

# Colorado Financial Affidavit

*“Sworn Financial Statement”*

(Version 2006)

## **Installation Instructions, Summary of Features and License Agreement**

**Read this:** There are additional written instructions. To print the additional instructions, do this: After you install the program, start at the *Windows Desktop*. Click *Start*, then *Programs*, then *Financial Affidavit 2006*. Then click on the icon for *Affidavit Instructions (Acrobat)*.

### CUSTOM LEGAL SOFTWARE

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RACY, USEFULNESS, LIMITATIONS AND EVIDENTIARY VALUE OF THE CALCULATIONS PERFORMED BY THE SOFTWARE REMAINS THE RESPONSIBILITY OF THE USER.

All parts of this document shall be interpreted under the laws of the State of Colorado. Only a State District Court in Colorado shall have jurisdiction of any litigation arising out of, or concerning disputes in any way related to (1) this document, (2) the dealings between the parties or (3) Licensee's use of or right to use the Licensed Software.

### **Your right to use and copy the program**

(and the reasons why you should play by the rules)

Your right to use and copy this program is set forth in the License Agreement at the beginning of this booklet. Please honor the License Agreement.

**Reason #1:** This program was expensive to develop and is expensive to maintain. Its continued existence (and your access to continued improvements and support) depends upon the revenue generated from new sales.

**Reason #2:** You will gain nothing (and in the long run hurt yourself) by copying the program, or by allowing others to copy the program, to computer locations beyond the right given by the License Agreement.

**Reason #3:** It is illegal, unethical and just plain wrong to make or allow the making of extra copies. Don't do it. The program is priced low enough so all who need it should be able to afford their own.

Departing partners and associates are encouraged (required) to purchase their own license and not take a copy of your program with them when they leave. The new program price is so low that it's not worth the risk or the hassle to do it any other way.

If you have questions about the extent of your right to use and copy the program, or the cost of additional copies, please call. Thanks.

## Some Preliminary Things to Know

### Which Windows?

This program requires Windows XP or Vista.

### Must use Setup process to Install

Whether Installing new or Updating, you must use the Setup process to successfully Install the program. You cannot create a successful installation by copying the program from one computer to another.

### Multi-computer licensing

The base price of this program entitles you to copy it to and use it from a single computer. For a modest fee (\$29 as of this writing) you can purchase a license to use the program on multiple computers or from multiple stations on a network. The \$29 fee is not \$29 per computer. Just \$29, one time. The multi-computer license assumes that all computers are in use as part of your practice. It does not apply to computers used by other persons or entities with whom you may share offices.

### Getting the program installed on multiple computers (if you purchase the multi-computer license)

Once the multi-computer license has been paid for and you have your new Activation Code, you can use the Customer Support page for Financial Affidavit at [www.legalmath.com](http://www.legalmath.com). There, you can download another copy of the *Setup* file needed to install the program to another computer. Alternatively, you can download the Setup file just one time. Then copy it to a CD or jump drive (a.k.a. memory stick) and use the CD or jump drive for installation on another computer.

For as long as this Version 2006 is the “current” version of the program, you will be able to use the customer support pages at [www.legalmath.com](http://www.legalmath.com), free of charge, to get a replacement (or “same version” update) of this Version 2006 of the program.

### Network Installation

This program can be used by multiple users on a network. However, **the design of the program requires that network users install the program TO each network workstation. Please do not install the program to the network drive!** Once installed to each workstation, you will be able to designate a network location for the program’s data base. If a network location is so designated, all network workstation users can save their files to the same network location. Read more about Network Installation and about the program’s data base in the Instructions mentioned above.

Please consult your Network “expert” about networks. Custom Legal Software is not a network installation resource. Resolving network problems by telephone is no easy task and is not likely to be a productive use of our respective times.

Use of this program on multiple computers or from multiple stations on a network requires payment of the extra charge for a multi-computer license. (\$40 as of 8/1/2006. Very affordable.)

### **Data base explained**

All client data is saved in a single file known as a *data base*. When first installed, the client information data base is put in the same location on your computer as the location of the program itself. Thus, if the program is installed to *c:\program files\affidavit* then the data base will be located at *c:\program files\affidavit\affdata2006.mdb*

(Exception: *Windows Vista* users should be sure to read the file titled “*Wherearemyfiles.pdf*” which can be opened from the *Programs* menu from the Windows Desktop.)

