



## **MEDIATING PRE/POST NUPTIAL AGREEMENTS**

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(Some of the contents in this document provided by Deborah Hope Wayne, Esq. – “Prenups and the Elephant in the Room”)

## Mediating a PRE/POST Nuptial Agreement

Regardless of who initiates the conversation about a pre/post nuptial agreement the process can be daunting to say the least, but it really doesn't have to be. There are a lot of misconceptions and opinions regarding a prenuptial or post nuptial agreement. Just the thought of a pre/post nup can trigger fearful and angry thoughts that "*money is more important than love*". Pre/post nuptial agreements are not just for the young, or rich and famous; it really doesn't matter how old you are or what your economic status is, or if this is not your first marriage. Marriage is a partnership, that includes your finances. When you get married you are entering into a financial partnership with your spouse.

Talking about money including how should it be spent, who has what and how much prior to your marriage is a healthy way to keep a balanced perspective, identify intentions, expectations, define financial goals and to create equality in the decision-making process.

Pre/post nups are about planning for your future as a married couple. Failure to communicate about money can lead to feelings of mistrust, power imbalances, animosity, bitterness, resentment and so on and so on.

Taking a positive, pro-active approach to what you want and what you want your future to look like provides you with a road map for moving forward as a married couple. Your agreement addresses (1) past financial decisions – what assets and debts you have previously acquired; (2) your present circumstances – how will you and your spouse manage household income, expenses; (3) your future – how will you treat money, other assets, or property that the two of you acquire during your marriage and (4) - decisions if you did not create a pre-nuptial agreement prior to your marriage?

Mediating your prenuptial agreement leaves the power and authority to make decisions strictly with you. The mediator does not decide what is "fair" or "right." Mediation gives each party the opportunity to express their needs and desires in a safe, neutral environment with a trained professional. Each party determines financial decisions that are right for you. No one is making those decisions for you.

At the conclusion of the mediation process, you will have a comprehensive document, detailing all your decisions called a Memorandum of Understanding (MOU); as well as your financial Statements of Net Worth (SONW).

The MOU defines all the agreements that you have made, the SONW is the complete disclosure of your assets and liabilities. You are now ready to have these documents reviewed by your attorney.

## WHAT CAN I EXPECT IN MEDIATION?

### **General Process**

- Initial Consultation – Opportunity to hear about mediation to determine if mediation is right for you. Approximately 1 hour, no obligation to proceed. (\$75).
- Pre/post nuptial mediation can usually be accomplished in 2-3 sessions, 1-2 hours each (can be more or less depending on your circumstances).

### **Potential Topics for Discussion and Exploration**

- What is separate and marital property as it pertains to NYS law.
- Ability to keep ‘family property’ in the family of origin.
- Business or business interests acquired before or during the marriage.
- Cash accounts acquired before or during the marriage.
- Any and all retirement assets acquired before or during the marriage.
- Real property – apartment, house, vacation home purchased before or during the marriage.
- Responsibility for premarital debt.
- Distribution of property upon death.
- Management of household bills and expenses during the marriage.
- Management of joint cash accounts – checking, savings, digital assets, brokerage or stock accounts.
- Acquisition and management of credit card expenses during the marriage.
- Management of financial obligations during the marriage – who pays the bills?
- Post-marital education.
- Confidentiality clause to ensure the prenup remains clear of interference.
- Define and discuss how will disputes about the prenup be handled.
- Review/update of prenup or sunset clause ( i.e., the prenup will end based upon being married for a certain amount of time) or changes in the terms of the agreement.
- Lifestyle issues or issues unique to you.

### **Documentation**

- Creation of Memorandum of Understanding, (MOU), billed 3-5 hours @ your billable rate.
- Creation of Statements of Net Worth, (SONW) usually billed 1-2 hours, @ your billable rate, can be more if you own a business or multiple real estate properties.
- Review of completed MOU and SONW billed 1-2 hours, maybe less, @ your billable rate.
- MOU and SONW given to each party for attorney review, drafting of legal documentation.
- MOU, SONW and all copies of financial documentation given to the mediator will be electronically sent to your attorney.

