Form
12

Application About a Protection Order Form 12

Provincial Court Family Rules

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 Family Law Act protection orders and how to complete this form. 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 an Application About a Protection Order Form 12

Complete this form **to ask the Provincial Court for a protection order** under Part 9 of the Family Law Act **or to change or terminate an existing protection order**.

A protection order made under the Family Law Act is a court order that protects one family member from another family member if there is a risk of family violence.

A protection order will expire on the date a judge orders for it to end. If the judge doesn't order a specific end date, it expires one year after the date it is made.

You can apply if you require protection for yourself and/or your child, or you can apply on behalf of another adult.

There is no limit on protection order applications. Another application can be made if an application was denied, the terms of an order need to be changed, or an order has expired and another one is needed.

How long does it take to get a protection order?
In most cases you need to give notice to the other party that you are applying for a court order. The other party must be personally served with at least 7 days' notice of the court appearance. If you are applying with notice, the registry staff or judicial case manager will work with you to schedule a date for the court appearance.

An application about a protection order can be made with less than 7 days' notice or without notice to the other party. If you apply for a protection order without notice, the application will be heard as soon as possible.

Note: If you need your order in less than 7 days because the matter is urgent or if there are special circumstances where the application should proceed without notice to the other party, you can make this request on the application. It will be up to the court to determine if the order can be made without notice or with less than 7 days' notice.

Help is available

Victim services workers can provide crisis support, information and referrals to supports including safety planning, victim services, transition houses and counselling services. If you have safety concerns about family violence, you may want to talk to a support worker.
VictimLinkBC is a support program for victims of crime and trauma across B.C. The service is toll-free, confidential, and available 24 hours a day, 7 days a week in different languages at 1-800-563-0808.
www.victimlinkbc.ca

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:

Legal Referral Service
Visit https://bclegal.help/ or call at 604-687-3221 to consult a lawyer for up to 15 minutes for free

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

Have you talked to a lawyer?
If you have a family law or child protection problem, you may qualify for free help from family duty counsel or a family advice lawyer, even if you do not qualify for a legal aid lawyer. For contact information, visit www.legalaid.bc.ca/fdc or call 1-866-577-2525.

Filling out the form and preparing to file it

You need to **complete the main application (2 pages) and only the schedule that applies** to your situation (1-6 pages).

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?

- collect the completed application, schedule and any existing orders or agreements referenced in the form
- if you have completed schedule 1, collect any exhibits you may have referenced in question 20 and additional page(s), as applicable
- print or make copies of all documents: one set for you, one set for the court, and one set for each other party
- staple or secure each package of documents together

Signing Schedule 1 with a commissioner for taking affidavits, if applicable

Schedule 1 of the Application About a Protection Order is used to present your evidence to the court. It contains facts that you must swear under oath or affirm to be true. To swear or affirm an affidavit, you must meet with a commissioner for taking affidavits and sign the document in front of them.

Lawyers and notaries are all commissioners for taking affidavits. The court registry also has staff who are commissioners for taking affidavits who can help swear or affirm your affidavit for free.

What if I can't get my affidavit sworn or affirmed?
If you cannot get the document sworn or affirmed before the document is filed, Rule 172 allows the unsworn document to be filed if you will be available to swear or affirm that the contents of the document are true during your court appearance.

Filing the application at the registry

After you've filled out your form, you must file at the Provincial Court Registry:

- where the existing Provincial Court case with the same parties is filed (you already have a court file number) or
- nearest to where the child lives most of the time

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 package to make sure it's complete before filing it. They'll give you a copy for your records along with a copy to have served on the other party.

Arranging for service of the application, if applicable

Make arrangements to **serve the other party** with a copy of the Application About a Protection Order and any attachments.

They must be served with at least 7 days' notice of the date and time of the appearance unless the court has ordered something different. This means there must be at least 7 days between the date the application is served and the date and time of the court appearance.

These documents must be served by **personal service**. An adult (at least 19 years old) who is not a party must hand-deliver the documents to the party to be served. You can hire a professional process server or ask a friend or relative to serve it for you.

See the guidebook if you need more information about serving the application.

You may need to prove service of the documents took place. The person serving the documents must complete a Certificate of Service Form 7 to prove service. You must attach a copy of the documents to the Certificate of Service. Remember to make a copy before the documents are served.

