

MAKING A SUPPORT OR SUPPORT VARIATION APPLICATION OUTSIDE BRITISH COLUMBIA

Using the *Interjurisdictional Support Orders Act* ('ISO')

Introduction

British Columbia has reciprocal arrangements regarding child/spousal support with all the Canadian provinces and territories, and with several foreign countries. These are 'reciprocating jurisdictions'. This means that BC and each of the reciprocating jurisdictions have agreed to recognize the support (maintenance) orders and agreements made in the other place. An order or written agreement made in one place is valid in the other.

The BC law about reciprocity is the ***Interjurisdictional Support Orders Act***, which is often called 'ISO'. Each of the reciprocating jurisdictions has very similar ISO laws.

If the other person (respondent) lives in one of the reciprocating jurisdictions below, you can apply for a

support order in their jurisdiction without having to go there. You can also apply to change an existing support order.

It works the other way around too. A person living in a reciprocating jurisdiction can apply to make or change an order in BC where you live without having to come here.

The person making the application (applicant) does not usually have to go to court – the respondent (the person in the other jurisdiction) goes to court to *respond* to the application.

Does the respondent live in one of the reciprocating jurisdictions below? If your answer is 'yes', you may be able to use ISO. If your answer is 'no', you cannot use ISO.

Reciprocating Jurisdictions – arranged geographically	
<p>In Canada All Canadian Provinces and Territories</p> <p>In the United States of America All US States, and the District of Columbia, Puerto Rico, Guam, American Samoa, and the US Virgin Islands</p> <p>In the United Kingdom of Great Britain and Northern Ireland Any UK country: England, Scotland, Northern Ireland, Wales, Guernsey, Jersey, Isle of Man</p> <p>In Europe Republic of Austria* Czech Republic* Federal Republic of Germany* Gibraltar Kingdom of Norway Slovak Republic* Swiss Confederation*</p>	<p>In Africa Republic of South Africa Republic of Zimbabwe</p> <p>In Asia Hong Kong, Special Administrative Region Republic of Singapore</p> <p>In the Oceans Island of Barbados and its Dependencies Fiji Independent State of Papua New Guinea New Zealand (including Cook Islands)* <u>Australia</u> * Australian Capital Territory New South Wales Northern Territory Queensland South Australia Tasmania Victoria Western Australia</p>
<p>*Note: These jurisdictions may require special forms that are not available on the BC website. If your application is to one of these places, please contact IJSS office for assistance. (See contact information)</p>	

ISO Forms

There are several forms available for making an application using the provincial ISO law. The forms you will need to complete depend on your situation and what you are asking for. Each form has a matching guide which will help you fill in the form. There are two ways to get the forms and guides:

1. Go to the BC Ministry of Attorney General ISO Forms website at www.isoforms.bc.ca.

Click on “Choose Your Forms”, located on the left side of the webpage and answer the questionnaire to help you identify which forms you need to make your application to a court in a reciprocating jurisdiction. You can print the forms and guides or order them online from the Interjurisdictional Support Services (IJSS) and have them mailed to you, or

2. Contact the Interjurisdictional Support Services (IJSS) at 1-866-660-2684.

IJSS can provide information about the ISO process and mail the forms and guides you need. IJSS can provide procedural information but is not able to provide legal advice.

Once you have completed your forms, you must mail three copies of your whole application package (1 sworn original package and 2 photocopies of it) to IJSS at:

Interjurisdictional Support Services

Vancouver Main Office Boxes
PO Box 2074
Vancouver BC V6B 3S3

Toll-free number: 1-866-660-2684

ISO Forms Website: www.isoforms.bc.ca

Important information

You can also use a similar interjurisdictional support orders process if you are applying to get or change a support order under Canada’s *Divorce Act* (DA), a federal law. However, this process is only available if the other person (the respondent) lives in Canada and applications must be decided by a superior court (In BC, this is called the Supreme Court). Forms and guides for applications made under the DA are also available on the ISO forms website.

Tips

To help you understand the ISO (and the interjurisdictional *Divorce Act*) processes, you can obtain a copy of an *Introduction and General Information Guide* on the ISO Forms website. This guide explains how to get started, prepare your forms and swear your application.

Some foreign reciprocating jurisdictions will have special forms or procedures which must be used. If you are applying to obtain or change a support order and the other person (respondent) lives in a foreign jurisdiction, it is best to contact IJSS to confirm the forms you need to complete.

Getting help

You may wish to speak to a lawyer to get advice about your situation. You can also speak to a Family Justice Counsellor at a Family Justice Centre for free information about family issues arising from separation and divorce. Family Justice Counsellors are not able to give you legal advice, but they can provide resources in BC that may be available to you. Family Justice Centre locations across BC can be found at: <http://www2.gov.bc.ca/gov/content/life-events/divorce/family-justice/who-can-help/family-justice-counsellors>