### **Payment Requirements**

Billable rate is based on a sliding scale using the parties combined incomes from all sources. Payment is required after each session. Payment methods: VENMO, Apple Pay, Credit Cards, Debit, Cash or Check.

**Mediation is completely voluntary!** You will be asked to sign an Agreement to Mediate, this document

does not bind you to the process. It defines the mediators credentials, fees, the role of your mediator, what you can expect in mediation and what is expected from you. If you agree that mediation is the right process for you – you will be expected to fully disclose all your assets and debts and that you will work towards an equitably fair agreement; you define what is equitable and fair.

### **Separate and Marital Property**

Separate property is defined as all property owned by each party prior to the marriage. All items received by a party other than each other as a gift, including an inheritance, and any award for a personal injury, passive appreciation on a premarital asset may be considered as separate property.

Marital property is defined as any property acquired by one or both during their marriage, irrespective of whose name the asset is titled to. In New York State equitable distribution is the method for dividing marital property when the parties divorce, unless the parties have previously agreed on the disposition of their property. Said agreements need to be properly documented and should be reviewed by each parties' attorney.

In New York State the courts consider factors such as the following list in determining the equitable distribution of marital property. It is important to note that equitable distribution does not necessarily mean equal.

- a) The income and property of each party at the time of the marriage, and when they file for divorce.
- b) The duration of the marriage and the age and health of the parties.
- c) The need of a custodial parent to occupy or own the marital residence and to use or own its household effects.
- d) The loss of health insurance, inheritance, and pension rights that either spouse will lose because of a divorce.
- e) Whether there is an award of maintenance (alimony, spousal support).
- f) Whether either spouse has an equitable claim to, interest in, or direct or indirect contribution made to the acquisition of marital property by the party not having title, including joint efforts or expenditures and contributions and services as a spouse, parent, wage earner and homemaker, and to the career or career potential of the other party. The court shall not consider as marital property subject to distribution the value of a license, degree, celebrity goodwill, or career enhancement. However, in arriving at an equitable division of marital property the court shall consider the direct or indirect contributions to the development during the marriage of the enhanced earning capacity of the other spouse.
- g) The liquid or non-liquid character of all marital property.
- h) The probable future financial circumstances of each party.
- i) The impossibility or difficulty of evaluating any component asset or any interest in a business, corporation or profession, and the economic desirability of retaining such asset or other interest intact and free from any claim or interference by the other party.
- j) The tax consequences to each party;
- k) The wasteful dissipation of assets by either spouse;
- l) Any transfer or encumbrance made in contemplation of a matrimonial action without fair consideration; and
- m) Whether either party has committed an act or acts of domestic violence, as described in subdivision one of section four hundred fifty-nine-a of the social services law, against the other party and the nature, extent, duration and impact of such act or acts; (5/3/2020)
- n) Any other factor which the parties shall expressly find to be just and proper.

