

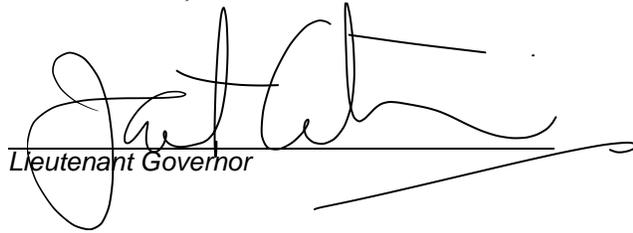
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 137

, Approved and Ordered

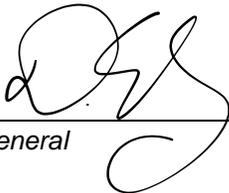
March 29, 2019



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, made after consultation with the Chief Judge of the Provincial Court, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective May 13, 2019, the Provincial Court (Family) Rules, B.C. Reg. 417/98, are amended as set out in the attached Schedule.



Attorney General



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Court Rules Act, R.S.B.C. 1996, c. 80, s. 1

Other: OIC 1444/98

R20281196

SCHEDULE

- 1 *The Provincial Court (Family) Rules, B.C. Reg. 417/98, are amended by adding the following rule before rule 5.1:*

RULE 5.01 – EARLY RESOLUTION AND CASE MANAGEMENT MODEL PROCEDURES

Definitions

- (1) In this rule and Appendix B [*Early Resolution and Case Management Model*]:
- “**certificate of service**” means a certificate in Form E [*Certificate of Service*] of Appendix C that certifies service under the Early Resolution and Case Management Model;
 - “**consensual dispute resolution**” means
 - (a) mediation with a family law mediator who is qualified as a family dispute resolution professional in accordance with section 4 [*family law mediators*] of the Family Law Act Regulation,
 - (b) a collaborative family law process conducted in accordance with a collaborative participation agreement, or
 - (c) facilitated negotiation of a child support or spousal support matter with a child support officer employed by the Family Justice Services Division of the Ministry of Attorney General;
 - “**Early Resolution and Case Management Model**” means the rules for early resolution and case management set out in the provisions of Appendix B [*Early Resolution and Case Management Model*];
 - “**early resolution and case management registry**” means the Victoria registry;
 - “**extraordinary parenting matter**” means any of the following matters:
 - (a) giving, refusing or withdrawing consent, by a guardian, to medical, dental or other health-related treatments for a child, if delay will result in risk to the health of the child;
 - (b) applying, by a guardian, for a passport, licence, permit, benefit, privilege or other thing for the child, if delay will result in risk of harm to the child’s physical, psychological or emotional safety, security or well-being;
 - (c) preventing the removal of a child under section 64 [*orders to prevent removal of child*] of the *Family Law Act*;
 - (d) determining matters relating to interjurisdictional issues under section 74 (2) (c) [*determining whether to act under Part 4 – Care of and Time with Children*] of the *Family Law Act*;
 - (e) preventing the wrongful removal of a child under section 77 (2) [*wrongful removal of child*] of the *Family Law Act*;
 - (f) seeking an extraordinary remedy under section 231 (4) or (5) [*extraordinary remedies*] of the *Family Law Act*;
 - “**family law matter**” means any of the following matters:

- (a) parenting arrangements;
- (b) child support;
- (c) contact with a child;
- (d) guardianship of a child;
- (e) spousal support.

In the event of conflict

- (2) Unless the court otherwise orders, in the event of a conflict between this rule, including the Early Resolution and Case Management Model, and another rule, this rule, including the Early Resolution and Case Management Model, applies.

**Application of this rule and
Early Resolution and Case Management Model**

- (3) This rule and the Early Resolution and Case Management Model apply to proceedings concerning the following, when initiated in an early resolution and case management registry:
 - (a) orders about family law matters that are to be made under Part 3 [*Applying for Orders about Family Law Matters*] of Appendix B;
 - (b) case management orders that are to be made under Part 5 [*Case Management Orders*] of Appendix B;
 - (c) orders that are to be made under Part 6 [*Applying for Other Orders*] of Appendix B in relation to the following:
 - (i) protection orders;
 - (ii) extraordinary parenting matters;
 - (iii) relocation;
 - (iv) consent orders;
 - (v) enforcement.

**When family law matter must be resolved in
early resolution and case management registry**

- (4) Subject to subrule (5), a party seeking to resolve any matters in subrule (3) must do so in the early resolution and case management registry when
 - (a) there is an existing case filed in the early resolution and case management registry and the family law matter has the same parties as the existing case,
 - (b) the family law matter involves a child related issue and the early resolution and case management registry is the closest registry to where the child lives most of the time, or
 - (c) the family law matter does not involve a child related issue and the early resolution and case management registry is the closest registry to where the party seeking to resolve the family law matter lives most of the time.

**Protection orders and
extraordinary parenting matters**

- (5) With permission of the court, a party seeking an order about a protection order or an extraordinary parenting matter may do so in any registry.

**When Early Resolution and Case Management Model
does not apply**

- (6) The Early Resolution and Case Management Model does not apply to matters in a court file if
- (a) the court file relating to the family law matter is transferred to another registry,
 - (b) an application to obtain an order is made before the coming into force of this rule, or
 - (c) a notice of motion is filed before the coming into force of this rule.

**Intention to proceed – court file started
before Early Resolution and Case Management Model**

- (7) Despite subrule (6), if one year has passed from the date of an activity described in subrule (6) (b) or (c), before the parties may proceed, a party must
- (a) file a notice of intention to proceed in Form B [*Notice of Intention to Proceed*] of Appendix C,
 - (b) serve it on the other party,
 - (c) file a Certificate of Service, and
 - (d) participate in a family management conference.

2 *Rule 6 (2) is amended by adding “, rule 5.01 or Appendix B” after “rule 5”.*

3 *Rule 21 (1) is amended in the definition of “designated registry” by striking out “Vancouver (Robson Square), Vernon and Victoria” and substituting “Vancouver (Robson Square) and Vernon”.*

4 *The following heading is added after rule 22:*

**APPENDIX A
GENERAL FORMS .**

5 *The following Appendices are added after Form 34:*

APPENDIX B

EARLY RESOLUTION AND CASE MANAGEMENT MODEL

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PART 1 – INTERPRETATION, APPLICATION AND PURPOSE

Definitions

- 1 (1) In this Appendix, the definitions in rule 5.01 (1) apply.
- (2) In this Appendix:
 - “**early resolution requirements**” means the requirements described in section 5 [*early resolution requirements*];
 - “**these rules**” means the Provincial Court (Family) Rules.

Citation

- 2 This Appendix may be cited as the “Early Resolution and Case Management Model” and is included within any reference to the “Provincial Court (Family) Rules”.

Designation of early resolution and case management model registry

- 3 This Early Resolution and Case Management Model applies in the Victoria registry, which is designated as an early resolution and case management model registry.

Purpose

- 4 The purpose of the Early Resolution and Case Management Model is to encourage parties to resolve their cases by agreement or to help them obtain a just and timely decision in a way that
 - (a) takes into account the impact that the conduct of a case may have on a child and family,
 - (b) minimizes conflict,
 - (c) promotes cooperation between the parties, and
 - (d) provides processes for resolution that are efficient and consistent with the complexity of the cases to be resolved.

PART 2 – EARLY RESOLUTION REQUIREMENTS

Division 1 – General

Early resolution requirements

- 5 Before filing a family law matter claim under Part 3 [*Applying for Orders about Family Law Matters*], a person seeking resolution of a family law matter in an early resolution and case management registry must, unless otherwise provided in this Early Resolution and Case Management Model,
 - (a) file a notice to resolve in Form A [*Notice to Resolve a Family Law Matter*] of Appendix C,
 - (b) provide a copy of the notice to resolve to the other person,
 - (c) attend a needs assessment under section 10 [*participating in needs assessment*],

- (d) complete a parenting education program under section 12 [*completing parenting education program*], and
- (e) participate in at least one consensual dispute resolution session under section 13 [*participating in consensual dispute resolution*].

Exception to early resolution requirements

- 6 The early resolution requirements described in section 5 are not required if a person is only applying for one or more orders that are to be made under Part 5 [*Case Management Orders*] or 6 [*Applying for Other Orders*].

Protection orders and orders about extraordinary parenting matters take priority

- 7 For certainty, if a party applies for an order about
 - (a) a protection order under Part 9 [*Protection from Family Violence*] of the *Family Law Act*, or
 - (b) an extraordinary parenting matterin addition to an order about a family law matter, the party may apply for the order about the protection order or the extraordinary parenting matter before complying with the early resolution requirements under this Part.

Judge may waive or vary requirements

- 8 (1) For certainty, rule 20 (2) [*judge may waive or vary rules*] of these rules applies to this Early Resolution and Case Management Model.
- (2) A party may make an application to waive or vary the early resolution requirements in accordance with Part 5 [*Case Management Orders*] of this Early Resolution and Case Management Model.

Intention to proceed in certain cases after one year

- 9 (1) The parties must meet the requirements of subsection (2) if no family law matter claim has been filed and more than one year has passed since the latest date on which one of the parties
 - (a) filed a notice to resolve a family law matter in Form A [*Notice to Resolve a Family Law Matter*] of Appendix C,
 - (b) completed a needs assessment,
 - (c) completed a parenting education program, or
 - (d) participated in a consensual dispute resolution session.
- (2) Before the parties described in subsection (1) may proceed under this Early Resolution and Case Management Model,
 - (a) a party must file a notice of intention to proceed in Form B [*Notice of Intention to Proceed*] of Appendix C and provide a copy of the notice to the other party, and
 - (b) the parties must participate in a new needs assessment.

Division 2 – Needs Assessment

Participating in needs assessment

- 10** Each party must participate in a needs assessment conducted by a needs assessor for the following:
- (a) assistance with identifying legal and non-legal needs;
 - (b) information about resolving issues, including
 - (i) how to resolve family law matters and other issues out of court, and
 - (ii) how to apply for a court order;
 - (c) provision of
 - (i) a referral to an appropriate parenting education program, or
 - (ii) an exemption from a parenting education program under Division 3 [*Parenting Education Program*] of this Part;
 - (d) referrals to other resources, including
 - (i) where and how to seek legal advice,
 - (ii) where and how to access legal information,
 - (iii) where and how to access resources for issues that are not legal in nature, and
 - (iv) where and how to access resources for children dealing with family changes;
 - (e) assessment about whether consensual dispute resolution under Division 4 [*Consensual Dispute Resolution*] of this Part is not appropriate;
 - (f) assessment about whether there is a risk of family violence;
 - (g) referrals to other resources for individuals and families experiencing or concerned about family violence.

Needs assessor

- 11** For the purposes of this Division, a needs assessor must be a family justice counsellor appointed under section 10 (1) [*family justice counsellors*] of the *Family Law Act*.

Division 3 – Parenting Education Program

Completing parenting education program

- 12** Each party must complete a parenting education program unless the needs assessor exempts that party because
- (a) that party has already completed the parenting education program in the 2 years before the date of the needs assessment,
 - (b) the family law matter is only related to spousal support,
 - (c) every child involved in the family law matter has reached 19 years of age,
 - (d) that party resides in a community where the parenting education program is not offered in person and the party cannot access the online version,
 - (e) the parenting education program is not available in a language in which that party is fluent,

- (f) that party is unable to attend the parenting education program in person and cannot complete an online version of the parenting education program due to literacy challenges, or
- (g) that party cannot complete the parenting education program due to a serious medical condition.

Division 4 – Consensual Dispute Resolution

Participating in consensual dispute resolution

- 13** (1) The parties must attempt to resolve a family law matter by participating in at least one consensual dispute resolution session unless
- (a) a needs assessor determines that the parties cannot access consensual dispute resolution services, or
 - (b) a needs assessor or a consensual dispute resolution professional determines that participation at a consensual dispute resolution session is not appropriate.
- (2) To prepare for the consensual dispute resolution session, each party must participate in any preparatory meetings or other preparatory process as required by the consensual dispute resolution professional.

Financial information for consensual dispute resolution

- 14** If financial information for consensual dispute resolution is required, it must be provided in the form required by the consensual dispute resolution professional.

PART 3 – APPLYING FOR ORDERS ABOUT FAMILY LAW MATTERS

Division 1 – Making Family Law Matter Claims

Early resolution requirements must be met before filing claim

- 15** Before filing a claim about a family law matter, a party must meet the applicable early resolution requirements described in section 5 [*early resolution requirements*].

Applying for family law matter claim

- 16** (1) A party who is seeking an order about the following must file and serve a family law matter claim in Form C [*Family Law Matter Claim*] of Appendix C:
- (a) for a new order about a family law matter;
 - (b) to change or cancel all or part of an existing order or filed written agreement about a family law matter;
 - (c) to set aside or replace all or part of a written agreement about a family law matter that has not been filed.
- (2) The family law matter claim under subsection (1) must be accompanied by the following, as applicable:

- (a) a financial statement in Form D [*Financial Statement*] of Appendix C;
- (b) an affidavit;
- (c) any supporting evidence or documents.

Additional documents when applying for certain orders

- 17** If the party is applying for one of the following orders, the family law matter claim must be filed with the following appropriate additional documents for the order:
- (a) in relation to an existing order or written agreement, a copy of the existing order or written agreement;
 - (b) in relation to child support, if the child support guidelines require the person to provide information, a financial statement in Form D [*Financial Statement*] of Appendix C and any other documents required by the child support guidelines;
 - (c) in relation to spousal support, a financial statement in Form D [*Financial Statement*] of Appendix C;
 - (d) to be appointed as a guardian of a child, an affidavit in Form 34 [*Affidavit*] of Appendix A with the following exhibits attached:
 - (i) a record check from the Ministry of Children and Family Development;
 - (ii) a protection order record check from the protection order registry;
 - (iii) a criminal record check.

Serving family law matter claim

- 18** (1) A party making a family law matter claim under section 16 must arrange for the service of the family law matter claim by arranging for an adult who is not a party to leave a copy of the following documents with the party to be served:
- (a) the family law matter claim;
 - (b) a blank copy of Form F [*Reply to a Family Law Matter Claim*] of Appendix C;
 - (c) any applicable additional documents, as described in section 17.
- (2) The adult who serves documents under subsection (1) is to complete a certificate of service in Form E [*Certificate of Service*] of Appendix C and provide it to the party making the family law matter claim.
- (3) If a reply is not filed under Division 2 within 21 days, the party making the family law matter claim must file the Certificate of Service.

Division 2 – Family Law Matter Replies and Counterclaims

After receipt of family law matter claim

- 19** (1) When a party is served with a family law matter claim, the party may reply to the family law matter claim, as described in section 21 [*replying to family law matter claim*].

- (2) If the party served with a family law matter claim does not reply, the consequences described in section 23 *[if no reply filed]* apply.

Early resolution requirements must be met before filing reply

- 20** Before filing a reply to a family law matter claim under section 21, a party must meet the applicable early resolution requirements described in section 5 *[early resolution requirements]*.

Replying to family law matter claim

- 21** If a party is served with a family law matter claim and replies,
- (a) the party must file a completed reply in Form F *[Reply to a Family Law Matter Claim]* of Appendix C within 21 days after the date that the party is served the family law matter claim,
 - (b) the party may, in the reply, do any of the following:
 - (i) agree with one or more of the orders applied for in a family law matter claim;
 - (ii) disagree with one or more of the orders applied for in a family law matter claim;
 - (iii) make a counterclaim in accordance with section 22, and
 - (c) if the family law matter claim involves child support or spousal support, the party must file a financial statement in Form D *[Financial Statement]* of Appendix C.

Applying for counterclaim

- 22** (1) In the reply, a party may include a counterclaim to apply for an order about a different family law matter that was not included in the family law matter claim.
- (2) If the counterclaim involves child support or spousal support, the party must file any applicable additional documents, as described in section 17 *[additional documents when applying for certain orders]*.

If no reply filed

- 23** If a party does not file a reply in accordance with section 21 (a) *[replying to family law matter claim]*,
- (a) the party is not entitled to receive notice of any part of the proceedings, including any conference, court appearance, hearing or trial, and
 - (b) a judge may make orders without that party's knowledge.

Judge may direct matters if party does not file reply

- 24** Despite section 23, a judge may direct that a party who does not file a reply under section 21 *[replying to family law matter claim]* receive notice of and attend a family management conference or another conference or hearing.