What if I can't find the other party or they are avoiding service?

If you're in this situation, you can apply to the court to allow you to use an alternative method of service. You must complete and file an Application About a Case Management Order Without Notice or Attendance Form 11.

Attending the court appearance

A judge can make decisions based only on the information presented by the parties. In addition to your application, you can provide evidence including any additional affidavit(s) and spoken evidence provided in court.

If you have a lawyer, they will come to court with you and help during the hearing.

If you don't have a lawyer, you may find it helpful to bring a trusted friend or family member with you to provide emotional support, take notes, and organize documents during your court appearance. The Provincial Court has adopted Support Person Guidelines that explain when you are permitted to have a support person help you, and what they can do.

If you're attending at the courthouse in person for your court appearance, make a safety plan. If the other party is also attending, they will probably be close by. You can talk to a sheriff as part of your safety planning. The sheriff's office is available by phone. For contact information visit Courthouse Locations on the BC Government website at www.gov.bc.ca.

Your safety plan should include going to and from the courthouse.

If you can't attend court using the method of attendance set out in your application, you can request the court's permission to attend using a different method of attendance by filing an Application for Case Management Order without Notice or Attendance Form 11.

Can I get help in another language?

Free spoken-language interpreters for people who do not speak English and visual language interpreters for people who are deaf or hard of hearing are available **for all family law court appearances**.

It's important to let **court registry staff know as soon as possible** that you need an interpreter. If they cannot arrange an interpreter in time, the judge may have to re-schedule your case.

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.

After the order is made

When does the order take effect?

An order takes effect at the time it is made unless ordered otherwise. That means that the person identified in the protection order must follow the conditions of the order from the moment the judge makes the order in court.

How long does a protection order last?

A protection order will expire on the date a judge orders for it to end. If the judge doesn't order a specific end date, it expires one year after the date it is made.

NOTE: There is no limit on protection order applications. Another application can be made if an application was denied, the terms of an order need to be changed, or an order has expired and another one is needed.

Who drafts the order and how do I get a copy?

Registry staff are usually responsible for drafting the protection order and getting it signed by the judge. The registry will then provide a copy to you, any other party who attended the court appearance, and the Protection Order Registry.

How does the other party get a copy of the order?

It is important for the person identified in the protection order to know that there is a protection order in place and what they must do or not do.

If they were not in court when the order was made, the order must be personally served on them so they are aware of it. Registry staff will help to facilitate personal service of the protection order on the other party if they are in British Columbia. There is no fee for this service. If they are outside BC, you will need to arrange for them to be served.

The registry will provide a copy of the order to each party who was at court when the order was made.

Completing and submitting the Request for Service of Family Protection Order, if applicable

To facilitate service, you must provide the registry with information about where the person may be found. To do this, you must complete a Request for Service of Family Protection Order form and give it to the registry.

Enforcing a protection order

A police officer may take action to enforce a protection order whether or not there is proof that the order has been served on the person. If a protection order is not being followed, the police can enforce it under the Criminal Code. Call 911 for help.

The Protection Order Registry keeps a record of all protection orders. Police officers can contact them to check if a protection order is in place and get a copy of the order.

Once the protection order has been served, a copy of the proof of service will be sent to the Protection Order Registry.

For more information about protection orders, visit Information on Protection Orders on the BC Government website at www.gov.bc.ca.

Application About a Protection Order

Form 12

Provincial Court Family Rules
Rules 67, 68 and 172

COURT STAMP

Registry location:

Court file number:

Document number:
For registry use only

This Application About a Protection Order sets out the details of an order about a protection order that a person is applying for.
A protection order made under the *Family Law Act* is a court order to protect a family member from another family member if there is a risk of family violence.



For more information about what family violence includes or who is a family member, see the guidebook.

Please read before completing the form:

- You must complete the main application and any applicable schedule for your application identified in Part 2 of the main application.
- 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.

Part 1 | About the parties

1. **My full name** is (full name of party):
   My **date of birth** is (dd/mmm/yyyy):

2. The person **I want protection from**, or **who made an application for protection from me**, is the other party.

   The **other party's full name** is:
   Their **date of birth** is:
   (dd/mmm/yyyy) or (unknown)



A protection order may be made on application by a family member claiming to be an at-risk family member or by a person on behalf of an at-risk family member [s. 183 *Family Law Act*].

