

Preparing an Application About Priority Parenting Matter

Form 15
Provincial Court Family Rules

Complete this form if you need an order about a priority parenting matter, including a new order or to change or cancel an existing order.

Priority parenting matters are usually:

- decisions about a child or children, where all guardians are not in agreement, and
- a court order is needed on the priority parenting matter before any other parenting issues can be addressed, or separately from any other parenting issues, because something must be done quickly

Priority parenting matters include the following:

- a guardian giving, refusing or withdrawing consent to health treatments for a child, that if delayed will result in risk to the health of the child
- a guardian applying for a passport, licence, permit, benefit, privilege or other thing for the child, if delay will result in risk of harm to the child's physical, psychological or emotional safety, security or well-being
- a guardian applying for travel with a child or participation by a child in an activity because consent to the travel or activity is required and is alleged to have been wrongfully denied
- a change in location of a child's residence, or a guardian's plan to change the location of a child's residence when no written agreement or order respecting parenting arrangements applies in respect of the child, and the change of residence can reasonably be expected to have a significant impact on the child's relationship with another guardian
- relating to the removal of a child under section 64 [*orders to prevent removal of child*] of the *Family Law Act*
- determining matters relating to interjurisdictional issues under section 74(2)(c) [*determining whether to act under Part 5 – Care of and Time with Children*] of the *Family Law Act*
- relating to the alleged wrongful removal of a child under section 77(2) [*wrongful removal of child*] of the *Family Law Act*
- relating to the return of a child alleged to have been wrongfully removed or retained under the Convention on the Civil Aspects of International Child Abduction signed at the Hague on October 25, 1980
- applying for an order under section 45 [*orders respecting parenting arrangements*] or 51 [*order respecting guardianship*] of the *Family Law Act* in one of the following circumstances:
 - the child to whom the order relates has been removed under section 30 [*removal of child*], 36 [*interim supervision order no longer protects the child*] or 42 [*enforcement of supervision order after the protection hearing*] of the *Child, Family and Community Service Act* and a director under that Act has advised that the order will allow for a child to be returned to the applicant;
 - a director under the *Child, Family and Community Service Act* has advised that the child to whom the order relates will be removed under section 30, 36 or 42 of that Act unless the order is made

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 family law 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

What you need to get started

Try to collect as much information as possible before you start to complete the form.

You might need:

- birth dates, names, and other related information about the other party and your children
- any agreements or court orders you already have about a family law matter
- details about the order you are asking the court to make

Step 1: Complete the Application About Priority Parenting 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. Registry staff and staff at any [Justice Access Centre](#) or [Family Justice Centre](#) can help answer questions about the forms but they cannot help complete your forms or give advice about legal problems. If you need help filling in the forms and don't have a lawyer, ask the Justice Access Centre or [Family Justice Centre](#) to refer you to someone who can help.

Follow the instructions 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 each other party
- staple each package of documents together
- 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: Determine if your situation is urgent

You normally need to give notice to the other party that you are applying for a court order. You give notice by having the application documents served on the other party. The time between the day that a party is served and the day that the application is heard is called the "notice period" or "notice". Normally, the other party must be served with at least 7 days notice of the court appearance.

Under special circumstances, the court can allow an application to be made with less than 7 days notice or without notice to the other party.

Application With Short Notice

The court may allow an application about a priority parenting matter to be made with less than 7 days notice to the other party, if the situation requires a court order sooner but notice should be given to the other party.

Application Without Notice

Under special circumstances, the court may allow an application about a priority parenting matter may be made without notice to the other party. For example, you are concerned that serious consequences will result if you notify the other party before the application is heard by the court.

In order to proceed without notice to the other party, you will have to satisfy the court that there is a real risk of some serious consequence if the other party is given notice before your application is heard. If a judge decides that your situation is urgent and the application can be heard without notice to the other person, the application will be heard right away.

If you need your order in less than 7 days or if there are special circumstances where the application should proceed without notice to the other party, you must complete and file the [Application for Case Management Order Without Notice or Attendance Form 11](#) with this application to request that your Application About Priority Parenting Matter be heard with less than 7 days notice or without notice to the other party. It will be up to the court to determine if your request is approved.

Step 3: File the Application About Priority Parenting 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, or
- nearest to where your child lives most of the time

The registry clerk will review your package 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 4: Serve the Application about Priority Parenting Matter on each other party

- on each other party
- on the Director under the *Child, Family and Community Service Act* if you are applying for a priority parenting matter order because the child has been removed or at risk of being removed by the Director
- on the Nisga'a Lisims Government or the Treaty First Nation to which the child belongs if the child is a Nisga'a or Treaty First Nation child and the application is for guardianship of the child

Service is the act of giving or leaving documents with the required person. It is important that each other party know that a family case is going on, are aware of what step is being taken, and are given a chance to tell their side of the story to the court.

You must serve the other party with at least 7 days notice of the date and time of the court appearance, unless the court has ordered something else. This means there must be at least 7 days between the date the application documents is served on the other party and the date and time of the court appearance.

An Application About Priority Parenting Matter must be served to the address of service of each other party in any of the following ways:

- by leaving the documents at the party's address for service
- by mailing the documents by ordinary mail to the party's address for service
- by mailing the documents by registered mail to the party's address for service
- if the party's address for service includes an email address, by emailing the documents to that email address
- if the party's address for service includes a fax number, by faxing the documents to that fax number

A party's address for service is the address they have provided to the court. A party who does not have an address for service must be served by leaving a copy of the application documents directly with the person (this is called personal service). Personal service means an adult person who is at least 19, other than you, must hand-deliver the documents directly to the person being served. A party cannot personally serve a document on the other party.

The Director under the *Child, Family and Community Service Act* can be served in any of the ways provided for in Question 5 of Schedule 1.

Contact the Nisga'a Lisims Government or the Treaty First Nation to confirm how they should be served with notice of the application. For an alphabetical listing of First Nations including information about the First Nation(s) and contact information where available, visit the BC Government website at www.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing.

The court may need proof you had the documents served. The person serving the documents must complete a [Certificate of Service Form 7](#) so that you can prove service of the documents. You must attach a copy of the documents to the Certificate of Service. Remember to make a copy before the documents are served.

Step 5: Attend the Court Appearance

A judge can make decisions based only on the information presented by the parties as evidence. Your evidence includes your application, any additional affidavit(s), and spoken evidence provided in court.

If you can't attend court using the method of attendance set out in your application for the court appearance, 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](#).

Tips for Completing the Form:

Registry location and court file number –

Copy this information from the top right corner of the Notice to Resolve a Family Law Matter or other document filed with the court.

If you don't have an existing court file, registry staff will give your case a file number when you file this document. If you have an existing child protection case, a new court file number will be assigned for this family law case.

Information about the parties –

Party names: Copy your full name from the first document you filed in your case with the court. If this is the first document in your case, see the instructions for the Application About a Family Matter for more information about how to complete this section.

Contact information: The court needs to know where to send documents to you and the other party and how to reach each of you. If your contact information and/or address for service has changed, you can give updated information here. If this is the first document you are filing, see the instructions for the Application About a Family Matter for more information about how to complete this section.

Who to give notice to: It is important that each other party know that you are making this application to the court and are given a chance to talk to the court. To give notice, you must serve a copy of this application on each other party.

If this is your first document on your file, you will need to give notice to each parent and/or guardian of the child. They need to know you have an issue to resolve.

Giving notice –

You normally need to give notice to the other party that you are applying for a court order. You give notice to the other party by having the application documents served on the other party. The time between the day that a party is served and the day that the application is heard is called the "notice period" or "notice." Normally, the other party must be served with at least 7 days notice of the court appearance.

Under special circumstances, the court can allow an application to be made with less than 7 days notice or without notice to the other party.

Application with short notice: The court may allow an application about a priority parenting matter to be made with less than 7 days notice to the other party if the situation requires a court order sooner but notice should be given to the other party.

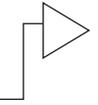
Application without notice: Under special circumstances, the court may allow an application about a priority parenting matter may be made without notice to the other party. For example, you are concerned that serious consequences will result if you notify the other party before the application is heard by the court.

If you need your order in less than 7 days or if there are special circumstances where the application should proceed without notice to the other party, you must complete and file the [Application for Case Management Order Without Notice or Attendance Form 11](#) with this application to request that your Application About Priority Parenting Matter be heard with less than seven days notice or without notice to the other party. It will be up to the court to determine if your request is approved.

Select the option for notice that you will be proceeding with.

Scheduling –

The registry 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.



Application About Priority Parenting Matter

Form 15

Provincial Court Family Rules

Rule 76

Registry Location:
Court File Number:

1. My name is _____ . My date of birth is _____ .

(full name of party)

(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 I must give notice of this application to all parents and guardians of the child(ren) this application is about. They are the other party/parties. To give notice, they must be served with the application and supporting documents at least 7 days before the date set for the court appearance unless the court allows the application to be made without notice or with less than 7 days' notice.

