

Application for Case Management Order Form 10

Provincial Court Family Rules

You can complete and file most family forms online using the Family Law Act Online Forms Service.

Access the service at justice.gov.bc.ca/apply-for-family-order.

The free service includes guided pathways that ask you questions and put your answers into the required court forms. When you're finished, you can save and file your forms electronically or print them to file in person.



A PDF version of this form is available online for download at www.gov.bc.ca/court-forms.

For courthouse locations, addresses, and contact information visit: www.gov.bc.ca/courthouselocations

Need assistance with how to complete this form?

Refer to the guidebook if you need more information about applying for a case management order and how to complete this form. Find it online, with interactive links, at www.gov.bc.ca/court-forms or pick up a printed copy from your local court registry.

Family law:

The [Provincial Court Family Rules](#) set out the steps that you must take and the forms you must complete in a family law case. These rules apply to cases in Provincial Court about matters under the [Family Law Act](#) and the [Family Maintenance Enforcement Act](#).

You can find the Rules and Acts on the BC Laws website at www.bclaws.gov.bc.ca.

Preparing an Application for Case Management Order Form 10

Complete this form if you need a **case management order** with **consent** of each party and any other person affected by the order or that **requires a court appearance**, or to apply to change, suspend or cancel an order made in the absence of a party.

You can use this form to:

- apply for a case management order by consent without attending before the court, if you are also filing a draft [Consent Order Form 18](#) signed by each party and any other person affected by the order, or
- request a court appearance to apply:
 - for a case management order, or
 - to change, suspend or cancel an order made in the absence of a party.

Case management orders can be made on application or by a judge at a family management conference, family settlement conference or other court appearance without application by a party.

The case management orders a judge may make are listed on this form in Part 4 and under [Rule 62](#).

Some case management orders must be made with notice or with the consent of each other party and any other person affected by the order.

The following case management orders can be requested without notice and without attendance at a court appearance by filing an [Application for Case Management Order without Notice or Attendance Form 11](#):

- allowing a person to attend a court appearance using another method of attendance;
- waiving or modifying any requirement related to service or giving notice to a person, including allowing an alternative method for the service of a document;
- waiving or modifying any other requirement under these rules, including a time limit set under these rules or a time limit set by an order or direction, even after the time limit has expired;
- requiring access to information in accordance with section 242 [*orders respecting searchable information*] of the *Family Law Act*;
- authorizing an official of the court, in accordance with section 10 of the Family Orders and Agreements Enforcement Assistance Act (Canada), to make an application under section 12 of that Act for the release of information;
- recognizing an extraprovincial order other than a support order.

Form 10 can also be used to apply for these case management orders if they are by consent or you want a court appearance.



Need legal help?

It's important to understand the law and make sure you have the right information. If you don't, it can make solving your problem harder. Getting advice from a lawyer can help. You can find a lawyer through:

Lawyer Referral Service

Visit www.accessprobono.ca/our-programs/lawyer-referral-service or call at 604-687-3221

Legal Aid, Duty Counsel and Family Advice Lawyers

Visit <https://legalaid.bc.ca> or call 1-866-577-2525

Legal Services and Resources

Visit the ClickLaw HelpMap at www.clicklaw.bc.ca/helpmap



Filling out the form and preparing to file it

Make sure you follow the instructions in the form and include all the required information. You don't need to use any special wording. Try to be clear and concise.

If you complete the form by hand, be sure it's readable.

How do I prepare the form for filing?

- print or make copies of all documents: one set for you, one set for the court, and one set for each other party
- staple or secure each package of documents together



Contacting the other party

Before filing your application, it's good practice to contact the other party and any other person affected by the order to see if they might consent to your application, or to help select a date for the court appearance that will work for everyone. It can save you time and energy.

If they agree to the order, you can choose to:

- prepare and file a [Consent Order Form 18](#), which usually means a judge can review your application and approve your order without you having to go to court, or
- go to a court appearance



Filing the application at the registry

After you've filled out your form, you must file it at the [Provincial Court Registry](#):

- where the existing Provincial Court case with the same parties is filed (you already have a court file number)
- nearest to where the child lives most of the time if the case involves a child-related issue, or
- nearest to where you live if the case does not involve a child-related issue

File the form:

- electronically using the [FLA Online Forms Service](#)
- in person at the court registry
- by mail
- by email, as referenced in Notice to the Profession and Public [NP 28 Current Court Operations](#), or
- by fax filing using the [Fax Filing Cover Page Form 52](#)

There are no fees for filing Provincial Court family documents.