Part 2 | What are you asking for in this application

3. I am **applying for the following order**:
   Select only one of the options below and complete the required schedule
   - ☐ **Protection order** → *Complete* ***Schedule 1***
   - ☐ **Order to change an existing protection order** → *Complete* ***Schedule 2***
   - ☐ **Order to terminate an existing protection order** → *Complete* ***Schedule 3***

Part 3 | Notice of the application

An application is usually made with notice to the other party. To give notice, the other party must be served with the application and supporting documents at least 7 days before the date set for the court appearance.

An application about a protection order can also be made without notice to the other party [s. 186 *Family Law Act*].



For more information about serving court documents, see the guidebook.

4. *Select only one of the options below*
   - ☐ I am applying **with notice** to the other party
   - ☐ I want to apply **without notice** to the other party because:
     Tell the court why the application or your situation is urgent and what you believe will happen if the other party is served with the application and given a chance to attend court so that you can both be heard at the same time



To apply without notice, you must satisfy the court that there is a real risk of danger or serious consequence if notice were required.

NOTE TO PARTY:
You may make your application without notice to the other party, but the judge will decide if it will be heard without notice, if notice must be given, or if the notice period should be shortened.



For more information about applying with or without notice, see the guidebook.

Part 4 | About your court appearance

For registry or judicial case manager use only

The application, which requires a court appearance, will be heard by the court

on _____ **at** _____ **a.m./p.m.**

date time

❑ in person at _____

court location

❑ by another method of attendance, as specified

Do not attend the courthouse in person. The registry will send within 24 hours before the hearing date noted above the link to connect by MS Teams, including a dial-in conferencing number to be used by any party that is unable to use MS Teams or has problems with their video connection. If you have not provided your email address or telephone number to the registry on your Notice of Address Change (Form 46), you must contact the registry to obtain the MS Teams conference information.

The registry or judicial case manager will work with you to schedule a date for the court appearance and will fill in the actual date and method of attendance on the form. Be prepared to talk about your availability if there are options for dates.

NOTE TO THE OTHER PARTY:

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

You may also choose to **file a written response** in reply to the application in Form 19 Written Response to Application.

Part 5 | Address for service

5. My **address for service** of court documents and contact information is:

You must provide an address for service and contact number, but it does not have to be your own if you don't want

Address:		
City:	Province:	Postal Code:
Email:	Telephone:	
Lawyer's name and firm name (if applicable):		

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

IMPORTANT INFORMATION ABOUT YOUR APPEARANCE

What do parties need to know about attending by another method other than in person?

If your notice indicates that you are to attend by another method of attendance, parties, including the judge, will attend using the Microsoft Teams audio- and video-conferencing (video) platform. **Do not attend the courthouse in person.** Parties will receive remote MS Teams appearance details within 24 hours prior to the appearance, this notification is sent to you by email.

Microsoft Teams allows participants to join the conference using video or audio from a desktop, laptop, tablet, or smartphone, or to dial-in to a proceeding from a telephone. **If you are appearing by video**, please ensure that you have downloaded Microsoft Teams or have the latest version of Google Chrome or Microsoft Edge.

If you received this Notice by mail and intend to appear using video or audio from a desktop, laptop, tablet, or smartphone, and you did not provide an email address for service, please file an Notice of Address Change (PCFR Form 46), with the court registry that includes your email address and the court registry will send you the MS Teams meeting invite within 24 hours prior to your appearance.

The link and dial up information may be shared with your lawyer if you have retained counsel; and with your client if you are counsel.

Please do not forward or share the MS Teams link or dial up information to any unauthorized parties.

Preparing for your Family Court Appearance

Legal Aid BC - Family Law Legal Advice

If you do not have a lawyer for your family law matter, visit https://www.familylawinbc.ca/court-notices to find out about **free in person and remote legal advice services** that you may be eligible for that can help you prepare for your court date. Contact the advice services at least three weeks before your court date or as soon as you receive this notice.
If you are unable to access the internet, contact the Family LawLINE at 604-408-2172 in Greater Vancouver or 1-866-577-2525 elsewhere in BC.