Select only one of the options below

- I am giving at least 7 days' notice to the other party
- I am also filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement for notice of this application
- I am also filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to modify the requirement for at least 7 days' notice to the other party
- I have a court order that allows the application to be made without notice or with less than 7 days' notice

3. The other party is _____ . Their date of birth is _____ .

(full name of other party)

(mmm/dd/yyyy)

Their contact information, as I know it, is:

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

Additional party (complete only if applicable)

Full Name:	Date of Birth:
<small>(mmm/dd/yyyy)</small>	
Lawyer (if applicable):	
Address:	
City: Province: Postal Code:	
Email: Telephone:	

For registry use only

This application will be made to the court at _____
(court registry, street address, city)

on _____ at _____ am/pm.
date time

You must attend the court appearance _____ , unless otherwise allowed by the court. See attached for details.
(method of attendance)

NOTICE 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.

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.

**Order –**

You can apply for one or more priority parenting matter orders using this form. Select each option that you would like to make an application for.

If you are applying for a priority parenting matter order about parenting arrangements or guardianship of a child because the child has been removed or is at risk of removal, you must get the Director to complete Schedule 1 before filing the application.

If you are applying for a priority parenting matter order about guardianship of a child, you must complete Schedule 2.



NOTE: If you also need an order about long term parenting arrangements, including parental responsibilities and parenting time, you must also complete an [Application About a Family Law Matter Form 3](#).

Identification of the children –

Include each child that the application about a priority parenting matter is about.

To fill out the table indicate:

- 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
- the child's relationship to each party, including yourself, using whatever wording best describes it, for example, indicate whether each party is a parent, guardian, step-parent, etc. of the child

**Existing written agreements or court orders –**

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 the agreement or order is important to what you are asking the court to help with now. Include:

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



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

Select only one of the options below

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

About the Priority Parenting Matter

5. I am applying for an order about the following priority parenting matter(s):

Select all options that apply

- giving, refusing or withdrawing consent, by a guardian, to medical, dental, or other health-related treatments for a child, because delay will result in risk to the child's health
 - applying, by a guardian, for a passport, licence, permit, benefit, privilege or other thing for a child, because delay will result in risk of harm to the child's physical, psychological or emotional safety, security or well-being
 - applying, by a guardian, for travel with a child or participation by a child in an activity because consent to the travel or activity is required and is alleged to have been wrongfully denied
 - relating to change in location of a child's residence, or a guardian's plan to change the location of a child's residence because no written agreement or order respecting parenting arrangements applies in respect of the child, and the change of residence can reasonably be expected to have a significant impact on the child's relationship with another guardian
 - relating to the removal of a child under section 64 of the *Family Law Act*
 - determining matters relating to interjurisdictional issues under section 74(2)(c) of the *Family Law Act*
 - relating to the alleged wrongful removal of a child under section 77(2) of the *Family Law Act*
 - relating to the return of a child alleged to have been wrongfully removed or retained under the Convention on the Civil Aspect of International Child Abduction signed at the Hague on October 25, 1980
 - apply for an order under section 45 [orders respecting parenting arrangements] or 51 [order respecting guardianship] of the *Family Law Act* in one of the following circumstances:
 - i. the child to whom the order relates has been removed under section 30 [removal of a child], 36 [interim supervision order no longer protects the child] or 42 [enforcement of supervision order after the protection hearing] of the *Child, Family and Community Service Act* and a director under the Act has advised that the order will allow for a child to be returned to the applicant;
 - ii. a director under the *Child, Family and Community Service Act* has advised that the child to whom the order relates will be removed under section 30, 36 or 42 of that Act unless the order is made;
- [complete and attach schedule 1]**
[if you are applying for guardianship of a child, also complete and attach schedule 2]

6. This application is about the following child(ren):

Child's full name	Child's date of birth (mmm/dd/yyyy)	My relationship to the child	The other party's relationship to the child

7. There is an existing written agreement or court order about the child(ren) concerning parenting arrangements, child support, contact with a child, or guardianship Yes No
 If yes, attach a copy of the agreement(s) and/or order(s) to your application

Court proceeding –

The court needs to know if there are any other court proceedings that have been started or are ongoing about parenting arrangements, contact with a child, guardianship of a child, or protection of a child who is the subject of this application. This includes any court proceeding in another level of court, another court location, or another province, territory or country. It also includes any court proceedings in Provincial Court such as child protection proceedings or criminal proceedings.



Details of the order –

You need to tell the court and the other party what order you want the judge to make. You do not need to use any special wording. The key is to be clear about what you mean and what you are asking the court to order.