It is possible to specify a location for saving client data to a location that is different than the location of the program itself. Because all client data is all saved in a single data base, the location of the client data can be changed by specifying a new location for the data base.

If you change the location of the data base, the program will create a new data base in the new location and automatically look to the new location for saving and retrieving client information. Because the new location will be somewhere other than the location of the program itself, the new location will be “seen” by the program as being a “network” location. When a “network” data base is created, the original “local” data base will remain behind -- still be present in the folder where the program itself is located.

### **Export/Import**

The program has several features to export and import information for a particular client. These options enable you (1) to move case facts from one computer to another or (2) to move case facts back and forth between a local database file and a network database file.

The program has an feature to export and import an entire database from one location to another. This will be useful if you begin using a new computer and want to bring your old case facts over from the old computer to the new one. Again, you can't just copy the entire program to a new computer. It must be installed using the Setup file. But the database of client facts can be moved across from one computer to the other once the program itself is in place at the new location.

### **Install New Program or Install Updated Program**

When you follow the directions below, here is what to expect:

You will “run” a program called *Setup.exe* that will “walk you through” the install/update process.

As you are “walked through” the install procedure, read all of the text and answer all of the questions. A “normal installation” will result from accepting all of the default answers. Your only job is to click NEXT, OK, YES or NO or CANCEL.

You will be “asked” by the Setup program to specify the drive and directory to which to install the program.

The program can be installed to any hard disk drive and directory, however, it will be automatically installed on Drive *C:* in a directory named *program files\affidavit* unless you furnish some other name during the setup process. Then the program files will be copied to that new directory. **It is seriously recommended that you install the program to the folder mentioned above (meaning, you should not change the default setting).**

**Even on a network, the program is designed to be installed to a local drive.** (Data files can be saved in a single location on a Network drive.)

If you get too creative in determining where to install the program, you make it more difficult for us to provide assistance should something go wrong.

### **Install from Windows**

Put the CD in the CD drive.

After a few seconds, the CD should start to spin and the setup process should activate without intervention on your part.

If the setup process does not start automatically, then, from the Windows Desk Top, click on the **START** button.

Then click on **RUN**

Then click **Browse** and navigate to the CD drive. Once the files on the CD disk are shown, click on "**Setup.exe**" Then click **OK**. [If you know the letter associated with your CD drive, you can just type "**n:setup**" (where **n** stands for the letter that names your CD drive. e.g. **d:setup** Then click **OK**)]

You may get an immediate message telling you that you can't proceed because of other applications that may be active. If this happens, close all other applications. This includes Screen Savers, and any so called "Tool Bar." Press Control Alt Delete to see a list of what applications may be running. Use the "End Task" button to close whatever seems to need to be closed. Try narrowing down the list of active applications to just *Explorer* and *Systray*. The goal is to close any application that may be using a file that may be affected by the setup process.

More likely, you will get a message suggesting that you close all (if any) active applications. ***You will get this message whether or not, in fact, there are other active applications.*** The message is not telling you that there is a problem. It is telling you how to avoid a problem. If there are no active applications, then proceed by clicking OK.

You may also get a message telling you that it will be necessary to re-start your computer in order to complete the installation process. The purpose of this re-start is to complete the installation of several updated Windows files that may be newer than the files already on your computer.

***If you are not able to solve a problem by shutting down other applications or by re-starting your computer, or if you are not able to solve it in some other way, you may need to consult your computer guru to help you figure out what has gone wrong.***

Follow the directions in the setup procedure.

When finished with the setup process, the program's icon (a House and a Car) should appear on the Programs Menu). This icon should also appear as a Shortcut on the Windows Desktop.

### **Run Program from Windows**

From the **Windows Program Menu**

Double click the Affidavit icon. (house with red car in front)

You may also find an Affidavit icon on your "Windows Desktop." The setup process is designed to put a new Affidavit icon on the Desktop that should run your new program.

If your Desktop icon does not behave correctly, you should remove it and create a new Desktop icon. Please do not try to run the Windows version of this program using any icon that was previously put on the Desktop to run the older DOS version of the program.

### **First Time Users**

Proper use of the program is explained within the program itself. The best way to find out how to use the program is to use it for a while. Click on all the buttons. Look at all the menus. Try out all the options. There is nothing to break.

### **Monitor**

From the Opening or Photo Screen click “Settings“ and then click “Colors” to set your desired screen color.

