

**FORM 35.5 - Pattern Requests for Production of Documents (Domestic Relations) [Reference to C.R.C.P. 16.2, 26 and 34. These are not to be filed with the court, except as may be ordered.]**

The following Pattern Requests for Production of Documents to \_\_\_\_\_ are propounded pursuant to C.R.C.P. 16.2, 26 and 34.

***Section 1. Instructions to All Parties***

- (a) These are general instructions. For time limitations, requirements for service on other parties, and other details, see C.R.C.P. 16.2, 34, 121 §1-12, and the cases construing those Rules.
- (b) These requests for production of documents do not change existing law relating to requests for production of documents nor do they affect an answering party's right to assert any privilege or objection.

***Section 2. Instructions to the Asking Party***

- (a) These requests for production of documents are designed for optional use in domestic relations cases only.
- (b) Use care in choosing only those requests for production of documents that are applicable to the case. Documents should not be requested that have been provided by disclosure or other means.
- (c) Subject to the limitations in C.R.C.P. Rules 16.2 and 34, additional requests for production of documents may be attached.
- (d) Complete and accurate copies may replace originals.

***Section 3. Instructions to the Answering Party***

- (a) An answer or other appropriate response must be given to each request for production of documents. Parties are to provide documents in response to these requests for production of documents with the understanding that they stand in a fiduciary relationship with each other.
- (b) As a general rule, within 35 days after you are served with these requests for production of documents, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See C.R.C.P. 34 for details.
- (c) The response shall state with respect to each item or category that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for the objection shall be stated. If an objection is made to part of an item or category, the part shall be specified and an inspection permitted of the remaining parts.
- (d) A party who produces documents for inspection shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the request.

***Section 4. Definitions***

- (a) You or your includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (b) Person includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (c) Document means a writing, as defined in CRE 1001 and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, magnetic impulses, mechanical or electronic recording or other form of data compilation and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (d) Address means the street address, including the city, state, and zip code.

### ***Section 5. Pattern Request for Production of Documents***

The following requests for production of documents have been approved by the Colorado Supreme Court under C.R.C.P. 16.2, 26 and 34.

1. All balance sheets, and/or profit and loss statements for any business entity in which you have more than a 10 percent equity interest, which have been prepared in the last three years.
2. All passbooks, certificates of deposit, credit union deposits, money market accounts, NOW accounts, mutual funds, and other evidence of savings accounts in which you or the other party has an interest or appear of record thereon, for the last three years.
3. All monthly bank statements, deposit slips, canceled checks, and check registers of every checking or other money management account in which you or the other party has an interest or appear of record thereon, for the last three years.
4. Copies of all stock certificates, stock option plans, stock option certificates, vesting schedules, or warrants owned or in which either party has an interest, and copies of all documents establishing ownership and/or defining ownership value for all investments, or any other documents evidencing your interest in such stock, stock options, or investments.
5. All brokerage account statements and documents concerning any and all securities and investments owned by you or for your benefit during the last three years.
6. All appraisals, market analyses, records of purchase and sale, deeds, bills of sale, security agreements, promissory notes, and payment records for any property, including but not limited to, real estate, business interests or any kind of personal property either owned or sold within the last three years by you or the other party.
7. All trust agreements in which you or the other party is or has been grantor, trustee or beneficiary.
8. Monthly credit card and charge account statements for the last twenty-four months, from any credit card company or charge account on which you are a signator, either in a personal capacity or as an authorized signatory for any business or person.

9. All documentation evidencing any separate interest you claim in any real or personal property, including but not limited to gift and inheritance tax returns filed concerning such property.