

Application About a Family Law Matter

Form 3

Provincial Court Family Rules

Rule 24

Registry Location:

Court File Number:

This Application About a Family Law Matter 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 and may include

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

If you choose to reply, you or your lawyer must file a completed Reply to an Application About a Family Law Matter in Form 6 within 30 days after the date you were served with the application.

To file your reply, you may be required to file a Financial Statement if this application is about child support and/or spousal support. In an early resolution registry, you must also have met the early resolution requirements, as applicable.

If you do not file a Reply to an Application About a Family Law Matter within the 30 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 in your absence.

Information about the parties

1. My name is _____ . My date of birth is _____ .
(full name of person) (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 the following people must be given notice of my application:
- 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 application about a family law matter is about

They are the other party/parties in this case. To give notice, they must each be served with a copy of this document and any supporting documents.

3. The other party is _____ . Their date of birth is _____ .
Their contact information, as I know it, is: (mmm/dd/yyyy or unknown)

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:	

Lawyer's statement

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

☐ I, _____, the lawyer for _____,
(full name of lawyer) (full name of party)
acknowledge that I have complied with the requirements of section 8 of the *Family Law Act*.

Filing location

5. 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 the court order

Initial requirements

6. I am filing my application in:

- ☐ an early resolution registry and I have met the following requirements:
 - needs assessment
 - parenting education program
 - consensual dispute resolution

The requirements have been met if you completed or participated in, or if you were granted an exemption from completing or participating in the above requirements.

- ☐ a family justice registry and I understand I will be required to participate in a needs assessment and complete a parenting education program, unless exempt, before a family management conference 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 can be scheduled

Make an application

7. 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]

Property division

- ☐ in respect a companion animal – new [complete and attach Schedule 11]
- ☐ companion animal agreement – existing [complete and attach Schedule 12]

Existing written agreements or court orders

8. 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

If yes, attach a copy of the agreement(s) or order(s) to your application

9. 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, or a peace bond, restraining order, bail condition or other criminal order
- ☐ Yes ☐ No

If yes, attach a copy of the order(s), agreement(s), or plan(s) to your application

Relationship between the parties

10. The parties are:
- Describe how you and the other party/parties are related for the purposes of this family law application

11. I am or have been spouses, or live or have lived together in a marriage-like relationship, with the other party:
- Specify which other party if there is more than one: _____
(name of other party)

- ☐ 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 [Family Law Act s.3(4)]

Identification of child(ren)

12. Select only one of the options below and complete the required information
- ☐ My application does not ask for any order(s) about a child or children (skip ahead to section 14)
- ☐ My application is asking for an order(s) about the following child or children:

Child's full name	Child's date of birth <small>(mmm/dd/yyyy)</small>	My relationship to the child	Other party's relationship to the child	Child is currently living with

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

About us

14. *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 Indigenous child, the child's Indigenous identity:

SCHEDULE 1 – PARENTING ARRANGEMENTS – NEW

This is Schedule 1 to the Application About a Family Law Matter

Complete this schedule only if you are a guardian of a child or are applying to be appointed as a guardian of a child, and you are making a new application about parenting arrangements for a child or children identified in section 12 of this application.

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. A person who is not a parent can become a guardian of a child by a court order or under a will.
- ☐ applying to become a guardian of the child(ren)

Parenting 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. You may leave a section blank.

- ☐ 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. You may leave a section blank.

- ☐ 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 there are additional order terms you want. You may leave this section blank.*

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

Best interests of child

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/AGREEMENT – EXISTING
This is Schedule 2 to the Application about a Family Law Matter

Complete this schedule only if you are making an application 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 12 of this application.

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)

Existing final order

3. *Complete only if you have an existing order. 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:

Existing agreement

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:

About the order

5. *Complete only if you are applying for changes to parental responsibilities. 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 you are applying for changes to parenting time. 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 you are applying for changes to conditions on parenting time. 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 you are applying for changes to other parenting arrangements. 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:

Best interests of child

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

SCHEDULE 3 – CHILD SUPPORT – NEW
This is Schedule 3 to the Application About a Family Law Matter

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 12 of this application.

