

Notice to Resolve a Family Law Matter Form 1

Provincial Court Family Rules

Early Resolution Registry use only

You can complete and file most family forms online using the Family Law Act Online Forms Service.

Access the service at justice.gov.bc.ca/apply-for-family-order.

The free service includes guided pathways that ask you questions and put your answers into the required court forms. When you're finished, you can save and file your forms electronically or print them to file in person.



A PDF version of this form is available online for download at www.gov.bc.ca/court-forms.

For courthouse locations, addresses, and contact information visit:

www.gov.bc.ca/courthouselocations

Need assistance with how to complete this form?

Refer to the guidebook if you need more information about how to complete this form and apply for a court order about a family law matter. Find it online, with interactive links, at www.gov.bc.ca/court-forms or pick up a printed copy from your local court registry.

Family law:

The [Provincial Court Family Rules](#) set out the steps that you must take and the forms you must complete in a family law case. These rules apply to cases in Provincial Court about matters under the [Family Law Act](#) and the [Family Maintenance Enforcement Act](#).

You can find the Rules and Acts on the BC Laws website at www.bclaws.gov.bc.ca.

Preparing a Notice to Resolve a Family Law Matter Form 1

Complete this form if you need help resolving a family law matter in an early resolution registry.

Family law matters include:

- 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

If you need a protection order or order about a priority parenting matter you will need to complete:

- [Application About a Protection Order Form 12](#) or [Application About Priority Parenting Matter Form 15](#), and
- [Notice to Resolve a Family Law Matter Form 1](#) if you also want to resolve a family law matter.

If you have an interim order about a family law matter that you need to change or cancel, you will need to complete a [Request for Scheduling Form 39](#).

If you want restart a family law matter where the last step taken was over 1 year ago, you will need to complete a [Notice of Intention to Proceed Form 2](#).

What if I have an urgent need for a court order?

The rules allow you to apply to the court using the [Application About a Case Management Order Without Notice or Attendance Form 11](#) to ask for permission to waive or modify any requirement under the rules. If you have an urgent need for a court order, this may include delaying completing an early resolution registry requirement, filing your application before filing additional required forms, shortening the notice period to the other party or excusing you from serving the other party.

NOTE: This form is only to be used in an early resolution registry. If you are not filing in an early resolution registry, please complete an [Application About a Family Law Matter Form 3](#).



Need legal help?

It's important to understand the law and make sure you have the right information. If you don't, it can make solving your problem harder. Getting advice from a lawyer can help. You can find a lawyer through:

Lawyer Referral Service

Visit www.accessprobono.ca/our-programs/lawyer-referral-service or call at 604-687-3221

Legal Aid, Duty Counsel and Family Advice Lawyers

Visit <https://legalaid.bc.ca/> or call 1-866-577-2525

Legal Services and Resources

Visit the ClickLaw Legal Services page at www.clicklaw.bc.ca/services



Getting started

If you have a family law matter in Provincial Court, there are three types of court registries you might file at:

- early resolution registry,
- family justice registry, or
- parenting education program registry.

Each one has its own requirements. [Rule 6](#) lists the different registries, or you can see the guidebook for more information.



Filling out the form and preparing to file it

Make sure you follow the instructions in the form and include all the required information. You don't need to use any special wording. Try to be clear and concise.

If you complete the form by hand, be sure it's readable.

How do I prepare the form for filing?

- print or make copies of the completed form: one set for you, one set for the court, and one set for each other party
- staple or secure each package of documents together



Filing the form at the registry

After you've filled out your form, you must file it at the [Provincial Court Registry](#):

- where the existing Provincial Court case with the same parties is filed (you already have a court file number)
- nearest to where the child lives most of the time, if the case involves a child-related issue, or
- nearest to where you live if the case does not involve a child-related issue

Remember, use this form only if you are filing in an early resolution registry.

File the form:

- electronically using the [FLA Online Forms Service](#)
- in person at the court registry
- by mail
- by email, as referenced in Notice to the Profession and Public [NP 28 Current Court Operations](#), or
- by fax filing using the [Fax Filing Cover Page Form 52](#)

There are no fees for filing Provincial Court family documents.

Be sure to bring all copies of the documents to the registry if you are filing in person.

The registry clerk will review your form to make sure it is complete before filing it. You'll be given a copy for your records along with a copy for the other party.



Providing a filed copy to each other party

You can give the other party a copy using any way you believe will get it to them, including:

- giving them a copy in person
- sending a copy by email, text message, direct message, or mail
- getting a friend or someone else to give them a copy

This is a 3-page form. **Remember to give the other party all the pages.**



Completing the early resolution process

Before you can do anything else with your family law matter in court, you must meet certain early resolution registry requirements listed in Part 7 of this form:

- participate in a needs assessment
- complete a parenting education program
- participate in consensual dispute resolution, if appropriate

To learn more about meeting these requirements, contact the [Justice Access Centre](#) in person or by phone.

For more information about their services, including how to reach them, go to www.gov.bc.ca/family-justice-services-division.

Access the Parenting After Separation courses at www.gov.bc.ca/ParentingAfterSeparation

Can I get help in another language?

The [Justice Access Centre](#) staff can arrange a **free** interpreter for meetings with a Family Justice Counsellor or for their other services.

For most things that go on outside the courtroom, you'll need to find your own interpreter. Some people ask a friend or family member. Others hire a professional interpreter.



What's next

If you resolve some or all family law matters with the help of the family justice counsellor, they'll help you to document the agreement.

You can file a written agreement or consent order with the court.

If you don't resolve all your family law matters during the early resolution process, either party can apply to the Provincial Court for a court order by filing an Application About a Family Law Matter Form 3. Family Justice Services Division will confirm you've met the early resolution requirements.

