

# HOW TO COMPLETE A FINANCIAL AFFIDAVIT (FAMILY & DIVORCE CASES)

## What is a *Financial Affidavit*?

It is a document used by the judge to assess your income, expenses, assets, and debts. The information you provide in the affidavit must be true.

## Who must complete a *Financial Affidavit*?

Any party asking for or being asked to pay child support, children's expenses, college expenses, spousal maintenance (alimony), or attorney's fees.

The *Financial Affidavit* must be supported by documents, including your most recent:

- o income tax returns
- o pay stubs or other proof of income
- o bank statements
- o other supporting documents

If your information is protected because of domestic violence or abuse, you can remove that information from the financial documents you provide.

## When is the *Financial Affidavit* due?

There is no general rule. There may be local rules about when to file a *Financial Affidavit*. If there are, you must follow these rules. Ask the Circuit Clerk where to find these rules.

## Where can I find the forms I need?

You can find the forms at:

<http://www.illinoiscourts.gov/Forms/approved/>

## What do I do after I fill out my *Financial Affidavit*?

- o You must send a copy of the completed *Financial Affidavit* and supporting documents to the other party in the case. If a party has a lawyer, send it to the lawyer.
- o Complete and file a *Proof of Delivery* form with the Circuit Clerk to show that you sent your forms to the other party. You can find the *Proof of Delivery* form at: <http://www.illinoiscourts.gov/Forms/approved/>
- o You should not file your *Financial Affidavit* with the Circuit Clerk unless a local rule or court order requires you to do so.

## What if I provide false or misleading information?

You may face significant penalties and sanctions, including costs and attorney's fees.

## What if I do not have all the information available to answer all questions?

You will need to show the judge you did your best to obtain all of the information asked for. If you do not have all the information at the time you complete the *Financial Affidavit*, give what you have and provide the rest as soon as possible.

## Do I have to answer all questions?

Yes, answer all questions and complete all sections of the *Financial Affidavit* even if the response is "not applicable," "none," "not in my possession," or another brief explanation.

## Where can I get help?

If you do not hire a private attorney, help is available online at [www.illinoislegalaid.org](http://www.illinoislegalaid.org) or at your local law library.

## How do I fill out the *Financial Affidavit*?

The form has instructions in the column on the left side to help you.

## How do I calculate my income?

If you are not paid monthly, you will need to convert your income into monthly amounts. For example, if you are paid \$600 per week, multiply \$600 by 52 to get your pay per year and then divide that amount by 12 to get your monthly pay ( $\$600 \times 52 = \$31,200 \div 12 = \$2,600$  per month).

## How do I calculate my expenses?

Some expenses vary during the year or are paid only once or twice a year. In those cases, calculate the total yearly amount you pay and then divide by 12 to reach the average monthly amount. For example, if you pay \$600 twice a year for car insurance, multiply \$600 by 2 to get the amount you pay per year (\$1,200) and then divide that amount by 12 to get the monthly amount ( $\$600 \times 2 = \$1,200 \div 12 = \$100$  per month).

## How to Calculate Monthly Amounts

Use this "How to Calculate Monthly Amounts" table to help make your calculations.

Weekly (52 times per year):

$$\text{\$} \boxed{\phantom{000}} \times 52 = \text{\$} \boxed{\phantom{000}} \div 12 = \text{\$} \boxed{\phantom{000}} \text{ per month}$$

Bi-weekly/every 2 weeks (26 times per year):

$$\text{\$} \boxed{\phantom{000}} \times 26 = \text{\$} \boxed{\phantom{000}} \div 12 = \text{\$} \boxed{\phantom{000}} \text{ per month}$$

Semi-monthly/twice a month (24 times per year):

$$\text{\$} \boxed{\phantom{000}} \times 24 = \text{\$} \boxed{\phantom{000}} \div 12 = \text{\$} \boxed{\phantom{000}} \text{ per month}$$

Quarterly (4 times per year):

$$\text{\$} \boxed{\phantom{000}} \times 4 = \text{\$} \boxed{\phantom{000}} \div 12 = \text{\$} \boxed{\phantom{000}} \text{ per month}$$

Do not list the same expense in more than one section of the *Financial Affidavit*.