Photo: If the opening screen photograph does not look right, your monitor may be set to display only 16 or 256 colors (instead of some higher number). If this is the case, and you can't set the monitor to display more colors, you may need to make a trip to the computer store. “Low color” monitors will also cause you to experience fuzzy writing on buttons or polka dotted backgrounds, which are never very pleasant.

### **Caption Setup**

When you first run the program, click on *Caption Setup* to furnish your address and phone number for proper printing of the Financial Affidavit caption.

The name of the licensed owner of the program will always appear in the caption of the Affidavit. The Caption Setup area has a screen where you can list the names of several lawyers within your office. You can then select from that list when preparing an Affidavit so that the selected name appears in the caption of the document above the firm name. If your name is the name of the firm, there is no need to put your name on the list of lawyers. Doing so will cause your name to be printed twice.

Use of an email address is optional. If used, the caption will be one line longer (taller). There may be some situations in Denver and Broomfield counties (both of which require a two line Court Caption at the top of the page) where that extra line makes page 1 just one line too long. This may set off a chain reaction which produces an unwanted second (or overflow) page. We suggest you not worry about having your email address appear in the caption to avoid the possibility that this problem will happen to you.

### **Sample case**

Open the case file named “*Sample2006*” and use it to explore all program possibilities.

### **Settings**

From the Opening screen click “Settings” to set or examine the following:

1. Default county name
2. Printing options
3. Font (some do not work as they take too much space)
4. Adjust margins
5. Colors
6. Special user defined lists (your own list of miscellaneous expenses, other income sources and payroll deductions)
7. Data base location
8. Activate/deactivate the “missing information” message
9. Change name of registered owner

**Custom Printing Options**

There are a number of printing options available from the Printing Options menu (Where else would you expect to find them?)

1. Print or not to print the date on page one of the Affidavit.
2. Make the Affidavit say "Mother/Father" rather than "Wife/Husband"
3. Print the Oath and client signature line on a separate page.
4. Set up the Notary block for signature in some other state.
5. Set up the Notary signature to say just "Notary" or to say "Notary/Clerk/Magistrate/Judge"
6. Tell the program that you usually want to prepare the Affidavit to be electronically filed or otherwise electronically sent to opposing counsel or to your client.
7. Select the font to be used when printing the program. The program is designed to be printed with Times New Roman. Other fonts may work, but due to limited space requirements, others are not guaranteed. You may have success with Arial Narrow.
8. Set the program to be used by a lawyer or by a non-lawyer legal professional. This is relevant only to the content of the caption. For non-lawyer users, the caption will be printed to include the name and address of the party or parties rather than the name and address of the licensed user of the program.
9. Set the program to "use words" to describe ownership rather than to use the three "P C/R J" columns that appear on the official JDF 1111 (2006) (See discussion below.)
10. Set the program to refer to "Current Value" rather than "Value as of Today" as the caption of the column in which the value of an asset is printed.

**Option to use words for "P", "C/R" and "J"**

**(This is option #9 above)**

The official JDF Form 1111 (2006) contains the following language and uses three columns titled "P", "C/R" and "J" to specify how property is owned or was acquired. These columns are said to be for separating marital from non-marital property. JDF 1111 also uses a Schedule I for the listing of Separate property.

Theirs:

*If the parties are married*, check under the heading Joint (J) all assets acquired during the marriage but not by gift or inheritance. Under the headings of Petitioner (P) or Co-Petitioner/Respondent (C/R), check assets owned before this marriage and assets acquired by gift or inheritance.

*If the parties were NEVER married to each other or are using this form to modify child support*, list all of each party's assets under the headings of Petitioner (P) or Co-Petitioner/Respondent (C/R).

**"P" = Petitioner, "C/R" = Co-Petitioner or Respondent, "J" = Joint.**

A. Real Estate (Name of Creditor/Lender) <input type="checkbox"/> None	P	C/R	J	Amount Owed	Estimated Value as of Today. Value = what you could sell it for in its current condition.	Net Value/Equity
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Total</b>				\$	\$	\$

We studied this for a very long time. We finally concluded that listing meaningful information about marital and non-marital property in these columns was not programmable. The columns, as defined by the instructions, seem to incorrectly blend the need to differentiate between marital and non-marital property with the usually irrelevant fact of how an asset is titled. They also make it extremely difficult to break out what might be a non-marital interest in an asset that also has a marital asset component (e.g. increased value during the marriage). At a minimum, the "J" column should have been entitled "M".