Notice to Resolve a Family Law Matter

Form 1

Provincial Court Family Rules
Rule 10

COURT STAMP

Registry location:

Court file number:

Document number:

For registry use only

This Notice to Resolve a Family Law Matter provides notice that a party is seeking resolution of a family law matter in an early resolution registry. Before proceeding any further with the family law matter, each party is required to meet the early resolution requirements described in Part 2 of the rules.

Please read before completing the form:

- This form is only to be used in an early resolution registry and is only required if you have a family law matter to resolve.
- For guidance filling in this form, please read the guidebook. The guide is available online at www.gov.bc.ca/court-forms or from your local court registry.



For more information about early resolution registries, see the guidebook.

Part 1 | Notice

1. ☐ I understand **the following people must be provided with a copy of the notice** to resolve:
- all parents and current guardians of each child who is the subject of the family law matter
 - my spouse, if I am applying for spousal support or property division in respect of a companion animal
 - each other adult who the family law matter is about
- They are the other party/parties in this case.**



For more information about how to give notice to the other party, see the guidebook.

Part 2 | About the parties

2. **My full name is:**
Full name of party
- My date of birth is:**
(dd/mmm/yyyy)
- My current contact information is:**
- Email: Telephone:
3. The full name of **other party to this agreement** is:
Their **date of birth** (dd/mmm/yyyy) is:
- ☐ There is an additional party.
The **additional party's** full name is:
Their **date of birth** (dd/mmm/yyyy) is:



For more information about how your contact information will be used and who will have access to it, see the guidebook.

Part 3 | Family law matters that you need help resolving

4. 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
- ☐ Property division in respect of a companion animal



Some matters don't fall under the definition of "family law matter", including a protection order or priority parenting matter. The early resolution process is not required to apply for an order about these other matters [Rule 12].



For more information about family law matters and how to apply for other orders about other matters, see the guidebook.

Part 4 | Identification of children

5. Select the correct option below and provide the additional information if applicable

- ☐ My family law matter is **not about a child** or children (*skip to Part 5*)
- ☐ My family law matter is about **the following child** or children:
Provide the requested information below for each child

Child's full name

Child's date of birth
(dd/mmm/yyyy)

Part 5 | Existing orders and agreements

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

☐ Yes ☐ No

7. There is an **existing court order, agreement or plan protecting** one of the parties or the child(ren), or restraining contact between the parties, including:

- a protection order,
- an order, agreement or plan involving child protection services, or
- a peace bond, restraining order, bail condition or other criminal order.

☐ Yes ☐ No



Include any order (interim or final), agreement or plan from any level of court and any location.

Part 6 | Filing location

8. I am filing this application **in the court registry**:

Select only one of the options below

- ☐ Where my **existing case** with the same party/parties is located. I already have a file number.
- ☐ 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
- ☐ Permitted by **court order**



Rule 7 sets out the requirements for which registry to use.
Talk to the court registry to see if there is already an existing case at a court location.

IMPORTANT NOTE:

Before proceeding any further with your case, each party is required to meet the early resolution requirements described in the rules and **set out in Part 7 of this Notice**.

If you require a time sensitive order on a family law matter, you may be able to postpone participation in one or more 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.

Part 7 | What you must do to meet the early resolution requirements

More information about the services provided by Family Justice Services Division, including contact information for the Justice Access Centres, can be found at www.gov.bc.ca/family-justice-services-division.

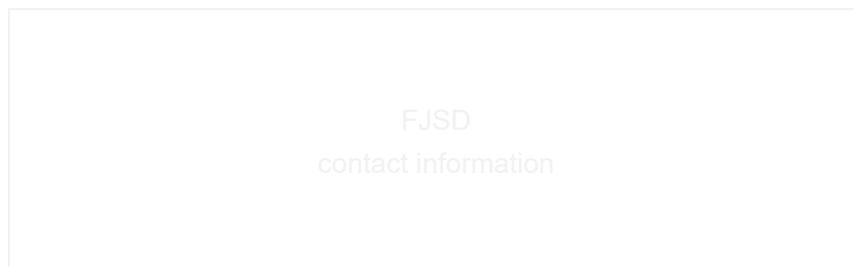
If you have already participated in some or all of the early resolution requirements set out below within the last year, Family Justice Services Division will confirm you have met the early resolution requirements and prepare the required documents for court.

1 | Needs Assessment

A needs assessment is a one-on-one meeting with a needs assessor. A needs assessor is a neutral person trained to help you understand this process and other ways available to resolve your family law matter and other issues.

A needs assessor can provide legal information, make referrals to supports, including legal advice, and help identify the next steps that are right for you.

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



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

- ☐ **Participate in a needs assessment**

2 | Parenting Education Program

Free online parenting courses to provide information to help parents make careful and informed decisions about their separation and to ensure decisions are based on the best interests of the child/youth.

- ☐ **Complete a parenting education course**, unless you are exempt by a needs assessor.

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



The reasons a person may be exempt from completing a parenting education course are set out in Rule 17.

3 | Consensual Dispute Resolution

Consensual dispute resolution means:

- (a) mediation with a family law mediator
- (b) a collaborative family law process, or
- (c) facilitated negotiation of a child support or spousal support matter with a child support officer.

- ☐ **Participate in consensual dispute resolution**, unless your needs assessor determines that the parties cannot access consensual dispute resolution services or that it is not appropriate.

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



Consensual dispute resolution is not required if one of the parties is the Director of Maintenance Enforcement or a director under the *Child, Family and Community Service Act*.

IMPORTANT NOTE:

If you do not resolve all family law matters during the early resolution process, either party can apply to the Provincial Court for a court order by filing an Application About a Family Law Matter Form 3. Family Justice Services Division will confirm you have met the early resolution requirements.

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