

# TO APPLY FOR AN ORDER

## Rule 1 (2)

### Step 1

COMPLETE the APPLICATION FOR AN ORDER. To complete the form, use a typewriter or print clearly. Be sure that all copies are readable.



### Step 2

FILE the APPLICATION FOR AN ORDER by taking or mailing it to the Provincial Court Registry. There is no fee for filing an Application. The staff will give you a time and a date for the hearing. They will check the form and when it is accepted for filing, will apply the registry stamp. They keep a copy and give you the copies you need for your records and for serving on the other parties.



### Step 3

SERVE everyone who is entitled to notice of your application. The *Child, Family and Community Service Act* lists those who must be served with each application. For example, if you apply for access under s.55, that section lists the people who must be given a copy of your Application form. The Rules of Court tell how to serve the form. (See a copy of Rule 6 at the Court Registry.)

AND THEN you must appear in court at the time and place set out in your Application. If anyone who you were required to serve does not show up in court, you will have to prove that you did serve them with your Application. To do this, you will need a Certificate of Service (Form 9). Then the judge will hear evidence from all parties and decide whether to grant your Application.

**THE CHILD**

The names of the child or children in the case should appear here in the same way they appear on the other documents in the same case. If you have a copy of a document that has already been filed, copy the names from that. If not, ask at the Court Registry. These names and the Court File Number ensure that all documents that belong in the file stay together.

Even if earlier documents related to several children and your Application relates only to one of them, copy all the names and birthdates as they were on the earlier documents.



**THE PARENT(S)**

The parent(s) name(s) will appear on the court list posted in the courthouse on the date when the application is heard.



**FILED BY**

Your name and address go here.



**NOTICE TO:**

List the names and addresses of everyone who must be served with a copy of the Application. Look at the section of the Act that authorizes the application to see who they are. Be sure to use the correct address. If you use registered mail, there are now two options to prove that notice has been served.

1. Canada Post has a 1-800 number that you may call to request written confirmation (there is a charge of \$4 for this service) – written confirmation will be sent within 3 business days.
2. You can print written confirmation from Canada Post’s website.



**ABORIGINAL CHILD**

Section 1 of the *Child, Family & Community Service Act* defines an “aboriginal child”.



**COURT DATE**

The court will assign a date and time.



**APPLYING FOR**

If the order you are applying for is one of those listed on the form, check that box and check the space before the section of the Act, or the Rule. You must also check the space before the section of the Act, or the Rule, that authorizes the court to make the order.



**ADDRESS FOR SERVICE**

This is the address where the Court Registry and other parties will send any further notices or information to you. It may or may not be the same as your home address. For example, if you live in a rural area, your delivery address may be a postal box. If your address changes, get a Notice of Address for Service (Form 8) from the Court Registry, fill it out and file it there.



# APPLICATION FOR AN ORDER

## Form 2

In the Provincial Court of British Columbia  
Under the *Child, Family and Community Service Act*

Court File Number:
Court Location:

### THE CHILD:

This is the name and birthdate of each child involved.

<b>In the matter of the child(ren):</b>	
Name(s)	Date(s) of Birth (mo/day/yr)
_____	_____
_____	_____
_____	_____

### THE PARENT(S):

This is the name(s) of the parent(s) of the children listed above.

<b>The parent(s) of the child(ren) is/are:</b>
Name(s)
_____
_____

### FILED BY:

This is the name and address of the one who is making this application.

<b>This application is filed by:</b>			
Name	Address	City	B.C.
_____	_____	_____	_____
Postal Code	Phone	Fax	
_____	_____	_____	

### NOTICE TO:

This is the name, address (and phone and fax number if applicable) of everyone who is required to be notified of the application.

<b>Notice to:</b>	
Name(s)	Address(es) (include tel. & fax # if applicable)
_____	_____
_____	_____
_____	_____

### ABORIGINAL CHILD:

Check one.

The child is aboriginal:  Yes  No

### COURT DATE:

This is the date, time and place of the hearing of the application.

I will apply to this court on \_\_\_\_\_ at \_\_\_\_\_  am  pm  
at \_\_\_\_\_

For:

- a temporary custody order (under \_\_\_\_ s. 41(1)(c), \_\_\_\_ s. 42.2(4)(b) or \_\_\_\_ s. 49(7)(b))
- a supervision order (under \_\_\_\_ s. 41(1)(a), \_\_\_\_ s. 41(2.1), or \_\_\_\_ s. 42.2(4)(a))
- a continuing custody order (under \_\_\_\_ s. 41(1)(d), \_\_\_\_ s. 42.2(4)(d) or \_\_\_\_ s. 49(4), \_\_\_\_ s.49(5) or \_\_\_\_ s.49(10))
- an order permitting use of another service method, as set out below (Rule 6(10))
- extension of a temporary order (s. 44)
- a supervision order after expiry of a temporary custody order (s. 46)
- an order for access to a child (s. 55)
- an order that a child or parent undergo a medical or other examination (s. 59)
- an order under section 60 with reference to section \_\_\_\_\_
- an order under section 60 dispensing with a required consent
- an order varying notice requirements (s. 69)
- an order as set out below

Details of the order requested and the section of the Act or Rule relied upon:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is more information about the order asked for, whether or not it is one of the listed orders.

_____
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Signature of Applicant or Agent

Dated \_\_\_\_\_

### ADDRESS FOR SERVICE:

This is the address where documents can be mailed to the person making this application.

<b>Address for service if different from Applicant's:</b>			
Address	City		B.C.
_____	_____	_____	_____
Postal Code	Phone	Fax	
_____	_____	_____	