

Financial Affidavits

Financial affidavits are used by courts in family cases for at least two different purposes:

1. Financial affidavits allow the court and the parties to calculate child support based upon accurate, reliable information in all cases involving parental rights and responsibilities.
2. Financial affidavits allow the court and the parties to evaluate the entire financial situation of both parties when making property settlements as a part of a divorce.

Financial affidavits, as with all documents filed with the court, are important documents and must be filled out thoroughly and thoughtfully. When you sign a financial affidavit and have your signature notarized, you are swearing that the information in the affidavit is true and complete to the best of your information and belief. You have an obligation to seek out the information not at your fingertips when you fill out the affidavit. You will be held accountable for inaccuracies, and you must update the information if you discover that prior information was incorrect. You will need to update your financial affidavit for every court appearance.

When you are filling out the financial affidavit, you may find that you do not have anything to report for many of the lines. That is normal; you should simply leave them blank. Just remember that a blank response is still a response and you have an obligation to make sure that the response is accurate.

You should file your financial affidavit prior to any hearing. Whenever you file anything with the court, you must also give a copy to the other party. If the opposing party gives you their affidavit ahead of time, and requests a copy of yours, you must give it to them at least 5 days before the hearing.

Expense Record

In addition to the financial affidavit, there is a document called an expense record. Whenever any financial issues are disputed by the parties, an expense record must be filed with the financial affidavit.

The expense record details every regular expense. Together with the financial affidavit, these two documents give the court a very detailed look at the parties' monthly expenses. This helps the court consider requests for deviations from the child support guidelines, requests for alimony, and disputes over the allocation of property.

As with the financial affidavit, the expense record must be thoroughly and thoughtfully completed, and when filed a copy must go to the other side

Try Also Reading:

- [Introduction to Child Support](#)
- [Child Support Modification Kit](#)

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