota Family Investment Program), MFIP Diversional Work Program (DWP), or Work Participation Cash Benefit
- MinnesotaCare or MA (Medical Assistance)
- Child-care Assistance
- Other: \_\_\_\_\_

7. This section is similar to #6, but in #7, you are giving information about public assistance and/or SSI benefits that the **other party** receives for their own benefit and/or for the joint children. There is an option to check “Unknown” if you do not know this information.

**8**

**8. Spousal Maintenance.** About spousal maintenance:

**a**  a. Spousal maintenance does not apply to me. I do not receive spousal maintenance, and I have not been ordered to pay spousal maintenance to anyone.

**b**  b. I am court-ordered to pay: \$ \_\_\_\_\_ per month in spousal maintenance to:

- the other party.
- someone else (not to the other party in *this* case).

- If court-ordered to pay spousal maintenance, include a copy of the court order as proof.

**c**  c. There is a court order saying I am to receive \$ \_\_\_\_\_ per month in spousal maintenance from:

- the other party.
- someone else (not to the other party in *this* case).

- If you receive spousal maintenance, include the amount in #4 above (“Other Income”).

8. **Spousal Maintenance.** There are 3 options.

- a. Check “a” if spousal maintenance does not apply to you, which means that there is no court order that says you have to pay, or that you receive, spousal maintenance.
- b. Check “b” if there is a **court order** saying that you have to pay spousal maintenance. Then fill in the details (how much you pay each month, and who receives the spousal maintenance).

**Note:** You need to include a copy of the **court order** with your *Financial Affidavit*.

- c. Check “c” if someone else is court-ordered to pay spousal maintenance to you. Then fill in the details (the amount of monthly spousal maintenance and who is ordered to pay).

**Note:** If you receive spousal maintenance, be sure to include the amount in the “Other Income” section (#4 of the *Financial Affidavit*).

### Children

In the next two questions, you are giving the court information about your children.

- A child whose legal parents are you and the other party is a **joint child**.
- If the other party is *not* the legal parent of your child, then that child is a **non-joint child**.

<p>9. <b>Joint Children.</b></p> <p><input type="checkbox"/> The other party and I are the parents of _____ (number) <b>joint children</b> who are the subject of this court case.</p> <p><b>or</b></p> <p><input type="checkbox"/> The other party and I do not have any children together (there are no joint children).</p>
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### 9. Joint Children.

Check the first box if you and the other party are the legal parents of children who are part of this court case. Then fill in the number of **joint children** that you and the other party have.

Check the second box if you and the other party do not have any children together.

<p>10. <b>Non-Joint Children.</b></p> <p><input type="checkbox"/> I do not have any <b>non-joint children</b>.</p> <p><b>or</b></p> <p><input type="checkbox"/> I have _____ (total number) <b>non-joint children</b> who are still minors.</p> <p>The number of my non-joint children who live in my home: _____</p> <p><b>Child Support</b> I am court-ordered to pay for my <b>non-joint children</b> who <i>do not</i> live in my home: \$ _____ per month. <b>A copy of the court order is included as proof.</b></p>
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## 10 . Non-Joint Children.

Check the first box if you do not have non-joint children.

If you *do* have non-joint children, check the second box. Then:

- Fill in the number of non-joint children who live in your home; and
- Enter the amount of child support (if any) you are ordered to pay for non-joint children who *do not live in your home*. Include a copy of the court order, if any.

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### **Medical Insurance (Health Care Coverage), Child Care, and Parenting Time for any Joint Children**

<p><b>Medical Insurance (Health Care Coverage), Child Care, and Parenting Time</b></p> <ul style="list-style-type: none"><li>• If you and the other party do not have joint children together, you may check the box below and skip #11, #12, and #13.</li></ul> <div style="border: 1px solid black; padding: 5px;"><input type="checkbox"/> Check this box if the “Medical Insurance, Child Care, and Parenting Time” section does not apply because there are no joint children.</div>
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If you do not have joint children with the other party, you can check the box in this section (above #11), and skip questions #11 through #13.

- 11 . This question is about medical insurance (health care coverage). Check all the options that apply to your situation. Be sure to fill in the information underneath any option that you check.
- 12 . Check the box that describes your situation. There are 3 options.
- 13 . If there is a court orderd for parenting time with the joint children, check “Yes.” Otherwise, check “No.”

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- 14 . **Other Information.** If there is anything else you want the judicial officer to know about your financial situation, or if you need to explain one of your answers in more detail, you can use the space in #14.

## **Signature Block**

Date and sign the *Financial Affidavit*, and include your name and contact information in the blanks under the signature line.

When you sign the *Financial Affidavit*, you are signing under penalty of perjury. This means you are saying that everything in the form is true and correct. If you know something in the form is not true when you sign it, you could be found guilty of the crime of perjury. See [Minn. Stat. § 609.48](#) (revisor.mn.gov/statutes/cite/609.48).