## PRE/POST NUPTIAL CHECK LIST

- **Complete** – Goals worksheet.
- **Complete Financial Workbook**, disclose all income, assets, and debts.
- **Discuss, Define, Agree** – What happens to your premarital property and any post-marriage appreciation, gains, income, rental, dividends, and proceeds of such property?
- **Discuss, Determine, Agree** – Disbursement of marital assets and property.
- **Determine Ownership** of your marital residence and or secondary homes, including time shares in the event of death or divorce.
- **Determine, Define, Agree** – How pre-marital and post-marital debts will be paid.
- **Discuss Expectations** of gifts and inheritances and how each will be treated.
- **Discuss Expectations** of trusts either spouse receives or benefits from before or after marriage.
- **Determine, Confirm, Agree** – Beneficiaries of all retirement assets, defined benefit or defined contribution plans, IE: 401k, 403b, profit sharing, IRA, pensions etc.
- **Discuss, Decide** - Will retirement assets be divided?
- **Clarify** what will happen to each type of property regardless of whether it is jointly or individually owned.
- **Discuss and Agree – Spousal support** and or distributive award, waiver, or property settlement instead of support in the event of a divorce.
- **Identify your Estate Planning Needs** - wills, trusts, elective share, powers of attorney, healthcare proxy, and or living will.
- **Discuss, Identify Insurance** – life, medical, disability, or long-term care.
- **Identify your Respective Attorneys.**
- **Understand, Ask Questions** regarding New York State Law as it pertains to equitable distribution of marital property.
- **Ask** your respective attorneys how your agreement will be affected by a move to another state.



*PRE/POST Nups are meant to be tailored to your specific situation. The purpose of this document is to help you identify and prioritize your goals in making a prenuptial agreement with your fiancé or your post nuptial agreement with your spouse*

*A pre/post nup can give insight into both parties' financial situation, desires, and intentions, regardless of your age or economic standing. It is important to identify or at least think about your financial strategy for the future, and how you plan to divide financial responsibilities during your marriage.*

*Evaluating what is most important to you individually and as a couple will help you define your I agreement.*

<b>Priorities: 1-5 1 = Not Important, 5 = Extremely Important</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Protecting Separate Ownership of Property Acquired Prior to Marriage</i>					
• Home, Apartment Unit, Vacation or Time Share					
• Business					
• Retirement Assets					
• Other Property – Cash Accounts, Investments, Digital Assets					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>The Right to Buy, Sell, Transfer, Lease, Mortgage or Otherwise Manage and Control Marital Property</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Establishing Responsibility for Debt Acquired Prior to Marriage</i>					
• Student Loans					
• Personal Loans or Bank Loans					
• Credit Cards					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Addressing Debt Incurred During the Marriage</i>					
• Will Major Purchases Require Joint Consent?					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Establishing Whether Income Earned During the Marriage Will Be Considered Marital or Separate Property</i>					



<b>Priorities: 1-5 1 = Not Important, 5 = Extremely Important</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Establishing Whether Contributions to Retirement Plans, Cash Accounts – Checking, Savings, Investment Accounts or Digital Assets, etc. Will Be Considered Marital or Separate Property</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Providing for Children From a Prior Relationship/Marriage</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Addressing Maintenance/Spousal Support and or Modification In the Event of a Divorce</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Addressing Health Insurance Costs In the Event of a Divorce</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Identifying Estate Planning Needs</i>					
<ul style="list-style-type: none"> <li><i>Deciding Whether Each Party Will Have Rights to the Other Party’s Estate Pursuant to State Law or Whether Such Rights Will Be Waived</i></li> <li><i>The Ownership Rights/Disposition of the Death Benefit From a Life Insurance Policy</i></li> </ul>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Deciding to Review/Update Your Pre/Postnuptial Agreement</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Adding a Sunset Clause - IE: Expiration of Your Pre/Postnuptial Agreement After a Certain Amount of Time</i>					

	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<i>Addressing Use of Social Media</i>					



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Any other goals or priorities not identified above:

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Date \_\_\_\_\_

First, Middle, Last Name \_\_\_\_\_

Preferred Name \_\_\_\_\_

Address \_\_\_\_\_

City/Town \_\_\_\_\_ County \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Cell \_\_\_\_\_ Work \_\_\_\_\_ Home \_\_\_\_\_

Email \_\_\_\_\_ Health  Excellent  Good  Fair  Poor

Place of Birth \_\_\_\_\_ Current Age \_\_\_\_ Birth Date \_\_\_\_\_

Education/Degree \_\_\_\_\_

Employer \_\_\_\_\_ Occupation \_\_\_\_\_

Current Gross Annual Income from All Sources \_\_\_\_\_ Social Security# \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

