

Application About Enforcement Form 29

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 enforcing a court 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 About Enforcement Form 29

Complete this form if you need an **order about enforcement** or want to **set aside the registration of a foreign order**.

You can make an application to the court to help enforce an agreement, order, or determination, and ask that the court impose consequences on a person who isn't following it.

A written agreement, court order from another jurisdiction or determination that is filed in Provincial Court under the Family Law Act is enforceable under the Act as if it were an order of the Provincial Court.

NOTE: If you want your family law matter order changed, you must also file the [Application About a Family Law Matter Form 3](#). If you are in an early resolution registry, you will start the process for changing your order by filing a [Notice to Resolve a Family Law Matter Form 1](#). If you have an **interim family law matter order** that you want to change, you must file a [Request for Scheduling Form 39](#).

To change an order about a different matter, you must file the appropriate application to change the order.

An Application About Enforcement can only be used to enforce the existing terms of an order.

Did you receive notice of registration of a foreign order from the BC Provincial Court?

If so, if you want to apply to set aside the registration, you must complete this application and file it within 30 days after receiving notice of the registration.

Are you applying to enforce a written agreement, court order from another jurisdiction, or a determination of a parenting coordinator?

To enforce it in Provincial Court, you must first file the written agreement, court order or determination in the Provincial Court using the appropriate form below:

- To file a written agreement, use the [Request to File an Agreement Form 26](#)
- To file a determination, use the [Request to File a Determination of Parenting Coordinator Form 27](#)
- To file an order from the BC Supreme Court, use the [Request to File an Order Form 28](#)
- To apply to the Provincial Court to recognize an extraprovincial order (other than an order about support) for enforcement under the Family Law Act in Provincial Court, use the [Application for Case Management Order Without Notice or Attendance Form 11](#)
- To register a support order from an extraprovincial or foreign jurisdiction under the Interjurisdictional Support Orders Act for enforcement in the BC Provincial Court, contact the designated authority. For more information visit Interjurisdictional Support Services at www.isoforms.bc.ca.

Need legal help?

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

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

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.

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 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.

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

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

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

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

Attending the court appearance

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

If you 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.

Application About Enforcement Form 29

Provincial Court Family Court Rules
Rules 135 and 136

COURT STAMP

Registry location:

Court file number:

Document number:
For registry use only

This Application About Enforcement sets out the details of an application to enforce an order in Provincial Court under the *Family Law Act* or to set aside the registration of a foreign support order under the *Interjurisdictional Support Orders Act* that a person is applying for.

Please read before completing the form:

- This application is to be used to help enforce an order, filed written agreement or filed determination of parenting coordinator, that a person is not following. The court may impose consequences under the *Family Law Act* on the person who isn't following the order. It may also be used to apply to set aside the registration of an order from another jurisdiction within 30 days after receiving notice of the registration.
- 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.

i A written agreement, court order from another jurisdiction or determination that is filed in Provincial Court under the *Family Law Act* is enforceable under the Act as if it were an order of the Provincial Court.

Part 1 | About the parties

1. My full name is:
Full name of party


2. The other party's full name is:
Full name of party/parties

i Copy the party information from a filed document in your case. It should match.

Part 2 | Notice of the application

3. Select whichever option is correct

- This application is about enforcement under Rule 135. I understand I must give notice of this application to each other party. 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.
- This application is to set aside the registration of a foreign support order under the *Interjurisdictional Support Orders Act*. I understand I must give notice of this application to the designated authority. To give notice, the designated authority must be served with the application and supporting documents by registered mail at least 30 days before the application is to be heard by the court.

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

i The Interjurisdictional Support Services is the designated authority in B.C. Further information can be found at isoforms.bc.ca.

Part 3 | 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.

in person at _____
date time 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.

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.

NOTE TO THE OTHER PARTY:

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

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

Part 4 | Order about enforcement

4. I am applying for an order to:

- enforce the order or filed written agreement made on _____ Date (dd/mmm/yyyy)
- enforce, change or set aside the filed determination of a parenting coordinator dated _____ (dd/mmm/yyyy)
- to have reasonable and necessarily incurred expenses set under the following section(s) of the *Family Law Act*:
 - section 61 [denial of parenting time or contact]
 - section 63 [failure to exercise parenting time or contact]
 - section 212 [orders respecting disclosure]
 - section 213 [enforcing orders respecting disclosure]
 - section 228 [enforcing orders respecting conduct]
 - section 230 [enforcing orders generally]
- to determine whether arrears are owing under the support order or agreement dated _____ made under the *Family Law Act*, and if so, the amount of arrears (unpaid support) _____ (dd/mmm/yyyy)
- to set aside the registration of a foreign order under section 19(3) of the *Interjurisdictional Support Orders Act* from a reciprocating jurisdiction under the *Interjurisdictional Support Orders Act* including from a contracting state under the 2007 Hague Child Support Convention

5. A copy of the order, written agreement or determination I want to enforce is attached to this application (see attached copy).

i A party to a foreign order may apply to the BC court to set aside the registration within 30 days after receiving notice of the registration [s. 19 *Interjurisdictional Support Orders Act*].

U You must attach a copy of the order, written agreement or determination to this application for filing.

Part 5 | Details of the order

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

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

📖 For more information about the different enforcement options, see the guidebook.

Part 6 | The facts

7. 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

i If you choose to, you can prepare an Affidavit – General in Form 45 to provide evidence in writing to support your application. You can also give spoken evidence in court.