This form is approved by the Illinois Supreme Court and is required to be used in all Illinois Circuit Courts.

<b>STATE OF ILLINOIS,</b> <b>CIRCUIT COURT</b>  COUNTY _____	<b>FINANCIAL AFFIDAVIT</b> <b>(FAMILY &amp; DIVORCE CASES)</b>  <input type="checkbox"/> Pre-Judgment <input type="checkbox"/> Post-Judgment	<i>For Court Use Only</i>
<b>Instructions ▼</b> Enter above the county name where the case was filed.  Enter name of the Petitioner, the Respondent, and the case number as listed in the initial Petition or Complaint.  Enter the Case Number given by the Circuit Clerk.	_____ <b>Petitioner (First, middle, last name)</b>  v.  _____ <b>Respondent (First, middle, last name)</b>	_____ <b>Case Number</b>

**IMPORTANT:** (1) If you intentionally or recklessly enter inaccurate or misleading information on this form, you may face significant penalties and sanctions, including costs and attorney's fees; and (2) If you need more room to complete this form, complete and attach the *Additional Information for the Financial Affidavit* form.

1. I am the  Petitioner  Respondent in this case.
2. I swear or affirm the information in this *Financial Affidavit* and all attached documents is true and correct as of \_\_\_\_\_  

*Date*

In 3a-d, check the boxes of the documents you are attaching to this form as evidence of your income, assets, and debts. If you select 3d, enter the names of the additional documents you are attaching.

In 4, do not complete 4b and 4c if your information is protected because of domestic violence or abuse.

3. I attached the most recent copies of the following documents *(check all that apply)*:
  - a.  income tax returns
  - b.  pay stubs or other proof of income
  - c.  bank statements
  - d.  other supporting documents: \_\_\_\_\_
4. **Information about myself:**
  - a. Name: \_\_\_\_\_  

*First*
*Middle*
*Last*
  - b. Phone Number: \_\_\_\_\_
  - c. Home Address: \_\_\_\_\_  

*Street Address, Apt.*

\_\_\_\_\_ *City*
\_\_\_\_\_ *State*
\_\_\_\_\_ *ZIP*

  - d. Date of Birth: \_\_\_\_\_

In 5b, if you are already divorced from each other, enter the date the divorce was granted.

In 5c, if you do not live together, enter the date you separated.

5. **Information about this relationship:**
  - a. We were married or united:  Yes \_\_\_\_\_  No  

*Date*
  - b. We are divorced:  Yes \_\_\_\_\_  No  

*Date*
  - c. We currently live together:  Yes  No \_\_\_\_\_  

*Date*

**6. Information about other household members:**

I currently live with another adult who is not the Petitioner or Respondent in this case who helps pay my expenses:  Yes  No

In 7b, check the box to indicate who each child of this relationship lives with. Check both boxes if the child lives with both parents. If the child does not live with Petitioner or Respondent, do not check either box.

**7. Children:**

a. Children were born or adopted as a result of this relationship :  Yes  No

b.	Name of Child of this Relationship	Date of Birth	Lives with	
			<input type="checkbox"/> Petitioner	<input type="checkbox"/> Respondent
1.			<input type="checkbox"/>	<input type="checkbox"/>
2.			<input type="checkbox"/>	<input type="checkbox"/>
3.			<input type="checkbox"/>	<input type="checkbox"/>
4.			<input type="checkbox"/>	<input type="checkbox"/>
5.			<input type="checkbox"/>	<input type="checkbox"/>

c. Other children not of this relationship live with me:  Yes  No

In 8a, check all that apply. Provide all information requested about your jobs, including all full-time, part-time, temporary, contract, or other work. If you need more room to list additional employment, complete and attach *Additional Information for the Financial Affidavit*.

**8. My employment:**

a. I am  unemployed  self-employed  employed by someone else

b. Employer name: \_\_\_\_\_

c. Employer address: \_\_\_\_\_  
*Street Address, Apt.*

\_\_\_\_\_  
*City State ZIP*

d. Number of paychecks per year:  12 (*monthly*)  24 (*two times a month*)  
 26 (*every two weeks*)  52 (*weekly*)  
 I am paid in cash

e. Gross income (*before taxes and deductions*) so far this year \$ \_\_\_\_\_  
as of \_\_\_\_\_  
*Date*

In 8e, enter your total gross income from all sources from January 1 of this year through the date you list.

