

## **Helpful Information for Discussing Property Division with your Florida Family Law Attorney**

To make the most use of your time with your family law attorney, it is helpful to have as much relevant information as possible prior to discussing the division of assets and liabilities. Relevant information includes:

### **Biographical Information**

- Each party's name, address, & telephone number
- Each party's date of birth
- All children's names and dates of birth
- Where the children are currently living and going to school
- Date and location of the marriage
- If separated, date of separation
- Each party's prior marriages, children, etc. (if any)

### **Agreements**

- A copy of any prenuptial agreement between the parties
- A copy of any post-nuptial or interim agreement between the parties

### **Employment**

- Each party's current occupation including name and address of employer
- Any special considerations for each party's employment (i.e. requires car, must be within a certain number of miles of employer while on-call, etc.)
- Each party's employee benefits (i.e. pension plans, life insurance policies, disability insurance policies, availability of health insurance, etc.)

## Assets & Liabilities

- Most recent individual federal tax return for each party
- Most recent other tax returns (tangible or intangible personal property, etc.)
- For each party individually or jointly, latest statement for each:
  - Bank account
  - Stock/brokerage account
  - Retirement account (or plan)
  - Pension plan
  - Mortgage
  - Line of credit
  - Loan
  - Credit card
- Information on each vehicle owned (year, make & model, how titled, estimated mileage, etc.)
- Information on each boat and watercraft owned (year, make & model, how titled, estimating condition, etc.)
- Declarations page for each life insurance policy owned
- Any loan applications either party completed within the last year for any purpose (i.e. for a new credit card, an auto loan, or a mortgage)
- Any appraisals of real or personal property performed within the last 3 years
- For any businesses in which either party holds an interest:
  - Most recent tax return
  - Most recent financial statements
- Inventories, lists, invoices, and records relating to collections, artwork, antiques, jewelry, or other items of significant value

- Any trust agreement in which either party has an interest, for which either party is a trustee, or of which either party is a beneficiary
- Any annuity agreements
- Any promissory notes
- Any mortgages
- Any prior judgments entered for or against either party
- Copies of deeds to any properties owned by either party
- Any information regarding assets and/or liabilities brought into the marriage
- Information regarding any inheritances received before or during the marriage

Oftentimes you will not have all of the above information or records readily available. Provide what you can.

A few things for you to consider prior to speaking with your family law attorney about the division of assets and liabilities:

- Are there particular assets you would like to receive? Why? Prioritize the assets you desire.
- Be realistic about the financial responsibilities associated with certain assets you hope to receive. For example, if you remain in the house, would you be able to afford the mortgage, insurance, and other monthly expenses associated with it? Would you be able to refinance any existing mortgage to your name alone?
- What, if any, income tax consequences will be associated with the assets or liabilities you may receive?

Be open and honest with your family law attorney. Discuss any questions you may have with him or her.