You \$ \_\_\_\_\_  Full Time  Part Time

Fiancé / Spouse \$ \_\_\_\_\_  Full Time  Part Time

Additional Income (amount & source) \$ \_\_\_\_\_

Prenuptial Mediation Only: Anticipated Wedding Date: \_\_\_\_\_

Do you or fiancé have children from a prior relationship/marriage? \_ YES \_ NO

If yes, Please List Names and Ages of Children \_\_\_\_\_

Where do you Plan to Reside? \_\_\_\_\_

Fiancé's Name \_\_\_\_\_

Fiancé's Date of Birth \_\_\_\_\_

Fiancé's Occupation \_\_\_\_\_

Attorney's Name \_\_\_\_\_

Referral Source (how did you hear of our services?)

Friend  Relative  Colleague  Former Client  Online Search  Attorney  Therapist  Other

III.		<b><u>GROSS INCOME INFORMATION:</u></b>	
	(a)	Gross (total) income - as should have been or should be reported in the most recent Federal income tax return. (State whether your income has changed during the year preceding date of this affidavit. If so, please explain.)  <b>Attach most recent W-2, 1099s, K1s and income tax returns.</b>	
		<b>List any amount deducted from gross income for retirement benefits or tax deferred savings.</b>	
	(b)	To the extent not already included in gross income in (a) above:	
		1. Investment income, including interest and dividend income, reduced by sums expended in connection with such investment	
		2. Worker's compensation ( <b>indicate percentage of amount due to lost wages</b> )	%
		3. Disability benefits ( <b>indicate percentage of amount due to lost wages</b> )	%
		4. Unemployment insurance benefits	
		5. Social Security benefits	
		6. Supplemental Security Income	
		7. Public assistance	
		8. Food stamps	
		9. Veterans benefits	
		10. Pensions and retirement benefits	
		11. Fellowships and stipends	
		12. Annuity payments	
	(c)	If any child or other member of your household is employed, set forth name and that person's annual income:	
	(d)	List any maintenance and/or child support you are receiving pursuant to court order or agreement	
	(e)	Other:	

**II. EXPENSES:** (List your current expenses on a monthly basis. If there has been any change in these expenses during the recent past please indicate). Items included under “other” should be listed separately with separate dollar amounts.)

(a)		<b>Housing: Monthly</b>	
	1.	Mortgage/Co-op Loan	
	2.	Home Equity Line of Credit/Second Mortgage	
	3.	Real Estate Taxes <b>(if not included in mortgage payment)</b>	
	4.	Homeowners/Renter’s Insurance	
	5.	Homeowner’s Association/Maintenance Charges/ Condominium Charges	
	6.	Rent	
	7.	Other	
		TOTAL: HOUSING	
(b)		<b>Utilities: Monthly</b>	
	1.	Fuel Oil/Gas	
	2.	Electric	
	3.	Telephone (land line)	
	4.	Mobile Phone	
	5.	Cable/Satellite TV	
	6.	Internet	
	7.	Alarm	
	8.	Water	
	9.	Other	
		TOTAL: UTILITIES	

(c)		<b>Food: Monthly</b>	
	1.	Groceries	
	2.	Dining Out/Take Out	
	3.	Other	
		TOTAL: FOOD	
(d)		<b>Clothing: Monthly</b>	
	1.	Yourself	
	2.	Child(ren)	
	3.	Dry Cleaning	
	4.	Other	
		TOTAL: CLOTHING	
(e)		<b>Insurance: Monthly</b>	
	1.	Life	
	2.	Fire, theft and liability and personal articles policy	
	3.	Automotive	
	4.	Umbrella Policy	
	5.	Medical Plan	
		5A. Medical Plan for yourself (Including name of carrier and name of insured)	
		5B. Cost of Medical Plan for children(Including name of carrier and name of insured)	
	6.	Dental Plan	
	7.	Optical Plan	
	8.	Disability	