In 9a, check only one.

**9. My gross income and taxes from last year:**

a. Tax filing status:  Married (*Joint*)  Married (*Separate*)  Single  
 Head of Household  Did not file

b. Number of dependent exemptions claimed: \_\_\_\_\_

c. Total number of exemptions claimed: \_\_\_\_\_

d. Amount of most recent tax refund: \$ \_\_\_\_\_ or amount owed \$ \_\_\_\_\_

e. Gross income (*before taxes and deductions*) last year: \$ \_\_\_\_\_

In 9a-d, enter the information you submitted on last year's IRS tax return. If you did not file a tax return for last year check **Did not file**, leave a-d blank but still complete 9e.

**10. Bankruptcy in the last 5 years:**

I filed for bankruptcy in the last 5 years:  Yes  No

**11. My gross monthly income (*before taxes and deductions*) is:**

Regular employment earnings (*salary, wages, base pay, etc.*) \$ \_\_\_\_\_  
Overtime \$ \_\_\_\_\_  
Commission \$ \_\_\_\_\_  
Tips \$ \_\_\_\_\_  
Bonus \$ \_\_\_\_\_

For help in calculating monthly amounts, see *How to Complete a Financial Affidavit*.

In 11, **Regular employment earnings** mean the monthly gross income you receive on a regular basis from employment.

Income other than Regular employment earnings, such as Overtime, Commission, or Bonus should be listed separately.

For Educational funds include fellowships, stipends, grants, scholarships, etc.

In Other, list other income from all sources, including amounts from the Additional Information for the Financial Affidavit form, if any.

In Total Gross Monthly Income, add the amounts in 11 together and enter the

For help in calculating monthly amounts, see How to Complete a Financial Affidavit.

In 12, use information from your paystubs, tax records, and other sources to identify all properly calculated deductions.

In Total Monthly Deductions, add the amounts from 12 together and enter the total.

Pension and other retirement benefits	\$
Annuity	\$
Interest income	\$
Dividend income	\$
Trust income	\$
Social Security: <input type="checkbox"/> SSI <input type="checkbox"/> SSDI <input type="checkbox"/> retirement (check all that apply)	\$
Unemployment benefits	\$
Disability payment (not Social Security)	\$
Workers' compensation	\$
TANF and SNAP	\$
Military allowances	\$
Investment income	\$
Rental income	\$
Partnership income	\$
Distributions and draws	\$
Royalty income	\$
Educational funds (include payments made directly to the school)	\$
Maintenance	\$
Child support for children of this relationship	\$
Child support for children not of this relationship	\$
Gifts of money	\$
Other _____	\$
<b>Total Gross Monthly Income</b>	\$ <input type="text"/>

**12. My monthly deductions are:**

Federal tax	\$
State tax	\$
FICA (or Social Security equivalent)	\$
Medicare tax	\$
Mandatory retirement contributions (by law or condition of employment)	\$
Union dues	\$
Health insurance premiums (medical, dental, vision)	\$
Life insurance premiums to secure child support	\$
Child support actually paid under a court order in a different case	\$
Maintenance actually paid under a court order in a different case	\$
Maintenance actually paid or payable under a court order in this case	\$
Expenditures for repayment of debts that represent reasonable and necessary expenses for the production of income including, but not limited to, student loans, medical expenditures necessary to preserve life or health, reasonable expenditures for the benefit of the child and other parent, exclusive of gifts.	\$
Foster care payments paid by DCFS	\$
<b>Total Monthly Deductions</b>	\$ <input type="text"/>

For help in calculating monthly amounts, see *How to Complete a Financial Affidavit*.

In 13a, enter the amount your household spends on each item each month.

In **Other**, list other Household Expenses from all sources, including amounts from the *Additional Information for the Financial Affidavit* form, if any.

In **Subtotal Monthly Household Expenses**, add the amounts in 13a together and enter the total.

