

PROPERTY AND FINANCIAL AGREEMENT (JDF 1115)

Forms and Instructions can be found on our website:

www.coloradojudicial.gov
Under Self-Help and Forms,
Self-Help Resources, Family Cases

SECTIONS 1 through 4 - Caption -

Section 1:

Colorado County is Larimer...
 Court mailing address is:
 201 Laporte Avenue
 Fort Collins Colorado 80521...

Section 2: The caption will always remain the same - the parties do not change. Enter the Petitioner and Respondent/Co-Petitioner names...

Section 3: This should be completed by one of the parties. If only one party is filing, that party should complete. Enter name, complete address, phone number and email address...

Section 4: Enter case number and courtroom...

JDF 1115	Property and Financial Agreement	
1. District Court Colorado County: _____ Mailing Address: _____		<i>Clerk's Event Code: SEPR</i> <i>This box is for court use only.</i>
2. Parties to the Case Petitioner: _____ & Respondent: _____ <small>(or Co-petitioner)</small>		
3. Filed by Name: _____ Mailing Address: _____ City: _____ St: _____ Zip: _____ Phone: _____ Email: _____		4. Case Details Number: _____ Division: _____ Courtroom: _____

Agreement Type -

Mark the box to indicate the type of agreement that has been reached between the parties:

Box 1: Full Agreement - Both parties agree on all points and both parties sign...

Box 2: Partial Agreement - Both parties agree on *some* points and both parties sign...

Box 3: No Agreement - Fill out based on your preferences, you must sign and send copy to other party, also complete JDF 1129 - Pretrial Statement to discuss what is not in agreement...

Agreement Type (check one)

- Full Agreement**
We agree on everything. We both signed.
- Partial Agreement**
We agree on some parts. We both signed.
- No Agreement**
This form has my preferences. I signed and sent a copy to the other party.

If you do not agree on everything, also fill out form JDF 1129 - Pretrial Statement.

SECTION 6 - Debts -

This section will include all debts that are not secured by property or vehicles. This can include credit cards, student loans and back taxes...

Mark one of the boxes indicating that either the parties do not have this type of debt or have come to an arrangement. If the 2nd box is marked, complete the table with the debt information and indicate who is responsible for payment...

Indicate the total amount that each party agrees to pay...

Section 6. Debts

This part is for the money you **owe**. Examples: Credit cards, student loans, and back IRS taxes.
 This section is **not** for secured debts like mortgages or car loans, which you will list in Section 7.

Unsecured Debts

Check one: The parties do not have this kind of debt (*together or separately*).
 The parties agree to the following arrangement to pay their debts:

Debt owed to (Company/Person)	Amount	Date of Balance	Pt Pays 100%	R/C Pays 100%	Both Responsible (Indicate Percent)
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %
			<input type="checkbox"/>	<input type="checkbox"/>	Pt _____ % R/C _____ %

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Total Debt Petitioner agrees to pay: _____
 Total Debt Respondent (*or co-petitioner*) agrees to pay: _____

SECTION 7A - Real Estate -

Indicate if the parties do not own property or have agreed to divide it...

List and describe the properties to be divided. If more than two, use a separate piece of paper to continue...

Describe the agreement that the parties have come to...

A. Real Estate

Check one: The parties do not own any real estate (*either together or separately*).
 The parties agree to divide their real estate in the following way:

Property 1:
Full Address _____
Who will take ownership? Pt R/C
Who will pay the mortgage, taxes, and insurance? Pt R/C

Property 2:
Full Address _____
Who will take ownership? Pt R/C
Who will pay the mortgage, taxes, and insurance? Pt R/C

The parties agree to: (*check all that apply*)

Sell these properties: _____
Who will cover the costs and maintain the property until it sells? Pt R/C
After paying the sale costs, the proceeds will be divided: Pt %: _____ R/C %: _____

Prepare needed documents, such as a Quit Claim Deed by: (*date*) _____

Equity Pay-Out. The Pt R/C will pay \$ _____
to the Pt R/C by (*date*): _____

Transfer Ownership. The party who will take ownership of the property must transfer title, refinance the loan, and remove the other party from the debt by (*date*) _____

Ownership and title have been transferred, and the lender has been notified of this agreement.

Other: (*explain*) _____

SECTION 7B - Vehicles -

Indicate if the parties own any vehicles. This includes automobiles, off-road vehicles and trailers...

List and describe the vehicles. If more than three, use a separate piece of paper to continue...

Describe the agreement that the parties have come to...

