

APPENDIX 4 – FORMS

FORM #	FORM NAME	PAGE
1	Notice to Resolve a Family Law Matter	1
2	Notice of Intention to Proceed	3
3	Family Law Matter Claim	5
4	Financial Statement	28
5	Guardianship Affidavit	36
6	Reply to a Family Law Matter Claim (with Counterclaim)	39
7	Certificate of Service	78
8	Reply to a Counterclaim	79
9	Application for Case Management Order	96
10	Application for Review	98
11	Application for Case Management Order Without Notice or Attendance	99
12	Application About a Protection Order	108
13	Order Terminating a Protection Order	117
14	Protection Order	118
15	Application About Extraordinary Parenting Matter	120
16	Application for an Order Prohibiting the Relocation of Child	123
17	Application for a Family Law Matter Consent Order	125
18	Consent Order	136
19	Referral Request	138
20	Notice of Exemption from Parenting Education Program	139
21	Subpoena to Witness	140
22	Warrant for Arrest After Subpoena	141
23	Release from Custody	142
24	Request to File an Agreement	143
25	Request to File a Determination	144
26	Request to File an Order	145
27	Application About Enforcement	146
28	Application for Garnishment, Summons or Warrant	149
29	Summons – General	151
30	Warrant for Arrest	152
31	Summons to a Default Hearing	153
32	Summons to a Committal Hearing	154
33	Application for Order Under the Family Maintenance Enforcement Act	155
34	Recognizance – <i>Family Maintenance Enforcement Act</i>	157
35	Restraining Order	158
36	Order for Imprisonment	159
37	Request for Scheduling	160

38	Notice of Lawyer for Child	161
39	Notice of Removal of Lawyer of Record for Child	162
40	Order - General	163
41	Affidavit – General	164
42	Notice of Address Change	165
43	Notice by Advertisement	166
44	Affidavit of Personal Service	167
45	Affidavit of Personal Service of Protection Order	168
46	Electronic Filing Statement	169
47	Fax Filing Cover Sheet	170

Notice to Resolve a Family Law Matter

Registry location:	
Court File Number:	

FORM 1

Provincial Court Family Rules

Rule 12

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I would like help with the following family law matter(s):

Select all options that apply

- parenting arrangements, including parental responsibilities and parenting time
 - child support
 - contact with a child
 - guardianship of a child
 - spousal support
3. I understand I need to provide a copy of the notice to resolve to all parents, step-parents and guardians of each child who is the subject of the family law matter, and/or my spouse, if I am asking for spousal support. They are the other party.
4. The other party is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

5. I am filing this form in the court registry:

Select only one of the options below

- closest to where the child lives most of the time, because my case involves a child-related issue
- closest to where I live, because my case does not involve a child-related issue
- where my existing case with the same party/parties is located

NOTE TO THE PARTIES:

This Notice to Resolve a Family Law Matter has been filed with the Provincial Court of British Columbia.

Before proceeding any further with your court case, each party is required to meet the early resolution requirements described in Rule 12 (see next page for details).

If you do not resolve all family law matters during the early resolution requirements, either party can make a claim to the Provincial Court for a court order. If you do not participate in the early resolution requirements, the other party will be allowed to proceed to the Provincial Court to ask for a court order. A party must have met the requirements for early resolution before they will be allowed to file a Family Law Matter Claim or Reply to a Family Law Matter in the case.

WHAT YOU MUST DO

1. **Contact** Family Justice Services Division to **schedule** your individual **needs assessment**.

[FJSD contact information]

If you have already participated in some or all of the early resolution requirements within the last year, Family Justice Services Division will confirm you have met the requirements for early resolution and prepare the required documents for the Court.

Note: You may be contacted by a needs assessor if someone else has filed a Notice to Resolve a Family Law Matter and named you as the other party in that document.

2. **Participate in a needs assessment**

A needs assessment is a one-on-one meeting with a needs assessor who is a neutral person trained to help people understand this process and other ways that are available to resolve their family law matter and other issues. A needs assessor can provide some legal information, make referrals to supports, including legal advice, and help identify the next steps that are right for you.

3. **Complete a parenting education course**, unless your only issue is spousal support.

Your needs assessor will provide you with more information on the parenting education course right for you and how to complete it.

4. **Participate in consensual dispute resolution**, unless your needs assessor determines that it is not appropriate.

Your needs assessor will provide you with more information on what consensual dispute resolution is, whether it is right for you, and the process for participating in it.

NOTE TO THE PARTIES:

If you require a time sensitive order on a family law matter, you may be able to postpone participation in one or more of the early resolution requirements until after you have received your time sensitive order. Please speak to Family Justice Services Division or the court registry if this situation applies to you.

Reminder:

If you do not resolve all family law matters during the early resolution requirements, either party can file a claim in the Provincial Court to request a court order.

If you do not participate in the early resolution requirements, the other party will be allowed to proceed to the Provincial Court to ask for a court order. A party must have met the requirements for early resolution before they will be allowed to file a Family Law Matter Claim or Reply to a Family Law Matter in the case.

Notice of Intention to Proceed

Registry location:	
Court File Number:	

FORM 2

Provincial Court Family Rules
Rule 17

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. More than one year has passed since the parties have taken any step in my case

3. The last step completed in my case, by any party, was:

Select only one of the options below and complete the required information

- filing of the Notice to Resolve a Family Law Matter on *[mmm/dd/yyyy]*
 participation in a needs assessment on *[mmm/dd/yyyy]*
 completion of a parenting education program on *[mmm/dd/yyyy]*
 participation in consensual dispute resolution on *[mmm/dd/yyyy]*
 filing of the Family Law Matter Claim on *[mmm/dd/yyyy]*
 other (*specify*): _____ on *[mmm/dd/yyyy]*

4. I understand each other party needs to be given notice of my intention to proceed by being served or provided with a copy of this document.

5. The other party is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information and/or address for service, as I know it, are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact information and/or address for service		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

NOTE TO OTHER PARTY:

If the above contact information and/or address for service is not correct, you must file a Notice of Address Change in Form 42 and serve a copy of the notice on each other party.

WHAT YOU MUST DO

If the last step identified in section 3 was any of the following, you must participate in a needs assessment before you may take any further steps in your family law matter:

- filing of the Notice to Resolve a Family Law Matter
- participation in a needs assessment
- completion of a parenting education program
- participation in consensual dispute resolution

To complete your individual needs assessment, **contact** Family Justice Services Division to **schedule** your individual **needs assessment**.

[FJSD contact information]

Note: You may be contacted by a needs assessor if someone else has filed a Notice of Intention to Proceed and named you as the other party in that document.

If the last step identified in section 3 was any of the following, you must attend a family management conference or readiness hearing before you may take any further steps in your family law matter:

- filing of the Family Law Matter Claim
- any other step

The court registry will provide you information about how to schedule your family management conference or readiness hearing once you have filed the Certificate of Service to prove service of the Notice of Intention to Proceed on each other party.

The Notice of Intention to Proceed must be served on the other party by ordinary service if there is an address for service on the court file for the party to be served, or by personal service if there is no address for service on the court file.

Note: To receive notice of the family management conference or readiness hearing, the court registry requires your current contact information and address for service. To update this information, you must file a Notice of Address Change in Form 42 and serve a copy of the notice on each other party.

Family Law Matter Claim

FORM 3

Provincial Court Family Rules

Rule 26

Registry location:	
Court File Number:	

This Family Law Matter Claim has been filed in Provincial Court. It provides notice to each party and the court of the family law matters to be resolved with the help of the court. The Family Law Matter Claim may set out

- a claim for a new order to be made by the court,
- a claim to change or cancel all or part of an existing final order, or
- a claim to set aside or replace all or part of an existing agreement.

If you choose to reply, you or your lawyer must file a completed Reply to a Family Law Matter Claim in Form 6 within 21 days after the date you were served with the Family Law Matter Claim.

To file your reply, you will be required to have met any applicable initial requirements and you may be required to file a financial statement if this claim is about child support and/or spousal support.

If you do not file a Reply to the Family Law Matter Claim within the 21 day period referred to above, you will not be entitled to receive notice of any part of the case, including any conference, hearing or trial, and orders may be made without your knowledge.

Information about the parties

1. My name is *[full name of person]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand all parents, step-parents and current guardians of each child who is the subject of the family law matter, and/or my spouse, if I am applying for spousal support, need to be given notice of my claim by being served with a copy of this document and any supporting documents. They are the other party/parties.

3. The other party is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of Birth: <i>[mmm/dd/yyyy]</i>	
Contact information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Lawyer's Statement

4. Complete this section only if you are a lawyer for the party. You may leave this section blank.

I, [full name of lawyer], the lawyer for [full name of party], acknowledge that I have complied with the requirements of section 8 of the *Family Law Act*.

Initial Requirements

5. I am filing my claim in:

- an early resolution registry and I have met the following requirements:
The requirements have been met if you completed or participated in, or if you were granted an exemption from completing or participating in, the following: Select all options that apply.
 - needs assessment
 - parenting education program
 - consensual dispute resolution
- a family justice registry and I understand I will be required to participate in a needs assessment, unless exempt, before a family management conference or readiness hearing can be scheduled
- a parenting education program registry and I understand I will be required to complete a parenting education program, unless exempt, before a family management conference or readiness hearing can be scheduled
- none of the above

Make a Claim

6. I am applying for a court order about the following family law matter(s):

Select all options that apply, complete and attach the required schedule(s)

Parenting Arrangements

- parenting arrangements – new *[complete and attach Schedule 1]*
including parental responsibilities and parenting time
- parenting arrangements order/agreement – existing *[complete and attach Schedule 2]*
including parental responsibilities and parenting time

Child support

- child support – new *[complete and attach Schedule 3]*
- child support order/agreement – existing *[complete and attach Schedule 4]*

Contact with a child

- contact with a child – new *[complete and attach Schedule 5]*
- contact order/agreement – existing *[complete and attach Schedule 6]*

Guardianship of a child

- appointing a guardian of a child *[complete and attach Schedule 7]*
- cancelling guardianship of a child *[complete and attach Schedule 8]*

Spousal support

- spousal support – new *[complete and attach Schedule 9]*
- spousal support order/agreement – existing *[complete and attach Schedule 10]*

Existing written agreements or court orders

7. *Select only one of the options below*

- There is no existing written agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child, and/or spousal support
- There is an existing written agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child, and/or spousal support
If you have selected this option, attach a copy of the agreement(s) and/or order(s) to your claim

8. There is an existing court order protecting one of the parties, the child(ren), or restraining contact between the parties, including a protection order, child protection or supervision order, peace bond, restraining order, bail condition and other criminal order

Yes No

If yes, attach a copy of the order(s) to your claim

Relationship between the parties

9. The parties are:

Describe how you and the other party/parties are related for the purposes of this family law claim

10. The parties are or have been spouses or live or have lived together in a marriage-like relationship

Yes No

If yes, please complete all options below that apply to the parties

Date on which the parties began to live together in a marriage-like relationship: *[mmm/dd/yyyy]*

Date of marriage: *[mmm/dd/yyyy]*

Date of separation: *[mmm/dd/yyyy]*

Note: Spouses may be separated despite continuing to live in the same residence

Identification of child(ren)

11. *Select only one of the options below and complete the required information*

My claim does not ask for any order(s) about a child or children (*skip section 12*)

My claim is asking for an order(s) about the following child or children:

Child's full name	Child's date of birth <i>(mmm/dd/yyyy)</i>	Child's relationship to me	Child's relationship to the other party/parties	Child is currently living with

12. **I understand that I must consider the child(ren)'s best interests with respect to each order about the child I am asking the court to make.**

Family values

13. *You may choose to complete this section or leave this section blank*

I would like to share the following information with the Court about the cultural, linguistic, religious and spiritual upbringing and heritage of my family, including, if the child is an aboriginal child, the child's aboriginal identity:

SCHEDULE 1 – PARENTING ARRANGEMENTS – NEW

This is Schedule 1 to the Family Law Matter Claim

Complete this schedule only if you are a guardian of a child making a new claim about parenting arrangements for a child or children identified in section 11 of this claim.

Parenting arrangements include how each guardian of a child will parent their child(ren) together, including each guardian’s responsibilities for decision making about a child, and the time each guardian spends with a child.

1. I am:

- a guardian of the child(ren)

A child’s parents are most often the child’s guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies.

- applying to be appointed as a guardian of the child(ren)

A person who is not a parent can become a guardian of a child by a court order or under a will

Parental responsibilities

Parental responsibilities can be set up so that they can be exercised by one or more guardians only, or by each guardian acting separately, or by all guardians acting together.

2. *Select all options that apply and complete the required information*

- I am applying for an order that gives me all parental responsibilities for the following child(ren):

List the name of each child you are requesting all parental responsibilities for

- I am applying for an order for the parental responsibilities to be exercised by the guardians as follows:

Parenting time

During parenting time, a guardian has the parental responsibility of making day-to-day decisions affecting the child and having day-to-day care, control, and supervision of the child. Complete section 3 below only if you are applying for an order about parenting time. You may leave this section blank.

3. I am applying for an order about the allocation of parenting time as follows:

Select all options that apply and complete the required information

- I am asking for the child(ren) to spend time with me as follows:

I am willing to have the following conditions placed on my time with the child(ren):

I am asking for the child(ren) to spend time with the other guardian(s) as follows:

I am asking to have the following conditions placed on the other guardian's time with the child(ren):

Parenting Arrangements

4. *Complete only if applicable. You may leave this section blank.*

I am applying for the following other order term(s) about parenting arrangements:

5. I believe the order about parenting arrangements I am applying for, including parental responsibilities and parenting time, is in the child(ren)'s best interests because:

SCHEDULE 2 – PARENTING ORDER/WRITTEN AGREEMENT – EXISTING

This is Schedule 2 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel all or part of an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, of the child or children identified in section 11 of this claim.

1. I am:

- a guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)

2. I am attaching a copy of the existing final order or agreement about parenting arrangements made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

- I am applying for the existing final order to be:
 - changed
 - cancelled

Since the final order was made, needs or circumstances have changed as follows:

4. *Complete only if applicable. You may leave this section blank.*

- I am applying for all or part of the existing agreement to be:
 - set aside
 - replaced

I believe the agreement is not in the best interests of the child(ren) because:

5. *Complete only if applicable. You may leave this section blank.*

- I am applying for the parental responsibilities (who makes certain decisions about a child) to be changed or replaced as follows:

6. *Complete only if applicable. You may leave this section blank.*

I am applying for the parenting time schedule to be changed or replaced as follows:

7. *Complete only if applicable. You may leave this section blank.*

I am applying for the conditions on my parenting time or the other guardian's parenting time to be changed or replaced as follows:

8. *Complete only if applicable. You may leave this section blank.*

I am applying for the other order term(s) about parenting arrangements to be changed or replaced as follows:

9. I believe the order I am applying for about the existing final order or agreement about parenting arrangements is in the child(ren)'s best interests because:

SCHEDULE 3 – CHILD SUPPORT – NEW

This is Schedule 3 to the Family Law Matter Claim

Complete this schedule only if you are making a new claim for child support and/or special and extraordinary expenses for the child or children identified in section 11 of this claim.

1. I am:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- other (*specify*):

2. The other party is:

- a parent or guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) (*for example, a step-parent*)
- other (*specify*):

3. The child or children spend time with me and the other party as follows:

4. The current support arrangements are as follows:

5. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

6. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank

7. I am applying for an order for ongoing support to be paid by *[name of paying party]* in the monthly amount set out in the child support guidelines table for the following child(ren) identified in section 11 of this claim:

List the name of each child you are applying for support for

8. *Select only one of the options below*

- Each child I am applying for an order for child support for is under 19 years of age
 The following child(ren) is/are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full name of child	Reason for child support <i>Select the applicable option</i>
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student

9. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date this claim is made or the start date of a new job*

Child support payments should start on *[mmm/dd/yyyy or event]* because:

10. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
 I am not attaching calculations because:

11. *Complete only if applicable. You may leave this section blank.*

- The guideline amount payable would cause me undue hardship because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
 I have unusually high expenses to exercise parenting time or contact with the child(ren)
 I have a legal duty to support another person, such as an ill or disabled person or a former spouse
 I have a legal duty to support a dependent child from another relationship
 other undue hardship circumstances (*specify*):

12. *Select only one of the options below*

- I am not applying for an order for special and extraordinary expenses for the child(ren)
- I am applying for an order for special and extraordinary expenses under section 7 of the child support guidelines. The following special or extraordinary expenses (net of tax credits, subsidies, deductions, credits and contributions from the child(ren)) are included in my claim for child support:

Name of Child:				
Special and Extraordinary Expense	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

13. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:
Select all options that apply
 - I am the payor
 - there is split or shared parenting time
 - there is a child 19 years old or over for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance in Form 11 requesting to waive the requirement that this claim be filed with a completed financial statement

IMPORTANT NOTE TO THE OTHER PARTY:

This family law case includes a claim about child support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party’s income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party’s expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 4 – CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 4 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel all or part of an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support, for the child or children identified in section 11 of this claim.

