

Application for a Family Law Matter Consent Order

Form 17

Provincial Court Family Rules

Rule 81

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, including parental responsibilities and parenting time
- ☐ child support
- ☐ contact with a child
- ☐ guardianship of a child
- ☐ spousal support
- ☐ property division in respect of a companion animal

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

- ☐ an Application About a Family Law Matter about parenting arrangement and Reply with agreement
- ☐ Schedule 1 of this Application for a 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

- ☐ an Application About a Family Law Matter 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

- ☐ an Application About a Family Law Matter 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

- ☐ an Application About a Family Law Matter about guardianship and Reply with agreement
- ☐ Schedule 4 of this Application for Family Law Matter Consent Order (complete and attach Schedule 4)

and:

- ☐ For each party applying to be appointed as a guardian of a child or children:
 - ☐ a Consent for Child Protection Record Check in Form 5 under the *Family Law Act Regulation*
 - ☐ a request, in the form provided by the registry, to search the protection order registry
 - ☐ acknowledgement that each required party has initiated a criminal record check

Note: Each party applying to be appointed as a guardian of a child or children must file a Guardianship Affidavit in Form 5 before the court can make a final order for guardianship of a child.

For an application about spousal support:

Your consent order application must be supported by one of the following

- ☐ an Application About a Family Law Matter 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

For an application about property division in respect of a companion animal:

Your consent order application must be supported by one of the following

- ☐ an Application About a Family Law Matter about property division in respect of a companion animal and Reply with agreement
- ☐ Schedule 6 of this Application for a Family Law Matter Consent Order (complete and attach Schedule 6)

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 (mmm/dd/yyyy)	Party 1's relationship to child	Party 2's relationship to child	Child is currently living with

7. ☐ We understand that we must consider the child(ren)'s best interests with respect to each order we are asking the court to make about the child.

Filing registry

8. We are filing this form in the court registry:

Select only one of the options below

- ☐ where our existing case with the same party/parties is located
- ☐ closest to where the child lives most of the time, because our case involves a child-related issue
- ☐ closest to where a party lives because our case does not involve a child-related issue
- ☐ permitted by court order

Existing written agreements or court orders

9. There is an existing written agreement or court order about parenting arrangements, child support, contact with a child, guardianship or a child, spousal support, and/or property division in respect of a companion animal.

- ☐ Yes ☐ No

10. There is an existing court order, agreement or plan protecting one of the parties, the child(ren), or restraining contact between the parties, including a protection order, an order, agreement or plan involving child protection services, a peace bond, restraining order, bail condition or other criminal order.

- ☐ Yes ☐ No

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

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

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

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

3. Complete only if there is an additional party. 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. A person who is not a parent can become a guardian of a child by a court order or under a will.

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

Parental responsibilities

4. We consent to the parental responsibilities being exercised by us as follows:

Parenting Time

5. We consent to the child(ren) having parenting time with us as follows:

Conditions on parenting time

6. *Complete only if you are asking for conditions on parenting time. You may leave this section blank.*

We consent to have the following conditions placed on the parenting time with the child(ren):

Additional parenting arrangements

7. *Complete only if there are additional order terms you agree to. You may leave this section blank.*

We consent to the following additional parenting arrangements:

Best interests of the child

8. We believe the parenting arrangements we consent to, including parental responsibilities and parenting time, are in the child(ren)'s best interests because:

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 there is an additional party. 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:

Unpaid child support

6. Select only one of the options below

- ☐ We agree, there is no unpaid child support (arrears)
- ☐ We agree, as of _____ the amount of unpaid child support (arrears) is \$ _____
(mmm/dd/yyyy)

About the order

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 _____ in the monthly amount set out in the child support guidelines table for the following child(ren) identified in section 6 of this application.
(name of paying party/parties)
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 _____ 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:
(name of paying party/parties)
List the name(s) 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(s) 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

Start date of order

10. Child support payments may start or end 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

The order about child support should start on _____ because:
(mmm/dd/yyyy)

Calculations

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:

Special and extraordinary expenses

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 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 our order 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	\$	\$	\$	\$

Financial statement

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 an agreement as to income.
- ☐ One or both of us is not able to complete a financial statement at this time and we are filing 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 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.*

About the order

1. We consent to contact with the child(ren) as follows:

Complete only if you agree to have conditions on the contact. You may leave this section blank.

We consent to the following conditions being placed on the contact with the child(ren):

Best interests of the child

2. We believe the contact we consent to is in the child(ren)'s best interests because:

SCHEDULE 4 – GUARDIANSHIP

This is Schedule 4 to the Application for Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order about guardianship of a child or children identified in Section 6 of this application.

Order about guardianship

1. ☐ We consent to having the following person(s) appointed as a guardian of the child or children:

Full name of person	Name of child(ren)	Relationship to the child

Indigenous ancestry of child(ren)

These questions will help the court make a decision about guardianship of a child.

2. Is the child or children Indigenous? ☐ Yes ☐ No ☐ Unknown

If yes, please select the option(s) below that best describe(s) the child(ren)'s Indigenous ancestry

- ☐ Treaty First Nation
☐ Nisga'a
☐ First Nation
☐ the child is under 12 years of age and has a biological parent who is of Indigenous ancestry, including Métis and Inuit, and self identifies as Indigenous
☐ the child is 12 years of age or older, of Indigenous ancestry, including Métis and Inuit, and self identifies as Indigenous

3. Complete the following statement only if the child is a Nisga'a child or a Treaty First Nation child

- ☐ We acknowledge that we must serve the Nisga'a Lisims Government or the Treaty First Nation to which the child belongs with notice of this application as we described in section 208 or 209 of the *Family Law Act*

Guardianship affidavit and supporting documents

4. ☐ We understand that each party applying for guardianship of a child is required to file a Guardianship Affidavit in Form 5 as described in Rule 27 before the court can make a final order about guardianship.

5. ☐ Each party applying for guardianship of a child has initiated or completed a criminal record check as required for the Guardianship Affidavit in Form 5.

6. Select only one of the options below

- ☐ Each party applying for guardianship of a child has completed the following documents and we are filing them along with this application:
☐ a Consent for Child Protection Record Check in Form 5 under the *Family Law Act Regulation*
☐ a request, in the form provided by the registry, to search the protection order registry
☐ One or more parties applying for guardianship of a child is not able to complete the required documents at this time and we are filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this application be filed with the additional documents.

Best interests of the child

7. We believe the consent order about guardianship for the child(ren) is in their best interests because:

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

About the order

3. Spousal support is to be paid by _____ to _____
full name of payor full name of recipient

4. We consent to spousal support as follows:

Select all options that apply and complete the required information

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

Calculations

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 an agreement as to income
- ☐ One or both of us is not able to complete a financial statement at this time and we are filing 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.

SCHEDULE 6 – PROPERTY DIVISION IN RESPECT OF A COMPANION ANIMAL

This is Schedule 6 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order about property division in respect of a companion animal.

Relationship between the parties

1. ☐ We are (or were) spouses.

Order about a companion animal

2. Our application is about the following companion animal(s):

Name of companion animal	Type of animal

About the order

3. We consent to an order for ownership and possession of the companion animal(s) as follows:

*Note: Under section 97 of the Family Law Act, the court may only make an order for ownership and possession of a companion animal **by one spouse**.*

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

Provide the facts you want the court to consider and why the court should make the order you are applying for.