

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

Assigned Judge: _____

<p>_____, Plaintiff,</p> <p>v.</p> <p>_____, Defendant.</p>

**EQUITABLE DISTRIBUTION
INVENTORY AFFIDAVIT**

The undersigned affiant, after being duly sworn as shown below, states as follows:

1. I am submitting this affidavit in accord with Rule 11 of the Tenth Judicial District Family Court Rules for Domestic Court and G.S. 50-21.
2. I have read and understand the "Instructions" which accompany this affidavit, and the information contained in this affidavit is true, accurate, and complete to the best of my ability.
3. I have made a full and complete disclosure of all marital, divisible and separate property/debts known to me. I have provided my best estimate as to the date of separation and present value of all assets and debts.
4. Certification: I hereby certify that all Disclosures required by any schedule on which I have listed property or debt have been served with this affidavit on the opposing party or his/her counsel.
5. This affidavit consists of this sheet and the _____ attached pages.

This the _____ day of _____, 20_____.

STATE OF _____
COUNTY OF _____

AFFIANT
 Plaintiff Defendant

Sworn and subscribed personally before me, this the _____ day of _____ 20_____.

Notary Public
My Commission Expires: _____

INSTRUCTIONS TO PARTIES FOR COMPLETION OF EQUITABLE DISTRIBUTION INVENTORY AFFIDAVIT (“EDIA”)

1. **PLEASE READ THESE INSTRUCTIONS CAREFULLY.** Your EDIA is an important document and must be fully and accurately prepared. Submission of this EDIA is required in cases involving claims for Equitable Distribution (i.e., marital property/debt division) by the Tenth Judicial District Family Court Rules for Domestic Court (“Domestic Rules”), a copy of which is available in the Family Court Office on the 11th floor of the Wake County Courthouse. If you are not represented by counsel, you should obtain a copy of the Domestic Rules so that you can comply with them.
2. **PLEASE READ THE EDIA FORM THOROUGHLY AND CAREFULLY.** If you have any questions or are unsure how to list certain information, ask your attorney or review G.S. 50-20. Please print carefully or type all information.
3. The EDIA must substantially conform to this form. Your signature on Page 1 must be notarized.
4. The EDIA contains numerous Schedules on which various categories of property and debt are listed. The purpose of the EDIA is to provide a complete and accurate inventory (i.e., list) of all property and all debt (whether marital or separate) that existed on the date you and your spouse separated, and to provide information about what has happened to property or debt since the date of separation. Each asset or debt should be listed separately. If you need more room to list additional property or debt on a particular schedule, please add additional sheets of paper as necessary to give complete information about your property and debt.
5. You may omit sections or categories of assets that do not apply to your case.
6. Please indicate if you are the plaintiff (i.e., the person who first filed a claim for Equitable Distribution) or the defendant (i.e., the person against whom the initial claim was filed) by checking the applicable box. Also, “DOM” means the date on which you and your spouse were married and “DOS” means the date on which you and your spouse physically moved apart from one another. Please include these two dates where indicated.
7. **IMPORTANT!! DISCLOSURES (i.e., supporting documents) are required for each asset and/or debt listed on your EDIA. The particular documents that you are required to produce along with your completed EDIA are listed at the top of each Schedule of the EDIA. Any time that you list an asset or debt on a particular schedule, make sure to check the instructions at the top of that Schedule – these instructions will tell you what Disclosures are required to be produced as supporting documents for what you have listed.**
8. Schedule XIII of this affidavit should be completed only if you are seeking an unequal distribution of marital property. **If you are seeking an equal distribution, omit Schedule XIII from your affidavit. An equal distribution is presumed equitable.** If you are seeking an unequal distribution of marital property, you must provide a detailed explanation as to each specific factor that you believe the court should consider in awarding you an unequal division of the marital property. See pages 26 and 27.
9. In addition to listing property and debt, there is a place at the end of each Schedule for you to list your CONTENTIONS. This section allows you to make notes about facts or legal issues related to the classification, value, or distribution of a particular asset or debt that you would like for the other side (i.e., your spouse and his/her attorney) and the Court to consider. For example, if you contend that a certain asset was purchased in part with your separate property, you would state the facts related to this in the Contentions section on that Schedule.
10. If you are not represented by an attorney, North Carolina law and the Domestic Rules nevertheless apply to you and it is your responsibility to fully comply with these instructions. Only the Certificate of Service for the EDIA is filed with the Clerk of Superior Court. The rest of the EDIA is served on the other side pursuant to the Domestic Rules, but is not filed with the Clerk. All filings with the Clerk should be done at the Wake County Courthouse, 316 Fayetteville Street, Raleigh, North Carolina 27601. It is important to consult the Domestic Rules regarding Equitable Distribution claims in order to determine all of the deadlines and other procedural rules that apply to your case.