	9.	Worker's Compensation	
	10.	Long Term Care Insurance	
	11.	Other	
		TOTAL: INSURANCE	
(f)		<b>Unreimbursed Medical: Monthly</b>	
	1.	Medical - Adult & Child	
	2.	Dental - Adult & Child	
	3.	Optical	
	4.	Pharmaceutical - Adult & Child	
	5.	Surgical, Nursing, Hospital	
	6.	Psychotherapy	
	7.	Other	
		TOTAL: UNREIMBURSED MEDICAL	
(g)		<b>Household Maintenance: Monthly</b>	
	1.	Repairs/Maintenance	
	2.	Gardening/landscaping	
	3.	Sanitation/carting	
	4.	Snow Removal	
	5.	Extermination	
	6.	Other	
		TOTAL: HOUSEHOLD MAINTENANCE	
(h)		<b>Household Help: Monthly</b>	
	1.	Domestic (housekeeper, etc.)	
	2.	Nanny/Au Pair/Child Care	
	3.	Babysitter	
	4.	Other	
		TOTAL: HOUSEHOLD HELP	

(i)		<b>Automobile: Monthly</b> (List data for each car separately)	
		Year:_____ Make:_____ Model Personal:_____ Business:_____	
	1.	Lease or Loan Payments ( <b>indicate lease term</b> )	mos
	2.	Gas and Oil	
	3.	Repairs	
	4.	Car Wash	
	5.	Parking and tolls	
	6.	Other	
		TOTAL: AUTOMOTIVE	
(j)		<b>Education Costs: Monthly</b>	
	1.	Nursery and Pre-school	
	2.	Primary and Secondary	
	3.	College	
	4.	Post-Graduate	
	5.	Religious Instruction	
	6.	School Transportation	
	7.	School Supplies/Books	
	8.	School Lunches	
	9.	Tutoring	
	10.	School Events	
	11.	Child(ren)'s extra-curricular and educational enrichment activities (Dance, Music, Sports, etc.)	
	12.	Other	
		TOTAL: EDUCATION	
(k)		<b>Recreational: Monthly</b>	
	1.	Vacations	
	2.	Movies, Theatre, Ballet, Etc.	

	3.	Music (Digital or Physical Media)	
	4.	Recreation Clubs and Memberships	
	5.	Activities for yourself	
	6.	Health Club	
	7.	Summer Camp	
	8.	Birthday party costs for your child(ren)	
	9.	Other	
		TOTAL: RECREATIONAL	
(l)		<b>Income Taxes: Monthly</b>	
	1.	Federal	
	2.	State	
	3.	City	
	4.	Social Security and Medicare	
	5.	Number of dependents claimed in prior tax year	
	6.	<b>List any refund received by you for prior tax year</b>	
		TOTAL: INCOME TAXES	
(m)		<b>Miscellaneous: Monthly</b>	
	1.	Beauty parlor/Barber/Spa	
	2.	Toiletries/Non-Prescription Drugs	
	3.	Books, magazines, newspapers	
	4.	Gifts to others	
	5.	Charitable contributions	
	6.	Religious organizations dues	
	7.	Union and organization dues	
	8.	Commutation expenses	
	9.	Veterinarian/pet expenses	

	10.	Child support payments (for Child(ren) of a prior marriage or relationship pursuant to court order or agreement)	
	11.	Alimony and maintenance payments (prior marriage pursuant to court order or agreement)	
	12.	Loan payments	
	13.	Unreimbursed business expenses	
	14.	Safe Deposit Box rental fee	
		TOTAL: MISCELLANEOUS	
(n)		<b>Other: Monthly</b>	
	1.		
	2.		
	3.		
		TOTAL: OTHER	
		TOTAL: MONTHLY EXPENSES	



**IV. ASSETS** (If any asset is held jointly with spouse or another, so state, and set forth your respective shares. Attach additional sheets, if needed)

