

Preparing a Notice to Resolve a Family Law Matter

Form 1

Provincial Court Family Rules
Early Resolution Registry ONLY

Complete this form if you need the Provincial Court's help reaching a solution about a family law matter in an early resolution registry. Family law matters include:

Parenting arrangements – how each guardian will parent their child, including each guardian's [parental responsibilities](#) for decision making about a child and the [parenting time](#) each guardian spends with a child. Parental responsibilities may be shared or exercised separately. The only thing you can consider in making your parenting arrangements is what is in the best interest of the child.

Child support – the amount of money a parent or guardian pays to another parent or guardian to help care for the child. A child has the right to be supported by both parents, whether the parents ever lived together or the parent has ever lived with the child.

Contact with a child – time a child spends with someone who is not their guardian. This person could include a parent who is not a guardian to a child, or other people, like grandparents, elders, aunts and uncles, or a family friend.

Guardianship of a child – who is responsible for a child. Only guardians have parental responsibilities and parenting time with a child. An agreement or order about parenting arrangements can say a child's guardians share parental responsibilities or parenting time. Or, it can say one guardian is responsible for more of the parenting decisions and has more of the parenting time with the child.

Spousal support – money that one spouse pays to another spouse for their financial support after separation. A person is not entitled to spousal support in every case.

Property division in respect of a companion animal – who will have ownership and possession of a companion animal when spouses separate. The court may only make an order for ownership and possession of a companion animal by one spouse. Spouses may agree out of court to share ownership and possession of a companion animal.

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

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

Legal Assistance

Understanding the law and making sure you get correct information is important. If you get the wrong information or do not know how the law applies to your situation, it can be harder to resolve your case. Getting advice from a lawyer can help.

Lawyers – To find a lawyer or to have a free consultation with a lawyer for up to 30 minutes, contact the [Lawyer Referral Service](#) at 1-800-663-1919

Legal Aid, Duty Counsel and Family Advice Lawyers – To find out if you qualify for free legal advice or representation, contact [Legal Aid BC](#) at 1-866-577-2525.

Legal Services and Resources – Visit [Clicklaw](#) at www.clicklaw.bc.ca/helpmap to find other free and low-cost legal services in your community

Step 1: Complete the Notice to Resolve a Family Law Matter form ☐

This form is available online at www.gov.bc.ca/court-forms or at any [Provincial Court Registry](#).

You can complete the form online and print it for filing. You can also complete it by hand. If you complete it by hand, be sure it's readable.

Follow the instructions provided in the form and include all the information that is asked for.

To 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 the other party
- bring all copies to the court registry for filing **or** send by mail or by fax filing using the [Fax Filing Cover Page Form 52](#)

Step 2: File the Notice to Resolve a Family Law Matter form at the Provincial Court Registry ☐

You must file at the [Provincial Court Registry](#):

- where the existing Provincial Court case with the same parties is filed
- nearest to where the child lives most of the time, if the family law matter involves a child-related issue, or
- nearest to where you live if the family law matter does not involve a child-related issue.

NOTE: This form is only to be used at [early resolution registry](#). If this is not your nearest [Provincial Court Registry](#), please complete [Application About a Family Law Matter Form 3](#).

The registry clerk will review your form to make sure it is complete before filing it. You will be given a copy for your records.

There are no fees for filing Provincial Court family documents.

Step 3: Give a filed copy of the Notice to Resolve a Family Law Matter form to each other party ☐

You can give each 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, instant message, or mail
- getting a friend or someone else to give them a copy

This is a 2-page form. Remember to give the other party both pages of the form.

Step 4: Complete the early resolution process outlined in the “What You Must Do” section of this form ☐

Before proceeding any further with your court case, you must meet the following early resolution requirements:

- needs assessment
- parenting education course
- consensual dispute resolution

You have met these requirements if you have participated in a needs assessment, parenting education course and consensual dispute resolution OR if you were exempt by the needs assessor or the court from participating in any of these.

If you do not resolve all issues during the early resolution process, either party can make an application to the Provincial Court for a court order by filing an [Application About a Family Law Matter Claim Form 3](#).

Contact the [Justice Access Centre](#) in person or by phone to find out more about meeting the requirements. More information about their services, including contact information, can be found at www.gov.bc.ca/family-justice-services-division.

Tips for Completing the Form:

Court file number –

Registry staff will give your case a file number when you file this document. You do not have to fill this in now.