1. The existing final order or agreement requires me to:

Select only one of the options below

- make payments for support of a child or children
- receive payments for support of a child or children
- other (*specify*):

2. I am attaching a copy of the existing final order or agreement about child support made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

I am applying for the existing final order about child support to be:

- changed
- cancelled

Since the final order about child support was made, circumstances have changed as follows:

Select all options that apply and complete the required information

- my financial situation has changed
- I believe the other party's financial situation has changed
- the special and extraordinary expenses for the child(ren) have changed as follows:

the child(ren)'s living arrangement(s) have changed as follows:

information has become available that was not available when the order was made (*specify*):

other changes or circumstances (*specify*):

4. Complete only if applicable. You may leave this section blank.

- I am applying for the existing agreement about child support to be:
 - set aside
 - replaced

I believe the agreement should be set aside or replaced because:

5. Complete only if you are applying to change or replace an existing final order or agreement about child support. You may leave this section blank.

I am applying for the final order or agreement about child support to be changed or replaced as follows:

6. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

7. Complete only if there is unpaid child support. Select only one of the options below.

- I am not applying to reduce the amount of unpaid child support (arrears)
- I am applying to reduce the amount of unpaid child support (arrears) to \$ because:

8. Complete only if there is unpaid child support

I am applying for an order that the remaining unpaid child support (arrears) be paid as follows:

Select all options that apply and complete the required information

- at a rate of \$ per month
- in a lump sum
- other (specify):

9. Select only one of the options below

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

10. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date this claim is made or the start date of a new job*

The order about child support should start on [mmm/dd/yyyy] because:

11. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:
Select all options that apply
- I am the payor
 - there is split or shared parenting time
 - there is a child 19 years old or over for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time because none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance in Form 11 requesting to waive the requirement that this claim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

If this family law case includes a claim to change or replace an order or agreement for child support, you must provide financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 5 – CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Family Law Matter Claim

Complete this schedule only if you are not a guardian of the child or children and you are making a new claim about contact with the child or children identified in section 11 of this claim.

Contact with a child is the time a child spends with a person who is not their guardian.

1. I am not a guardian of the child(ren)
2. I am applying for an order for contact with the following child(ren) identified in section 11 of this claim:
List the name of each child you want to have contact with

3. I am applying for contact with the child(ren) as follows:
Select all options that apply and complete the required information

in person:

Provide specific dates requested, or dates and times that would be most suitable

- telephone communication
- video communication
- written communication
- other method of communication (*specify*):

Complete only if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my contact with the child(ren):

4. I last had contact with the child(ren) on or around [mmm/dd/yyyy]
5. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 –CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 6 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel an existing final order about contact, or to set aside or replace all or part of an existing agreement about contact, with a child or children identified in section 11 of this claim.

1. I am:

- a person allowed to have contact with the child(ren) according to a court order or written agreement
- a guardian of the child(ren)

2. I am attaching a copy of the existing final order or agreement about contact made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

- I am applying for the existing final order about contact with a child or children to be:
 - changed
 - cancelled

Since the order was made, needs or circumstances have changed as follows:

4. *Complete only if applicable. You may leave this section blank.*

- I am applying for all or part of the existing agreement about contact with a child or children to be:
 - set aside
 - replaced

I believe the agreement is not in the best interests of the child(ren) because:

5. *Complete if you are applying to change or replace an existing final order or agreement about contact with a child or children. You may leave this section blank.*

I am applying to change or replace the existing final order or agreement about contact as follows:

Select all options that apply

- no contact of any type

in person:

Provide specific dates requested, or dates and times that would be most suitable

telephone communication

video communication

written communication

other method of communication (*specify*):

Complete only if applicable. You may leave this section blank.

I am applying to have the following conditions placed on the contact with the child(ren):

6. I believe the order I am applying for about the existing final order or agreement about contact with a child or children is in the child(ren)'s best interests because:

DRAFT

SCHEDULE 7 – APPOINTING A GUARDIAN OF A CHILD OR CHILDREN

This is Schedule 7 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to be appointed as a guardian of a child or children identified in section 11 of this claim.

1. I am applying to be appointed as a guardian of the following child(ren) identified in section 11 of this claim:

List the name of each child you want to be appointed as a guardian of

2. *Select only one of the options below*

- I have completed a Guardianship Affidavit in Form 5 and I am filing it along with this claim
- I am not able to complete a Guardianship Affidavit in Form 5 at this time and I have completed an Application for Case Management Order Without Notice or Appearance in Form 11 requesting to waive the requirement that this claim be filed with a completed affidavit

DRAFT

SCHEDULE 8 – CANCELLING GUARDIANSHIP OF A CHILD OR CHILDREN

This is Schedule 8 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to cancel the guardianship of a child or children identified in section 11 of this claim.

1. I am applying for the following person(s) to no longer be the guardian(s) of the child or children:

Full name of guardian	Name of child(ren)	They have been a guardian of the child(ren) since:

2. I am:

- a guardian of the child(ren)
 applying to be appointed as a guardian of the child(ren)

3. I believe it is in the child(ren)'s best interests to cancel the guardianship of the person(s) listed in paragraph 1 because:

DRAFT

SCHEDULE 9 – SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Family Law Matter Claim

Complete this schedule only if you are making a new claim about spousal support.

1. I believe that I am, or the other party is, entitled to spousal support for the following reason(s):

Select all options that apply

- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
- to share the financial consequences arising from caring for the children during the relationship, beyond the duty to provide support for the child
- to relieve economic hardship of the spouses arising from the breakdown of the relationship
- to help each spouse become financially independent within a reasonable period

2. The current support arrangements are as follows:

3. My current employment situation, training, health and ability to work are as follows:

4. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

5. I know the following facts about the other party's employment, training, health and ability to work:

If you do not have any information, please leave this section blank

6. I am applying for an order for spousal support to be paid by *[name of paying party]* as follows:

Select all options that apply and complete the required information

- in the amount of \$ per month to commence on *[mmm/dd/yyyy]* until *[mmm/dd/yyyy]*
- in a lump sum of \$
- other (*specify*):

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

8. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance in Form 11 requesting to waive the requirement that this claim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a claim about spousal support. You must provide your financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

DRAFT

SCHEDULE 10 – SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel an existing final order about spousal support or to set aside or replace all or part of an existing written agreement about spousal support.

1. I am attaching a copy of the existing final order or written agreement about spousal support made on [mmm/dd/yyyy]

2. *Complete only if applicable. You may leave this section blank.*

I am applying for the existing final order about spousal support to be:

changed

cancelled

Since the final order about spousal support was made, circumstances have changed as follows:

Select all options that apply and complete the required information

my financial situation has changed

I believe the other party's financial situation has changed

my employment, training, health and/or ability to work has changed as follows:

I believe the other party's employment, training, health and/or ability to work has changed as follows:

my household expenses have changed as follows:

information has become available that was not available when the order was made (*specify*):

other changes or circumstances (*specify*):

3. Complete only if applicable. You may leave this section blank.

- I am applying for the existing written agreement about spousal support to be:
 - set aside
 - replaced

I believe the agreement should be set aside or replaced because:

4. Complete only if you are applying to change or replace an existing final order or written agreement about spousal support. You may leave this section blank.

I am applying for the final order or agreement about spousal support to be changed or replaced as follows:

5. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

6. Complete only if there is unpaid spousal support. Select only one of the options below.

- I am not applying to reduce the amount of unpaid spousal support (arrears)
- I am applying to reduce the amount of unpaid spousal support (arrears) to \$ because:

7. Complete only if there is unpaid spousal support

I am applying for an order that the remaining unpaid spousal support (arrears) be paid as follows:

Select all options that apply and complete the required information

- at a rate of \$ per month
- in a lump sum
- other (specify):

8. Select only one of the options below

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

9. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance in Form 11 requesting to waive the requirement that this claim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a claim about spousal support. You must provide your financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form 4.

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

DRAFT

Registry location:	
Court File Number:	

Financial Statement

FORM 4

Provincial Court Family Rules

Rules 27, 31 and 32

I, *[full name of party]*, *[occupation]* of *[address of party, city, province]*,

SWEAR OR AFFIRM THAT:

1. The information set out in this financial statement is true, to the best of my knowledge.

2. I have made complete disclosure in this financial statement of:

Select all options that apply

- my income, including benefits and adjustments, if any, in Part 1
- my expenses and debts, in Part 2
- my assets, in Part 3
- income of other person(s) in my household, in Part 4
- undue hardship, in Part 5

Sworn or affirmed before me

at *[city]* British Columbia

on *[date]*

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

Signature

DRAFT

PART 1 – Income

1. I am attaching a copy of each of the following documents to my financial statement:
- my tax return and related schedules for each of the three most recent taxation years; and
 - any notice of assessment and reassessment issued by the CRA for each of the three most recent taxation years
2. All of my sources of income and amounts of income per month are as follows:
Select and complete all that apply. Please use gross amounts (before taxes or deductions).
- employment income of \$ from *[employer]*
 - employment insurance benefits of \$
 - workers compensation benefit of \$
 - interest and investment income of \$
 - pension income of \$
 - government assistance income of \$ from *[source]*
 - self-employment income of \$
 - trust income of \$
 - other income of \$ from *[source]*
3. I am attaching proof of income from all applicable sources, including my:
Select and attach all that apply
- most recent pay stub or statement of earnings, or a letter from my employer stating my salary and/or wages
 - most recent employment insurance benefit statement and record of employment
 - most recent workers compensation benefit statement
 - most recent interest and investment statement
 - most recent pension income statement
 - most recent government assistance statement
 - self-employment income for the three most recent taxation years, including:
 - (i) the financial statements of my business or professional practice, other than a partnership, and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom I do not deal at arm's length
 - confirmation of income and draw from, and capital in, a partnership, for the three most recent taxation years
 - corporate income for the three most recent taxation years, including:
 - (i) the financial statements of the corporation and its subsidiaries, and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation, and every related corporation, does not deal at arm's length
 - trust settlement agreement and the trust's three most recent financial statements
 - other (*specify*):

4. Income Summary:

Use gross annual amounts except where the word "net" appears

Total income before adjustments		
1	My total income last year as indicated at line 150 of my [year] tax return was	\$
Adjustments to total income (use annual amounts)		
2	Taxable child support received	\$
3	Spousal support received	\$
4	Universal Child Care Benefit	\$
5	Split-pension amount	\$
6	Employment expenses	\$
7	Social assistance received for other members of your household	\$
8	Excess portion of dividends from taxable Canadian corporations	\$
9	Actual business investment losses	\$
10	Carrying charges	\$
11	Net partnership or sole proprietorship income (any amount included in your income that is required by the partnership or sole proprietorship for capitalization purposes)	\$
12	Total deductions from income (add lines 2 through 11)	\$
Additions		
13	Capital gains and capital losses (if zero or less, indicate "0" in this line)	\$
14	Net self-employment income	\$
15	Capital cost allowance for property	\$
16	Employee stock options with Canadian-controlled private corporation	\$
17	Total additions to income (add lines 13 through 16)	\$
18	Annual income for support purposes (line 1 minus line 12 plus line 17)	\$

5. Select whichever option is correct and complete any required information

- I do not expect any significant changes to the total income at line 150 of my tax return this year
- I expect my total income at line 150 of my tax return this year to be \$ _____ because:

PART 2 – Personal expenses and debts

Expenses

An expense is the amount of money you spend on something.

Estimate how much you pay in a month and a year for each of the expenses listed below. Note: You may be asked to provide the court with proof of an amount or a breakdown of how you came to the estimate.

Expenses			Monthly	Yearly
Housing			\$	\$
	Monthly	Yearly		
Rent/mortgage				
Property taxes and strata fees				
Utilities include electricity, gas, water, waste, home phone, and internet				
Homeowner/renter’s insurance				
Home maintenance and repair				
Other				
Housing Subtotal:	\$	\$	→	
Food & Household Supplies			\$	\$
	Monthly	Yearly		
Groceries				
Eating out				
Household supplies such as cleaning supplies, lightbulbs, batteries, toilet paper and laundry detergent				
Other				
Food & Household Supplies Subtotal:	\$	\$	→	
Transportation			\$	\$
	Monthly	Yearly		
Car insurance and car loan payments				
Fuel				
Maintenance and repairs				
Public transit, taxis and parking				
Other				
Transportation Subtotal:	\$	\$	→	
Clothing & Self-care			\$	\$
include clothing, hair dresser/barber and cosmetics				
Health & Medical			\$	\$
include regular dental care, orthodontics, medicine, eye glasses or contact lenses				
Children			\$	\$
include school activities, extracurricular activities, tuition/school fees, camps, babysitting, allowances and daycare				
Miscellaneous/Other			\$	\$
include gifts & donations, alcohol, tobacco & cannabis, entertainment & recreation, cell phone, cable, subscription services, pet expenses and vacations				
Premiums, Contributions and Debt Repayment			\$	\$
include life or term insurance premiums, RRSP or other contributions, debt repayment (for expenses not itemized above)				
Other (specify):			\$	\$
Total			\$	\$

PART 3 – Assets

Complete this part only if you are required to provide information about assets. See the chart in the instructions for this form to determine if this part applies to your situation.

An asset is something of value that you own or that belongs to you.

List all your assets in the table below, provide a brief description and how much the asset is currently worth (the value)

Asset	Description of asset	Current value of asset
Real Estate	<i>Street address</i>	<i>Market value</i>
Cars/Boats/Vehicles	<i>Make, model, year</i>	<i>Market value</i>
Cash assets - including cash and bank accounts	<i>Type of cash asset (for example cash, savings account, chequing account)</i>	<i>Current balance</i>
Investments - including TFSA's, RRSP's, stocks and bonds, pensions	<i>Type of investment</i>	<i>Current balance</i>
Loans and Credit (money owing to me)	<i>Name of borrower</i>	<i>Amount owing</i>
Other - including precious metals, art, jewellery or other items of high value	<i>Brief description</i>	<i>Market value</i>
Total		

DISPOSITION OF ASSETS

I have sold or disposed of an asset(s) in the last two years yes no

If yes, please describe the asset(s) you sold or disposed of and indicate how much you made from the sale or disposal

PART 4 – Income of Other Persons in Household

Complete this part only if you or the other party has made a claim for undue hardship in a child support claim. Complete all sections that apply to your circumstances. You may leave a section blank.

- 1. I live alone
- 2. I am living with *[full name of person I am married to or cohabitating with]*. They have an annual income of \$

- 3. I/we live with the following other adult(s):

Full name of adult	Annual income

- 4. I/we have *[number of children]* child(ren) who live(s) in the home
- 5. My spouse/partner or other adult(s) residing in the home contributes about \$ per *[frequency of contribution(s)]* towards the household expenses

DRAFT

PART 5 – Undue Hardship

Complete this part only if you have made a claim for undue hardship in a child support claim.

Complete all sections that apply to your circumstances. You may leave a section blank.

1. I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living as follows:

Name of creditor and reason for borrowing <i>(name of bank, finance company, etc.)</i>	Balance owing	Annual debt repayment

2. I have unusually high expenses to exercise parenting time or contact with the child(ren)
Specify below what expenses you have

3. I have a legal duty to support another person, such as a person who is ill or disabled or a former spouse

Full name of adult you support	Monthly amount paid for support	Annual amount paid for support

4. I have a legal duty to support a dependant child from another relationship

Full name of dependant you support	Monthly amount paid for support	Annual amount paid for support

5. other undue hardship circumstances *(specify)*:

Guardianship Affidavit

FORM 5

Provincial Court Family Rules

Rules 27, 28, 49, 73 and 135

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 <i>Specify whether parent, step-parent, grandparent, aunt, uncle, family friend etc.</i>	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 <i>Specify whether parent, step-parent or guardian.</i>

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 [mmm/dd/yyyy] referred to in Item [1, 2, 3, etc.] above is attached as Exhibit [A, B, etc.] to this affidavit

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

- 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

13. 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 [city] British Columbia
on [date]

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



Signature

Reply to a Family Law

Matter Claim

With Counterclaim

FORM 6

Provincial Court Family Rules

Rule 31

Registry location:	
Court File Number:	

Information about the parties

1. The Family Law Matter Claim was started by *[full name of the other party]*. They are the other party in this family law case.

2. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Lawyer's Statement

3. Complete this section only if you are a lawyer for the party. You may leave this section blank.

I, *[full name of lawyer]*, the lawyer for *[full name of party]*, acknowledge that I have complied with the requirements of section 8 of the *Family Law Act*.

Identification of child(ren)

4. Select only one of the options below

- The claim does not ask for any order(s) about a child or children (*skip ahead to section 6*)
- The other party correctly provided the name and date of birth of each child involved in the claim
- The following is the correct name and date of birth of each child involved in the claim:

If you have selected this option, please provide the name and date of birth of ALL the children

Child's full name	Child's date of birth (<i>mmm/dd/yyyy</i>)

5. I understand that I must consider the child(ren)'s best interests with respect to each order about the child I am asking the court to make.

