

Instructions for Preparation of Inventory and Appraisal

Client's Name: _____ Date: _____

General Instructions

Accurate information concerning property and debts is very important in divorce cases. Please fill out the attached form as completely as you can, drawing on any source of information to which you have access. Do not enlist your spouse's help unless I specifically permit it. **DO NOT LET ANYONE SEE THIS DOCUMENT. THIS PREPARATION OF YOUR INVENTORY AND APPRAISEMENT IS A CONFIDENTIAL MATTER BETWEEN YOU AND YOUR ATTORNEY.** Be cautious: You and your spouse are now legal adversaries, and you should verify all information on your own. When it comes to questions of the current value of property, you should make your own independent estimate, whether you decide the value or consult another source (for example, NADA, Kelly Blue Book, or an appraiser). Please list all property whether the property is in your possession or name or in your spouse's possession or name. This inventory and appraisal should include all property, even if you have no specifics on the property.

The attached form provides for only a few items under each type of property. If you need to provide additional information, photocopy an extra page or use a separate piece of paper and number the information as it is numbered on the inventory. If you do not know the answer to an item, do not leave it blank; write "I don't know," and follow this statement with the reason you do not know.

Understand that this inventory and appraisal is your attorney's main key to your estate, from which all spreadsheets will be generated. This document, once filed with the court, creates a judicial admission about its contents. This document is extremely important and will be used throughout your case.

YOU SHOULD RETURN THIS FORM AND ALL SUPPORTING DOCUMENTS TO OUR OFFICE BY _____. This will allow our office ample time to put the document in final form.

This task will not be easy. Do not expect to complete the form at one sitting. Be assured, however, that your effort is necessary and worthwhile, because the inventory will be one of the most important documents in your divorce.

Property Division

In addition to factual data, I need to know your wishes about division of the property. Please indicate your wishes in the left margin of the form by placing a "W" next to items you want to go to the wife and an "H" next to items you want to go to the husband.

Definitions

Separate Property—If either you or your spouse has any property you think is separate property, complete the section marked “Separate Estates of the Parties.” Separate property is defined as follows:

1. Property acquired by a spouse before marriage.
2. Property acquired by a spouse during marriage by gift or inheritance.
3. Funds received as a result of personal injury sustained by a spouse.
4. Property acquired with funds that are separate property. Property may be

purchased with funds that are both community and separate property. In such a case, please be sure to list pro rata the part of the property that is separate property in the separate property section and the part that is community property in the community property section.

Community Property—all property that is not separate property is community property.

Fair Market Value—a generally accepted definition of fair market value is the price at which the asset would change hands between a willing seller, under no compulsion to sell, and a willing buyer, under no compulsion to buy, with both parties having reasonable knowledge of the relevant facts. Use this value whenever possible. If an asset has no fair market value, state the actual value of the asset to you considering its present condition.

Copies of Documents to Be Returned

If an asset has a statement of account, return a copy of the current statement of account with this Preparation of Inventory and Appraisal. If an asset has a title document (deed, deed of trust, certificate of title to motor vehicle), return a copy with this Preparation of Inventory and Appraisal. If an asset has any document that can clearly identify it, return a copy with this Preparation of Inventory and Appraisal.

Here is a checklist of some of the copies of items you should return with this Preparation of Inventory and Appraisal:

1. Financial institution statements;
2. Bank statements;
3. Annuity statements;
4. IRA statements;
5. SEP statements;
6. Certificate of deposit statements;
7. Retirement benefits statements of account;
8. Life insurance policies and premium notices;
9. Broker statements;
10. Deeds;
11. Deeds of trust;
12. Mortgage company payment coupon books (usually one page is enough);

13. Certificates of title to motor vehicles;
14. Stocks;
15. Last statement from each creditor, including credit card statements;
16. Appraisals;
17. Any other documents that may lead to the discovery of assets or liabilities.

PLEASE ATTACH SUPPORTING DOCUMENTS FOR EACH ITEM LISTED IN THE INVENTORY AND LABEL EACH DOCUMENT (BY USING A SEPARATE FILE OR POST-IT NOTE) WITH THE CORRESPONDING NUMBER IN THE INVENTORY AND APPRAISEMENT. PLEASE PERFORM THIS TASK EVEN IF YOU HAVE OTHERWISE GIVEN US THE DOCUMENTS. IF YOU NEED ACCESS TO A DOCUMENT FOR THIS PURPOSE, PLEASE COME TO OUR OFFICE AND USE ONE OF THE CONFERENCE ROOMS TO COMPLETE THIS ASSIGNMENT. IT IS VERY IMPORTANT WE HAVE BACKUP DOCUMENTATION FOR EACH ASSET AND DEBT.

