JDF 1115	Property and Financial Agreement

1. District Court

Colorado County: _____

Mailing Address: _____

2. Parties to the Case

Petitioner: _____

&

Respondent: _____
(or Co-petitioner)

Clerk's Event Code: PAFA
This box is for court use only.

3. Filed by

Name: _____

Mailing Address: _____

City: _____ St: ____ Zip: _____

Phone: _____

Email: _____

4. Case Details

Number: _____

Division: _____

Courtroom: _____

Section 5. Background

You may use this form to show the court how you and the other party plan to divide your property and debt and handle spousal support.

Include all items from your *Sworn Financial Statement,* Form JDF 1111. This form provides space for all items from that form. If you have other items to add, please put them in Section 10.

You may attach extra pages to this form if you need more space. You must sign each page you attach.

Important Debt Notice!

Debt that you have with your spouse – including for home loans, car loans, credit cards, will be your debt together until it is fully paid or refinanced under just one of your names.

But even if your name is taken off of the title and this agreement says you no longer are responsible for the debt the lender is not *required* to release you from the debt.

Avoid future joint debt:

Destroy all joint credit cards. Use only individual credit cards to avoid *future* joint debt.

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.

Owner's Responsibilities

Be sure to take care to update the title (legal papers), insurance, contact information, and any other ownership duties.

If you refuse to sign any document needed for this agreement, the Clerk may do it on your behalf. (C.R.C.P. 70) The other party may also ask the court to *fine you* for disobeying an Order.

Note In this form, "Pt" is the Petitioner and "R/C" is the Respondent or Co-Petitioner.

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)*
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%
			☐	☐	Pt _____% R/C _____%

Total Debt Petitioner agrees to pay: _____

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

Section 7: Assets

Questions A-H below are for items of value *(examples: money and property)*. These are items you stated in the Sworn Financial Statement.

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)* _____

_____

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:

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)* _____

_____

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 *(Include last 4 numbers of account)*	**Account Type** *(checking, savings, etc.)*	**Pt** 100%	**R/C** 100%	**Split** *(Indicate Percent)*
		☐	☐	Pt _____% R/C _____%
		☐	☐	Pt _____% R/C _____%
		☐	☐	Pt _____% R/C _____%
		☐	☐	Pt _____% R/C _____%
		☐	☐	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)* _____

_____

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)* _____

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**
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐

☐ They agree to divide their personal property by *(date)* _____

☐ They have made the following agreement: *(explain)*

_____

_____

F. Investments and Retirement Accounts

Retirement accounts include: all IRAs, 401Ks, pension plans, military retired play, 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.

☐ 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)* _____
_____

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
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐

☐ Other: *(explain)* _____

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 *(list)*	Pt Gets	R/C Gets	Item *(list)*	Pt Gets	R/C Gets
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐
	☐	☐		☐	☐

☐ Other: *(explain)* _____

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 *(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.

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

1. The ☐ 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)* _____
2. Pay To: *(check one)*
   ☐ Family Support Registry *(FSR)*, P.O. Box 2171, Denver, CO 80201-2171
   ☐ Petitioner ☐ Respondent *(or co-petitioner)*
   ☐ Other: *(explain)* _____
3. 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.

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. 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

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: _____

Section 13. Additional Information

Space for additional information that didn't fit in the previous sections: