

Guardianship Affidavit

Form 5

Provincial Court Family Rules
Rules 26, 51 and 172

Registry Location:

Court File Number:

I, _____, _____,
(full name) (occupation)
of _____.
(address of party, city, province)

SWEAR OR AFFIRM THAT:

I know or believe the following facts to be true. If these facts are based on information from others, I believe that information to be true.

1. I am making this affidavit in support of an application under the *Family Law Act* to become a guardian of the following child(ren):

Child's full name	Child's date of birth (mmm/dd/yyyy)	Name(s) of child's current guardian(s)	Name(s) of child's parent(s) who are not current guardian(s)

2. My date of birth is _____.
(mmm/dd/yyyy)

3. The nature and length of my relationship with the child(ren) referred to in paragraph 1 of this affidavit is as follows:

Child's full name	Nature of relationship to child (Specify whether parent, step-parent, grandparent, aunt, uncle, family friend, etc.)	Length of relationship

4. The current living arrangements of the child(ren) referred to in paragraph 1 of this affidavit are as follows:

Child's full name	Current living arrangements

5. I plan to care for the child(ren) referred to in paragraph 1 of this affidavit as follows:

Set out detailed plans for how the child(ren) is/are to be cared for.

6. Select whichever option is correct.

- ☐ **I am not aware** of any incidents of family violence, as that term is defined in section 1 of the *Family Law Act*, that affect the child(ren) referred to in paragraph 1 of this affidavit.
- ☐ **I am aware** of the following incidents of family violence, as that term is defined in section 1 of the *Family Law Act*, that affect the child(ren) referred to in paragraph 1 of this affidavit:
Describe the incidents of family violence of which you are aware

7. Select whichever option is correct.

- ☐ **I am not** a parent, step-parent or guardian of any children except that child/those children referred to in paragraph 1 of this affidavit.
- ☐ **I am** the parent, step-parent or guardian of the following child(ren) who is/are not referred to in paragraph 1 of this affidavit.

Child's full name	Child's date of birth (mmm/dd/yyyy)	Nature of relationship to child (Specify whether parent, step-parent or guardian)

8. Select whichever option is correct.

- ☐ **I have not been** involved in court proceedings in British Columbia under the *Child, Family and Community Service Act*, the *Family Relations Act*, the *Family Law Act*, or the *Divorce Act* (Canada), or in any court proceedings under comparable legislation in any other jurisdiction, concerning children under my care.
- ☐ **I have been** involved in the following court proceedings in British Columbia under the *Child, Family and Community Service Act*, the *Family Relations Act*, the *Family Law Act*, or the *Divorce Act* (Canada), and/or in the following court proceedings under comparable legislation in any other jurisdiction, concerning children under my care.

Item #	Names of the parties to the proceeding	Name and location of court in which the proceeding was conducted	Date of any orders concerning children under my care made in the proceeding
1			
2			
3			

The orders referred to in the table above are attached as Exhibits to this affidavit as follows:

- (a) The order dated _____ referred to in Item _____ above is attached as Exhibit _____ to this affidavit.
(mmm/dd/yyyy) (1, 2, 3, etc.) (A, B, etc.)
- (b) The order dated _____ referred to in Item _____ above is attached as Exhibit _____ to this affidavit.
(mmm/dd/yyyy) (1, 2, 3, etc.) (A, B, etc.)
- (c) The order dated _____ referred to in Item _____ above is attached as Exhibit _____ to this affidavit.
(mmm/dd/yyyy) (1, 2, 3, etc.) (A, B, etc.)

9. Attached to this affidavit and marked as Exhibit _____ (A, B, etc.) is a copy of a British Columbia Ministry of Children and Family Development records check dated _____ (mmm/dd/yyyy).

10. Attached to this affidavit and marked as Exhibit _____ (A, B, etc.) is a copy of a Protection Order Registry protection order records check dated _____ (mmm/dd/yyyy).

11. Attached to this affidavit and marked as Exhibit _____ (A, B, etc.) is a copy of a criminal records check dated _____ (mmm/dd/yyyy) obtained from the _____ (name and location of police force or department from which the criminal records check was obtained)

12. Select whichever option is correct.

- ☐ There are no criminal offences, other than those, if any, specified in the criminal records check referred to in paragraph 11 of this affidavit, of which I have been convicted and not pardoned.
- ☐ In addition to the convictions, if any, specified in the criminal records check referred to in paragraph 11 of this affidavit, I have been convicted of, and not pardoned for, the following criminal offences:
Provide details of any criminal convictions, not referred to in the criminal records check, for which you have not received a pardon

12. Select whichever option is correct.

- ☐ I am not currently charged with any criminal offences.
- ☐ I am currently charged with criminal offences. The particulars of each charge are set out below:

Nature of alleged offence	Date of alleged offence (mmm/dd/yyyy)	Name and location of court in which proceedings are outstanding

Sworn or affirmed before me

at _____, British Columbia
city

on _____
date

A Commissioner for taking Affidavits in British Columbia
[print name or affix stamp of commissioner]

Signature