B. Motor Vehicles/ Recreational Vehicles

- Check one: The parties do not own any vehicles or trailers (*either together or separately*).
 The parties agree to divide these items in the following way:

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Vehicle 1:

Year: _____ Make: _____ Model: _____ Vin: _____

Who will take the title? Pt R/C

Who will pay the expenses? Pt R/C

Vehicle 2:

Year: _____ Make: _____ Model: _____ Vin: _____

Who will take the title? Pt R/C

Who will pay the expenses? Pt R/C

Vehicle 3:

Year: _____ Make: _____ Model: _____ Vin: _____

Who will take the title? Pt R/C

Who will pay the expenses? Pt R/C

The parties agree to: (*check all that apply*)

- Sign over the title of the vehicle in their name by (*date*) _____
- Transfer Ownership. The party who will take ownership and title must transfer title, refinance the loan, and remove the other party from the debt by (*date*) _____
- Title has already been transferred and the lender has been notified of this agreement.
- Other: (*explain*) _____

SECTION 7C - Bank Accounts -

Indicate if the parties have any bank accounts or cash. If more than five accounts, continue on a separate piece of paper...

The description must include the name of the banking institution with the last 4 numbers of the account and the account type...

Indicate if the Petitioner or Respondent/Co-Petitioner owns 100% of the account, or if there is a split ownership. If split ownership, you must indicate the percentage of ownership for each party...

Describe the agreed upon division or transfer of these assets...

C. Bank Accounts/Cash

- Check one: The parties do not have any accounts (*either together or separately*).
 The parties agree to divide their accounts as listed below:

Name of Bank; Cash <i>(Include last 4 numbers of account)</i>	Account Type <i>(checking, savings, etc.)</i>	Pt 100%	R/C 100%	Split <i>(Indicate Percent)</i>
		<input type="checkbox"/>	<input type="checkbox"/>	Pt _____% R/C _____%
		<input type="checkbox"/>	<input type="checkbox"/>	Pt _____% R/C _____%
		<input type="checkbox"/>	<input type="checkbox"/>	Pt _____% R/C _____%
		<input type="checkbox"/>	<input type="checkbox"/>	Pt _____% R/C _____%
		<input type="checkbox"/>	<input type="checkbox"/>	Pt _____% R/C _____%

- The parties agree to divide/transfer the funds by: *(date)* _____
- The parties have already divided/transferred the funds per this agreement.
- Other: *(explain)* _____

SECTION 7D - Life Insurance -

Indicate if either party holds a life insurance policy...

Describe the agreement regarding the life insurance policies if applicable...

D. Life Insurance

- Check one:*
- Neither party holds life insurance.
 - The parties agree to the following arrangement for life insurance: *(check one)*
- Neither party is required to keep or have life insurance.
 - Petitioner is required to have life insurance in the amount of: \$ _____
until: *(date)* _____ with the Respondent *(or co-petitioner)* as the beneficiary.
 - Respondent *(or co-pt.)* is required to have life insurance in the amount of \$ _____
until: *(date)* _____ with the Petitioner as the beneficiary.
 - Other: *(explain)* _____

SECTION 7E - Furniture, Household Goods & Personal Property -

Indicate if the parties have personal property to divide, if property has already been divided, or if an agreement is included...

List all personal property and indicate which party gets possession. If more space is needed, continue on a separate piece of paper...

Indicate the schedule for the division of assets...

E. Furniture, Household Goods, Other Personal Property

Check one:

- The Parties don't have personal property to divide.
- The Parties have already divided their personal property.
- The Parties agree to divide their personal property as listed below:

Item (list)	Pt Gets	R/C Gets	Item (list)	Pt Gets	R/C Gets
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

- They agree to divide their personal property by (date) _____
- They have made the following agreement: (explain)

SECTION 7F - Investments & Retirement -

Check all the boxes that apply to your situation...

List all pensions, profit sharing or retirement funds. Indicate the ownership percentage for each party...

List all stocks, bonds, mutual funds and other investments. Indicate the ownership percentage for each party...

F. Investments and Retirement Accounts

Retirement accounts include: all IRAs, 401Ks, pension plans, military retired pay, etc.
(Whether funded personally or by an employer.)

Investments include: all stock, bonds, mutual funds, or other investments which are not part of any retirement accounts.

Important! There are strict rules for dividing retirement funds which may require a Qualified Domestic Relations Order (QDRO). Seek financial advice in preparing a QDRO.

Check all that apply:

The Parties do not have any retirement funds.

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The parties do not have any investments.

A QDRO will be prepared by *(name)* _____ and filed by *(date)* _____

Costs to prepare the QDRO: Pt %: _____ R/C %: _____

The parties agree to divide/transfer funds by *(date)* _____

The parties have already divided/transferred the funds per this agreement.