This program has an option to retain the look and feel of JDF 1111 by retaining these three columns. However, when used, the three columns are used to designate title name, not whether the property is a marital or non-marital asset. Non-marital interests are listed by the addition of a column titled "*Non-marital Property Interests*." This additional column allows disclosure of all interests in a particular asset by putting those interests in the same schedule on the same line. Non-marital assets for all categories are then re-listed together in Schedule I (aye/eye).

But what about the option #9? The option gets rid of the three narrow columns altogether. In their place, the option will force the program to use a single column with words to describe "ownership" (meaning title). Needless to say, we like this format much better. The change can be made on the Printing Options screen. The results, with and without the option to use words, are shown below:

Ours (with three narrow columns):

#### Schedule A. Real Estate

Real Estate  Location Loan Information	How Titled			Current Value	Related Loan Balance	Value of Non-Marital Property Interests (see Schedule I)	Net Marital Equity
	P	C/R	J				
1223 Willow Street, Boulder, Colorado Property type: House 1. Midland Mortgage \$179,000 2. Schwab Line of Credit \$24,500			•	\$345,000 (7/24/2006)	\$203,500		\$141,500
Coal Creek Canyon Property type: Vacation Home Countrywide Mtge \$18,500		•		To be determined	\$18,500	\$12,000	To be determined
[Owned by Billy prior to marriage]							
<b>Total*</b>				Unknown or to be determined	\$222,000	\$12,000	Unknown or to be determined

Ours (alternate, using words with no narrow columns):

**Schedule A. Real Estate**

<b>Real Estate Location Loan Information</b>	<b>How Titled</b>	<b>Current Value</b>	<b>Related Loan Balance</b>	<b>Value of Non-Marital Property Interests (see Schedule I)</b>	<b>Net Marital Equity</b>
1223 Willow Street, Boulder, Colorado Property type: House 1. Midland Mortgage                   \$179,000 2. Schwab Line of Credit               \$24,500	Jointly	\$345,000 (7/24/2006)	\$203,500		\$141,500
Coal Creek Canyon Property type: Vacation Home Countrywide Mtge                       \$18,500	Billy Green	To be determined	\$18,500	\$12,000	To be determined
[Owned by Billy prior to marriage]					
	<b>Total*</b>	Unknown or to be determined	\$222,000	\$12,000	Unknown or to be determined

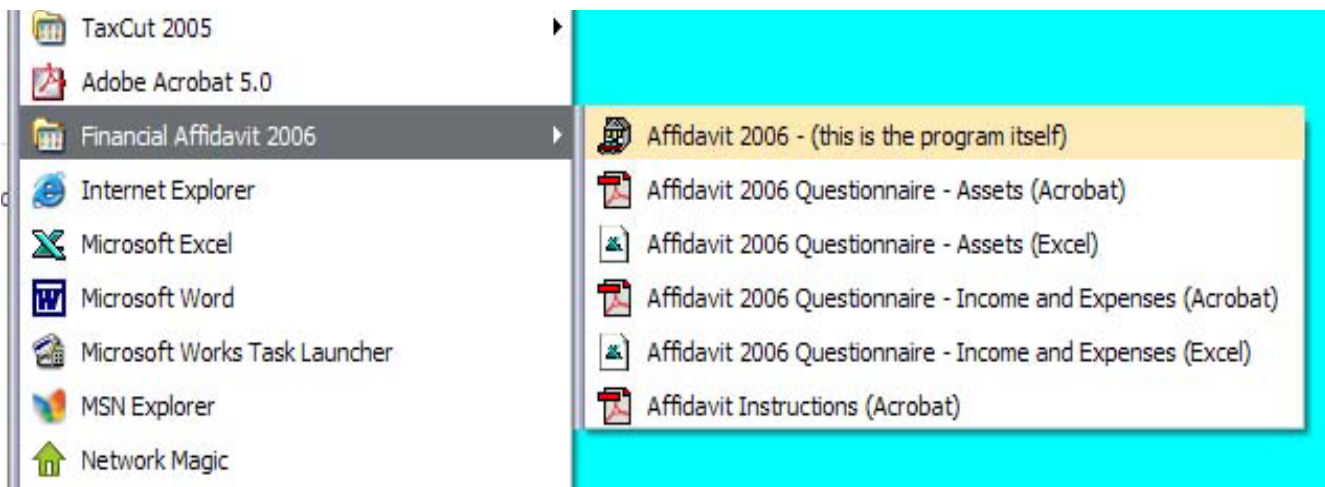
You might have noticed from a comparison of the JDF 1111 image and the two other images above that we have also reversed the *Value* and the *Loan* columns as compared to JDF 1111. We thought ***Value - Loan = Net Equity*** was far easier to understand (left to right) than putting the ***Loan*** amount to the left of the ***Value*** column, and then having to think (right to left, and back to the right again) ***Net Equity = Value - Loan***

## Instructions

From any screen, click “Instructions” to read important program instructions.