Family Justice Services

Family justice counsellors provide services to British Columbians going through separation and divorce and are specially trained to help families resolve their issues about guardianship, parenting arrangements, contact, support and companion animals. There is no charge for their services.
All services are available in-person as well as virtually (through telephone and videoconference) across the province. For more information, you can call [1-844-747-3963] or contact the Family Justice Centre or Justice Access Centre closest to you. For more information about Family Justice Services Division, go to www.gov.bc.ca/family-justice-services-division.

Society for Children and Youth of BC Child and Youth Legal Centre

Free legal assistance directly for children and youth. Services may include legal advice and information, referral, or full representation, depending on circumstances. Availability and wait times may vary. Services are for children and youth who want legal assistance, are able to express their views and preferences, and who can instruct a lawyer.

For more information: https://scyofbc.org/child-youth-legal-centre/
Contact the Child and Youth Legal Centre cylc@scyofbc.org - (778)-657-5544

Interpreter

The court provides interpreters for family proceedings in provincial court. If you require an interpreter, please advise the registry as soon as possible. This link includes all court locations (address and phone numbers): www.gov.bc.ca/courthouselocations

Before the scheduled hearing date, please visit the Provincial Court website at https://www.provincialcourt.bc.ca and review:

- *Policy on Use of Electronic Devices in Courtrooms and Access to Court Proceedings Policy* (there is a general prohibition on the recording or broadcasting of court proceedings unless authorized by the Court and there are penalties for breach)
- *Rules for Remote Listening or Participation* (for etiquette and directions on connecting remotely)
- *Form of Address for Parties and Lawyers* (provide the judge or justice with each person's name, title (e.g. "Mr./ Ms./Mx./Counsel Jones") and pronouns to be used in the proceeding)
- *Family Law Protection Order* Information and resources about protection orders under the Family Law Act.

I**f you are unable to dial-in or are dropped from the appearance** immediately call the court registry.

Schedule 1 | Protection Order

Complete this schedule only if you are applying for a *Family Law Act* protection order.

This schedule is an affidavit. It sets out the evidence to help you explain to the court why you need a protection order and what it should include.

Part 1 | Affidavit

I, _____ (Name of party), _____ (Occupation) of _____ (Address of person, City, Province),

For more information about swearing or affirming an affidavit, see the guidebook.

SWEAR OR AFFIRM THAT:

1. I am making this affidavit in support of an application for a protection order.

Part 2 | Protected party/parties

A protection order made under the *Family Law Act* is a court order that protects one family member from another family member if there is a risk of family violence.

The person(s) identified in this part is/are referred to as the protected party/parties. The other party is the family member they need protection from.

As set out in s. 183 of the *Family Law Act*, a protection order can protect:

- you (the applying party)
- your children
- an adult family member that lives with the protected party (you and/or your children)
- an at-risk person you are applying on behalf of for protection from their family member

2. I am applying for a protection order for **the following person(s) to be protected**:
Select and complete only those options that apply to your situation. You may select more than one.

☐ **Me**

☐ The following **child(ren)** I am a parent or guardian to:
Provide the requested information below for each child

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

You cannot apply for the protection of another person's child. If you believe a child needs protection and their parent or guardian is unwilling or unable to apply for a protection order on their behalf, contact the Ministry of Children and Family Development.

☐ The following **adult family member(s)** sharing the residence with the protected person:

Full name	Date of birth (dd/mmm/yyyy)	Relationship to the protected person(s)

A family member is a defined term under s. 1 of the *Family Law Act*. For more information about who is a family member, see the guidebook.

☐ The following **other at-risk person** I am applying on behalf of for a protection order:

Full name of other person to be protected	Date of birth (dd/mmm/yyyy)

Explain **why** you are applying for the other person:

Part 3 | About the protection order

The questions in this part will help the court understand what terms the protection order may need to include.

A protection order may include any of the terms set out in s.183(3) of the *Family Law Act*.

No go

3. I **do not want** the other party to be able to **attend at, enter or be found near** the following place(s):

Select all options that apply

- ❑ Residence
- ❑ School
- ❑ Place of employment
- ❑ Childcare facility
- ❑ Other *(specify)*:

You might be asked by the judge at your court appearance to provide the specific address and name of the place. Be sure to have them ready.

No contact except

4. The protected party may **need to communicate** with the other party for the following reason(s):

Select all options that apply

- ❑ Not applicable
- ❑ Consensual dispute resolution
- ❑ Parenting arrangements
- ❑ Ongoing court action
- ❑ Other *(specify)*:

Firearms and weapons

5. I am concerned the other party would **cause harm with or threaten to use guns, explosives, or another kind of firearm**.