WARNING—Please do not write on the original documents themselves. Use Post-it notes, please.

Full Disclosure

Finally, I will rely on this Preparation of Inventory and Appraisement in the case. If you omit any asset, the court could set it aside to your spouse now or at a later date. If you omit a liability, you may be solely responsible for it. By your signature below, you verify to me that these are all the assets and liabilities of community and separate property of which you have knowledge. Once the Inventory and Appraisement is completed, you will be asked to sign an Affidavit, signed and sworn to before a Notary Public, that the information you provided is true and correct.

INVENTORY AND APPRAISEMENT WORKSHEET

_____, files this inventory and appraisal of all assets and liabilities, community and separate estates, as follows:

COMMUNITY ESTATE OF THE PARTIES

(Note: If there is more than one item in any of the following categories, attach additional sheets as necessary)

- 1. REAL PROPERTY (include any property in which the parties own the mineral estate, separate and apart from the surface estate, such as oil and gas leases; also include any property purchased by contract for deed, such as Texas Veterans Land Board property and property purchased in recreational developments)

1.1 Street address:

County of location:

Description of improvements, if any:

Legal description:

Current fair market value:

\$ _____ as of _____, 20__

Exact name of Mortgage Company:

Current balance of first mortgage:

\$ _____ as of _____, 20__

IF PROPERTY HAS A SECOND MORTGAGE OR OTHER LIENS, GIVE SIMILAR INFORMATION AS FOR FIRST MORTGAGE

Current net equity in property: \$ _____

2. CASH AND ACCOUNTS WITH FINANCIAL INSTITUTIONS

(Include cash, traveler's checks, money orders and accounts with commercial banks, savings and loan associations, credit unions, and brokerage houses and exclude any form of retirement account)

2.1 Exact name of financial institution:

Account number:

Exact name on account:

Type of account (checking, savings, money market, certificate of deposit):

Exact name(s) on withdrawal cards:

Current account balance: \$ _____

(As of _____, 20__)

3. ACCOUNTS RECEIVABLE (personal receivables, including any expected federal or

State income tax refund) (do not include receivables connected with a business)

3.1 Name of debtor:

Debtor's relationship to you:

Purpose of loan:

Is debt evidenced in writing?

Yes _____ No _____

Is debt reasonably expected to be paid?

Yes _____ No _____

Current loan balance:

\$ _____

(As of _____, 20__)

4. RETIREMENT ACCOUNTS (KEOGH, IRA, SEP, ETC.)

4.1 Exact name of financial institution:

Exact account name:

Account number:

Account balance as of date of marriage:

Payee of survivor benefits:

Current community account balance:

\$ _____

(as of _____, 20__)

5. COMPANY RETIREMENT BENEFITS (include pension, profit-sharing, thrift, 401(k), and ESOP plans)

5.1 Name and address of plan administrator:

Employee:

Employer:

Starting date of creditable service:

Payee of survivor benefits:

Description of benefits:

Value of community interest in plan:

\$ _____ as of _____, 20__

Method of computation of amount in plan:

Is there a loan or offset against the plan?

Yes _____ No _____

If yes, explain:

Current balance:

As of _____, 20__

6. MILITARY AND GOVERNMENT RETIREMENT BENEFITS (e.g., military retirement, civil service retirement, railroad retirement, state retirement, and local retirement)

6.1 Exact name of plan:

Employee:

Employer:

Starting date of creditable service:

Payee of survivor benefits:

Description of benefits:

Value of community interest in plan: \$ _____

(As of _____, 20__

Method of computation of amount in plan:

7. OTHER DEFERRED COMPENSATION BENEFITS (e.g., workers' compensation, disability benefits, renewal commissions, covenants not to compete, bonuses and other "Special payments," employee stock options, and other forms of executive compensation)

7.1 Husband--description of assets:

Value: \$ _____

7.2 Wife--description of assets:

Value: \$ _____

8. LIFE INSURANCE AND ANNUITIES

8.1 Exact insurance company name:

Policy number:

Name of insured:

Name of owner:

Type of insurance (term/ whole/universal):

Amount of premiums:

\$ _____ (monthly/ quarterly/semiannually)

Date of issue:

Face amount:

Cash surrender value on date of marriage:

Current cash surrender value: \$ _____

Beneficiary:

Is there a loan against this policy?

