

# Reply to a Family Law

## Matter Claim

With Counterclaim

### FORM 6

Provincial Court Family Rules

Rule 31

Registry location:	
Court File Number:	

#### Information about the parties

1. The Family Law Matter Claim was started by *[full name of the other party]*. They are the other party in this family law case.

2. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

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

#### Lawyer's Statement

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

I, *[full name of lawyer]*, the lawyer for *[full name of party]*, acknowledge that I have complied with the requirements of section 8 of the *Family Law Act*.

#### Identification of child(ren)

4. Select only one of the options below

- The claim does not ask for any order(s) about a child or children (*skip ahead to section 6*)
- The other party correctly provided the name and date of birth of each child involved in the claim
- The following is the correct name and date of birth of each child involved in the claim:

*If you have selected this option, please provide the name and date of birth of ALL the children*

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

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

#### Family values

6. 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 aboriginal child, the child's aboriginal identity:

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**Existing written agreements or court orders**

7. *Select only one of the options below*

- I agree there is no existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support
- I agree there is an existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support and the other party has identified each of them
- The additional existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support was not provided by the other party with their claim

*If you have selected this option, attach a copy of the agreement(s) and/or order(s) to your reply*

8. There is an existing court order protecting one of the parties, the child(ren), or restraining contact between the parties, including a protection order, child protection or supervision order, peace bond, restraining order, bail condition or other criminal order that was not provided by the other party with their claim

- Yes    No

*If yes, attach a copy of the order(s) to your reply*

**Initial Requirements**

9. I am filing my reply in:

- an early resolution registry and I have met the following requirements:  
*The requirements have been met if you completed or participated in, or if you were granted an exemption from completing or participating in, the following: Select all options that apply.*
  - needs assessment
  - parenting education program
  - consensual dispute resolution
- a family justice registry and I understand I will be required to participate in a needs assessment, unless exempt, before a family management conference or readiness hearing 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 or readiness hearing can be scheduled
- none of the above

## Replying to the Other Party

### Agreement with Claim(s)

#### 10. I agree with the following order(s) applied for by the other party:

*Refer to the Family Law Matter Claim schedules as referenced below to assist in completing this section.  
Select all options that apply.*

#### Parenting Arrangements

Parenting arrangements – new *[see Schedule 1 of Family Law Matter Claim]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[see Schedule 2 of Family Law Matter Claim]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

#### Child support

- child support – new *[see Schedule 3 of Family Law Matter Claim]*
- child support order/agreement – existing *[see Schedule 4 of Family Law Matter Claim]*

#### Contact with a child

- contact with a child – new *[see Schedule 5 of Family Law Matter Claim]*
- contact order/agreement – existing *[see Schedule 6 of Family Law Matter Claim]*

#### Guardianship of a child

- appointing a guardian of a child *[see Schedule 7 of Family Law Matter Claim]*
- cancelling guardianship of a child *[see Schedule 8 of Family Law Matter Claim]*

#### Spousal support

- spousal support – new *[see Schedule 9 of Family Law Matter Claim]*
- spousal support order/written agreement – existing *[see Schedule 10 of Family Law Matter Claim]*

## Disagreement with Claim(s)

### 11. I do not agree to all or part of the following order(s) applied for by the other party:

*Refer to the Family Law Matter Claim schedules to assist in completing this section.*

*Select all options that apply, complete and attach the required schedule(s).*

#### Parenting Arrangements

Parenting arrangements – new *[complete and attach Schedule 1]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[complete and attach Schedule 2]*

- change to parental responsibilities
- change to parenting time
- change to conditions on 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/written agreement – existing *[complete and attach Schedule 10]*

#### IMPORTANT NOTE:

**If this family law case includes a claim about support, you must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.**

If a 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

**Making a Counterclaim**

Complete this section only if, in addition to replying to the other party’s claim, you want to apply for an order about a family law matter that the other party did not make a claim about in section 6 of their Family Law Matter Claim

**12. 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 11] including parental responsibilities and parenting time
- parenting arrangements order/agreement – existing [complete and attach Schedule 12] including parental responsibilities and parenting time

**Child support**

- child support – new [complete and attach Schedule 13]
- child support order/agreement – existing [complete and attach Schedule 14]