11. The second party to file his/her EDIA should list assets and debts in the same order and using the same asset numbers as the original filing party whenever possible.
12. Deliberate omissions or misstatements of fact in your EDIA may subject you to sanctions by the Court.
13. The following are the statutory definitions for “Marital”, “Separate”, and “Divisible” Assets:
 - a. “Marital property” means all real and personal property acquired by either spouse or both spouses during the course of the marriage and before the date of the separation of the parties, and presently owned, except property determined to be separate property or divisible property. Marital property also includes all vested and nonvested pension, retirement, and other deferred compensation rights, and vested and nonvested military pensions eligible under the Federal Uniformed Services Former Spouses’ Protection Act. It is presumed that all property acquired after the date of marriage and before the date of separation is marital property except property which is separate property.
 - b. “Separate property” means all real and personal property acquired by a spouse before marriage or acquired by a spouse by bequest, devise, descent, or gift during the course of the marriage. However, property acquired by gift from the other spouse during the course of the marriage shall be considered separate property only if such an intention is stated in the conveyance. Property acquired in exchange for separate property shall remain separate property regardless of whether the title is in the name of the husband or wife or both and shall not be considered to be marital property unless a contrary intention is expressly stated in the conveyance. The increase in value of separate property and the income derived from separate property shall be considered separate property. All professional licenses and business licenses which would terminate or transfer shall be considered separate property.
 - c. “Divisible property” means all real and personal property as set forth below:
 - i. All appreciation and diminution in value of marital property and divisible property of the parties occurring after the date of separation and prior to the date of distribution, except that appreciation or diminution in value which is the result of postseparation actions or activities of a spouse shall not be treated as divisible property.
 - ii. All property, property rights, or any portion thereof received after the date of separation but before the date of distribution that was acquired as a result of the efforts of either spouse during the marriage and before the date of separation, including, but not limited to, commissions, bonuses, and contractual rights.
 - iii. Passive income from marital property received after the date of separation, including, but not limited to, interest and dividends.
 - iv. Increases in marital debt and financing charges and interest related to marital debt.
14. The following is a list of abbreviations used in this affidavit:
 - a. FMV: Fair Market Value
 - b. DOS: Date of Separation
 - c. DOM: Date of Marriage
 - d. H: Husband
 - e. W: Wife
 - f. Jt: Joint (as in joint names listed on a title)

TABLE OF SCHEDULES

- Schedule I: Marital Assets – A list of all of the following assets that you, your spouse, or you and your spouse jointly acquired after the DOM and before the DOS, and that were still owned on the DOS:
- A. Real Estate
 - B. Transportation
 - C. Stocks and Bonds
 - D. Bank Accounts & IRA Accounts
 - E. Artwork, Metals, and other Collectables
 - F. Notes and Income Producing Assets
 - G. Jewelry
 - H. Animals
 - I. Intellectual Properties
 - J. Business Interests
 - K. Household Goods, Silver, China and Crystal
 - L. Cash Value Life Insurance
 - M. Retirement Accounts (excluding IRAs)
 - N. Miscellaneous
- Schedule II: Marital Debts – A list of all debts incurred by you, your spouse, or by you and your spouse jointly after the DOM and before the DOS, for the joint benefit of you and your spouse.
- Schedule III: Separate Assets – A list of all assets presently owned by you that were acquired by you PRIOR to the DOM, acquired by you after the DOS, or that you received by gift or inheritance during the marriage, that you contend belong separately to you and are not marital assets to be divided.
- Schedule IV: Separate Debts -- A list of all debts incurred by you or your spouse that were NOT incurred between the DOM and the DOS, or that were incurred during the marriage and prior to the DOS, but not for the joint benefit of the parties.
- Schedule V: Divisible Property – (Assets and Debts) – A list of all property meeting the definition of “divisible property” (see above).
- Schedule VI: Commissions, Bonuses, or other Property received after DOS but earned prior to DOS
- Schedule VII: Passive Income received after DOS from Marital Property
- Schedule VIII: Post DOS Increases to Marital Debt, Financing Charges, and Interest Charges
- Schedule IX: Post DOS Disposal of Marital Property
- Schedule X: Post DOS Reduction of Marital Debt
- Schedule XI: Contributions to Separate Property of Other Spouse
- Schedule XII: Property Acquired after DOS
- Schedule XIII: Contentions for property acquired after DOS
- Schedule XIII: Contentions For An Unequal Distribution Of Marital/Divisible Property

