

APPLICATION TO RECOGNIZE AN EXTRAPROVINCIAL ORDER FOR GUARDIANSHIP, PARENTING ARRANGEMENTS OR CONTACT

Rule 16(3)

Step 1

COMPLETE the APPLICATION. Use a typewriter or print clearly and firmly. If you accessed this form from the Ministry of Justice website, you may also complete it at the computer and then print it. Make 3 photocopies of the certified copy of the order that you want recognized.



Step 2

FILE the APPLICATION and a certified copy of the extraprovincial order you want recognized, by taking or mailing them to any registry. Make sure you file 3 photocopies of the order, as well as the original. The staff will apply the registry stamp and assign a file number.



Step 3

The registry will set a court date and will return the copies you need for your records. A copy of the application and of the certified copy of the order must be served personally on the other party, by leaving a copy with him or her. Any person at least 19 years of age other than yourself can serve the documents.

The purpose of service is to be sure the other party knows what you are asking for and the court date.

However, in special or urgent circumstances, a judge may make an order without notice having been given to the other party. If you are asking a judge to do this, you must be prepared to give evidence that the circumstances require it.

You may ask the registry if you need more information about serving the documents, such as how to apply for permission to use a different method of service, or to seek an order without notice having been given to the other party.

COURT FILE NO.

If your order does not yet have a B.C. provincial court file number, registry staff will assign one and will record the court location.



CASE NAME:

Copy the parties' names exactly as they appear on the order you want recognized.



FILED BY:

You must be sure that the address for service you give is correct because this is where the registry will send any further notices or information to you. If your address changes at any time, you must file a NOTICE OF CHANGE OF ADDRESS and serve a copy of it on the other party. **IMPORTANT NOTE:** *If you do not want the other party to know your residential address, advise the court registry in writing and provide another address at which you can receive information and notices. Failure to accept service at the address provided could result in a final order being made in your absence.*



NOTICE TO:

Provide the name, address and telephone number of the other party. You may also include a fax number if you know it. Include even if the other party will not be given notice of this application.



Date and Court location of the order that was made by a court outside British Columbia



Sign your name and state today's date.



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Court File Number:
Court Location:

In the Provincial Court of British Columbia

Case name
as it appears on the application.

In the case between:
NAME _____

And:
NAME _____

Applicant's current address for service.

Filed by:
NAME _____

(Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.)

ADDRESS FOR SERVICE _____ CITY _____

PROVINCE _____ POSTAL CODE _____ PHONE _____ E-MAIL _____ FAX _____

Respondent's address. Include even if the respondent will not be given notice of this application.

Notice to:
NAME _____

ADDRESS FOR SERVICE _____ CITY _____

PROVINCE _____ POSTAL CODE _____ PHONE _____ FAX _____

I am asking for recognition of an order of an extraprovincial tribunal made on _____ (MMM/DD/YYYY)
at _____ COURT LOCATION _____
respecting guardianship, parenting arrangements or contact with a child or an order that is similar in nature.

A certified copy of the order is attached.

Dated _____
(MMM/DD/YYYY)

SIGNATURE

APPLICANT'S LAWYER

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Complete this affidavit if personal service was successful.

If you served the application on the back of this page together with another document(s), you need to complete only one affidavit of personal service, listing all documents served on the person named.

Check box(es) for each document served, and name the document. Make sure you mark each attached document with the correct Exhibit letter.

If you must make a correction, or cross anything out, please initial.

This section must be sworn or affirmed before a Commissioner for Taking Affidavits.

AFFIDAVIT OF PERSONAL SERVICE (FORM 5)

I swear or affirm that I _____
NAME OCCUPATION

of _____ personally served _____
ADDRESS NAME OF PERSON SERVED

on _____ at _____
DATE ADDRESS

with a copy of the following documents:

- the application on the back of this page
- EXHIBIT " _ " _____
- EXHIBIT " _ " _____
- EXHIBIT " _ " _____
- EXHIBIT " _ " _____

The party was identified to me in this manner:

- I know the person
- He/she admitted to being this person.
- Other (specify) _____

Sworn or affirmed before me

at _____ British Columbia

DATE on _____

A Commissioner for Taking Affidavits for British Columbia

Signature

Complete this affidavit if you served the application by mail, by fax, e-Mail or by substituted service.

If you served the application on the back of this page together with another document(s), you need to complete only one affidavit of service, listing all documents served on the person named.

Check appropriate box(es) for each document served and name the document. Make sure you mark each attached document with the correct Exhibit letter.

If you must make a correction, or cross anything out, please initial.

This section must be sworn or affirmed before a Commissioner for Taking Affidavits.

AFFIDAVIT OF SERVICE (FORM 13)

I swear or affirm that I _____
NAME OCCUPATION

of _____ served _____
ADDRESS NAME OF PERSON SERVED

on _____ at _____
DATE ADDRESS

with a copy of the following documents:

- | | Name of document |
|--------------------------|--|
| <input type="checkbox"/> | the application on the back of this page |
| <input type="checkbox"/> | EXHIBIT " _ " _____ |
| <input type="checkbox"/> | EXHIBIT " _ " _____ |
| <input type="checkbox"/> | EXHIBIT " _ " _____ |
| <input type="checkbox"/> | EXHIBIT " _ " _____ |

The party was served in this manner:

- Fax (attach a copy of Form 10)
- Mail
- E-Mail
- By substituted service as ordered by the court.

Sworn or affirmed before me

at _____ British Columbia

DATE on _____

A Commissioner for Taking Affidavits for British Columbia

Signature