**Contact with a child**

- contact with a child – new [complete and attach Schedule 15]
- contact order/agreement – existing [complete and attach Schedule 16]

**Guardianship of a child**

- appointing a guardian of a child [complete and attach Schedule 17]
- cancelling guardianship of a child [complete and attach Schedule 18]

**Spousal support**

- spousal support – new [complete and attach Schedule 19]
- spousal support order/written agreement – existing [complete and attach Schedule 20]

**Identification of child(ren)**

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

- My counterclaim does not ask for any order(s) about a child or children (skip section 14)
- My counterclaim is asking for an order(s) about the following child or children:

Child’s full name	Child’s date of birth (mmm/dd/yyyy)	Child’s relationship to me	Child’s relationship to the other party/parties	Child is currently living with

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

**Note to the other party:**

If the reply includes a counterclaim, you may reply to the counterclaim by filing a Reply to a Counterclaim in Form 8, and any additional documents that may be required to be filed, within 14 days after the date you receive the reply with counterclaim.

**SCHEDULE 1 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – NEW**

**This is Schedule 1 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new claim by the other party about parenting arrangements for the child or children. The order they applied for about parenting arrangements can be found in Schedule 1 of their Family Law Matter Claim.*

1. I do not agree to all or part of the following order(s) about parenting arrangements applied for by the other party:

*Select all options that apply and complete the required part(s)*

- parental responsibilities *(complete Part 1 of this Schedule)*
- parenting time schedule *(complete Part 2 of this Schedule)*
- conditions on parenting time *(complete Part 3 of this Schedule)*

**PART 1 – REPLY TO A CLAIM – PARENTAL RESPONSIBILITIES**

*Complete this part only if you are disagreeing with an order about parental responsibilities requested by the other party. You may leave this part blank.*

1. I do not agree with the requested allocation of parental responsibilities because:

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2. I am asking for the parental responsibilities to be exercised by the guardians as follows:

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3. I believe the parental responsibilities I am asking for are in the child(ren)'s best interests because:

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**PART 2 – REPLY TO A CLAIM – PARENTING TIME SCHEDULE**

*Complete this part only if you are disagreeing with an order about the parenting time schedule requested by the other party. You may leave this part blank.*

1. I do not agree with the requested parenting time schedule because:

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2. I am asking for the parenting time schedule to be as follows:

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3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

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**PART 3 – REPLY TO A CLAIM – CONDITIONS ON PARENTING TIME**

*Complete this part only if you are disagreeing with an order about the conditions on parenting time requested by the other party. You may leave this part blank.*

1. I do not agree with the requested conditions on my parenting time or the other guardian's parenting time because:

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2. I am asking for the conditions on my parenting time or the other guardian's parenting time to be as follows:

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3. I believe the conditions I have asked for on parenting time are in the child(ren)'s best interests because:

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**SCHEDULE 2 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – EXISTING**

**This is Schedule 2 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, for the child or children. The order they applied for about parenting arrangements can be found in Schedule 2 of their Family Law Matter Claim.*

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about parenting arrangements was made
- There has been no change in needs or circumstances since the final order about parenting arrangements was made
- I agree the agreement about parenting arrangements is not in the best interests of the child(ren)
- I believe the agreement about parenting arrangements is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about parenting arrangements to continue to be in place
- I am applying to change or replace the existing final order or agreement about parenting arrangements as follows:

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

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**SCHEDULE 3 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – NEW**

**This is Schedule 3 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new claim by the other party about child support. The order they applied for about child support can be found in Schedule 3 of their Family Law Matter Claim.*

1. I am:

- a parent to the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- not a parent of the child(ren)
  - I request a parentage test *(Check only if applicable)*
- not a person standing in the place of a parent to the child(ren)

2. I do not agree with the order about child support requested by the other party because:

*Select all options that apply and complete the required information*

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

*Explain below*

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- I believe the special and extraordinary expenses are not what the other party claims they are

*Explain below*

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- the living arrangements for the child(ren) are not as described

*Describe the child(ren)'s living arrangements below*

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- the amount would cause me undue hardship because:

*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):*

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- other reason *(specify):*

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3. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations because:

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**IMPORTANT NOTE:**

**This family law case includes a claim about child support. You must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.**

If a 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

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**SCHEDULE 4 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – EXISTING**

**This is Schedule 4 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support. The order they applied for about child support can be found in Schedule 4 of their Family Law Matter Claim.*

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about child support was made
- There has been no change in circumstances since the final order about child support was made
- I agree the agreement about child support should be set aside or replaced
- I believe the agreement about child support was made on consideration of s.150 of the *Family Law Act*

2. I do not agree with the requested order about the existing final order or agreement about child support because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about child support to continue to be in place
- I am applying to change or replace the existing final order or agreement about child support as follows:

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4. *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:

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5. *Select only one of the options below*

- I agree that the amount of unpaid child support (arrears) in the claim is correct
- The amount of unpaid child support (arrears) in the claim is not correct. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

**IMPORTANT NOTE:**

**This family law case includes a claim to change an existing final order or agreement about child support. You must provide updated financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.**

If a 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

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**SCHEDULE 5 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – NEW**

**This is Schedule 5 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new claim by the other party about contact with a child or children. The order they applied for about contact can be found in Schedule 5 of their Family Law Matter Claim.*

1. I do not agree that the other party should have contact with the child(ren) as the other party requested. Instead, I ask that the other party's contact with the child(ren) be as follows:

*Select all options that apply and complete the required information*

- no contact of any type
- in person:

*Provide specific dates requested, or dates and times that would be most suitable*

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

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

I am asking to have the following conditions placed on the contact with the child(ren):

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

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**SCHEDULE 6 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – EXISTING**

**This is Schedule 6 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing final order about contact, or to set aside or replace an existing agreement about contact, with a child or children. The order they applied for about contact can be found in Schedule 6 of their Family Law Matter Claim.*

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about contact was made
- There has been no change in needs or circumstances since the final order about contact was made
- I agree the agreement is not in the best interests of the child(ren)
- I believe the agreement is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement about contact with a child or children because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about contact with a child or children to continue to be in place
- I am applying to change or replace the existing final order or agreement about contact with a child or children as follows:

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

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**SCHEDULE 7 – REPLY TO A CLAIM ABOUT APPOINTING A GUARDIAN OF A CHILD OR CHILDREN**

**This is Schedule 7 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party to be appointed as a guardian of a child or children. The order they applied for about guardianship of a child can be found in Schedule 7 of their Family Law Matter Claim.*

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian of the child(ren) because:

*Select all options that apply and explain why*

- the other party is not able to be a guardian because:

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- the other party is not suitable to be a guardian because:

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- other reason(s) *(specify)*:

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**SCHEDULE 8 – REPLY TO A CLAIM ABOUT CANCELLING GUARDIANSHIP OF CHILD OR CHILDREN**

**This is Schedule 8 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party to cancel guardianship of a child or children. The order they applied for about cancelling guardianship can be found in Schedule 8 of their Family Law Matter Claim.*

1. Do not cancel guardianship of the child(ren) as requested because:

*Select all options that apply and explain why*

the guardian is able and willing to be a guardian because:

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the guardian is suitable to be a guardian because:

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the guardian does not consent to cancellation of their guardianship because:

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other reason(s) *(specify)*:

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2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:

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**SCHEDULE 9 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – NEW**

**This is Schedule 9 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new claim by the other party about spousal support. The order they applied for about spousal support can be found in Schedule 9 of their Family Law Matter Claim.*

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the order about spousal support requested by the other party because:

*Select all options that apply and complete the required information*

- I do not believe the other party is entitled to spousal support

*Explain below*

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- my income is not what the other party claims it is

- my employment, training, health and ability to work is not what the other party claims it is

*Explain below*

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- the other party's financial situation is not what they claim it is

*Explain below*

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- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

*Explain below*

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- the other party's expenses are not what they claim them to be

*Explain below*

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- other reason (*specify*):

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3. The order for spousal support that I believe should be made is as follows:

*Select all options that apply and complete the required information*

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

4. *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: \_\_\_\_\_
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5. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement to file this reply with a completed financial statement

**IMPORTANT NOTE:**

**This family law case includes a claim about spousal support. You must provide your financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.**

If a 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 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – EXISTING**