Copy to filing party

- 25** After the reply is filed, the registry must, within 21 days, provide a copy of the reply and all documents filed with the reply to the party who filed the family law matter claim.

Replying to counterclaim

- 26** A party may reply to a counterclaim by filing and serving a reply to the counterclaim in Form G [*Reply to a Counterclaim*] of Appendix C within 14 days after the date that the party receives the counterclaim in the reply.

PART 4 – FAMILY MANAGEMENT CONFERENCES

Division 1 – Purpose, Participation and Information

Family management conferences

- 27** A family management conference is an informal and time-limited process in which a judge
- (a) may assist the parties to identify the issues to be resolved,
 - (b) may explore options to resolve the issues,
 - (c) may, if needed, make orders and directions under Part 5 [*Case Management Orders*] based on information provided by or on behalf of the parties to ensure a file is ready to proceed to the next step in the process,
 - (d) may, if needed, make interim orders under section 36 [*interim orders*], based on evidence provided by or on behalf of the parties regarding family law matters, to address needs until the parties resolve their family law matters in a subsequent step in the process, and
 - (e) may, if needed, make orders under
 - (i) section 23 [*if no reply filed*], if a party does not file a reply,
 - (ii) section 37 [*consent orders*], by consent of the parties, and
 - (iii) section 41 [*orders made in the absence of a party*], in the absence of a party.

Family management conference required after compliance with Part 3

- 28** All parties to a family law matter claim must attend a family management conference after complying with Part 3 [*Applying for Orders about Family Law Matters*].

Who must attend family management conference

- 29** (1) All parties must attend the family management conference.
- (2) A lawyer of each party may attend the family management conference with the party.

Family management conference may proceed

- 30** A family management conference may proceed without a party who

- (a) does not file a reply, or
- (b) does not attend.

Information presented in family management conferences

- 31** For the purposes of a family management conference, the parties may be required to provide the following for consideration by a judge:
- (a) information provided in a family law matter claim, reply and reply to counterclaim, if any;
 - (b) information provided in a financial statement;
 - (c) evidence given orally on oath or affirmation;
 - (d) affidavit evidence;
 - (e) submissions offered by the parties or by the lawyers of the parties.

Intention to proceed – family management conferences

- 32** (1) A notice of intention to proceed must be filed in accordance with subsection (2) if
- (a) a party has filed a family law matter claim,
 - (b) there is no final order in respect of the claim, and
 - (c) more than one year has passed since the parties have taken any action under these rules.
- (2) If subsection (1) applies, before the parties may proceed,
- (a) a party must file a notice of intention to proceed in Form B [*Notice of Intention to Proceed*] of Appendix C, serve it on the other party and file a certificate of service, and
 - (b) the parties must participate in a family management conference.

Division 2 – Scheduling the Family Management Conference

Scheduling family management conference if reply filed

- 33** If a family law matter claim and a reply have been filed, the registry must provide the parties with information about the procedure for scheduling the family management conference.

Scheduling family management conference if no reply filed

- 34** If a family law matter claim has been filed and a reply has not been filed and, based on the certificate of service, at least 21 days have passed since the family law matter claim was served, the registry must provide the party who filed the family law matter claim with information about the procedure for scheduling the family management conference.

Division 3 – Family Management Conference Proceedings

Directions to attend

- 35** At a family management conference, a judge may direct a party to do any of the following:
- (a) attend consensual dispute resolution;
 - (b) attend a family case conference;
 - (c) return for another family management conference;
 - (d) attend a trial preparation conference;
 - (e) attend a hearing or trial.

Interim orders

- 36** At a family management conference, a judge may make one or more of the following interim orders:
- (a) an allocation of parental responsibilities;
 - (b) an allocation of parenting time;
 - (c) contact with a child;
 - (d) child support;
 - (e) spousal support;
 - (f) guardianship of a child.

Consent orders

- 37** At a family management conference, a judge may make one or more of the following orders, including final orders, with consent of the parties:
- (a) an allocation of parental responsibilities;
 - (b) an allocation of parenting time;
 - (c) contact with a child;
 - (d) child support;
 - (e) spousal support;
 - (f) guardianship of a child.

Completion of early resolution requirements

- 38** At a family management conference, a judge may make an order that a party complete the early resolution requirements under section 5 [*early resolution requirements*].

Conduct orders

- 39** At a family management conference, a judge may make any conduct order that may be made under Division 5 of Part 10 [*Orders Respecting Conduct*] of the *Family Law Act*, including the following:
- (a) prohibiting a party from making an application respecting any matter over which a parenting coordinator has authority to act under an agreement or order, other than an application changing or setting aside a parenting coordinator determination, without permission of the judge, under section 223 [*orders respecting case management*] of the *Family Law Act*;

- (b) requiring the parties to participate in family dispute resolution under section 224 (1) (a) [*orders respecting dispute resolution, counselling and programs*] of the *Family Law Act*;
- (c) requiring the parties to attend counselling, specified services or programs, under section 224 (1) (b) of the *Family Law Act*;
- (d) allocating or requiring one party to pay the fees related to the family dispute resolution, counselling, specified services or programs, if the party is ordered to attend, under section 224 (2) of the *Family Law Act*;
- (e) setting restrictions or conditions respecting communication between parties, including respecting when or how communications may be made, under section 225 [*orders restricting communications*] of the *Family Law Act*, unless it would be more appropriate for a protection order to be made by a judge under Part 9 [*Protection from Family Violence*] of that Act;
- (f) reporting to the court or to a person named by the judge at the time and in the manner specified, under section 227 [*other orders respecting conduct*] of the *Family Law Act*.

Preparing for subsequent hearing

40 The parties may be required to attend a family management conference to prepare for a hearing, even if Part 3 [*Applying for Orders about Family Law Matters*] does not apply to the parties, if one of the parties has requested one of the following orders:

- (a) reviewing, enforcing, changing or setting aside a determination of a parenting coordinator;
- (b) permitting or prohibiting the relocation of a child under section 69 [*orders respecting relocation*] of the *Family Law Act*;
- (c) setting reasonable and necessarily incurred expenses under any of the following sections of the *Family Law Act*:
 - (i) section 61 [*denial of parenting time or contact*];
 - (ii) section 62 [*when denial is not wrongful*];
 - (iii) section 212 [*orders respecting disclosure*];
 - (iv) section 213 [*enforcing orders respecting disclosure*];
 - (v) section 228 [*enforcing orders respecting conduct*];
 - (vi) section 230 [*enforcing orders generally*].

Orders made in the absence of a party

- 41** (1) At the family management conference, a judge may make an order, including final orders, in the absence of a party.
- (2) A judge may change, suspend or cancel an order made in the absence of a party, if
 - (a) there is a good reason for changing, suspending or cancelling the order, and
 - (b) that party applies within a reasonable time for the change, suspension or cancellation of the order using Form H [*Application for Case Management Order*] of Appendix C.

PART 5 – CASE MANAGEMENT ORDERS

Case management orders – general

- 42 (1) One or more of the following case management orders may be made with or without application by a party:
- (a) transferring the court file to another registry for one or more purposes;
 - (b) adding or removing a party to the proceeding;
 - (c) settling or correcting the terms of an order made under these rules;
 - (d) setting a specified period of time for the filing and exchanging of information, including a financial statement in Form D [*Financial Statement*] of Appendix C;
 - (e) correcting or amending a filed document, including the correction of a name or date of birth;
 - (f) requiring that a parentage test be taken under section 33 [*parentage tests*] of the *Family Law Act*;
 - (g) requiring that information be disclosed by a third party;
 - (h) adjourning a hearing or trial;
 - (i) requiring that a person who prepared a report under section 211 [*orders respecting reports*] of the *Family Law Act* attend a trial;
 - (j) respecting the conduct and management of a trial;
 - (k) allowing a person to attend a hearing or conference using electronic communication;
 - (l) shortening or extending a time limit set under these rules or a time limit set by an order or direction of a judge;
 - (m) allowing, waiving or modifying any service, delivery or notice requirement, including allowing an alternate method for the service of a document;
 - (n) requiring access to information in accordance with section 242 [*orders respecting searchable information*] of the *Family Law Act*;
 - (o) permitting any other means of proof instead of that required by these rules;
 - (p) waiving or varying any early resolution requirements;
 - (q) recognizing an extraprovincial order other than a support order;
 - (r) permitting a party to be exempt from a requirement under these rules.
- (2) A party may apply for a case management order under subsection (1) by filing and serving the following on any other parties, at least 7 days before the date set for the hearing:
- (a) an application for a case management order in Form H [*Application for Case Management Order*];
 - (b) any supporting evidence or documents.

Case management orders – without notice or appearance

- 43 (1) A party may request in Form I [*Application for Case Management Order Without Notice or Appearance*] of Appendix C the case management orders described in

section 42 (1) (k) to (r) without an appearance or without notice to any other parties.

- (2) The judge reviewing an application under this section for a case management order without notice or an appearance may do the following:
 - (a) grant the order without the attendance of the parties;
 - (b) give directions to obtain further information, including to require the parties to attend to speak to the matter;
 - (c) require that notice be given to any other parties;
 - (d) reject the application with reasons.
- (3) If a case management order is made without notice under this section, the party who applied for the order must ensure that the other party is served the case management order that is made.

PART 6 – APPLYING FOR OTHER ORDERS

Division 1 – Protection Orders

Priority – protection orders

- 44** The application for an order about a protection order may be made before complying with the early resolution requirements described in section 5 [*early resolution requirements*] if a party is applying for both of the following:
- (a) an order about a protection order;
 - (b) an order about a family law matter.

Applying for *Family Law Act* protection orders or to change or terminate protection orders

- 45** (1) To apply to a judge to obtain, or to change a term or condition of or to terminate, a protection order under Part 9 [*Protection from Family Violence*] of the *Family Law Act*, a person must file
- (a) an application about a protection order in Form K [*Application about a Protection Order*] of Appendix C, and
 - (b) any supporting evidence or documents.
- (2) A person applying for an order about a protection order under this Division must arrange for the service of the application and supporting documents at least 7 days before the date set for the hearing by arranging for an adult who is not a party to leave a copy of the application and the supporting documents with the party to be served, unless the application is made
- (a) without notice, or
 - (b) with less than 7 days' notice.
- (3) The adult who serves documents under subsection (2) is to complete a certificate of service in Form E [*Certificate of Service*] of Appendix C and provide it to the person applying for an order about a protection order.

Protection orders – without notice

- 46** (1) A person may, under section 45, apply to make the following application without notice to any party by completing Form I [*Application for Case Management Order Without Notice or Appearance*] of Appendix C:
- (a) a protection order under section 183 [*orders respecting protection*] of the *Family Law Act*;
 - (b) to change a term or condition of or to terminate a protection order under section 187 [*changing or terminating orders respecting protection*] of the *Family Law Act*.
- (2) If a judge determines that a party should be given notice of an application made under subsection (1), the judge may make directions regarding
- (a) the date for the hearing,
 - (b) the amount of notice,
 - (c) how notice is to be given, and
 - (d) any other directions that the judge considers appropriate.

Evidence at protection order hearing

- 47** Evidence at a protection order hearing under section 46 may be given
- (a) orally on oath or affirmation, or
 - (b) by affidavit.

Judge to make new protection order

- 48** If a judge changes an existing protection order, including an extension of the protection order, a judge must terminate the existing protection order and make a new protection order.

What happens if protection order is made or changed

- 49** If a judge makes or changes a protection order in accordance with this Division, a clerk must
- (a) prepare the protection order unless the judge indicates otherwise,
 - (b) provide a copy of the protection order to the protection order registry,
 - (c) serve or provide a copy of the protection order on the party against whom the protection order was made or changed, as follows:
 - (i) if that party is present when the order is made or changed, provide the party with the protection order;
 - (ii) if that party is not present when the order is made or changed, arrange for the service of the protection order on that party within British Columbia;
 - (iii) if the registry is unable to arrange service under subparagraph (ii), notify the person who obtained the order and that person would subsequently be responsible for service, and
 - (d) provide a copy of the protection order to the person who made the application.

What happens if protection order is terminated

- 50** If a judge terminates a protection order, a clerk must
- (a) prepare the termination order in Form L [*Order Terminating a Protection Order*] of Appendix C,
 - (b) advise the protection order registry about the termination of the protection order, and
 - (c) provide a copy of the termination order to all parties.

Form of orders

- 51** A protection order made under Part 9 [*Protection from Family Violence*] of the *Family Law Act* must be in Form 25 [*Protection Order*] of Appendix A of these rules and does not need to be signed by the parties or their lawyers.

No limitation on protection order applications

- 52** The expiry of a protection order or the change or termination of a protection order does not prevent a person from applying for subsequent protection orders.

Division 2 – Orders about Extraordinary Parenting Matters

Priority – extraordinary parenting matters

- 53** The application for an order about an extraordinary parenting matter may be made before complying with the early resolution requirements described in section 5 [*early resolution requirements*] if a party is applying for both of the following:
- (a) an order about an extraordinary parenting matter;
 - (b) an order about a family law matter.

Applying for orders about extraordinary parenting matters

- 54** To apply to a judge to obtain, or to change a term or condition of or to terminate, an order about an extraordinary parenting matter, a person must file and serve
- (a) the application for an order about an extraordinary parenting matter in Form M [*Application about Extraordinary Parenting Matter*] of Appendix C, and
 - (b) any supporting evidence or documents.

Notifying other person about order about extraordinary parenting matter

- 55** To apply to a judge for an order about an extraordinary parenting matter under this Division, a party must serve any other parties as follows:
- (a) with the application and supporting documents at least 7 days before the date set for the hearing unless the application is made without notice or with less than 7 days' notice;
 - (b) if there is an address for delivery in the case on the court file for the party to be served,

- (i) by leaving the documents at the party's address for delivery,
 - (ii) by mailing the documents by ordinary mail to the party's address for delivery,
 - (iii) if a party's address for delivery includes an email address, by emailing the documents to that email address, or
 - (iv) if a party's address for delivery includes a fax number, by faxing the documents to that fax number;
- (c) if there is no address for delivery on the court file for the party to be served by arranging for an adult who is not a party to leave the documents with the party to be served, unless otherwise ordered.

Extraordinary parenting matters – without notice

- 56** (1) A person may, under section 54, apply to make an application for an order about an extraordinary parenting matter without notice to any party by completing Form I [*Application for Case Management Order Without Notice or Appearance*] of Appendix C.
- (2) If a judge determines that a party should be given notice of an application made under section 54, the judge may make directions regarding
- (a) the date for the hearing,
 - (b) the amount of notice,
 - (c) how notice is to be given, and
 - (d) any other directions that the judge considers appropriate.

Evidence presented at hearings for orders about extraordinary parenting matters

- 57** Evidence for a hearing with respect to the application for an order about an extraordinary parenting matter may be given
- (a) orally on oath or affirmation, or
 - (b) by affidavit.

Division 3 – Orders about Relocation

Applying for orders about relocation

- 58** To apply for an order, under section 69 [*orders respecting relocation*] of the *Family Law Act*, prohibiting the relocation of a child, a person must file and serve
- (a) an application for an order prohibiting the relocation of a child in Form O [*Application for Order Prohibiting the Relocation of Child*] of Appendix C, and
 - (b) a copy of the existing order or agreement and the notice of relocation described in section 66 [*notice of relocation*] of the *Family Law Act*.

Division 4 – Consent Orders

Applying for consent orders about family law matters without hearing

- 59** To apply for an order about a family law matter by consent without a hearing, the parties must file the following:
- (a) an application for a consent order in Form N [*Application for a Family Law Matter Consent Order*] of Appendix C;
 - (b) a draft consent order in Form 20 [*Consent Order*] of Appendix A signed by the parties or their lawyers;
 - (c) any applicable additional documents, as described in section 17 [*additional documents when applying for certain orders*] of this Early Resolution and Case Management Model.

Consideration of consent order

- 60** In considering whether to make a consent order, a judge may do the following:
- (a) give directions to obtain further information, including to require the parties to attend to speak to the matter;
 - (b) amend the draft consent order and require the parties to attend to review and sign the changes;
 - (c) reject the application with reasons.

Consent orders about guardianship

- 61** In addition to the material filed under section 59 [*applying for consent orders about family law matters without hearing*], a party who is applying for appointment as guardian of a child must also file an affidavit in Form 34 [*Affidavit*] of Appendix A with the following exhibits attached:
- (a) a copy of a record check from the Ministry of Children and Family Development;
 - (b) a protection order record check from the protection order registry;
 - (c) a criminal record check.

Administrative matters for consent orders about guardianship

- 62** The following time periods apply to applications for consent orders under this Division:
- (a) an affidavit under section 17 [*additional documents when applying for certain orders*] must be sworn no more than 7 days before the date that the material under that section is filed;
 - (b) the record checks described under section 61 must be dated within 60 days before the date that the material under section 59 is filed.

Applying for consent orders about case management

- 63** (1) The parties applying for a consent order about a case management order must file,

- (a) if the parties wish to speak to the matter, an application for case management orders in Form H [*Application for Case Management Order*], or
 - (b) if the parties do not wish to speak to the matter,
 - (i) an application for case management orders without an appearance in Form H [*Application for Case Management Order*] of Appendix C, and
 - (ii) a draft consent order in Form 20 [*Consent Order*] of Appendix A signed by the parties or their lawyers.
- (2) The judge considering an application for a consent case management order may do the following:
- (a) give directions to obtain further information, including to require the parties to attend to speak to the matter;
 - (b) amend the draft consent order and require the parties to attend to review and sign the changes;
 - (c) reject the application with reasons.

General process for consent orders

- 64**
- (1) If an application is made for a consent order without the parties speaking to the matter, a clerk must place the application, draft consent order and supporting documents before a judge, who may
 - (a) approve and sign the consent order without the parties having to attend,
 - (b) require a party to file additional information, or
 - (c) direct that the parties, and any other person specified by the judge, attend before the judge to explain why the order should be made.
 - (2) If the judge gives a direction under subsection (1) (c), a clerk must notify the parties and any other person specified by the judge of the direction, including the date, time and place for the court appearance and any other information in the direction.
 - (3) If a consent order is made, a clerk must provide a filed copy of the consent order to the parties or their lawyers.
 - (4) Parties who have applied for a consent order and have had their application rejected must include a copy of the reasons for rejection with subsequent related applications for consent orders.
 - (5) The parties may apply for a consent order at any time while appearing before a judge by providing evidence as the judge may require.

Division 5 – Orders about Enforcement

Applying for orders about enforcement

- 65** To apply for an order about enforcement of any of the following, a party must, at least 7 days before the date set for the hearing, file and serve an application for enforcement in Form P [*Application for Enforcement*] of Appendix C, including a copy of the agreement, determination, or order to be enforced:

- (a) enforcing a written agreement or order, including enforcement under the *Family Maintenance Enforcement Act*;
- (b) reviewing, enforcing, changing or setting aside a determination of a parenting coordinator;
- (c) setting reasonable and necessarily incurred expenses under any of the following sections of the *Family Law Act*:
 - (i) section 61 [*denial of parenting time or contact*];
 - (ii) section 212 [*orders respecting disclosure*];
 - (iii) section 213 [*enforcing orders respecting disclosure*];
 - (iv) section 228 [*enforcing orders respecting conduct*];
 - (v) section 230 [*enforcing orders generally*];
- (d) in respect of extraordinary remedies under section 231 [*extraordinary remedies*] of the *Family Law Act*;
- (e) determining whether or not arrears are owing under a support order made under the *Family Law Act*.

APPENDIX C

EARLY RESOLUTION AND CASE MANAGEMENT MODEL FORMS

FORM A

Notice to Resolve a Family Law Matter

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information is:

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. I would like help with the following family law matter(s):

Select all options that apply

- parenting arrangements
- child support
- contact with a child
- guardianship
- spousal support

3. I understand I need to give a copy of this notice to any and all parents, step-parents, or guardians of the child(ren) who are the subject of the family law matter, and/or my spouse, if I am asking for spousal support.

4. I will be providing notice to *[full name of other party/parties]*. Their contact information, as I know it, is:

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

5. I am filing this form in the court registry:

Select only one of the options below

- closest to where the child(ren), who are subject of the family law matter, live most of the time
- closest to where I live, because my family law matter does not involve a child related issue
- where my existing case with the same party/parties is filed

NOTE TO THE PARTIES:

This Notice has been filed with the Provincial Court of British Columbia.
Before proceeding any further with your court action, each party is required to participate in early resolution (see next page for details).
If you do not resolve all issues during early resolution, either party can make a claim to the Provincial Court for a court order.
If you do not participate in the early resolution processes, the other party will be allowed to proceed to the Provincial Court to ask for a court order. A party must have complied with the requirements for early resolution before they will be allowed to file a family law matter claim or reply in the family law case.

Form A

1

WHAT YOU MUST DO

1. **Contact** Family Justice Services Division to **schedule** your individual **Needs Assessment**.

[FJSD contact information]

If you have already participated in some or all of the early resolution process within the last year, Family Justice Services Division will confirm you have complied with the requirements for early resolution and prepare the required documentation for the Court.

Note: You may be contacted by a Needs Assessor if someone else has filed a Notice to Resolve a Family Law Matter and named you in that document.

2. **Participate in a Needs Assessment**
A Needs Assessment is a one-on-one meeting with an assessor who is a neutral person trained to help people understand this process and other ways that are available to resolve their issues. The Needs Assessor can provide some legal information, make referrals to supports, including legal advice, and help identify the next steps that are right for you.
3. **Complete a Parenting Education Course**, unless your only issue is spousal support.
Your Needs Assessor will provide you with more information on the Parenting Education Course right for you and how to complete it.
4. **Participate in Consensual Dispute Resolution**, unless your Needs Assessor determines that it is not appropriate.
Your Needs Assessor will provide you with more information on what Consensual Dispute Resolution is, whether or not it is right for you, and the process for participating in it.

NOTE TO THE PARTIES:

If you require a time sensitive order on a family law matter, you may be exempt from participating in one or more of the early resolution processes, or you may be able to postpone participation until after you have received your time sensitive order. Please speak to Family Justice Services Division or the Court Registry if this situation applies to you.

Reminder:

If you do not resolve all issues during early dispute resolution, either party can make a claim to the Provincial Court for an order.

If you do not participate in the early resolution process, the other party will be allowed to proceed to the Provincial Court to ask for a court order. A party must have complied with the requirements for early resolution before they will be allowed to file a family law matter claim or reply in the family law case.

FORM B

Notice of Intention to Proceed

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information and address for delivery of court documents is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. It has been one or more years since the last action was completed in my case.

3. The last action completed in my case, by any party, was:

Select only one of the following

- filing of the Notice to Resolve a Family Law Matter on *[date]*
- completion of a Needs Assessment on *[date]*
- completion of a Parenting Education Program on *[date]*
- completion of Consensual Dispute Resolution on *[date]*
- filing of the Family Law Matter Claim on *[date]*
- filing of an Application to Obtain or Notice of Motion on *[date]*

4. I understand I need to give a copy of this notice to each other party.

5. I will be providing a copy to *[full name of other party/parties]*. Their contact information or address for delivery, as I know it, is:

Full Name:	Date of Birth:	
Contact Information and/or Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full Name:	Date of Birth:	
Contact Information and/or Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

NOTE TO OTHER PARTY:

If the above contact information and/or address for delivery is not correct, you must file a notice of change of address in Form 11 and serve a copy of the notice on the other parties.

WHAT YOU MUST DO

If the last action identified in section 3 was any of the following, you must complete a needs assessment before you may take any further steps in your family law matter:

- filing of the Notice to Resolve a Family Law Matter
- completion of a Needs Assessment
- completion of a Parenting Education Program
- completion of Consensual Dispute Resolution

To complete your individual needs assessment, **contact** Family Justice Services Division to **schedule** your individual **Needs Assessment**.

[FJSD contact information]

Note: You may be contacted by a Needs Assessor if someone else has filed a Notice of Intention to Proceed and named you in that document.

If the last action identified in section 3 was any of the following, you must attend a family management conference before you may take any further steps in your family law matter:

- filing of the Family Law Matter Claim
- filing of an Application to Obtain or Notice of Motion

The court registry will provide you information about how to schedule your family management conference once you have filed the Certificate of Service to prove service of the Notice of Intention to Proceed on the other party.

Note: To receive notice of the family management conference, the court registry requires your current contact information and address for delivery. To update this information, you must file a notice of change of address in Form 11 and serve a copy of the notice on the other parties.

FORM C

Family Law Matter Claim

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

This Family Law Matter Claim has been filed in Provincial Court. It provides notice to each party and the court of the family law matters to be resolved with the help of the court. The Family Law Matter Claim may set out

- a claim for a new order to be made by the court,
- a claim to change or cancel an existing order or written agreement, or
- a claim to set aside or replace an existing written agreement.

If you choose to reply, you or your lawyer must:

File a completed reply in Form F within 21 days after the date you were served with the Family Law Matter Claim.

To file your reply, you will be required to have completed any required early resolution process and you may be required to file a financial statement if the claim is about child support and/or spousal support.

If you do not file a reply to the Family Law Matter Claim within the 21 day period referred to above, you will not be entitled to receive notice of any part of the case, including any conference, court appearance, hearing or trial, and orders may be made without your knowledge.

Information about the parties

1. My name is *[full name of party]*. My contact information and address for delivery of court documents is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. I understand any and all parents, step-parents, or current guardians of the child(ren) who are the subject of the family law matter, and/or my spouse, if I am asking for spousal support, need to be given notice of my claim by being served with a copy of this document.

3. I will be providing notice to *[full name of other party/parties]*. Their contact information, as I know it, is:

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Additional party (Complete only if applicable. You may leave this section blank.)

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Early Resolution Requirements

4. I have met the following early resolution requirements:
The requirements have been met if you attended at, participated in, or if you were granted an exemption from attending or participating. Select all that apply.
- needs assessment
 - parenting education program
 - consensual dispute resolution

Make a Claim

5. **I am asking for a court order about the following family law matter(s):**
Select all options that apply, complete and attach the required schedule(s)

Parenting

- parenting arrangements – new *[Complete and attach Schedule 1]*
- parenting order/written agreement – existing *[Complete and attach Schedule 2]*

Child Support

- child support – new *[Complete and attach Schedule 3]*
- child support order/written agreement – existing *[Complete and attach Schedule 4]*

Contact

- contact with a child – new *[Complete and attach Schedule 5]*
- contact order/written agreement – existing *[Complete and attach Schedule 6]*

Guardianship

- become a guardian *[Complete and attach Schedule 7]*
- cancel guardianship *[Complete and attach Schedule 8]*

Spousal Support

- spousal support – new *[Complete and attach Schedule 9]*
- spousal support order/written agreement – existing *[Complete and attach Schedule 10]*

Existing written agreements or court orders

6. *Select only one of the options below*
- There is no existing written agreement or court order about parenting arrangements, child support, contact with a child, guardianship, and/or spousal support.
 - There are existing written agreements or court orders about parenting arrangements, child support, contact with a child, guardianship, and/or spousal support.
- If you have checked this option, attach a copy of the agreement(s) and/or order(s) and list them here:*

Relationship between the parties

7. The parties are:
Describe how you and the other party/parties are related for the purposes of this family law claim

8. The parties are or have been spouses (married or lived in a marriage-like relationship for at least 2 years)

Yes No

If yes, please complete all options below that apply to the parties

Date on which the parties began to live together in a marriage-like relationship: *[Date]*

Date of marriage: *[Date of marriage]*

Date of separation: *[Date of separation]*

Note: Spouses may be separated while continuing to live in the same residence

Identification of child(ren)

9. *Select only one of the options below and complete the required information*

My claim does not ask for any order(s) about a child or children.

My claim is asking for an order(s) about the following child or children:

Child's Full Legal Name	Child's Date of Birth	Child's Relationship to me	Child's Relationship to the other party/parties	Child is currently living with

10. I understand that I must consider the child(ren)'s best interests with respect to each order about the child I am asking the court to make. An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

SCHEDULE 1 – PARENTING ARRANGEMENTS – NEW

This is Schedule 1 to the Family Law Matter Claim

Complete this schedule only if you are a guardian making a new claim about parenting arrangements for a child or children identified in Section 9 of the claim.

Parenting arrangements include how each guardian will parent their child(ren) together, including each guardians' responsibilities for decision making about a child, and the time each guardian spends with a child.

1. I am:

a guardian of the child(ren)

A child's parents are most often the child's guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian, or under a will if the other parent dies.

applying to become a guardian of the child(ren)

A person who is not a parent can become a guardian by a court order or under a will.

Parenting time

During parenting time, a guardian has the parental responsibility of making day-to-day decisions affecting the child and having day-to-day care, control, and supervision of the child.

2. Select all options that apply and complete the required information

I do not need an order for parenting time because I am the only guardian of the following child(ren):

List the name(s) of each child you are the only guardian for

I am applying for the allocation of parenting time as follows:

I am asking for the child(ren) to spend time with me as follows:

Complete only if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my time with the child(ren):

I am asking for the child(ren) to spend time with the other guardian(s) as follows:

Complete only if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the other guardian's time with the child(ren):

Parenting responsibilities

Parental responsibilities can be set up so that they can be exercised by one or more guardians only, or by each guardian acting separately, or by all guardians acting together.

3. *Select all options that apply and complete the required information*

- I am asking for an order that gives me all parenting responsibilities of the child(ren) because I am the only guardian of the following child(ren):

List the name(s) of each child you are the only guardian for

- I am asking for the parenting responsibilities to be exercised by the guardians as follows:

4. I believe the parenting arrangements I am asking for are in the child(ren)'s best interests because:

SCHEDULE 2 – PARENTING ORDER/WRITTEN AGREEMENT – EXISTING

This is Schedule 2 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel all or part of an existing parenting order or filed agreement, or to set aside or replace all or part of a written agreement about the child or children identified in Section 9 of the claim.

1. I am:

- a guardian of the child(ren)
- applying to become a guardian of the child(ren)

2. I am attaching a copy of the existing parenting order or written agreement made on [date].

3. Since the order/written agreement was made, circumstances have changed as follows:

4. I am asking for the existing:

Select all options that apply

- parenting order or filed agreement to be:
 - changed (*provide details below*)
 - cancelled
- written agreement to be:
 - set aside
 - replaced (*provide details below*)

5. *Complete only if applicable. You may leave this section blank.*

- I am asking for the parenting time schedule to be changed as follows:

6. *Complete only if applicable. You may leave this section blank.*

- I am asking for the conditions on my parenting time or the other guardian's parenting time to be changed as follows:

7. Complete only if applicable. You may leave this section blank.

- I am asking for the parenting responsibilities (who makes certain decisions about the child(ren)) to be changed as follows:

8. I believe the order I am asking for about the existing parenting order or written agreement is in the child(ren)'s best interests because:

SCHEDULE 3 – CHILD SUPPORT – NEW

This is Schedule 3 to the Family Law Matter Claim

Complete this schedule only if you are making a new claim for child support and/or special and extraordinary expenses for the child or children identified in Section 9 of the claim.

1. I am:

- a parent or guardian of the child(ren)
- applying to become a guardian of the child(ren)
- other (*specify*):

2. The other party is:

- a parent or guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) [*for example, a step-parent*]
- other (*specify*):

3. The child(ren):

- live with me all the time
- live with the other party all the time
- live with me and the other party as follows:

- other (*specify*):

4. The current support arrangements are as follows:

5. *Select only one of the options below*

- I do not know the income of the other party.
- I believe the other party's annual income is \$.

6. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank.

7. I am asking for support to be paid by [name of paying party] in the amount set out in the child support guidelines table for the following child(ren) identified in Section 9 of this claim:
List the name(s) of each child you are asking for support for

8. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

9. Child support payments in this amount should start on [date] because:

10. *Select only one of the options below*

- The child(ren) are all under 19 years of age
- The following child(ren) are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full Legal Name of Child	Child's date of birth	Reason for child support <i>(illness, disability, student)</i>

11. *Complete only if applicable. You may leave this section blank.*

- I am the payor and the guideline amount payable would cause me undue hardship if I try to pay it because:
Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts
 - I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
 - I have high costs to be able to spend time with the child(ren)
 - I have a legal duty to support another person, such as a former spouse or a new spouse who is too ill or disabled to support themselves
 - I have a legal duty to support a dependent child from another relationship
 - other undue hardship circumstances (specify):

12. *Select only one of the options below*

- I am not making a claim for special and extraordinary expenses for the child(ren).
- I am asking for special and extraordinary expenses in accordance with section 7 of the child support guidelines. The following special or extraordinary expenses are included in my claim for child support:

Name of Child:				
Special and Extraordinary Expense	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

13. *Select only one of the options below*

- I have completed a Financial Statement in Form D because the following situation applies to my claim:
Select all options that apply
 - I am being asked to pay child support
 - split or shared parenting time
 - there is a child at or over 19 years old for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a complete financial statement

IMPORTANT NOTE TO THE OTHER PARTY:

This family law case includes a claim for support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 4 – CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 4 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel all or part of an existing child support order or filed agreement or to set aside or replace all or part of an existing written agreement about child support for the child or children identified in Section 9 of the claim.

1. The existing order or written agreement requires me to:
Select only one of the options below
 - make payments for child support
 - receive payments for support of a child
 - other (*specify*):

2. I am attaching a copy of the existing child support order or written agreement made on *[date]*

3. Since the child support order or written agreement was made, circumstances have changed as follows:
Select all options that apply and complete the required information
 - my financial situation has changed
 - I believe the other party's financial situation has changed
 - the special and extraordinary expenses for the child(ren) have changed as follows:

 - the child(ren)'s living arrangement(s) have changed as follows:

 - other changes (*specify*):

4. As of *[date]*, the amount of unpaid child support arrears was \$

5. *Complete only if there are arrears. Select only one of the options below.*
 - I am not asking to reduce the arrears.
 - I am asking to reduce the arrears to \$ because:

6. *Complete only if there are arrears.*

I am asking that the remaining arrears should be paid:

- at a rate of \$ per month
- in a lump sum
- other (*specify*):

7. I am asking for the existing

Select the options that apply

- child support order or filed agreement to be:
 - changed (*provide details below*)
 - cancelled
- written agreement to be:
 - set aside
 - replaced (*provide details below*)

Explain the changes you want to the order or filed agreement or what you want the existing written agreement to be replaced with

8. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

9. The new order about child support should start on *[date]* because:

10. *Select only one of the options below*

- I have completed a Financial Statement in Form D because the following situation applies to my claim:

Select all options that apply

 - I am being asked to pay child support
 - split or shared parenting time
 - there is a child at or over 19 years old for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me

- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a complete financial statement

IMPORTANT NOTE TO THE PARTIES:

If this family law case includes a claim to change an order or written agreement for support, you must provide financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 5 – CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Family Law Matter Claim

Complete this schedule only if you are not a guardian of the child or children and you are making a new claim about contact with the child or children identified in Section 9 of the claim.

Contact with a child is the time a child spends with a person who is not their guardian.

1. I am not a guardian of the child(ren).
2. I am asking for contact with the following child(ren) identified in Section 9 of this claim:
List the name(s) of each child you want to have contact with

3. I am asking for contact with the child(ren) as follows:
Select all options that apply and complete the required information

visits:
(Provide specific dates requested, or dates and times that would be most suitable)

- oral communication
- written communication
- other method of communication *(specify):*

Complete if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my contact with the child(ren):

4. I last had contact with the child(ren) on or around *[date]*
5. I believe the contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 –CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 6 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel an existing contact order or filed agreement or to set aside or replace an existing written agreement about a child or children identified in Section 9 of the claim.

1. I am:
- a person allowed to have contact with the child(ren) according to a court order or written agreement
 - a guardian of the child(ren)

2. I am attaching a copy of the existing contact order or written agreement made on *[date]*

3. Since the order/agreement was made, circumstances have changed as follows:

4. I am asking for the existing
Select the options that apply

- contact order or filed agreement to be:
 - changed
 - cancelled
- written agreement to be:
 - set aside
 - replaced (*provide details below*)

5. *Complete if applicable. You may leave this section blank.*

I am asking to change or replace the existing contact order or agreement as follows:

Select all options that apply

- no contact of any type
- visits:
(Provide specific dates requested, or dates and times that would be most suitable)

- oral communication
- written communication
- other method of communication (*specify*):

Complete if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the contact with the child(ren):

6. I believe the change(s) to the contact order/agreement I have requested is in the child(ren)'s best interests because:

SCHEDULE 7 – BECOME A GUARDIAN FOR A CHILD OR CHILDREN

This is Schedule 7 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to become a guardian for a child or children identified in Section 9 of the claim.

1. I am applying to become a guardian for the following child(ren) identified in Section 9 of this claim:
List the name(s) of each child you want to become a guardian of

2. *Select only one of the options below*
 - I have completed an Affidavit in Form 34 and I am filing it along with this claim.
 - I am not able to complete an Affidavit in Form 34 at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a complete affidavit.

SCHEDULE 8 – CANCEL GUARDIANSHIP OF A CHILD OR CHILDREN

This is Schedule 8 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to cancel the guardianship of a child or children identified in Section 9 of the claim.

1. I am applying for the following person(s) to no longer be the guardian(s) of the child or children:

Full Legal Name of Guardian	Name of child(ren)	They have been a guardian of the child(ren) since:

2. I am:
 a guardian of the child(ren)
 applying to become a guardian of the child(ren)

3. I believe it is in the child(ren)'s best interests to cancel the guardianship of the person(s) listed in paragraph 1 because:

SCHEDULE 9 – SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Family Law Matter Claim

Complete this schedule only if you are making a new claim about spousal support.

1. I believe myself or the other party is entitled to spousal support for the following reason(s):
Select all options that apply
- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
 - to share the financial consequences to caring for the children during the relationship, beyond the duty to provide support for the child
 - to relieve economic hardship of the spouses arising from the breakdown of the relationship
 - to help each spouse become financially independent within a reasonable period of time

2. The current support arrangements are as follows:

3. My current employment situation, training, health and ability to work are as follows:

4. *Select only one of the options below*
- I do not know the income of the other party
 - I believe the other party's annual income is \$

5. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank

6. I am asking for spousal support to be paid by *[name of paying party]* as follows:
Select all that apply and complete the required information
- in the amount of \$ per month to commence on *[date]* until *[date]*
 - in a lump sum of \$
 - other *(specify):*

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

8. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a claim for support. You must provide your financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 10 – SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Family Law Matter Claim

Complete this schedule only if you are making a claim to change or cancel an existing spousal support order or filed agreement or to set aside or replace an existing agreement about spousal support.

1. I am attaching a copy of the existing spousal support order or agreement made on *[date]*

2. Since the spousal support order or agreement was made, circumstances have changed as follows:
Select all options that apply and complete the required information
 - my financial situation has changed
 - I believe the other party's financial situation has changed
 - my employment, training, health and/or ability to work has changed as follows:

 - I believe the other party's employment, training, health and/or ability to work has changed as follows:

 - my household expenses have changed as follows:

 - other changes (specify):

3. As of *[date]*, the amount of unpaid spousal support arrears was \$ _____.

4. *Complete only if there are arrears. Select only one of the options below.*
 - I am not asking to reduce the arrears.
 - I am asking to reduce the arrears to \$ _____ because:

5. *Complete only if there are arrears*
I suggest the remaining arrears should be paid:
 - at a rate of \$ _____ per month
 - in a lump sum
 - other (*specify*):

6. I am asking for the existing

Select the options that apply

- spousal support order to be:
 - changed (*provide details below*)
 - cancelled
- agreement to be:
 - set aside
 - replaced (*provide details below*)

Explain the changes you want to the order or filed agreement or what you want the existing written agreement to be replaced with

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

8. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a claim about support. You must provide your financial information with your claim or reply to this claim by completing and filing a Financial Statement in Form D.

FORM D

Financial Statement

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

I, *[full name of party]*, *[occupation]* of *[address of party, city, province]*,

SWEAR OR AFFIRM THAT:

1. The information set out in this financial statement is true, to the best of my knowledge.
2. I have made complete disclosure in this financial statement of:
Select all options that apply
 - my income, including benefits and adjustments, if any, in Part 1
 - my expenses and debts, in Part 2
 - my assets, in Part 3
 - income of other person(s) in my household, in Part 4
 - undue hardship, in Part 5

Sworn or affirmed before me
at *[city]* British Columbia
on *[date]*

A Commissioner for taking Affidavits in British Columbia
[print name or affix stamp of commissioner]

Signature

PART 1 – Income

1. I am attaching a copy of each of the following documents to my financial statement:
- my tax return and related schedules for each of the three most recent taxation years; and
 - any notice of assessment and reassessment issued by the CRA for each of the three most recent taxation years.

2. Income Summary:

Total income before adjustments		
1	My total income last year as indicated at line 150 of my [year] tax return was	\$
Adjustments to total income (use annual amounts)		
2	Taxable child support received (line 128 of tax return)	\$
3	Spousal support received (line 128 of tax return)	\$
4	Universal Child Care Benefit (line 117 of tax return)	\$
5	Split-pension amount (line 116 of tax return)	\$
6	Employment expenses (line 212 and 229 of tax return)	\$
7	Social assistance received for other members of your household (portion of line 145 of tax return that applies to other members)	\$
8	Excess portion of dividends from taxable Canadian Corporations (line 120 of tax return minus total amount of dividends on T5)	\$
9	Actual business investment losses (line 228 of tax return)	\$
10	Carrying charges (line 221 of tax return)	\$
11	Partnership or sole proprietorship income (any amount included in your income that is required by the partnership or sole proprietorship for capitalization purposes)	\$
12	Total deductions from income (add lines 2 through 11)	\$
Additions		
13	Capital gains and capital losses (line 197 of Schedule 3 minus line 127 of tax return – if zero or less, indicate “0” in this line)	\$
14	Net self-employment income	\$
15	Capital cost allowance for property	\$
16	Employee stock options with Canadian-controlled private corporation	\$
17	Total additions to income (add lines 13 through 16)	\$
18	Annual income for support purposes (line 1 minus line 12 plus line 17)	\$

3. *Select only one of the options below*

- I do not expect any significant changes to the total income at line 150 of my tax return this year.
- I expect my total income at line 150 of my tax return this year to be \$ _____ because:

4. All of my sources of income and amounts of income per month are as follows:

Select and complete all that apply

- Employment income of \$ from [employer]
- Employment insurance benefits of \$
- Workers Compensation Benefits of \$
- Interest and investment income of \$
- Pension income of \$
- Government assistance income of \$ from [source]
- Self-employment income of \$
- Trust income of \$
- Other income of \$ from [source]

5. I am attaching proof of my year-to-date income from all sources, including my most recent:

Select and attach all that apply

- pay stub or statement of earnings, or a letter from my employer stating my salary and/or wages
- employment insurance benefit statement and record of employment
- workers' compensation benefit statement
- interest and investment statement
- pension income statement
- government assistance statement
- self-employment income for the last three taxation years, including:
 - (i) the financial statements of my business or professional practice, other than a partnership, and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom I do not deal at arm's length
- confirmation of income and draw from, and capital in, a partnership, including:
 - (i) the financial statements of the corporation and its subsidiaries, and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation, and every related corporation, does not deal at arm's length
- trust settlement agreement and the trust's three most recent financial statements
- Other (specify):

PART 2 – Personal expenses and debts

Expenses

An expense is the amount of money you spend on something.

Estimate how much you pay in a month and a year for each of the expenses listed below. Note: You may be asked to provide the court with proof of an amount or a breakdown of how you came to the estimate.

Expenses			Monthly	Yearly
Housing			\$	\$
	Monthly	Yearly		
Rent/Mortgage property taxes				
Property taxes and strata fees				
Utilities				
Homeowner/Renter's Insurance				
Home maintenance and repair				
Other				
Housing Subtotal:	\$	\$	→	
Food & Household supplies			\$	\$
	Monthly	Yearly		
Groceries				
Eating out				
Household supplies such as cleaning supplies, lightbulbs, batteries, toilet paper and laundry detergent				
Other				
Food & Household supplies Subtotal:	\$	\$	→	
Transportation			\$	\$
	Monthly	Yearly		
Car Insurance and car loan payments				
Fuel				
Maintenance and repairs				
Public Transit, taxis and parking				
Other				
Transportation Subtotal:	\$	\$	→	
Clothing & Self-care			\$	\$
Include clothing, hair dresser/barber and cosmetics				
Health & Medical			\$	\$
Include regular dental care, orthodontics, medicine, eye glasses or contact lenses				
Children			\$	\$
Include school activities, extracurricular activities, tuition/school fees, camps, baby sitting, allowances and daycare				
Miscellaneous/Other			\$	\$
Include gifts & donations, alcohol, tobacco & cannabis, entertainment & recreation, pet expenses and vacations				
Premiums, Contributions and Debt Repayment			\$	\$
Include life or term insurance premiums, RRSP or other contributions, debt repayment (for expenses not itemized above)				
Other (specify):			\$	\$
Total			\$	\$

PART 3 – Assets

Complete this part only if you are required to provide information about assets. See the chart in the instructions for this form to determine if this part applies to your situation.

An asset is something of value that you own or that belongs to you.

List all your assets in the table below, provide a brief description and how much the asset is currently worth (the value).

Asset	Description of the Asset	Current Value of Asset
Real Estate	<i>Street address</i>	<i>Market Value</i>
Cars/Boats/Vehicles	<i>Make, model, year</i>	<i>Market Value</i>
Cash assets (including cash and bank accounts)	<i>Type of cash asset (e.g. cash, savings account, chequing account)</i>	<i>Current Balance</i>
Investments (including TFSAs, RRSPs, stocks and bonds, pensions)	<i>Type of investment</i>	<i>Current Balance</i>
Loans and Credit (money owing to me)	<i>Name of borrower</i>	<i>Amount owing</i>
Other (including precious metals, art, jewelry or other items of high value)	<i>Brief description</i>	<i>Market Value</i>
Total		

DISPOSITION OF ASSETS

I have sold or disposed of an asset(s) in the last two years yes no

If yes, please describe the asset(s) you sold or disposed of and indicate how much you made from the sale or disposal

PART 4 – Income of Other Persons in Household

Complete this part only if you or the other party has made a claim for undue hardship in a child support claim. Complete all sections that apply to your circumstances.

- 1. I live alone.
- 2. I am living with [full legal name of person I am married to or cohabitating with]. They have an annual income of \$.

- 3. I/we live with the following other adult(s):

Full legal name of adult	Annual income

- 4. I/we have [number of children] child(ren) who live(s) in the home.
- 5. My spouse/partner or other adult(s) residing in the home contributes about \$ per [frequency of contribution(s)] towards the household expenses.

PART 5 – Undue Hardship

Complete this part only if you have made a claim for undue hardship in a child support claim.
Select all sections that apply and complete the required information.

1. I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living as follows:

Name of creditor and reason for borrowing (name of bank, finance company, etc)	Balance owing	Annual debt repayment

2. I have high costs to be able to spend time with the child(ren).
Specify below

3. I have a legal duty to support another person, such as a former spouse, or a new spouse who is too ill or disabled to support themselves.

Full legal name of adult you support	Monthly amount paid for support	Annual amount paid for support

4. I have a legal duty to support a dependant child from another relationship

Full legal name of dependant you support	Monthly amount paid for support	Annual amount paid for support

5. other undue hardship circumstances (specify):

FORM E

Certificate of Service

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:
Court File Number:

I certify that

I,
served
on
at

with the following document(s):

Select all options that apply.
Attach a copy of each document you have selected below (except the blank reply) to this Certificate of Service.

- Family Law Matter Claim
Financial Statement
Affidavit Form 34
Blank Reply
Application for Case Management Order
Application about a Protection Order
Application about Extraordinary Parenting Matter
Order
Reply to a counterclaim
Application for Order Prohibiting the Relocation of a Child
Application for Enforcement
Application for Review
Notice of Intention to Proceed
Other (list any additional document(s) that you served here):

by:

Select the appropriate option for how you served the other party with the document(s)
Personal service (Family Law Matter Claim and Application about a Protection Order can only be served this way)
leaving a copy of the document(s) with the person
other service method ordered by the Court (specify the method or instructions you followed as ordered by the Court):

Service to address for delivery (This method of service is not allowed for a Family Law Matter Claim or Application about a Protection Order)

- leaving a copy of the document(s) at the person's address for delivery
mailing the document(s) by ordinary mail to the person's address for delivery on [Date]
Note: The date the document(s) were served (above) is 14 days after this date.
mailing the document(s) by registered mail to the person's address for delivery
Note: The date the document(s) were served (above) is the date the document(s) were confirmed to have been delivered by Canada Post. Attach a copy of the delivery confirmation from Canada Post.
emailing the document(s) to the person's email address for delivery
faxing the document(s) to the person's fax number for delivery
other service method ordered by the Court (specify the method or instructions you followed as ordered by the Court):

Signature of the person who served the document

Date of Signature

FORM F

Reply to a Family Law Matter Claim

Registry location:	
Court File Number:	

With Counterclaim

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Information about the parties

- The Family Law Matter Claim was started by [full name of the other party]. They are the other party in this family law case.
- My name is [full name of party]. My contact information and address for delivery of court documents is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

- Select only one of the options below
 - The claim does not ask for any order(s) about a child or children (skip ahead to section 5)
 - The other party correctly provided the name and date of birth of each child involved in the claim
 - The following is the correct name and date of birth of each child involved in the claim:
If you have selected this option, please provide the names and date of birth of ALL the children.

Child's Full Legal Name	Child's Date of Birth

- I understand that I must consider the child(ren)'s best interests with respect to each order about the child I am asking the court to make. An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

Existing written agreements or court orders

- Select only one of the options below
 - I agree there is no existing agreement or court order about guardianship, parenting arrangements, contact with a child or child support
 - I agree there are existing agreements or court orders about guardianship, parenting arrangements, contact with a child, child support and/or spousal support and the other party has identified all of them
 - The additional existing agreements or court orders about guardianship, parenting arrangements, contact with a child, child support and/or spousal support were not provided by the other party with their claim
If you have checked this option, attach a copy of the agreement(s) and/or order(s) and list them here:

Early Resolution Requirements

6. I have met the following early resolution requirements:

The requirements have been met if you attended at, participated in, or if you were granted an exemption from attending or participating. Select all that apply.

- needs assessment
- parenting education program
- consensual dispute resolution

Replying to the Other Party

Agreement with Claim(s)

7. I agree with the following order(s) asked for by the other party:

Refer to the Family Law Matter Claim schedules as referenced below to assist in completing this section.

Select all options that apply

Parenting Arrangements

Parenting – new *[see Schedule 1 of Family Law Matter Claim]*

- parenting time
- conditions on parenting time
- parenting responsibilities

Parenting order/written agreement – existing *[see Schedule 2 of Family Law Matter Claim]*

- change to parenting time
- change to conditions on parenting time
- change to parenting responsibilities

Child Support

- child support – new *[see Schedule 3 of Family Law Matter Claim]*
- child support order/written agreement - existing *[see Schedule 4 of Family Law Matter Claim]*

Contact

- contact with a child – new *[see Schedule 5 of Family Law Matter Claim]*
- contact order/written agreement – existing *[see Schedule 6 of Family Law Matter Claim]*

Guardianship

- become a guardian *[see Schedule 7 of Family Law Matter Claim]*
- cancel guardianship *[see Schedule 8 of Family Law Matter Claim]*

Spousal Support

- spousal support – new *[see Schedule 9 of Claim]*
- spousal support order/written agreement – existing *[see Schedule 10 of Family Law Matter Claim]*

Disagreement with Claim(s)

8. **I do not agree, to all or part, of the following order(s) asked for by the other party:**
*Refer to the Family Law Matter Claim schedules to assist in completing this section.
Select all options that apply, complete and attach the required schedule(s).*

Parenting Arrangements

Parenting – new *[Complete and attach Schedule 1]*

- parenting time
- conditions on parenting time
- parenting responsibilities

Parenting order/written agreement – existing *[Complete and attach Schedule 2]*

- change to parenting time
- change to conditions on parenting time
- change to parenting responsibilities

Child Support

- child support – new *[Complete and attach Schedule 3]*
- child support order/written agreement – existing *[Complete and attach Schedule 4]*

Contact

- contact with a child – new *[Complete and attach Schedule 5]*
- contact order/written agreement – existing *[complete and attach Schedule 6]*

Guardianship

- become a guardian *[Complete and attach Schedule 7]*
- cancel guardianship *[Complete and attach Schedule 8]*

Spousal Support

- spousal support – new *[Complete and attach Schedule 9]*
- spousal support order/written agreement – existing *[Complete and attach Schedule 10]*

IMPORTANT NOTE:

If this family law case includes a claim for support, you must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

Making a Counterclaim

Complete this section only if, in addition to replying to the other party's claim, you want to ask for an order about a family law matter that the other party did not claim in section 5 of their Family Law Matter Claim.

9. I am asking for a court order about the following family law matter(s):
Select all options that apply, complete and attach the required schedule(s)

Parenting

- parenting arrangements – new [Complete and attach Schedule 11]
- parenting order/written agreement – existing [Complete and attach Schedule 12]

Child Support

- child support – new [Complete and attach Schedule 13]
- child support order/written agreement – existing [Complete and attach Schedule 14]

Contact

- contact with a child – new [Complete and attach Schedule 15]
- contact order/written agreement – existing [Complete and attach Schedule 16]

Guardianship

- become a guardian [Complete and attach Schedule 17]
- cancel guardianship [Complete and attach Schedule 18]

Spousal Support

- spousal support - new [Complete and attach Schedule 19]
- spousal support order/written agreement – existing [Complete and attach Schedule 20]

Identification of child(ren)

10. Select only one of the options below and complete the required information

- My counterclaim does not ask for any order(s) about a child or children.
- My counterclaim is asking for an order(s) about the following child or children:

Child's Full Legal Name	Child's Date of Birth	Child's Relationship to me	Child's Relationship to the other party/parties	Child is currently living with

11. I understand that I must consider the child(ren)'s best interests with respect to each order about the child I am asking the court to make. An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

Notice to the other party:

If the reply includes a counterclaim, you may reply to the counterclaim by filing a Reply to a Counterclaim in Form G, and any additional documents that may be required to be filed, within 14 days after the date you receive the reply with counterclaim.

SCHEDULE 1 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – NEW

This is Schedule 1 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about parenting arrangements for the child or children. The orders they asked for about parenting arrangements can be found in Schedule 1 of their Family Law Matter Claim.

1. I do not agree, to all or part, of the following parenting arrangement order(s) asked for by the other party:

Select all options that apply and complete the required part(s)

- parenting time schedule *(Complete Part 1 of this schedule)*
- conditions on parenting time *(Complete Part 2 of this schedule)*
- parenting responsibilities *(Complete Part 3 of this schedule)*

SCHEDULE 1 PART 1 – Reply to a Claim – Parenting time schedule

Complete this part only if you are disagreeing with a claim about the parenting time schedule requested by the other party.

1. I do not agree with the requested parenting time schedule because:

2. I am asking for the parenting time schedule to be as follows:

3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

SCHEDULE 1 PART 2 – Reply to a Claim – Conditions on Parenting time

Complete this part only if you are disagreeing with a claim about the conditions on parenting time requested by the other party.

1. I do not agree with the requested conditions on my parenting time or the other guardian’s parenting time because:

2. I am asking for the conditions on my parenting time or the other guardian’s parenting time to be as follows:

3. I believe the conditions I have asked for on parenting time are in the child(ren)’s best interests because:

SCHEDULE 1 PART 3 – Reply to a Claim – Parenting Responsibilities

Complete this part only if you are disagreeing with a claim about parenting responsibilities requested by the other party.

1. I do not agree with the requested allocation of parenting responsibilities because:

2. I am asking for the parenting responsibilities to be exercised by the guardians as follows:

3. I believe the parenting responsibilities I am asking for are in the child(ren)’s best interests because:

SCHEDULE 2 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS – EXISTING

This is Schedule 2 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing parenting order or filed agreement, or to set aside or replace a written agreement about parenting arrangements for the child or children. The orders they asked for about parenting arrangements can be found in Schedule 2 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the parenting order or written agreement was made
- There has been no change in circumstances since the parenting order or written agreement was made

2. I do not agree with the requested changes to the parenting order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing parenting order or written agreement to continue to be in place
- I am asking to change the parenting order or written agreement as follows:

4. I believe the parenting arrangements I am asking for are in the child(ren)'s best interests because:

SCHEDULE 3 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – NEW

This is Schedule 3 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about child support. The orders they asked for about child support can be found in Schedule 3 of their Family Law Matter Claim.

1. I am:
- a parent to the child(ren)
 - a person standing in the place of a parent to the child(ren) *[for example, a step-parent]*
 - not a parent of the child(ren)
 - I request a parentage test *(Check only if applicable)*
 - not a person standing in the place of a parent to the child(ren)

2. I do not agree with the amount of child support requested by the other party because:
Select all options that apply and complete the required information

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

Explain below.

- I believe the special and extraordinary expenses are not what the other party claims they are.

Explain below.

- the children do not live with the other party at all
- the living arrangements for the child(ren) are not as described and the child(ren) live with me at least 40% of the time

Describe the child(ren)'s living arrangements below

- the amount would cause me undue hardship if I try to pay it because:
Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have high costs to be able to spend time with the child(ren)
- I have a legal duty to support another person, such as a former spouse or a new spouse who is too ill or disabled to support themselves
- I have a legal duty to support a dependent child from another relationship

other undue hardship circumstances (*specify*):

other reasons (*specify*):

3. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations

IMPORTANT NOTE:

This family law case includes a claim for support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 4 – REPLY TO A CLAIM ABOUT CHILD SUPPORT – EXISTING

This is Schedule 4 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing child support order or filed agreement, or to set aside or replace an existing written agreement about child support. The orders they asked for about child support can be found in Schedule 4 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the child support order or written agreement was made
- There has been no change in circumstances since the child support order or written agreement was made

2. I do not agree with the requested changes to the child support order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing child support order or written agreement to continue to be in place
- I am asking to change the child support order or written agreement as follows:

4. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

5. *Select only one of the options below*

- I agree that the amount of arrears in the claim is correct
- The amount of arrears in the claim is not correct. As of [date], the amount of unpaid child support arrears was \$

IMPORTANT NOTE:

This family law case includes a claim to change an existing order or written agreement for support. You must provide updated financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 5 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about contact with a child or children. The orders they asked for about contact can be found in Schedule 5 of their Family Law Matter Claim.

1. I do not agree that the other party should have contact with the child(ren) as the other party requested. Instead, I ask that the other party's contact be as follows:

Select all options that apply and complete the required information

no contact of any type

visits:

(Provide specific dates requested, or dates and times that would be most suitable)

oral communication

written communication

other method of communication *(specify):*

Complete if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the contact with the child(ren):

2. I believe the contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 – REPLY TO A CLAIM ABOUT CONTACT WITH A CHILD – EXISTING

This is Schedule 6 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing contact order or filed agreement or to set aside or replace an existing written agreement about contact with a child or children. The orders they asked for about contact can be found in Schedule 6 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the contact order or written agreement was made
- There has been no change in circumstances since the contact order or written agreement was made

2. I do not agree with the requested changes to the contact order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing contact order or written agreement to continue to be in place
- I am asking to change the contact order or written agreement as follows:

4. I believe the contact I am asking for is in the child(ren)'s best interests because:

SCHEDULE 7 – REPLY TO A CLAIM ABOUT BECOMING A GUARDIAN

This is Schedule 7 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to become a guardian. The orders they asked for about guardianship can be found in Schedule 7 of their Family Law Matter Claim.

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian because:
Select all options that apply and complete the required information

the other party is not able to be a guardian

the other party is not suitable to be a guardian

other reason(s) (specify):

SCHEDULE 8 – REPLY TO A CLAIM ABOUT TERMINATING GUARDIANSHIP

This is Schedule 8 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to cancel guardianship. The orders they asked for about cancelling guardianship can be found in Schedule 8 of their Family Law Matter Claim.

1. Do not cancel guardianship of the child(ren) as requested because:

Select all options that apply and complete the required information

the guardian is able and willing to be a guardian

the guardian is suitable to be a guardian

the guardian does not consent to cancellation of their guardianship

other reason(s) (specify):

2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:

SCHEDULE 9 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a new claim by the other party about spousal support. The orders they asked for about spousal support can be found in Schedule 9 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the spousal support order requested by the other party because:

Select all options that apply and complete the required information

- I do not believe the other party is entitled to spousal support

Explain below

- my income is not what the other party claims it is
- my employment, training, health and ability to work is not what the other party claims it is

Explain below.

- the other party's financial situation is not what they claim it is

Explain below

- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

Explain below.

- the other party's expenses are not what they claim them to be

Explain below

- other reasons (specify):

3. The amount of spousal support that I believe should be paid is:
Check any applicable box(es) and complete the required information
- in the amount of \$ per month to commence on *[date]* until *[date]*
 - in a lump sum of \$
 - other *(specify)*:
4. *Select only one of the options below*
- I am attaching calculations showing how much spousal support I believe should be paid
 - I am not attaching calculations
5. *Select only one of the options below*
- I have completed a Financial Statement in Form D
 - I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

IMPORTANT NOTE:

This family law case includes a claim for support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 10 – REPLY TO A CLAIM ABOUT SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Reply to a Family Law Matter

This schedule must be completed only if you are disagreeing with a claim by the other party to change or cancel an existing spousal support order or filed agreement or to set aside or replace an existing written agreement. The orders they asked for about spousal support can be found in Schedule 10 of their Family Law Matter Claim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the spousal support order or agreement was made
- There has been no change in circumstances since the spousal support order or agreement was made

2. *Select only one of the options below*

- I agree that the amount of arrears in the claim is correct
- The amount of arrears in the claim is not correct. As of *[date]*, the amount of unpaid spousal support arrears was \$

3. I do not agree with the requested changes to the spousal support order or agreement because:

4. *Select only one of the options below*

- I am asking for the existing spousal support order or agreement to continue to be in place
- I am asking to change the spousal support order or agreement as follows:

5. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

6. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

IMPORTANT NOTE:

This family law case includes a claim to change an order or agreement for support. You must provide updated financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 11 – COUNTERCLAIM PARENTING ARRANGEMENTS – NEW

This is Schedule 11 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are a guardian making a new counterclaim about parenting arrangements for a child or children identified in Section 10 of the reply with counterclaim.

Parenting arrangements include how each guardian will parent their child(ren) together, including each guardians' responsibilities for decision making about a child, and the time each guardian spends with a child.

1. I am:

a guardian of the child(ren)

A child's parents are most often the child's guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian, or under a will if the other parent dies.

applying to become a guardian of the child(ren)

A person who is not a parent can become a guardian by a court order or under a will.

Parenting time

During parenting time, a guardian has the parental responsibility of making day-to-day decisions affecting the child and having day-to-day care, control, and supervision of the child.

2. *Select all options that apply and complete the required information*

I do not need an order for parenting time because I am the only guardian of the following child(ren):

List the name(s) of each child you are the only guardian for

I am applying for the allocation of parenting time as follows:

I want the child(ren) to spend time with me as follows:

Complete only if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my time with the child(ren):

I am asking for the child(ren) to spend time with the other guardian(s) as follows:

Complete only if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the other guardian's time with the child(ren):

Parenting responsibilities

Parental responsibilities can be set up so that they can be exercised by one or more guardians only, or by each guardian acting separately, or by all guardians acting together.

3. *Select all options that apply and complete the required information*

- I am asking for an order that gives me all parenting responsibilities of the child(ren) because I am the only guardian of the following child(ren):

List the name(s) of each child you are the only guardian for

- I am asking for the parenting responsibilities to be exercised by the guardians as follows:

4. I believe the parenting arrangements I am asking for are in the child(ren)'s best interests because:

SCHEDULE 12 – COUNTERCLAIM PARENTING ORDER/WRITTEN AGREEMENT – EXISTING

This is Schedule 12 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel all or part of an existing parenting order or filed agreement, or to set aside or replace all or part of a written agreement about the child or children identified in Section 10 of the reply with counterclaim.

1. I am:

- a guardian of the child(ren)
- applying to become a guardian of the child(ren)

2. I am attaching a copy of the existing parenting order or written agreement made on *[date]*.

3. Since the order/written agreement was made, circumstances have changed as follows:

4. I am asking for the existing:

Select all options that apply

- parenting order or filed agreement to be:
 - changed *(provide details below)*
 - cancelled
- written agreement to be:
 - set aside
 - replaced *(provide details below)*

5. *Complete only if applicable. You may leave this section blank.*

I am asking for the parenting time schedule to be changed as follows:

6. *Complete only if applicable. You may leave this section blank.*

I am asking for the conditions on my parenting time or the other guardian's parenting time to be changed as follows:

7. Complete only if applicable. You may leave this section blank.

- I am asking for the parenting responsibilities (who makes certain decisions about the child(ren)) to be changed as follows:

8. I believe the order I am asking for about the existing parenting order or written agreement is in the child(ren)'s best interests because:

SCHEDULE 13 – COUNTERCLAIM CHILD SUPPORT – NEW

This is Schedule 13 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a new counterclaim for child support and/or special and extraordinary expenses for the child or children identified in Section 10 of the reply with counterclaim.