Family values

6. You may choose to complete this section or leave this section blank

I would like to share the following information with the Court about the cultural, linguistic, religious and spiritual upbringing and heritage of my family, including, if the child is an aboriginal child, the child's aboriginal identity:

Existing written agreements or court orders

7. *Select only one of the options below*

- I agree there is no existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support
- I agree there is an existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support and the other party has identified each of them
- The additional existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support was not provided by the other party with their claim

If you have selected this option, attach a copy of the agreement(s) and/or order(s) to your reply

8. There is an existing court order protecting one of the parties, the child(ren), or restraining contact between the parties, including a protection order, child protection or supervision order, peace bond, restraining order, bail condition or other criminal order that was not provided by the other party with their claim

- Yes No

If yes, attach a copy of the order(s) to your reply

Initial Requirements

9. I am filing my reply in:

- an early resolution registry and I have met the following requirements:
The requirements have been met if you completed or participated in, or if you were granted an exemption from completing or participating in, the following: Select all options that apply.
 - needs assessment
 - parenting education program
 - consensual dispute resolution
- a family justice registry and I understand I will be required to participate in a needs assessment, unless exempt, before a family management conference or readiness hearing can be scheduled
- a parenting education program registry and I understand I will be required to complete a parenting education program, unless exempt, before a family management conference or readiness hearing can be scheduled
- none of the above

Replying to the Other Party

Agreement with Claim(s)

10. I agree with the following order(s) applied for by the other party:

*Refer to the Family Law Matter Claim schedules as referenced below to assist in completing this section.
Select all options that apply.*

Parenting Arrangements

Parenting arrangements – new *[see Schedule 1 of Family Law Matter Claim]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[see Schedule 2 of Family Law Matter Claim]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

Child support

- child support – new *[see Schedule 3 of Family Law Matter Claim]*
- child support order/agreement – existing *[see Schedule 4 of Family Law Matter Claim]*

Contact with a child

- contact with a child – new *[see Schedule 5 of Family Law Matter Claim]*
- contact order/agreement – existing *[see Schedule 6 of Family Law Matter Claim]*

Guardianship of a child

- appointing a guardian of a child *[see Schedule 7 of Family Law Matter Claim]*
- cancelling guardianship of a child *[see Schedule 8 of Family Law Matter Claim]*

Spousal support

- spousal support – new *[see Schedule 9 of Family Law Matter Claim]*
- spousal support order/written agreement – existing *[see Schedule 10 of Family Law Matter Claim]*

Disagreement with Claim(s)

11. I do not agree to all or part of the following order(s) applied for by the other party:

Refer to the Family Law Matter Claim schedules to assist in completing this section.

Select all options that apply, complete and attach the required schedule(s).

Parenting Arrangements

Parenting arrangements – new *[complete and attach Schedule 1]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[complete and attach Schedule 2]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

Child support

- child support – new *[complete and attach Schedule 3]*
- child support order/agreement – existing *[complete and attach Schedule 4]*

Contact with a child

- contact with a child – new *[complete and attach Schedule 5]*
- contact order/agreement – existing *[complete and attach Schedule 6]*

Guardianship of a child

- appointing a guardian of a child *[complete and attach Schedule 7]*
- cancelling guardianship of a child *[complete and attach Schedule 8]*

Spousal support

- spousal support – new *[complete and attach Schedule 9]*
- spousal support order/written agreement – existing *[complete and attach Schedule 10]*

IMPORTANT NOTE:

If this family law case includes a claim about support, you must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

Making a Counterclaim

Complete this section only if, in addition to replying to the other party’s claim, you want to apply for an order about a family law matter that the other party did not make a claim about in section 6 of their Family Law Matter Claim

12. I am applying for a court order about the following family law matter(s):

Select all options that apply, complete and attach the required schedule(s)

Parenting Arrangements

- parenting arrangements – new [complete and attach Schedule 11] including parental responsibilities and parenting time
- parenting arrangements order/agreement – existing [complete and attach Schedule 12] including parental responsibilities and parenting time

Child support

- child support – new [complete and attach Schedule 13]
- child support order/agreement – existing [complete and attach Schedule 14]

Contact with a child

- contact with a child – new [complete and attach Schedule 15]
- contact order/agreement – existing [complete and attach Schedule 16]

Guardianship of a child

- appointing a guardian of a child [complete and attach Schedule 17]
- cancelling guardianship of a child [complete and attach Schedule 18]

Spousal support

- spousal support – new [complete and attach Schedule 19]
- spousal support order/written agreement – existing [complete and attach Schedule 20]

Identification of child(ren)

13. Select only one of the options below and complete the required information

- My counterclaim does not ask for any order(s) about a child or children (skip section 14)
- My counterclaim is asking for an order(s) about the following child or children:

Child’s full name	Child’s date of birth (mmm/dd/yyyy)	Child’s relationship to me	Child’s relationship to the other party/parties	Child is currently living with

14. I understand that I must consider the child(ren)’s best interests with respect to each order about the child I am asking the court to make.

Note to the other party:

If the reply includes a counterclaim, you may reply to the counterclaim by filing a Reply to a Counterclaim in Form 8, and any additional documents that may be required to be filed, within 14 days after the date you receive the reply with counterclaim.

SCHEDULE 1 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – NEW

This is Schedule 1 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about parenting arrangements for the child or children. The order they applied for about parenting arrangements can be found in Schedule 1 of their Family Law Matter Claim.

1. I do not agree to all or part of the following order(s) about parenting arrangements applied for by the other party:

Select all options that apply and complete the required part(s)

- parental responsibilities *(complete Part 1 of this Schedule)*
- parenting time schedule *(complete Part 2 of this Schedule)*
- conditions on parenting time *(complete Part 3 of this Schedule)*

PART 1 – REPLY TO A CLAIM – PARENTAL RESPONSIBILITIES

Complete this part only if you are disagreeing with an order about parental responsibilities requested by the other party. You may leave this part blank.

1. I do not agree with the requested allocation of parental responsibilities because:

2. I am asking for the parental responsibilities to be exercised by the guardians as follows:

3. I believe the parental responsibilities I am asking for are in the child(ren)'s best interests because:

PART 2 – REPLY TO A CLAIM – PARENTING TIME SCHEDULE

Complete this part only if you are disagreeing with an order about the parenting time schedule requested by the other party. You may leave this part blank.

1. I do not agree with the requested parenting time schedule because:

2. I am asking for the parenting time schedule to be as follows:

3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

PART 3 – REPLY TO A CLAIM – CONDITIONS ON PARENTING TIME

Complete this part only if you are disagreeing with an order about the conditions on parenting time requested by the other party. You may leave this part blank.

1. I do not agree with the requested conditions on my parenting time or the other guardian's parenting time because:

2. I am asking for the conditions on my parenting time or the other guardian's parenting time to be as follows:

3. I believe the conditions I have asked for on parenting time are in the child(ren)'s best interests because:

SCHEDULE 2 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – EXISTING

This is Schedule 2 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, for the child or children. The order they applied for about parenting arrangements can be found in Schedule 2 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about parenting arrangements was made
- There has been no change in needs or circumstances since the final order about parenting arrangements was made
- I agree the agreement about parenting arrangements is not in the best interests of the child(ren)
- I believe the agreement about parenting arrangements is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about parenting arrangements to continue to be in place
- I am applying to change or replace the existing final order or agreement about parenting arrangements as follows:

4. I believe the order about parenting arrangements I am applying for is in the child(ren)'s best interests because:

SCHEDULE 3 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – NEW

This is Schedule 3 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about child support. The order they applied for about child support can be found in Schedule 3 of their Family Law Matter Claim.

1. I am:

- a parent to the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- not a parent of the child(ren)
 - I request a parentage test *(Check only if applicable)*
- not a person standing in the place of a parent to the child(ren)

2. I do not agree with the order about child support requested by the other party because:

Select all options that apply and complete the required information

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

Explain below

- I believe the special and extraordinary expenses are not what the other party claims they are

Explain below

- the living arrangements for the child(ren) are not as described

Describe the child(ren)'s living arrangements below

- the amount would cause me undue hardship because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have unusually high expenses to exercise parenting time or contact with the child(ren)
- I have a legal duty to support another person, such as an ill or disabled person or a former spouse
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances *(specify):*

- other reason *(specify):*

3. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations because:

IMPORTANT NOTE:

This family law case includes a claim about child support. You must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 4 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – EXISTING

This is Schedule 4 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support. The order they applied for about child support can be found in Schedule 4 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about child support was made
- There has been no change in circumstances since the final order about child support was made
- I agree the agreement about child support should be set aside or replaced
- I believe the agreement about child support was made on consideration of s.150 of the *Family Law Act*

2. I do not agree with the requested order about the existing final order or agreement about child support because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about child support to continue to be in place
- I am applying to change or replace the existing final order or agreement about child support as follows:

4. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

5. *Select only one of the options below*

- I agree that the amount of unpaid child support (arrears) in the claim is correct
- The amount of unpaid child support (arrears) in the claim is not correct. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

IMPORTANT NOTE:

This family law case includes a claim to change an existing final order or agreement about child support. You must provide updated financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 5 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about contact with a child or children. The order they applied for about contact can be found in Schedule 5 of their Family Law Matter Claim.

1. I do not agree that the other party should have contact with the child(ren) as the other party requested. Instead, I ask that the other party's contact with the child(ren) be as follows:

Select all options that apply and complete the required information

- no contact of any type
- in person:

Provide specific dates requested, or dates and times that would be most suitable

- telephone communication
- video communication
- written communication
- other method of communication (*specify*):

Complete only if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the contact with the child(ren):

2. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – EXISTING

This is Schedule 6 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about contact, or to set aside or replace an existing agreement about contact, with a child or children. The order they applied for about contact can be found in Schedule 6 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about contact was made
- There has been no change in needs or circumstances since the final order about contact was made
- I agree the agreement is not in the best interests of the child(ren)
- I believe the agreement is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement about contact with a child or children because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about contact with a child or children to continue to be in place
- I am applying to change or replace the existing final order or agreement about contact with a child or children as follows:

4. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 7 – REPLY TO A CLAIM ABOUT APPOINTING A GUARDIAN OF A CHILD OR CHILDREN

This is Schedule 7 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to be appointed as a guardian of a child or children. The order they applied for about guardianship of a child can be found in Schedule 7 of their Family Law Matter Claim.

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian of the child(ren) because:

Select all options that apply and explain why

- the other party is not able to be a guardian because:

- the other party is not suitable to be a guardian because:

- other reason(s) (*specify*):

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SCHEDULE 8 – REPLY TO A CLAIM ABOUT CANCELLING GUARDIANSHIP OF CHILD OR CHILDREN

This is Schedule 8 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to cancel guardianship of a child or children. The order they applied for about cancelling guardianship can be found in Schedule 8 of their Family Law Matter Claim.

1. Do not cancel guardianship of the child(ren) as requested because:

Select all options that apply and explain why

the guardian is able and willing to be a guardian because:

the guardian is suitable to be a guardian because:

the guardian does not consent to cancellation of their guardianship because:

other reason(s) *(specify)*:

2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:

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SCHEDULE 9 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about spousal support. The order they applied for about spousal support can be found in Schedule 9 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the order about spousal support requested by the other party because:

Select all options that apply and complete the required information

- I do not believe the other party is entitled to spousal support

Explain below

- my income is not what the other party claims it is

- my employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's financial situation is not what they claim it is

Explain below

- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's expenses are not what they claim them to be

Explain below

- other reason (*specify*):

3. The order for spousal support that I believe should be made is as follows:

Select all options that apply and complete the required information

- in the amount of \$ _____ per month to commence on [mmm/dd/yyyy] until [mmm/dd/yyyy]
- in a lump sum of \$ _____
- other (specify): _____

4. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

5. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement to file this reply with a completed financial statement

IMPORTANT NOTE:

This family law case includes a claim about spousal support. You must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 10 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about spousal support, or to set aside or replace all or part of an existing written agreement about spousal support. The order they applied for about spousal support can be found in Schedule 10 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about spousal support was made
- There has been no change in circumstances since the final order about spousal support was made
- I agree the circumstances were as described by the other party when the written agreement about spousal support was made
- I do not believe the circumstances as described by the other party existed when the written agreement about spousal support was made

2. *Select only one of the options below*

- I agree that the amount of unpaid spousal support (arrears) in the claim is correct
- The amount of unpaid spousal support (arrears) in the claim is not correct. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

3. I do not agree with the requested order about the existing final order or written agreement about spousal support because:

4. *Select only one of the options below*

- I am applying for the existing final order or written agreement about spousal support to continue to be in place
- I am applying to change or replace the existing final order or written agreement about spousal support as follows:

5. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

6. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

IMPORTANT NOTE:

This family law case includes a claim to change or replace a final order or written agreement about spousal support. You must provide updated financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 11 – COUNTERCLAIM PARENTING ARRANGEMENTS – NEW

This is Schedule 11 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are a guardian of a child making a new counterclaim about parenting arrangements for a child or children identified in section 13 of the reply with counterclaim.

Parenting arrangements include how each guardian of a child will parent their child(ren) together, including each guardian’s responsibilities for decision making about a child, and the time each guardian spends with a child.

1. I am:

- a guardian of the child(ren)

A child’s parents are most often the child’s guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian of a child if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies.

- applying to become a guardian of the child(ren)

A person who is not a parent can become a guardian of a child by a court order or under a will

Parental responsibilities

Parental responsibilities can be set up so that they can be exercised by one or more guardians only, or by each guardian acting separately, or by all guardians acting together.

2. *Select all options that apply and complete the required information*

- I am applying for an order that gives me all parental responsibilities of the following child(ren):

List the name of each child you are requesting all parental responsibilities for

- I am applying for an order for the parental responsibilities to be exercised by the guardians as follows:

Parenting time

During parenting time, a guardian has the parental responsibility of making day-to-day decisions affecting the child and having day-to-day care, control, and supervision of the child. Complete section 3 below only if you are applying for an order about parenting time. You may leave this section blank.

3. I am applying for an order about the allocation of parenting time as follows:

- I want the child(ren) to spend time with me as follows:

I am willing to have the following conditions placed on my time with the child(ren):

I am asking for the child(ren) to spend time with the other guardian(s) as follows:

I am asking to have the following conditions placed on the other guardian's time with the child(ren):

Parenting Arrangements

4. *Complete only if applicable. You may leave this section blank.*

I am applying for the following other order term(s) about parenting arrangements:

5. I believe the order about parenting arrangements I am applying for, including parental responsibilities and parenting time, is in the child(ren)'s best interests because:

SCHEDULE 12 – COUNTERCLAIM PARENTING ORDER/WRITTEN AGREEMENT – EXISTING

This is Schedule 12 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel all or part of an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, of the child or children identified in section 13 of the reply with counterclaim.

1. I am:

- a guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)

2. I am attaching a copy of the existing final order or agreement about parenting arrangements made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

- I am applying for the existing final order to be:
 - changed
 - cancelled

Since the final order was made, needs or circumstances have changed as follows:

4. *Complete only if applicable. You may leave this section blank.*

- I am applying for all or part of the existing agreement to be:
 - set aside
 - replaced

I believe the agreement is not in the best interests of the child(ren) because:

5. *Complete only if applicable. You may leave this section blank.*

- I am applying for the parenting responsibilities (who makes certain decisions about the child(ren)) to be changed or replaced as follows:

6. *Complete only if applicable. You may leave this section blank.*

I am applying for the parenting time schedule to be changed or replaced as follows:

7. *Complete only if applicable. You may leave this section blank.*

I am applying for the conditions on my parenting time or the other guardian's parenting time to be changed or replaced as follows:

8. *Complete only if applicable. You may leave this section blank.*

I am applying for the other order term(s) about parenting arrangements to be changed or replaced as follows:

9. I believe the order I am applying for about the existing parenting order or agreement is in the child(ren)'s best interests because:

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SCHEDULE 13 – COUNTERCLAIM CHILD SUPPORT – NEW

This is Schedule 13 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a new counterclaim for child support and/or special and extraordinary expenses for the child or children identified in section 13 of the reply with counterclaim.

1. I am:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- other (*specify*):

2. The other party is:

- a parent or guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) (*for example, a step-parent*)
- other (*specify*):

3. The child or children spend time with me and the other party as follows:

4. The current support arrangements are as follows:

5. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

6. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank

7. I am applying for an order for ongoing child support to be paid by *[name of paying party]* in the monthly amount set out in the child support guidelines table for the following child(ren) identified in section 13 of this reply with counterclaim:

List the name of each child you are applying for support for

8. *Select only one of the options below*

- Each child I am applying for an order about child support for is under 19 years of age
- The following child(ren) is/are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full name of child	Reason for child support <i>Select the applicable option</i>
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student

9. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the claim is made or the start date of a new job*

Child support payments should start on *[mmm/dd/yyyy or event]* because:

10. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

11. *Complete only if applicable. You may leave this section blank.*

- The guideline amount payable would cause me undue hardship because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have unusually high expenses to exercise parenting time or contact with the child(ren)
- I have a legal duty to support another person, such as an ill or disabled person or a former spouse
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances (*specify*):

12. *Select only one of the options below*

- I am not applying for an order for special and extraordinary expenses for the child(ren)
- I am applying for an order for special and extraordinary expenses under section 7 of the child support guidelines. The following special or extraordinary expenses (net of tax credits, subsidies, deductions, credits and contributions from the children) are included in my claim for child support:

Name of Child:				
Special and Extraordinary Expenses	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

13. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:
Select all options that apply
 - I am the payor
 - there is split or shared parenting time
 - there is a child 19 years old or over for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

IMPORTANT NOTE TO THE OTHER PARTY:

This family law case includes a counterclaim about child support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party’s income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party’s expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 14 – COUNTERCLAIM CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 14 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel all or part of an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support, for the child or children identified in section 13 of the reply with counterclaim.

1. The existing final order or agreement requires me to:

Select only one of the options below

- make payments for support of a child or children
- receive payments for support of a child or children
- other (*specify*):

2. I am attaching a copy of the existing final order or agreement about child support made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

- I am applying for the existing final order about child support to be:
 - changed
 - cancelled

Since the final order about child support was made, circumstances have changed as follows:

Select all options that apply and complete the required information

- my financial situation has changed
- I believe the other party's financial situation has changed
- the special and extraordinary expenses for the child(ren) have changed as follows:

- the child(ren)'s living arrangement(s) have changed as follows:

- information has become available that was not available when the order was made (*specify*):

- other changes or circumstances (*specify*):

4. Complete only if applicable. You may leave this section blank.

- I am applying for the existing agreement about child support to be:
 - set aside
 - replaced

I believe the agreement should be set aside or replaced because:

5. Complete only if you are applying to change or replace an existing final order or agreement about child support. You may leave this section blank.

I am applying for the final order or agreement about child support to be changed or replaced as follows:

6. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

7. Complete only if there is unpaid child support. Select only one of the options below.

- I am not applying to reduce the amount of unpaid child support (arrears)
- I am applying to reduce the amount of unpaid child support (arrears) to \$ because:

8. Complete only if there is unpaid child support

I am applying for an order that the remaining unpaid child support (arrears) be paid as follows:

Select all options that apply and complete the required information

- at a rate of \$ per month
- in a lump sum
- other (specify):

9. Select only one of the options below

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

10. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the claim is made or the start date of a new job*
The order about child support should start on [mmm/dd/yyyy] because:

11. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:
Select all options that apply
- I am the payor
 - there is split or shared parenting time
 - there is a child 19 years old or over for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

If this family law case includes a counterclaim to change or replace an order or agreement about child support, you must provide financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 15 – COUNTERCLAIM CONTACT WITH A CHILD – NEW

This is Schedule 15 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are not a guardian of the child or children and you are making a new counterclaim about contact with the child or children identified in section 13 of the reply with counterclaim. Contact with a child is the time a child spends with a person who is not their guardian.

1. I am not a guardian of the child(ren)
2. I am applying for an order for contact with the following child(ren) identified in section 13 of this reply with counterclaim:
List the name of each child you want to have contact with

3. I am applying for contact with the child(ren) as follows:
Select all options that apply and complete the required information

in person:

Provide specific dates requested, or dates and times that would be most suitable

telephone communication

video communication

written communication

other method of communication (*specify*):

Complete only if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my contact with the child(ren):

4. I last had contact with the child(ren) on or around [mmm/dd/yyyy]

5. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 16 – COUNTERCLAIM CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 16 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a claim to change or cancel an existing final order about contact, or to set aside or replace all or part of an existing agreement about contact, with a child or children identified in section 13 of the reply with counterclaim.

1. I am:

- a person allowed to have contact with the child(ren) according to a court order or written agreement
- a guardian of the child(ren)

2. I am attaching a copy of the existing final order or agreement about contact made on [mmm/dd/yyyy]

3. *Complete only if applicable. You may leave this section blank.*

- I am applying for the existing final order about contact with a child or children to be:
 - changed
 - cancelled

Since the order was made, needs or circumstances have changed as follows:

4. *Complete only if applicable. You may leave this section blank.*

- I am applying for all or part of the existing agreement about contact with a child or children to be:
 - set aside
 - replaced

I believe the agreement is not in the best interests of the child(ren) because:

5. *Complete if you are applying to change or replace an existing final order or agreement about contact with a child or children. You may leave this section blank.*

I am applying to change or replace the existing final order or agreement about contact as follows:

Select all options that apply

- no contact of any type

in person:

Provide specific dates requested, or dates and times that would be most suitable

telephone communication

video communication

written communication

other method of communication (*specify*):

Complete only if applicable. You may leave this section blank.

I am applying to have the following conditions placed on the contact with the child(ren):

6. I believe the order I am applying for about the existing final order or agreement about contact with a child or children is in the child(ren)'s best interests because:

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SCHEDULE 17 – COUNTERCLAIM TO BECOME A GUARDIAN OF A CHILD OR CHILDREN

This is Schedule 17 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to be appointed as a guardian of a child or children identified in section 13 of the reply with counterclaim.

1. I am applying to be appointed as a guardian of the following child(ren) identified in section 11 of the reply with counterclaim:

List the name of each child you want to be appointed as a guardian of

2. *Select only one of the options below*

- I have completed a Guardianship Affidavit in Form 5 and I am filing it along with this counterclaim
- I am not able to complete a Guardianship Affidavit in Form 5 at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed affidavit

DRAFT

SCHEDULE 18 – COUNTERCLAIM TO CANCEL GUARDIANSHIP OF A CHILD OR CHILDREN

This is Schedule 18 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to cancel the guardianship of a child or children identified in section 13 of the reply with counterclaim.

1. I am applying for the following person(s) to no longer be the guardian(s) of the child or children:

Full name of guardian	Name of child(ren)	They have been a guardian of the child(ren) since:

2. I am:

- a guardian of the child(ren)
 applying to be appointed as a guardian of the child(ren)

3. I believe it is in the child(ren)'s best interests to cancel the guardianship of the person(s) listed in paragraph 1 because:

DRAFT

SCHEDULE 19 – COUNTERCLAIM SPOUSAL SUPPORT – NEW

This is Schedule 19 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a new counterclaim about spousal support.

1. I believe that I am, or the other party is, entitled to spousal support for the following reason(s):

Select all options that apply

- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
- to share the financial consequences arising from caring for the children during the relationship, beyond the duty to provide support for the child
- to relieve economic hardship of the spouses arising from the breakdown of the relationship
- to help each spouse become financially independent within a reasonable period

2. The current support arrangements are as follows:

3. My current employment situation, training, health and ability to work are as follows:

4. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

5. I know the following facts about the other party's employment, training, health and ability to work:

If you do not have any information, please leave this section blank

6. I am applying for an order for spousal support to be paid by *[name of paying party]* as follows:

Select all options that apply and complete the required information

- in the amount of \$ per month to commence on *[mmm/dd/yyyy]* until *[mmm/dd/yyyy]*
- in a lump sum of \$
- other (*specify*):

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
 - I am not attaching calculations because:
-
-

8. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a counterclaim about spousal support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 20 – COUNTERCLAIM SPOUSAL SUPPORT – EXISTING

This is Schedule 20 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel an existing final order about spousal support or to set aside or replace all or part of an existing written agreement about spousal support.

1. I am attaching a copy of the existing final order or written agreement about spousal support made on [mmm/dd/yyyy]

2. *Complete only if applicable. You may leave this section blank.*

I am applying for the existing final order about spousal support to be:

changed

cancelled

Since the final order about spousal support was made, circumstances have changed as follows:

Select all options that apply and complete the required information

my financial situation has changed

I believe the other party's financial situation has changed

my employment, training, health and/or ability to work has changed as follows:

I believe the other party's employment, training, health and/or ability to work has changed as follows:

my household expenses have changed as follows:

information has become available that was not available when the order was made (specify):

other changes or circumstances (*specify*):

3. *Complete only if applicable. You may leave this section blank.*

I am applying for the existing written agreement about spousal support to be:

set aside

replaced

I believe the agreement should be set aside or replaced because:

4. Complete only if you are applying to change or replace an existing final order or written agreement about spousal support. You may leave this section blank.

I am applying for the final order or agreement about spousal support to be changed or replaced as follows:

5. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

6. Complete only if there is unpaid spousal support. Select only one of the options below.

- I am not applying to reduce the amount of unpaid spousal support (arrears)
- I am applying to reduce the amount of unpaid spousal support (arrears) to \$ because:

7. Complete only if there is unpaid spousal support

I am applying for an order that the remaining unpaid spousal support (arrears) be paid as follows:

Select all options that apply and complete the required information

- at a rate of \$ per month
- in a lump sum
- other (specify):

8. Select only one of the options below

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

9. Select only one of the options below

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a counterclaim about spousal support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

Certificate of Service

FORM 7

Provincial Court Family Rules

Rules 2 and 193

Registry location:	
Court File Number:	

I certify that

I, _____
Your full name

served _____
Full name of the person served (copy their name from the document you served them)

on _____ at _____ a.m./p.m.
Date the document(s) were served (mmm/dd/yyyy) Time the document(s) were served

at _____
Street address or location, city, province, or email address or fax number where the document(s) were served

with the following document(s):

Select all options that apply

Attach a copy of each document you have selected below (except the blank reply) to this Certificate of Service

- | | |
|---|--|
| <input type="checkbox"/> Family Law Matter Claim | <input type="checkbox"/> Reply to a Counterclaim |
| <input type="checkbox"/> Financial Statement | <input type="checkbox"/> Application for Order Prohibiting the Relocation of a Child |
| <input type="checkbox"/> Guardianship Affidavit | <input type="checkbox"/> Application About Enforcement |
| <input type="checkbox"/> Blank Reply | <input type="checkbox"/> Application for Review |
| <input type="checkbox"/> Application for Case Management Order | <input type="checkbox"/> Notice of Intention to Proceed |
| <input type="checkbox"/> Application About a Protection Order | <input type="checkbox"/> other (list any additional document(s) that you served here): |
| <input type="checkbox"/> Application About Extraordinary Parenting Matter | |
| <input type="checkbox"/> Order | |

by:

Select the appropriate option for how you served the other party with the document(s)

Personal service (Family Law Matter Claim and Application about a Protection Order can only be served this way)

- leaving a copy of the document(s) with the person
- alternative service method ordered by the court (specify the method or instructions you followed as ordered by the court):

Ordinary service (Service to address for delivery. This method of service is not allowed for a Family Law Matter Claim or Application About a Protection Order.)

- leaving a copy of the document(s) at the person's address for service
- mailing the document(s) by ordinary mail to the person's address for service on [mmm/dd/yyyy]
Note: The date the document(s) were served is 14 days after the date the documents were mailed
- mailing the document(s) by registered mail to the person's address for service
Note: The date the document(s) were served is the date the document(s) were confirmed to have been delivered by Canada Post. Attach a copy of the delivery confirmation from Canada Post.
- emailing the document(s) to the person's email address for service
- faxing the document(s) to the person's fax number for service
- alternative service method ordered by the court (specify the method or instructions you followed as ordered by the court):

Signature of the person who served the document

Date of signature (mmm/dd/yyyy)

Reply to a Counterclaim

FORM 8

Provincial Court Family Rules

Rule 36

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. I am replying to the counterclaim made by *[full name of other party]*.

Replying to the Other Party's Counterclaim

2. **I agree with the following order(s) applied for by the other party:**

Refer to the Reply to a Family Law Matter with Counterclaim schedules as referenced below to assist in completing this section

Select all options that apply

Parenting Arrangements

Parenting arrangements – new *[see Schedule 11 of Counterclaim]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[see Schedule 12 of Counterclaim]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

Child support

- child support – new *[see Schedule 13 of Counterclaim]*
- child support order/agreement – existing *[see Schedule 14 of Counterclaim]*

Contact with a child

- contact with a child – new *[see Schedule 15 of Counterclaim]*
- contact order/agreement – existing *[see Schedule 16 of Counterclaim]*

Guardianship of a child

- appointing a guardian of a child *[see Schedule 17 of Counterclaim]*
- cancelling guardianship of a child *[see Schedule 18 of Counterclaim]*

Spousal support

- spousal support – new *[see Schedule 19 of Counterclaim]*
- spousal support order/written agreement – existing *[see Schedule 20 of Counterclaim]*

3. **I do not agree to all or part of the following order(s) applied for by the other party:**

*Refer to the Reply to a Family Law Matter with Counterclaim schedules to assist in completing this section
Select all options that apply, complete and attach the required schedule(s)*

Parenting Arrangements

Parenting arrangements – new *[complete and attach Schedule 1]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[complete and attach Schedule 2]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

Child support

- child support – new *[complete and attach Schedule 3]*
- child support order/agreement – existing *[complete and attach Schedule 4]*

Contact with a child

- contact with a child – new *[complete and attach Schedule 5]*
- contact order/agreement – existing *[complete and attach Schedule 6]*

Guardianship of a child

- appointing a guardian of a child *[complete and attach Schedule 7]*
- cancelling guardianship of a child *[complete and attach Schedule 8]*

Spousal support

- spousal support – new *[complete and attach Schedule 9]*
- spousal support order/written agreement – existing *[complete and attach Schedule 10]*

IMPORTANT NOTE: If this family law case includes a counterclaim for support, you must provide your financial information with this reply, as required by the instructions on the financial statement, by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 1 – REPLY TO A COUNTERCLAIM ABOUT PARENTING ARRANGEMENTS - NEW

This is Schedule 1 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about parenting arrangements for the child or children. The order they applied for about parenting arrangements can be found in Schedule 11 of their Reply to a Family Law Matter with Counterclaim.

1. I do not agree to all or part of the following order(s) about parenting arrangements applied for by the other party:

Select all options that apply and complete the required part(s)

- parental responsibilities *(complete Part 1 of this schedule)*
- parenting time schedule *(complete Part 2 of this schedule)*
- conditions on parenting time *(complete Part 3 of this schedule)*

PART 1 – REPLY TO A COUNTERCLAIM – PARENTAL RESPONSIBILITIES

Complete this part only if you are disagreeing with an order in the counterclaim about parental responsibilities requested by the other party. You may leave this part blank.

1. I do not agree with the requested allocation of parental responsibilities because:

2. I am asking for the parental responsibilities to be exercised by the guardians as follows:

3. I believe the parental responsibilities I am asking for are in the child(ren)'s best interests because:

PART 2 – REPLY TO A COUNTERCLAIM – PARENTING TIME SCHEDULE

Complete this part only if you are disagreeing with an order in the counterclaim about the parenting time schedule requested by the other party. You may leave this part blank.

1. I do not agree with the requested parenting time schedule because:

2. I am asking for the parenting time schedule to be as follows:

3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

PART 3 – REPLY TO A COUNTERCLAIM – CONDITIONS ON PARENTING TIME

Complete this part only if you are disagreeing with an order in the counterclaim about the conditions on parenting time requested by the other party. You may leave this part blank.

1. I do not agree with the requested conditions on my parenting time or the other guardian's parenting time because:

2. I am asking for the conditions on my parenting time or the other guardian's parenting time to be as follows:

3. I believe the conditions I have asked for on parenting time are in the child(ren)'s best interests because:

SCHEDULE 2 – REPLY TO A COUNTERCLAIM ABOUT PARENTING ARRANGEMENTS – EXISTING

This is Schedule 2 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, for the child or children. The order they applied for about parenting arrangements can be found in Schedule 12 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about parenting arrangements was made
- There has been no change in needs or circumstances since the final order about parenting arrangements was made
- I agree the agreement about parenting arrangements is not in the best interests of the child(ren)
- I believe the agreement about parenting arrangements is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about parenting arrangements to continue to be in place
- I am applying to change or replace the existing final order or agreement about parenting arrangements as follows:

4. I believe the order about parenting arrangements I am applying for is in the child(ren)'s best interests because:

SCHEDULE 3 – REPLY TO A COUNTERCLAIM ABOUT CHILD SUPPORT – NEW

This is Schedule 3 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about child support. The order they applied for about child support can be found in Schedule 13 of their Reply to a Family Law Matter with Counterclaim.

1. I am:

- a parent to the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- not a parent of the child(ren)
 - I request a parentage test *(check only if applicable)*
- not a person standing in the place of a parent to the child(ren)

2. I do not agree with the order about child support requested by the other party because:

Select all options that apply and complete the required information

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

Explain below

- I believe the special and extraordinary expenses are not what the other party claims they are

Explain below

- the living arrangements for the child(ren) are not as described

Describe the child(ren)'s living arrangements below

- the amount would cause me undue hardship because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have unusually high expenses to exercise parenting time or contact with the child(ren)
- I have a legal duty to support another person, such as an ill or disabled person or a former spouse
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances *(specify):*

- other reason *(specify):*

3. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement to file this reply with a completed financial statement

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations because:

IMPORTANT NOTE:

This family law case includes a counterclaim about child support. You must provide your financial information with your reply to the counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 4 – REPLY TO A COUNTERCLAIM ABOUT CHILD SUPPORT – EXISTING

This is Schedule 4 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support. The order they applied for about child support can be found in Schedule 14 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about child support was made
- There has been no change in circumstances since the final order about child support was made
- I agree the agreement about child support should be set aside or replaced
- I believe the agreement about child support was made on consideration of s.150 of the *Family Law Act*

2. I do not agree with the requested order about the existing final order or agreement about child support because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about child support to continue to be in place
- I am applying to change or replace the existing final order or agreement about child support as follows:

4. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

5. *Select only one of the options below*

- I agree that the amount of unpaid child support (arrears) in the counterclaim is correct
- The amount of unpaid child support (arrears) in the counterclaim is not correct. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

IMPORTANT NOTE:

This family law case includes a counterclaim to change an existing final order or agreement about child support. You must provide updated financial information with your reply to the counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

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SCHEDULE 5 – REPLY TO A COUNTERCLAIM ABOUT CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about contact with a child or children. The order they applied for about contact can be found in Schedule 15 of their Reply to a Family Law Matter with Counterclaim.

1. I do not agree that the other party should have contact with the child(ren) the other party requested. Instead, I ask that the other party's contact with the child(ren) be as follows:

Select all options that apply and complete the required information

- no contact of any type
- in person:

Provide specific dates requested, or dates and times that would be most suitable

- telephone communication
- video communication
- written communication
- other method of communication (*specify*):

Complete only if applicable

I am applying to have the following conditions placed on the contact with the child(ren):

2. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 – REPLY TO A COUNTERCLAIM ABOUT CONTACT WITH A CHILD – EXISTING

This is Schedule 6 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing final order about contact, or to set aside or replace an existing agreement about contact, with a child or children. The order they applied for about contact can be found in Schedule 16 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about contact was made
- There has been no change in needs or circumstances since the final order about contact was made
- I agree the agreement is not in the best interests of the child(ren)
- I believe the agreement is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement about contact with a child or children because:

3. *Select only one of the options below*

- I am applying for the existing final order or agreement about contact with a child or children to continue to be in place
- I am applying to change or replace the existing final order or agreement about contact with a child or children as follows:

4. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 7 – REPLY TO A COUNTERCLAIM ABOUT APPOINTING A GUARDIAN OF A CHILD OR CHILDREN

This is Schedule 7 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to be appointed as a guardian of a child or children. The order they applied for about guardianship of a child can be found in Schedule 17 of their Reply to a Family Law Matter with Counterclaim.

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian of the child(ren) because:

Select all options that apply and explain why

the other party is not able to be a guardian because:

the other party is not suitable to be a guardian because:

other reason(s) *(specify)*:

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SCHEDULE 8 – REPLY TO A COUNTERCLAIM ABOUT CANCELLING GUARDIANSHIP OF CHILD OR CHILDREN

This is Schedule 8 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to cancel guardianship of a child or children. The order they applied for about cancelling guardianship can be found in Schedule 18 of their Reply to a Family Law Matter with Counterclaim.

1. Do not cancel guardianship of the child(ren) as requested because:

Select all options that apply and explain why

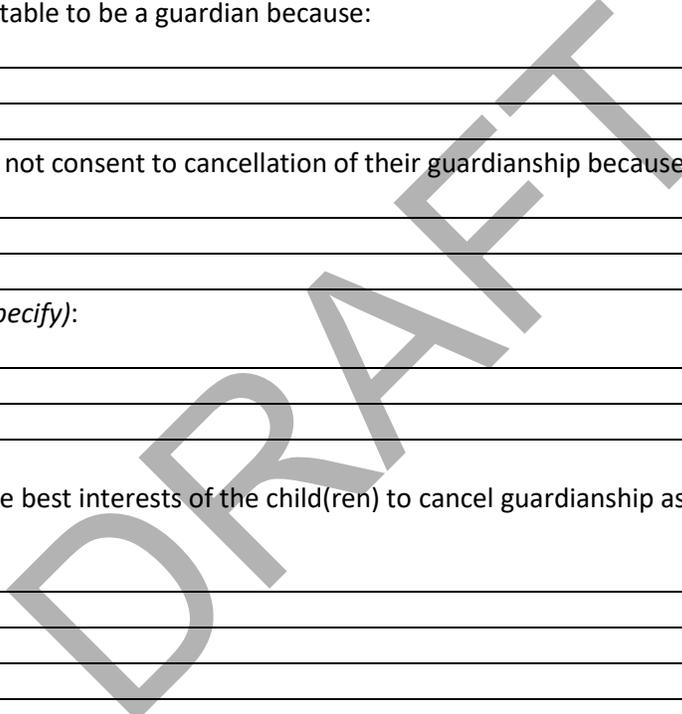
the guardian is able and willing to be a guardian because:

the guardian is suitable to be a guardian because:

the guardian does not consent to cancellation of their guardianship because:

other reason(s) *(specify)*:

2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:



SCHEDULE 9 – REPLY TO A COUNTERCLAIM ABOUT SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about spousal support. The order they applied for about spousal support can be found in Schedule 19 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the order about spousal support requested by the other party because:

Select all options that apply and complete the required information

- I do not believe the other party is entitled to spousal support

Explain below

- my income is not what the other party claims it is

- my employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's financial situation is not what they claim it is

Explain below

- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's expenses are not what they claim them to be

Explain below

- other reason (*specify*):

3. The order for spousal support that I believe should be made is as follows:

Select all options that apply and complete the required information

- in the amount of \$ _____ per month to commence on [mmm/dd/yyyy] until [mmm/dd/yyyy]
- in a lump sum of \$ _____
- other (*specify*): _____

4. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

5. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

IMPORTANT NOTE:

This family law case includes a counterclaim spousal support. You must provide your financial information with your reply to the counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

SCHEDULE 10 – REPLY TO A COUNTERCLAIM ABOUT SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing final order about spousal support, or to set aside or replace all or part of an existing written agreement about spousal support. The order they applied for about spousal support can be found in Schedule 20 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about spousal support was made
- There has been no change in circumstances since the final order about spousal support was made
- I agree the circumstances were as described by the other party when the written agreement about spousal support was made
- I do not believe the circumstances as described by the other party existed when the written agreement about spousal support was made

2. *Select only one of the options below*

- I agree that the amount of unpaid spousal support (arrears) in the counterclaim is correct
- The amount of unpaid spousal support (arrears) in the counterclaim is not correct. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

3. I do not agree with the requested order about the existing final order or written agreement about spousal support because:

4. *Select only one of the options below*

- I am applying for the existing final order or written agreement about spousal support to continue to be in place
- I am applying to change or replace the existing final order or written agreement about spousal support as follows:

5. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

6. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

IMPORTANT NOTE:

This family law case includes a counterclaim to change or replace a final order or written agreement about spousal support. You must provide updated financial information with your reply to the counterclaim by completing and filing a Financial Statement in Form 4.

If a you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

DRAFT

Application for Case Management Order

Registry location:	
Court File Number:	

FORM 9

Provincial Court Family Rules
Rules 59, 76, 81, 82 and 102

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.
My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand I must serve each other party, including any other person who may be directly affected by the order, with notice of this application. They must be served with the application and supporting documents at least 7 days before the date of the court appearance unless a judge allows the application to be made without notice or with less than 7 days notice.

3. The other party is *[full name of other party/parties]*

4. *Complete only if applicable. You may leave this section blank.*

The following other person(s) who may be directly affected by the order is/are:
[full name of other person(s)]

5. *Complete only if applicable. You may leave this section blank.*

Each party, including any person directly affected by the order, has consented to the case management order and:

Select only one of the following options

- a **draft Consent Order** in Form 18 signed by each party, and any other person directly affected by the order, or their lawyer, is submitted with this application and supporting documents for review without attending before the court
- a court appearance is requested

6. I have contacted each other party to discuss available dates and times for the court appearance Yes No
No *if yes*, have they have agreed to a date and time for the court appearance? Yes No

For registry use only – if applicable

This application will be made to the court at *[court registry, street address, city]* **on**
[date] **at** *[time]* **a.m./p.m.**

NOTE TO PARTIES: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

7. I am applying for the following case management order(s):

- transferring the court file to another registry for all purposes or specific purposes
- adding or removing a party to the case
- settling or correcting the terms of an order made under the rules
- setting a specified period for the filing and exchanging of information or evidence, including a financial statement in Form 4 *[Financial Statement]*
- correcting or amending a filed document, including the correction of a name or date of birth
- requiring that a parentage test be taken under section 33 *[parentage tests]* of the *Family Law Act*
- specifying or requiring information that must be disclosed by a person who is not a party to the case
- adjourning a conference, hearing or trial
- requiring that a person who prepared a report under section 211 *[orders respecting reports]* of the *Family Law Act* attend a trial as a witness
- respecting the conduct and management of the case
- appointing a lawyer for a child
- allowing a person to attend a conference or hearing using electronic communication
- waiving or modifying any requirement related to service or giving notice to a person, including allowing an alternative method for the service of a document
- waiving or modifying any other requirement under these rules, including a time limit set under these rules or a time limit set by an order or direction, even after the time limit has expired
- requiring access to information in accordance with section 242 *[orders respecting searchable information]* of the *Family Law Act*
- recognizing an extraprovincial order other than a support order
- changing, suspending or cancelling an order made in my absence

8. The details of the order(s) I am applying for are as follows:

Tell the court and the other party the details of the order(s) you are asking for

9. The facts on which this application is based are as follows:

Provide the facts you want the court to consider. If you are applying to change, suspend or cancel an order made in your absence, you must explain why you did not file a reply or attend court when required, why the order should be made and the reason(s) for any delay in making this application.

Application for Review

Registry location:	
Court File Number:	

FORM 10

Provincial Court Family Rules

Rule 61

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand I must serve each other party with notice of this application. They must be served with the application and supporting materials at least 7 days before the date set for the court appearance unless a judge allows the application to be made without notice or with less than 7 days' notice.

3. The other party is *[full name of other party/parties]*

For registry use only

This application will be made to the court at <i>[court registry, street address, city]</i> on <i>[date]</i> at <i>[time]</i> a.m./p.m.
--

NOTE TO THE OTHER PARTY: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

4. I am applying for permission of a judge to seek review of the attached order or direction of a family justice manager dated *[mmm/dd/yyyy]*

5. My application for review is based on the following reason(s):

Tell the Court and the other party why the order or direction should be reviewed

Application for Case Management Order Without Notice or Attendance

Registry location:	
Court File Number:	

FORM 11

Provincial Court Family Rules
Rules 53, 83, 87 and 97

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. The other party is *[full name of other party/parties]*

3. I am applying for a case management order without notice to any other party and I understand that I will be required to serve a copy of any order I receive on each other party along with a copy of this application and any supporting document(s).

ABOUT THE ORDER

4. I am applying for the following case management order(s):

Select all that apply and complete the required schedule(s)

- allowing a person to attend a conference or hearing using electronic communication *[complete and attach Schedule 1]*
- waiving or modifying any requirement related to service or giving notice to a person, including allowing an alternative method for the service of a document *[complete and attach Schedule 2]*
- waiving or modifying any other requirement under the rules *[complete and attach Schedule 3]*
- requiring access to information in accordance with section 242 [orders respecting searchable information] of the Family Law Act *[complete and attach Schedule 4]*
- recognizing an extraprovincial order other than a support order *[complete and attach Schedule 5]*

SCHEDULE 1 – ATTENDANCE USING ELECTRONIC COMMUNICATION

This is Schedule 1 to the Application for Case Management Order Without Notice or Attendance

This schedule must be completed only if you are applying for an order allowing a person to attend a conference or hearing using electronic communication.

1. I am applying for an order to allow:

Select all options that apply

- me
- my lawyer, *[full name of lawyer]*

to attend at the:

Select only one of the options below

- family management conference
- readiness hearing
- family settlement conference
- trial preparation conference
- hearing
- other *(specify)*:

Scheduled for *[mmm/dd/yyyy]* at *[time]*

By electronic communication as follows:

- telephone at *[requested telephone number]*

Is this a direct phone line? Yes No

If no, the person answering the phone must know the call will be coming and put it through immediately

- other electronic communication method *(specify)*:

2. I understand the following requirements and I will comply with them Yes No

- a speaker phone must not be used
- I must remain near the phone at all times prior to the call from the Clerk of the Court
- the call must be taken in a quiet and private location
- no other person may be in the room during the appearance
- I may speak only when the Judge or Family Justice Manager indicates I may speak
- recording of the call is strictly prohibited

3. The documents I may want to refer to in court have been filed and received by the other party Yes No

4. I (and/or my lawyer) am unable to attend in person because:

SCHEDULE 5 – RECOGNIZING AN EXTRAPROVINCIAL ORDER OTHER THAN A SUPPORT ORDER
This is Schedule 5 to the Application for Case Management Order Without Notice or Attendance

This schedule must be completed only if you are applying for recognition of an extraprovincial order other than a support order.

1. I am applying for recognition of an extraprovincial order made on [mmm/dd/yyyy] at [court location][city][province] about parenting arrangements, contact with a child, guardianship, or an order that is similar in nature
2. A certified copy of the order is attached
3. The contact information, as I know it, for the other party is:

Full name:	Date of birth: [mmm/dd/yyyy]
Contact information	
Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

DRAFT

Application About a Protection Order

FORM 12

Provincial Court Family Rules

Rule 85

Registry location:	
Court File Number:	

1. My name is *[full name of person]*. My date of birth is *[mmm/dd/yyyy]*. My contact information and address for service of court documents by the other party and the court are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand I need to give notice to the person I want protection from, or who had made an application for protection from me. This person is the other party. To give notice, they must be served with the application and supporting documents at least 7 days before the date set for the court appearance unless a judge allows the application to be made without notice or with less than 7 days' notice.

Select only one of the options below

- I am giving at least 7 days' notice to the other party
- I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement for notice of this application
- I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to modify the requirement for 7 days' notice to the other party
- I have a court order that allows the application to be made without notice or with less than 7 days' notice

3. The other party's name is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.
The other party's contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

4. I am applying for the following order:
Select only one of the options below and complete the required schedule

- protection order *[complete and attach Schedule 1]*
- order to change an existing protection order *[complete and attach Schedule 2]*
- order to terminate an existing protection order *[complete and attach Schedule 3]*

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* a.m./p.m.

NOTE TO THE OTHER PARTY: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

SCHEDULE 1 – AFFIDAVIT FOR PROTECTION ORDER

This is Schedule 1 to the Application about a Protection Order

This schedule must be completed if you are applying for a protection order. A judge can make decisions based only on the information presented by the parties as evidence. Evidence must be relevant to the issue. Please complete the following affidavit to help you explain to the court why you need a protection order and what it should include. In some cases, if you have provided evidence in this affidavit, a judge may not need you to provide additional information in court.

I, [full name of party], [occupation] of [address of party, city, province],

SWEAR OR AFFIRM THAT:

1. I am making this affidavit in support of an application for a protection order.
2. I am applying for a protection order for the following person(s) to be protected:
Select and complete only those options that apply to your situation. You may select more than one.
 - me
 - the following child(ren) I am a parent or guardian to:
Complete only if applicable. You may leave this section blank.

Child's full legal name	Child's date of birth (mmm/dd/yyyy)	Child's relationship to the other party	Child is currently living with

- the following adult(s) sharing the residence with a protected person:
Complete only if applicable. You may leave this section blank.

Full name	Date of birth (mmm/dd/yyyy)	Relationship to the protected person

- other (specify): [full name of other person to be protected] and date of birth [mmm/dd/yyyy]
Explain why you are applying for the other person

The person(s) identified in the section above is/are referred to as the protected party/parties. The other party is the person they need protection from.