Yes _____ No _____

If yes, explain:

9. PUBLICLY TRADED STOCKS, BONDS, AND OTHER SECURITIES (exclude securities held in brokerage accounts and/or retirement accounts)

9.1 Security name:

Number of shares:

Type of security (stock--common, preferred, bond, or other security):

Certificate numbers:

In possession of:

Current market value: \$ _____

(As of _____, 20__

Pledged as collateral? Yes _____ No _____

If yes, explain:

10. CLOSELY HELD BUSINESS INTERESTS (include sole proprietorships, professional practices, partnerships, joint ventures, and other non-publicly traded corporate business entities, etc.)

10.1 Exact name of business:

Address:

Type of business organization:

Percentage of ownership:

Estimated value: \$ _____

(As of _____, 20__

11. MOTOR VEHICLES, BOATS, AIRPLANES, CYCLES, ETC. (exclude company-owned vehicles)

11.1 Year:

Model:

Owned or leased?

Name on certificate of title:

In possession of:

Vehicle identification number:

Does vehicle have loan against it? Yes _____ No _____

If yes, state:

Exact name of creditor:

Current balance as of _____, 20__ : \$ _____

Current net equity in vehicle: \$ _____

12. HOUSEHOLD FURNITURE, FURNISHINGS, AND FIXTURES

12.1 In possession of husband (attach separate sheet by room):

Value: \$ _____

12.2 In possession of wife (attach separate sheet by room):

Value: \$ _____

13. MISCELLANEOUS SPORTING GOODS AND FIREARMS

13.1 In possession of husband:

Value: \$ _____

13.2 In possession of wife:

Value: \$ _____

14. ANTIQUES, ARTWORK, AND COLLECTIONS (include any works of art, such as paintings, tapestry, rugs, and coin or stamp collections)

14.1 In possession of husband:

Description:

Value: \$ _____

14.2 In possession of wife:

Description:

Value: \$ _____

15. ELECTRONICS AND COMPUTERS

15.1 In possession of husband:

Description:

Value: \$ _____

15.2 In possession of wife:

Description:

Value: \$ _____

16. CLOTHING, JEWELRY, AND ITEMS OF PERSONAL ADORNMENT (list major items and state market value)

16.1 Husband (attach list if necessary):

Value: \$ _____

16.2 Wife (attach list if necessary):

Value: \$ _____

17. LIVESTOCK (include cattle, horses, etc.)

17.1 In possession of husband:

Description:

Value: \$ _____

17.2 In possession of wife:

Description:

Value: \$ _____

18. CLUB MEMBERSHIPS

18.1 Exact name of club:

Current value: \$ _____

(As of _____, 20__

Method of valuation:

19. FREQUENT FLYER MILEAGE ACCOUNTS

19.1 Exact name of airline:

Current number of miles: _____

As of _____, 20__

Value (if any): \$ _____

20. MISCELLANEOUS ASSETS (intellectual property, licenses, crops, cemetery lots, gold or silver coins not part of a collection, tax overpayments, loss carry-forward deductions)

20.1 In possession of husband:

Description:

Value: \$ _____

20.2 In possession of wife:

Description:

Value: \$ _____

21. COMMUNITY CLAIM FOR REIMBURSEMENT AGAINST HUSBAND'S OR WIFE'S SEPARATE ESTATE

21.1 Reimbursement claim against husband's separate estate:

Description:

Amount claimed: \$ _____

21.2 Reimbursement claim against wife's separate estate:

Description:

Amount claimed: \$ _____

22. CONTINGENT ASSETS AND CLAIMS (e.g., lawsuits against someone)

22.1 Nature of claim:

Amount of claim: \$ _____

Legal representative:

Address:

Cause number:

Court where case is pending:

Name of opposing attorney:

Address:

23. COMMUNITY LIABILITIES

ATTORNEY'S FEES IN THIS CASE

23.1 Husband: <\$ _____ >

(As of _____, 20__

23.2 Wife: <\$ _____ >

(As of _____, 20__

OTHER PROFESSIONAL FEES IN THIS CASE

23.3 Husband: <\$ _____ >

(As of _____, 20__

23.4 Wife: <\$ _____ >

(As of _____, 20__

CREDIT CARDS AND CHARGE ACCOUNTS

23.5 Exact name of creditor:

Account number:

Exact name on account:

Current balance: <\$ _____>

(As of _____, 20__)

FEDERAL, STATE, AND LOCAL TAX LIABILITY

23.6 Amount owed in any previous tax year: <\$ _____>

(Describe liability, such as federal
Income tax, property taxes)

Amount you owe for current year, 20__ : <\$ _____>

OTHER LIABILITIES NOT PREVIOUSLY LISTED IN THIS INVENTORY

23.7 Exact name of creditor:

Account number:

Is loan evidenced in writing?