1. I am:

- a parent or guardian of the child(ren)
- applying to become a guardian of the child(ren)
- other (*specify*):

2. The other party is:

- a parent or guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) [*for example, a step-parent*]
- other (*specify*):

3. The child(ren):

- live with me all the time
- live with the other party all the time
- live with me and the other party as follows:

- other (*specify*):

4. The current support arrangements are as follows:

5. *Select only one of the options below*

- I do not know the income of the other party.
- I believe the other party's annual income is \$.

6. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank.

7. I am asking for support to be paid by *[name of paying party]* in the amount set out in the child support guidelines table for the following child(ren) identified in section 9 of this reply with counterclaim:
List the name(s) of each child you are asking for support for

8. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

9. Child support payments in this amount should start on *[date]* because:

10. *Select only one of the options below*

- The child(ren) are all under 19 years of age
- The following child(ren) are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full Legal Name of Child	Child's date of birth	Reason for child support <i>(illness, disability, student)</i>

11. *Complete only if applicable. You may leave this section blank.*

- I am the payor and the guideline amount payable would cause me undue hardship if I try to pay it because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have high costs to be able to spend time with the child(ren)
- I have a legal duty to support another person, such as a former spouse or a new spouse who is too ill or disabled to support themselves
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances (specify):

12. *Select only one of the options below*

- I am not making a claim for special and extraordinary expenses for the child(ren).
- I am asking for special and extraordinary expenses in accordance with section 7 of the child support guidelines. The following special or extraordinary expenses are included in my claim for child support:

Name of Child:				
Special and Extraordinary Expenses	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

13. *Select only one of the options below*

- I have completed a Financial Statement in Form D because the following situation applies to my claim:
Select all options that apply
 - I am being asked to pay child support
 - split or shared parenting time
 - there is a child at or over 19 years old for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a complete financial statement

IMPORTANT NOTE TO THE OTHER PARTY:

This family law case includes a counterclaim for support. You must provide your financial information with your reply to this claim by completing and filing a Financial Statement in Form D.

SCHEDULE 14 – COUNTERCLAIM CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 14 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel all or part of an existing child support order or filed agreement or to set aside or replace all or part of an existing written agreement about child support for the child or children identified in Section 10 of the reply with counterclaim.

1. The existing order or written agreement requires me to:
Select only one of the options below
 - make payments for child support
 - receive payments for support of a child
 - other (*specify*):

2. I am attaching a copy of the existing child support order or written agreement made on *[date]*

3. Since the child support order or written agreement was made, circumstances have changed as follows:
Select all options that apply and complete the required information
 - my financial situation has changed
 - I believe the other party's financial situation has changed
 - the special and extraordinary expenses for the child(ren) have changed as follows:

 - the child(ren)'s living arrangement(s) have changed as follows:

 - other changes (*specify*):

4. As of *[date]*, the amount of unpaid child support arrears was \$

5. *Complete only if there are arrears. Select only one of the options below.*
 - I am not asking to reduce the arrears.
 - I am asking to reduce the arrears to \$ _____ because:

6. Complete only if there are arrears.

I am asking that the remaining arrears should be paid:

- at a rate of \$ per month
- in a lump sum
- other (specify):

7. I am asking for the existing

Select the options that apply

- child support order or filed agreement to be:
 - changed (provide details below)
 - cancelled
- written agreement to be:
 - set aside
 - replaced (provide details below)

Explain the changes you want to the order or filed agreement or what you want the existing written agreement to be replaced with

8. Select only one of the options below

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

9. The new order about child support should start on [date] because:

10. Select only one of the options below

- I have completed a Financial Statement in Form D because the following situation applies to my claim:

Select all options that apply

 - I am being asked to pay child support
 - split or shared parenting time
 - there is a child at or over 19 years old for whom support is claimed
 - a party has been acting as a parent to a child of the other party
 - the paying parent earns more than \$150,000 per year
 - special or extraordinary expenses are being claimed for a child
 - I am claiming undue hardship
- I am not required to file a financial statement at this time as none of these situations apply to me

- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this claim be filed without a complete financial statement

IMPORTANT NOTE TO THE PARTIES:

If this family law case includes a counterclaim to change an order or written agreement for support, you must provide financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form D.

SCHEDULE 15 – COUNTERCLAIM CONTACT WITH A CHILD – NEW

This is Schedule 15 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are not a guardian of the child or children and you are making a new counterclaim about contact with the child or children identified in Section 10 of the reply with counterclaim. Contact with a child is the time a child spends with a person who is not their guardian.

1. I am not a guardian of the child(ren).
2. I am asking for contact with the following child(ren) identified in Section 10 of this reply with counterclaim:
List the name(s) of each child you want to have contact with

3. I am asking for contact with the child(ren) as follows:
Select all options that apply and complete the required information

visits:
(Provide specific dates requested, or dates and times that would be most suitable)

- oral communication
- written communication
- other method of communication *(specify):*

Complete if applicable. You may leave this section blank.

I am willing to have the following conditions placed on my contact with the child(ren):

4. I last had contact with the child(ren) on or around *[date]*
5. I believe the contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 16 – COUNTERCLAIM CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING

This is Schedule 16 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a claim to change or cancel an existing contact order or filed written agreement or to set aside or replace an existing written agreement about a child or children identified in Section 10 of the reply with counterclaim.

1. I am:
- a person allowed to have contact with the child(ren) according to a court order or written agreement
 - a guardian of the child(ren)

2. I am attaching a copy of the existing contact order or written agreement made on *[date]*

3. Since the order/agreement was made, circumstances have changed as follows:

4. I am asking for the existing
Select the options that apply

- contact order or filed agreement to be:
 - changed
 - cancelled
- written agreement to be:
 - set aside
 - replaced (*provide details below*)

5. *Complete if applicable. You may leave this section blank.*

I want to change or replace the existing contact order or agreement as follows:

Select all options that apply

- no contact of any type
- visits:
(Provide specific dates requested, or dates and times that would be most suitable)

- oral communication
- written communication
- other method of communication (*specify*):

Complete if applicable. You may leave this section blank.

I am asking to have the following conditions placed on the contact with the child(ren):

6. I believe the change(s) to the contact order/agreement I have requested is in the child(ren)'s best interests because:

SCHEDULE 17 – COUNTERCLAIM TO BECOME A GUARDIAN FOR A CHILD OR CHILDREN

This is Schedule 17 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to become a guardian for a child or children identified in Section 10 of the reply with counterclaim.

1. I am applying to become a guardian for the following child(ren) identified in Section 10 of the reply with counterclaim:

List the name(s) of each child you want to become a guardian of

2. *Select only one of the options below*

- I have completed an Affidavit in Form 34 and I am filing it along with this counterclaim.
 I am not able to complete an Affidavit in Form 34 at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this counterclaim be filed without a complete affidavit.

SCHEDULE 18 – COUNTERCLAIM TO CANCEL GUARDIANSHIP OF A CHILD OR CHILDREN

This is Schedule 18 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to cancel the guardianship of a child or children identified in Section 10 of the reply with counterclaim.

1. I am applying for the following person(s) to no longer be the guardian(s) of the child or children:

Full Legal Name of Guardian	Name of child(ren)	They have been a guardian of the child(ren) since:

2. I am:
- a guardian of the child(ren)
 - applying to become a guardian of the child(ren)
3. I believe it is in the child(ren)'s best interests to cancel the guardianship of the person(s) listed in paragraph 1 because:

SCHEDULE 19 – COUNTERCLAIM SPOUSAL SUPPORT – NEW

This is Schedule 19 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a new counterclaim about spousal support.

1. I believe myself or the other party is entitled to spousal support for the following reason(s):
Select all options that apply
- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
 - to share the financial consequences to caring for the children during the relationship, beyond the duty to provide support for the child
 - to relieve economic hardship of the spouses arising from the breakdown of the relationship
 - to help each spouse become financially independent within a reasonable period of time

2. The current support arrangements are as follows:

3. My current employment situation, training, health and ability to work are as follows:

4. *Select only one of the options below*
- I do not know the income of the other party
 - I believe the other party's annual income is \$

5. I know the following facts about the other party's employment, training, health and ability to work:
If you do not have any information, please leave this section blank

6. I am asking for spousal support from the other party as follows:
Select all that apply and complete the required information
- in the amount of \$ per month to commence on *[date]* until *[date]*
 - in a lump sum of \$
 - other (*specify*):

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

8. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this counterclaim be filed without a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a counterclaim for support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form D.

SCHEDULE 20 – COUNTERCLAIM SPOUSAL SUPPORT – EXISTING

This is Schedule 20 to the Reply to a Family Law Matter with Counterclaim

Complete this schedule only if you are making a counterclaim to change or cancel an existing spousal support order or filed agreement or to set aside or replace an existing agreement about spousal support.

1. I am attaching a copy of the existing spousal support order or agreement made on *[date]*

2. Since the spousal support order or agreement was made, circumstances have changed as follows:
Select all options that apply and complete the required information
 - my financial situation has changed
 - I believe the other party's financial situation has changed
 - my employment, training, health and/or ability to work has changed as follows:

 - I believe the other party's employment, training, health and/or ability to work has changed as follows:

 - my household expenses have changed as follows:

 - other changes (specify):

3. As of *[date]*, the amount of unpaid spousal support arrears was \$ _____.

4. *Complete only if there are arrears. Select only one of the options below.*
 - I am not asking to reduce the arrears.
 - I am asking to reduce the arrears to \$ _____ because:

5. *Complete only if there are arrears*
I suggest the remaining arrears should be paid:
 - at a rate of \$ _____ per month
 - in a lump sum
 - other (specify):

6. I am asking for the existing

Select the options that apply

- spousal support order to be:
 - changed (*provide details below*)
 - cancelled
- agreement to be:
 - set aside
 - replaced (*provide details below*)

Explain the changes you want to the order or filed agreement or what you want the existing written agreement to be replaced with

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

8. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this counterclaim be filed without a completed financial statement

IMPORTANT NOTE TO THE PARTIES:

This family law case includes a counterclaim about support. You must provide your financial information with your counterclaim or reply to this counterclaim by completing and filing a Financial Statement in Form D.

FORM G

Reply to a Counterclaim

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. I am replying to the counterclaim made by *[full name of other party]*.

Replying to the Other Party's Counterclaim

2. I agree with the following order(s) asked for by the other party:

Refer to the Reply to a Family Law Matter with Counterclaim schedules as referenced below to assist in completing this section.

Select all options that apply

Parenting Arrangements

Parenting – new *[see Schedule 11 of Counterclaim]*

- parenting time
- conditions on parenting time
- parenting responsibilities

Parenting order/written agreement – existing *[see Schedule 12 of Counterclaim]*

- change to parenting time
- change to conditions on parenting time
- change to parenting responsibilities

Child Support

- child support – new *[see Schedule 13 of Counterclaim]*
- child support order/written agreement – existing *[see Schedule 14 of Counterclaim]*

Contact

- contact with a child - new *[see schedule 15 of Counterclaim]*
- contact order/written agreement – existing *[see Schedule 16 of Counterclaim]*

Guardianship

- become a guardian *[see Schedule 17 of Counterclaim]*
- terminate guardianship *[see Schedule 18 of Counterclaim]*

Spousal Support

- spousal support – new *[see Schedule 19 of Counterclaim]*
- spousal support order/written agreement – existing *[see Schedule 20 of Counterclaim]*

3. **I do not agree, to all or part, of the following order(s) asked for by the other party:**
Refer to the Reply to a Family Law Matter with Counterclaim schedules to assist in completing this section. Select all options that apply, complete and attach the required schedule(s).

Parenting Arrangements

Parenting – new *[Complete and attach Schedule 1]*

- parenting time
- conditions on parenting time
- parenting responsibilities

Parenting order/written agreement – existing *[Complete and attach Schedule 2]*

- change to parenting time
- change to conditions on parenting time
- change to parenting responsibilities

Child Support

- child support – new *[Complete and attach Schedule 3]*
- child support order/written agreement – existing *[Complete and attach Schedule 4]*

Contact

- contact with a child – new *[Complete and attach Schedule 5]*
- contact order/written agreement – existing *[complete and attach Schedule 6]*

Guardianship

- become a guardian *[Complete and attach Schedule 7]*
- terminate guardianship *[Complete and attach Schedule 8]*

Spousal Support

- spousal support - new *[Complete and attach Schedule 9]*
- spousal support order/written agreement – existing *[Complete and attach Schedule 10]*

IMPORTANT NOTE: If this family law case includes a counterclaim for support, you must provide your financial information with this reply, as required by the instructions on the financial statement, by completing and filing a Financial Statement in Form D.

SCHEDULE 1 – REPLY TO A CLAIM ABOUT PARENTING ARRANGEMENTS - NEW

This is Schedule 1 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about parenting arrangements for the child or children. The orders they asked for about parenting arrangements can be found in Schedule 11 of their Reply to a Family Law Matter with Counterclaim.

1. I do not agree, to all or part, of the following parenting arrangement order(s) asked for by the other party:
Select all options that apply and complete the required part(s)
- parenting time schedule *(Complete Part 1 of this schedule)*
 - conditions on parenting time *(Complete Part 2 of this schedule)*
 - parenting responsibilities *(Complete Part 3 of this schedule)*

SCHEDULE 1 PART 1 – Reply to a Counterclaim – Parenting time schedule

Complete this part only if you are disagreeing with a counterclaim about the parenting time schedule requested by the other party.

1. I do not agree with the requested parenting time schedule because:

2. I am asking for the parenting time schedule to be as follows:

3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

SCHEDULE 1 PART 2 – Reply to a Counterclaim – Conditions on Parenting time

Complete this part only if you are disagreeing with a counterclaim about the conditions on parenting time requested by the other party.

1. I do not agree with the requested conditions on my parenting time or the other guardian’s parenting time because:

2. I am asking for the conditions on my parenting time or the other guardian’s parenting time to be as follows:

3. I believe the conditions I have asked for on parenting time are in the child(ren)’s best interests because:

SCHEDULE 1 PART 3 – Reply to a Counterclaim – Parenting Responsibilities

Complete this part only if you are disagreeing with a counterclaim about parenting responsibilities requested by the other party.

1. I do not agree with the requested allocation of parenting responsibilities because:

2. I am asking for the parenting responsibilities to be exercised by the guardians as follows:

3. I believe the parenting responsibilities I am asking for are in the child(ren)’s best interests because:

SCHEDULE 2 – REPLY TO A COUNTERCLAIM ABOUT PARENTING ARRANGEMENTS – EXISTING

This is Schedule 2 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing parenting order or filed agreement, or to set aside or replace a written agreement about parenting arrangements for the child or children. The orders they asked for about parenting arrangements can be found in Schedule 12 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the parenting order or written agreement was made
- There has been no change in circumstances since the parenting order or written agreement was made

2. I do not agree with the requested changes to the parenting order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing parenting order or written agreement to continue to be in place
- I am asking to change the parenting order or written agreement as follows:

4. I believe the parenting arrangements I am asking for are in the child(ren)'s best interests because:

SCHEDULE 3 – REPLY TO A COUNTERCLAIM ABOUT CHILD SUPPORT – NEW

This is Schedule 3 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about child support. The orders they asked for about child support can be found in Schedule 13 of their Reply to a Family Law Matter with Counterclaim.

1. I am:

- a parent to the child(ren)
- a person standing in the place of a parent to the child(ren) *[for example, a step-parent]*
- not a parent of the child(ren)
 - I request a parentage test *(Check only if applicable)*
- not a person standing in the place of a parent to the child(ren)

2. I do not agree with the amount of child support requested by the other party because:

Select all options that apply and complete the required information

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

Explain below.

- I believe the special and extraordinary expenses are not what the other party claims they are.

Explain below.