A.	1.	Cash Accounts:	
		Cash	
	1.1	a. Location	
		b. Source of Funds	
		c. Amount as of date of commencement	
		d. Current amount	
		TOTAL: CASH	
	2.	Checking Accounts:	
	2.1	a. Financial Institution	
		b. Account Number	
		c. Title holder	
		d. Date opened	
		e. Source of Funds	
		f. Balance as of date of commencement	
		g. Current balance	
	2.2	a. Financial Institution	
		b. Account Number	
		c. Title holder	
		d. Date opened	
		e. Source of Funds	
		f. Balance as of date of commencement	
		g. Current balance	
		TOTAL: Checking Accounts	

	3.	Savings Account (including individual, joint, totten trust, certificates of deposit, treasury notes)	
	3.1	a. Financial Institution	
		b. Account Number	
		c. Title holder	
		d. Type of account	
		e. Date opened	
		f. Source of Funds	
		g. Balance as of date of commencement	
		h. Current balance	
	3.2	a. Financial Institution	
		b. Account Number	
		c. Title holder	
		d. Type of account	
		e. Date opened	
		f. Source of Funds	
		g. Balance as of date of commencement	
		h. Current balance	
		TOTAL: Savings Accounts	
		TOTAL: Accounts	\$
B.	4.	Real Estate (Including real property, leaseholds, life estates, etc. at market value – do not deduct any mortgage)	
	4.1	a. Description	
		b. Title owner	
		c. Date of acquisition	
		d. Original price	

		e. Source of funds to acquire	
		f. Amount of mortgage or lien unpaid	
		g. Estimate current fair market value	
	4.2	a. Description	
		b. Title owner	
		c. Date of acquisition	
		d. Original price	
		e. Source of funds to acquire	
		f. Amount of mortgage or lien unpaid	
		g. Estimate current fair market value	
		TOTAL: Real Estate	
C.	5.	Retirement Accounts (e.g. IRAs, 401(k)s, 403(b)s, pension, profit sharing plans, deferred compensation plans, etc.)	
	5.1	a. Description	
		b. Location of assets	
		c. Title owner	
		d. Date of acquisition	
		e. Source of funds	
		f. Amount of unpaid liens	
		g. Value as of date of commencement	
		h. Current value	
	5.2	a. Description	
		b. Location of assets	
		c. Title owner	
		d. Date of acquisition	
		e. Source of funds	

		f. Amount of unpaid liens	
		g. Value as of date of commencement	
		h. Current value	
		TOTAL: Retirement Accounts	
D.	6.	Vehicles (Auto, Boat, Truck, Plane, Camper, Motorcycles, etc.)	
	6.1	a. Description	
		b. Title owner	
		c. Date of acquisition	
		d. Original price	
		e. Source of funds to acquire	
		f. Amount of lien unpaid	
		g. Current fair market value	
		h. Value as of date of commencement	
	6.2	a. Description	
		b. Title owner	
		c. Date of acquisition	
		d. Original price	
		e. Source of funds to acquire	
		f. Amount of lien unpaid	
		g. Current fair market value	
		h. Value as of date of commencement	
		TOTAL: Value of Vehicles	\$
E.	7.	Jewelry, art, antiques, household furnishings, precious objects, gold and precious metals (only if valued at more than \$500)	
	7.1	a. Description	
		b. Title owner	

		c. Location	
		d. Original price or value	
		e. Source of funds to acquire	
		f. Amount of lien unpaid	
		g. Value as of date of commencement	
		h. Estimate Current Value	
	7.2	a. Description	
		b. Title Owner	
		c. Location	
		d. Original price or value	
		e. Source of funds to acquire	
		f. Amount of lien unpaid	
		g. Value as of date of commencement	
		h. Estimate Current Value	
		TOTAL Value of Jewelry, Art, Antiques, etc.	\$
		<b>IF YOU HAVE NO OTHER ASSETS OR BUSINESS INTERESTS, GO TO THE LIABILITIES SECTION ON PAGE 17</b>	
F.	8.	Interest in any Business	
	8.1	a. Name and Address of Business	
		b. Type of Business (corporate, partnership, sole proprietorship or other)	
		c. Your percentage of interest	%
		d. Date of acquisition	
		e. Original price or value	