In 13b, enter the amount you spend monthly on each type of transportation expense.

If you have other transportation expenses not listed in 13b, describe the expense in **Other** and enter the amount.

In **Subtotal Monthly Transportation Expenses**, add the amounts in 13b together and enter the total.

In 13c, enter the amount you spend monthly only for yourself on each type of expense. Do not include expenses you are reimbursed for through insurance or your employer.

**13. My monthly living expenses are:**

a. Household Expenses

- Mortgage or rent \$ \_\_\_\_\_
- Home equity (HELOC) and second mortgage \$ \_\_\_\_\_
- Real estate taxes \$ \_\_\_\_\_
- Homeowners or condo association dues and assessments \$ \_\_\_\_\_
- Homeowners or renters insurance \$ \_\_\_\_\_
- Gas \$ \_\_\_\_\_
- Electric \$ \_\_\_\_\_
- Telephone \$ \_\_\_\_\_
- Cable or satellite TV \$ \_\_\_\_\_
- Internet \$ \_\_\_\_\_
- Water and sewer \$ \_\_\_\_\_
- Garbage removal \$ \_\_\_\_\_
- Laundry and dry cleaning \$ \_\_\_\_\_
- House cleaning service \$ \_\_\_\_\_
- Necessary repairs and maintenance to my property \$ \_\_\_\_\_
- Pet care \$ \_\_\_\_\_
- Groceries, household supplies, and toiletries \$ \_\_\_\_\_
- Other \_\_\_\_\_ \$ \_\_\_\_\_

**Subtotal Monthly Household Expenses** \$

b. Transportation Expenses

- Car payment \$ \_\_\_\_\_
- Repairs and maintenance \$ \_\_\_\_\_
- Insurance, license, and city stickers \$ \_\_\_\_\_
- Gasoline \$ \_\_\_\_\_
- Taxi, ride-share, bus, and train \$ \_\_\_\_\_
- Parking \$ \_\_\_\_\_
- Other \_\_\_\_\_ \$ \_\_\_\_\_

**Subtotal Monthly Transportation Expenses** \$

c. Personal Expenses

- Medical (*out-of-pocket expenses*)
  - Doctor visits \$ \_\_\_\_\_
  - Therapy and counseling \$ \_\_\_\_\_
  - Dental and orthodontia \$ \_\_\_\_\_
  - Optical \$ \_\_\_\_\_
  - Medicine \$ \_\_\_\_\_
- Life insurance (*not required by law to secure child support*)
  - Life (*term*) \$ \_\_\_\_\_
  - Life (*whole or annuity*) \$ \_\_\_\_\_
- Clothing \$ \_\_\_\_\_
- Grooming (*hair, nails, spa, etc.*) \$ \_\_\_\_\_
- Club membership dues \$ \_\_\_\_\_

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In **Other**, list other Personal Expenses from all sources, including amounts from the **Additional Information for the Financial Affidavit** form, if any.

In **Subtotal Monthly Personal Expenses**, add the amounts in **13c** together and enter the total.

In **13d**, enter the amount spent monthly on the minor and dependent children of this relationship.

In **Medical**, do not include expenses you are reimbursed for through insurance or your employer.

If there are other child-related expenses not listed in **13d**, describe the expense in **Other** and enter the amount.

In **Subtotal Monthly Children Expenses**, add the amounts in **13d** together and enter the total.

In **Total Monthly Living Expenses**, add the Subtotals from **13a-13d** together and enter the total.

Entertainment, dining out, and hobbies	\$
Newspapers, magazines, and subscriptions	\$
Gifts	\$
Donations ( <i>political, religious, charity, etc.</i> )	\$
Vacations	\$
Voluntary trade or professional association dues	\$
Professional fees ( <i>accountants, tax preparers, etc.</i> )	\$
Other _____	\$

