

Instructions for Financial Affidavit Form

The Financial Affidavit is a sworn statement about the financial situation of the party completing the form. It is meant to give the judge and the parties accurate information about the property and debts involved in the divorce. The values used should be as of the day the party completes the Financial Affidavit.

- Complete the top portion of the Financial Affidavit (the “caption”).
 - Fill in the name of the county in which you are filing for divorce. This must be the county in which either you or your spouse live.
 - Fill in the name of the Judicial Circuit that the county in which you are filing for divorce is located. (Ex. First, Second, Third, etc.) If you do not know, contact the Clerk of Courts in your county.
 - Fill in your full legal name where it says “Plaintiff” and your spouse’s name where it says “Defendant.”
 - When you file your papers, the Clerk of Court will assign a case number which you will insert in the space following “DIV.” For example, if your case number is 011234, your form should show DIV.: 01-1234. This case number should appear on all your papers.
- Fill in the personal information in paragraphs (1)-(8). You may want to have a copy of your last tax return to help you. **If you do not know an answer then place a question mark (“?”) in the blank.** If you **know for certain** that you don’t have or receive the item in a paragraph then enter a zero (0).
- Fill in the blanks for sections I, II, and III. Values should be an actual amount (if known) or an estimate of what the property is worth. If you don’t have something listed in those sections, enter a zero (0).
- Make at least 2 photocopies of the signed Summons; one for you and one to be served on your spouse. The original copy will be filed with the Clerk of Courts.
- **You must sign and date the Affidavit in the presence of a notary public or clerk of court. Make sure to bring identification to show the notary public or clerk of court. A notary public can usually be found at the bank and sometimes at the courthouse.**

WARNING: By signing your name, you are telling the court that you are telling the truth and that you have a good faith reason for your requests. If you are not telling the truth, if you are misleading the court, or if you are serving or filing this document for an improper purpose, the court could find you in contempt or you could be prosecuted for not telling the truth.

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF _____)

IN CIRCUIT COURT

_____ JUDICIAL CIRCUIT

_____,
Plaintiff,

vs.

_____,
Defendant.

DIV _____
FINANCIAL AFFIDAVIT

I, _____, hereby swear on oath and under penalty of law that the following is true.
(Name of party completing affidavit)

- (1) My address is _____
- (2) My telephone number is () _____
- (3) I am (check one) _____ EMPLOYED _____ UNEMPLOYED _____ SELF-EMPLOYED
- (4) (If employed) my **weekly** take home pay is: \$ _____.
- (5) Retirement, disability, or insurance benefits: \$ _____ per _____.
- (6) My total income before deductions for year _____ was \$ _____.
- (7) My total income before deductions for year _____ was \$ _____.
- (8) Including myself, I have the following number of dependants: _____.
- (10) The following amounts accurately represent my assets and liability:

I. ASSETS (things I own or am buying)

- a. CASH (on hand or in banks)\$ _____
 - b. ACCOUNTS and NOTES RECEIVABLE (IOU's and other money payable to me).....\$ _____
 - c. INVESTMENTS (stocks, bonds, savings bond, etc.).....\$ _____
 - d. REAL ESTATE (house, land, tribal lease land, rental property, etc.).....\$ _____
 - e. AUTOMOBILE(S) make, model, year:
_____ \$ _____
 - f. HOUSEHOLD GOODS (furniture, appliances, TV, stereo, etc.).....\$ _____
 - g. OTHER PERSONAL PROPERTY (tools, sports equipment, etc.).....\$ _____
 - h. ANY OTHER ASSETS (anything else I could sell or borrow money on).....\$ _____
- TOTAL ASSETS.....\$ _____

II. LIABILITIES (money that I owe)

- a. My regular monthly expenses are: (housing, utilities, food, etc.).....\$ _____
 - b. DEBTS: I owe _____ this amount.....\$ _____
 - I owe _____ this amount.....\$ _____
 - I owe _____ this amount.....\$ _____
- TOTAL LIABILITIES\$ _____

III. ANTICIPATED INCOME (money or property you are expecting)

a. Total monies or income from sale of house or land, gifts, inheritance, allotments,
trust funds, lease money, etc.....\$ _____

Dated: _____

Signature of Person Completing Affidavit

(Sign only in front of notary public or clerk of courts.)

Sworn/affirmed before me this

_____ day of _____, _____.

Notary Public \ Clerk of Courts

(SEAL)