- the children do not live with the other party at all
- the living arrangements for the child(ren) are not as described and the child(ren) live with me at least 40% of the time

Describe the child(ren)'s living arrangements below

- the amount would cause me undue hardship if I try to pay it because:

Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have high costs to be able to spend time with the child(ren)
- I have a legal duty to support another person, such as a former spouse or a new spouse who is too ill or disabled to support themselves
- I have a legal duty to support a dependent child from another relationship

other undue hardship circumstances (*specify*):

other reasons (*specify*):

3. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations

IMPORTANT NOTE:

This family law case includes a counterclaim for support. You must provide your financial information with your reply to this counterclaim by completing and filing a Financial Statement in Form D.

SCHEDULE 4 – REPLY TO A COUNTERCLAIM ABOUT CHILD SUPPORT – EXISTING

This is Schedule 4 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing child support order or filed agreement, or to set aside or replace an existing written agreement about child support. The orders they asked for about child support can be found in Schedule 14 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the child support order or written agreement was made
- There has been no change in circumstances since the child support order or written agreement was made

2. I do not agree with the requested changes to the child support order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing child support order or written agreement to continue to be in place
- I am asking to change the child support order or written agreement as follows:

4. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations

5. *Select only one of the options below*

- I agree that the amount of arrears in the claim is correct
- The amount of arrears in the claim is not correct. As of [date], the amount of unpaid child support arrears was \$

IMPORTANT NOTE:

This family law case includes a counterclaim to change an existing order or written agreement for support. You must provide updated financial information with your reply to this counterclaim by completing and filing a Financial Statement in Form D.

SCHEDULE 5 – REPLY TO A COUNTERCLAIM ABOUT CONTACT WITH A CHILD – NEW

This is Schedule 5 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about contact with a child or children. The orders they asked for about contact can be found in Schedule 15 of their Reply to a Family Law Matter with Counterclaim.

1. I do not agree that the other party should have contact with the child(ren) the other party requested. Instead, I ask that the other party's contact be as follows:

Select all options that apply and complete the required information

no contact of any type

visits:

(Provide specific dates requested, or dates and times that would be most suitable)

oral communication

written communication

other method of communication *(specify):*

Complete if applicable

I am asking to have the following conditions placed on the contact with the child(ren):

2. I believe the contact I am applying for is in the child(ren)'s best interests because:

SCHEDULE 6 – REPLY TO A COUNTERCLAIM ABOUT CONTACT WITH A CHILD – EXISTING

This is Schedule 6 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing contact order or filed agreement or to set aside or replace an existing written agreement about contact with a child or children. The orders they asked for about contact can be found in Schedule 16 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the contact order or written agreement was made
- There has been no change in circumstances since the contact order or written agreement was made

2. I do not agree with the requested changes to the contact order or written agreement because:

3. *Select only one of the options below*

- I am asking for the existing contact order or written agreement to continue to be in place
- I am asking to change the contact order or written agreement as follows:

4. I believe the contact I am requesting is in the child(ren)'s best interests because:

SCHEDULE 7 – REPLY TO A COUNTERCLAIM ABOUT BECOMING A GUARDIAN

This is Schedule 7 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to become a guardian. The orders they asked for about guardianship can be found in Schedule 17 of their Reply to a Family Law Matter with Counterclaim.

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian because:
Select all options that apply and complete the required information

the other party is not able to be a guardian

the other party is not suitable to be a guardian

other reason(s) (specify):

SCHEDULE 8 – REPLY TO A COUNTERCLAIM ABOUT TERMINATING GUARDIANSHIP

This is Schedule 8 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to cancel guardianship. The orders they asked for about cancelling guardianship can be found in Schedule 18 of their Reply to a Family Law Matter with Counterclaim.

1. Do not cancel guardianship of the child(ren) as requested because:

Select all options that apply and complete the required information

the guardian is able and willing to be a guardian

the guardian is suitable to be a guardian

the guardian does not consent to cancellation of their guardianship

other reason(s) (specify):

2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:

SCHEDULE 9 – REPLY TO A COUNTERCLAIM ABOUT SPOUSAL SUPPORT – NEW

This is Schedule 9 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a new counterclaim by the other party about spousal support. The orders they asked for about spousal support can be found in Schedule 19 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the spousal support order requested by the other party because:

Select all options that apply and complete the required information

- I do not believe the other party is entitled to spousal support

Explain below

- my income is not what the other party claims it is

- my employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's financial situation is not what they claim it is

Explain below

- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

Explain below

- the other party's expenses are not what they claim them to be

Explain below

- other reasons (specify):

3. The amount of spousal support that I believe should be paid is:
Check any applicable box(es) and complete the required information
- in the amount of \$ _____ per month to commence on *[date]* until *[date]*
 - in a lump sum of \$ _____
 - other *(specify)*: _____
4. *Select only one of the options below*
- I am attaching calculations showing how much spousal support I believe should be paid
 - I am not attaching calculations
5. *Select only one of the options below*
- I have completed a Financial Statement in Form D
 - I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

IMPORTANT NOTE:

This family law case includes a counterclaim for support. You must provide your financial information with your reply to this counterclaim by completing and filing a Financial Statement in Form D.

SCHEDULE 10 – REPLY TO A COUNTERCLAIM ABOUT SPOUSAL SUPPORT – EXISTING

This is Schedule 10 to the Reply to a Counterclaim

This schedule must be completed only if you are disagreeing with a counterclaim by the other party to change or cancel an existing spousal support order or filed agreement or to set aside or replace an existing written agreement. The orders they asked for about spousal support can be found in Schedule 20 of their Reply to a Family Law Matter with Counterclaim.

1. *Select only one of the options below*

- I agree that circumstances have changed since the spousal support order or agreement was made
- There has been no change in circumstances since the spousal support order or agreement was made

2. *Select only one of the options below*

- I agree that the amount of arrears in the claim is correct
- The amount of arrears in the claim is not correct. As of *[date]*, the amount of unpaid spousal support arrears was \$

3. I do not agree with the requested changes to the spousal support order or agreement because:

4. *Select only one of the options below*

- I am asking for the existing spousal support order or agreement to continue to be in place
- I am asking to change the spousal support order or agreement as follows:

5. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid
- I am not attaching calculations

6. *Select only one of the options below*

- I have completed a Financial Statement in Form D
- I am not able to complete a financial statement at this time and I have completed an Application for Case Management Order Without Notice or Appearance requesting this reply be filed without a complete financial statement

IMPORTANT NOTE:

This family law case includes a counterclaim to change an order or agreement for support. You must provide updated financial information with your reply to this counterclaim by completing and filing a Financial Statement in Form D.

FORM H

Application for Case Management Order

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:
Court File Number:

1. My name is [full name of party]. My contact information and address for delivery of court documents is:

Form with fields: Full Name, Date of Birth, Contact Information and Address for Delivery, Lawyer (if applicable), Address, City, Province, Postal Code, Email, Telephone.

2. I understand I need to give notice of this application to all other parties, including any third party who may be affected by the order. To give notice, each other party must be served with the application and supporting materials at least 7 days before the date and time of the court appearance.

3. I will be providing notice to the following person(s):
Select and complete all options that apply
the other party/parties: [full name of other party/parties]
the following third party/parties (someone else who must do something if the order is made): [full name of third party/parties]

4. Complete only if applicable. You may leave this section blank.
All parties have consented to the case management order and:
Select only one of the following options
A draft Consent Order in Form 20 signed by all parties is submitted with this application for review without a hearing
A hearing is requested

5. I have contacted the other party to discuss available dates and times for the court appearance and they have agreed to the date and time for the court appearance Yes No

For registry use only

This application will be made to the court at [court registry, street address, city] on [date] at [time] am/pm.

NOTICE TO PARTIES: If you do not appear in court on the date and time scheduled for the court appearance, the court may make an order in your absence.

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

- transferring the court file to another registry for one or more purposes
- adding or removing a party to the proceeding
- settling or correcting the terms of an order made under these rules
- setting a specified period of time for the filing and exchanging of information, including a financial statement in Form D [*Financial Statement*] of Appendix C
- correcting or amending a filed document, including the correction of a name or date of birth
- requiring that a parentage test be taken under section 33 [*parentage tests*] of the *Family Law Act*
- requiring that information be disclosed by a third party
- adjourning a hearing or trial
- requiring that a person who prepared a report under section 211 [*orders respecting reports*] of the *Family Law Act* attend a trial
- respecting the conduct and management of a trial
- allowing a person to attend a hearing or conference using electronic communication
- shortening or extending a time limit under these rules or a time limit set by an order or direction of a judge
- allowing, waiving or modifying any service, delivery or notice requirement, including allowing an alternate method for the service of a document, including substitutional service
- requiring access to information in accordance with section 242 [*orders respecting searchable information*] of the *Family Law Act*
- permitting any other means of proof instead of that required by these rules
- waiving or varying any early resolution requirements
- recognizing an extraprovincial order other than a support order
- permitting a party to be exempt from a requirement under these rules
- changing, suspending or cancelling an order made in the absence of the party

7. The details of the order(s) I am applying for are as follows:

Tell the court and the other party the details of the order you are asking for.

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

Give the facts you want the court to consider.

FORM I

Application for Case Management Order Without Notice or Appearance

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information, and address for delivery of court documents, is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. I am making my application without notice to any other party and I understand that I will be required to give a copy of any order I receive to each party.

ABOUT THE ORDER

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

Select all that apply and complete the required schedule(s)

- shortening or extending a time limit set under these rules or a time limit set by an order of the court *[Complete and attach Schedule 1]*
- allowing a person to attend a hearing or conference using electronic communication *[Complete and attach Schedule 2]*
- allowing, waiving or modifying any service, delivery or notice requirement, including allowing an alternate method for the service of a document, including substitutional service *[Complete and attach Schedule 3]*
- requiring access to information in accordance with section 242 *[orders respecting searchable information]* of the Family Law Act *[Complete and attach Schedule 4]*
- recognizing an extraprovincial order other than a support order *[Complete and attach Schedule 5]*
- permitting a party to be exempt from a requirement under these rules *[Complete and attach Schedule 6]*
- permitting any means of proof of compliance with early resolution requirements *[Complete and attach Schedule 7]*
- waiving or varying any early resolution requirements *[Complete and attach Schedule 8]*

Schedule 1 – Shortening or extending a time limit under these rules or order of the court

This is Schedule 1 to the Application for Case Management Order Without Notice or Appearance

This schedule must be completed if you are applying to shorten or extend a time limit under these rules or by an order of the court.

1. I am seeking permission of the court to

Select only one of the options below

shorten

extend

the following time limit set by these rules or an order of the court made on *[date order made]*

Check all options that apply

amount of notice for an application for *[type of order you are seeking]*

time to file a reply

time to provide/exchange document(s)

other *(specify):*

2. The details of the order I am asking for are as follows:

Tell the court the specifics of the order you are asking for. Include what you want the time limit changed to.

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

Give the facts you want the court to consider. Include why you want the time limit waived or modified, why you think the court should grant you permission, and how you plan to make sure the case can proceed with the waived or modified time limit.

Schedule 2 – Attendance using Electronic Communication

This is Schedule 2 to the Application for Case Management Order Without Notice or Appearance

This schedule must be completed only if you are applying for an order allowing a person to attend a hearing or conference using electronic communication.

1. I am seeking permission for:

Select all options that apply

- me
- my lawyer, *[full name of lawyer]*

to attend at the:

Select only one of the options below

- Family Management Conference
- Family Settlement Conference
- Trial Preparation Conference
- Application Hearing
- Trial
- Other *(specify):*

Scheduled for *[date]* at *[time]*

By electronic communication as follows:

- telephone at *[requested telephone number]*

Is this a direct phone line? Yes No

If no, the person answering the phone must know the call will be coming and put it through immediately.

- other electronic communication method *(specify):*

2. I understand the following requirements and I will comply with them Yes No

- A speaker phone cannot be used
- I must remain near the phone at all times prior to the call from the Clerk of the Court
- The call must be taken from a quiet and private location
- No other person may be in the room during the appearance
- I may speak only when the Judge indicates I may speak
- Recording of the call is strictly prohibited

3. I (and/or my lawyer) am unable to attend in person because:

SCHEDULE 3 PART 2 – ALLOW SERVICE OF A DOCUMENT USING AN ALTERNATE METHOD

Complete this part only if you are applying for an order to allow service of a document using an alternate method, including substitutional service. Service of a document must be done according to the rules unless the court provides an order allowing another method to be used.

1. I need to serve *[name of person who must be served]* with the following document(s):

2. I am seeking permission to serve the documents in the following manner:

Tell the court the specifics of the how you believe the documents should be served so that they come to the attention of the person indicated above. Include the name of the other person, mailing address, email or other information that would be required to serve the documents.

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

Give the facts you want the court to consider. Include the following:

- *Efforts to try to serve the other party*
- *Efforts to locate the other party*
- *Why you believe the method of service you outlined above will succeed in the documents coming to the attention of the party to be served*

Schedule 4 – Access to Information section 242

This is Schedule 4 to the Application for Case Management Order Without Notice or Appearance

This schedule must be completed only if you are applying for access to information in accordance with section 242 [orders respecting searchable information] of the Family Law Act.

1. The details of the order I am asking for are as follows:
Tell the court the specifics of the order you are asking for.

2. The facts on which this application is based are as follows:
Give the facts you want the court to consider.

Schedule 5 – Recognizing an extraprovincial order other than a support order

This is Schedule 5 to the Application for Case Management Order Without Notice or Appearance

This schedule must be completed only if you are applying for recognition of an extraprovincial order other than a support order.

1. I am asking for recognition of an extraprovincial order made on *[date]* at *[court location][city][province]* about parenting arrangements, contact with a child, guardianship, or an order that is similar in nature.
2. A certified copy of the order is attached.
3. The contact information, as I know it, for the other party is:

Full Name:	Date of Birth:
Contact Information	
Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

FORM J

Registry location:	
Court File Number:	

Order

- Without Notice
- Without an Appearance

In the Provincial Court of British Columbia

In the Case Between:

[full name of party]

And:

[full name of other party]

Before the Honourable Judge *[name of judge]*

on *[date]*

On the application of *[full name of party making the application]*;

And on the Court determining that a hearing is not required and notice is not required;

This Court orders that:

Date

By the Court

FORM K

Application about a Protection Order

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:
Court File Number:

1. My name is [full name of person]. My contact information and address for delivery of court documents by the other party and the Court is:

Form with fields: Full Name, Date of Birth, Contact Information and Address for Delivery, Lawyer (if applicable), Address, City, Province, Postal Code, Email, Telephone.

2. I understand I need to give notice to the person I want protection from, or who has made an application for protection from me. This person is the other party. To give notice, they must be served with the application and supporting materials at least 7 days before the date and time of the hearing unless the application is made without notice or with less than 7 days notice.

Select only one of the options below

- I am making this application with at least 7 days notice to the other party.
I am making this application without notice to the other party and I have completed an Application for Case Management Order Without Notice or Appearance requesting this application be heard without notice to the other party.
I am making this application with less than 7 days notice to the other party and I have completed an Application for Case Management Order Without Notice or Appearance requesting this application be heard with less than 7 days notice to the other party.

3. The other party's name is [full name of other party]. Their contact information, as I know it, is:

Form with fields: Full Name, Date of Birth, Contact Information, Lawyer (if applicable), Address, City, Province, Postal Code, Email, Telephone.

4. I am applying for the following order:

Select only one of the options below and complete the required schedule

- Protection order [Complete and attach Schedule 1]
Order to change an existing protection order [Complete and attach Schedule 2]
Order to terminate an existing protection order [Complete and attach Schedule 3]

For registry use only

This application will be made to the court at [court registry, street address, city] on [date] at [time] am/pm.

NOTICE TO THE OTHER PARTY: If you do not appear in court on the date and time above, the Court may make an order in your absence.

Schedule 1 – Protection Order

This is Schedule 1 to the Application about a Protection Order

This schedule must be completed if you are applying for a protection order.

I, [full name of party], [occupation] of [address of party, city, province],

SWEAR OR AFFIRM THAT:

1. I am making this affidavit in support of an application for a protection order.
2. I am applying for a protection order for the following person(s) to be protected:
Select and complete only those options that apply to your situation.
 - Me
 - the following child(ren) I am parent or guardian to:

Child's Full Name	Child's Date of Birth	Child's Relationship to Other Party

Complete only if applicable. You may leave this section blank.

- the following adult(s) sharing the residence with the other protected person(s):

Full Name	Date of Birth	Relationship to other protected person

Complete only if applicable. You may leave this section blank.

- Other (specify): [full name of other person to be protected]
 Describe why you are applying for the other person

The person(s) identified in the section above are referred to as the protected party/parties. The other party is the person they need protection from.

