

NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

_____ COUNTY

_____-CVD-_____

_____,
Plaintiff,)

v.)

_____,
Defendant.)

**EQUITABLE DISTRIBUTION
INVENTORY AFFIDAVIT**

The undersigned affiant, after being duly sworn, says that the attached list of property and debts are all the assets and liabilities accumulated and/or owned on the date of separation (DOS) or acquired since the DOS and prior to the filing of this document to the best of my knowledge as of the date of the signing of this affidavit.

This inventory is submitted for purposes of pretrial discovery and in no way is intended to be an exhaustive list of all assets of which I may not have knowledge. However, I certify that the following list is a full and complete disclosure of all assets and liabilities within my knowledge as of the date of submitting this inventory to the Court. The affiant also certifies that the values listed herein are estimated in good faith subject to further discovery, appraisals and my final Equitable Distribution Inventory Affidavit.

Plaintiff and Defendant were married on the ___ day of _____, _____, and separated on or about the ___ day of _____, 20__.

This the _____ day of _____, 20__.

Name [*Plaintiff or Defendant*]

Subscribed and sworn to before me this
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

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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