- ○ **No**
- ○ **Yes** → explain the reason(s) for your concerns:

6. I believe the other party **owns or has access to guns, explosives, or another kind of firearm**.

- ○ **No**
- ○ **Yes** → explain the reason(s) for your belief:

7. I am concerned the other party would **cause harm with or threaten to use a weapon that is not a gun or explosive**.

- ○ **No**
- ○ **Yes** → explain the reason(s) for your concerns:

8. I believe the other party **owns a weapon that is not a gun or explosive**.

- ○ **No**
- ○ **Yes** → explain the reason(s) for your belief:

Examples of weapons someone might own include swords, hunting knives, nun chucks, and brass knuckles.

Remove person or belongings from residence

9. I believe **police assistance may be required** for the following purpose(s):
Select all options that apply

- ❑ Not applicable
- ❑ To remove the other party from a shared residence
- ❑ To supervise the removal of the protected party's personal belongings from the shared residence
- ❑ To supervise the removal of the other party's personal belongings from the shared residence
- ❑ To supervise the removal of the child(ren)'s personal belongings from a residence
- ❑ Other *(specify)*:

ⓘ The court can order that the police help to remove the other party from a shared residence and/or that they help supervise the removal or collection of belongings.

Part 4 | Your story

The questions in this part will help the court better understand the relationship between the parties, background, risk factors and circumstances that have brought you before the court to apply for a protection order.

ⓘ Section 184 of the *Family Law Act* sets out what a court must consider in determining whether to make a protection order.

Relationship between the parties

10. *Select only one of the options below*

❑ The protected party is (or was) the other party's **spouse**. The parties are (or were) **married**, or **live** (or have lived) **together** in a marriage-like relationship.
Complete the information below about your relationship, as applicable. ***You may leave a field blank if it does not apply.***

Date on which the parties began to live together in a marriage-like relationship (dd/mmm/yyyy):	
Date of marriage (dd/mmm/yyyy):	
Date of separation (dd/mmm/yyyy):	

ⓘ If the protection order is only for the protection of a child or children, please answer this Part for the parents or guardians of the children.

ⓘ Spouses may be separated even if they continue to live in the same residence [*Family Law Act* s. 3(4)].

❑ The protected party has never been the other party's spouse. The protected party/parties and the other party are related as follows:
Describe how *they are* ***related*** *for the purposes of this application*

📖 A family member is a defined term under s. 1 of the *Family Law Act*. For more information about who is a family member, see the guidebook.

11. The protected party **currently shares a residence** with the other party ❑ **Yes** ❑ **No**

Children

12. *Select whichever option is correct and complete the required information*

❑ The protected party and the other party are a **parent, step-parent or guardian only to the child(ren)**, if any, identified **in Part 2** of this schedule.

❑ The protected party and the other party are a **parent, step-parent or guardian** to the following child(ren) who is/are **not identified in Part 2** of this schedule:
Provide the requested information below for each child

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

ⓘ A child may split their time between two residences. If a child spends at least 40% of their time living somewhere, include both.

About the family

13. 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:

You may choose to leave this question blank

Court orders and agreements

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

14. 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 (see attached copy)** ☐ **No**

If yes, you must attach a copy of any order, agreement or plan to this application for filing.

15. 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 (see attached copy)** ☐ **No**

16. Has the other party ever **failed to obey a court order**?

☐ **Yes** → describe the circumstances:

☐ **No**

☐ **Unknown**

17. I am concerned the other party **may not obey a court order**

☐ **No**

☐ **Yes** → explain the reason(s) for your concerns:

Reporting safety concerns

You will be asked to describe specific incidents that police attended in a later part of this form.

18. I have **reported** my safety concerns **to the police**

☐ **No**

☐ **Yes** → describe what actions they have taken:

If there is reason to believe a child (under 19) is being abused, neglected, sexually exploited, or is otherwise in need of protection, and a parent or guardian is unable or unwilling to protect the child, the matter must be reported to a social worker at the Ministry of Children and Family Development.