ABOUT THE PROTECTION ORDER

3. *Complete only if applicable. You may leave this section blank.*

I do not want the other party to be able to attend at, enter or be found at the following place(s):

Select all options that apply

- residence
- school
- place of employment
- child care facility
- other (*specify*):

4. *Complete only if applicable. You may leave this section blank.*

The protected party may need to communicate with the other party for the following reason(s):

Select all options that apply

- consensual dispute resolution
- parenting arrangements
- ongoing court action
- other (*specify*):

5. I have concerns the other party would cause harm with or threaten to use guns, explosives or another kind of firearm Yes No

If yes, explain the reason(s) for your concerns

6. I believe the other party owns or has access to guns, explosives or another kind of firearm

Yes No

If yes, explain the reason(s) for your belief

7. I have concerns the other party would cause harm with or threaten to use a weapon that is not a gun or explosive Yes No

If yes, explain the reason(s) for your concerns

8. I believe the other party owns a weapon that is not a gun or explosive Yes No

Examples of weapons someone might own include swords, hunting knives, and nunchucks

If yes, explain the reason(s) for your belief

9. The protected party currently shares a home with the other party Yes No

10. Complete only if applicable. You may leave this section blank.

I believe police assistance may be required for the following purpose(s):

Select all options that apply

- to remove the other party from the shared residence
- to supervise the removal of the protected party's personal belongings from the shared residence
- to supervise the removal of the other party's personal belongings from the shared residence
- to supervise the removal of the child(ren)'s personal belongings from a residence
- other (specify):

YOUR STORY

11. The protected party and the other party are:

Explain how the protected party/parties and the other party are related for the purposes of the application

If the protection order is only for the protection of a child(ren), please answer the following question for the parents or guardians of the child(ren)

12. The parties are or have been spouses or live or have lived together in a marriage-like relationship

- Yes No

If yes, please complete all options below that apply to the parties

Date on which the parties began to live together in a marriage-like relationship: [mmm/dd/yyyy]

Date of marriage: [mmm/dd/yyyy]

Are the protected party and the other party currently separated Yes No Unknown

Spouses may be separated despite continuing to live in the same residence

If yes, the parties separated on [mmm/dd/yyyy]

13. Select whichever option is correct and complete the required information

- The protected party and the other party are a parent, step-parent or guardian only to the child(ren), if any, identified in paragraph 2 of this affidavit
- The protected party and the other party are a parent, step-parent or guardian to the following child(ren) who is/are not identified in paragraph 2 of this affidavit:

Child's full name	Child's date of birth (mmm/dd/yyyy)	Child's relationship to protected party	Child's relationship to the other party	Child is currently living with

14. Complete only if the protected party and the other party are a parent, step-parent or guardian

There are existing written agreements or court orders about the children concerning parenting arrangements, child support, contact with a child, or guardianship Yes No

If yes, attach a copy of the agreement(s) or order(s) to this affidavit

Family values

15. *You may choose to complete this section or leave this section blank*

I would like to share the following information with the Court about the cultural, linguistic, religious and spiritual upbringing and heritage of my family, including, if the child is an aboriginal child, the child's aboriginal identity:

16. I have concerns about the mental health of the protected party and/or the other party Yes No
If yes, explain your concerns and the reason(s) for your concerns

17. Are there circumstances that may increase the risk of family violence Yes No
If yes, describe the circumstances such as: substance abuse, employment or financial difficulties, relationship status, criminal history, pregnancy, threats to you/another person/child/animal, stalking, forced sex, controlling behaviour, release from prison, strangling/choking/biting, threats or attempts to commit suicide, cultural religious beliefs or any other circumstances

18. There is an existing court order protecting one of the parties, the children, or restraining contact between the parties, including a protection order, child protection or supervision order, peace bond, restraining order, bail condition or other criminal orders
 Yes No
If yes, attach a copy of the order(s) to your application

19. Has the other party ever failed to obey a court order Yes No Unknown
If yes, describe the circumstances

20. I have concerns the other party may not obey a court order Yes No
If yes, explain the reason(s) for your concerns

21. I have reported my safety concerns to the police Yes No
If yes, describe what action they have taken. You will be asked to describe specific incidents that police attended in a later section.

22. I have reported my safety concerns to a social worker (Ministry of Children and Family Development)
 Yes No
If yes, describe what action they have taken

23. Is there any family violence you fear is likely to happen that you have not already described in this affidavit?
 Yes No
If yes, explain what type of family violence and the reason for your fear

24. Do you have any concerns for the safety of the protected party/parties that you have not already described in this affidavit? Yes No
If yes, explain the concerns and the reason for your concerns

25. Describe any recent incidents of family violence against the protected party/parties and any child(ren).
Include:

- *how the other party made the protected party and/or the child(ren) feel unsafe (describe examples of the other party's behaviour that made you afraid)*
- *a description of the incident(s) (write as much detail as possible)*
- *who was involved (include the police if they were involved at any time)*
- *who witnessed it*
- *any exposure the child or children have had to family violence or abuse*
- *any injuries or trauma from the incident*
- *any doctor's notes, police reports or photos (you must refer to them here as exhibits and make copies of them for the court)*

Order Terminating a Protection Order

FORM 13

Provincial Court Family Rules

Rule 91

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before the Honourable Judge *[name of judge]*

On *[date]*

THIS MATTER coming on for hearing at *[court location]* on *[date]*

Persons Appearing: _____ Lawyer: _____

_____ Lawyer: _____

By Consent Without notice to others

This Court orders that:

1. The Protection Order made by Judge *[name of judge]* on *[date]*, is terminated, effective *[date]*.

Date

By the Court

Note: This order will be sent to the Protection Order Registry to advise them to remove the terminated protection order from their registry.

Protection Order

By Consent Without Notice

Registry location:	
Court File Number:	

FORM 14

Provincial Court Family Rules
Rule 92

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before the Honourable Judge *[name of judge]*

on *[date]*

On the application of *[full name of party making the application];*

Persons appearing: _____ Lawyer: _____
_____ Lawyer: _____

(Select one or more of the 10 following provisions, as applicable, complete the selected provision(s) and remove the provisions(s) that is/are not selected so that it/they do(es) not appear in the draft order when submitted for filing)

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....*[full name and date of birth of person restrained]*..... must not have contact or communicate directly or indirectly with*[full name(s) of protected person(s)]*.....

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....*[full name and date of birth of person restrained]*..... must not attend at, enter or be found within (distance) of*[set out place(s) where person must not attend]*.....

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....*[full name and date of birth of person restrained]*..... is restrained from following.....*[full name(s) of protected person(s)]*.....

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....*[full name and date of birth of person restrained]*..... is restrained from possessing a weapon or firearm.

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....*[full name and date of birth of person restrained]*..... must not communicate with*[full name(s) of protected person(s)]*..... other than as follows:*[specify]*.....

THIS COURT ORDERS, under section 183 of the *Family Law Act*, that.....[full name and date of birth of person restrained]..... must report to the court [or to[specify person(s)].....] as follows: [specify]..... .

THIS COURT ORDERS that any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, who is provided with a copy of this order is directed to remove[full name and date of birth of person restrained]..... from[location]..... immediately [or within a specified period of time].

THIS COURT ORDERS that any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, who is provided with a copy of this order is directed to accompany[full name and date of birth of person]..... to[location]..... as soon as practicable [or within a specified period of time] to supervise the removal of his/her personal belongings.

THIS COURT ORDERS that any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, who is provided with a copy of this order is directed to seize from[full name and date of birth of person from whom seizure is to be made]..... any weapons or firearms and related documents.

THIS COURT ORDERS that this order expires on[mmm/dd/yyyy]..... .

(Add any further terms of protection order.)

Dated _____

By the Court

Checked by:

Initials

DISOBEYING THIS ORDER IS A CRIMINAL OFFENCE UNDER SECTION 127 OF THE CRIMINAL CODE PUNISHABLE BY FINE OR IMPRISONMENT

TAKE NOTICE THAT any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, having reasonable and probable grounds to believe that the person against whom this order is made has contravened a term of this order may take action to enforce the order, whether or not there is proof that the order has been served on the person and, if necessary, may use reasonable force. Enforcement action may include arresting the person against whom this order is made without warrant in accordance with section 495 of the Criminal Code.

AND TAKE NOTICE THAT if no expiry date is ordered in relation to this order, this order expires one year after the date it is made.

Application About Extraordinary Parenting Matter

Registry location:	
Court File Number:	

FORM 15

Provincial Court Family Rules

Rule 95

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand I need to give notice to all parents and guardians of the child(ren) this application is about. They are the other party. To give notice, they must be served with the application and supporting documents at least 7 days before the date set for the court appearance unless a judge allows the application to be made without notice or with less than 7 days' notice.

Select only one of the options below

- I am giving at least 7 days' notice to the other party
- I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement for notice of this application
- I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to modify the requirement for at least 7 days' notice to the other party
- I have a court order that allows the application to be made without notice or with less than 7 days' notice

3. The other party is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (complete only if applicable)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

For registry use only

<p>This application will be made to the court at <i>[court registry, street address, city]</i> on <i>[date]</i> at <i>[time]</i> a.m./p.m.</p>

NOTE TO THE OTHER PARTY: If you do not appear in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

ABOUT THE EXTRAORDINARY PARENTING MATTER

4. I am applying for an order about the following extraordinary parenting matter(s):

Select all options that apply

- giving, refusing or withdrawing consent, by a guardian, to medical, dental, health-related treatments for a child, that if delayed will result in risk to the health of the child
- applying, by a guardian, for a passport, licence, permit, benefit, privilege or other thing for a child, if delay will result in risk of harm to the child’s physical, psychological or emotional safety, security or well-being
- preventing the removal of a child under s. 64 of the *Family Law Act*
- determining matters relating to interjurisdictional issues under s. 74(2)(c) of the *Family Law Act*
- preventing the wrongful removal of a child under s. 77(2) of the *Family Law Act*
- seeking an extraordinary remedy under s. 231(4) or (5) of the *Family Law Act*
- relating to the return of a child who has been wrongfully removed or retained under the Convention on the Civil Aspect of International Child Abduction signed at the Hague on October 25, 1980

5. This application is about the following child(ren):

Child’s full name	Child’s date of birth (mmm/dd/yyyy)	My relationship to the child	The other party’s relationship to the child

6. There is an existing written agreement or court order about the child(ren) concerning parenting arrangements, child support, contact with a child, or guardianship Yes No
If yes, attach a copy of the agreement(s) and/or order(s) to your application

7. I know the following information about any court proceeding that is pending or that has been initiated about parenting arrangements, contact with a child or guardianship of a child who is the subject of this application:

If there is no pending or ongoing court proceeding, that you know of, in this court or another court or jurisdiction, you may leave this section blank

Application for Order Prohibiting the Relocation of a Child

Registry location:	
Court File Number:	

FORM 16

Provincial Court Family Rules

Rule 99

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. I understand I need to give notice to the relocating guardian(s). The relocating guardian is the other party. To give notice, they must be served with the application and supporting documents at least 7 days before the date set for the court appearance unless a judge allows the application to be made without notice or with less than 7 days' notice.

3. The other party is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (complete only if applicable)

Full Name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

For registry use only

This application will be made to the court at <i>[court registry, street address, city]</i> on <i>[date]</i> at <i>[time]</i> a.m./p.m.
--

NOTE TO THE OTHER PARTY: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

The court must be satisfied that:

- the proposed relocation is being made in good faith,
- the relocating guardian has proposed reasonable and workable arrangements to preserve the relationship between the child and the child's other guardians, persons who are entitled to contact with the child, and other persons who have a significant role in the child's life, and
- the relocation is in the best interests of the child.

ABOUT THE ORDER

4. I am applying for an order to prohibit the relocation of a child or children.

5. This application is about the following child(ren) that I am a guardian of:

Child's full name	Child's date of birth (mmm/dd/yyyy)	Child is currently living with

6. **I understand that I must consider the child(ren)'s best interests with respect to each order I am asking the court to make.**

7. I am attaching a copy of the written agreement or order respecting parenting arrangements referred to in s. 65 of the *Family Law Act* made on [mmm/dd/yyyy] that applies to the child(ren) that are the subject of this application.

8. *Select only one of the options below and complete the required information*

I am attaching a copy of the notice of relocation given to me on [mmm/dd/yyyy]

I did not receive written notice of relocation but became aware of the planned relocation on [mmm/dd/yyyy]. I understand the date of the relocation of the child(ren) to be [mmm/dd/yyyy] to [proposed location]. I learned about the planned relocation:

Briefly explain how you found out about the planned relocation if you did not receive a written notice

9. I believe it is in the child(ren)'s best interests to prohibit the proposed relocation because:

Application for a Family Law Matter Consent Order

FORM 17

Provincial Court Family Rules
Rule 100

Registry location:	
Court File Number:	

Party 1:	Lawyer:
Party 2:	Lawyer:
Party 3:	Lawyer:

1. Party 1's contact information is as follows:

Full name:	Date of birth: [mmm/dd/yyyy]	
Contact information		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. Party 2's contact information is as follows:

Full name:	Date of birth: [mmm/dd/yyyy]	
Contact information		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

3. Party 3's contact information is as follows:

Complete only if applicable. If there is no additional party, you may leave this section blank.

Full name:	Date of birth: [mmm/dd/yyyy]	
Contact information		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

4. We are applying for an order about the following family law matter(s) BY CONSENT:

Select all options that apply

- parenting arrangements
- child support
- contact with a child
- guardianship of a child
- spousal support

5. The following supporting document(s) are being provided along with this application:
Select all options that apply, complete and file along with your application (if not already filed)

a **draft Consent Order** signed by each party

AND

For an application about parenting arrangements:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim about parenting arrangements and Reply with agreement
 Schedule 1 of this Application for Family Law Matter Consent Order (*complete and attach Schedule 1*)

For an application about child support:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim about child support and Reply with agreement
 Schedule 2 of this Application for Family Law Matter Consent Order (*complete and attach Schedule 2*)

and:

- a Financial Statement in Form 4, or agreement as to income, for each party as required by the instructions on the financial statement

For an application about contact with a child:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim about contact with a child and Reply with agreement
 Schedule 3 of this Application for Family Law Matter Consent Order (*complete and attach Schedule 3*)

For an application about guardianship of a child:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim about guardianship and Reply with agreement
 Schedule 4 of this Application for Family Law Matter Consent Order (*complete and attach Schedule 4*)

and:

- a Guardianship Affidavit in Form 5 for each party applying to be appointed as a guardian of a child or children with the following exhibits attached:
- a copy of a record check from the Ministry of Children and Development
 - a protection order record check from the protection order registry
 - a criminal record check

For an application about spousal support:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim about spousal support and Reply with agreement
 Schedule 5 of this Application for Family Law Matter Consent Order (*complete and attach Schedule 5*)

and:

- a Financial Statement in Form 4 or agreement as to income for each party

Identification of child(ren)

6. *Select only one of the options below and complete the required information*

- Our consent order does not ask for any order(s) about a child or children (*skip next section*)
- Our consent order is asking for an order(s) about the following child or children:

Child's full name	Child's date of birth (<i>mmm/dd/yyyy</i>)	Child's relationship to party 1	Child's relationship to party 2	Child's relationship to party 3	Child is currently living with

7. **We understand that we must consider the child(ren)'s best interests with respect to each order about the child(ren) we are asking the court to make.**

DRAFT

SCHEDULE 1 – PARENTING ARRANGEMENTS

This is Schedule 1 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are guardians of a child or children applying for a consent order about parenting arrangements for a child or children identified in section 6 of this application.

Parenting arrangements include how each guardian will parent their child(ren) together, including each guardians’ responsibilities for decision making about a child, and the time each guardian spends with a child.

1. Party 1 is:

- a guardian of the child(ren)

A child’s parents are most often the child’s guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies.

- applying to be appointed as a guardian of the child(ren)

A person who is not a parent can become a guardian of a child by a court order or under a will

2. Party 2 is:

- a guardian of the child(ren)

A child’s parents are most often the child’s guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies.

- applying to be appointed as a guardian of the child(ren)

A person who is not a parent can become a guardian of a child by a court order or under a will

3. *Complete only if applicable. You may leave this section blank.*

Party 3 is:

- a guardian of the child(ren)

A child’s parents are most often the child’s guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies.

- applying to be appointed as a guardian of the child(ren)

A person who is not a parent can become a guardian of a child by a court order or under a will

4. We consent to the parental responsibilities being exercised by us as follows:

SCHEDULE 2 – CHILD SUPPORT

This is Schedule 2 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order about child support and/or special and extraordinary expenses for the child or children identified in section 6 of this application.

1. Party 1 is:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- other *(specify)*:

2. Party 2 is:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- other *(specify)*:

3. *Complete only if applicable. You may leave this section blank.*

Party 3 is:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- other *(specify)*:

4. The child or children spend time with the parties as follows:

5. The current support arrangements are as follows:

6. *Select only one of the options below*

- We agree, there is no unpaid child support (arrears)
- We agree, as of *[mmm/dd/yyyy]* the amount of unpaid child support (arrears) is \$

7. Complete only if applicable. You may leave this section blank.

We consent to the following arrangements about the remaining unpaid child support (arrears):

8. Select only one of the options below

We consent to an order for ongoing child support to be paid by *[name of paying party/parties]* in the monthly amount set out in the child support guidelines table for the following child(ren) identified in section 6 of this application:

List the name of each child you are asking for support for

We consent to an order for ongoing child support to be paid by *[name of paying party/parties]* in the monthly amount of \$ _____ which is different from that set out in the child support guidelines table for the following child(ren) identified in section 6 of this application:

List the name of each child you are asking for support for

because:

Explain what arrangements have been made for the support of the child(ren) and why the court should order child support in an amount different from that set out in the child support guidelines table

9. Select only one of the options below

Each child we consent to an order for child support for is under 19 years of age

The following child(ren) is/are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full name of child	Reason for child support <i>Select the applicable option</i>
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student

10. Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the application is made or the start date of a new job

Child support payments should start on *[mmm/dd/yyyy or event]* because:

11. *Select only one of the options below*

- We are attaching calculations showing how much child support we believe should be paid according to the child support guidelines
- We are not attaching calculations because:

12. *Select only one of the options below*

- We are not applying for an order for special and extraordinary expenses for the child(ren)
- We consent to an order for special and extraordinary expenses in accordance with section 7 of the child support guidelines. The following special or extraordinary expenses (net of tax credits, subsidies, deductions, credits and contributions from the children) are included in our order for child support:

Name of Child:				
Special and Extraordinary Expense	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

13. *Select only one of the options below*

- We have both completed a Financial Statement in Form 4, as required by the instructions in Form 4, or agreement as to income
- One or both of us is not able to complete a financial statement at this time and we have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this consent order application be filed with a completed financial statement or agreement as to income.