**This is Schedule 10 to the Reply to a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a claim by the other party 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. The order they applied for about spousal support can be found in Schedule 10 of their Family Law Matter Claim.*

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about spousal support was made
- There has been no change in circumstances since the final order about spousal support was made
- I agree the circumstances were as described by the other party when the written agreement about spousal support was made
- I do not believe the circumstances as described by the other party existed when the written agreement about spousal support was made

2. *Select only one of the options below*

- I agree that the amount of unpaid spousal support (arrears) in the claim is correct
- The amount of unpaid spousal support (arrears) in the claim is not correct. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

3. I do not agree with the requested order about the existing final order or written agreement about spousal support because:

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4. *Select only one of the options below*

- I am applying for the existing final order or written agreement about spousal support to continue to be in place
- I am applying to change or replace the existing final order or written agreement about spousal support as follows:

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5. *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:

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6. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed financial statement

**IMPORTANT NOTE:**

**This family law case includes a claim to change or replace a final order or written agreement about spousal support. You must provide updated financial information with your reply to the claim by completing and filing a Financial Statement in Form 4.**

If a 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

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**SCHEDULE 11 – COUNTERCLAIM PARENTING ARRANGEMENTS – NEW**

**This is Schedule 11 to the Reply to a Family Law Matter with Counterclaim**

Complete this schedule only if you are a guardian of a child making a new counterclaim about parenting arrangements for a child or children identified in section 13 of the reply with counterclaim.

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 of a child 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.*

- applying to become a guardian of the child(ren)

*A person who is not a parent can become a guardian of a child by a court order or under a will*

**Parental 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

- I am applying for an order that gives me all parental responsibilities of 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:

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**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:

- I want the child(ren) to spend time with me as follows:

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I am willing to have the following conditions placed on my time with the child(ren):

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I am asking for the child(ren) to spend time with the other guardian(s) as follows:

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I am asking to have the following conditions placed on the other guardian's time with the child(ren):

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#### Parenting Arrangements

4. *Complete only if applicable. You may leave this section blank.*

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

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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:

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**SCHEDULE 12 – COUNTERCLAIM PARENTING ORDER/WRITTEN AGREEMENT – EXISTING**

**This is Schedule 12 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a counterclaim 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 13 of the reply with counterclaim.*

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]

3. *Complete only if applicable. 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:

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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:

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5. *Complete only if applicable. You may leave this section blank.*

- I am applying for the parenting responsibilities (who makes certain decisions about the child(ren)) to be changed or replaced as follows:

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6. *Complete only if applicable. You may leave this section blank.*

I am applying for the parenting time schedule to be changed or replaced as follows:

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7. *Complete only if applicable. 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:

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8. *Complete only if applicable. 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:

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

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**SCHEDULE 13 – COUNTERCLAIM CHILD SUPPORT – NEW**

**This is Schedule 13 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a new counterclaim for child support and/or special and extraordinary expenses for the child or children identified in section 13 of the reply with counterclaim.*

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:

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4. The current support arrangements are as follows:

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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*

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7.  I am applying for an order for ongoing child 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 13 of this reply with counterclaim:

*List the name of each child you are applying for support for*

8. *Select only one of the options below*

- Each child I am applying for an order about child support for is under 19 years of age
- The following child(ren) is/are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full name of child	Reason for child support <i>Select the applicable option</i>
	<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

9. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the claim is made or the start date of a new job*

Child support payments should start on *[mmm/dd/yyyy or event]* because:

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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:

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

- The guideline amount payable would cause me undue hardship because:

*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*):

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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 children) are included in my claim for child support:

Name of Child:				
Special and Extraordinary Expenses	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	\$	\$	\$	\$

13. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:  
*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 claimed
  - 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
  - special or extraordinary expenses are being claimed 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 not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

**IMPORTANT NOTE TO THE OTHER PARTY:**

**This family law case includes a counterclaim about child support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form 4.**

If a 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 14 – COUNTERCLAIM CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING**

**This is Schedule 14 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a counterclaim 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 13 of the reply with counterclaim.*

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]

3. *Complete only if applicable. 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:

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the child(ren)'s living arrangement(s) have changed as follows:

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information has become available that was not available when the order was made (*specify*):