SCHEDULE I: MARITAL ASSETS

A. Real Estate

DISCLOSURES REQUIRED: Documents related to the purchase of the property (e.g., settlement statement); Promissory note(s) that are secured by Deed(s) of Trust on property; Account statement(s) from lender showing the DOS and current note balance(s); Documents showing the cost of any improvements made; Deed conveying the property to you and/or your spouse; County tax value; Appraisals or market analyses performed on the property within the 2 years prior to DOS or at any time since DOS, if any; Written estimates of any repairs you contend are needed to the property; Documents to support any contentions made by you about the asset.

Asset #	Description of Asset	Date Acquired & How Titled (H, W or JT)	Tax Basis (i.e., Purchase Price + Cost of Improvements Made)	Who Has Current Possession? (H/W)	What is Your Proposed Distribution? (H/W)	Fair Market Value on DOS	DOS Principal Balance(s) of All Loans Secured by Property	Present FMV	Present Loan Balance(s)
A1									
A2									
A3									
A4									
A5									

SCHEDULE I: MARITAL ASSETS

A. Real Estate Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to each parcel of real estate listed above:

SCHEDULE I: MARITAL ASSETS

B. Transportation

DISCLOSURES REQUIRED: *Title of asset; Notes or other evidence of debt related to the purchase of asset; Documents showing fair market value of asset on DOS and presently; Account statements showing loan balance on DOS and currently; Documents to support any contentions made by you regarding the asset.*

Asset #	Year, Make, Model of Asset & Lienholder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value on DOS	Note balance on DOS	Present FMV	Present Debt
B1								
B2								
B3								
B4								
B5								

SCHEDULE I: MARITAL ASSETS

B. Transportation Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS
C. Stocks, Bonds, Mutual Funds and Stock Options¹

DISCLOSURES REQUIRED: Complete account statements for each asset listed for the 6 months preceding the DOS and on DOS (or as close to DOS as possible); Current account statement; Statements showing balance of any loans against the account on DOS and presently; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset, Location & Account Number	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Account Value on DOS	Loan Balance on DOS	Present Account Value	Present Debt
C1								
C2								
C3								
C4								
C5								

SCHEDULE I: MARITAL ASSETS
C. Stocks, Bonds and Mutual Funds Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

¹ If the stocks and/or bonds are held in a brokerage account it is acceptable to provide the name and account number of each brokerage account and to provide copies of the brokerage account statements showing the DOS and present fair market value of the accounts in accord with the local rules. If the stocks and/or bonds are not held in a brokerage account, list the stocks and/or bonds individually.

SCHEDULE I: MARITAL ASSETS

D. Bank Accounts (checking, savings, money market), Credit Union Accounts, Certificates of Deposits,

DISCLOSURES REQUIRED: Complete account statements for each asset listed for the 6 months preceding the DOS and on DOS (or as close to DOS as possible); Current account statement; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset, including Account Number ²	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Account Balance on DOS	Present Account Balance
D1						
D2						
D3						
D4						
D5						

.SCHEDULE I: MARITAL ASSETS

D. Bank Accounts Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

² Include name of financial institution; account numbers, if known, and the type of account (checking, savings, etc.)

SCHEDULE 1: MARITAL ASSETS
E. Artwork and Other Collectibles³

DISCLOSURES REQUIRED: Documents showing purchase price and fair market value of asset at time of purchase; Appraisals performed within 2 years of DOS or any time after DOS; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Purchase Price	Fair Market Value on DOS	Present FMV
E1							
E2							
E3							
E4							
E5							
E6							

SCHEDULE 1: MARITAL ASSETS
E. Artwork and Other Collectibles Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

³ If the assets listed serve as security for any indebtedness, identify the name of the creditor; the amount of indebtedness at DOS and presently beside each asset.

