NORTH CAROLINA		IN THE GENERAL COURT OF JUSTICE
COUNT	Y	DISTRICT COURT DIVISIONCVD
V	_, Plaintiff, , Defendant.)) Continue to the continue t
debts are all the assets and	I liabilities accumul S and prior to the fi	aly sworn, says that the attached list of property and ated and/or owned on the date of separation (DOS) ling of this document to the best of my knowledge
to be an exhaustive list of the following list is a fu knowledge as of the date of	all assets of which all and complete of of submitting this in the estimated in good	ses of pretrial discovery and in no way is intended I may not have knowledge. However, I certify that disclosure of all assets and liabilities within my eventory to the Court. The affiant also certifies that d faith subject to further discovery, appraisals and idavit.
Plaintiff and Defe separated on or about the _		ed on the day of,, and, and, 20
This the day	of	
Name [Plaintiff or Defende	 ant]	
Subscribed and sworn to b		
the day of	, 20	
Notary Public		
My commission expires:		

INSTRUCTIONS TO PARTIES

For completion of Equitable Distribution Inventory Affidavit

- 1. **READ THESE INSTRUCTIONS CAREFULLY.** Your inventory must be fully and accurately prepared. Submission of this inventory is required. Your interests in this lawsuit will be harmed if your affidavit does not contain all the information required and if that information is not accurate.
- 2. **READ THE INVENTORY FORM THOROUGHLY AND CAREFULLY.** If you have any questions, or are unsure how to list certain information, ask your attorney first so that your inventory will be complete and correct before it is placed in final typed form. Failure to fully comply with these instructions may result in sanctions being imposed against you by the court.
- 3. The inventory, when filed with the Clerk of Court, must be typed. Your signature must be notarized. There must be at least three typed or reproduced copies.
- 4. Each individual asset and/or liability must be listed separately. Further, the inventory should be completed and filed with the Clerk of Superior Court. You must list the items in the order set forth on the attached sheet entitled "Order of Assets for Inventory." You may omit sections or categories of assets that are not included in your case.
- 5. The purpose of this inventory is to facilitate early and accurate disclosure of all property and debts. This inventory form is the basis for your Equitable Distribution Affidavit which is required to be filed under the local rules.
- 6. Instruction for each Schedule should be followed. Definitions used in this form are not intended to be all-inclusive and each party should seek individual legal counsel if they need assistance. Definitions used in these forms are simply a summary of the definitions set forth in North Carolina Statutes § 50-20, but they should not be relied upon without the advice of an attorney. Each column in each schedule must be fully completed prior to filing with the court.
- 7. If you are given the inventory by your attorney, you should complete it and return it to him or her as soon as possible.
- 8. If you are not represented by an attorney, the Rules of Court apply equally to you, and it is your responsibility to fully comply with these instructions. You must file the typed original of your inventory with the Clerk of Superior Court at or before the scheduled Equitable Distribution Status Conference. You must also deliver, in person or by mail, a filed copy of the original to the attorney representing the opposing party or to the unrepresented opposing party, at or before the scheduled Equitable Distribution Status Conference. THIS DEADLINE IS IMPORTANT AND FAILURE TO COMPLY WITH THE DEADLINE MAY RESULT IN THE IMPOSITION OF SANCTIONS.
- 9. Intentional omissions or misstatements of fact in your affidavit will constitute perjury and may subject you to sanctions by the court.

Order of Assets and Liabilities for Inventory

List assets in the following order:

I. Marital Assets

- A. Realty
 - 1. Residential
 - 2. Rental
 - 3. Commercial/Business
 - 4. Recreational
- B. Transportation
 - 1. Automobiles
 - 2. Trucks
 - 3. Vans
 - 4. Motorcycles
 - 5. Boats
 - 6. Airplanes
- C. Stocks and Bonds
 - 1. Stocks publicly traded
 - 2. Bonds and Debentures
 - 3. Mutual funds
 - 4. Stock options
 - 5. Stocks
 - 6. Futures