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.

About the order

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 12 of this application:
List the name(s) of each child you are asking 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(s) child support because of illness, disability or because they are full-time students:

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

Start of payment(s)

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 application is made or the start date of a new job

Child support payments should start on _____ because:
(mmm/dd/yyyy or event)

Calculations

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:

Undue hardship

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

- ☐ I am applying for an order to change the guideline amount payable because the guideline amount would cause me undue hardship for the following reason(s):

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*):

Special and extraordinary expenses

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 application 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	\$	\$	\$	\$

Financial statement

13. *Select only one of the options below*

☐ I am filing a Financial Statement in Form 4 with this application because the following applies to my situation:

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 being applied for
- ☐ 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
- ☐ there is an application for special or extraordinary expenses 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 required to file a Financial Statement but I am not able to complete it at this time. I am 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 a completed Financial Statement.

IMPORTANT NOTE TO THE OTHER PARTY:

This family law case includes a claim for support. You must provide your financial information with your 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

SCHEDULE 4 – CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 4 to the Application About a Family Law Matter

Complete this schedule only if you are making an application 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 12 of this application.

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)

Existing final order

3. Complete only if you have an existing order. 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):

Existing agreement

4. Complete only if you have an existing agreement. 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:

About the order

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:

Unpaid child support

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

7. *Complete only if there is unpaid child support. You may leave this section blank.*

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. You may leave this section blank.*

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): _____

Calculations

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:

Start of payment(s)

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 this application is made or the start date of a new job*

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

Financial statement

11. *Select only one of the options below*

☐ I am filing a Financial Statement in Form 4 with this application because the following applies to my situation:

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 being applied for

☐ 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

☐ there is an application for special or extraordinary expenses 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 required to file a Financial Statement but I am not able to complete it at this time. I am 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 a completed Financial Statement.

IMPORTANT NOTE TO THE PARTIES:

If this family law case includes an application to change or replace an order or agreement for child support, you must provide financial information with your application or reply to this application 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

SCHEDULE 5 – CONTACT WITH A CHILD – NEW
This is Schedule 5 to the Application About a Family Law Matter

Complete this schedule only if you are not a guardian of the child or children and you are making a new application about contact with the child or children identified in section 12 of this application.

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 12 of this application:
List the name of each child you want to have contact with

About the order

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 or events requested, or dates and times that would be most suitable

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

Complete 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)

Best interests of child

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 Application About a Family Law Matter

Complete this schedule only if you are making an application 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 12 of this application.

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 made on _____
(mmm/dd/yyyy)

Existing final order

3. *Complete only if you have an existing order. 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:

Existing agreement

4. *Complete only if you have an existing agreement. 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:

About the order

5. *Complete only 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 or events 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):

Best interests of child

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

SCHEDULE 7 – APPOINTING A GUARDIAN OF A CHILD OR CHILDREN
This is Schedule 7 to the Application About a Family Law Matter

Complete this schedule only if you are making an application to be appointed as a guardian of a child or children identified in section 12 of this application.

Order about guardianship

1. ☐ I am applying to be appointed as a guardian of the following child(ren) identified in section 12 of this application:

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

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

- ☐ First Nation
☐ Nisga'a
☐ Treaty 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*

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

Guardianship affidavit and supporting documents

4. ☐ I understand that I am required to file a Guardianship Affidavit in Form 5 as described in Rule 26 before the court can make a final order about guardianship

5. ☐ I have initiated or completed a criminal record check as required for the Guardianship Affidavit in Form 5

6. *Select only one of the options below*

- ☐ I am filing the following required documents 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
☐ I am not able to complete the required documents at this time. I am 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.