The parties agree to the following arrangement for investments and retirement accounts:

List Pension, Profit Sharing or Retirement Funds	Pt Gets	R/C Gets
	%	%
	%	%
	%	%

List Stock, Bond, Mutual Fund, etc.	Pt Gets	R/C Gets
	%	%
	%	%
	%	%

Other: *(explain)* _____

SECTION 7G - Miscellaneous Assets -

This section is used for any assets not already covered in the agreement...

Indicate if the parties have any miscellaneous assets...

List out all assets and indicate which party gets ownership...

G. Miscellaneous Assets (includes all property not listed above)

Check one: The parties do not have miscellaneous assets.
 The parties have already divided their miscellaneous assets.
 The parties agree to divide the assets listed below by (date) _____

Asset	Pt Gets	R/C Gets	Asset	Pt Gets	R/C Gets
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Other: (explain) _____

SECTION 7H - Separate Property -

Indicate if the parties have separate property to divide...

List all items and indicate which party gets ownership...

H. Separate Property

Check one:

- The parties do not have separate property.
- The parties have already divided their separate property.
- The parties agree to divide the property listed below by *(date)* _____

Item <i>(list)</i>	Pt Gets	R/C Gets	Item <i>(list)</i>	Pt Gets	R/C Gets
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Other: *(explain)* _____

SECTION 8 - Taxes -

Use this section to indicate how the parties plan to file taxes and deal with any state or federal tax refunds or taxes owed...

Section 8. Taxes

- The parties will file: (*check one*) joint separate married filing separately
tax returns for the following tax years: _____
- The parties will share any state and federal tax refunds or taxes owed in the following way:
Petitioner: _____%; Respondent (*or co-petitioner*): _____%.
- Other: (*explain*) _____

SECTION 9 - Spousal Support - Part 1 -

Check the appropriate boxes regarding spousal support...

Section 9. Spousal Support *(Maintenance or Partner Support)*

Check all that apply:

Important! Each party must read the spousal support guidelines at C.R.S. § 14-10-114. Signing this form means you have read those guidelines.

- Both parties acknowledge that they have reviewed the spousal support/ maintenance guidelines contained in §14-10-114, C.R.S.
- Both parties forever waive their right to spousal support/maintenance.

SECTION 9 - Spousal Support - Part 2 -

Indicate the agreed upon terms of spousal support if applicable...

Indicate the method in which maintenance will be paid...

Choose an option for future maintenance changes...

Both parties agree to the following spousal support/maintenance agreement:

- Petitioner Respondent (*or co-petitioner*) must pay support as follows:
Payment amount: \$ _____
Starting (*date*) _____
Ending: (*date*) _____
How often: (*check one*) monthly twice a month every 2 weeks every week
To be paid on the: _____ day of the (*check one*) week month
 Other: (*explain*) _____
- Pay To: (*check one*)
 Family Support Registry (*FSR*), P.O. Box 2171, Denver, CO 80201-2171
 Petitioner Respondent (*or co-petitioner*)
 Other: (*explain*) _____
- The parties agree: (*check one*)
 Option A This spousal support agreement is contractual and **cannot** be changed in the future.
OR
 Option B The court **can** change these parts of the agreement according to § 14-10-122, C.R.S.: (*check all that apply*)
 The monthly payment amount.
 The date support ends.

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SECTION 10 - Other Terms -

Use this section for any agreements not already listed in Sections 6 through 9...

Section 13 is available for additional space if needed...

Section 10. Other Terms

Add other agreements that were not listed above in Sections 6 – 9:

The parties have made other agreements not listed above, including: *(specify)*

SECTION 11 - Signatures -

Be sure to sign in the correct space based on the caption from page 1...

Section 11. Verified Signature

Before you sign! Read this document carefully. Make sure it shows everything you agreed to.

Petitioner

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the (date) _____ day of (month) _____ (year) _____

at City: (or other location) _____

and State: (or country) _____

Print Your Name: _____

Your Signature: _____

Mailing Address: (with city/state/zip) _____

Lawyer Signature: (If any) _____

Respondent (or co-petitioner)

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the (date) _____ day of (month) _____ (year) _____

at City: (or other location) _____

and State: (or country) _____

Print Your Name: _____

Your Signature: _____

Mailing Address: (with city/state/zip) _____

Lawyer Signature: (If any) _____

SECTION 12 - Certificate of Service -

If only one party is signing the agreement, use this section to indicate to the courts how a copy is being provided to the other party

Section 12. Certificate of Service

Only complete this section if only one party signed the Verification above.

On *(enter service date)* _____

I certify that I sent a copy of this document to the other parties by: *(select one)*

Colorado Courts E-Filing. [www.jbits.courts.state.co.us/efiling]

Regular Mail, addressed to:

Name & full address: _____

Other: *(explain)* _____

Signature: _____