II. Bank Accounts & IRA Accounts

- A. Checking accounts
- B. Savings accounts
- C. IRA accounts
- D. Certificates of deposit
- E. Cash in hand or held by another; Artwork, Metals and Other Collectibles
 - 1. Artwork
 - 2. Gold
 - 3. Silver
 - 4. Firearms
 - 5. Coins
- F. Miscellaneous Notes and Income
 - 1. Producing Assets

- 2. Promissory Notes
- 3. Annuities
- 4. Interest in Trust
- G. Silver, China and Crystal
- H. Jewelry
- I. Animals
 - 1. Dogs
 - 2. Cats
 - 3. Horses
 - 4. Cattle
 - 5. Other
- J. Intellectual Properties
 - 1. Inventions and Trade Secrets
 - 2. Copyrights and Patents
 - 3. Trademarks and Trade Names
- K. Business Interests
 - 1. Partnership Interest
 - 2. Sole Proprietorship Interest
 - 3. Unincorporated Association Interest
 - 4. Closely-Held Corporations (including stock)
- L. Household Goods
 - 1. Furniture (including antiques)
 - 2. Pictures, Prints and Other Wall Hangings
 - 3. Appliances (including dishwasher, washing machine/dryer, etc.)
 - 4. Electronics (including TV, radio, stereo, etc.)
 - 5. Linens
 - 6. Books
 - 7. Kitchen Utensils
 - 8. Outdoor Furniture
 - 9. Sporting Goods
 - 10. Tools
 - 11. Lawnmowers
- M. Cash Value Life Insurance
- N. Vested Pension & Retirement Account
 - 1. Defined Benefit Plan
 - 2. Defined Contribution Plan
 - 3. Profit Sharing

Table of Schedules

Schedule I: Marital Assets

Schedule II: Unsecured Marital Debts

Schedule III: Separate Assets

Schedule III-A: Active Increase in Value of Separate Property Prior to Date of Separation

(hereinafter DOS)

Schedule IV: Separate Debts
Schedule V: Divisible Property

Schedule V-A: Passive Increases and Decreases to Value of Marital Property

Schedule V-B: Commissions, Bonuses, Property, Etc., Received after DOS but Earned

Prior to DOS

Schedule V-C: "Passive" Income Received after DOS from Marital Property

Schedule V-D: Post DOS Increases to Marital Debt, Financing Charges and Interest

Charges

Schedule VI: Property Acquired After Separation

Schedule VII: Postseparation Disposal of Marital Property
Schedule VIII: Postseparation Reduction of Marital Debt

Schedule IX: Contributions to Separate Property of Other Spouse

SCHEDULE I: Marital Assets

Marital property generally consists of property acquired during the marriage and owned at the date of separation. Property and debts can be marital and are to be listed on the appropriate schedules.

A-1	Example: House and Lot 23 Smith Level road, Durham Lien with First Union Bank Acct No. 1234567	Husband	(FMV) \$120,000 (First Mortgage) -\$25,000 \$95,000

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SCHEDULE II: Unsecured Marital Debts

Marital debt is generally debt that was acquired during the marriage for the joint benefit of the parties. The classification of marital debt is not simply a matter of determining in which party's name a debt was incurred, but rather the purpose for which the debt was acquired or incurred. For the purpose of completing this schedule, you should list the account numbers for all debts including credit card debts. Secured debts should be listed on the appropriate schedule as a lien, mortgage or other encumbrance against a specific asset.

Example: All State Credit 123 Smith Road Durham NC 27701 Acct No 123456	Ms. Mary Smith	Purchase Washer	\$500	\$525 as of 1/31/01. Wife has paid since DOS.

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SCHEDULE III: Separate Assets

"Separate property" does not include property acquired after the date of separation. This category includes property owned by you as of the date of marriage if you still own it as of the date of separation and it is not marital property but is property that was inherited, owned by one party prior to the marriage, or given to one party as a gift during the marriage by a third party who is not a spouse.

Example: 1965 Ford Car	Owned Prior to Marriage	Husband	\$10,000

SCHEDULE III-A: Active Increase in Value of Separate Property Prior to Date of Separation

If you contend that any separate property owned by the other party has actively increased in value (for example, because of your efforts or your spouse's efforts, or the efforts of both of you) during the course of the marriage and prior to the date of separation, then complete the following schedule.