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other changes or circumstances (*specify*):

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4. Complete only if applicable. 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:

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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:

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

7. Complete only if there is unpaid child support. 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:

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8. Complete only if there is unpaid child support

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):

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:

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10. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the claim is made or the start date of a new job*  
The order about child support should start on [mmm/dd/yyyy] because:

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11. *Select only one of the options below*

- I have completed a Financial Statement in Form 4 because the following situation applies to my claim:  
*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 claimed
  - 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
  - special or extraordinary expenses are being claimed 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 not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

**IMPORTANT NOTE TO THE PARTIES:**

**If this family law case includes a counterclaim to change or replace an order or agreement about child support, you must provide financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.**

If a 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 15 – COUNTERCLAIM CONTACT WITH A CHILD – NEW**

**This is Schedule 15 to the Reply to a Family Law Matter with Counterclaim**

Complete this schedule only if you are not a guardian of the child or children and you are making a new counterclaim about contact with the child or children identified in section 13 of the reply with counterclaim. 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 13 of this reply with counterclaim:  
*List the name of each child you want to have contact with*

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

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telephone communication

video communication

written communication

other method of communication (*specify*):

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

I am willing to have the following conditions placed on my contact with the child(ren):

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4. I last had contact with the child(ren) on or around [mmm/dd/yyyy]

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

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**SCHEDULE 16 – COUNTERCLAIM CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING**

**This is Schedule 16 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a claim 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 13 of the reply with counterclaim.*

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 about contact made on [mmm/dd/yyyy]

3. *Complete only if applicable. 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:

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4. *Complete only if applicable. 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:

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5. *Complete 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 requested, or dates and times that would be most suitable*

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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):

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6. I believe the order I am applying for about the existing final order or agreement about contact with a child or children is in the child(ren)'s best interests because:

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**SCHEDULE 17 – COUNTERCLAIM TO BECOME A GUARDIAN OF A CHILD OR CHILDREN**

**This is Schedule 17 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a counterclaim to be appointed as a guardian of a child or children identified in section 13 of the reply with counterclaim.*

1.  I am applying to be appointed as a guardian of the following child(ren) identified in section 11 of the reply with counterclaim:

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

2. *Select only one of the options below*

- I have completed a Guardianship Affidavit in Form 5 and I am filing it along with this counterclaim
- I am not able to complete a Guardianship Affidavit in Form 5 at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed affidavit

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**SCHEDULE 18 – COUNTERCLAIM TO CANCEL GUARDIANSHIP OF A CHILD OR CHILDREN**

**This is Schedule 18 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a counterclaim to cancel the guardianship of a child or children identified in section 13 of the reply with counterclaim.*

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)

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

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**SCHEDULE 19 – COUNTERCLAIM SPOUSAL SUPPORT – NEW**

**This is Schedule 19 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a new counterclaim about 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

2. The current support arrangements are as follows:

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3. My current employment situation, training, health and ability to work are as follows:

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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*

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6. I am applying for an order for spousal support to be paid by *[name of paying party]* as follows:

*Select all options that apply and complete the required information*

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

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:
- 
- 

8. *Select only one of the options below*

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

**IMPORTANT NOTE TO THE PARTIES:**

**This family law case includes a counterclaim about spousal support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.**

If a 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 20 – COUNTERCLAIM SPOUSAL SUPPORT – EXISTING**

**This is Schedule 20 to the Reply to a Family Law Matter with Counterclaim**

*Complete this schedule only if you are making a counterclaim 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]

2. *Complete only if applicable. 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:

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I believe the other party's employment, training, health and/or ability to work has changed as follows:

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my household expenses have changed as follows:

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information has become available that was not available when the order was made (specify):

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other changes or circumstances (*specify*):

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3. *Complete only if applicable. 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:

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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:

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

6. Complete only if there is unpaid spousal support. 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:

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7. Complete only if there is unpaid spousal support

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): \_\_\_\_\_

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:

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9. Select only one of the options below

- I have completed a Financial Statement in Form 4
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counterclaim be filed with a completed financial statement

**IMPORTANT NOTE TO THE PARTIES:**

**This family law case includes a counterclaim about spousal support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form 4.**

If a 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