

EQUITABLE DISTRIBUTION AFFIDAVIT PREPARATION INSTRUCTIONS

- (1). **READ THESE INSTRUCTIONS CAREFULLY!** The affidavit must be fully and accurately prepared. Your interests in this lawsuit may be harmed if your affidavit does not contain all the information required and is not accurate.
- (2). If you have questions, or are unsure how to list certain information, ask your attorney first so that your affidavit will be complete and correct before it is placed in final typed form. Failure to fully comply with these instructions may result in your affidavit not being allowed into evidence by the court.
- (3). The affidavit, when filed with the Clerk of Court, must be three typed or reproduced copies.
- (4). Each individual item must be listed separately.
- (5). Only "marital property" should be listed in Part I. Be certain that you understand from your attorney what is and is not "marital property."
- (6). The affidavit form has been designed to provide a "PART" for each of the following categories:

Part I	Marital
Part II	Separate
Part III	Businesses
Part IV	Pensions
Part V	Marital Debts

Each of Parts I, & II are, in turn, divided into sub-categories which have an accompanying alphabetical denomination as shown below:

- A. Real Property
- B. Motor Vehicles
- C. Household furnishings
- D. Bank Accounts
- E. Jewelry
- F. Stocks and Bonds
- G. Miscellaneous personalty

Beginning with Part I, which is indicated at the top of the affidavit form, you should mark the subcategory letter in the blank provided at the top of each page, beginning with "A" and continuing alphabetically for each subcategory for which you have property. You should also note at the top of each page of the affidavit

the subcategory that accompanies the letter designation; for example: A. Real Property. After heading the page, proceed to list, in order of declining value, the property that fits within that subcategory.

PART I, MARITAL PROPERTY, has been amended in order to try to better match up the property and valuations of the plaintiff and defendant. The plaintiff, upon filing the affidavit, shall list the marital assets in the center column of the form. The plaintiff should then provide the information concerning each asset on the left side of the page under the heading "Plaintiff". When the affidavit is served on the defendant, the defendant will list, on the same form, the values of the assets listed by the plaintiff when it is agreed that the property is, in fact, marital. If defendant disagrees with the classification, a notation should be made beside the entry in question. If defendant has assets he/she deems to be marital which have not been listed by the plaintiff, these should be added at the end of the original column of assets with the information filled in on the right side ("Defendant") of the form.

Only Part I, Marital Property, has been amended as set forth above. The remaining "Parts" should be completed by listing the appropriate property in order of declining value.

If your property for any subcategory does not fit within a specific subcategory, use the subcategory designated "Miscellaneous Personalty."

(7). If you need more sheets than originally given to you, obtain more from your attorney.

(8). If you are not represented by an attorney, these rules apply equally to you and it is your responsibility to comply with these instructions. You must file the typed original and two copies of your affidavit with the appropriate designated Clerk of Superior Court as provided in Section II of the 30th District Local Rules for Equitable Distribution.

(9). Omissions or misstatements of fact in your affidavit could constitute perjury and may subject you to sanctions by the Court.

LEGEND FOR ABBREVIATIONS USED ON FORMS

NO.	NUMBER
ORIG.	ORIGINAL
FMV	FAIR MARKET VALUE
DOS	DATE OF SEPARATION
DOM	DATE OF MARRIAGE
H.	HUSBAND
W.	WIFE

Equitable Distribution Affidavit Instructions

INHT
AMT.

INHERITED
AMOUNT