**Subtotal Monthly Personal Expenses** \$

d. Minor and Dependent Children Expenses

Clothing	\$
Grooming ( <i>hair, nails, spa, etc.</i> )	\$
Education	
Tuition	\$
Books, fees, and supplies	\$
School lunch	\$
Transportation	\$
School-sponsored trips and special events	\$
Uniforms	\$
Before and after-school care	\$
Tutoring and summer school	\$
Medical ( <i>out-of-pocket expenses</i> )	
Doctor visits	\$
Therapy and counseling	\$
Dental and orthodontia	\$
Optical	\$
Medicine	\$
Allowance	\$
Childcare and sitters	\$
Extracurricular activities and sports ( <i>including equipment, uniforms, etc.</i> )	\$
Summer and school-break camps	\$
Vacations ( <i>children only</i> )	\$
Entertainment, dining out, and hobbies ( <i>children only</i> )	\$
Gifts children give to others	\$
Other _____	\$

**Subtotal Monthly Children Expenses** \$

**Total Monthly Living Expenses** (*add the subtotals from above*) \$

In 14, enter your debts including credit cards and past due bills. Do not include debt payments previously listed in 13 above, such as your mortgage or car payment.

In **Total Monthly Debt Payments**, add the **Minimum Monthly Payment** amounts from 14 together and enter the total. Include any debts listed on the *Additional Information for the Financial Affidavit* form, if any.

In **Total Gross Monthly Income**, enter the total from 11.

In **Total Monthly Deductions**, enter the total from 12.

Subtract **Total Monthly Deductions** from **Total Gross Monthly Income** and enter the total.

In **Total Monthly Living Expenses**, enter the total from 13.

In **Total Monthly Debt Payments**, enter the total from 14.

Add **Total Monthly Living Expenses** and **Total Monthly Debt Payments** and enter the total.

In **Total Monthly Net Income**, enter the total from 15a.

In **Total Monthly Living Expenses and Debt Payments**, enter the total from 15b.

Subtract **Total Monthly Living Expenses and Debt Payments** from **Total Monthly Net Income** and enter the total.

**14. My debts:**

	Creditor Name	Describe Nature of Debt (household goods, attorney's fees, etc.)	Amount Owed	Monthly Payment Being Made
1.			\$	\$
2.			\$	\$
3.			\$	\$
4.			\$	\$
5.			\$	\$
6.			\$	\$

Amount from the *Additional Information for the Financial Affidavit* (if any) \$ \_\_\_\_\_  
**Total Monthly Debt Payments** \$ \_\_\_\_\_

**15. Total Income Available Per Month:**

- a. Total Monthly Net Income
- |                            |            |
|----------------------------|------------|
| Total Gross Monthly Income | \$ _____   |
| Total Monthly Deductions   | - \$ _____ |
| Total Monthly Net Income   | = \$ _____ |
- b. Total Monthly Living Expenses and Debt Payments
- |   |            |
|---|------------|
| Total Monthly Living Expenses                   | \$ _____   |
| Total Monthly Debt Payments                     | + \$ _____ |
| Total Monthly Living Expenses and Debt Payments | = \$ _____ |
- c. Total Income Available Per Month
- |   |            |
|---|------------|
| Total Monthly Net Income                        | \$ _____   |
| Total Monthly Living Expenses and Debt Payments | - \$ _____ |
| Total Income Available Per Month                | = \$ _____ |

**16. My assets:**

In **16a**, enter your cash and cash equivalents. Do not list account numbers.

**a. Cash and Cash Equivalents**

Checking, Savings, Money Market, and Other Bank or Credit Union Accounts

	Name of Bank or Institution	Name on Account	Account Type	Balance
1.				\$
2.				\$
3.				\$
4.				\$
5.				\$

Certificates of Deposit

	Name of Bank or Institution	Name on Account	Balance
1.			\$
2.			\$
3.			\$
4.			\$

Cash and Prepaid Debit Card

	Location of Cash/Card	Held By	Balance
1.			\$
2.			\$
3.			\$

**b. Investment Accounts and Securities**  
Stocks, Bonds, Options, and ESOPs

In **16b**, enter information for your investments and securities.

	Company Name	# Shares	Type	Owner	FMV
1.					\$
2.					\$
3.					\$
4.					\$
5.					\$

**FMV** means Fair Market Value throughout this form.

Investment/Brokerage Accounts, Mutual Funds, and Secured or Unsecured Notes

	Description of Asset	Owner	Balance
1.			\$
2.			\$
3.			\$
4.			\$



Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In 16c, enter information for your real estate.

