



INSTRUCTIONS FOR REQUESTING THE OTHER PARTY'S FINANCIAL DISCLOSURES

STATUS OF YOUR CASE

If you are trying to obtain a divorce when there are both a petition and a response filed into your case, and your spouse has not yet completed his or her Preliminary and/or Final Financial Disclosures, you must make a formal request of the other party to complete the mandatory Financial Disclosure process before you may finish your case.

STEP ONE

- Use the attached sample letter or write one of your own to the other party (or other party's attorney).
 - State in your letter the date by which you would like the other party to produce their disclosures. Generally, thirty days is a reasonable amount of time to allow the other party to complete the process.
 - In addition to the disclosure forms, request a filed and endorsed copy of the other party's Declaration Regarding Service of the Declaration of Disclosure (FL-141).
 - Make a copy of your demand letter to keep for your own records.
 - Provide a set of blank forms to the other party along with either written instructions for completing the disclosure packet or a copy of the Family Law Facilitator's flyer for the free Financial Disclosures workshop.
- Send the original demand letter, the blank forms and written instructions or workshop flyer to the other party. The forms are available from the Family Law Facilitator's Office and the Court's Website, www.saccourt.com.

STEP TWO

The next steps will depend upon the other party's response.

- If the other party completes the process and serves you copies of the disclosures and a copy of the filed and endorsed version of the Declaration Regarding Service of the Declaration of Disclosure (FL-141), you may proceed with your case. If you need help, contact the Family Law Facilitator's office to inquire about finishing your case. Bring both your filed copy and the other party's filed copy of FL-141 with you. The Family Law Facilitator's office will need to review both parties' FL-141s.
- Alternatively, you can perform the review of both your filed copy and the other party's filed copy of FL-141 to ensure that the required information is both consistent throughout and the form is complete. Remember: each form needs to indicate in the caption (box at the top) which disclosure was served below and have that information reflected in #2 or #3 of the form. Also, each form needs to indicate Who served Whom (e.g., Petitioner served Respondent), By What method (e.g., personal service, mailed, etc.), and On What date (date the service was made).
- If the other party does not complete the Financial Disclosure process by the date you have requested, you may need to file a motion to compel his or her cooperation or request permission to continue the case without the other party's disclosures. Bring your filed and endorsed copy of FL-141 and the demand letter to the Family Law Facilitator's office or contact the office by email at FLFO@saccourt.ca.gov for further instructions.

From: _____

Street Address: _____

City/State: _____

Telephone: _____

Date: _____

To: _____

Street Address: _____

City/State: _____

**Re: Demand Letter for Preliminary and Final Declarations of Disclosure in
Case Number: _____**

Dear _____:

In order to obtain a divorce, you and I must both complete and exchange financial disclosure forms. Serving and filing both the Preliminary and Final Declarations of Disclosure is a mandatory part of the process in completing a dissolution of marriage or legal separation or annulment in the State of California. I have already completed my Preliminary and Final Declarations of Disclosure.

I request that you complete the enclosed financial disclosure forms within the next thirty (30) days and mail me a filed copy of the "Declaration Regarding Service of the Declaration of Disclosure (FL-141)."

If you fail to comply by (specify the date here: _____), I will file a motion, in which I will ask the court one or more of the following: to order you to pay my filing costs, to compel you to complete the disclosure process, allow me to proceed without your disclosures, or to bar you from disputing my accounting of our community and separate property assets and debts and to base the division of property solely on my proposed division.

Thank you for your time and assistance.

Very truly yours,

Petitioner or Respondent

Enclosed:

- Income and Expense and Declaration of Disclosure packet
- Flyer on Income and Expense and Declaration of Disclosure Workshop
- Income and Expense Declaration instructions
- Declaration of Disclosure instructions