IMPORTANT NOTE:

This consent order includes a request for an order about child support. Each party, as applicable, must provide financial information with the application by completing and filing a Financial Statement in Form 4 or an agreement as to income.

SCHEDULE 3 – CONTACT WITH A CHILD

This is Schedule 3 to the Application for Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order for a person who is not a guardian of the child or children to have contact with the child or children identified in section 6 of this application.

Contact with a child is the time a child spends with a person who is not their guardian.

1. We consent to contact with the child(ren) as follows:

Complete only if applicable. You may leave this section blank.

We consent to the following conditions being placed on the contact with the child(ren):

2. We believe the contact we consent to is in the child(ren)'s best interests because:

DRAFT

SCHEDULE 5 – SPOUSAL SUPPORT

This is Schedule 5 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order about spousal support.

1. The current support arrangements are as follows:

2. We believe there is entitlement to spousal support for the following reason(s):

Select all options that apply

- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
- to share the financial consequences arising from caring for the children during the relationship, beyond the duty to provide support for the child
- to relieve economic hardship of the spouses arising from the breakdown of the relationship
- to help each spouse become financially independent within a reasonable period of time

3. Spousal support is to be paid by *[full name of payor]* to *[full name of recipient]*

4. We consent to an order about spousal support as follows:

Select all options that apply and complete the required information

- in the amount of \$ _____ per month to commence on: *[mmm/dd/yyyy]* until: *[mmm/dd/yyyy]*
- in a lump sum of \$ _____
- other *(specify):* _____

5. *Select only one of the options below*

- We are attaching calculations showing how much spousal support we believe should be paid according to the Spousal Support Advisory Guidelines
- We are not attaching calculations because: _____

6. *Select only one of the options below*

- We have both completed a Financial Statement in Form 4 or agreement as to income
- One or both of us is not able to complete a financial statement at this time and we have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this consent order application be filed with a completed financial statement or agreement as to income

IMPORTANT NOTE:

This consent order includes a request for an order for spousal support. Each party, as applicable, must provide financial information with the application by completing and filing a Financial Statement in Form 4 or by filing an agreement as to income.

Consent Order

FORM 18

Provincial Court Family Rules
Rules 100 and 102

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party 1]

And:

[full name of party 2]

Before the Honourable Judge *[name of judge]*

on *[mmm/dd/yyyy]*

On application of *[full name of party/parties applying for an order by consent]*;

And

- on the court determining that attendance at court is not required
- after attendance in court by *[name of party/parties and/or lawyers who attended court]* at *[court location]* on *[mmm/dd/yyyy]*

(For parenting arrangements, child support orders, contact with a child and guardianship of a child, include the following):

On the court being advised that the name and date of birth of each child is:

Child's full name	Child's date of birth <i>(mmm/dd/yyyy)</i>

(if applicable) On the court also being advised that *[full name of party 1]* and *[full name of party 2]* is/are guardian(s) of the child/children named above/ *[name(s) of child/children and date(s) of birth if this list is different than above]*.

(if applicable) THIS COURT ORDERS THAT:

Specify terms of orders for parenting arrangements, contact with a child or guardianship of a child

(For child support orders, include the following)

[full name of party] (the payor) having been found to be a resident of *[province/territory or country if outside of Canada]* and to have an annual income of \$*[annual income of payor]* *(if applicable)* as agreed to by the parties.

(if applicable) *[full name of party]* (the recipient) having been found to be a resident of *[province/territory or country if outside of Canada]* and to have an annual income of \$*[annual income of recipient]* *(if applicable)* as agreed to by the parties.

(For child support orders in the child support table amount include the following)

THIS COURT ORDERS THAT:

pursuant to the *Family Law Act* and the [province/territory] Child Support Table, [full name of party] (the payor) will pay to [full name of party] (the recipient) the sum of \$..... per month for the support of the child(ren) [name(s) of child/children and date(s) of birth], payable on the day of each month, commencing[mmm/dd/yyyy]..... and continuing for as long as the child(ren) is/are eligible for support under the *Family Law Act* or until further order of the court.

(For child support orders in other amounts)

(If applicable) THIS COURT ORDERS THAT:

(specify other terms of the order)

THIS COURT ORDERS THAT:

Each party consents to the Court making this order:

[A signature line in the following form must be completed and signed by or for each approving party.]

Signature of [type or print name],
[] party [] lawyer for [name of party/parties]

Signature of [type or print name],
[] party [] lawyer for [name of party/parties]

By the Court

Referral Request

FORM 19

Provincial Court Family Rules
Rules 110 and 111

Registry location:	
Court File Number:	

1. My name is *[full name of party]*
2. The other party is *[full name of other party/parties]*
3. I participated in a needs assessment, and:
Select all options that apply
 - did not seek further referral to any person, program or service
 - enrolled in and completed a parenting education course
 - met with a child support officer
 - participated in consensual dispute resolution with a family justice counsellor or family dispute resolution professional
 - other (*specify*):
4. The following family law matters have been resolved:
Select all options that apply
 - parental responsibilities
 - parenting time
 - child support
 - contact with a child
 - guardianship of a child
 - spousal support
5. *Select whichever option is correct*
 - A Reply to a Family Law Matter Claim has been filed
 - The Family Law Matter Claim has been served on each other party, proof of service has been filed, and the time limit for filing a reply has passed
6. I request a referral to court for the following family law matters identified in my claim or reply (with counterclaim) that have not yet been resolved:
Select all options that apply
 - parental responsibilities
 - parenting time
 - child support
 - contact with a child
 - guardianship of a child
 - spousal support

Confirmation of participation in a needs assessment

FOR USE OF FAMILY JUSTICE SERVICES DIVISION ONLY

[name of party] participated in a needs assessment as required under Part 7 of the Provincial Court Family Rules.

By *[Signature of Family Justice Counsellor]*

Date *[mmm/dd/yyyy]*

Notice of Exemption from Parenting Education Program

Registry location:	
Court File Number:	

FORM 20

Provincial Court Family Rules

Rules 115, 117 and 118

My name is *[full name of party]*. The other party in my case is *[full name of other party/parties]*.

Each party must complete a parenting education program if a Family Law Matter Claim is filed in, or transferred to, a parenting education program registry. A first court appearance cannot be scheduled until one of the parties files a certificate of completion or shows that they are exempt by filing this form, with approval of exemption from Family Justice Services Division, if applicable.

I am **not required to participate** in a parenting education program because:

Select each option that applies

- the party is government, a ministry or a public officer
- the family law matter claim is for child support only and the person who has rights to child support has assigned child support rights to the government under the *Employment and Assistance Act* or the *Employment and Assistance for Persons with Disabilities Act*

If completion is not required in your case for one of the reasons listed above, file this form with the court.

I **request to be exempt** from completing a parenting education program for the following reason(s):

Select each option that applies

- the family law matter claim is only related to spousal support
- every child involved in the family law matter has reached 19 years of age
- I reside in *[location]*, a community where the parenting education program is not offered in person and I cannot access an online version
- the parenting education program is not available in a language I am fluent in
- I have literacy challenges and am not able to attend the parenting education program in person
- I cannot complete the parenting education program because of a serious medical condition
- a consent order is filed that resolves all the issues involving children

If you are requesting to be exempt from completing a parenting education program for one of the reasons listed above, your request must be approved by a local manager, or designate, of the Family Justice Services Division before filing this form with the court.

I can be reached at *[telephone number]* by Family Justice Services Division if they need to get more information about my request.

I wish to be notified by telephone email mail about the review of my request at:

[contact information]

FOR USE OF FAMILY JUSTICE SERVICES DIVISION ONLY

- Approved – *[name of party]* is exempt from the requirement to complete a parenting education course
- Not Approved – *[name of party]* must complete a parenting education course

By *[Signature of Local Manager or Delegate]*

Date *[mmm/dd/yyyy]*

Subpoena to Witness

FORM 21

Provincial Court Family Rules
Rule 132

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To:

Name _____ (WITNESS)

Address _____

City _____ Province _____ Postal Code _____

Phone _____ Email _____

You are required as a witness by *[full name of party]* and must attend court on *[mmm/dd/yyyy]* at *[time a.m./p.m.]* at *[court location and address]*

You must bring with you to court the following records and other things relating to this case:

Select whichever option is correct

- The amount of \$ _____ is provided to you for use as travelling expenses to attend court
- Money for travelling expenses was offered but declined

If you do not attend court on the date and time above, the court may issue a warrant for your arrest.

If you believe that you are not required as a witness or it would be a hardship for you to attend court, you may apply to the judge to cancel the subpoena, with at least 2 days' notice to the party/parties of the date your application is scheduled before the court.

Dated _____

Signature of person issuing subpoena

Warrant for Arrest after Subpoena

FORM 22

Provincial Court Family Rules
Rule 133

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To any Peace Officer in British Columbia

This court orders you to arrest *[full name of person]* of *[address]* and bring that person before a justice/judge as soon as possible.

The reason for the arrest is that the person was subpoenaed to be a witness in this case and did not attend court at *[court location]* on *[date]*.

Date

By the Court or clerk on behalf of *[name of judge]*

DRAFT

Release from Custody

FORM 23

Provincial Court Family Rules
Rules 133, 153, 161 and 164

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Select whichever of the following two statements is appropriate

I, *[full name of person being released]* promise to attend court at *[court registry, street address, city]* on *[date]* at *[time]* a.m./p.m.

My name and contact information as shown below on this release form are correct. I understand that if I do not attend court on the above date and time, the judge may issue a warrant for my arrest.

Full name:			Date of birth:
Address:			
City:	Province:	Postal code:	
Email:	Telephone:		

I, *[full name of person being released]* have made payment of \$ _____, the full amount required by the order under section 21(1)(e) of the *Family Maintenance Enforcement Act*.

My name and contact information as shown below on this release form are correct.

Full name:			Date of birth:
Address:			
City:	Province:	Postal code:	
Email:	Telephone:		

Dated *[date]* at *[city]*, British Columbia

--

Signature of person being released

--

By the Court

Request to file an Agreement

FORM 24

Provincial Court Family Rules

Rule 145

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. The other party to this agreement is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

3. I request the written agreement dated *[mmm/dd/yyyy]* between the above parties be filed in the Provincial Court

4. The written agreement was made under the following provision(s) of the *Family Law Act*:

Select all options that apply

- section 15 *[when parenting coordinators may assist]*
 section 44(3) *[agreements respecting parenting arrangements]*
 section 58(3) *[agreements respecting contact]*
 section 148(2) *[agreements respecting child support]*
 section 163(3) *[agreements respecting spousal support]*

Request to File a Determination

Registry location:	
Court File Number:	

FORM 25

Provincial Court Family Rules

Rule 146

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. The other party, who is the subject of this determination, is *[full name of other party]*.

Their date of birth is *[mmm/dd/yyyy]*. Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>	
Contact information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

3. I request the determination by a parenting coordinator referred to in section 18 *[determinations by parenting coordinators]* of the *Family Law Act* dated *[mmm/dd/yyyy]* between the above parties be filed in the Provincial Court

4. The parenting coordinator made the determination under:

Select only one of the options below and complete the required information.

- an agreement made on *[mmm/dd/yyyy]* between *[parties to the agreement]*, which is filed in the Provincial Court
- a court order made on *[mmm/dd/yyyy]*

Request to File an Order

Registry location:	
Court File Number:	

FORM 26

Provincial Court Family Rules

Rule 147

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. The other party to this order is *[full name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>
Contact information	
Lawyer (if applicable):	
Address:	
City:	Province: Postal code:
Email:	Telephone:

3. I request the copy of the order, certified by the court that made the order, dated *[mmm/dd/yyyy]* between the above parties be filed in the Provincial Court

4. I request to file the order for the purpose(s) described in the following provision(s):

Select all options that apply

- section 18 *[registration of extraprovincial or foreign order]* of the *Interjurisdictional Support Order Act*
 section 195 *[Provincial Court enforcement of Supreme Court orders]* of the *Family Law Act*
 Rule 15-3(6) *[enforcement in Provincial Court]* of the *Supreme Court Family Rules*

For use by Family Maintenance Enforcement Program or Interjurisdictional Support Services staff only

<input type="checkbox"/> This request is being made and/or filed on behalf of the party by: <input type="checkbox"/> Family Maintenance Enforcement Program <input type="checkbox"/> Interjurisdictional Support Services Notes: <hr/> <hr/> <hr/> <hr/>

Application About Enforcement

Registry location:	
Court File Number:	

FORM 27

Provincial Court Family Rules
Rules 148 and 149

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.
My contact information and address for service are:

Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

2. I understand I must serve each other party with notice of this application. They must be served with the application and supporting documents at least 7 days before the date set for the hearing unless a judge allows the application to be made without notice or with less than 7 days' notice.

3. The other party is *[name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.
Their contact information, as I know it, is:

Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

Additional party (complete only if applicable)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>
Contact information	
Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* a.m./p.m.

NOTE TO THE OTHER PARTY: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

Application for Garnishment Summons or Warrant

Registry location:	
Court File Number:	
FMEP Number:	

Family Maintenance Enforcement Act

FORM 28

Provincial Court Family Rules

Rule 152

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service are:

Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

2. The other party is *[name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.

Their contact information, as I know it, is:

Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

Additional party/attachee (complete only if applicable)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>
Contact information	
Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

3. An order or filed written agreement between the parties was made on *[mmm/dd/yyyy]* requiring:

Select all applicable options

- the debtor to pay support
- the attachee (person required to pay) to comply with the attachment order/notice of attachment
- the debtor to pay arrears
- the debtor to report by filing a statement of income and expenses
- the debtor to provide particulars of each change of residential address, place of employment or business address
- the debtor to provide a statement of finances or other prescribed document

4. A copy of the order or filed written agreement is attached

5. In connection with this order, I request:

Select each option that applies and include the required supporting document(s) with your request

- a summons requiring the debtor to attend court to show cause why the order should not be enforced
- a warrant for arrest authorizing the apprehension of the debtor to bring the debtor before the court to show cause why the order should not be enforced
- a garnishing order
 - a completed Garnishing Order is attached

- a summons to a default hearing
- a summons to a committal hearing
- a warrant of execution
 - a completed Warrant of Execution is attached
- a warrant for the arrest of a debtor if there are reasonable and probable grounds for believing that a debtor is about to leave British Columbia in order to evade or hinder the enforcement of a support order

For use by Family Maintenance Enforcement Program staff only

<input type="checkbox"/> This application is being made and/or filed on behalf of the party by the Family Maintenance Enforcement Program
Notes:

DRAFT

Summons - General

FORM 29

Provincial Court Family Rules
Rule 152

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To:

Name

Address

City

Province

Postal code

Phone

Email

[full name of party] has requested an order under the *Family Law Act* or the *Family Maintenance Enforcement Act*. The claim/application is attached.

You have:

Select one or more of the following options, as applicable, complete the selected option(s) and remove the option(s) that is/are not selected so that it/they do(es) not appear in the summons)

- failed to file a reply as required under the Provincial Court Family Rules
- failed to attend court on *[mmm/dd/yyyy]* at *[time a.m./p.m.]* at *[court location and address]*
- failed to comply with an order to *[describe what the order required the debtor/party to do]*

You must attend court on *[mmm/dd/yyyy]* at *[time a.m./p.m.]* at *[court location and address]* [to respond to the claim/application][to show cause why the order should not be enforced].

If you do not attend court on the date and time above, the court may make an order in your absence or issue a warrant for your arrest.

Dated _____

By the Court or a clerk on behalf of *[name of judge]*

Warrant for Arrest

FORM 30

Provincial Court Family Rules

Rule 152

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To all police officers in British Columbia

This court orders you to arrest *[full name of person]* of *[address]* and bring that person before a justice/judge as soon as possible.

The reason for the arrest is that the person

- did not attend court at *[court location]* on *[date]*
 - as required by a summons
 - as ordered by the Court in the presence of the person
 - as specified on a release
 - other reason *(specify)*
- is required to attend court to explain their non-compliance and show why an order for imprisonment should not be made under section 231(2) of the *Family Law Act*
- is required to attend court to show cause why an order under section 14(1) of the *Family Maintenance Enforcement Act* should not be enforced
- other reason *(specify)*:

Date

By the Court or clerk on behalf of *[name of judge]*

Summons to a Default Hearing

FORM 31

Provincial Court Family Rules

Rule 152

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To:

Name

Address

City

Province

Postal code

Phone

Email

Because you have defaulted in payment under a support order, *[full name of party]* has requested an order under the *Family Maintenance Enforcement Act*.

A statement of arrears is attached.

You must attend court on *[mmm/dd/yyyy]* at *[time a.m./p.m.]* at *[court location and address]* to show cause why the support order should not be enforced.

If you do not attend court on the date and time above, the court may make an order in your absence or issue a warrant for your arrest.