The facts –

What are the facts that support what you are asking the court to order?

Give a summary of the facts including:

- why you need the court to make the order, and
- why this is a priority parenting matter

You do not need to use any special wording. The key is to be clear about what you mean and why you are asking the court to make the order.

Talk to a lawyer if you need help figuring out why this is a priority parenting matter and what facts you need to present to the court to support your application.

A judge can make decisions based only on the information presented by the parties as evidence. Evidence is presented in writing in an affidavit or as spoken evidence provided in court.

If you choose to, you can prepare an [Affidavit – General Form 45](#). If you do not wish to prepare an affidavit, be prepared to give evidence in court.



8. I know the following information about any court proceeding that is pending or that has been initiated about parenting arrangements, contact with a child, guardianship of a child, or protection of a child who is the subject of this application:

If there is no pending or ongoing court proceeding, that you know of, in this court or another court or jurisdiction, you may leave this section blank

9. The details of the order I am applying for are as follows:

Tell the court and the other party the details of the order you are asking for

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

Provide the facts you want the court to consider. Include why you need the court to make the order and how your situation is a priority parenting matter.

CHILD HAS BEEN REMOVED OR IS AT RISK OF REMOVAL UNDER THE CHILD, FAMILY AND COMMUNITY SERVICE ACT

If a Director under the *Child, Family and Community Service Act* is involved with the child, you may be eligible for help from the Parents Legal Centre (PLC). Call PLC at 1-888-522-2752 to find out if you qualify for a free lawyer and an advocate. If you already have a lawyer working with you on your child protection issue, Parents Legal Centres can't help you.



For more information about Parents Legal Centres visit their website at <https://family.legalaid.bc.ca/visit/parents-legal-centre>.

This schedule must be completed by a Director under the Child, Family and Community Service Act before the application is filed with the court.

To get the schedule completed, contact the child welfare worker who is working with the child.

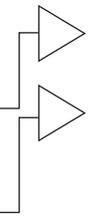
If you don't know how to reach the child welfare worker, contact the Provincial Centralized Screening team at any time for assistance at 1-800-663-9122 or 604-660-4927 (Lower Mainland and outside BC).



Provide the child welfare worker with a copy of this application so they can understand what you are applying for.

Completing the form (instructions for the Director) –

The child(ren): Provide the names and date of birth of the child or children as they appear in the child protection case. If there is already a child protection case in the court, copy the names from that. These names will help ensure that the Family Law Act matter and any Child, Family and Community Service Act matter stay together.



The parent(s): Provide the names of the parent(s) as they appear in the child protection case. If there is already a child protection case in the court, copy the names from that. These names will help ensure that the Family Law Act matter and any Child, Family and Community Service Act matter stay together.

Completed by: Your name and address go here.

Address for service: This is the address where the party can send notice of the application to the Director.



Application filed by: Check the box if you have been advised of an application for a priority parenting matter about a child whose case you have conduct of. Insert the name of the person(s) making the application. Information about the person making the application, and the application they are applying for, can be found in the main part of the application, Question 1 and Question 4.



Court proceeding (CFCSA): Indicate if there is a court proceeding already commenced under the CFCSA, and if so, the court location, file number and date of the next CFCSA court appearance. If there is no scheduled court appearance on the CFCSA matter or you do not know the date, you may indicate "not applicable" or "unknown".



Priority parenting matter: To apply for an order under section 45 or 51 of the Family Law Act as a priority parenting matter, the child must have been removed or be at risk of removal under s. 30, 36 or 42 of the CFCSA and if granted, the FLA order must, in your belief, enable the child to get out of care or keep them out of care.



Additional information: If there is any additional information you would like to share with the court, you may include it here. Please only share information that is needed by the court to understand why it is in the best interest of the child under s. 4 of the CFCSA to address this matter as a priority. As per s. 79 (a) of the CFCSA, please only disclose information that is necessary to ensure the safety or well-being of a child.



You can attach an additional page if more space is needed.

SCHEDULE 1 – APPLICATION FOR ORDER RESPECTING PARENTING ARRANGEMENTS OR GUARDIANSHIP
This is Schedule 1 to the Application About a Priority Parenting Matter

This schedule must be completed only if you are applying for a priority parenting matter order under section 45 [orders respecting parenting arrangements] or 51 [order respecting guardianship] of the Family Law Act because the order will allow the child to be returned or [placed with another person] in accordance with the Child, Family and Community Service Act, or the child will be removed under section 30, 36 or 42 of that Act unless the order is made.