SCHEDULE I: MARITAL ASSETS

F. Promissory Notes (owed to either party); Tax Refunds, and other debts owed to either party

DISCLOSURES REQUIRED: *Copy of promissory note(s); Copy of tax return showing amount of refund owed; Documents to support any contentions made by you regarding the asset.*

Asset #	Description of Asset, Location, Terms of Note, Monthly Payment Amount (Principal & Interest)	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Amount Owed by Debtor on DOS	Present Amount Owed
F1						
F2						
F3						
F4						
F5						

SCHEDULE I: MARITAL ASSETS

F. Promissory Notes and Tax Refunds Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS

G. Jewelry

DISCLOSURES REQUIRED: Documents showing purchase price and fair market value of asset at time of purchase; Appraisals performed within 2 years of DOS or any time after DOS; Account balance on DOS and currently for any debt related to the purchase of the asset; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset & Lienholder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value on DOS and Loan Balance, if any	Present FMV and Loan Balance
G1						
G2						
G3						
G4						
G5						
G6						
G7						
G8						
G9						
G10						
G11						
G12						
G13						
G14						
G15						
G16						

SCHEDULE I: MARITAL ASSETS
G. Jewelry Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS

H. Animals⁴

DISCLOSURES REQUIRED: Documents showing purchase price and fair market value of animal at time of purchase; Appraisals performed within 2 years preceding DOS or any time after DOS; Account balance on DOS and currently for any debt related to the purchase of the animal; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset & Lien holder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Purchase Price	Fair Market Value on DOS and Loan Balance, if any	Present FMV and Loan Balance
H1							
H2							
H3							
H4							
H5							

SCHEDULE I: MARITAL ASSETS

H. Animals Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

⁴ There is no requirement to list household pets. This exhibit refers to horses, farm animals, animals raised for monetary gains, or show animals..

SCHEDULE I: MARITAL ASSETS

I. Intellectual Property (Patents, Copyrights, Trademarks)⁵

DISCLOSURES REQUIRED: Documents showing all information required in the “Identifying Information” column, below; Documents to support any contentions made by you regarding the asset.

Asset #	Identifying Information: (1) Office where registered, or patented, or where patent application is pending; (2) Patent #, trademark or copyright registration # (3) Title, mark or trade name (4) Brief Description (5) Dates filed and issued (6) Original price or costs to create and to register.	Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Name & Address of each licensee: amount & frequency of payments	Fair Market Value on DOS	Present FMV
I1							
I2							
I3							

SCHEDULE I: MARITAL ASSETS

I. Intellectual Property Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

⁵ If the intellectual property identified serves as security for any indebtedness, identify the amount of indebtedness (DOS and present) and the name of the creditor.

SCHEDULE I: MARITAL ASSETS

J. Business Interests (Corporation, Partnerships, LLCs, etc.)

DISCLOSURES REQUIRED: Documents showing all information required in the “Description of Asset” column, below, including organizational documents (e.g., Articles of Incorporation, Articles of Organization), Operating Agreement(s); Year-end Profit & Loss Statements and Balance Sheets for 2 full years preceding DOS and monthly P&Ls and Balance Sheets year to date up to DOS and since DOS; Tax returns filed by entity for 2 years prior to DOS and since DOS; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset & Location (Include whether incorporated, sole proprietorship, partnership, joint venture, etc.). Identify each partner/shareholder and the percentage of ownership for each person so identified.	Date Acquired & Title Owner (H, W, or JT)	Original Price of Interest	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value of Entity on DOS ⁶	Current FMV
J1							
J2							
J3							

SCHEDULE I: MARITAL ASSETS

J. Business Interests Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

⁶ For each entity identified.

