

## HOW TO FILE AND SERVE DECLARATION OF DISCLOSURE SEE PAGE TWO FOR LINKS TO FORMS AND VIDEO INSTRUCTIONS:

### Fill Out and Serve Your Financial Disclosure Forms

You have filed your petition in your divorce or legal separation case. Now, you are ready to complete the financial disclosures needed to get divorced or legally separated. Keep in mind that you can provide your financial disclosures at the same time as your petition if you wish, but **NO LATER than 60 days after filing your petition**.

California law requires that you and your spouse or domestic partner give each other written information about what you own and what you owe, and about your income and expenses. To do this, there is a set of forms you have to fill out and exchange. This is called “disclosure.”

The point of disclosure is to make sure that you and your spouse or domestic partner are aware of everything you each own and owe, separately and together, so you can divide your property and debts equally. It also gives you the financial information you need to make decisions about child and spousal or partner support.

You cannot get divorced if you do not exchange your disclosures. If you leave anything out of your paperwork, either by mistake or on purpose, your property division can be “set aside” or canceled and your divorce case may be reopened. If the court finds out that you left anything out or lied on your disclosure forms on purpose, the court can order that any property you did not list goes to your former spouse or domestic partner. You can also be ordered to pay his or her attorney’s fees and a fine.

The first disclosure you make is called the “preliminary declaration of disclosure.” Sometimes, you also have to make a second, final disclosure. To give your preliminary or final declaration of disclosure to your spouse or domestic partner, you must have it served in person or by mail. This means that someone, NOT you, 18 or older delivers or mails the *Declaration of Disclosure* ([Form FL-140](#)) and attachments to your spouse or domestic partner.

You do NOT file the preliminary *Declaration of Disclosure*, or the final one if you need one, with the court. Instead, each of you has to serve a copy of all the completed forms on the other. You keep the original of your disclosure forms.

You DO need to file with the court a form called the *Declaration Regarding Service of Declaration of Disclosure* ([Form FL-141](#)). This form tells the court that you have given your spouse or domestic partner the preliminary or final declaration of disclosure.

### Preliminary Declaration of Disclosure

**You MUST make your preliminary declaration of disclosure within 60 days of filing your petition.** Try to do it as soon as possible after you file your petition. By doing it sooner rather than later, you and your spouse or domestic partner will have the information you need to divide your property and debts and to try to reach an agreement on support.

If you want specific legal advice about how to fill out your disclosure documents, talk to a lawyer. The financial documents are very important, especially in cases where there is a lot of property or debt. And if you and your spouse or domestic partner are likely to have disagreements about these issues, what you write on your financial disclosure documents can affect the outcome of the case. It is very important to be accurate and complete, and a lawyer can help you figure out how to fill out the forms so that they accurately reflect your position. Click for [help finding a lawyer](#).

1. **Fill out your disclosure forms**

The forms you need to fill out for your preliminary declaration of disclosure are:

- *Declaration of Disclosure* ([Form FL-140](#)), which is a cover sheet for your declaration of disclosure;
  - *Schedule of Assets and Debts* ([Form FL-142](#)) or a *Property Declaration* ([Form FL-160](#)); and
  - *Income and Expense Declaration* ([Form FL-150](#)).
- You must also disclose, in writing, accurate and complete information about any investment opportunity, business opportunity, or other income-producing opportunity you have had since you separated, as long as that opportunity originated from an investment, business or other opportunity after you got married but before you separated.

2. **Attach your tax returns**

Your disclosure documents must include all tax returns you filed in the last 2 years.

3. **Have your forms reviewed**

If your court's [family law facilitator](#) or [self-help center](#) helps with divorces, ask them to review your disclosure paperwork. They can make sure you understand how to fill it out before you move ahead with your case.

4. **Make at least 1 copy of all your forms and tax returns**

One copy will be for your spouse or domestic partner. The original is for you. Remember, none of these disclosure documents (except for Form FL-141, which is discussed at #5, below) are filed with the court. So it is very important that you keep your copy in a safe place in case any questions come up later and you need proof of what information you provided your spouse or domestic partner.

5. **Have someone serve a copy of your disclosure forms on your spouse or domestic partner**

Have someone 18 or older (NOT you) mail a copy of your disclosure documents to your spouse or domestic partner.

6. **File the *Declaration Regarding Service of Declaration of Disclosure***

- Fill out the *Declaration Regarding Service of Declaration of Disclosure* ([Form FL-141](#)). This form tells the court you sent your disclosure documents as required.
- Make 2 copies of this form.
- File the original and copies with the court clerk. The clerk will keep the original and return the copies to you stamped "Filed."

Keep in mind that if anything changes or you have new information since you and your spouse/domestic partner exchanged your preliminary declarations of disclosure, you have to fill out and serve a new set of disclosure forms updating the other person about the new or changed information. You will also have to let the court know by filing another *Declaration Regarding Service of Declaration of Disclosure* ([Form FL-141](#)).

VIDEO INSTRUCTION – you will need to have Adobe Flash Player to view these instructions:

FL-140 Declaration of Disclosure

<http://www.cc-courts.org/video.aspx?File=FL-140>

FL-142 Schedule of Assets and Debts

<http://www.cc-courts.org/video.aspx?File=FL-142>

FL-150 Income and Expense Declaration

<http://www.cc-courts.org/video.aspx?File=FL-150>

FL-160: Property Declaration

<http://www.cc-courts.org/video.aspx?File=FL-160>

FL-141 Declaration Regarding Service of Declaration of Disclosure:

<http://www.cc-courts.org/video.aspx?File=FL-141>