In 16c and 16d, in **Balance Due**, enter the total amount remaining on your loan.

c. Real Estate

	Address	Name on Title	FMV	Balance Due
1.			\$	\$
2.			\$	\$
3.			\$	\$
4.			\$	\$

In 16d, enter information about your motor vehicles.

d. Motor Vehicles (cars, boats, trailers, motorcycles, aircrafts, etc.)

	Year, Make, and Model	Name on Title	FMV	Balance Due
1.			\$	\$
2.			\$	\$
3.			\$	\$
4.			\$	\$

In 16e, enter information about your business interests.

In **Type**, enter whether the business is a corporation, S Corp, or LLC, etc.

e. Business Interests

	Name of Business	Type	% of Ownership	FMV
1.				\$
2.				\$
3.				\$

In 16f, enter information about each life insurance policy you have for yourself, the other party, or your children.

f. Life Insurance Policies

	Name of Insurance Company	Type of Policy	Death Benefit	Cash Value
1.			\$	\$
2.			\$	\$
3.			\$	\$

In 16g, enter information about retirement benefits (vested and non-vested).

g. Retirement Benefits and Deferred Compensation (pension plan, annuity, IRA, 401(k), 403(b), SEP)

	Name of Plan	Type of Plan	FMV or Account Balance
1.			\$
2.			\$
3.			\$
4.			\$

In 16h, enter information about your federal and state tax returns for the last 2 years. Check **Refund** if you received money or check **Amount Owed** if you owed additional taxes.

h. Income Tax Refunds or Amounts Owed for the Last 2 Years (federal and state)

	Tax year	Federal: <input type="checkbox"/> Refund <input type="checkbox"/> Amount Owed	State: <input type="checkbox"/> Refund <input type="checkbox"/> Amount Owed
1.		\$	\$
2.		\$	\$

Enter the Case Number given by the Circuit Clerk: \_\_\_\_\_

In 16i, enter information about lawsuits and claims you filed or intend to file. If you did not recover anything, enter \$0, or if your case is still pending or has not yet been filed, enter unknown.

In 16j, enter information for valuable collectible items.

In 16k, enter information for assets or property you transferred or sold in the last 2 years with a FMV of at least \$1,000. Do not include income items listed above in 11.

In 17a-i, enter information about health insurance you have for yourself and your family.

In 17b, enter all carriers if more than one.

In 18, if you need more room to complete this form check yes, and complete and attach the *Additional Information for the Financial Affidavit* form.

i. **Lawsuits and Claims** (*workers' compensation, disability, etc.*)

	Case Number	Date Lawsuit or Claim Filed	Amount Recovered
1.			\$
2.			\$

j. **Valuable Collectibles** (*coins, stamps, art, antiques, etc.*)

	Description	FMV
1.		\$
2.		\$

k. **Transfer or Sale of Assets or Property Within the Last 2 Years With a FMV of at Least \$1,000**

	Description	Transferred or Sold to	Date of Transfer	Amount
1.				\$
2.				\$

**17. Health insurance:**

- a. I have health insurance:  Yes  No
- b. The insurance carrier is: \_\_\_\_\_
- c. The type of insurance is:  Medical  Dental  Optical
- d. Deductible: Per individual: \$ \_\_\_\_\_ Per family \$ \_\_\_\_\_
- e. It covers:  Me  My spouse/partner  My dependents
- f. Type of policy:  HMO  PPO  Full indemnity
- g. Provided by:  Employer  Private policy  Other group
- h. Monthly cost is paid by:  Employer  Employee  Other
- i. Total monthly cost : \$ \_\_\_\_\_

**18. There is an *Additional Information for the Financial Affidavit* form attached:**

- Yes  No

**IMPORTANT:** If you intentionally or recklessly enter inaccurate or misleading information on this form, you may face significant penalties and sanctions, including costs and attorney's fees.

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

**I certify that everything in the *Financial Affidavit* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.**

After you finish this form, sign and print your name and date it.

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Your Name

\_\_\_\_\_  
Date