3. There are existing written agreements or court orders about the children concerning parenting arrangements, child support, contact with a child, or guardianship Yes No
If yes, attach a copy of the order(s) and list them here:

ABOUT THE PROTECTION ORDER

4. *Complete only if applicable. You may leave this section blank.*

I do not want the other party to be able to attend at, enter or be found at the following places:

Select all options that apply

- Residence
- School
- Place of Employment
- Child care facility
- Other (*specify*):
- None of the above. I don't need an order restricting where the other party can go.

5. *Complete only if applicable. You may leave this section blank.*

The protected party may need to communicate with the other party for the following reasons:

Select all options that apply

- Consensual dispute resolution
- Parenting arrangements
- Ongoing court action
- Other (*specify*):

6. I have concerns the other party would cause harm with or threaten to use guns, explosives or another kind of firearm Yes No

If yes, explain the reasons for your concerns

7. I believe the other party owns or has access to guns, explosives or another kind of firearm

Yes No

If yes, explain the reasons for your belief

8. I have concerns the other party would cause harm with or threaten to use a weapon that is not a gun or explosive Yes No

If yes, explain the reasons for your concerns

9. I believe the other party owns a weapon that is not a gun or explosive Yes No

Examples of weapons someone may own include swords, hunting knives, and nunchucks.

If yes, explain the reasons for your belief

10. The protected party currently shares a home with the other party Yes No

11. Complete only if applicable. You may leave this section blank.

I believe police assistance may be required for the following purposes:

Select all options that apply

- To remove the other party from the shared residence
- To supervise the removal of the protected party's personal belongings from the shared residence
- To supervise the removal of the other party's personal belongings from the shared residence
- To supervise the removal of the child(ren)'s personal belongings from a residence
- Other (specify):

BACKGROUND

12. The protected party and the other party are:

Describe how the protected party/parties and the other party are related for the purposes of application

If the protection order is only for the protection of a child(ren), please answer the following question for the parents or guardians of the child(ren).

13. The parties are or have been spouses (married or lived in a marriage-like relationship for at least 2 years)

Yes No

If yes, please complete all options below that apply to the parties

Date on which the parties began to live together in a marriage-like relationship: [Date]

Date of marriage: [Date of marriage]

Are the protected party and the other party currently separated Yes No Unknown

Spouses may be separated while continuing to live in the same residence

If yes, the parties separated on [Date of separation]

If no, are the protected party and the other party planning to separate Yes No Unknown

14. I have concerns about the mental health of the protected party and/or the other party Yes No

If yes, explain the reasons for your concerns

15. Are there circumstances that may increase the risk of family violence Yes No

If yes, describe the circumstances such as: substance abuse, employment or financial difficulties, relationship status, criminal history, pregnancy, threats to you/another person/child/animal, stalking, forced sex, controlling behaviour, release from prison, strangling/choking/biting, threats or attempts to commit suicide, cultural religious beliefs or any other circumstances

16. There are existing court orders protecting one of the parties or restraining contact between the parties, including protection orders, peace bonds, restraining orders, bail conditions or other criminal orders
 Yes No

If yes, attach a copy of the order(s) and list them here:

17. Has the other party ever failed to obey a court order Yes No

If yes, describe the circumstances

18. I have concerns the other party may not obey a court order Yes No

If yes, explain the reason for your concerns

19. I have reported my safety concerns to the police Yes No

If yes, describe what action they have taken

20. I have reported my safety concerns to a social worker (Ministry of Children and Family Development)

Yes No

If yes, describe what action they have taken

YOUR STORY

A judge can make decisions based only on the information presented by the parties as evidence. Evidence must be relevant to the issue.

Please complete the following questions to help you explain to the court why you need an order for protection. In some cases, if you have provided evidence in this affidavit, a Judge may not need you to provide additional information in court.

In the following section you will be asked to describe what the other party has done to make you feel you need to get a protection order.

21. What family violence do you fear?

Schedule 2 – Change an Existing Protection Order

This is Schedule 2 to the Application about a Protection Order

This schedule must be completed if you are applying to change an existing protection order.

1. I am attaching a copy of the existing protection order made on [date].

2. *Select only one of the options below*

I was in court when the protection order was made.

I was not in court when the protection order was made because:

Explain why you were not in court when the protection order was made.

3. I am the:

Select all options that apply

protected party

parent or guardian of the protected party

person who the protection order is against

4. I am asking for the existing protection order to be changed as follows:

YOUR STORY

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

Describe why the order needs to be changed and what facts the court should consider to make their decision.

FORM M

Application about Extraordinary Parenting Matter

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information and address for delivery is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. I understand I need to give notice to any and all parents, step-parents, or guardians of the child(ren) this application is about. To give notice, they must be served with the application and supporting materials at least 7 days before the date and time of the hearing unless the application is made without notice or with less than 7 days notice.

Select only one of the options below

- I am making this application with at least 7 days notice to the other party.
- I am making this application without notice to the other party and I have completed an Application for Case Management Order Without Notice or Appearance requesting this application be heard without notice to the other party.
- I am making this application with less than 7 days notice to the other party and I have completed an Application for Case Management Order Without Notice or Appearance requesting this application be heard with less than 7 days notice to the other party.

3. I will be providing notice to *[name of other party/parties]*. Their contact information, as I know it, is:

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Additional party (complete only if applicable)

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* am/pm.

NOTICE TO THE OTHER PARTY: If you do not appear in court on the date and time above, the Court may make an order in your absence.

ABOUT THE EXTRAORDINARY PARENTING MATTER

4. I am applying for an order about the following extraordinary parenting matter(s):

Select all options that apply

- giving, refusing or withdrawing consent, by a guardian, to medical, dental, health-related treatments for a child, that if delayed will result in risk to the health of the child
- applying, by a guardian, for a passport, licence, permit, benefit, privilege or other thing for the child, if delay will result in risk of harm to the child's physical, psychological or emotional safety, security or well-being
- preventing the removal of a child from a specified geographical area under s. 64 of the *Family Law Act*
- determining matters relating to interjurisdictional issues under s. 74(2)(c) of the *Family Law Act*
- preventing the wrongful removal of a child under s. 77(2) of the *Family Law Act*
- seeking an extraordinary remedy under s. 231(4) or (5) of the *Family Law Act*

Child's Full Name	Child's Date of Birth	My relationship to the Child	The other party's relationship to the Child

5. The application is about the following child(ren):

6. There are existing written agreements or court orders about the children concerning parenting arrangements, child support, contact with a child, or guardianship Yes No

If yes, attach a copy of the order(s) and list them here:

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

Tell the Court and the other party the details of the order you are asking for.

FORM N

Application for a
Family Law Matter
Consent Order

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

Party 1:	Lawyer:
Party 2:	Lawyer:

1. Party 1's contact information is as follows:

Full Name:	Date of Birth:	
Contact Information		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. Party 2's contact information is as follows:

Full Name:	Date of Birth:	
Contact Information		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

3. We are requesting the following type of family law matter order BY CONSENT:
- parenting arrangements
 - child support
 - contact with a child
 - guardianship of a child
 - spousal support

4. The following supporting material is being provided along with this application:
Select all that apply, complete and file along with your application, if not already filed
- A **draft Consent Order** signed by all parties

For an application for parenting arrangements:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim for parenting arrangement and Reply with Agreement
- Schedule 1 of this Application for Family Law Matter Consent Order (*Complete and attach Schedule 1*)

For an application for child support:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim for child support and Reply with Agreement
- Schedule 2 of this Application for Family Law Matter Consent Order (*Complete and attach Schedule 2*)

and:

- a Financial Statement in Form D for each party as required by the instructions on the financial statement

For an application for contact with a child:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim for contact with a child and Reply with Agreement
- Schedule 3 of this Application for Family Law Matter Consent Order *(Complete and attach Schedule 3)*

For an application for guardianship of a child:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim for guardianship and Reply with Agreement
- Schedule 4 of this Application for Family Law Matter Consent Order *(Complete and attach Schedule 4)*

and:

- an Affidavit in Form 34 for each party applying to become a guardian of a child with the following exhibits attached:
 - a copy of a record check from the Ministry of Children and Development
 - a protection order record check from the protection order registry
 - a criminal record check

For an application for spousal support:

Your consent order application must be supported by one of the following

- a Family Law Matter Claim for spousal support and Reply with Agreement
- Schedule 4 of this Application for Family Law Matter Consent Order *(Complete and attach)*

and:

- a Financial Statement in Form D or agreement as to income for each party

Identification of child(ren)

5. *Select only one of the options below and complete the required information*

- Our consent order does not ask for any order(s) about a child or children. *(Skip next section)*
- Our consent order is asking for an order(s) about the following child or children:

Child's Full Legal Name	Child's Date of Birth	Child's Relationship to Party 1	Child's Relationship to Party 2	Child is currently living with

6. We understand that we must consider the child(ren)'s best interests with respect to each order about the child(ren) we are asking the court to make. An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

SCHEDULE 1 – PARENTING ARRANGEMENTS

This is Schedule 1 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are guardians filing a consent order about parenting arrangements for a child or children identified in Section 5 of this application.

Parenting arrangements include how each guardian will parent their child(ren) together, including each guardians' responsibilities for decision making about a child, and the time each guardian spends with a child.

1. Party 1 is:

- a guardian of the child(ren)

A child's parents are most often the child's guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian, or under a will if the other parent dies.

- applying to become a guardian of the child(ren)

A person who is not a parent can become a guardian by a court order or under a will.

2. Party 2 is:

- a guardian of the child(ren)

A child's parents are most often the child's guardians, but other people can be guardians too.

A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian, or under a will if the other parent dies.

- applying to become a guardian of the child(ren)

A person who is not a parent can become a guardian by a court order or under a will.

3. We consent to the child(ren) spending time with us as follows:

4. *Complete only if applicable. You may leave this section blank.*

We consent to have the following conditions placed on the parenting time with the children:

5. We consent to the parenting responsibilities being exercised by us as follows:

Form N

3

SCHEDULE 2 – CHILD SUPPORT

This is Schedule 2 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are filing a consent order for child support and/or special and extraordinary expenses for the child or children identified in Section 5 of this application.

1. Party 1 is:

- a parent or guardian of the child(ren)
- applying to become a guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) *[for example, a step-parent]*
- other *(specify)*:

2. Party 2 is:

- a parent or guardian of the child(ren)
- applying to become a guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) *[for example, a step-parent]*
- other *(specify)*:

3. The child(ren):

- live with Party 1 all the time
- live with Party 2 all the time
- live with Party 1 and Party 2 as follows:

- other *(specify)*:

4. The current support arrangements are as follows:

5. We consent to support to be paid by *[name of paying party]* in the amount set out in the child support guidelines table for the following child(ren) identified in Section 5 of this application:

List the name(s) of each child you asking for support for

6. *Select only one of the options below*

- We are attaching calculations showing how much child support we believe should be paid according to the child support guidelines
- We are not attaching calculations

7. Child support payments in this amount should start on *[date]* because:

8. *Select only one of the options below*

- The child(ren) are all under 19 years of age
- The following child(ren) are 19 years of age or older and need child support because of illness, disability or because they are full-time students:

Full Legal Name of Child	Child's date of birth	Reason for child support <i>(illness, disability, student)</i>

9. *Select only one of the options below*

- We are not asking for an order for special and extraordinary expenses for the child(ren).
- We consent to an order for special and extraordinary expenses in accordance with section 7 of the child support guidelines. The following special or extraordinary expenses are included in our order for child support:

Name of Child:				
Special and Extraordinary Expenses	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

IMPORTANT NOTE:

This consent order includes a request for an order for support. Each party, as applicable, must provide financial information with the application by completing and filing a Financial Statement in Form D or an agreement as to income.

SCHEDULE 3 – CONTACT WITH A CHILD

This is Schedule 3 to the Application for Family Law Matter Consent Order

Complete this schedule only if you are filing a consent order for a person who is not a guardian of the child or children to have contact with the child or children identified in Section 5 of this application.

Contact with a child is the time a child spends with a person who is not their guardian.

1. We consent to contact with the child or children as follows:

Complete if applicable

We consent to the following conditions being placed on the contact with the child(ren):

2. We believe the contact we consent to is in the child(ren)'s best interests because:

SCHEDULE 5 – SPOUSAL SUPPORT

This is Schedule 5 to the Application for a Family Law Matter Consent Order

Complete this schedule only if you are applying for a consent order about spousal support.

1. The current support arrangements are as follows:

2. We believe there is entitlement to spousal support for the following reason(s):

Select all options that apply

- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
- to share the financial consequences to caring for the children during the relationship, beyond the duty to provide support for the child
- to relieve economic hardship of the spouses arising from the breakdown of the relationship
- to help each spouse become financially independent within a reasonable period of time

3. Spousal support is to be paid by *[full name of payor]* to *[full name of recipient]*

4. We consent to spousal support as follows:

Select all that apply and complete the required information

- in the amount of \$ per month to commence on *[date]* until *[date]*
- in a lump sum of \$
- other *(specify)*:

5. *Select only one of the options below*

- We are attaching calculations showing how much spousal support we believe should be paid
- We are not attaching calculations

6. *Select only one of the options below*

- We have both completed a Financial Statement in Form D or agreement as to income
- One or both of us is not able to complete a financial statement at this time and we have completed an Application for Case Management Order Without Notice or Appearance requesting this consent order application be filed without a completed financial statement or agreement as to income

IMPORTANT NOTE:

This consent order includes a request for an order for support. Each party, as applicable, must provide financial information with the application by completing and filing a Financial Statement in Form D or by filing an agreement as to income.

FORM O

Application for Order Prohibiting the Relocation of a Child

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information and address for delivery is:

Full Name:	Date of Birth:	
Contact Information and Address for Delivery		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

2. I understand I need to give notice to the relocating guardian(s). To give notice, they must be served with the application and supporting materials at least 7 days before the date and time of the hearing unless the application is made without notice or with less than 7 days notice.

3. I will be providing notice to *[name of other party/parties]*. Their contact information, as I know it, is:

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

Additional party (complete only if applicable)

Full Name:	Date of Birth:	
Contact Information		
Lawyer (if applicable):		
Address:		
City:	Province:	Postal Code:
Email:	Telephone:	

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* am/pm.

NOTICE TO THE OTHER PARTY: If you do not appear in court on the date and time above, the Court may make an order in your absence.

The relocating guardian must satisfy the court that

- a) the proposed relocation is being made in good faith,
- b) the relocating guardian has proposed reasonable and workable arrangements to preserve the relationship between the child and the child's other guardians, persons who are entitled to contact with the child, and other persons who have a significant role in the child's life, and
- c) the relocation is in the best interests of the child.

ABOUT THE ORDER

4. I am applying for an order to prohibit the relocation of a child or children.

Child's Full Name	Child's Date of Birth	My relationship to the Child	The other party's relationship to the Child

5. The application is about the following child(ren):

6. I understand that I must consider the child(ren)'s best interests with respect to each order I am asking the court to make. An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

7. I am attaching a copy of the written agreement or order respecting parenting arrangements and/or contact with the child(ren) made on [date] that applies to the child(ren) that are the subject of this application.

8. I am attaching a copy of the notice of relocation given to me on [date].

9. I believe it is in the child(ren)'s best interests to prohibit the proposed relocation because:

FORM P

Application for Enforcement

Provincial Court (Family) Rules
Early Resolution and Case Management Registry

Registry location:	
Court File Number:	

1. My name is *[full name of party]*. My contact information and address for delivery is:

Full Name:	Date of Birth:
Contact Information and Address for Delivery	
Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

2. I understand I need to give notice to any and all parents, step-parents, or guardians of the child(ren) this application is about. To give notice, they must be served with the application and supporting materials at least 7 days before the date and time of the hearing unless the application is made without notice or with less than 7 days notice.

3. I will be providing notice to *[name of other party/parties]*. Their contact information, as I know it, is:

Full Name:	Date of Birth:
Contact Information	
Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

Additional party (complete only if applicable)

Full Name:	Date of Birth:
Contact Information	
Lawyer (if applicable):	
Address:	
City:	Postal Code:
Email:	Telephone:

For registry use only

This application will be made to the court at *[court registry, street address, city]* on *[date]* at *[time]* am/pm.

NOTICE TO THE OTHER PARTY: If you do not appear in court on the date and time above, the Court may make an order in your absence.

