

**Mandatory Disclosure  
FORM 35.1**

**This form is the Instruction Guide for completing JDF 1104 Certificate of Compliance.**

**[Reference to C.R.C.P. 16.2(e)(2).**

**These disclosure forms are not to be filed with the court, except as may be ordered pursuant to C.R.C.P. 16.2]**

Mandatory Disclosures. (Complete and accurate copies may replace originals. “Child(ren)” refers to minor child(ren) of both parties.)

Each party shall provide:

(a) Sworn Financial Statement. A completed and signed Sworn Financial Statement using the Supreme Court approved form (Form 35.2).

(b) Income Tax Returns (Most Recent 3 Years). The personal and business federal income tax returns for the three years before filing of the petition or post-decree motion. The business returns shall be for any business in which a party has an interest entitling the party to a copy of such returns. Each return shall include all schedules and attachments, such as W-2s, 1099s, and K-1. If a return is not completed at the time of disclosure, include the documents necessary to prepare the return, such as W-2s, 1099s, and K-1s, copies of extension requests, and the estimated amount of tax payments. If a decree has been entered within the last three years, only those returns filed since entry of the decree need be provided.

(c) Personal Financial Statements (Last 3 Years). All personal financial statements, statements of assets or liabilities, and credit or loan applications prepared during the last three years. If a decree has been entered within the last three years, only those statements/applications prepared since entry of the decree need be provided.

(d) Business Financial Statements (Last 3 Years). For every business in which a party has access to financial statements, the last three fiscal years’ financial statements, all year-to-date financial statements, and the same periodic financial statements for the prior two years. If a decree has been entered within the last three years, only those statements prepared since entry of the decree need be provided.

(e) Real Estate Documents. 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.**

(f) Personal Debt. All documents creating debt, and the most recent debt statements showing the outstanding balance and payment terms. This section shall not apply to post-decree motions unless so ordered by the Court.

(g) Investments. The most recent account statements or other documents identifying each investment in which a party has any personal or business interest, and stating its current value.

(h) Employment Benefits. The most recent account statements or other documents identifying each employment benefit of a party, and stating the current value.

(i) Retirement Plans. The most recent documents identifying each retirement plan of which a party is a beneficiary, and stating the current value, and the Summary Plan Descriptions. This section shall not apply to post-decree motions unless so ordered by the Court.

(j) Bank/Financial Institution Accounts. The most recent account statements identifying each account of a party at banks and other financial institutions, and stating the current value.

(k) Income Documentation. For each income source of a party in the current and prior calendar year, including income from employment, investment, government programs, gifts, trust distributions, prizes, and income from every other source, 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 necessary to produce income, and net income for the three months before filing of the petition or post-decree motion.

(l) Employment and Education-Related Child Care Documentation. Any documents that show a party's average monthly employment-related child care expense, including child care expense related to the party's education and job search. **This section shall apply only if child support is an issue.**

(m) Insurance Documentation. All life, health, and property insurance policies and current documents that show beneficiaries, coverage, cost (including the portion payable to provide health insurance for child(ren)), and payment schedule. **The section shall not apply to post-decree motions unless either so ordered by the Court or, if child support is an issue, the policy and cost information regarding the child(ren) shall be provided.**

(n) Extraordinary Child(ren)'s Expense Documentation. All documents that show average monthly expense for all recurring extraordinary child(ren)'s expenses. **This section shall apply only if child support is an issue.**

**(o) Unless so ordered by the Court, these mandatory disclosures shall not apply to post-decree motions that raise only issues of decision-making and parenting time.**