		f. Source of funds to acquire	
		g. Net worth of business and date of such valuation	\$ as of
		h. Other relevant information	
		TOTAL: Value of Business Interests	
G.	9.	Cash Surrender Value of Life Insurance	
	9.1	a. Insurer's name and address	
		b. Name of insured	
		c. Policy number	
		d. Face amount of policy	
		e. Policy owner	
		f. Date of acquisition	
		g. Source of funds	
		h. Cash surrender value as of date of commencement	
		i. Current cash surrender value	
	9.2	a. Insurer's name and address	
		b. Name of insured	
		c. Policy number	
		d. Face amount of policy	
		e. Policy owner	
		f. Date of acquisition	
		g. Source of funds	
		h. Cash surrender value as of date of commencement	
		i. Current cash surrender value	
		Total: Cash Surrender Value of Life Insurance	

H.	10.	Investment Accounts/Securities/Stock Options/Commodities/Broker Margin Accounts	
	10.1	a. Description	
		b. Title holder	
		c. Location	
		d. Date of acquisition	
		e. Source of funds	
		f. Value as of date of commencement	
		g. Current value	
	10.2	a. Description	
		b. Title holder	
		c. Location	
		d. Date of acquisition	
		e. Source of funds	
		f. Value as of date of commencement	
		g. Current Value	
		TOTAL: Investment Accounts/Securities/Stock Options/Commodities/Broker Margin Accounts	
		TOTAL: Value of Securities	\$
I.	11.	Loans to Others and Accounts Receivable	
	11.1	a. Debtor's Name and Address	
		b. Original amount of loan or debt	
		c. Source of funds from which loan made or origin of debt	
		d. Date payment(s) due	
		e. Amount due as of date of commencement	
		f. Current amount due	
		TOTAL: Loans to Others and Accounts Receivable	

J.	12.	Contingent Interests (stock options, interests subject to life estates, prospective inheritances)	
		12.1 a. Description	
		b. Location	
		c. Date of vesting	
		d. Title owner	
		e. Date of acquisition	
		f. Original price or value	
		g. Source of acquisition to acquire	
		h. Method of valuation	
		i. Value as of date of commencement	
		j. Current value	\$
		TOTAL: Contingent Interests	\$
K.	13.	Other Assets (e.g., tax shelter investments, collections, judgments, causes of action, patents, trademarks, copyrights, and any other asset not hereinabove itemized)	
		13.1 a. Description	
		b. Title owner	
		c. Location	
		d. Original Price or value	
		e. Source of funds to acquire	
		f. Amount of lien unpaid	
		g. Value as of date of commencement	
		h. Current value	
		TOTAL: Other Assets	\$
		TOTAL ASSETS:	\$



<b>V.</b>		<b><u>LIABILITIES</u></b>	
<b>A.</b>	1.	Accounts Payable	
		1.1 a. Name and address of creditor	
		b. Debtor	
		c. Amount of original debt	
		d. Date of incurring debt	
		e. Purpose	
		f. Monthly or other periodic payment	
		g. Amount of debt as of date of commencement	
		h. Amount of current debt	
		1.2 a. Name and address of creditor	
		b. Debtor	
		c. Amount of original debt	
		d. Date of incurring debt	
		e. Purpose	
		f. Monthly or other periodic payment	
		g. Amount of debt as of date of commencement	
		h. Amount of current debt	
		TOTAL: Accounts Payable	\$
<b>B.</b>		Credit Card Debt	
	2.	2.1 a. Debtor	
		b. Amount of original debt	
		c. Date of incurring debt	
		d. Purpose	
		e. Monthly or other periodic payment	
		f. Amount of debt as of date of commencement	
		g. Amount of current debt	

