

# Rule 26A Checklist

## **Time for disclosure**

- 14 days after service of the first answer to the complaint
- 28 days after the petitioner's first disclosure or after the respondent's appearance, whichever is later.

## **Financial Declaration**

- Copies of statements verifying amounts listed.
- Copies of federal and state income tax returns for the two years before the petition was filed, including Form W-2 and supporting tax schedules and attachments.
- Pay stubs and other evidence of all earned and un-earned income for the 12 months before the petition was filed.
- All loan applications and financial statements prepared or used by the party within 12 months before the petition was filed.
- Documents verifying the value of all real estate in which the party has interest, including, the most recent appraisal, tax valuation, and refinance documents.
- All statements for the 3 months before the petition was filed for all financial accounts, including, but not limited to checking, savings, money market funds, certificates of deposit, brokerage, investment, retirement, regardless of whether the account has been closed including those held in the party's name, jointly with another person or entity, or as a trustee or guardian, or in someone else's name on that party's behalf.
- If documents are not available or are in the possession of the other party, the party disclosing the Financial Declaration shall estimate amounts entered on the Financial Declaration, the basis for the estimation, and provide an explanation why the documents are not available.

## **Certificate of Service**

- Each party shall file a Certificate of Service with the court certifying that he or she has provided the Financial Declaration and attachments to the other party in compliance with this rule.

## **Sanctions**

- Failure to fully disclose all assets and income in the Financial Declaration and attachments may subject the non-disclosing party to sanctions under rule 37 including an award of non-disclosed assets to the other party, attorney's fees or other sanctions deemed appropriate by the court.
- Failure of a party to comply with this rule does not preclude any other party from obtaining default judgment, proceeding with the case, or seeking other relief from the court.