



Janko Family Law Solutions

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Hello and welcome,

In the course of a domestic relations proceeding involving support, we are required by the Court to produce certain documents to opposing counsel or the opposing party within 42 days after the service of a petition or for post-decree motions involving financial issues and to potentially update disclosures before mediation or a contested proceeding. This is a Court requirement, and if you do not provide the information and documents in a timely manner, you can be sanctioned by the Court.

We will send you a Math4Law link where you can input your financial information. You can either fill out the paper form that we send you and our paralegal will input the data into our software program, or you can input the data yourself at the software. We prefer that you input the data yourself and it will save on cost, however please let our paralegal know if you prefer the paper form option. There is also a list of documents below for you to gather that we will provide to the other party. The financial disclosure process is time consuming and tedious, but we are here to help. The following represents the upcoming deadlines in your case. Please redact any social security numbers and full account numbers (leaving only the last four digits). If you would like our paralegal to do so, she can, however it will save on cost for you to do it yourself.

Due Dates

2 weeks after service of process on the other party or 2 weeks after the filing of a signed waiver from the other party – This is the deadline for you to have your Sworn Financial Statement (SFS) information and all applicable disclosure documents listed below to our office so that we can begin to compile your disclosures. This is important to allow us adequate time for review and update Date for you to have your sworn financial statement information and all applicable disclosure documents listed below to our office so that we can begin to compile your disclosures.

This is important to allow us adequate time for review and updates and to identify missing information. If we do not have your disclosures on time, we cannot guarantee that we will meet court deadlines.

Parties to domestic relations cases owe each other and the Court a duty of full and honest disclosure of all facts that materially affect the rights of the parties and the interests of the children. The Court requires that, on the discharge of this duty, a party must affirmatively disclose all information that is material to the resolution of the case without awaiting inquiry from the other party.

It is the duty of parties to an action for decree of dissolution of marriage, legal separation, or invalidity of marriage to provide full disclosures of all material assets and liabilities. If the disclosure contains misstatements or omissions, the Court shall retain jurisdiction after the entry of a final decree or judgment for a period of five (5) years to allocate material assets or liabilities, based on the omission or nondisclosure of assets and liabilities. You are also under a continuous duty to supplement or amend any disclosures in a timely manner.

Please be aware that you will be required to sign a Certificate of Compliance certifying that, to the best of your knowledge, information, and belief, formed after a reasonable inquiry, the mandatory disclosure is complete and correct as of the time it is made, except as noted with particularity in the Certificate of Compliance.

In anticipation of the upcoming disclosure deadline, please complete the following:

1. ***Sworn Financial Statement (SFS)***. We have sent you a link to Family Law Software where you can input your financial information. The SFS is a very crucial document in your case. It will be used for negotiating an appropriate settlement and preparation for trial, if that becomes necessary. Therefore, it is imperative that you not exaggerate or falsify any information. You may be asked by the Judge or opposing counsel to substantiate all or most of the information provided on this document.
2. ***Federal and State Income Tax Returns – Personal***. We will need your personal federal and state income tax returns for the three (3) years preceding the filing of the petition or post-decree motion, including all schedules, W-2 forms, 1099 forms, and K-1 forms for those years. If any such returns are not completed at the time of disclosure, provide all the documents necessary to prepare the return, including W-2 forms, 1099 forms, K-1 forms, and copies of extension requests and estimated tax payments.
3. ***Federal Income Tax Returns – Business***. We will need a complete copy of federal income tax returns for the three (3) years preceding the filing of the petition or post-decree motion, including all schedules for any corporation, business, or partnership in which you have had any interest entitling you to a copy of such returns. If any such returns are not completed at the time of disclosure, provide all the documents necessary to prepare the return, including W-2 forms, 1099 forms, K-1 forms, and copies of extension requests and estimated tax payments.
4. ***Personal Financial Statements***. Provide all personal financial statements, statements of assets or liabilities, and credit and loan applications prepared during the last three (3) years.

5. ***Business Financial Statements.*** For every business for which a party has access to financial statements, provide the last three (3) fiscal years' financial statements, all year-to-date financial statements, and the same periodic financial statements for the prior year.
6. ***Real Estate Documents.*** Provide the title documents and all documents stating value of all real property in which a party has a personal or business interest. This section shall not apply to post-decree motions unless so ordered by the Court.
7. ***Personal Debt.*** Provide all documents creating debt and the most recent debt statements showing the balance and payment terms.
8. ***Investments.*** Provide the most recent documents identifying each investment and stating the current value.
9. ***Employment Benefits.*** Provide the most recent documents identifying each employment benefit and stating the current value.
10. ***Retirement Plans.*** Provide the most recent documents identifying each retirement plan and stating the current value, and all Plan Summary Descriptions.
11. ***Bank/Financial Institution Accounts.*** Provide the most recent documents identifying each account at banks and other financial institutions and stating the current value.
12. ***Income Documentation.*** For each income source in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes, and income from every other source, provide pay stubs, a current income statement, and the final income statement for the prior year. Each self-employed party shall provide a sworn statement of gross income, business expenses, and net income for the three (3) months before the filing of the petition or post-decree motion.
13. ***Employment and Education-Related Child Care Documentation.*** Provide documents that show average monthly employment-related childcare expense, including childcare expenses related to the parents' education and job search.
14. ***Insurance Documentation.*** Provide life, health, and property insurance policies and current documents that show beneficiaries, coverage, cost, including the portion payable to provide health insurance for children, and the payment schedule.
15. ***Extraordinary Children's Expense Documentation.*** Provide documents that show average monthly expenses for all recurring extraordinary children's expenses.

I realize that putting together all of the above information will be time consuming. However, this information is mandated by our Court rules. The Court may impose sanctions if you fail to provide the disclosures in a timely manner. Should you have any questions or concerns regarding this letter, please feel free to call. Lynne, our paralegal, will assist you with your financial disclosures; however, feel free to reach out directly to me at any time as well.

Very Truly Yours,

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