To be completed by a director under the Child, Family and Community Service Act

1. In the matter of the child(ren):

Child's Full Name	Child's Date of Birth (mmm/dd/yyyy)

2. The parent(s) of the child(ren) is/are: _____
(full name of parent(s))

3. This information is provided on behalf of the director by:

Name:		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

4. This schedule is being completed on: _____
(date)

5. The director under the Child, Family and Community Service Act can be served with this application at:

Name:		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

6. I have been advised that _____ is applying for a priority parenting matter order under section 45 [orders respecting parenting arrangements] or 51 [order respecting guardianship] of the Family Law Act about a child to whom I have been providing services under the Child, Family and Community Services Act.
(full name of party/parties)

7. There is a court proceeding under the Child, Family and Community Service Act concerning the child(ren).

Yes - Court Location _____ File Number: _____
Date of next CFCSA proceeding: _____

No

8. If granted, I believe the priority matter order respecting parenting arrangements and/or guardianship of a child that is being applied for would likely allow the child(ren) to be returned to the applicant or prevent the removal of the child(ren) under the Child, Family and Community Service Act.

Yes No

9. I would like to share the following information with the court:

You may choose to complete this section or leave this section blank. Please only share information that is needed by the court to understand why it is in the best interest of the child under section 4 of the Child, Family and Community Service Act to address this matter as a priority. As per section 79 (a) of the Child, Family and Community Service Act, please only disclose information that is necessary to ensure the safety or well-being of a child.

GUARDIANSHIP OF A CHILD

Anyone who wants to become a guardian can apply, including a parent who is not a guardian or anyone else (even if they are not related to the child). If you are applying under section 51 of the Family Law Act to become a guardian of a child who has been removed or is at risk of removal by the Director under section 30, section 36 or section 42 of the *Child, Family and Community Service Act* you can apply using this application but you must still meet the requirements under section 51 of the *Family Law Act*.

We recommend that you talk to a lawyer before you make decisions about applying to become a guardian.

If a social worker from the Ministry of Children and Family Development is involved with the child, you may be eligible for help from the Parents Legal Centre (PLC). Call PLC at 1-888-522-2752 to find out if you qualify for a free lawyer and an advocate. If you already have a lawyer working with you on your child protection issue, Parents Legal Centres can't help you.

For more information about Parents Legal Centres visit their website at <https://family.legalaid.bc.ca/visit/parents-legal-centre>.

Indigenous ancestry of child(ren) –

Where there is an application for guardianship of a Nisga'a or treaty First Nation child in a family law case, under sections 208 and 209 of the *Family Law Act*:

- the Nisga'a Lisims Government or treaty First Nation's government must be served with notice of the application,
- the Nisga'a Lisims Government or treaty First Nation government has standing in the court proceeding, and
- the court must consider the Nisga'a laws and customs or the laws and customs of the treaty First Nation in making its decision.

This section helps you to identify any Indigenous ancestry of the child for the court and to acknowledge your requirements if a child is a Nisga'a or treaty First Nation child.

Guardianship affidavit and supporting documents –

There is another form that you must complete when you are applying for guardianship of a child. It is called Guardianship Affidavit Form 5. Before you can complete the affidavit, you must complete the following background checks referenced in the form:

- a Ministry of Children and Family Development record check
- a protection order record check from the Protection Order Registry, and
- a criminal record check

To get a criminal record check, ask at the police station or RCMP detachment in your community.

To get the Ministry of Children and Family Development and Protection Order Registry record checks, you must fill out:

- a Section 51 - Consent for Child Protection Record Check, and
- a Request for Protection Order Registry Search.

Give them to the court registry with your application. The registry will let you know when the results arrive and give you copies to attach to your affidavit.

The court can make an interim order for guardianship of a child without the completed affidavit and record checks. The interim order will last up to 90 days. During this time, you must get the background checks and fill out and file the affidavit.

SCHEDULE 2 – APPLICATION FOR ORDER RESPECTING GUARDIANSHIP OF A CHILD
This is Schedule 2 to the Application About a Priority Parenting Matter

This schedule must be completed only if you are applying for a priority parenting matter order respecting guardianship under section 51 [order respecting guardianship] of the Family Law Act because the order is needed to transfer a child from the care of the Director or to prevent the removal of a child under the Child, Family and Community Service Act.

Indigenous ancestry of child(ren)

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

1. 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

2. *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

Complete the following questions only if you are applying for guardianship of a child. If you are not applying for guardianship of a child, you may leave these questions blank.

3. 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.

4. 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 counter 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 counter application be filed with the additional documents.