Information about the parties –

Party names:

- Provide your legal names from your birth certificate or through a [legal name change](#)
- A maiden name or married name can be used as a legal family name unless the name was [legally changed](#)
- Use full names, including your middle names
- If you or the other party go by another name, such as a usual name you would prefer to be called by, you can include it after the full name by including AKA (also known as)

Example: If your legal name is Robert Paul Smith but you are known as Bob Smith, your name should be given as Robert Paul Smith AKA Bob Smith

Provide your date of birth by indicating mmm/dd/yyyy example: Jan 12 1977 or January 12, 1977

If the date of birth of the other party is not known indicate Unknown

Lawyer (if applicable) –

Some lawyers are hired for a specific purpose. For example, you may hire a lawyer only to give you legal advice, help you to complete court documents, or come to a court appearance with you. You will still be responsible for all other aspects of your case. If you hire a lawyer on a limited scope basis or for unbundled services, make sure you and the lawyer are clear about whether their name goes on the court documents. Usually it won't.

If you are a lawyer filing out this form for a client, or if you have a lawyer representing you, the lawyer's name should be included and you will usually give their address for service of court documents.

Contact Information –

The court needs to know where to send documents to you and the other party and how to reach each of you. You only need to fill in the contact information you know about the other party. You may leave any part of their contact information blank.

Address: The court requires an address where you can get mail, but it doesn't need to be your address.

If you do not have a stable mailing address, or you are worried about your safety, you can give the address of your lawyer, a friend or family member, or somewhere that mail can be collected for you.

If you do not have an address or contact information for the other party, complete as much information as you do know. Talk to the staff at the [Justice Access Centre](#) about how they might be able to help you find contact information.

Email Address: The quickest way for the court and the other party to contact you is by email. If you give an email address, the court and the other party can send documents or communicate with you by email instead of using mail. If you cannot or do not want to use email, you do not have to give an email address. Remember, if you agree to use email to receive court documents, you will get copies of court documents much faster than by mail. Make sure to check your junk box if you are expecting something from the court. Sometimes email filters will prevent you from receiving an important document.

Telephone number: It is also important for the court to have a telephone number where they can reach you. Make sure the telephone number is somewhere you can be reached during the day.

Who to give notice to –

If your family law matter is about a child, you will need to give notice to each parent and/or guardian of the child. They need to know you have a family law matter to resolve. To give notice, they must be provided a copy of both pages of the form.

If your family law matter is not about children, you only need to give notice to your spouse. You will also need to give notice to any other adult who the family law matter is about, such as a grandparent, other family member or friend of the family. If your application is about guardianship of a child, under section 52 of the *Family Law Act*, you must also give notice to each adult who the child usually lives with and who generally has care of the child.

NOTE: If there are more than two other parties involved in your family law matter, you can add a page with their name and contact information.

Identification of the children

Include all the children your family law matter is about and provide the details required by the table including:

- the child's legal name - usually their name from their birth certificate, unless they have had a legal name change
- the child's date of birth by indicating mmm/dd/yyyy example: Jan 12 2001 or January 12, 2001 if the child's birthday is not known indicate Unknown.

Notice to Resolve a Family Law Matter

Form 1

Provincial Court Family Rules

Rule 10

Court File No.
Court Location
Family ID

1. My name is _____ . My date of birth is _____ .
(full name of party) (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
- ☐ property division in respect of a companion animal

3. ☐ I understand the following people must be provided 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.

4. The other party is: _____ . Their date of birth is: _____ .
(full name of other party) (mmm/dd/yyyy or unknown)

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:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Identification of child(ren)

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

- ☐ My family law matter is not about a child or children
- ☐ My family law matter is about the following child or children:

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

Filing Location –

Select the reason why you are filing your form at this court registry. Refer to the list of [courthouse locations](#) on the BC Government website to find the right Provincial Court registry for you. If two locations are both close **or** the child resides equally in two different locations, you can decide which registry is closest for filing your application. If the other party doesn't agree, they can ask the court to transfer the file to the other location. It will then be up to the court to decide where the file is located.



Existing written agreements or court orders –

Family law matters: The court needs to know if there were any agreements or court orders made in the past that involve family law matters so they can consider if it is important to the issue you are asking the court to help with now. This includes:

- any agreements between you and the other party
- any court orders, in this court or any other court

Protection matters: The court needs to know if there are any agreements, plans or court orders with protective conditions or terms between the parties or involving a child in this case. This includes:

- any family law protection order from Provincial Court, BC Supreme Court, or another jurisdiction
- any order, agreement or plan involving child protection services including a Protective Intervention Order or Supervision Order under the *Child, Family and Community Service Act*.
- any criminal order or conditions protecting a party or restraining/restricting contact between the parties
- any peace bonds
- any other order the court may need to know about that restricts or restrains contact, or protects one party and/or a child from another party



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

Select only one of the options below

- ☐ where my existing case with the same party/parties is located
- ☐ 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

Existing written agreements or court orders

- 7.** There is an existing written agreement or court order 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
- 8.** 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

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 case, each party is required to meet the early resolution requirements described in the rules. 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. 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.

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 early resolution requirements 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 you are exempt for one of the reasons identified in Rule 17.

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 participating 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 an application 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 an Application About a Family Law Matter or Reply to an Application About a Family Law Matter in the case.