## Questionnaire

If you have *Adobe Acrobat Reader* installed on your computer, you can print the *Acrobat* Questionnaire files (there are two – one for Income and Expenses and one for Assets). If you have *Microsoft Excel*, you can print the two *Excel* Questionnaire files. Begin at the *Windows Desk Top* (Do not begin in the Affidavit program). Click *Start*, then *All Programs* then *Financial Affidavit 2006* as shown (for Windows XP) below. Then click whichever Questionnaire icon you want to use.



## Help Messages

Many data entry opportunities are associated with a small button titled *Info*. From time to time, please click these *Info* buttons to read these messages.

## Electronic Filing

The program has some special “printing” features for electronic filing (or for use when you want to attach an Affidavit to an e-mail or to send an Affidavit via fax software directly from your computer). **Read more about Electronic Filing in the “on line” Instructions** mentioned in an earlier section of this document. The program does not save a “form” that can be e-filed. To e-file, you will need to scan the printed document or “print to Adobe Acrobat” (or to some other program that creates PDF files) to create a PDF file that can then be e-filed. The Adobe Acrobat program you will need to do this is the real Adobe Acrobat program, not just the Acrobat Reader.

## Other Features

This program includes the following features:

1. Prepare a post decree or non dissolution affidavit
2. Print a "**Problem Report**". This is a list of blank or unknown items in need of attention. Look for the yellow button in the upper right portion of any data entry screen.
3. Print a **Detail Report**. This is a "control list" of all data facts for a particular case. Look for the green button on the first data entry screen.
4. Prepare and print a **Property Division** Spreadsheet. This feature lets you "allocate" assets as between the parties. This feature presents you with a list of all assets and the associated marital value of each asset. Marital value is market value less related loans less non-marital interests of husband and wife. This feature is available from the *File* Menu.
5. Print a special sheet listing expenses for the children
6. Print a list of all cases which have been saved by the program
7. Transfer a file to a floppy disk
8. Retrieve a file from a floppy disk
9. Print an Affidavit with a customized (non-dissolution) caption
10. Print (or not print) a Certificate of Mailing
11. Print (or not print) a Certificate of Compliance
12. Exclude a value from a total.
13. Indicate that an item is "Unknown" or "To be determined" when it is unknown or not yet available.
14. Print a single page or a range of pages
15. Print or not print your Fax and e-mail address in the caption.
16. Print your Registration Number on the same line as your name or on a separate line by itself.
17. List the names of multiple lawyers within the firm so that you can then select a particular name to appear in the caption for each individual case.

These features are further explained within the program and in the Instructions that you are again encouraged to print and to read.

### **Law Firm Name Change**

Click on “Change name of registered owner” on the Settings menu and follow the directions there for changing the name of the Registered Owner.

If the new name contains a reasonable portion of the original name, the change can be made without getting a new Activation Code.

### **Activation Code**

Custom Legal Software gets more calls about lost numeric Activation Codes than about any other subject. Your Activation Code is originally furnished when you purchase the program. You will need the Activation Code in order to install and run the program on a new computer. **Please take a moment and write your numeric Activation Code below.** Thanks.

**Activation Code:** \_\_\_\_\_

You will be asked to furnish your code the first time you run the program. It must be entered exactly as shown. The code will work only with your name (or the name of your office) as it existed when you purchased the program.

If your firm name changes, you may need to obtain a new code to match the new name. You can do this from the Customer Support section of *www.legalmath.com*.

If the new name contains a reasonable portion of the original name, the change can be made without getting a new Activation Code.

### **Web Site / Home Page of Custom Legal Software**

You are invited to visit *www.legalmath.com*

The Customer Support page at this site (*www.legalmath.com/customer*) will be used to provide update notices and to inform you of important program issues. You will also find links to other sites of interest to those in the legal profession.

If you have information of interest that relates to the workings of this program or to the uses of this program, please bring that information to the attention of Custom Legal Software. Such information will be considered for future versions and for posting on the web site.