SCHEDULE I: MARITAL ASSETS
K. Household Goods and Special Collections

DISCLOSURES REQUIRED: Documents showing purchase price and fair market value of asset at time of purchase; Appraisals performed within 2 years preceding the DOS or any time after DOS; Account balance on DOS and currently for any debt related to the purchase of the asset; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset & Lien holder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value on DOS and Loan Balance, if any	Present FMV and Loan Balance
K1						
K2						
K3						
K4						
K5						
K6						
K7						
K8						
K9						
K10						
K11						
K12						
K13						
K14						
K15						
K16						

Asset #	Description of Asset & Lien holder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value on DOS and Loan Balance, if any	Present FMV and Loan Balance
K17						
K18						
K19						
K20						
K21						
K22						
K23						
K24						
K25						
K26						
K27						
K28						
K29						
K30						
K31						
K32						
K33						
K34						
K35						
K36						

Asset #	Description of Asset & Lien holder	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Fair Market Value on DOS and Loan Balance, if any	Present FMV and Loan Balance
K37						
K38						
K39						
K40						
K41						
K42						
K43						
K44						
K45						
K46						
K47						
K48						
K49						
K50						
K51						
K52						
K53						
K54						
K55						
K56						

SCHEDULE I: MARITAL ASSETS
K. Household Goods Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS
L. Life Insurance, including Cash Value

DISCLOSURES REQUIRED: Copy of policy, including owner, insured and current beneficiary designation; Statement showing cash surrender value of policy on DOS and currently; Account balance on DOS and currently for any loans against the policy; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Policy; Policy #; Owner, Insured, and Original Beneficiary	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Cash Value on DOS	Loan Balance on DOS	Present Cash Value/Loan Balance	Current Beneficiary
L1								
L2								
L3								
L4								
L5								
L6								

SCHEDULE I: MARITAL ASSETS
L. Cash Value of Life Insurance Contentions

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS

M. Defined Benefit and Defined Contribution Pension Plans; 401(k) Plans; 403(b) Plans; Profit Sharing Plans; Deferred Compensation Plans and all other Retirement Benefits, including IRA accounts

DISCLOSURES REQUIRED: Complete account statements for each account listed for the 6 months (or two quarters) preceding the DOS and on DOS (or as close to DOS as possible); Current account statement; Statements showing balance of any loans against the account on DOS and presently; Documents showing current beneficiary of account; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset, including Account Number, and current beneficiary	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	Account Balance on DOS/Loan Balance on DOS	Present Account Balance/Loan Balance	If applicable, Monthly Payment
M1							
M2							
M3							
M4							

SCHEDULE I: MARITAL ASSETS

M. Contentions Regarding Defined Benefit and Defined Contribution Pension Plans; Deferred Compensation Plans; 401(k) accounts; IRA accounts; and all other Retirement Benefits

CONTENTIONS		
Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE I: MARITAL ASSETS

N. Miscellaneous

List here any marital assets that do not fall into Categories A through M, such as airline miles, hotel points, etc.

DISCLOSURES REQUIRED: Account statement on DOS (or as close to DOS as possible); Current account statement; Documents to support any contentions made by you regarding the asset.

Asset #	Description of Asset	Date Acquired & Title Owner (H, W, or JT)	Who Has Current Possession?	What is Your Proposed Distribution?	VALUE/NO. OF MILES ON DOS	PRESENT VALUE/NO. OF MILES
N1						
N2						
N3						
N4						
N5						

SCHEDULE I: MARITAL ASSETS

N. Miscellaneous Contentions

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE II: MARITAL DEBTS

DISCLOSURES REQUIRED: Complete account statements for each account listed (e.g., monthly credit card statements ,monthly mortgage statements) for the 6 months preceding the DOS and on DOS (or as close to DOS as possible); Current account statement; Documents showing all payments made on debt since DOS and by whom; Documents to support any contentions made by you regarding the debt.

Debt #	Name & Address of Creditor, Account Number	Name of Person(s) Who is The Obligor on the Debt	Reason Debt Incurred and Month and year Debt incurred	Amount owed on DOS	Amount currently owed	Who has paid the debt since DOS and amount that has been paid
1						
2						
3						
4						
5						
6						
7						
8						

SCHEDULE II: MARITAL DEBTS CONTENTIONS

Debt #	Description of Debt	The Affiant Makes the Following Contentions Relating to the Debts Listed Above

SCHEDULE III: SEPARATE ASSETS

DISCLOSURES REQUIRED: Documents showing date asset was acquired and by whom and purchase price; Account statement on DOS (or as close as possible); Appraisals performed within 2 years preceding DOS or since DOS; Documents supporting your contention that the asset is your separate property.