Yes _____ No _____

Current balance: \$ _____

(As of _____, 20__)

Security, if any:

24. REIMBURSEMENT CLAIMS BY HUSBAND'S SEPARATE ESTATE OR WIFE'S SEPARATE ESTATE AGAINST COMMUNITY ESTATE

24.1 Reimbursement claim by husband's separate estate against community estate:

Value: \$ _____

24.2 Reimbursement claim by wife's separate estate against community estate:

Value: \$ _____

25. CONTINGENT LIABILITIES (e.g., lawsuit against either party, guaranty either party

May have signed)

25.1 Name of creditor:

Name of person primarily liable:

Amount of contingent liability: <\$ _____>

Nature of contingency:

TRUST, ESTATE, AND CUSTODIAL ASSETS

(Include formal and informal trusts)

26. ASSETS HELD BY OR FOR EITHER PARTY AS A FIDUCIARY OR A BENEFICIARY

26.1 Asset held by either party as a fiduciary:

Description of asset:
 Exact name of account:
 Name and title of fiduciary (e.g., executor):
 Name of owner of beneficial interest:
 Estimated value of asset: \$ _____

26.2 Asset held for either party as a beneficiary:
 Description of asset:
 Exact name of account:
 Name and title of fiduciary (e.g., executor):
 Name of owner of beneficial interest:
 Estimated value of asset: \$ _____

26.3 Custodial account under the Texas Uniform Gifts to Minors Act
 Name of financial institution:
 Exact name of account:
 Account number:
 Amount on deposit: \$ _____
 Name of minor for whom funds were deposited:
 Social Security number of minor:

SEPARATE ESTATES OF THE PARTIES

27. SEPARATE ESTATE OF HUSBAND

FOR EACH ASSET OR LIABILITY ASSERTED TO BE SEPARATE PROPERTY, USE DESCRIPTIONS AND INSTRUCTIONS IN THE CATEGORIES LISTED IN THE PRECEDING PART ENTITLED "COMMUNITY ESTATE OF THE PARTIES." BE SURE TO INCLUDE REIMBURSEMENT CLAIMS. GIVE THE INFORMATION REQUESTED IN THOSE CATEGORIES AND ADD THE FOLLOWING INFORMATION FOR EACH ASSET OR LIABILITY.

27.1 Description of asset:
 Date property acquired:
 How acquired (e.g., by gift, by devise, by descent, or owned before marriage):

27.2 Description of liability:
 Date of liability:
 How liability acquired:

27.3 Husband's reimbursement claim against community estate:
 Value: \$ _____

27.4 Husband's reimbursement claim against wife's separate estate:
 Value: \$ _____

27.5 Community reimbursement claim against husband's separate estate:
 Value: \$ _____

27.6 Wife's reimbursement claim against husband's separate estate:

Value: \$ _____

28. SEPARATE ESTATE OF WIFE

FOR EACH ASSET OR LIABILITY ASSERTED TO BE SEPARATE PROPERTY, USE DESCRIPTIONS AND INSTRUCTIONS IN THE CATEGORIES LISTED IN THE PART ENTITLED "COMMUNITY ESTATE OF THE PARTIES." BE SURE TO INCLUDE REIMBURSEMENT CLAIMS. GIVE THE INFORMATION REQUESTED IN THOSE CATEGORIES AND ADD THE FOLLOWING INFORMATION FOR EACH ASSET OR LIABILITY.

28.1 Description of asset:

Date property acquired:

How acquired (e.g., by gift, by devise, by descent, or owned before marriage):

28.2 Description of liability:

Date of liability:

How liability acquired:

28.3 Wife's reimbursement claim against community estate:

Value: \$ _____

28.4 Wife's reimbursement claim against husband's separate estate:

Value: \$ _____

28.5 Community reimbursement claim against wife's separate estate:

Value: \$ _____

28.6 Husband's reimbursement claim against wife's separate estate:

Value: \$ _____