Be sure to bring all copies of the documents to the registry if you are filing in person.

The registry clerk will review your package to make sure it's complete before filing it. You'll be given a copy for your records along with a copy for the other party.



Serving the application

Serve a copy of the application on each other party and any other person who may be directly affected by the order.

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

The application can be served by **ordinary service to the address of service** for each party. Their address for service is the address they have provided to the court.

A party who does not have an address for service, or a person who may be directly affected by the order, must be served by **personal service**. An adult (at least 19 years old) who is not a party must hand-deliver the documents to the party to be served. A party may serve a person who is not a party.

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

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



Attending the court appearance, if applicable

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

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

Can I get help in another language?

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

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

For most things that go on outside the courtroom, you'll need to find your own interpreter. Some people ask a friend or family member. Others hire a professional interpreter.



Next steps – application by consent

If you are making your application **by consent** and you have included a draft consent order, it usually means you can obtain the order without you having to go to court.

A judge reviews your application and, unless the judge has any questions about what you are asking for, approves your order without a court hearing.

Depending on what you are requesting on your application, it may take the judge a few days to review your application. The registry staff will let you know when you can expect to hear from them.

Application for Case Management Order

Form 10

Provincial Court Family Rules
Rules 54, 55, 62, 63, 64, 83,
118 and 159

COURT STAMP

Registry location: _____
Court file number: _____
Document number: _____
For registry use only

This Application for Case Management Order sets out the details of a case management order that a person is applying for. The order requested may be made without a court appearance with the consent of all other parties including any person directly affected by the order or at a court appearance with notice to each party and any other person who may be directly affected by the order.


Please read before completing the form:

- You can use this form to apply for a case management order by consent without attending before the court, or to request a court appearance for the order.
- For guidance filling in this form, please read the guidebook. The guide is available online at www.gov.bc.ca/court-forms or from your local court registry.

Part 1 | About the parties and any other person who may be directly affected

- My full name is:** _____
Full name of party/person
My date of birth is: _____
(dd/mmm/yyyy)
- The other party's full name is:** _____
Full name of party/parties
- Complete only if applicable. You may leave this question blank.*
The following other person(s) who may be directed affected by the order is/are:

Full name of other person(s)

 A case management order may be about something that a person who is not a party needs to do, for example a family justice counsellor. If it is, they also need to be identified.

Part 2 | Information about children


- Select the correct option below and provide the additional information if applicable*
 - I am not a party to the case
 - I am a party to the case and the case **does not involve a child**-related issue
 - I am a party to the case and the case **involves a child**-related issue about the following child or children:

Provide the requested information below for each child

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

Part 3 | Notice of the application


- I understand I **must give notice** of this application to each other party, and any other person who may be directly affected by the order.
To give notice, they must be served with the application and supporting documents at least 7 days before the date of the court appearance unless the court allows the application to be made without notice or with less than 7 days' notice.

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

Part 4 | Case management order

6. I am applying for the following **case management order(s)**:

- Transferring a court file to another registry for all purposes or specific purposes
- Relating to the management of a court record, file or document, including access to a court file
- Correcting or amending a filed document, including the correction of a name or date of birth
- Setting a specified period for the filing and exchanging of information or evidence, including a financial statement in Form 4 [Financial Statement]
- Specifying or requiring information that must be disclosed by a person who is not a party to a case
- Requiring that a parentage test be taken under section 33 [*parentage tests*] of the *Family Law Act*
- Requiring access to information in accordance with section 242 [*orders respecting searchable information*] of the *Family Law Act*
- Authorizing an official of the court, in accordance with section 10 of the *Family Orders and Agreements Enforcement Assistance Act* (Canada), to make an application under section 12 of that Act for the release of information
- Recognizing an extraprovincial order other than a support order
- Waiving or modifying any requirement related to service or giving notice to a person, including allowing an alternative method for the service of a document
- Waiving or modifying any other requirement under these rules, including a time limit set under these rules or a time limit set by an order or direction, even after the time limit has expired
- Allowing a person to attend a court appearance using a different method of attendance
- Adjourning a court appearance
- Respecting the conduct of a party or management of a case
- Relating to a report under section 211 [*orders respecting reports*] of the *Family Law Act*, including requiring that a person who prepared the report attend a trial as a witness
- Adding or removing a party to the case, including leave to intervene under section 204 (2) [intervention by Attorney General or other person] of the *Family Law Act*
- Respecting the appointment of a lawyer to represent
 - i) the interests of a child, or
 - ii) a party
- Settling or correcting the terms of an order made under the rules
- Cancelling a subpoena
- Changing, suspending or cancelling an order made in my absence



For more information about the different case management orders you can apply for, see the guidebook or Rule 62.

Part 5 | Details of the order

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

List the specific details of the order(s) you are asking for

Part 6 | The facts

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

Explain why you are making the application and why the order you are requesting should be made

Blank text area for providing facts.

i If you are applying to change, suspend, or cancel an order made in your absence, you must explain:

- why you did not file a reply or attend court when required,
- why the order to change, suspend or cancel an order should be made, and,
- the reason(s) for any delay in making this application.

Rule 54 and 159

Part 7 | Consent of other party and any other person

9. *Select one of the following options, and complete the additional information as applicable*

- I **do not have the consent** of each party, and any other person directly affected by the order
- Each party, and any person directly affected by the order, has consented to the case management order and:
 - a draft Consent Order Form 18 signed by each party, and any other person directly affected by the order, or their lawyer, is submitted with this application and supporting documents for review without attending before the court
 - a court appearance is requested

i Before filing your application, it is good practice to contact the other party to see if they will consent to the order. If they do agree, you can choose to:

- prepare and file a Consent Order Form 18, or
- go to a court appearance.

Rule 83

Part 8 | Availability for court appearance

10. *Select only one of the following options*

- I **contacted** the other party, and each other person affected, and **they have agreed** to a date and time for the court appearance
- I **contacted** the other party, and each other person affected, **but we have not agreed** to a date and time for the court appearance
- I **have not contacted** the other party, and each other person affected, to discuss available dates and times for the court appearance

i The court prefers to schedule a court appearance for a date that works for everyone to help reduce delays. Try to pick a few dates that may work for you. The registry or judicial case manager will work with you to schedule a date based on the court's availability too.

Part 9 | About your court appearance

For registry or judicial case manager use only

The application, which requires a court appearance, will be heard by the court on _____ at _____ a.m./p.m.

_____ date _____ time

in person at _____ court location

by another method of attendance, as specified

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

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

NOTE TO THE OTHER PARTY:

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

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

IMPORTANT INFORMATION ABOUT YOUR APPEARANCE

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

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

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

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

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

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

Preparing for your Family Management Conference

Legal Aid BC - Family Law Legal Advice

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

Family Justice Services

Family justice counsellors provide services to British Columbians going through separation and divorce and are specially trained to help families resolve their issues about guardianship, parenting arrangements, contact and support. There is no charge for their services.

At this time all services are available in-person as well as virtually (through telephone and videoconference) across the province. For more information, parties can call [1-844-747-3963] or contact their closest [Family Justice Centre](#).

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

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

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

Interpreter

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

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

- *Policy on Use of Electronic Devices in Courtrooms and Access to Court Proceedings Policy* (there is a general prohibition on the recording or broadcasting of court proceedings unless authorized by the Court and there are penalties for breach)
- *NP 21 Remote Attendance in the Provincial Court* (for etiquette and directions on connecting by another method of attendance) (counsel attendance requirements when attending Family matters remotely)
- *NP 24 Form of Address for Parties and Lawyers* (provide the judge or justice with each person's name, title (e.g. "Mr./ Ms./Mx./Counsel Jones") and pronouns to be used in the proceeding)
- *Guide for Appearing in the Provincial Court using MS Teams*
- *eNews - What to expect at a family management conference?*

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

Part 10 | Filing location

11. I am filing this application **in the court registry**:

Select only one of the options below

- Where my **existing case** with the same party/parties is located. I already have a file number.
- Closest to **where the child lives** most of the time, because my case involves a child-related issue
- Closest to **where I live** because my case does not involve a child-related issue
- Permitted by **court order**

Part 11 | Address for service

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

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

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



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