Asset #	Description of Asset	Date Acquired & Reason Separate	Purchase Price	DOS FMV	Present FMV
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					

SCHEDULE III: SEPARATE ASSETS CONTENTIONS

Asset #	Description of Asset	The Affiant makes the following contentions relating to the assets listed above:

SCHEDULE IV: SEPARATE DEBTS

DISCLOSURES REQUIRED: Documents showing date debt was incurred and by whom and amount of debt; Account statement on DOS (or as close as possible); Documents supporting your contention that the debt is separate.

Debt #	Name & Address of Creditor, Account Number	Name(s) of person who is listed on the debt (H/W/JT ⁷)	Basis for Separate Classification	Pre-marital Balance (if any)	DOS Balance	Current Balance
1						
2						
3						
4						

If the debt is in joint names, identify the party who you claim is responsible for the debt.

SCHEDULE V: DIVISIBLE PROPERTY
(Passive Increases And Decreases To Value Of Marital Property After DOS)

For any asset or item of marital property that you listed previously, list the asset and the increase or decrease in value since DOS. List any decreases in value in parentheses.

DISCLOSURES REQUIRED: Documents showing the increase or decrease in value, such as account statements since DOS.

Property #	Item of Property	Reason for Passive Increase or Decrease	Amount of Increase or (Decrease) since DOS	Net Value of Item Now

⁷ If joint, note which party should be responsible for payment.

**SCHEDULE VI:
COMMISSIONS, BONUSES, ROYALTIES, PROPERTY, ETC., RECEIVED AFTER
DOS BUT EARNED PRIOR TO DOS**

DISCLOSURES REQUIRED: Documents showing the amount of and date on which income was received (e.g., copy of the check) as well as any documents that support your contention that the income was earned during the marriage and prior to the DOS.

Asset #	Description of Item and where it is currently located	Received by H/W or Joint	Date Received	Amount Received
1				
2				
3				

**SCHEDULE VII:
“PASSIVE” INCOME RECEIVED AFTER DOS FROM MARITAL PROPERTY
(e.g., interest and dividends, etc.)**

List all income received after the DOS as a result of ownership of a marital assets, e.g., rental income, dividends, interest, etc.

DISCLOSURES REQUIRED: Documents showing the income received, such as checks showing income received and account statements showing interest earned since DOS.

Asset #	Description of Item	Party Currently in Possession	Received by H / W or Joint	Date Received	Amount Received
1					
2					
3					

**SCHEDULE VIII:
INCREASES TO MARITAL DEBT, FINANCING
CHARGES AND INTEREST CHARGES AFTER DOS**

This schedule should be completed with reference back to the list of marital debts set out previously. For example, if you listed a charge card as a marital debt and the balance due has increased since DOS, you should identify that debt and increase here. Please keep all debts listed in a consistent order.

DISCLOSURES REQUIRED: *Documents showing the increased balance, such as account statements since DOS.*

Debt #	Description of Debt	DOS Balance	Current Balance	Reason for increase and total amount of financing charges

**SCHEDULE IX:
DISPOSAL OF MARITAL PROPERTY AFTER DOS**

List all marital assets that have, since date of separation, been totally or partially sold, transferred, consumed, or destroyed, by you or by the other party, including but not limited to sale of property, withdrawal of funds from accounts, and purposeful or negligent destruction of property. Identify the amount of money or other consideration resulting from the disposal, who caused the disposal (H, W or Joint) and what has been done with the net proceeds, if any (i.e., debts paid, other property acquired, funds held in bank, etc.). If the property was used to pay marital debts, you should indicate that on the appropriate schedule. If the property was used to acquire other property after DOS, the newly acquired property may still be marital property and should be identified on this affidavit.

DISCLOSURES REQUIRED: Documents showing the sale or transfer of any marital asset and the disposition of the proceeds (such as check(s) received from purchaser); any written estimates of repairs for damage done to marital property; documents showing the purchase of any asset with marital sales proceeds; account statements showing withdrawal of funds from marital accounts; account statements showing payment of marital debt with proceeds from sale of marital asset(s); any other documents that support any allegation made by you of post-DOS disposal of marital assets.

Asset #	Description of Item	Reason for Disposal of Marital Property and Who Disposed of Property	Money or Other Consideration Received	Use of Proceeds

**SCHEDULE X:
REDUCTION OF MARITAL DEBT AFTER DOS**

List payments you have made on marital debt since the date of separation. List each debt by using the number you used on prior schedules. You should have listed the balance on such debts as of DOS on the prior schedules; therefore, there is no need to list the DOS balance here.