		2.2 a. Debtor	
		b. Amount of original debt	
		c. Date of incurring debt	
		d. Purpose	
		e. Monthly or other periodic payment	
		f. Amount of debt as of date of commencement	\$
		g. Amount of current debt	\$
		TOTAL: Credit Card Debt	\$
C.	3.	Mortgages Payable on Real Estate	
		3.1 a. Name and address of mortgagee	
		b. Address of property mortgaged	
		c. Mortgagor(s)	
		d. Original debt	
		e. Date of incurring debt	
		f. Monthly or other periodic payment	
		g. Maturity date	
		h. Amount of debt as of date of commencement	
		i. Amount of current debt	
		3.2 a. Name and address of mortgagee	
		b. Address of property mortgaged	
		c. Mortgagor(s)	
		d. Original debt	
		e. Date of incurring debt	
		f. Monthly or other periodic payment	
		g. Maturity date	

		h. Amount of debt as of date of commencement	
		i. Amount of current debt	
		TOTAL: Mortgages Payable	
D.	4.	Home Equity and Other Lines of Credit	
	4.1	a. Name and address of mortgagee	
		b. Address of property mortgaged	
		c. Mortgagor(s)	
		d. Original debt	
		e. Date of incurring debt	
		f. Monthly or other periodic payment	
		g. Maturity date	
		h. Amount of debt at date of commencement	
		i. Amount of current debt	
		TOTAL: Home Equity and Other Lines of Credit	\$
E.	5.	Notes Payable	
	5.1	a. Name and address of noteholder	
		b. Debtor	
		c. Amount of original debt	
		d. Date of incurring debt	
		e. Purpose	
		f. Monthly or other periodic payment	
		g. Amount of debt as of date of commencement	
		h. Amount of current debt	
		TOTAL: Notes Payable	\$
F.	6.	Brokers Margin Accounts	
	6.1	a. Name and address of broker	
		b. Amount of original debt	

		c. Date of incurring debt	
		d. Purpose	
		e. Monthly or other periodic payment	
		f. Amount of debt as of date of commencement	
		g. Amount of current debt	
		TOTAL: Broker's Margin Accounts	
G.	7.	Taxes Payable	
		7.1 a. Description of Tax	
		b. Amount of Tax	
		c. Date Due	
		TOTAL: Taxes Payable	\$
H.	8.	Loans on Life Insurance Policies	
		8.1 a. Name and address of insurer	
		b. Amount of loan	
		c. Date incurred	
		d. Purpose	
		e. Name of Borrower	
		f. Monthly or other periodic payment	
		g. Amount of debt as of date of commencement	
		h. Amount of current debt	
		TOTAL: Loans on Life Insurance	
I.	9.	Installment accounts payable (security agreements, chattel mortgages)	
		9.1 a. Name and address of creditor	
		b. Debtor	
		c. Amount of original debt	
		d. Date of incurring debt	
		e. Purpose	

		f. Monthly or other periodic payment	
		g. Amount of debt as of date of commencement	
		h. Amount of current debt	
		TOTAL: Installment Accounts	\$
J.	10.	Other Liabilities	
		10.1 a. Description	
		b. Name and address of creditor	
		c. Debtor	
		d. Original amount of debt	
		e. Date incurred	
		f. Purpose	
		g. Monthly or other periodic payment	
		h. Amount of debt as of date of commencement	
		i. Amount of current debt	
		10.2 a. Description	
		b. Name and address of creditor	
		c. Debtor	
		d. Original amount of debt	
		e. Date incurred	
		f. Purpose	
		g. Monthly or other periodic payment	
		h. Amount of debt as of date of commencement	
		i. Amount of current debt	
		TOTAL: Other Liabilities	\$
		TOTAL LIABILITIES	\$

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