Dated _____

Judge or Justice of the Peace in and for the Province
of British Columbia

Summons to a Committal Hearing

FORM 32

Provincial Court Family Rules

Rule 152

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

To:

Name

(DEBTOR)

Address

City

Province

Postal code

Phone

Email

You, the debtor, have not obeyed the court's order as set out in the attached Statement.

You must attend court on *[mmm/dd/yyyy]* at *[time a.m./p.m.]* at *[court location and address]* to give reason why you should not be imprisoned for disobeying the court's order.

If you do not attend court for the committal hearing on the date and time above, you may be arrested and brought to the Court.

Dated _____

Judge or Justice of the Peace in and for the Province
of British Columbia

Application for Order Under the Family Maintenance Enforcement Act

FORM 33

Provincial Court Family Rules
Rule 154

Registry location:	
Court File Number:	
FMEP Number:	

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.
My contact information and address for service is:

Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

2. I understand I must serve each other party or person this application is about with notice of this application. They must be served with the application and supporting documents at least 7 days before the date set for the court appearance unless a judge allows the application to be made without notice or with less than 7 days' notice.

3. The other party this application is about is *[name of other party]*. Their date of birth is *[mmm/dd/yyyy]*.
Their contact information, as I know it, is:

Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

Additional party/person (complete only if applicable)

Full name:	Date of birth: <i>[mmm/dd/yyyy]</i>
Contact information	
Lawyer (if applicable):	
Address:	
City:	Postal code:
Email:	Telephone:

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* a.m./p.m.

NOTE TO THE OTHER PARTY/PERSON: If you do not appear in court on the date and time above, the court may make an order in your absence.

For use by Family Maintenance Enforcement Program staff only

<input type="checkbox"/> This application is being made and/or filed on behalf of the party by the Family Maintenance Enforcement Program Notes: <hr/> <hr/> <hr/> <hr/>
--

ABOUT THE ORDER

4. I am applying for the following order(s):

Select all options that apply

- requiring the other party/person to provide to the director correspondence and/or searchable information
- extending the time for filing a statement of finances with the court
- requiring the debtor to file a statement of finances or other documents
- requiring the debtor to pay an amount on failing to file a statement of finances or prescribed documents
- providing that a corporation is jointly and separately liable with the debtor for payments required by the support order
- requiring payment by an attachee who failed to pay in accordance with a notice of attachment or to respond in accordance with the regulations
- providing that a notice of attachment has no effect because the attachee is no longer liable or that the notice of attachment contains or is based on a material error
- changing an order made at a default hearing
- changing the amount exempt from attachment under an attachment order or notice of attachment
- setting aside an attachment order made under section 24 of the *Family Maintenance Enforcement Act*
- discharging or postponing the registration of a support order registered against land
- requiring that the Director of Maintenance Enforcement direct the Insurance Corporation of British Columbia to disregard a notice not to issue or renew the driver's licence of a debtor, or a notice not to issue or renew the licence and corresponding number plates for any motor vehicle or trailer owned by a debtor
- requiring security in any form from the debtor
- requiring an individual or authorized representative of a corporation, partnership or proprietorship to attend a default hearing or committal hearing and to file financial information
- restraining a person under section 46 of the *Family Maintenance Enforcement Act*
- requiring a restrained person to enter into a recognizance and to report to the court, or a person named by the court

5. I am attaching a copy of the order, written agreement or determination this application is about

6. *Select only one of the options below and complete the required information*

- I am filing an affidavit in support of this application
- The facts on which this application is based are as follows:

Give the facts you want the court to consider. Include why you are making this application and why you need the court to make the order. Be prepared to provide evidence at your court appearance.

Recognizance - Family Maintenance Enforcement Act

FORM 34

Provincial Court Family Rules

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

On *[date]* the Honourable Judge *[name of judge]* ordered *[full name of restrained party]* (the restrained party) to enter into a recognizance following the issuance of a restraining order under s. 46(1) of the *Family Maintenance Enforcement Act*.

The following person(s) attended before a Justice and acknowledged owing the following amount to Her Majesty the Queen:

_____	_____	Amount \$
Restrained Party	Occupation	
_____	_____	<input type="checkbox"/> without deposit
Address	City/Province	<input type="checkbox"/> with deposit of \$
_____	_____	<input type="checkbox"/> without surety
Surety	Occupation	<input type="checkbox"/> with surety
_____	_____	Amount \$
Address	City/Province	

If the person bound fails to meet the condition(s) listed below, Her Majesty the Queen may seize any of the person's possessions or the possessions of any sureties equal to this amount, to be used as Her Majesty sees fit.

The condition of the above recognizance is that if *[full name of restrained party]* reports to *[the court or person named by the court]* on *[date]* at *[time]*, or as follows:

(if applicable) and in addition:

the recognizance is void, otherwise it stands in full force.

Acknowledged before me at *[city]*, British Columbia.

<div style="border: 1px solid black; width: 330px; height: 30px;"></div>	_____	<div style="border: 1px solid black; width: 235px; height: 30px;"></div>
Signature of restrained party	Date	A Judge or Justice of the Peace in and for the Province of British Columbia
<div style="border: 1px solid black; width: 330px; height: 30px;"></div>	_____	<div style="border: 1px solid black; width: 235px; height: 30px;"></div>
Signature of surety	Date	A Judge or Justice of the Peace in and for the Province of British Columbia

Restraining Order

Under *Family Maintenance Enforcement Act*

By Consent Without Notice

Registry location:	
Court File Number:	

FORM 35

Provincial Court Family Rules

Rule 154

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before the Honourable Judge *[name of judge]*

on *[date]*

On the application of *[full name of person making the application];*

Persons appearing: _____ Lawyer: _____
_____ Lawyer: _____

THIS COURT ORDERS THAT pursuant to section 46(1) of the *Family Maintenance Enforcement Act*, *[full name of restrained party]*, is restrained from molesting, annoying, harassing, communicating with or attempting to molest, annoy, harass or communicate with *[names of creditor, debtor, director, or a person to whom the director has delegated a power, as ordered by the judge]*.

Further details of restraining order:

(complete if applicable) Restraining order to expire on *[date]*.

Dated _____

By the Court

Checked by:

Initials

TAKE NOTICE THAT any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, having reasonable and probable grounds to believe that the person against whom this order is made has contravened a term of this order may take action to enforce the order. Enforcement action may include arresting the person against whom this order is made without warrant in accordance with section 495 of the Criminal Code.

Order for Imprisonment

Family Law Act

FORM 36

Provincial Court Family Rules

Rule 162

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before the Honourable Judge *[name of judge]* on *[date]*

TO ALL PEACE OFFICERS IN THE PROVINCE OF BRITISH COLUMBIA AND TO THE KEEPER OF A PROVINCIAL CORRECTIONAL CENTRE:

Whereas *[full name of person to be imprisoned]* has appeared before this Court and has been given a reasonable opportunity to explain their non-compliance and show why an order for imprisonment under section 231 of the *Family Law Act* should not be made;

THIS COURT ORDERS that *[full name of person to be imprisoned]* be committed to a Provincial Correctional Centre in the Province of British Columbia, for a period of days.

YOU THE PEACE OFFICER ARE COMMANDED to bring this person safely to a Provincial Correctional Centre in the Province of British Columbia and deliver this person to the keeper.

YOU THE KEEPER ARE COMMANDED to receive this person into custody in the Provincial Correctional Centre and imprison this person for the term written above or upon further order of this Court.

Date

By the Court

Request for Scheduling

FORM 37

Provincial Court Family Rules

Rule 169

Registry location:	
Court File Number:	

1. My name is *[full name of party]*.
2. The other party is *[full name of other party/parties]*.
3. On *[mmm/dd/yyyy]*:
Select all options that apply
 - this matter was adjourned by the court without setting a new date (adjourned generally)
 - an order or direction was made by the court referring or requiring the party/parties to attend, participate or complete a requirement before returning to court
 - an order or direction was made by the court requiring that a deficiency under these rules be addressed by a party before returning to court
 - an order was made by the court providing for the review of the order
 - an interim order was made by the court and I am applying for the interim order to be changed, suspended or cancelled under section 216(3) of the *Family Law Act* because:

I would like the interim order changed, suspended or cancelled as follows:

- I attended a family management conference or readiness hearing regarding this matter. I am applying for an interim order under section 216 or 217 of the *Family Law Act* for the following family law matter order(s) applied for in my claim, reply or counterclaim:
 - parenting arrangements, including parental responsibilities and parenting time
 - child support
 - contact with a child
 - guardianship of a child
 - spousal support

4. I request that the claim/application filed on *[mmm/dd/yyyy]* be scheduled for a:
 - family management conference or readiness hearing
 - other appearance as ordered or directed by the court (*specify*):

For registry or judicial case manager use only

A *[type of appearance]* **is scheduled for** *[date]* **at** *[time]* **a.m./p.m.**
at *[court registry, street address, city]*

NOTE TO THE OTHER PARTY: If you do not attend in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

Notice of Lawyer for Child

FORM 38

Provincial Court Family Rules

Rule 174

Registry location:	
Court File Number:	

1. I *[full name of lawyer]* wish to notify the court and the parties that I am the lawyer for the following child(ren):

Child's full name	Child's date of birth (<i>mmm/dd/yyyy</i>)

2. I will be representing the child(ren) identified in section 1 on the following issue(s):

Select all options that apply.

- parenting arrangements
- child support
- contact with a child
- guardianship of a child
- protection order
- extraordinary parenting matter
- relocation
- other (*specify*):

3. My contact information and address for service of court documents are:

Firm name (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

NOTE TO THE PARTIES: You are required to serve the lawyer for the child(ren) with copies of any court documents, including a claim or application and any supporting documents, as you would the other party, unless otherwise ordered by the court.

NOTE TO THE REGISTRY: The lawyer for the child(ren) is to be given notice of all court appearances and access to the court file, including copies of any filed document(s), as if they were a party, unless otherwise ordered by the court.

Notice of Removal of Lawyer of Record for Child

FORM 39

Provincial Court Family Rules

Rule 174

Registry location:	
Court File Number:	

I *[full name of lawyer]* wish to notify the court and the parties that I am to be removed as the lawyer of record for the following child(ren):

Child's full name	Child's date of birth (<i>mmm/dd/yyyy</i>)

DRAFT

Order - General

- Interim Order Final Order
 By Consent Without Notice

Registry location:	
Court File Number:	

FORM 40

Provincial Court Family Rules
Rule 179

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before [the Honourable Judge *[name of judge]*] or [*[name of family justice manager]*]
on *[date]*

On the application of *[full name of party making the application]*;

And

- on the Court determining that a court appearance is not required [and notice is not required]
 after attendance in court by *[name of party/parties and/or lawyers who attended court]* at *[court location]* on *[date]*

THIS COURT ORDERS THAT:

(specify terms of the order)

Approved as to form:

[A signature line in the following form must be completed and signed by or for each approving party, as required.]

Signature of [type or print name],
lawyer for [name of party/parties]

Signature of [type or print name],
lawyer for [name of party/parties]

By the Court

Affidavit - General

FORM 41

Provincial Court Family Rules

Rule 182

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 *[briefly describe the type of application]*
 in response to an application *[briefly describe the type of application]*

List the facts that you wish to present to the court. If certain facts are not within your personal knowledge, identify the source of your information. If you refer to documents, attach them to this affidavit and mark them as exhibits.

2.
3.
4.

Sworn or affirmed before me
at *[city]* British Columbia
on *[date]*

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

Signature

Notice of Address Change

FORM 42

Provincial Court Family Rules

Rule 185

Registry location:	
Court File Number:	

1. I *[full name of party]* wish to notify the court and the other party/parties that my contact information and address for service of court documents are now changed to:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

2. The change is current as of *[mmm/dd/yyyy]*
3. I understand I need to serve each other party with a filed copy of this notice.

DRAFT

Notice by Advertisement

FORM 43

Provincial Court Family Rules

Rule 192

Registry location:	
Court File Number:	

In the Provincial Court of British Columbia

To *[full name of party to be served]*

[full name of party making application/claim] is applying to the Provincial Court for an order *[describe the order(s) you are asking the court to make]*.

The Court has ordered that the *[name of document(s) to be served]* be served on you by way of this advertisement.

To reply to the *[claim/application]* you must:

(Option 1) file a reply form within 21 days (or other time period specified by the court) in the court registry at *[address of court registry, city, province]*.

(Option 2) appear in court at *[address of court registry, city, province]* on *[date]* at *[time a.m./p.m.]*.

If you *[do not file a reply/do not appear in court on the date and time scheduled for the court appearance]*, the Court may make an order in your absence.

You can get a copy of the document(s) in your case, or view your court file, at the court registry at the above address. Refer to court file number *[court file number]*.

DRAFT

Affidavit of Personal Service

FORM 44

Provincial Court Family Rules

Rule 193

Registry location:	
Court File Number:	

I, *[full name]*, *[occupation]* of *[address of party, city, province]*,

SWEAR OR AFFIRM THAT:

1. I personally served *[full name of person served]*

on *[date the document(s) were served mmm/dd/yyyy]* at *[time the document(s) were served a.m./p.m.]*

at *[address or location where service took place, city, province]*

with a copy of the following document(s):

Indicate each document served by marking it with an exhibit letter, listing it below, and attaching a copy to the affidavit.

Exhibit "A": *[name of document]*

Exhibit "B": *[name of document]*

Exhibit "C": *[name of document]*

...

2. The party served was identified to me in this manner:

Select only one of the options below

- I know the person
- the person served admitted to being this person
- other (*specify*):

Sworn or affirmed before me

at *[city]* British Columbia

on *[date]*

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

Signature

Affidavit of Personal Service of Protection Order

Registry location:	
Court File Number:	

FORM 45

Provincial Court Family Rules

Rule 193

I, *[full name]*, *[occupation]* of *[address of party, city, province]*,

SWEAR OR AFFIRM THAT:

1. I personally served *[full name of person served]*

on *[date the document(s) were served mmm/dd/yyyy]* at *[time the document(s) were served a.m./p.m.]*

at *[address or location where service took place, city, province]*

with a copy of the attached protection order made under Part 9 of the *Family Law Act*, marked as Exhibit "A".

2. I also personally served them with a copy of the following document(s):

Indicate each additional document served by marking it with an exhibit letter, listing it below, and attaching a copy to the affidavit.

Exhibit "B": *[name of document]*

Exhibit "C": *[name of document]*

Exhibit "D": *[name of document]*

...

3. The party served was identified to me in this manner:

Select only one of the options below

I know the person

the person served admitted to being this person

other *(specify):*

Sworn or affirmed before me

at *[city]* British Columbia

on *[date]*

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

Signature

Electronic Filing Statement

FORM 46

Provincial Court Family Rules

Rule 201

Registry location:	
Court File Number:	

1. *Select the applicable option and complete the required information*
 - I, *[full name of person]*, am the lawyer acting for *[full name of party/parties]*
 - I, *[full name of party]*, am not represented by a lawyer
2. The other party is *[full name of other party/parties]*
3. I advise as follows:

The *[name and identifying description of document]* is being submitted for filing electronically (*add if applicable*) on behalf of *[full name of party/parties]*.

The original paper version of the document being submitted for filing electronically appears to bear an original signature of the person identified as the signatory and I have no reason to believe that the signature placed on the document is not the signature of the identified signatory.

The version of the document that is being submitted for filing electronically appears to be a true copy of the original paper version of the document and I have no reason to believe that it is not a true copy of the original paper version.

Dated ____ *[mmm/dd/yyyy]* _____

Signature _____

DRAFT

Fax Filing Cover Page – Provincial Court Family

FORM 47

Provincial Court Family Rules

Rule 202

This form must be used when transmitting documents to the court registry by fax for filing.

Documents transmitted by fax are subject to the limitations set out in the Provincial Court Family Rules.

It is the responsibility of the person transmitting a document to ensure that the document is filed in the court registry within the required filing time. The registry is not responsible for any difficulties transmitting a document by fax to the registry. The registry cannot guarantee that any document will be filed on the day it is received in the registry.

To:

_____ Court location

_____ Fax number

From:

_____ Name of party, lawyer or firm

_____ Contact name (if different from above)

_____ Phone number

Fax numbers for transmitting provincial family documents to court registries can be found on the BC Government website at www.gov.bc.ca/justice/courthouse-services/courthouse-locations or through Enquiry BC at 1-800-663-7867

Notification of acceptance or refusal of filing:

Please select only one of the following options for notification and complete the required information

- by fax to: _____
Fax number
 - by email to: _____
Email address
 - by mail to: _____
Mailing address
- City _____ Province _____ Postal Code _____

Attachments:

Court File Number: _____ Names of Parties: _____

Document(s) for filing: (Notice to Resolve, Reply, etc.)	No. of pages in document
Total no. of pages in submission (including fax cover page) ➡	

Note: If the total number of pages exceeds 30, your document(s) should be sent in batches. Please indicate at the top of the Fax Filing Cover Page, "Batch 1/2" and "Batch 2/2" and so on and specify in this section what is included in the specific batch. Court registry fax machines may be unable to accommodate a large volume of faxed materials. Other filing options should be considered.

Note to Registry:

