



**GUIDEBOOK |
PREPARING AN APPLICATION FOR
CASE MANAGEMENT ORDER
WITHOUT NOTICE OR ATTENDANCE
PROVINCIAL COURT FAMILY RULES**

This guidebook will provide you with legal information about case management orders in Provincial Court and tips for preparing an Application for Case Management Order Without Notice or Attendance Form 11. It provides information in addition to what's in the form instructions and content.

It contains helpful information and links to other resources and information. We recommend using the online version available at www.gov.bc.ca/court-forms or scan the QR code to access it.



If you prefer to have a physical copy of this guidebook, you can print it out. You may choose to print only specific pages. The printed guidebook is 25 pages total.

Tips for completing court forms

A court form is a tool for you to communicate your information to the court and the other party. The forms help you provide the information the court will need to make an informed decision.

1. **Take your time to read each question and instruction.** Don't rush. Make sure you understand what is asked before answering.
2. **Write your answers in clear and simple language.** You don't need to use special wording or legal terms.
3. **Stick to the facts. Present them in a logical order.** Avoid unnecessary details or explanations unrelated to your case.
4. **Provide complete answers to each question.** If a question has multiple parts, answer each part.
5. **Be accurate.** Especially names and dates. You should follow the date format in the instructions, usually dd/mmm/yyyy, for example 12/MAY/2024.
6. **Ask for help.** If you're unsure how to answer a question or fill out a section, ask for help.
7. **Review the form before filing.** Once you've completed the form, review it to make sure you haven't missed anything or made any errors. It's a good idea to ask a trusted friend, family member, or other person to review it. They may catch any mistakes you missed.

Help navigating the court forms

If you're unsure about how to answer a question or fill out a section of the form, ask for help.

- Court registry, [Justice Access Centre](#) or [Family Justice Centre](#) staff can help answer questions about the forms. They can't help filling out your forms or give advice about legal problems.
- [Justice Access Centres](#) and [Family Justice Centre](#) staff can support you in navigating and completing court forms. For more information about their services, including how to reach them, visit www.gov.bc.ca/family-justice-services-division.
- Only lawyers can fill out a court form for you, tell you what to write, or give you advice about legal problems. If you need help filling in the forms and do not have a lawyer, ask court registry staff, Justice Access Centre or Family Justice Centre staff to refer you to someone who can help. There are some lawyers who might be able to help you for free.

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***This guidebook provides general information only and is not provided as legal advice.
If you have a legal issue, you should contact a lawyer for legal advice about your own
situation. Registry staff, staff at a Justice Access Centre or Family Justice Centre, and the
Provincial Court cannot provide legal advice.***



1 | Understanding the law

Resolving your case without going to court

Going to court is not the only way to resolve a family issue. B.C. laws encourage people to try to resolve their family law disputes out of court through agreement and family dispute resolution processes.

There are formal dispute resolution processes such as mediation, parenting coordination and collaborative family law to help people reach agreement on family law issues.

Agreement can also be reached on your own or through informal dispute resolution, such as negotiation between lawyers.

[Justice Access Centre](#) or [Family Justice Centre](#) staff can provide you with more information about the court process and other ways to resolve a family law dispute.

A lawyer can help you determine the best process for a particular issue.

Provincial Court Family Rules

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.

Case management orders

Case management orders are procedural or administrative orders. There are lots of different case management orders that a judge can make. When you apply for a case management order, you're asking a judge to make decisions about how your case will proceed.

A judge can make a case management order at any time to manage a case. Case management orders can be made by a judge at a family management conference, family case conference, or other court appearance without an application.

You can also apply for a case management order at any time if you need an order to help manage your case.

[Rule 62](#) provides a list of different things a judge can make an order about to manage a case.

- For some of these things, the order may be very specific, for example, allowing a person to attend a court appearance using another method of attendance.
- For other things that are listed, the order may cover a wide range of possibilities. This means you can ask for any order about that part of your case. For example, if you select 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, you can ask for any order you need about service or giving notice.

The Application for Case Management Order Without Notice or Attendance Form 11 can be used to apply for any case management order that can be made without notice to the other party or without attendance at a court appearance.

Rule 65 sets out the **case management orders that you can apply for without notice or attendance** at a court appearance. They include:

- Allowing a person to attend a court appearance using another method of attendance
- Changing or cancelling any requirement for service or notice to a person, including allowing another method for the service of a document
- Changing or cancelling any other requirement under the rules, including a time limit
- Requiring access to information in accordance with section 242 of the Family Law Act
- Authorizing an official of the court, in accordance with section 10 [*authorization — information for the establishment or variation of a support provision or the enforcement of a family provision*] 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 order from outside British Columbia (other than a support order)

Other case management orders must be made with notice to the other party but may not need a court appearance if each party gives written consent for the order to be made. You can make a with notice application using the Application for Case Management Order Form 10.

You may also choose to apply for a case management order without notice using Form 10 but it will require a court appearance unless you have written consent.



2 | Filling out an Application for Case Management Order Without Notice or Attendance Form 11

Here you'll find information to help you complete the form. Each section corresponds to a different part of the form. It includes information and tips to help you navigate the form and court process with confidence.



Rules 65 sets out the requirements for making an application for case management order without notice or attendance in Form 11.

Registry location

Rule 7 states that you must file at the registry location:

- where the existing Provincial Court case with the same parties is filed
- nearest to where the child lives most of the time, if the family law matter involves a child-related issue, or
- nearest to where you live if the family law matter does not involve a child-related issue

Registry location:

Court file number:

Document number:

For registry use only



What if the child splits their time between two homes, or is located between two court registries?

You can decide where to file your case. If the other party doesn't agree, they can always ask the court to decide where the case should be.



What if I have an existing case but I've moved?

You can apply to transfer your case to a new registry by filing an [Application for Case Management Order Form 10](#) in the registry where your existing case is filed. Until your case has been transferred to the registry nearest to you, you need to keep filing where your existing case is filed.

For a list of court registry locations, addresses, and contact information visit:

www.gov.bc.ca/courthouselocations

For a map of all B.C. Provincial Court locations visit: www.provincialcourt.bc.ca/locations-contacts

Court file number

Do you have an existing court file?

If so, copy the file number from the top right corner of any filed document. If you have an existing child protection case, a new court file number will be assigned for this family law case.

Registry location:

Court file number:

Document number:

For registry use only

Is this the first court document being filed?

If so, registry staff will give your case a file number when you file your document.

Part 1 | About the parties

Under the Provincial Court Family Rules, a party is a person named in a case. You are a party if you are starting a case and filing an application. The other party is each other person identified by name on an application as a party. A party can also be added by court order.

Copy the party names from a document filed in your case with the court.

If this is the first document in your case:

- provide your legal names from your birth certificate or through a [legal name change](#)
- a maiden name or married name can be used as a legal family name unless the name was [legally changed](#)

- use full names, including middle names
- if you or the other party go by another name, such as a name you prefer to be called by, provide it after the full name by including AKA (also known as)

Example: If your legal name is Robert Paul Smith but you are known as Bob Smith, your name should be given as Robert Paul Smith AKA Bob Smith

- provide your date of birth
- the other party is usually the other parent or guardian of the child your case is about, or your spouse if your case is not about a child

Part 2 | Application without notice

Usually, an application for an order must be made with notice to all other parties so that they can decide if they want to participate in the application. There are circumstances where the court may make an order without you having to tell the other party about the application and without you having to attend a court appearance. If the order is made, you must still give the other party notice that the order was made by serving them with a copy of the order and this application.

Providing notice is a legal requirement. It is important for fairness and transparency. It gives the other party the opportunity to understand what the court has allowed.

Go to the section of this guidebook on [Serving the order and application](#) for more detail on how to serve them.

Part 3 | About the order

Case management orders are procedural or administrative orders. When you apply for a case management order, you're asking a judge to make decisions about how your case will proceed.

The form provides a list of different things a judge can make an order about to manage a case without notice to the other party and without an appearance in court. Select the option for each part of your case you need a case management order about. You may select more than one.

TIP: Look for key words in the list to find the part of your case you need a case management order about. If you aren't sure where your order fits, ask the court registry, staff at the Justice Access Centre or Family Justice Centre, or a lawyer for help.

You will be required to complete additional information to support your application.

Most of this information is collected using the schedule included in the form. Be sure to complete the schedule fully and carefully. It is the evidence to support your application.

Use Schedule 1 to ask for an order that allows you or your lawyer to attend a court appearance using another method of attendance.

Use Schedule 2 to ask for an order that:

- allows your application to proceed without the other party being served

- allows your application to proceed with less than the required amount of notice, or
- allows another method of service because you have not been successful serving the other party with a document using the methods allowed under the rules

Use Schedule 3 to ask for an order that waives (cancels) or modifies (changes) **any other requirement** under the rules so that you can continue your case. For example, waiving or delaying the completion of early resolution requirements. It is also used if you need a time limit changed (made shorter or longer), for example the amount of notice to be given before a court appearance or the time to file a reply.

NOTE: Any other requirement means any time the rules say a person or party must do something. This may include:

- Filing at a specific court registry
- Meeting requirements before you can carry on with your court application at an early resolution or family justice registry
- Filing a document by a specific time or without being able to complete it fully

Use Schedule 4 if you are a search officer to ask for an order that requires a person who has refused to comply with a request for searchable information to provide that information.

Use Schedule 5 if you have an order from another province or territory in Canada for parenting arrangements, contact with a child, guardianship or similar that you would like recognized in British Columbia so that it may be treated as if it were an order made in British Columbia.

Application under the Family Orders and Agreements Enforcement Assistance Act

? What is the application under the [Family Orders and Agreements Enforcement Assistance Act \(Canada\)](#) (FOAEAA) used for?

FOAEAA provides for the search and release of information from designated federal information banks, including an individual's income information from tax returns, to a court for the purposes of establishing, changing or enforcing family support.

A person can apply under section 7 of FOAEAA requesting that a court authorize an official of the court to make an application under section 12 of the Act for the release of information.

Are you applying for an order authorizing an official of the court to make an application under section 12 of the Family Orders and Agreements Enforcement Assistance Act (Canada) for the release of information?

If so, your application without notice under section 7 of the [Family Orders and Agreements Enforcement Assistance Act \(Canada\)](#) (FOAEAA) requesting that a court authorize an official of the court to make an application under section 12 of the Act for the release of information must be supported by:

- a criminal record check, and
- an affidavit.

The **criminal record check** is required as part of important safeguards under FOAEAA for the search and release of financial information to help ensure the court is satisfied that the release of information will not likely jeopardize the safety or security of any person.

To get a criminal record check, ask at the front desk of the police station or RCMP detachment in your community. There is a fee you will need to pay to get the criminal record check.

The police or RCMP will send you your results.

NOTE: If you don't want to get a criminal record check, you must make your application with notice to the other party. Use Form 10 to make your application.

The **affidavit** must include the information set out under section 8 (1)(a), (2) and (3) or 9 (1)(a), (2) and (3) of that Act, as applicable. It can be drafted using the [Affidavit – General Form 45](#).

Part 4 | Information about children

Indicate if you are a party to the case or not. If you are a party, provide the details required by the table for each child your case is about, if applicable. Include:

- 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 using the format requested of dd/mmm/yyyy, for example, 12 JAN 2011

Part 5 | Filing location

[Rule 7](#) sets out the requirements for which registry to use. These requirements help make sure there aren't multiple files about the same parties in different registries. It provides a fair and transparent way to determine where to locate a case when parties do not live in the same jurisdiction.

If the parties don't agree on where a case should be filed, the court can make a decision on application by a party using the [Application for Case Management Order Form 10](#).

Part 6 | Address for service

Each party must provide an address for service where they can receive notice or service of documents. You are also responsible for ensuring your address information is kept up-to-date.



The other party and the court will have access to the address for service and contact information. You do NOT need to provide your home address.

[Rule 175](#) sets out the requirements for an address for service.

Address: The court requires an address where you can get mail but it doesn't need to be your home address.

If you do not have a stable mailing address, or you're worried about your safety, you can give the address of your lawyer, a friend or family member, or somewhere that mail can be collected for you.

Email Address: The quickest way for the court and the other party to contact you is by email. If you give an email address, the court and the other party can send documents or communicate with you by email instead of using mail.

If your address for service is outside of British Columbia, you must include an email address.

TIP: Remember, if you agree to use email to receive court documents, you will get copies of court documents much faster than by mail. Make sure to check your junk box if you are expecting something from the court. Sometimes email filters will prevent you from receiving an important document.

Telephone number: It is also important for the court to have a telephone number where they can reach you. Make sure the telephone number is somewhere you can be reached during the day.

TIP: If your address for service changes, you must file a [Notice of Address Change Form 46](#) and serve a copy on each other party as soon as possible.

Schedule 1 | Attendance using another method of attendance

Complete this schedule only if you are applying for an order to allow a person to attend a court appearance using another method of attendance.

You can ask for an order that allows you, your lawyer, or both of you to attend a court appearance using another method of attendance (other than the scheduled method of attendance). A witness may also apply to be allowed to appear using another method of attendance.

The method of attendance may be scheduled as:

- in person
- by another method of attendance, as specified, which is usually by Microsoft Teams conferencing

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.** You can join the Microsoft Teams appearance using video or audio from any desktop computer, laptop, tablet or smartphone with a wi-fi or cellular connection. You can also join by audio only using any cellular or land-based telephone line using the dial up information provided.

TIP: You can find the method of attendance on the application with the court appearance details or on your notice of the court appearance.

If the method of attendance allows you to attend in person and by another method of attendance as specified, you don't need to apply to attend using either of those ways.

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.	
<input type="checkbox"/> in person at	date _____ time _____
<input type="checkbox"/> by another method of attendance, as specified	court location _____
	attendance details _____

This Schedule allows you to explain **why** you need to attend using a different method.

Part 1 | About the order

Provide complete answers to the question. It has multiple parts.

This Part allows you to explain:

- **who** needs to attend the appearance using a different method
- **what** appearance it is and **when** it is scheduled
- **how** you want to attend

You can ask for an order that allows you, your lawyer, or both of you to attend a court appearance using another method of attendance.

How do I know what type of court appearance is scheduled?

You should have received notice of the court appearance either as a court date on an application filed with the court or as a separate document.

If it is a court date on an application, you can select hearing or other and specify “court appearance”. If it is your first appearance on the application, it will be up to the judge to decide if there is time to have a hearing on the first appearance or if a hearing will need to be scheduled. You can still choose hearing.

If you received a separate notice document, it should say “Notice of” and give you the type of appearance. Select that option from the list or use other to specify the type of appearance if it isn’t listed.

How do you want to attend the court appearance?

The court can arrange an appearance by telephone or by video using MS Teams. If you want to attend by another electronic method, including a different video platform, indicate your preference on the form. Your order or additional documents will include instructions for receiving or making the telephone call or attending by video if the court approves your order.

NOTE: The court may not be able to accommodate a request for a different video platform.

Part 2 | Documents for court appearance

There may be documents you need to reference during the court appearance. It is usually easier to share documents when everyone is attending using the same method of attendance.

A judge reviewing your application will want to know if you’ve given the other party a copy of whatever documents you may plan to use or reference during the court appearance. You should also make sure the court has a copy of those same documents.

Part 3 | Reasons for attending by another method of attendance

Rule 164 sets out what the court can consider in making an order or direction to allow a person to attend a court appearance using another method of attendance. It includes:

- travel between the person’s residence and the location of the court appearance
- difficulty attending because of illness or disability
- financial costs associated with attending
- the cost or savings of using electronic communication
- any concerns related to security, including a risk of family violence
- any difficulty conducting the appearance that may arise from using electronic communication

In your own words, explain why you can’t attend court using the default method of attendance and why using the method you’ve asked for works better.

Schedule 2 | Waiving or modifying requirement related to service or giving notice

Complete this schedule only if you are applying for an order to waive or modify any requirement related to service or giving notice, including allowing an alternative method for the service of a document.

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 period of 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.

If you are having trouble serving the other party, the court can allow you to serve the documents using an alternative method of service. For example, if you were required to personally serve the documents (hand-deliver them to the other party) but you can’t find them or they are avoiding service, the court can allow you to serve them in some other way.

Part 1 | What are you applying for

You can use Schedule 2 to ask for an order to:

- **waive** a requirement related to service or giving notice
- **modify** a requirement related to service or giving notice
- **allow service** of a document **using an alternative method**

Waiving the requirement related to service or giving notice means not having to serve or give notice to the other party. The requirement no longer applies.

Modifying the requirement related to service or giving notice means changing the requirement, for example to give less than 7 days’ notice. You still need to meet the requirement, but it has been changed.

Allowing service of a document using an alternative method means that you can serve a document that normally requires a specific method of service, for example personal service, in a different way.

You can apply to modify a requirement and allow service using another method. For example, if you have an urgent application that requires personal service and you can’t locate person, you might ask to give 2 days’ notice and serve the document by email.

For each option you select, you must complete a Part of the Schedule to provide details of the order you need. Follow the instructions in the form.

Part 2 | Waive a requirement

Complete this Part only if you are applying to waive a requirement related to service or notice. **You are asking to not have to serve the other party.**

It is unusual for a judge to grant an order without having heard both sides – fairness requires that both parties have a chance to be heard.

The Rules usually require you to serve a copy of an application for a court order on the other party a specified number of days before a court appearance. If you don't want to do what the Rules state, you must ask the court for permission.

NOTE: You can apply for an immediate protection order without notice without applying to waive the requirement for notice using this application. Select the option on the application about a protection order form. Your application about a protection order will be scheduled for a hearing, and only you need to attend. At the hearing, the judge will decide whether you need to serve the other party with your application.

Select the document you are applying to waive the requirement for service of.

List the facts you want the court to consider. Remember, the court will usually only allow an application to be made without notice to the other party if there are special circumstances like an emergency where the interests of justice or the protection of the person asking for the order or a child clearly demand an immediate court order.

Explain why your situation is urgent or what special circumstances exist.

TIP: If you are applying to waive a requirement for service or notice, you must also prepare and submit the document the request is about along with this application. The judge will want to see the application to help make their decision.

Part 3 | Modify a requirement

Complete this Part only if you are applying to modify a requirement related to service or notice. **You are asking to change the requirement but still do it.**

The Rules set out how much notice you must give the other party and how they must be served for each process. If you want to do something different, you must ask the court for permission.

You can ask for a shorter amount of notice if you want to speed up the process, or you can ask for a longer amount of notice if you can't make a deadline.

TIP: Remember, if it is your application that you are filing, you can work with the court to set a court date that works for you. You usually have to serve the other party **at least** 7 days before it but you can serve them more.

Depending on how the documents are served, what day of the week they are served on, and even what time of day they are served, it might change how you count the notice period. Be sure to review the rules about service before asking to change the requirement so you know you can meet it. Go to Part 12 [Division 4](#) of the Provincial Court Family Rules for the rules about service.

Select the document you are applying to modify the requirement for service or notice of.

Explain what you want to change the requirement to. What is it you'd like to do instead of what the Rules say? Be specific.

List the facts you want the court to consider.

TIP: If you are applying to modify a requirement for service or notice, you must also prepare and submit the document the request is about along with this application. The judge will want to see the application to help make their decision.

Part 4 | Allow service of a document using an alternative method

Service of a document must be done according to the rules unless the court makes an order allowing another method of service. [Rule 182](#) says that if it is not practicable to serve a document in accordance with the rules, a party can apply for an order that the document may be served using an alternative method of service.

TIP: Check the rules for the type of application you have to see how you are required to serve a copy of the application on the other party.

There are two types of service – personal service and ordinary 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.

Some documents must be personally served, like the Application About a Family Law Matter and the Application About a Protection Order.

Ordinary service allows a party to be served to their address for service, in person to the address, by mail, or by email.

The rules about service are found in Part 12 [Division 4](#) of the Provincial Court Family Rules.

Person and documents to be served

Identify who you need to serve and list each document you want to serve them with.

Reason for application

You can ask to serve a document using an alternative method of service if the person to be served:

- cannot be found after you've tried to find them,
- is avoiding service of the document, or
- is temporarily outside British Columbia.

You'll need to explain to the court why you are asking to use an alternative method of service and what you've done to try to find them or serve them.

TIP: If you hired a process server to try to serve the document, or you asked a friend to serve the person, you might ask them to write an affidavit. The affidavit will explain what they've done in their own words and is sworn or affirmed with a commissioner for taking affidavits. Use the [Affidavit – General Form 45](#).

You also need to explain what you know about where to find the person or who might be able to get in touch with them. Be specific. Include:

- what you know about the person's address, location, contact information, or people who have contact with them
- how you know this (where did you find the information, who told you, how did you confirm it)
- when did you learn this or confirm it

Order for alternative method of serve

Provide the details of the order you want the court to make.

TIP: Think about what you know about the person and where you might be able to find them. How can you successfully serve the document(s)?

Select only one option and provide all the requested information.

The facts

List the facts you want the court to consider. Why do you believe serving the person the way you are asking will succeed in bringing the document(s) to their attention?

You don't need to use any special wording.

Schedule 3 |

Complete this schedule only if you are applying to waive or modify any other requirement under the rules, including a time limit set by an order or direction, even after the time limit has expired.

A requirement under the rules is any time the rules say you **“must”** do something. This may include:

- filing at the court registry that applies under Rule 7
- meeting the early resolution, family justice or parenting education program registry requirements before filing or scheduling an application
- filing a document with all the required attachments or information
- meeting a timeline for filing or exchanging documents, like a reply

You may not be able to meet the requirement, or you may want to change the requirement so you can proceed on something urgently.

You can ask the court for permission to change or cancel a requirement under the rules, including:

- to be allowed to file your application at another registry
- for permission to be exempt from completing a needs assessment, parenting education program, or consensual dispute resolution or delaying completion of any early resolution, family justice or parenting education program registry requirements so you can proceed on an urgent matter
- to be allowed to file an application without the required additional documents or without the additional documents being complete to be able to meet a timeline or proceed urgently
- to change the time to file a reply or other document, to give you more time to prepare everything or to give less time so you can proceed on an urgent matter
- to change or cancel a time limit set by an order or direction of a judge

Part 1 | Requirement I need to waive or modify

Select each requirement that you want to ask to waive or modify. Depending on what step you need to take under the rules, and what problem you’ve encountered, you may need to ask to waive or modify more than one requirement.



How can I ask for an urgent family law matter order?

You must ask for any family law matter order using the Application About a Family Law Matter Form 3. If you have an urgent issue that you need a court order to resolve, there are ways of getting your application into court more quickly.

Depending on the steps you have taken already, and how you want to proceed on an urgent basis, you must decide what requirements you need waived or modified.

Using Schedule 3 of the Application for Case Management Order Without Notice or Attendance Form 11, you can ask to:

- postpone or not require a requirement to be met before filing your application or scheduling a family management conference, including:
 - attending a needs assessment
 - completing a parenting education program
 - participating in consensual dispute resolution
- file your application without all the required attachments or additional documents
- shorten the time limit for the other party to file a reply
- schedule a family management conference before or without waiting for a reply to get an emergency interim (temporary) order in place

Part 2 | About the order

Provide the details of the order you want the court to make.

TIP: Think about what requirement needs to be met and what step you are trying to take in the court process. What order do you need to help manage the case to get there?

You don't need to use any special wording. Include:

- if you want the requirement changed (modified) or cancelled (waived)
- if you applying to change the requirement, what you want it changed to

Part 3 | The facts

List the facts you want the court to consider.

Include:

- why you want a requirement changed or cancelled
- why you think the court should grant you permission
- how changing or cancelling the requirement will help the case

If you are making this application because you need an urgent order, you should also explain what the urgent application is about and who is involved.

TIP: If you are applying to waive or modify a requirement to get an application into court more quickly, you might be required to prepare and submit the document the request is about along with this application. The judge may want to see the application to help make their decision.

Schedule 4 | Requiring access to information

Complete this schedule only if you are a search officer applying for access to information in accordance with section 242 [*orders respecting searchable information*] of the Family Law Act.

Search officers are appointed under [section 236](#) of the Family Law Act. A search officer is a person employed under the Public Service Act who has authority to request and disclose specific information to assist persons with issues related to guardianship, parenting arrangements, contact with a child and support.

If you are a search officer, you may need to apply for a court order under [section 242](#) of the Family Law Act to require a person who has refused to comply with a request for searchable information to provide that information.

Provide the details of the order you are requesting and the facts to support the order.



Only a search officer can apply for a court order for access to information under section 242 of the Family Law Act. If you are not a search officer but you require an order to get information from someone, you can apply for an order specifying or requiring information to be disclosed by a person who is not a party to a case. You can make this application using the [Application for Case Management Order Form 10](#).

Schedule 5 | Recognizing an Extraprovincial Order other than a support order

Complete this schedule only if you have an order from another province or territory in Canada for parenting arrangements, contact with a child, guardianship or similar that you would like recognized in British Columbia so that it may be treated as if it were an order made in British Columbia.

An order may have been made outside B.C. about parenting arrangements, contact with a child or guardianship. These orders are called extraprovincial orders.

Dealing with extraprovincial orders in B.C. can be tricky and it is important to get advice from a lawyer.

Extraprovincial orders made under the [Divorce Act](#) or laws of another province or territory can be registered in Provincial Court in British Columbia under [section 75](#) the Family Law Act. Section 75 sets out the rules about recognition of extraprovincial orders. When an extraprovincial order is recognized by the Provincial Court the order is filed and can be enforced as if it was an order of a British Columbia court under the Family Law Act.

You can apply on your own to ask the court to recognize an extraprovincial order.

Part 1 | About the order

To register an extraprovincial order under [section 75 of the Family Law Act](#) it must be an order by a court or tribunal outside BC that is like an order about parenting arrangements, contact with a child or guardianship under the Family Law Act. The order may use different wording to describe it, for example custody or access.



What if I have a support order from outside British Columbia?

If you have a support order from outside British Columbia, you can register the order under the [Interjurisdictional Support Orders Act](#) for enforcement in BC by contacting the designated authority:

Interjurisdictional Support Services
www.isoforms.bc.ca
 Vancouver Main Office Boxes
 P.O. Box 2074
 Vancouver, BC V6B 3S3
 Phone: 604-660-2528
 Toll-free: 1-866-660-2684

Provide the requested information about the extraprovincial order. If the order was made outside of Canada, include the country on the form.

TIP: The date the order was made will usually be the day of the court appearance. It may not match a court stamp on the document. If you aren't sure what date the order was made, check with the location that made the order.

You will need to attach a certified copy of the order to this application for filing. A certified copy is a copy of the original order from the other court, usually a photocopy, that has been endorsed using a stamp or certificate by the court to say that it is a true copy of the original.

? How do I get a certified copy of the order?

You'll need to contact the original court location to get a certified copy from them.

Part 2 | Other party's contact information

Provide as much contact information as you can for the other party.

? What if I don't have contact information for the other party?

You can leave any field in this part blank. Provide as much information as you do have.

You will still be required to arrange for service of court documents on the other party but you don't always need a physical address to do that. You might know a place where the person goes regularly like a gym or a coffee shop.

You also have options to apply to the court for an order allowing you to serve the other party in another way or the court registry can work with you to make a search request for information about where the other party may be located.

3 | Filing the application

You must file the application at the court registry where the case is located. It can be filed:

- electronically online using the [Family Law Act 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](#)

For courthouse locations, addresses, and contact information visit:

www.gov.bc.ca/courthouse-locations

There are no fees for filing Provincial Court family documents.

You must file:

- ☐ the completed application form
 - ☐ each Schedule, as applicable
- ☐ supporting affidavit, if applicable
- ☐ a copy of any existing order, if applicable
- ☐ application or document the request is about, as required

TIP: If you are filing in person, you must make extra copies of the application and any attachments for filing. One set for you, one set for the court, and one set for each other party. **Be sure to bring all copies of the documents to the registry.**

The registry clerk will review your form to make sure it's complete before filing it. **A document is filed once the court registry applies a court stamp to it.**

You'll be given a copy for your records.

4 | Judge review of application

A judge can make decisions based only on the information presented by the parties. In addition to your application, you can provide additional affidavit(s) as evidence.

Please ensure you have provided full responses to all parts of the form that apply to you. If your application is incomplete, your order may be delayed if you must submit further information or be scheduled for a court appearance to address the information that is missing.

A judge reviewing an application for a case management order without notice or attendance may do any of the following:

- approve and sign the order without the need for you to come to court

- ask you to provide more information or evidence in writing or by coming to court to give that information
- require that notice be given to any other parties
- reject the application with an explanation

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.



5 | Serving the order and application

It is important that each other party is aware of what step is being taken in the case. Service is the act of giving or leaving documents with the required person.

There are two types of service – personal service and ordinary service.

If the judge grants your order, you must serve each other party with a copy of the filed application, any supporting documents and the order made by the court.

The documents can be served by **ordinary service to the address of service** for each party.

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 personal service.**

NOTE: If the application was made to allow service of a document using an alternative method of service, the order can be served along with the document you were asking to serve using the method of service ordered by the judge.

Ordinary service means that a party must be served to their address for service in one 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

TIP: Remember to take note of any deadline you might have for service. It might make a difference which method of service you choose and when you need to serve the document.

Rule 179 sets out when a document is considered to have been served depending on which method of service is used. For example, a document served after 4:00pm is

actually considered to have been served the next day. A document served by ordinary mail is considered served 14 days after it is mailed. Check first!

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 rules about service are found in [Part 12 Division 4 of the Provincial Court Family Rules](#).

Proof of service

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.