19. I have **reported** my safety concerns **to a social worker** (Ministry of Children and Family Development)

☐ **No**

☐ **Yes** → describe what actions they have taken:

History of family violence

20. Describe any **recent incidents of family violence against the protected party/parties and any child(ren)**.

Start with the most recent incident continuing backwards. Go back as far as you think is important for the court to know.

If there is a police report, medical report or doctor's note, or any photographs related to an incident, you must talk about them in this section. Refer to the document, state it is attached as an exhibit and attach them as exhibits.

To add more, select the box below and attach a page with the additional information

❑ **Additional page(s) (see attached)**



For more information about what information you should include, see the guidebook.



Remember to attach a copy of any exhibit(s) when you file your application.

Each exhibit gets a letter assigned to it, starting with 'A' and continuing through the alphabet. For example, the police report attached as Exhibit A.



If you need more space, select the box, and remember to include your additional page(s).

Risk of family violence

There are different circumstances that may make a person or relationship more at-risk for family violence. These circumstances may contribute to family violence but may not be the cause of family violence. It is helpful for the court to be aware of these circumstances.

A person whose safety and security is, or is likely, at risk from family violence carried out by a family member is an at-risk family member [s.182 *Family Law Act*].

21. I am concerned about the **mental health** of the protected party and/or the other party

- ☐ **No**
- ☐ **Yes** → explain the reason(s) for your concerns:

22. Are there **circumstances** you want to share about a party or the relationship **that may increase the risk of family violence**?

Circumstances may include risk factors such as substance misuse, employment or financial stress, history of violence, and vulnerabilities including pregnancy, age, family circumstances, health or economic dependence

For more information about risk factors for family violence, see the guidebook or s.184 of the *Family Law Act*.

- ☐ **No**
- ☐ **Yes** → please describe the circumstances:

The court may make a protection order if the court determines that family violence is likely to occur, and the other family member is an at-risk family member [s.183 *Family Law Act*].

23. Is there any family violence **you fear is likely** to happen or **concerns for the safety** of the protected party/parties that you have **not already described** in this affidavit?

- ☐ **No**
- ☐ **Yes** → please describe the circumstances:

This document must be signed only with a commissioner for taking affidavits. A commissioner is available at the court registry for free. **Do not sign** the document until they tell you to. You will sign it with them.

Sworn or affirmed before me
at _____, British Columbia
City
on _____
Date

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

Schedule 2 | Change Existing Protection Order

Complete this schedule only if you have an existing protection order that you are applying to change.

An application to change an existing protection order must be made before the expiry of the order that is the subject of the application [s. 187 *Family Law Act*].

A person can make a subsequent application for a protection order after an existing order has expired [s. 187 *Family Law Act*].

Part 1 | Existing protection order

1. ❑ There is a **protection order made on** _____ (dd/mmm/yyyy) that I am applying to change **(see attached copy of order)**.

You must attach a copy of the existing protection order to this application for filing.

2. I am the:

Select all options that apply

- ❑ Protected party
- ❑ Parent or guardian of a protected party
- ❑ Person who the protection order is against

3. *Select only one of the options below and complete the requested information*

- ❑ I was **in court** when the protection order was made
- ❑ I was **not in court** when the protection order was made because:

Explain why you were not in court when the protection order was made

Part 2 | About the protection order

4. I am applying for the existing protection order to be **changed as follows**:

The court can shorten or extend the expiration date of a protection order or change any term in it.

Part 3 | The facts

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

Explain why the order needs to be changed and the facts you want the court to consider

Schedule 3 | Terminate Existing Protection Order

Complete this schedule only if you have an existing protection order that you are applying to terminate.

An application to cancel an existing protection order must be made before the expiry of the order that is the subject of the application [s. 187 *Family Law Act*].

A person can make a subsequent application for a protection order [s. 187 *Family Law Act*].

Part 1 | Existing protection order

1. ❑ There is a **protection order made on** _____ (dd/mmm/yyyy) that I am applying to terminate **(see attached copy of order)**.

You must attach a copy of the existing protection order to this application for filing.

2. I am the:

Select all options that apply

❑ Protected party

❑ Parent or guardian of a protected party

❑ Person who the protection order is against

3. *Select only one of the options below and complete the requested information*

❑ I was **in court** when the protection order was made

❑ I was **not in court** when the protection order was made because:

Explain why you were not in court when the protection order was made

Part 2 | The facts

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

Explain why the order should be terminated and the facts you want the court to consider