Example: 1965 Ford Car	Husband	\$5,000	\$10,000	\$5,000

SCHEDULE IV: Separate Debts

List all debts that you have not previously listed as separate debts.

Example: First Union Bank 1234 First Street Durham, NC Acct. 1234	Ms. Mary Smith	Borrowed After the DOS	\$0.00	\$0.00

SCHEDULE V: Divisible Property

INSTRUCTIONS:

Use this section of the affidavit to list "divisible property," which is all real and personal property that falls within the following four categories:

SCHEDULE A:

List here all "passive" increases and decreases in value to marital property that occurs after the date of separation (DOS) and prior to the date of distribution (DOD). Increases and decreases in value that are attributable to the efforts of actions of you or the other party are "active" and should not be listed here. For example, the increase in the value of a marital home after DOS and prior to DOD is normally a "passive" increase because it is usually due to market forces and conditions. If that is the case, the increase would be listed here as divisible property. However, if the increase in the value of the home is due to one of the party's efforts to renovate the home with postseparation funds following DOS, then the increase is "active" and the increase in value should not be listed here.

SCHEDULE B:

On this schedule you should list items such as commissions, bonuses, contractual payments, property, or property rights that were received by either party after DOS but prior to DOD, and were acquired as a result of efforts of either spouse during the marriage and prior to DOS. For example, a party may have earned an employment bonus prior to DOS, but the bonus was not actually paid until after DOS. The bonus would be "divisible property" and would be properly listed below. However, bonuses, commissions and other postseparation payments or transfers that were earned after DOS would not be divisible property and should not be listed as such.

SCHEDULE C:

Use this schedule to list "passive" income from marital property received or accrued after DOS, including but not necessarily limited to interest and dividends. Do not list contributions of funds made after DOS from funds earned after DOS.

SCHEDULE D:

Use this schedule to list any increases in marital debt, financing charges and interest related to marital debt that occurred after DOS and prior to

DOD. You should not list any debts that were incurred after DOS nor financing charges and/or interest related to such postseparation debts.

SCHEDULE V-A: Passive Increases and Decreases to Value of Marital Property

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

Example: House and Lot 23,	Replaced Deck after	\$5,000	\$125,000
Smith Level Road	DOS		-\$25,000
Durham, NC Acct. No. 1234			\$100,000
Acct. No. 1234			

SCHEDULE V-B: Commissions, Bonuses, Property, Etc. Received After DOS but Earned Prior to DOS

Example: Bonus Check	Husband	May 5, 2000	\$500

SCHEDULE V-C: "Passive" Income Received After DOS from Marital Property (e.g., interest and dividends, etc.)

Example: JJS Stock Dividends Acct. No. 12345	Wife	May 15, 2000	\$200

SCHEDULE V-D: Post-DOS Increases to Martial Debt, Financing Charges and Interest Charges

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.

Example: All State Credit 123 Smith Road Durham NC 27701 Acct No 123456	\$500	\$525	Finance Charges

SCHEDULE VI: Property Acquired After Separation

List here property acquired by you with funds acquired by you after the date of separation and which is your property. Property acquired after separation with marital funds or in exchange for marital property is marital property and should be listed on the marital property schedule with an appropriate explanation.

Example: 1999 Ford Ranger	Borrowed money and payments are coming from weekly paychecks	\$15,000

SCHEDULE VII: Postseparation Disposal of Marital Property

List all marital assets which 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 effected the disposal (H,W or Joint) and what has been done with the net proceeds, if any (*i.e.*, debts paid, other property acquired). 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.

Example: Television	Sold, Wife sold	\$500	Paid Bills

SCHEDULE VIII: Postseparation Reduction of Marital Debt

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.

Example: All State Credit 123 Smith Road Durham NC 27701 Acct No 123456	\$100 as of 1/31/2001	Paychecks received since DOS	\$500

SCHEDULE IX: Contributions to Separate Property of Other Spouse

If there was an increase in value during the course of your marriage of an item claimed by the other party as "separate property" and you claim you make a direct contribution to the increase in value of that item during the marriage, answer the following:

Example: House and Lot at 1234 Rise Level Road, Durham NC	\$20,000	I helped to remodel the whole house and we purchased all supplies to do the remodeling