DISCLOSURES REQUIRED: Documents showing the payments you have made on marital debt since the DOS and the source of funds used to make the payments, such as account statements, cancelled checks, check registers, loan or credit card account statements reflecting payments received by lender; any other documents that evidence your payment on marital debt after the DOS.

Debt #	Marital Debt as Identified Prior	Dollar amount of payments you made since DOS	Source of Funds for Payments Made by You	Balance Owed Now

**SCHEDULE XI:
CONTRIBUTIONS TO SEPARATE PROPERTY OF OTHER SPOUSE**

If there was an increase in value during the course of your marriage to an item claimed by the other party as his or her Separate Property and you claim you made a direct contribution to the increase in value of that item during the marriage, answer the following:

Debt #	Description of Item	What is the amount of your contributions, or how much did your contributions add to the value of the asset	Detailed Explanation of Your Contributions

**SCHEDULE XII:
PROPERTY ACQUIRED AFTER DATE OF SEPARATION**

List here property acquired by you with funds acquired by you after the date of separation and which is your property.

DISCLOSURES REQUIRED: Documents showing the asset purchased (e.g., title, bill of sale), the source of funds used to purchase the asset (e.g., account statements, cancelled checks, check registers, credit card account statements, or loan documents); any other documents that evidence the use of your separate income or property, including debt incurred solely by you after the DOS, to acquire the asset.

Asset #	Asset and Lien holder and related Account number	Possession H/W/Joint	Purchase Price and source of funds used to purchase the property	Present FMV

**SCHEDULE XIII:
CONTENTIONS FOR PROPERTY ACQUIRED AFTER DATE OF SEPARATION**

Asset #	Description of Assets	The Affiant makes the following contentions relating to the assets listed above:

**SCHEDULE IX:
CONTENTIONS FOR AN UNEQUAL DISTRIBUTION OF MARITAL PROPERTY**

List below factors for the Court to consider in determining whether an equal division of marital property would not be equitable in your case. **Only complete this schedule if you are seeking an unequal division of marital property.** Please provide a detailed explanation as to each specific factor listed in the order in which they are listed.

FACTORS	DETAILED EXPLANATION
1. The income, property, and liabilities of each party at the time the division of property is to become effective.	
2. Any obligation for support arising out of a prior marriage.	
3. The duration of the marriage and the age and physical and mental health of both parties.	
4. The need of a parent with custody of a child or children of the marriage to occupy or own the marital residence and to use or own its household effects.	
5. The expectation of pension, retirement, or other deferred compensation rights that are not marital property.	
6. Any equitable claim to, interest in, or direct or indirect contribution made to the acquisition of such marital property by the party not having title, including joint efforts or expenditures and contributions and services, or lack thereof, as a spouse, parent, wage earner, or homemaker.	
7. Any direct or indirect contribution made by one spouse to help educate or develop the career of the other spouse.	
8. Any direct contribution to an increase in the value of separate property which occurs during the course of the marriage.	
9. The liquid or nonliquid character of all marital property and divisible property.	
10. The difficulty of evaluating any component asset or any interest in a business, corporation or profession, and the economic desirability of retaining such asset or interest, intact and free from any claim or interference by the other party.	
11. The tax consequences to each party.	
11.a. Acts of either party to maintain, preserve, develop, or expand; or to waste, neglect, devalue or convert the marital property or divisible property, or both, during the period after separation of the parties and before the time of distribution.	
12. Any other factor which the court finds to be just and proper.	

NORTH CAROLINA
COUNTY OF WAKE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
FILE NO. _____

Assigned Judge: _____

_____,
Plaintiff,

v.

_____,
Defendant.

**CERTIFICATE OF SERVICE
(EQUITABLE DISTRIBUTION INVENTORY AFFIDAVIT)**

CERTIFICATE OF SERVICE (TO BE FILED WITH CLERK OF COURT)

I, _____, the undersigned, do hereby certify that a copy of the foregoing Equitable Distribution Inventory Affidavit was served in the following manner:

By depositing a copy in the US Mail in a properly addressed, postpaid envelope to: _____

By hand delivery to: _____

By facsimile to: _____ Fax No.: _____

Other: _____

Date: _____

Plaintiff Defendant
 Attorney for Plaintiff Attorney for Defendant