SCHEDULE 8 – CANCELLING GUARDIANSHIP OF A CHILD OR CHILDREN
This is Schedule 8 to the Application About a Family Law Matter

Complete this schedule only if you are making an application to cancel the guardianship of a child or children identified in section 12 of this application.

Order about guardianship

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)

Indigenous ancestry of child

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

3. 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

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

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

Best interests of child

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

SCHEDULE 9 – SPOUSAL SUPPORT – NEW
This is Schedule 9 to the Application About a Family Law Matter

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

Entitlement to 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

Current arrangements

2. The current support arrangements are as follows:

Income and earning potential

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

About the order

6. I am applying for an order for spousal support to be paid by _____ as follows:

Select all options that apply and complete the required information (name of paying party)

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

Calculations**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:

Financial statement**8.** *Select only one of the options below*

- ☐ I am filing a Financial Statement in Form 4 with this application
- ☐ I am not able to complete a Financial Statement at this time. I am 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 a completed Financial Statement.

IMPORTANT NOTE TO THE PARTIES:

This family law case includes an application about spousal support. You must provide your financial information with your application or reply to this application 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

SCHEDULE 10 – SPOUSAL SUPPORT – EXISTING
This is Schedule 10 to the Application About a Family Law Matter

Complete this schedule only if you are making an application 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)

Existing final order

2. *Complete only if you have an existing order. 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*):

Existing agreement

3. Complete only if you have an existing agreement. 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:

About the order

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:

Unpaid spousal support

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

6. Complete only if there is unpaid spousal support. You may leave this section blank.

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. You may leave this section blank.

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): _____

Calculations

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:

Financial statement**9. Select only one of the options below**

- ☐ I am filing a Financial Statement in Form 4 with this application
- ☐ I am not able to complete a Financial Statement at this time. I am 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 a completed Financial Statement.

IMPORTANT NOTE TO THE PARTIES:

This family law case includes an application about spousal support. You must provide your financial information with your application or reply to this application 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

SCHEDULE 11 – PROPERTY DIVISION IN RESPECT OF A COMPANION ANIMAL – NEW

This is Schedule 11 to the Application About a Family Law Matter

Complete this schedule only if you are or were a spouse of the other party and you are making an application for a new property division order about a companion animal.

About the order

1. I am applying for a property division order for sole 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**.*

Name of companion animal	Type of animal	To [party] <i>Select only one option for each animal</i>
		<input type="checkbox"/> Myself <input type="checkbox"/> Other party
		<input type="checkbox"/> Myself <input type="checkbox"/> Other party
		<input type="checkbox"/> Myself <input type="checkbox"/> Other party
		<input type="checkbox"/> Myself <input type="checkbox"/> Other party

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

In determining whether to make an order respecting a companion animal, the court must consider the following factors set out in section 97 (4.1) of the Family Law Act:

- the circumstances in which the companion animal was acquired*
- the extent to which each spouse cared for the companion animal*
- any history of family violence*
- the risk of family violence*
- a spouse's cruelty, or threat of cruelty, toward an animal*
- the relationship that a child has with the companion animal*
- the willingness and ability of each spouse to care for the basic needs of the companion animal*
- any other circumstances the court considers relevant*

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

SCHEDULE 12 – COMPANION ANIMAL AGREEMENT – EXISTING

This is Schedule 12 to the Application About a Family Law Matter

Complete this schedule only if you are making an application to set aside or replace all or part of an existing written agreement about a companion animal.

1. ☐ I am attaching a copy of the existing written agreement about a companion animal made on _____
(mmm/dd/yyyy)

Existing agreement

2. I am applying for the existing written agreement about a companion animal to be:

- ☐ set aside
☐ replaced

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

About the order

3. *Complete only if you are applying for the court to make an order to replace the existing written agreement about a companion animal. You may leave this section blank.*

*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**.*

I am applying for the agreement about a companion animal to be replaced with an order as follows: