

NOTE: Attached to the end of Part II is a list of Statutes of Newfoundland and Labrador, 2017 as enacted up to May 31, 2017.



THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART I
PUBLISHED BY AUTHORITY**

Vol. 92

ST. JOHN'S, FRIDAY, JUNE 2, 2017

No. 22

MINERAL ACT

NOTICE

Mineral rights to the following mineral licenses have reverted to the Crown:

A portion of license 015137M
Held by Champion Iron Mines Limited
Situates near Powderhorn Lake, Central NL
On map sheet 12H/01
more particularly described in an application on file at
Department of Natural Resources.

Mineral License 015136M
Held by Champion Iron Mines Limited
Situates near Powderhorn Lake, Central NL
On map sheet 12H/01

Mineral License 016572M
Held by Tata Steel Minerals Canada Ltd.
Situates near Gilling Lake
On map sheet 23J/10

Mineral License 017332M
Held by Alterra Resources Inc.
Situates near St Lewis Inlet
On map sheet 03D/05

Mineral License 023073M
Held by Bowmore Exploration Ltd.
Situates near La Scie, Baie Verte Peninsula
On map sheet 02E/13

Mineral License 022876M
Held by Hicks, Darrin
Situates near Winter Hill, Southern NL
On map sheet 01M/12

Mineral License 022934M
Held by 7980736 Canada Inc.
Situates near Harbour Round Pond, Central NL
On map sheet 12A/10

Mineral License 023758M
Held by Hicks, Darrin
Situates near Roti Bay, Southern NL
On map sheet 01M/13

Mineral License 023759M
Held by Stockley, Mark
Situates near Adlatok River Area
On map sheet 13N/06

Mineral License 023761M
Held by Northcott, Edwin
Situates near Seal Brook, Southern NL
On map sheet 11P/12

Mineral License 023763M
 Held by Kenny, Albert
 Situate near Fermeuse, Avalon Peninsula
 On map sheet 01K/15, 01K/14

Mineral License 023764M
 Held by Kenny, Albert
 Situate near Big Bough Place, Avalon Peninsula
 On map sheet 01K/14

Mineral License 023766M
 Held by Gardner, Art
 Situate near Great Gull Lake, Central NL
 On map sheet 12H/01

The lands covered by this notice except for the lands within Exempt Mineral Lands, the Exempt Mineral Lands being described in CNLR 1143/96 and NLR 71/98, 104/98, 97/00, 36/01, 31/04, 78/06, 8/08, 28/09 and 5/13 and outlined on 1:50 000 scale digital maps maintained by the Department of Natural Resources, will be open for staking after the hour of 9:00 a.m. on the 32nd clear day after the date of this publication.

DEPARTMENT OF NATURAL RESOURCES
 Justin Lake, Manager - Mineral Rights

File #'s 774: 5677, 6185, 8251;
 775: 0888, 3673, 4317, 4914, 4931, 5486, 5487,
 5489, 5491, 5492, 5493.

Jun 2

LANDS ACT

NOTICE OF INTENT, SECTION 7 LANDS ACT, SNL1991 c36 AS AMENDED

NOTICE IS HEREBY given that an application has been made to the Department of Fisheries and Land Resources, Agriculture and Lands Branch, to acquire title, pursuant to section 7(2) (a) of the said Act, to that piece of Crown lands situated within 15 metres of the waters of Cremaillere Harbour for the purpose of a Industrial Subdivision Water Lots.

The land is described as follows (to the extent of the intrusion on the reservation):

*Bounded on the North by Goose Cove Road (Route 430);
 Bounded on the East by Atlantic Ocean;
 Bounded on the South by
 Town of St. Anthony (Crown land);
 Bounded on the West by
 Hare Bay (Crown land);
 and, containing an area of
 approximately 72,450 square metres.*

Any person wishing to object to the application must file the objection in writing with reasons, within 30 days from

the publication of the notice on the Department of Fisheries and Land Resources website, Crown Lands, <http://www.ma.gov.nl.ca/lands/index.html>, to the Minister of Fisheries and Land Resources by mail or email to the nearest Regional Lands Office:

- Eastern Regional Lands Office, P.O. Box 8700, Howley Building, Higgins Line, St. John's, NL, A1B 4J6 Email: easternlandsoffice@gov.nl.ca

- Central Regional Lands Office, P.O. Box 2222, Gander, NL, A1V 2N9 Email: centrallandsoffice@gov.nl.ca

- Western Regional Lands Office, P.O. Box 2006, Sir Richard Squires Building, Corner Brook, NL, A2H 6J8 Email: westernregionlands@gov.nl.ca

- Labrador Regional Lands Office, P.O. Box 3014, Station "B", Happy Valley-Goose Bay, NL, A0P 1E0 Email: labradorlandsoffice@gov.nl.ca

(DISCLAIMER: *The Newfoundland and Labrador Gazette* publishes a NOTICE OF INTENT received from the Applicant and takes no responsibility for errors or omissions in the property being more particularly described.)

Jun 2

QUIETING OF TITLES ACT

2017 03G 0079 IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR TRIAL DIVISION (GENERAL)

IN THE MATTER OF the the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended,

AND IN THE MATTER OF all that piece or parcel of land situate and being at West Bottom, in the Province of Newfoundland and Labrador,

AND IN THE MATTER OF an Application by CAMERON YOUNG and GOLDA YOUNG, both of the Town of Springdale, in the Province of Newfoundland and Labrador.

NOTICE OF APPLICATION under the *Quieting of Titles Act*, RSNL1990 cQ-3, as amended.

NOTICE IS HEREBY GIVEN to all parties that CAMERON YOUNG and GOLDA YOUNG, both of the Town of Springdale, in the Province of Newfoundland and Labrador, have applied to the Supreme Court of Newfoundland and Labrador, Trial Division (General), Judicial Centre of Grand Falls-Windsor, to have title to all that piece or parcel of land situate at West Bottom, in the Province of Newfoundland and Labrador, and being more particularly described in Schedule "A" hereto annexed and shown in Schedule "B" hereto annexed, investigated and for a declaration that said Applicants are the absolute owners thereof.

All persons having title adverse to the title claimed by the Applicants shall file in the Registry of the Supreme Court of Newfoundland and Labrador, Trial Division (General), Judicial Centre of Grand Falls-Windsor, particulars of such adverse claim and serve the same together with an Affidavit verifying the same on the undersigned Solicitor for the Applicants on or before the 4th day of July, 2017, after which date no party having any claim shall be permitted to file the same or to be heard except with special leave of the Court and subject to such conditions as the Court may deem just. All adverse claims shall be investigated in such manner as the Supreme Court of Newfoundland and Labrador, Trial Division (General) may direct.

DATED AT the Town of Springdale, in the Province of Newfoundland and Labrador, this 24th day of May, 2017.

SHAWN COLBOURNE LAW OFFICE
Solicitor for the Applicants
PER: Shawn Colbourne, QC

ADDRESS FOR SERVICE:
P.O. Box 69, 8 Juniper Road
Springdale, NL A0J 1T0

Tel: (709) 673-3693
Fax: (709) 673-3991

SCHEDULE "A"

Description of land for Cameron Young
West Bottom, NL

All that piece or parcel of land situate and being at West Bottom, in the Electoral District of Baie Verte-Green Bay, Province of Newfoundland and Labrador, abutted and bounded as follows, that is to say:

Beginning at a found capped iron bar located on the northerly limit of the Reservation, ten decimal zero six metres wide, extending along the northerly shoreline of the Waters of Hall's Bay and marking a southeasterly corner of a Crown Grant issued to George Brown or assigns as registered in Volume 105, Folio 155, in the Registry of Crown Grants for Newfoundland and having coordinates of north 5478329.396 metres and east 296119.259 metres;

Thence running by the said land contained within a Crown Grant issued to George Brown or assigns as registered in Volume 105, Folio 155, in the Registry of Crown Grants for Newfoundland north thirty-one degrees forty-six minutes twenty-two seconds west four hundred ninety-four decimal zero one two metres;

Thence running by Crown Land north fifty-eight degrees thirteen minutes thirty-eight seconds east one hundred seventy-nine decimal zero two one metres;

Thence running by Crown Land south thirty-one degrees forty-six minutes twenty-two seconds east four hundred seventy-eight decimal one six five metres;

Thence running one hundred eighty-three metres, more or less, along the northerly limit of the Reservation, ten decimal zero six metres wide, extending along the northerly shoreline of the Waters of Hall's Bay to the point of beginning which bears south fifty-three degrees ten minutes seven seconds west one hundred seventy-nine decimal seven two one metres, from the preceding point;

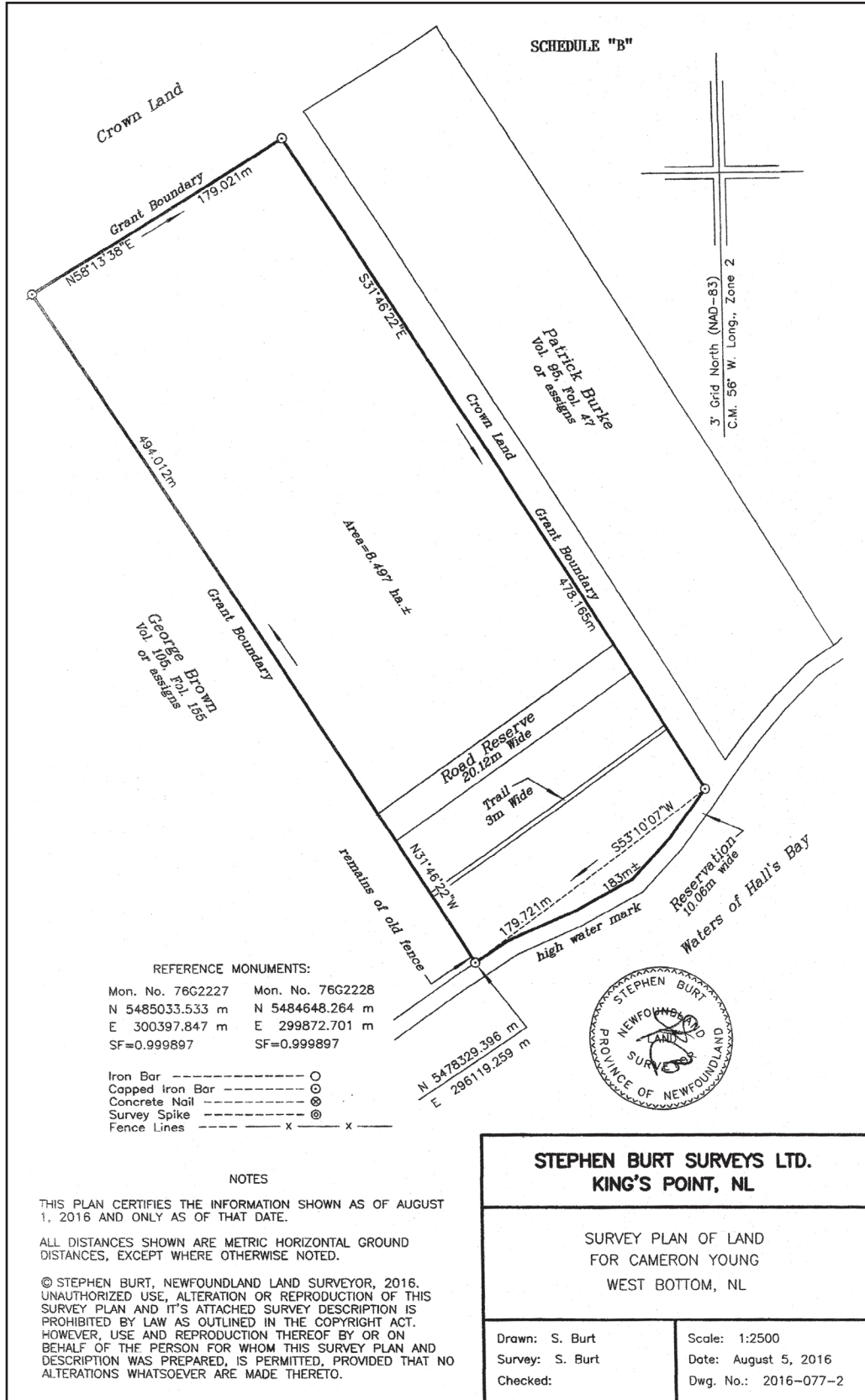
Reserving, nevertheless, out of the above described parcel of land a Road Reserve, twenty decimal one two metres wide, which extends across the said property.

The above described parcel of land being subject to a an Existing Trail, three metres wide, which extends across the said property being more particularly shown on the diagram annexed hereto;

Containing an area of eight decimal four nine seven hectares, more or less, and being more particularly shown on the diagram annexed hereto;

All bearings being referred to the meridian of fifty-six (56°) west longitude of the Modified Three Degree Transverse Mercator Projection (NAD 83), Zone 2, and all distances shown being horizontal ground distances.

August 5, 2016



TRUSTEE ACT

ESTATE NOTICE

IN THE MATTER OF the Estate of WILLIAM JAMES HICKEY, Late of O'Donnells, in the Province of Newfoundland and Labrador, Deceased.

All persons claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by full or half blood, legal adoption or marriage) upon or affecting, the Estate of WILLIAM JAMES HICKEY who died at St. John's, NL on or about June 30, 2016 are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John's, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Executor of the Estate of WILLIAM JAMES HICKEY on or before July 3, 2017, after which date the said Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

DATED AT the City of St. John's, in the Province of Newfoundland and Labrador, this 2nd day of June, 2017.

OFFICE OF THE PUBLIC TRUSTEE
Administrator of the Estate of
WILLIAM JAMES HICKEY

ADDRESS FOR SERVICE:
Viking Building
Suite 401 - 136 Crosbie Road
St. John's, NL A1B 3K3

Tel: (709) 729-0850
Fax: (709) 729-3063

Jun 2

ESTATE NOTICE

IN THE MATTER OF the Estate of BARBARA JOHNSON, Late of St. John's in the Province of Newfoundland and Labrador, Deceased.

All persons claiming to be creditors of, or who have any claims or demands either as beneficiaries or next-of-kin (by full or half blood, legal adoption or marriage) upon or affecting, the Estate of BARBARA JOHNSON who died at St. John's, NL on or about January 3, 2016, are hereby requested to send particulars thereof in writing, duly attested, to: Office of the Public Trustee, Viking Building, Suite 401 - 136 Crosbie Road, St. John's, NL A1B 3K3.

Particulars will be received by the Public Trustee, as Executor of the Estate of BARBARA JOHNSON, on or before June 30, 2017, after which date the said Executor will proceed to distribute the Estate having regard only to the claims of which he then shall have had notice.

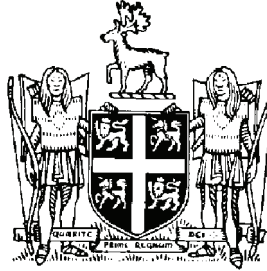
DATED at the City of St. John's, in the Province of Newfoundland and Labrador, this 24th day of May, 2017.

OFFICE OF THE PUBLIC TRUSTEE
Administrator of the Estate of
BARBARA JOHNSON

ADDRESS FOR SERVICE:
Viking Building
Suite 401 - 136 Crosbie Road
St. John's, NL A1B 3K3

Tel: (709) 729-0850
Fax: (709) 729-3063

Jun 2



THE NEWFOUNDLAND AND LABRADOR GAZETTE

**PART II
SUBORDINATE LEGISLATION
FILED UNDER THE STATUTES AND SUBORDINATE LEGISLATION ACT**

Vol. 92

ST. JOHN'S, FRIDAY, JUNE 2, 2017

No. 22

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

**NLR 47/17
NLR 48/17**



NEWFOUNDLAND AND LABRADOR REGULATION 47/17

Rules of Supreme Court, 1986 (Amendment)
under the
Judicature Act

(Filed May 30, 2017)

Under the authority of section 55 of the *Judicature Act*, the Rules Committee of the Trial Division makes the following Rules.

Dated at St. John's, May 23, 2017.

Raymond P. Whalen
Chairperson, Rules Committee

REGULATIONS

Analysis

1. Rule F8.04 Amdt.
2. Forms F R&S

1. Rule F8.04(1) of the *Rules of the Supreme Court, 1986* is amended by

(a) deleting the word "or" immediately following "(4)" and replacing it with a comma; and

(b) adding the words, parentheses and number "or (6)" immediately following "5".

2. The rules are amended by repealing and substituting the following Forms: F4.03A; F4.04A; F4.04B; F5.05A; F5.06A;

**F6.02A; F6.04A; F6.06A; F7.02A; F8.04A; F8.11A; F10.02A;
F10.04A; F11.02A; F11.02B; F11.03A; F11.03B; F14.04A;
F16.03A; F17.03A; F18.03A; F19.02A; F23.01A; F23.02A;
F23.05A; F25.03A; F26.02A; F26.03A; F27.02A; F28.02A;
F29.02A; F31.02A; F34.02A; F34.02B; F34.02C; F38.04A;
F38.04B; F38.06A; and F40.04A.**

How to Make an Originating Application

Instructions for the Applicant

An **Originating Application (Form 4.03A)** is a document you must use to start a family law court proceeding. Your Originating Application tells the Court that there are family law issues that you would like to have resolved. If you start an Originating Application, you are the *Applicant*. The other person is the *Respondent*.

If you are making an application together with the other person (ie. a joint application), you cannot use this form. You must do a **Joint Originating Application (Form F4.04A)**.

Completing Your Originating Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the Respondent).

You must fill out pages 1-5 of the Originating Application and attach any schedules and additional forms that apply to you. If you need more space to fill out any section of this Originating Application, attach an extra page and indicate which section is continued on the extra page.

Filing Your Originating Application

You must make **3 extra copies** of your completed and signed Originating Application (including any additional documents). To file your Originating Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached).

You can look up the fees online: www.court.nl.ca/supreme/fees.html

Serving Your Originating Application

You must give a copy of the Originating Application to the Respondent. This is called *service*. You have **180 days** to serve the Respondent after you have filed the Application. If you do not serve the Application in 180 days, it will expire and you may have to file a new Originating Application.

If your Application involves divorce and/or parenting, an adult (who is not you) must hand-deliver the Application to the Respondent. This is called *personal service*. You will have to file an **Affidavit of Service (Form F8.11A)** with the Court.

If your Application does *not* involve divorce or parenting, you can serve the Respondent by personal service, leaving a copy with the Respondent's lawyer, leaving a copy at the Respondent's address, registered mail/courier, or regular mail. You can also serve by fax, email, or electronic document exchange, if the Respondent has provided that information. You will have to file an **Affidavit of Service (Form F8.11A)**, **Acknowledgement of Service (Form F8.04A)**, a copy of the document with the recipient's lawyer's endorsement on it, a reply email, or a delivery confirmation with the Court.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227	Grand Falls-Windsor: (709) 292-4260
Gander: (709) 256-1115	Happy Valley-Goose Bay: (709) 896-7892
Grand Bank: (709) 832-1720	St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
 Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE APPLICATION ON THE RESPONDENT ---

How to Respond to an Originating Application

Instructions for the Respondent

A family law proceeding has been started against you. You are the *Respondent* in this proceeding.

The person who has started this family law proceeding is the *Applicant*.

Read the attached **Originating Application (Form 4.03A)** carefully. The Applicant has explained the family law issues that he/she would like to have resolved. If you want to oppose any of the Applicant's claims or if you want to make your own claims, you must file and serve a **Response (Form F6.02A)**.

You can get a Response form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

You have only **30 days** after this Originating Application has been served on you to file and serve your Response (You have 60 days if you have been served outside of Canada or the United States).

For more information on how to fill out, file, and serve a Response, read the "Instructions for the Respondent" page attached to the Response form.

If you do not respond, the Court may proceed and make an order without hearing from you.

More Information

Questions? You can go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F4.03A: Originating Application (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO: _____	
CENTRAL DIVORCE REGISTRY NO: _____	
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

You must start your application at the Court location that is closest to you or closest to the other party. However, if your family law matter involves parenting or child support, you must start your application at the Court location that is closest to where your children live. Check off where your application is required to be heard and note the location where you must file your documents:

If your application is required to be heard in...	...then you must file your documents in...
<input type="checkbox"/> Clarenville (Grand Bank Circuit)	Grand Bank Supreme Court
<input type="checkbox"/> Corner Brook	Corner Brook Supreme (Family Division)
<input type="checkbox"/> Gander	Gander Supreme Court
<input type="checkbox"/> Grand Bank	Grand Bank Supreme Court
<input type="checkbox"/> Grand Falls – Windsor	Grand Falls – Windsor Supreme Court
<input type="checkbox"/> Happy Valley – Goose Bay	Happy Valley – Goose Bay Supreme Court
<input type="checkbox"/> Port aux Basques (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Rocky Harbour (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. Anthony (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. John's	St. John's Supreme Court (Family Division)
<input type="checkbox"/> Stephenville (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Wabush (Happy Valley – Goose Bay Circuit)	Happy Valley – Goose Bay Supreme Court

Check the type of order(s) that you are seeking:
 You must fill out the Schedule(s) that relate to your claim(s) and attach any additional forms or documents required.

Type of Order	Fill Out Schedule	Attach
<input type="checkbox"/> Divorce	1	Original marriage certificate
<input type="checkbox"/> Parenting (Decision-making and parenting time)	2	-
<input type="checkbox"/> Child Support	3	Financial Statement (Form F10.02A) and/or income information, if applicable
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support	4	Financial Statement (Form F10.02A)
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)	4	Financial Statement (Form F10.02A)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property, Common Law (<i>unmarried</i>) Property, or Property under the <i>FHRMIR Act</i>	5	Property Statement (Form F10.02A)
<input type="checkbox"/> Return of Child (within Canada)	6	Emergency Interim Application (Form 17.03A) if applicable
<input type="checkbox"/> Consent Order or Agreement	7	Signed consent order or agreement
<input type="checkbox"/> Other: _____	7	-

Applicant Information

Fill in your information below:
 If you have safety concerns and do not want to provide your contact information, you may provide alternate contact information below. You must still provide the Court with your actual contact information in a sealed envelope. This envelope will not be available to the other party.

Current Last Name				Last Name at Birth:
First Name				
Middle Name(s) (if any)				
Gender				
Residential Address				
	<i>Street Address</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Mailing Address (if different from Residential Address)				
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Telephone Number (if any)	Home:			Cell:
Fax Number (if any)				
Email Address (if any)	Please note that if you provide your email address, the Court may contact you by email.			
Date of Birth	Month:	Day:	Year:	

Occupation(s) or Job(s)			
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of your band?	
		Do you live on a reserve?	
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees or arrangements.	If yes, state the language and dialect:	
Lawyer's Name, Telephone Number, and Address (if any)			

Respondent Information

Fill in the Respondent's information below (to the best of your knowledge):

Current Last Name			Last Name at Birth:
First Name			
Middle Name(s) (if any)			
Gender			
Residential Address			
	<i>Street Address</i>	<i>City</i>	<i>Province Postal Code</i>
Mailing Address (if different from Residential Address)			
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province Postal Code</i>
Telephone Number (if any)	Home:	Cell:	
Fax Number (if any)			
Email Address (if any)			
Date of Birth	Month:	Day:	Year:
Occupation(s) or Job(s)			
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National
Is the Respondent a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of the Respondent's band?	
		Does the Respondent live on a reserve?	
Does the Respondent need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees or arrangements.	If yes, state the language and dialect:	
Lawyer's Name, Telephone Number, and Address (if any)			

Fill in the information about your relationship with the Respondent:

Your relationship with the Respondent				
Date the parties started living together	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of marriage	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Place of marriage				OR <input type="checkbox"/> Not applicable
Prior to the marriage, you were	<input type="checkbox"/> Unmarried	<input type="checkbox"/> Divorced	<input type="checkbox"/> Widowed	OR <input type="checkbox"/> Not applicable
Prior to the marriage, the Respondent was	<input type="checkbox"/> Unmarried	<input type="checkbox"/> Divorced	<input type="checkbox"/> Widowed	OR <input type="checkbox"/> Not applicable
Date of separation	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of divorce	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable

- Check this box if you are starting a proceeding against more than one Respondent. Attach an extra page to provide the information of the other Respondent(s) and the details of your relationship with the other Respondent(s).

Fill in the information for every child of your relationship (Include children under and over 19 and non-dependent children):

	Child 1	Child 2
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

	Child 3	Child 4
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

- Check this box if there are no children.
- Check this box if there are more than 4 children. Attach an extra page to provide the details of those children.

If child protection services have ever been involved with you, the Respondent(s), and/or the children, provide the details below.

Provide the details of any **current** or **ongoing** court proceedings, court orders, and/or written agreements involving you, the Respondent(s), and/or the children. Attach any written agreements and any court orders not in the Court file.

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Originating Application and the attached Schedule(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Originating Application are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature of Applicant

Signature of Person Authorized to Administer Oaths

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

Lawyer’s Certificate

- Check this box if you have a lawyer. Your lawyer must complete this Certificate.
If you are not applying for divorce or do not have a lawyer, you do not have to fill out this Certificate.

I, _____, the Lawyer for _____,
(Print Lawyer’s Name) (Print Applicant’s Name)

the Applicant, certify to this Court that I have complied with the requirements of s.9 of the *Divorce Act*.

DATED at _____, this _____ day of _____, 20____.

Signature of Lawyer

Address of Lawyer

(Note: This Schedule is intended for divorce applications under the *Divorce Act*. If you are seeking a divorce under the *Civil Marriages Act*, fill out Schedule 7.)

Schedule 1 Divorce

In order to apply for a divorce, **you must be able to satisfy all 4 of the requirements below:**

1	<input type="checkbox"/> There has been a breakdown in our marriage and there is no likelihood that we will get back together.		
2	<input type="checkbox"/> I am a resident of Newfoundland and Labrador and have been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application.	OR	<input type="checkbox"/> My spouse is a resident of Newfoundland and Labrador and has been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application.
3	<input type="checkbox"/> I have attached the original Certificate of Marriage (or Registration of Marriage) to this Application. <i>If you were married in Canada, you can obtain your Certificate of Marriage from the provincial Vital Statistics Agency.</i> <input type="checkbox"/> Check this box if your Certificate of Marriage is not in English or French. You must attach a translation.	OR	<input type="checkbox"/> I was married outside of Canada and I am unable to attach a copy of my Certificate of Marriage (or Registration of Marriage) because it is impossible or impractical to obtain. <i>You will have to make an Interim Application for a Procedural Order (using Form F16.03A) for an Order dispensing with the need to file a Certificate of Marriage.</i>
4	<input type="checkbox"/> There has been no collusion in relation to this application for a divorce.		

I am seeking a divorce because there has been a permanent breakdown in our marriage based upon:

Separation:

Check this box if you and your spouse currently live separate and apart and will have lived separate and apart for at least 1 year prior to the determination of the divorce proceeding.

If you and your spouse have been living separate and apart for less than 1 year, you may still file an Originating Application for divorce on the ground of separation. However, you must wait until 1 year has elapsed to file an Application for Judgment for divorce.

Adultery:

Check this box if you are seeking divorce because the Respondent has committed adultery. Attach an extra page with details of the adultery.

You may be required to present further evidence of the adultery. You do not need to name any other person involved. If you choose to name another person, you must serve this Originating Application on that person by personal service. That other person(s) will have the same rights as the Respondent in relation to the adultery claim and may file a Response.

Check this box to declare that you have not condoned or connived in the adultery.

Cruelty:

Check this box if you are seeking divorce because your spouse has treated you with physical or mental cruelty that makes continued cohabitation intolerable. Attach an extra page with details of the cruelty.

You may be required to present further evidence of the physical or mental cruelty.

Check this box to declare that you have not condoned or connived in the cruelty.

Schedule 2 Parenting

If you are making a parenting application (custody and/or access), fill in the information below:

What are the current parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (ie. phone or internet):

Other important issues in relation to parenting the child(ren):

What are your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 3 Child Support

Check all of the boxes that apply:

<input type="checkbox"/> I am seeking the basic table amount as per the <i>Child Support Guidelines</i> .
<input type="checkbox"/> I am seeking special and/or extraordinary expenses . You must complete and attach a Financial Statement (Form F10.02A) .
<input type="checkbox"/> I am seeking an amount of child support that is different from the <i>Child Support Guidelines</i> basic table amount . Depending on your reason(s) for seeking an amount different from the <i>Child Support Guidelines</i> , you may have to attach further documentation. List your reason(s) for seeking an amount of child support different from the <i>Child Support Guidelines</i> : <ul style="list-style-type: none"> <input type="checkbox"/> The Respondent and I have agreed to child support in the amount of \$ _____ per month. <input type="checkbox"/> I have physical custody of (or exercise access to) the child(ren) for 40% or more of the year. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> The child(ren) is(are) 19 years of age or older. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> One or more of the persons who is obligated to pay support has an income that is more than \$150,000 annually. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> I am claiming undue hardship for the following reason(s): <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div> You must complete and attach a Financial Statement (Form F10.02A) . <input type="checkbox"/> Other: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> Depending on your claim, you may be required to complete and attach a Financial Statement (Form F10.02A) .
<input type="checkbox"/> I am seeking retroactive child support . What is the amount of retroactive child support that you are seeking? \$ _____ What is the date from which you are seeking retroactive child support? (month/day/year) _____ Describe the facts and your reason(s) for seeking retroactive child support: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>

Schedule 4 Spousal, Partner, Parental, or Dependant Support

*If you are seeking spousal, partner, parental, or dependant support, you must complete and attach a **Financial Statement (Form F10.02A)***

Check all of the boxes that apply and fill in the information required:

I am seeking :

- Spousal support
- Partner support
- Parental support
- Dependant support

Describe the facts and your reason(s) for seeking support:

I am seeking:

- Retroactive spousal support
- Retroactive partner support
- Retroactive parental support
- Retroactive dependant support

What is the amount of retroactive support that you are seeking? \$ _____

What is the date from which you are seeking retroactive support? (month/day/year) _____

Describe the facts and your reason(s) for seeking retroactive support:

Schedule 5 Division of Property

*If you are seeking a division of matrimonial property or common law property, you must complete and attach a **Property Statement (Form F10.04)***

Check all of the boxes that apply and fill in any information required:

<input type="checkbox"/> I am seeking an equal division of matrimonial property .
<input type="checkbox"/> I am seeking an unequal division of matrimonial property . Describe the facts and your reason(s) for seeking an unequal division of property: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> I am seeking exclusive possession of the matrimonial home . Describe the facts and your reason(s) for seeking exclusive possession of the matrimonial home: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> I am seeking a division of common law property . Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> I am making a claim under the <i>Family Homes on Reserves and Matrimonial Interests or Rights Act</i> . Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> Other: Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>

Schedule 6 **Return of Child (within Canada)**

*If you are seeking a court order for the return of a child or children (within Canada), answer the questions below:
You may provide any additional affidavit(s) necessary.*

At what address does the child(ren) habitually (normally) live?

Set out all of the available facts and information that you have relating to the whereabouts of the child(ren):

Set out all the available facts and information that you have regarding the identity of the person that the child(ren) is/are presumed to be with:

Set out your reasons for making the application:

Schedule 7 Other Applications

If you are seeking a court order for something other than the claims requested in the other Schedules, state what you are seeking, describe the facts, and give reasons:

How to Make a Joint Originating Application

Instructions for Co-Applicants

You may use a **Joint Originating Application (Form F4.04A)** if you and the other person(s) consent to your family law issues and want to apply for a family law order together.

If you and the other person(s) disagree on any family law issues, you cannot use this form. Instead, you must do an **Originating Application (Form F4.03A)**.

Completing Your Joint Originating Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court).

You must fill out all of the pages in this Joint Originating Application and attach an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. If you need more space to fill out any section of this Joint Originating Application, attach an extra page and indicate which section is continued on the extra page.

Filing Your Joint Originating Application

You must make **2 extra copies** of your completed and signed Joint Originating Application (including any attachments). File your original Joint Originating Application with the Court. To file your Joint Originating Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you.

Serving Your Joint Originating Application

Since all of the Co-Applicants have signed the filed Joint Originating Application, you do NOT need to serve the Joint Originating Application on the other Co-Applicant(s). However, you should still make sure all the Co-Applicants have a copy of the Joint Originating Application and all attachments.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F4.04A: Joint Originating Application (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ CO-APPLICANT
(Print full name)

AND: _____ CO-APPLICANT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) CO-APPLICANT

You must start your application at the Court location that is closest to you or closest to the other party. However, if your family law matter involves parenting or child support, you must start your application at the Court location that is closest to where your children live. Check off where your application is required to be heard and note the location where you must file your documents:

If your application is required to be heard in...	...then you must file your documents in...
<input type="checkbox"/> Clarenville (Grand Bank Circuit)	Grand Bank Supreme Court
<input type="checkbox"/> Corner Brook	Corner Brook Supreme (Family Division)
<input type="checkbox"/> Gander	Gander Supreme Court
<input type="checkbox"/> Grand Bank	Grand Bank Supreme Court
<input type="checkbox"/> Grand Falls – Windsor	Grand Falls – Windsor Supreme Court
<input type="checkbox"/> Happy Valley – Goose Bay	Happy Valley – Goose Bay Supreme Court
<input type="checkbox"/> Port aux Basques (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Rocky Harbour (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. Anthony (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. John's	St. John's Supreme Court (Family Division)
<input type="checkbox"/> Stephenville (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Wabush (Happy Valley – Goose Bay Circuit)	Happy Valley – Goose Bay Supreme Court

Check the type of order(s) that you are seeking:

You must fill out and file the Schedule(s) and any additional documents that relate to your claim(s).

Type of Order	Fill Out Schedule	Attachment(s)
<input type="checkbox"/> Divorce	1	Original marriage certificate
<input type="checkbox"/> Parenting (Decision-making and parenting time)	2	Consent Order or agreement
<input type="checkbox"/> Child Support	3	Consent Order or agreement
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support	4	Consent Order or agreement
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)	4	Consent Order or agreement
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property, Common Law (<i>unmarried</i>) Property, or Property under the <i>FHRMIR Act</i>	5	Consent Order or agreement
<input type="checkbox"/> Other: _____	6	Consent Order or agreement

Fill in the information below for the first Co-Applicant:

Current Last Name		Last Name at Birth:		
First Name				
Middle Name(s) (if any)				
Gender				
Residential Address				
	<i>Street Address</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Mailing Address (if different from Residential Address)				
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Telephone Number (if any)	Home:	Cell:		
Fax Number (if any)				
Email Address (if any)	Please note that if you provide your email address, the Court may contact you by email.			
Date of Birth	Month:	Day:	Year:	
Occupation(s) or Job(s)				
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Foreign National			
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, what is the name of your band?	
			Do you live on a reserve?	
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No		If yes, state the language and dialect:	
	Please note that the Court is not responsible for any interpreter fees or arrangements.			
Lawyer's Name, Telephone Number, and Address (if any)				

Fill in the information below for the second Co-Applicant:

Current Last Name		Last Name at Birth:
First Name		
Middle Name(s) (if any)		
Gender		
Residential Address		
	<i>Street Address</i>	<i>City Province Postal Code</i>
Mailing Address <i>(if different from Residential Address)</i>		
	<i>Street Address or PO Box</i>	<i>City Province Postal Code</i>
Telephone Number (if any)	Home:	Cell:
Fax Number (if any)		
Email Address (if any)		
Date of Birth	Month:	Day: Year:
Occupation(s) or Job(s)		
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Foreign National	
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of your band?
		Do you live on a reserve?
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees or arrangements.	If yes, state the language and dialect:
Lawyer's Name, Telephone Number, and Address (if any)		

Fill in the information about your relationship below:

Relationship of the parties				
Date the parties started living together	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of marriage	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Place of marriage				OR <input type="checkbox"/> Not applicable
Prior to the marriage, the first Co-Applicant was	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable			
Prior to the marriage, the second Co-Applicant was	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable			
Date of separation	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of divorce	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable

Check this box if there are more than 2 Co-Applicants. Attach an extra page to provide the information of the other Co-Applicant(s) and details of your relationship with the other Co-Applicant(s).

Fill in the information for every child of your relationship (Include children under and over 19 and non-dependent children):

	Child 1	Child 2
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

	Child 3	Child 4
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

- Check this box if there are no children.
- Check this box if there are more than 4 children. Attach an extra page to provide the details of those children.

If child protection services have ever been involved with you, the other Co-Applicant(s), and/or the children, provide the details below.

Provide the details of any **current** or **ongoing** court proceedings, court orders, and/or written agreements involving you, the Respondent(s), and/or the children. Attach any written agreements and any court orders not in the Court file.

If there are more than 2 Co-Applicants, attach an extra page with the signatures required below.

Statement of Truth

All Co-Applicants must swear or affirm that the facts and information in this Application and the attached Consent Order(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

First Co-Applicant

<p>I declare the facts and information in this Joint Originating Application are true to the best of my knowledge and belief.</p> <p>SWORN TO or AFFIRMED at _____,</p> <p>this _____ day of _____, 20____.</p>
<p><i>Signature of First Co-Applicant</i></p>
<p><i>Commissioner of Oaths / Justice of the Peace</i></p>

Second Co-Applicant

<p>I declare the facts and information in this Joint Originating Application are true to the best of my knowledge and belief.</p> <p>SWORN TO or AFFIRMED at _____,</p> <p>this _____ day of _____, 20____.</p>
<p><i>Signature of Second Co-Applicant</i></p>
<p><i>Commissioner of Oaths / Justice of the Peace</i></p>

Lawyer's Certificate

If any of the Co-Applicants has a lawyer and you have applied for a divorce, your lawyer(s) must complete this Certificate. If none of the Co-Applicants has a lawyer, you do not need to fill out this section.

First Co-Applicant's Lawyer (if any)

<p>I, _____, the Lawyer for _____, the Co-Applicant, certify that I have complied with the requirements of s.9 of the <i>Divorce Act</i>.</p> <p>Dated at _____,</p> <p>this _____ day of _____, 20____.</p>
<p><i>Signature of Lawyer</i></p>

Second Co-Applicant's Lawyer (if any)

<p>I, _____, the Lawyer for _____, the Co-Applicant, certify that I have complied with the requirements of s.9 of the <i>Divorce Act</i>.</p> <p>Dated at _____,</p> <p>this _____ day of _____, 20____.</p>
<p><i>Signature of Lawyer</i></p>

(Note: This Schedule is intended for divorce applications under the *Divorce Act*. If you are seeking a divorce under the *Civil Marriages Act*, fill out Schedule 6.)

Schedule 1 Divorce

In order to apply for a divorce, **you must be able to satisfy all 4 of the requirements below:**

1	<input type="checkbox"/> There has been a breakdown in our marriage and there is no likelihood that we will get back together.
2	<input type="checkbox"/> I am a resident of Newfoundland and Labrador and have been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application. OR <input type="checkbox"/> My spouse is a resident of Newfoundland and Labrador and has been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application.
3	<input type="checkbox"/> I have attached the original Certificate of Marriage (or Registration of Marriage) to this Application. OR <input type="checkbox"/> I was married outside of Canada and I am unable to attach a copy of my Certificate of Marriage (or Registration of Marriage) because it is impossible or impractical to obtain. <i>If you were married in Canada, you can obtain your Certificate of Marriage from the provincial Vital Statistics Agency.</i> <input type="checkbox"/> Check this box if your Certificate of Marriage is not in English or French. You must attach a translation. <i>You will have to make an Interim Application for a Procedural Order (using Form F16.03A) for an Order dispensing with the need to file a Certificate of Marriage.</i>
4	<input type="checkbox"/> There has been no collusion in relation to this application for a divorce.

We are seeking a divorce because there has been a permanent breakdown in our marriage based upon separation:

<input type="checkbox"/> Check this box if the parties currently live separate and apart and will have lived separate and apart for <i>at least 1 year prior to the determination of the divorce proceeding.</i> <i>If the parties have been living separate and apart for less than 1 year, you may still file an Application for divorce on the ground of separation. However, you must wait until 1 year has elapsed to file an Application for Judgment for divorce.</i>
--

Check the box that applies to you and fill out any information needed:

<input type="checkbox"/> There are no children of the marriage OR <input type="checkbox"/> Reasonable arrangements have been made for the support of the children (Give details and include your annual incomes): <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 10px;"></div>

Schedule 2 Parenting

If you are making a joint application with respect to parenting (custody and/or access), fill in the information below:

What are the current parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (ie. phone or internet):

Other important issues in relation to parenting the child(ren):

What are your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 3 Child Support

Check all of the boxes that apply:

<input type="checkbox"/> We agree to the basic table amount as per the <i>Child Support Guidelines</i> .				
<input type="checkbox"/> We agree on special and/or extraordinary expenses .				
<input type="checkbox"/> We agree to an amount of child support that is different from the <i>Child Support Guidelines</i> basic table amount . What are your incomes? <table border="1" style="margin-left: 40px; width: 60%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Co-Applicant 1's Annual Income:</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Co-Applicant 2's Annual Income:</td> <td style="padding: 2px;">\$</td> </tr> </table> What are your reason(s) for an amount of child support that is different from the <i>Child Support Guidelines</i> ? <input type="checkbox"/> We agree to child support in the amount of \$ _____ per month. <input type="checkbox"/> Each of us has physical custody of (or exercise access to) the child(ren) for 40% or more of the year. <input type="checkbox"/> The child(ren) is(are) 19 years of age or older. <input type="checkbox"/> One or more of the persons who is obligated to pay support has an income that is more than \$150,000 annually. <input type="checkbox"/> One or more of us is claiming undue hardship for the following reason(s): <div style="border: 1px solid black; height: 60px; margin-left: 40px;"></div> <input type="checkbox"/> Other: <div style="border: 1px solid black; height: 60px; margin-left: 40px;"></div>	Co-Applicant 1's Annual Income:	\$	Co-Applicant 2's Annual Income:	\$
Co-Applicant 1's Annual Income:	\$			
Co-Applicant 2's Annual Income:	\$			
<input type="checkbox"/> We agree to an amount of retroactive child support . Describe the reason(s) for retroactive child support: <div style="border: 1px solid black; height: 100px; margin-left: 40px;"></div>				

Schedule 4 Spousal, Partner, Parental, or Dependent Support

Check all of the boxes that apply and fill in the information required:

<p><input type="checkbox"/> We have agreed to an amount of :</p> <ul style="list-style-type: none"><input type="checkbox"/> Spousal support<input type="checkbox"/> Partner support<input type="checkbox"/> Parental support<input type="checkbox"/> Dependent support <p>Describe the reason(s) for support:</p> <div style="border: 1px solid black; height: 200px; width: 100%;"></div>
<p><input type="checkbox"/> We have agreed to an amount of:</p> <ul style="list-style-type: none"><input type="checkbox"/> Retroactive spousal support<input type="checkbox"/> Retroactive partner support<input type="checkbox"/> Retroactive parental support<input type="checkbox"/> Retroactive dependent support <p>Describe the reason(s) for retroactive support:</p> <div style="border: 1px solid black; height: 200px; width: 100%;"></div>

Schedule 5 Division of Property

Check all of the boxes that apply and fill in any information required:

<input type="checkbox"/> We agree to an equal division of matrimonial property .
<input type="checkbox"/> We agree to an unequal division of matrimonial property . Describe the reason(s) for an unequal division of property: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
<input type="checkbox"/> We agree to a division of common law property . Describe the property claim and the reason(s) for the property claim: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
<input type="checkbox"/> We agree to a division of property under the <i>Family Homes on Reserves and Matrimonial Interests or Rights Act</i> . Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>
<input type="checkbox"/> Other: Describe the property claim and the reason(s) for the property claim: <div style="border: 1px solid black; height: 100px; width: 100%;"></div>

Schedule 6 Other Applications

If you have come to an agreement on something other than the claims listed in the other Schedules, state what you are agreeing to and give reasons:

How to Withdraw a Joint Originating Application or Joint Originating Application for Variation

Instructions

A **Withdrawal of Joint Originating Application (F4.04B)** notifies the Court and the other person that you are withdrawing from your Joint Originating Application or Joint Originating Application for Variation.

Completing Your Withdrawal of Joint Originating Application

You may fill out this form by hand or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form online, you must still print the form, file it, and serve it on the other person)

Along with your Withdrawal, you must complete a **Response (Form F6.02A)** to respond to the family law issues that you disagree with or to make any new claims. You can get a Response form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

Filing Your Withdrawal of Joint Originating Application

You must file your Withdrawal of Joint Originating Application and Response at the same Court location where the Joint Originating Application or Joint Originating Application for Variation was filed. To file your documents with the Court, you can either bring it to the same Supreme Court location or you can mail it to same Supreme Court location. If you are mailing a document, be sure to attach the filing fee. You can look up the fees online: www.court.nl.ca/supreme/fees.html

You must make **2 extra copies** of your completed and signed Withdrawal of Joint Originating Application and file your original Withdrawal of Joint Originating Application with the Court.

You must make **3 extra copies** of your completed and signed Response and file your Response with the Court. Your Response must be filed at the same time as your Withdrawal of Joint Originating Application.

Serving Your Withdrawal of Joint Originating Application

You will need to give a copy of the Withdrawal of Joint Originating Application and your Response to the other person. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy of the with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

If you are making claims for divorce or parenting, an adult (who is not you) must hand-deliver the Response to the other person (*personal service*).

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE WITHDRAWAL ---

Form F4.04B: Withdrawal of Joint Originating Application (Family Law)



In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ CO-APPLICANT
(Print full name)

AND: _____ CO-APPLICANT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) CO-APPLICANT

I, _____, the Co-Applicant, withdraw from the
(Print your name)

Joint Originating Application or Joint Originating Application for Variation, dated _____.
(Date: month/day/year)

DATED at _____, this _____ day of _____, 20_____.	
_____ Signature	_____ Signature of Lawyer (if any)

How to Make an Originating Application for Variation

Instructions for the Applicant

You may use an **Originating Application for Variation (Form F5.05A)** if you want to change a final family law order. If you start an Originating Application for Variation, you are the *Applicant*. The other person is the *Respondent*.

If you are making an application together with the other person (i.e. a joint application), you cannot use this form. You must make a **Joint Originating Application for Variation (Form F5.06A)**.

Completing Your Originating Application for Variation

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the Respondent).

You must fill out pages 1-5 of the Originating Application for Variation and attach any schedules and additional forms that apply to you. If you need more space to fill out any section of this Originating Application for Variation, attach an extra page and indicate which section is continued on the extra page.

Filing Your Originating Application for Variation

You must make **3 extra copies** of your completed and signed Originating Application for Variation (including any attachments). File the original Originating Application for Variation with the Court. To file your Originating Application for Variation, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html

Serving Your Originating Application for Variation

Once you have filed your completed Originating Application for Variation with the Court, you must give a copy of the Application and the 'Instructions for the Respondent' page to the Respondent. This is called *service*. You have **180 days** to serve the Respondent after you have filed the Application. If you do not serve the Application in 180 days, it will expire and you may have to file a new Application.

If your Application involves parenting, an adult (who is not you) must hand-deliver the Application to the Respondent. This is called *personal service*. If your Application does *not* involve parenting, you can serve the Respondent by leaving a copy with the Respondent's lawyer, leaving a copy at the Respondent's address, registered mail/courier, or regular mail. You may also serve the Respondent using fax, email, or electronic document exchange, if the Respondent has provided that information.

You may have to file an **Affidavit of Service (Form F8.11A)** or **Acknowledgement of Service (Form F8.04A)** with the Court. These forms are available online: www.court.nl.ca/supreme/family/forms.html

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE APPLICATION ---

How to Respond to an Originating Application for Variation

Instructions for the Respondent

A family law proceeding has been started against you. You are the *Respondent* in this proceeding.

The person who has started this family law proceeding is the *Applicant*.

Read the attached **Originating Application for Variation (Form F5.05A)** carefully. The Applicant has explained the family law issues that he/she would like to have resolved. If you want to oppose any of the Applicant's claims or if you want to make your own claims, you must file and serve a **Response (Form F6.02A)**.

You can find the Response form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html

You have only **30 days** after this Originating Application for Variation has been served on you to file and serve your Response (You have 60 days if you have been served outside of Canada or the United States).

For more information on how to fill out, file, and serve a Response, read the "Instructions for the Respondent" page attached to the Response form.

If you do not respond, the Court may proceed and make an order without hearing from you.

More Information

Questions? You can go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F5.05A: Originating Application for Variation (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

You must start your application at the Court location that is closest to you or closest to the other party. However, if your family law matter involves parenting or child support, you must start your application at the Court location that is closest to where your children live. Check off where your application is required to be heard and note the location where you must file your documents:

If your application is required to be heard in...	...then you must file your documents in...
<input type="checkbox"/> Clarenville (Grand Bank Circuit)	Grand Bank Supreme Court
<input type="checkbox"/> Corner Brook	Corner Brook Supreme (Family Division)
<input type="checkbox"/> Gander	Gander Supreme Court
<input type="checkbox"/> Grand Bank	Grand Bank Supreme Court
<input type="checkbox"/> Grand Falls – Windsor	Grand Falls – Windsor Supreme Court
<input type="checkbox"/> Happy Valley – Goose Bay	Happy Valley – Goose Bay Supreme Court
<input type="checkbox"/> Port aux Basques (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Rocky Harbour (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. Anthony (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. John's	St. John's Supreme Court (Family Division)
<input type="checkbox"/> Stephenville (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Wabush (Happy Valley – Goose Bay Circuit)	Happy Valley – Goose Bay Supreme Court

Check the type of order(s) that you want to change:
 You must fill out the Schedule(s) that relate to your claim(s) and attach any additional forms or documents required.

Type of Order	Fill Out Schedule	Attach
<input type="checkbox"/> Parenting (Decision-making and parenting time)	1	-
<input type="checkbox"/> Child Support	2	Financial Statement (Form F10.02A) and/or income information, if applicable
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support	3	Financial Statement (Form F10.02A)
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)	3	Financial Statement (Form F10.02A)
<input type="checkbox"/> Consent Order or Agreement	4	Signed consent order or agreement
<input type="checkbox"/> Other: _____	4	-

Fill in the details for the order that you are seeking to vary:

Date Order was Issued	Month: _____ Day: _____ Year: _____
Which Court?	_____
Place of Order	City: _____ Province: _____ Country: _____
Name of Justice or Judge	_____

Check this box if you have more than 1 order that you are seeking to change. Attach an extra page at the end of this application to provide the details of those orders.

Applicant Information

Fill in your information below:
 If you have safety concerns and do not want to provide your contact information, you may provide alternate contact information below. You must still provide the Court with your actual contact information in a sealed envelope. This envelope will not be available to the other party.

Current Last Name	_____	Last Name at Birth:	_____
First Name	_____		
Middle Name(s) (if any)	_____		
Gender	_____		
Residential Address	_____		
	<i>Street Address</i>	<i>City</i>	<i>Province</i> <i>Postal Code</i>
Mailing Address (if different from Residential Address)	_____		
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province</i> <i>Postal Code</i>
Telephone Number (if any)	Home: _____	Cell: _____	
Fax Number (if any)	_____		

Email Address (if any)			
Date of Birth	Month:	Day:	Year:
Occupation(s) or Job(s)			
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, what is the name of your band:
			Do you live on a reserve?
Does the Respondent need an interpreter?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, state the language and dialect:
	Please note that the Court is not responsible for any interpreter fees or arrangements.		
Lawyer's Name, Telephone Number, and Address (if any)			

Respondent Information

Fill in the Respondent's information below (to the best of your knowledge):

Current Last Name		Last Name at Birth:	
First Name			
Middle Name(s) (if any)			
Gender			
Residential Address			
	<i>Street Address</i>	<i>City</i>	<i>Province</i> <i>Postal Code</i>
Mailing Address (if different from Residential Address)			
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province</i> <i>Postal Code</i>
Telephone Number (if any)	Home:	Cell:	
Fax Number (if any)			
Email Address (if any)			
Date of Birth	Month:	Day:	Year:
Occupation(s) or Job(s)			
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National
Is the Respondent a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, what is the name of the Respondent's band?
			Does the Respondent live on a reserve?
Does the Respondent need an interpreter?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, state the language and dialect:
	Please note that the Court is not responsible for any interpreter fees or arrangements.		
Lawyer's Name, Telephone Number, and Address (if any)			

Fill in the information about your relationship with the Respondent:

Your relationship with the Respondent	
Date the parties started living together	Month: Day: Year: OR <input type="checkbox"/> Not applicable
Date of marriage	Month: Day: Year: OR <input type="checkbox"/> Not applicable
Place of marriage	OR <input type="checkbox"/> Not applicable
Prior to the marriage, I was	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable
Prior to the marriage, the Respondent was	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable
Date of separation	Month: Day: Year: OR <input type="checkbox"/> Not applicable
Date of divorce	Month: Day: Year: OR <input type="checkbox"/> Not applicable

- Check this box if you are starting a proceeding against more than one Respondent. Attach an extra page to this Application to provide the information of the other Respondent(s) and the details of your relationship with the other Respondent(s).

If child protection services have ever been involved with you, the Respondent(s), and/or the children, provide the details below.

--

Provide the details of any **current** or **ongoing** court proceedings, court orders, and/or written agreements involving you, the Respondent(s), and/or the children. Attach any written agreements and any court orders not in the Court file.

--

Fill in the information for every child of your relationship (Include children under and over 19 and non-dependent children):

	Child 1	Child 2
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

	Child 3	Child 4
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

Check this box if there are more than 4 children. Attach an extra page to provide the details of those children.

Statement of Truth

You must swear or affirm that the facts and information you have written in this Application and the attached Schedule(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. You may also do this at the court registry.

I declare that the facts and information in this Originating Application for Variation are true to the best of my knowledge and belief.	
SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.	
_____ <i>Signature of Applicant</i>	_____ <i>Signature of Person Authorized to Administer Oaths</i>

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the <i>Executive Council Act</i> and I am the lawyer of record in this matter.	
_____ <i>Signature of Lawyer (if any)</i>	_____ <i>Print Name of Lawyer (if any)</i>

Schedule 1 Parenting

Complete this section if you are applying to change parenting arrangements (custody and/or access):

Why are you asking to have the parenting order changed?

Describe what has changed since the time the parenting order was made.

What are the current parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

What are your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 2 Child Support

Complete this section if you are applying to change child support:

<p>What is your current child support arrangement?</p>	
<p>Are there arrears or unpaid support?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, attach the most current Support Enforcement (SED) statement and specify:</i> Amount: \$ _____ As of (date) (month/day/year): _____</p>
<p>Is child support assigned to be paid to someone else? <i>(eg. Department of Advanced Education, Skills and Labour)</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, provide the details of the assignment arrangement:</i></p>

Check all of the boxes that apply and fill in the information required:

I am seeking a **change in the *Child Support Guidelines* basic table amount of child support:**

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

Describe the facts and your reason(s) for seeking a change in the amount of child support:

You must attach all of the financial documents required by page 4 of the Financial Statement (Form F10.02A).

I am seeking a change in child support to an amount that is different from the *Child Support Guidelines basic table amount*.

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

List your reason(s) for seeking an amount of child support different from the *Child Support Guidelines*:
 Depending on your reasons for seeking an amount different from the *Child Support Guidelines*, you may have to file additional documentation.

- The Respondent and I have agreed to child support in the amount of \$ _____ per month.
- I have physical custody of (or exercise access to) the child(ren) for 40% or more of the year.
You must complete and attach a Financial Statement (Form F10.02A).
- The child(ren) is(are) 19 years of age or older.
You must complete and attach a Financial Statement (Form F10.02A).
- One or more of the persons who is obligated to pay support has an income that is more than \$150,000 annually.
You must complete and attach a Financial Statement (Form F10.02A).
- I am claiming undue hardship for the following reason(s):

You must complete and attach a Financial Statement (Form F10.02A).

Other:

Depending on your claim, you may be required to complete and attach a Financial Statement (Form F10.02A).

I am seeking a change in the amount of special and/or extraordinary expenses.

You must complete and attach a Financial Statement (Form F10.02A). You must also provide the information below:

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

Describe the facts and your reason(s) for seeking a change in the amount of special and/or extraordinary expenses:

I am seeking **retroactive child support**.

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What is the amount of retroactive child support that you are seeking? \$ _____

Describe the facts and your reason(s) for seeking retroactive child support:

I am seeking a **termination of child support**.

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

List your reason(s) for terminating child support:

I am seeking **child support** because a change in our parenting arrangement(s) has given rise to child support and there is no child support order currently in place.

*You must file and complete **Schedule 1 – Parenting** of this form. If you are seeking an amount different from the Child Support Guidelines basic table amount, you must also complete and attach a **Financial Statement (Form F10.02A)**.*

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What is the amount of child support that you are seeking? \$ _____

Describe your claim, the facts, and your reason(s) for seeking support:

Other changes to child support:

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What is the amount of child support that you are seeking? \$ _____

Describe your claim, the facts, and your reason(s) for seeking a change in support:

Schedule 3 Spousal, Partner, Parental, or Dependant Support

*If you are seeking a change in spousal, partner, parental or dependant support, you must complete and attach a **Financial Statement (Form F10.02A)***

If you are applying to change spousal, partner, parental, and/or dependant support, fill in the information below:

<p>What is your current spousal, partner, parental, and/or dependant support arrangement?</p>	
<p>Are there arrears or unpaid support?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, attach the most current Support Enforcement (SED) statement and specify:</i> Amount: \$ _____ As of (date) (month/day/year): _____</p>
<p>Is support assigned to be paid to someone else? <small>(eg. Department of Advanced Education, Skills and Labour)</small></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, provide the details of the assignment arrangement:</i></p>

Check all of the boxes that apply and fill in the information required:

I am seeking a change in spousal, partner, parental, or dependant support.

For the following person(s):	
Effective Date:	Month: Day: Year:

Describe the facts and your reason(s) for seeking a change in support:

I am seeking **retroactive spousal, partner, parental, or dependant support.**

For the following person(s):			
Effective Date:	Month:	Day:	Year:

Describe the facts and your reason(s) for seeking retroactive support:

I am seeking a **termination of spousal, partner, parental, or dependant support.**

For the following person(s):			
Effective Date:	Month:	Day:	Year:

Describe the facts and your reason(s) for terminating support:

Other change(s) to spousal, partner, parental, or dependant support:

For the following person(s):			
Effective Date:	Month:	Day:	Year:

Describe your claim, the facts, and your reason(s) for seeking a change in support:

Schedule 4 Other

If you want to change a court order for something other than what is in the other Schedules, state what you are seeking, describe the facts, and give reasons:

How to Make a Joint Originating Application for Variation

Instructions for Co-Applicants

You may use a **Joint Originating Application for Variation (Form F5.06A)** if you and the other person(s) would like to change a family law order together. You and the other person(s) are *Co-Applicants*.

If there are any issues that you do not agree on, you must use the general **Originating Application for Variation (Form F5.05A)**. However, you can still do Consent Order(s) on the issues you agree on.

Completing Your Joint Originating Application for Variation

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court).

You must fill out the entire Joint Originating Application for Variation and attach an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. If you need more space to fill out any section of this Joint Originating Application for Variation, attach an extra page and indicate which section is continued on the extra page.

Filing Your Joint Originating Application for Variation

You must make **2 extra copies** of your completed and signed Joint Originating Application for Variation (including any additional documentation). File your original Joint Originating Application for Variation with the Court.

To file your Joint Originating Application for Variation, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you.

Serving Your Joint Originating Application for Variation

Since all of the Co-Applicants have signed the Joint Originating Application for Variation, it does NOT need to be served on the other Co-Applicant(s). However, you should still make sure all of the Co-Applicants have a copy of the Joint Originating Application for Variation and all attachments.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F5.06A: Joint Originating Application for Variation (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ CO-APPLICANT
(Print full name)

AND: _____ CO-APPLICANT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) CO-APPLICANT

You must start your application at the Court location that is closest to you or closest to the other party. However, if your family law matter involves parenting or child support, you must start your application at the Court location that is closest to where your children live. Check off where your application is required to be heard and note the location where you must file your documents:

If your application is required to be heard in...	...then you must file your documents in...
<input type="checkbox"/> Clarenville (Grand Bank Circuit)	Grand Bank Supreme Court
<input type="checkbox"/> Corner Brook	Corner Brook Supreme (Family Division)
<input type="checkbox"/> Gander	Gander Supreme Court
<input type="checkbox"/> Grand Bank	Grand Bank Supreme Court
<input type="checkbox"/> Grand Falls – Windsor	Grand Falls – Windsor Supreme Court
<input type="checkbox"/> Happy Valley – Goose Bay	Happy Valley – Goose Bay Supreme Court
<input type="checkbox"/> Port aux Basques (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Rocky Harbour (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. Anthony (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> St. John's	St. John's Supreme Court (Family Division)
<input type="checkbox"/> Stephenville (Corner Brook Circuit)	Corner Brook Supreme Court (Family Division)
<input type="checkbox"/> Wabush (Happy Valley – Goose Bay Circuit)	Happy Valley – Goose Bay Supreme Court

Check the type of order(s) that you are seeking:
 You must fill out and file the Schedule(s), and any additional Form(s) that relate to your claim(s).

Type of Order	Fill Out Schedule	Fill Out Form(s) or Attach Document(s)
<input type="checkbox"/> Parenting (Decision-making and parenting time)	1	Consent Order or Agreement
<input type="checkbox"/> Child Support	2	Consent Order or Agreement
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support	3	Consent Order or Agreement
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)	3	Consent Order or Agreement
<input type="checkbox"/> Other: _____	4	Consent Order or Agreement

Fill in the details for the order that you are seeking to vary:

Date Order was Issued	Month:	Day:	Year:
Which Court?			
Place of Order	City:	Province:	Country:
Name of Justice or Judge			

Check this box if you have more than 1 order that you are seeking to change. Attach an extra page at the end of this application to provide the details of those orders.

Fill in the information below for the first Co-Applicant:

Current Last Name		Last Name at Birth:
First Name		
Middle Name(s) (if any)		
Gender		
Residential Address		
	<i>Street Address</i>	<i>City Province Postal Code</i>
Mailing Address (if different from Residential Address)		
	<i>Street Address or PO Box</i>	<i>City Province Postal Code</i>
Telephone Number (if any)	Home:	Cell:
Fax Number (if any)		
Email Address (if any)		
Date of Birth	Month:	Day: Year:

Occupation(s) or Job(s)			
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, what is the name of your band?
			Do you live on a reserve?
Does the Respondent need an interpreter?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, state the language and dialect:
	Please note that the Court is not responsible for any interpreter fees or arrangements.		
Lawyer's Name, Telephone Number, and Address (if any)			

Fill in the information below for the second Co-Applicant:

Current Last Name		Last Name at Birth:		
First Name				
Middle Name(s) (if any)				
Gender				
Residential Address				
	<i>Street Address</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Mailing Address <small>(if different from Residential Address)</small>				
	<i>Street Address or PO Box</i>	<i>City</i>	<i>Province</i>	<i>Postal Code</i>
Telephone Number (if any)	Home:	Cell:		
Fax Number (if any)				
Email Address (if any)				
Date of Birth	Month:	Day:	Year:	
Occupation(s) or Job(s)				
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen	<input type="checkbox"/> Permanent Resident	<input type="checkbox"/> Foreign National	
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, what is the name of your band?	
			Do you live on a reserve?	
Does the Respondent need an interpreter?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, state the language and dialect:	
	Please note that the Court is not responsible for any interpreter fees or arrangements.			
Lawyer's Name, Telephone Number, and Address (if any)				

Fill in the information about your relationship below:

Relationship of the parties				
Date the parties started living together	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of marriage	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Place of marriage	OR <input type="checkbox"/> Not applicable			
Prior to the marriage, the first Co-Applicant was	<input type="checkbox"/> Unmarried	<input type="checkbox"/> Divorced	<input type="checkbox"/> Widowed	OR <input type="checkbox"/> Not applicable
Prior to the marriage, the second Co-Applicant was	<input type="checkbox"/> Unmarried	<input type="checkbox"/> Divorced	<input type="checkbox"/> Widowed	OR <input type="checkbox"/> Not applicable
Date of separation	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of divorce	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable

Check this box if there are more than 2 Co-Applicants. Attach an extra page to provide the information of the other Co-Applicant(s) and details of your relationship with the other Co-Applicant(s).

Fill in the information for every child of your relationship (Include children under and over 19 and non-dependent children):

	Child 1	Child 2
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

	Child 3	Child 4
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

Check this box if there are no children.

Check this box if there are more than 4 children. Attach an extra page to provide the details of those children.

If child protection services have ever been involved with you, the other Co-Applicant(s), and/or the children, provide the details below.

Provide the details of any **current** or **ongoing** court proceedings, court orders, and/or written agreements involving you, the Respondent(s), and/or the children. Attach any written agreements and any court orders not in the Court file.

If there are more than 2 Co-Applicants, attach an extra page with the signatures required below.

Statement of Truth

All Co-Applicants must swear or affirm that the facts and information in this Application and the attached Consent Order is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

First Co-Applicant

<p>I declare the facts and information in this Joint Originating Application for Variation are true to the best of my knowledge and belief.</p> <p>SWORN TO or AFFIRMED at _____,</p> <p>this _____ day of _____, 20____.</p>
<p>Signature of First Co-Applicant</p>
<p>Signature of Person Authorized to Administer Oaths</p>

Second Co-Applicant

<p>I declare the facts and information in this Joint Originating Application for Variation are true to the best of my knowledge and belief.</p> <p>SWORN TO or AFFIRMED at _____,</p> <p>this _____ day of _____, 20____.</p>
<p>Signature of Second Co-Applicant</p>
<p>Signature of Person Authorized to Administer Oaths</p>

Schedule 1 Parenting

Complete this section if you have agreed to change parenting arrangements (custody and/or access):

**Why are you asking to have the parenting order changed?
(Describe what has changed since the time the parenting order was made)**

What are the current parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

What are your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 2 Child Support

Complete this section if you have agreed to change child support:

Fill in the information below:

<p>What is your current child support arrangement?</p>	
<p>Are there arrears or unpaid support?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, attach the most current Support Enforcement (SED) statement and specify: Amount: \$ _____ As of (date) (month/day/year): _____</p>
<p>Is child support assigned to be paid to someone else? (eg. Department of Advanced Education, Skills, and Labour)</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide the details of the assignment arrangement:</p>

Check all of the boxes that apply and fill in the information required:

We agree to calculate child support using the *Child Support Guidelines* basic table amount but agree to change the amount:

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

Describe the reason(s) for changing the amount of child support:

We agree to **change child support to an amount that is different from the *Child Support Guidelines* basic table amount.**

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What are your incomes?

Co-Applicant 1's Annual Income:	\$
Co-Applicant 2's Annual Income:	\$

Check off the reason(s) for changing the amount of child support to an amount different from the *Child Support Guidelines*:

Both Co-Applicants must each file an Affidavit regarding your incomes and your ability to support your children.

- We agree to child support in the amount of \$ _____ per month.
- Each of us has physical custody of (or exercise access to) the child(ren) for 40% or more of the year.
- The child(ren) is(are) 19 years of age or older.
- One or more of the persons who is obligated to pay support has an income that is more than \$150,000 annually.
- One or more of us is claiming undue hardship for the following reason(s):

Other:

We agree to **change the amount of special and/or extraordinary expenses.**

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

Describe the reason(s) for changing the amount of special and/or extraordinary expenses:

We agree to an **amount of retroactive child support**.

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What amount of retroactive child support do you agree to? \$ _____

Describe the reason(s) for retroactive child support:

We agree to **terminate child support**.

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

Describe the reason(s) for terminating child support:

We agree to other changes to child support:

For the following child(ren):			
Effective Date:	Month:	Day:	Year:

What amount of child support do you agree to? \$ _____

Describe the reason(s) for changing support:

Schedule 3 Spousal, Partner, Parental, or Dependent Support

If you are applying to change spousal, partner, parental, and/or dependent support, fill in the information below:

<p>What is your current spousal, partner, parental, and/or dependent support arrangement?</p>	
<p>Are there arrears or unpaid support?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, attach the most current Support Enforcement (SED) statement and specify:</i></p> <p>Amount: \$ _____</p> <p>As of (date) (month/day/year): _____</p>
<p>Is support assigned to be paid to someone else? <i>(eg. Department of Advanced Education, Skills and Labour)</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>If yes, provide the details of the assignment arrangement (to the best of your knowledge):</i></p>

Check all of the boxes that apply and fill in the information required:

We agree to **change spousal, partner, parental, or dependent support.**

For the following person(s):	
Effective Date:	Month: Day: Year:

Describe the facts and your reason(s) for seeking a change in support:

<input type="checkbox"/>	We agree to change retroactive spousal, partner, parental, or dependent support.							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">For the following person(s):</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Effective Date:</td> <td style="padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table> </td> </tr> </table>		For the following person(s):		Effective Date:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table>	Month:	Day:	Year:
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Month:	Day:	Year:						
Describe the facts and your reason(s) for seeking retroactive support:								
<input type="checkbox"/>	We agree to terminate spousal, partner, parental, or dependent support.							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">For the following person(s):</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Effective Date:</td> <td style="padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table> </td> </tr> </table>		For the following person(s):		Effective Date:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table>	Month:	Day:	Year:
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Month:	Day:	Year:						
Describe the facts and your reason(s) for terminating support:								
<input type="checkbox"/>	We agree to other change(s) to spousal, partner, parental, or dependent support:							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">For the following person(s):</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Effective Date:</td> <td style="padding: 2px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table> </td> </tr> </table>		For the following person(s):		Effective Date:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table>	Month:	Day:	Year:
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Effective Date:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 2px;">Month:</td> <td style="width: 25%; padding: 2px;">Day:</td> <td style="width: 25%; padding: 2px;">Year:</td> </tr> </table>	Month:	Day:	Year:				
Month:	Day:	Year:						
Describe your claim, the facts, and your reason(s) for seeking a change in support:								

Schedule 4 Other

If you are seeking a change for something other than the claims requested in the Schedules, state what you are seeking and give reasons:

How to Respond to an Originating Application or Originating Application for Variation

Instructions for the Respondent

If you have been served with an Origination Application or an Originating Application for Variation, you are the *Respondent* in a family law court proceeding. The person who has started this proceeding is the *Applicant*. A **Response (Form F6.02A)** is a form you use to respond to an Application. In the Response, you set out what your position is on the family law issues. You may also make your own claims in your Response.

If you do not respond, the Court may proceed and make an order without hearing from you.

Completing Your Response

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the Applicant). You must fill out pages 1-4 of the Response and attach any schedules and additional forms that apply to you. If you need more space to fill out any section of this Response, attach an extra page.

If you are Responding to a claim for basic table amount of child support, you must attach all of the financial documents set out on page 4 of the **Financial Statement (Form F10.02A)**.

Filing Your Response

You must make **3 extra copies** of your completed and signed Response (including any additional documentation). File your original Response with the Court. To file your Response, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html.

You have only **30 days** after the Application has been served on you to file your Response (You have 60 days if you have been served outside of Canada or the United States).

Serving Your Response

You must give a copy of the Response to the Applicant. This is called *service*. You have only **30 days** after the Application has been served on you to serve your Response (You have 60 days if you have been served outside of Canada or the United States). If you are making a new claim for parenting or divorce in your Response, an adult (who is not you) must hand-deliver the Response to the Applicant. This is called *personal service*. If you are not making a new claim for parenting or divorce, you may also serve the Applicant by personal service or by leaving a copy with the Applicant's lawyer, leaving a copy at the Applicant's address, registered mail/courier, or regular mail. You may also serve the Applicant using fax, email, or electronic document exchange, if the Applicant has provided that information.

You may have to file an **Affidavit of Service (Form F8.11A)** or **Acknowledgement of Service (Form F8.04A)** with the Court. These forms are available online: www.court.nl.ca/supreme/family/forms.html

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE RESPONSE ---

How to Reply to a Response**Instructions for the Applicant**

Read the attached **Response (Form F6.02A)** carefully. The Respondent has responded to the issues that you raised in your Originating Application or Originating Application for Variation.

The Respondent may have also made some new claims in his/her Response. If you want to respond to any of these new claims, you must file and serve a **Reply (Form F7.02A)**.

You can find the Response form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html

You have only **10 days** after this Response has been served on you to file and serve your Reply.

If you do not reply, the Court may proceed and make an order without hearing from you.

For more information on how to fill out, file, and serve a Reply, read the “Instructions for the Applicant” page attached to the Reply form.

More Information

Questions? You can go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

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Form F6.02A: Response (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

Check all of the boxes that apply:

<input type="checkbox"/> I do not contest any of the claims made by the Applicant.
<input type="checkbox"/> I disagree with some or all of the claims made by the Applicant. Which claim(s) do you agree with? <i>It is helpful to indicate the page and section of the Applicant's application that you agree with.</i>

Which claim(s) do you disagree with? Explain why you disagree.

It is helpful to indicate the page or section of the Application that you disagree with.

I am making my own claims.

Only check this box if you are making new claims that were not addressed in the Originating Application or Originating Application for Variation. You must fill out and file the Schedule(s) and any additional Form(s) that correspond with your claim(s).

I am seeking:

Type of Order	Fill Out Schedule	Attach
<input type="checkbox"/> Divorce	1	Original marriage certificate
<input type="checkbox"/> Parenting (Custody / Access)	2	-
<input type="checkbox"/> Child Support	3	Financial Statement (Form F10.02A) if applicable
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support	4	Financial Statement (Form F10.02A)
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)	4	Financial Statement (Form F10.02A)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property	5	Property Statement (Form F10.02A)
<input type="checkbox"/> Return of Child (within Canada)	6	Emergency Temporary Relief Application (Form 17.03A) if applicable
<input type="checkbox"/> Consent Order	7	Consent Order (Form F34.02A and/or F34.02B)
<input type="checkbox"/> Other: _____	7	-

Respondent Information

Fill in your information below:

If you have safety concerns and do not want to provide your contact information, you may provide alternate contact information below. You must still provide the Court with your actual contact information in a sealed envelope. This envelope will not be available to the other party.

Current Last Name		Last Name at Birth:
First Name		
Middle Name(s) (if any)		
Gender		
Residential Address		
	<i>Street Address</i>	<i>City Province Postal Code</i>
Mailing Address <i>(if different from Residential Address)</i>		
	<i>Street Address or PO Box</i>	<i>City Province Postal Code</i>
Telephone Number (if any)	Home:	Cell:
Fax Number (if any)		
Email Address (if any)		
Date of Birth	Month:	Day: Year:
Occupation(s) or Job(s)		
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Foreign National	
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of your band?
		Do you live on a reserve?
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees or arrangements.	If yes, state the language and dialect:
Lawyer's Name, Telephone Number, and Address (if any)		

Check this box if there is more than 1 Respondent. Attach an extra page to provide the information of the other Respondent(s).

Fill in the information about your relationship with the Applicant

Your relationship with the Applicant				
Date the parties started living together	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of marriage	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Place of marriage				OR <input type="checkbox"/> Not applicable
Prior to the marriage, you were	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable			
Prior to the marriage, the Applicant was	<input type="checkbox"/> Unmarried <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed OR <input type="checkbox"/> Not applicable			
Date of separation	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable
Date of divorce	Month:	Day:	Year:	OR <input type="checkbox"/> Not applicable

If child protection services have ever been involved with you, the Applicant, and/or the children, provide the details:

Provide the details of any **current** or **ongoing** court proceedings, court orders, and/or written agreements involving you, the Applicant, and/or the children. Attach any written agreements and any court orders not in the Court file.

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Response and the attached Schedule(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Response at the Court when you file it.

If there is more than 1 Respondent, attach an extra page with the signatures required below.

I declare the facts and information in this Response are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature of Respondent

Signature of Person Authorized to Administer Oaths

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

Lawyer’s Certificate

- Check this box if you have a lawyer and are applying for divorce. Your lawyer must complete this Certificate. If you are not applying for divorce or do not have a lawyer, you do not have to fill out this Certificate.

I, _____, the Lawyer for _____,
(Print Lawyer’s Name) (Print Respondent’s Name)

the Respondent, certify to this Court that I have complied with the requirements of s.9 of the *Divorce Act*.

Dated at _____, this _____ day of _____, 20____.

Signature of Lawyer

Address of Lawyer

(Note: This Schedule is intended for divorce applications under the *Divorce Act*. If you are seeking a divorce under the *Civil Marriages Act*, fill out Schedule 7.)

Schedule 1 Divorce

In order to apply for a divorce, **you must be able to satisfy all 4 of the requirements below:**

1	<input type="checkbox"/> There has been a breakdown in our marriage and there is no likelihood that we will get back together.
2	<input type="checkbox"/> I am a resident of Newfoundland and Labrador and have been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application. OR <input type="checkbox"/> My spouse is a resident of Newfoundland and Labrador and has been a resident of Newfoundland and Labrador for at least 1 year immediately prior to this application.
3	<input type="checkbox"/> I have attached the original Certificate of Marriage (or Registration of Marriage) to this Application. <i>If you were married in Canada, you can obtain your Certificate of Marriage from the provincial Vital Statistics Agency.</i> <input type="checkbox"/> Check this box if your Certificate of Marriage is not in English or French. You must attach a translation. OR <input type="checkbox"/> I was married outside of Canada and I am unable to attach a copy of my Certificate of Marriage (or Registration of Marriage) because it is impossible or impractical to obtain. <i>You will have to make an Interim Application for a Procedural Order (using Form F16.03A) for an Order dispensing with the need to file a Certificate of Marriage.</i>
4	<input type="checkbox"/> There has been no collusion in relation to this application for a divorce.

I am seeking a divorce because there has been a permanent breakdown in our marriage based upon:

<input type="checkbox"/> Separation: <p><i>Check this box if you and your spouse currently live separate and apart and will have lived separate and apart for at least 1 year prior to the determination of the divorce proceeding.</i></p> <p><i>If you and your spouse have been living separate and apart for less than 1 year, you may still claim a divorce on the ground of separation. However, you must wait until 1 year has elapsed to file an Application for Judgment for divorce.</i></p>
<input type="checkbox"/> Adultery: <p><i>Check this box if you are seeking divorce because the Applicant has committed adultery. Attach an extra page with details of the adultery.</i></p> <p><i>You may be required to present further evidence of the adultery. You do not need to name any other person involved. If you choose to name another person, you must serve this Response on that person by personal service. That other person(s) will have the same rights as a Respondent in relation to the adultery claim and may file a Response.</i></p> <p><input type="checkbox"/> <i>Check this box to declare that you have not condoned or connived in the adultery.</i></p>
<input type="checkbox"/> Cruelty: <p><i>Check this box if you are seeking divorce because your spouse has treated you with physical or mental cruelty that makes continued cohabitation intolerable. Attach an extra page with details of the cruelty.</i></p> <p><i>You may be required to present further evidence of the physical or mental cruelty.</i></p> <p><input type="checkbox"/> <i>Check this box to declare that you have not condoned or connived in the cruelty.</i></p>

Schedule 2 Parenting

If you are making a parenting application (custody and/or access), fill in the information below:

What are the current parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (ie. phone or internet):

Other important issues in relation to parenting the child(ren):

What are your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 3 Child Support

Check all of the boxes that apply:

<input type="checkbox"/> I am seeking the basic table amount as per the <i>Child Support Guidelines</i> .
<input type="checkbox"/> I am seeking special and/or extraordinary expenses . You must complete and attach a Financial Statement (Form F10.02A) .
<input type="checkbox"/> I am seeking an amount of child support that is different from the <i>Child Support Guidelines</i> basic table amount . Depending on your reason(s) for seeking an amount different from the <i>Child Support Guidelines</i> , you may have to attach further documentation. List your reason(s) for seeking an amount of child support different from the <i>Child Support Guidelines</i> : <ul style="list-style-type: none"> <input type="checkbox"/> The Respondent and I have agreed to child support in the amount of \$ _____ per month. <input type="checkbox"/> I have physical custody of (or exercise access to) the child(ren) for 40% or more of the year. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> The child(ren) is(are) 19 years of age or older. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> One or more of the persons who is obligated to pay support has an income that is more than \$150,000 annually. You must complete and attach a Financial Statement (Form F10.02A). <input type="checkbox"/> I am claiming undue hardship for the following reason(s): <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div> You must complete and attach a Financial Statement (Form F10.02A) . <ul style="list-style-type: none"> <input type="checkbox"/> Other: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div> Depending on your claim, you may be required to complete and attach a Financial Statement (Form F10.02A) .
<input type="checkbox"/> I am seeking retroactive child support . What is the amount of retroactive child support that you are seeking? \$ _____ What is the date from which you are seeking retroactive child support? (month/day/year) _____ Describe the facts and your reason(s) for seeking retroactive child support: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>

Schedule 4 Spousal, Partner, Parental, or Dependent Support

*If you are seeking spousal, partner, parental, or dependent support, you must complete and attach a **Financial Statement (Form F10.02A)***

Check all of the boxes that apply and fill in the information required:

I am seeking :

- Spousal support
- Partner support
- Parental support
- Dependant support

Describe the facts and your reason(s) for seeking support:

I am seeking:

- Retroactive spousal support
- Retroactive partner support
- Retroactive parental support
- Retroactive dependant support

What is the amount of retroactive support that you are seeking? \$ _____

What is the date from which you are seeking retroactive support? (month/day/year) _____

Describe the facts and your reason(s) for seeking retroactive support:

Schedule 5 Division of Property

*If you are seeking a division of matrimonial property or common law property, you must complete and attach a **Property Statement (Form F10.04A)***

Check all of the boxes that apply and fill in any information required:

<input type="checkbox"/> I am seeking an equal division of matrimonial property .
<input type="checkbox"/> I am seeking an unequal division of matrimonial property . Describe the facts and your reason(s) for seeking an unequal division of property: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> I am seeking exclusive possession of the matrimonial home . Describe the facts and your reason(s) for seeking exclusive possession of the matrimonial home: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> I am seeking a division of common law property . Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
<input type="checkbox"/> Other: Describe your property claim, the facts, and your reason(s) for seeking the claim: <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>

Schedule 6 Other Claims

If you are seeking a court order for something other than the claims requested in the other Schedules, state what you are seeking, describe the facts, and give reasons:

Form F6.04A: Demand for Notice (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I, _____, the Applicant Respondent Other:
(Print full name)

demand notice of all further pleadings and proceedings to be served on me.

DATED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

Form F6.06A: Notice of Default (Family Law)



In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I confirm that _____, who is the _____
(Name of party in default) *(Respondent or Applicant)*

in this matter, has not filed a _____ within the prescribed time as set out in the
(Response or Reply)

Rules of the Supreme Court, 1986 and that the Court may proceed to decide the matter without hearing from

_____ .
(Name of party in default)

DATED at _____, this _____ day of _____, 20____.

Signature

FOR COURT USE ONLY
<input type="checkbox"/> I certify this Notice of Default.
DATED at _____, this _____ day of _____, 20____.
_____ <i>Registry Clerk of the Supreme Court of Newfoundland and Labrador</i>

How to Reply to a Response

Instructions for the Applicant

You may use a **Reply (Form F7.02A)** to reply to new claims the Respondent has made in his/her Response (Form F6.02A). You must file and serve a Reply, whether you agree or disagree with any of those new claims.

If you do not serve and file a Reply to the new claims in the Response, the Court may make an order on those claims without hearing from you.

Completing Your Reply

You may fill out this form by hand or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form online, you must still print the form, file it with the Court, and serve a copy on the Respondent). You must fill out pages 1-2 of the Reply. If you need more space to fill out any section of this Reply, attach an extra page and indicate which section is continued on the extra page.

If the Response makes a new claim for child support, **you must file all of the financial documents set out on page 4 of the Financial Statement (Form F10.02A).**

Filing Your Reply

You must make **3 extra copies** of your completed and signed Reply (including any additional documentation). File your original Reply with the Court. To file your Reply, you must bring the Reply to the Supreme Court location where your file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html.

You have only **10 days** after the Response has been served on you to file your Reply.

Serving Your Reply

You must give a copy of the Reply to the Respondent. This is called *service*. You can serve the other person by: personal service (an adult who is not you hand-delivers the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You may also serve the Respondent using fax, email, or electronic document exchange, if the Respondent has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE REPLY ON THE RESPONDENT ---

Form F7.02A: Reply (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY

COURT FILE NO: _____

CENTRAL DIVORCE REGISTRY NO: _____

Filed at _____, Newfoundland and
Labrador, this _____ day of _____, 20_____.

Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name) NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

Check all of the boxes that apply:

I do not contest any of the claims made by the Respondent.

I disagree with some or all of the claims made by the Respondent

Which claim(s) do you agree with?

It is helpful to indicate the page and section of the Response that you agree with.

Which claim(s) do you disagree with? Explain why you disagree.
It is helpful to indicate the page or section of the Response that you disagree with.

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Reply and the attached Schedule(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Reply at the Court when you file it.

I declare the facts and information in this Reply and attachments are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature of Applicant
Signature of Person Authorized to Administer Oaths

How to Send an Acknowledgement of Service

Instructions

An **Acknowledgment of Service (Form 8.04A)** is a form that proves to the Court that the other person has received your document(s). This form is a way to prove *service*.

When to use an Acknowledgement of Service

You may use an Acknowledgement of service if you are serving any of the following documents by regular mail, email, fax, or leaving a copy at the other person's address:

- **Originating Application (Form F4.03A)** for any issue(s) other than divorce or parenting
- **Originating Application for Variation (Form 5.05A)** for any issue(s) other than parenting
- **Response (Form F6.02A)** making a claim for any issue other than divorce or parenting

If you choose to send any of the above documents to the other person by regular mail or leaving a copy at the other person's address, you must attach this Acknowledgement of Service form to the document you are serving on the other person. If you choose to send any of the above documents to the other person by fax, you can choose to send an Acknowledgement of Service, or you can use a fax confirmation to prove service. If you choose to send any of the above documents to the other person by email, you can choose to send an Acknowledgement of Service, or you can use a reply email from the other person to prove service. In the reply email, the other person must write: "I, [name of recipient], accept service of [document(s) received] on [date document(s) was/were received]".

Completing the Acknowledgement of Service

Print your name, date, how you are serving the other person, and check off the documents you are sending to the other person. On the bottom of the Acknowledgement of Service, you must fill in the ways in which the other person may return the Acknowledgment of Service to you. You must also provide return address information.

Filing the Acknowledgement of Service

The other person needs to send the completed form back to you so that you can prove that you sent a copy to that person. When the Acknowledgment of Service is returned to you, you must file it with the Court. You can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you.

What to do if the Acknowledgment of Service is not returned to you

If the other person does not send the Acknowledgement of Service back to you, you may either:

- (a) serve the other person using a different acceptable method of service (eg. personal service or registered mail/courier); or
- (b) make an **Interim Application for a Procedural Order (Form F16.03A)** to validate service.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SENDING THIS ACKNOWLEDGEMENT ---

How to Acknowledge Service**Instructions**

You have been served with documents relating to a family law court proceeding.

You must immediately complete this Acknowledgement of Service (Form 8.04A) and immediately return it to the other person.

The other person has served you by regular mail, email, fax, or other form of electronic communication. In order to tell the other person and the Court that you have received these documents, you must fill out and sign the **Acknowledgement of Service**.

Fill in your name, which documents you were served with, and the date you were served. Sign the form.

You may send the Acknowledgement of Service in any of the method(s) indicated at the bottom of the form.

If you do not return the Acknowledgement of Service, the documents may be served on you in another manner and you may have to pay for the costs of service.

If you were served with documents by **email**, you can do either of the following:

- (a) Fill out and send this Acknowledgement of Service; or
- (b) Send a reply email to the other person instead of an Acknowledgement of Service. In your reply email, you must write: "I, [name of recipient], accept service of [document(s) received] on [date document(s) was/were received]".

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE RETURNING THE ACKNOWLEDGEMENT ---

Form F8.04A: Acknowledgement of Service (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I acknowledge that I, _____, received a copy of the following documents:
(Print your name)

- | | | |
|--|--|---|
| <input type="checkbox"/> Originating Application | <input type="checkbox"/> Originating Application for Variation | <input type="checkbox"/> Response |
| <input type="checkbox"/> Reply | <input type="checkbox"/> Financial Statement | <input type="checkbox"/> Property Statement |
| <input type="checkbox"/> Other (Specify): _____ | | |

on _____.
(Date: month/day/year)

I was served by: Regular mail Email Fax Other : _____

Signature

Return to: (name)
<input type="checkbox"/> Mailing Address:
<input type="checkbox"/> Email:
<input type="checkbox"/> Fax:
<input type="checkbox"/> Other:

How to Serve the Other Party

Instructions

An **Affidavit of Service (Form F8.11A)** is a form that you can use to prove to the Court that the other person received your document. This is called *proof of service*.

When to use an Affidavit of Service

You must complete an Affidavit of Service if:

- 1) You are serving one of the following documents:
 - **Originating Application (Form F4.03A)** involving divorce or parenting (custody/access)
 - **Originating Application for Variation (Form F5.05A)** involving parenting (custody/access)
 - **Response (Form F6.02A)** making a claim for divorce or parenting (custody/access)
 - Notice of Contempt Application
 - A pleading, order, or other document served on a person who is not a party (eg. subpoena)
 - Notice of Application or Notice of Default Hearing in which the person to be served faces a possibility of imprisonment
 - The hearing date on an **Emergency Interim Application (Form F17.03A)**
 - Where personal service is otherwise required by law
- 2) You are serving one of the following documents by leaving a copy at the other persons address (and mailing another copy to that address on the same day or the following day):
 - **Originating Application (Form F4.03A)** NOT involving divorce or parenting (custody/access)
 - **Originating Application for Variation (Form F5.05A)** NOT involving parenting (custody/access)
 - **Response (Form F6.02A)** NOT making a claim for divorce or parenting (custody/access)
- 3) A judge asks or orders you to prove service with an Affidavit of Service.

If none of the above applies to you, you can prove service with a delivery confirmation, a reply e-mail, a copy of the document with the recipient's lawyer's endorsement on it, or an **Acknowledgement of Service (Form F8.04A)**, signed by the person who received the document.

Personal Service (Hand Delivery)

"Personal Service" or "hand delivery" means that the documents must be handed to the other party *in person* by **an adult other than yourself**. If the other person has received your document by personal service, you must file an Affidavit of Service.

Personal Service can be done in 2 ways:

- 1) By any other person (other than yourself) who is 19 years of age or older. That other person must hand the documents to the recipient. If he/she will not accept the documents, the other person can put the documents down in front of him/her.
- 2) By a process server. Process servers are independent, professional servers who charge a fee for service.

If you cannot personally serve the other party for any reason, you can apply for permission to serve the documents another way. You may make an **Interim Application for a Procedural Order (Form F16.03A)** to apply for substituted service.

Completing an Affidavit of Service

The person who served the document must be the one to fill out the **Affidavit of Service**. He/she can do this by hand or electronically: www.court.nl.ca/supreme/family/forms.html

That person must sign the Affidavit in front of a commissioner of oaths, notary public, justice of the peace, or a lawyer. Court Registry staff are commissioners of oaths and the person who served the document may sign this application at the Court.

Filing an Affidavit of Service with the Court

It is your responsibility to make sure that the Affidavit of Service is filed with the Court. To file the Affidavit of Service, you (or the person who served the document) must bring the Affidavit to the Supreme Court location where your file is or you can mail the Affidavit to that location.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F8.11A: Affidavit of Service (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I declare that I, _____, of _____
(Print your name) *(City and Province)*

served _____ on _____
(Name of person served) *(Date: month/day/year)*

at _____ with a copy of the following documents:
(Address of service)

- | | | |
|--|--|---|
| <input type="checkbox"/> Originating Application | <input type="checkbox"/> Originating Application for Variation | <input type="checkbox"/> Response |
| <input type="checkbox"/> Reply | <input type="checkbox"/> Financial Statement | <input type="checkbox"/> Property Statement |
| <input type="checkbox"/> Other (Specify): _____ | | |

I served this person in this manner:

- Personal Service (hand delivery)
- Left a copy of the documents with the person's lawyer
- Left a copy of the documents at the person's address
- Other (Specify): _____

For personal service:

I was able to identify the person in this manner:

I know the person He/She admitted to being this person Other: _____

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

_____ Signature
_____ Signature of Person Authorized to Administer Oaths

How to Complete a Financial Statement**Instructions**

A **Financial Statement (Form F10.02A)** is a sworn document that informs the Court of your financial situation.

You only need to fill out a Financial Statement if at least one of these situations applies to you:

- Your matter involves a claim for spousal, partner, parental, or dependant support (made by either party)
- Your matter involves child support and the amount claimed is different from (or in addition to) the table amount in the Child Support Guidelines because of one or more of the following:
 - Your matter involves support for at least one child over the age of 19;
 - Your matter involves a claim for special and/or extraordinary expenses;
 - You have shared custody (where the child spends at least 40% of their time with each parent);
 - You have split custody (where each parent has sole custody of at least one of the children);
 - Your matter involves a child support claim involving a payor who is not the child's/children's biological or adoptive parent but has acted as a parent to the child/children;
 - Your matter involves support and one or more of the payors makes more than \$150,000/year;
 - You are making an undue hardship claim.

Completing Your Financial Statement

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person). You must fill out Parts A, B, and C of the Financial Statement and attach any schedules and additional forms that apply to you. If you need more space to fill out any section of this Financial Statement, attach an extra page.

Filing and Serving Your Financial Statement

You may file and serve your Financial Statement together with your Application, Response, or Reply. You must make **3 extra copies** of your completed and signed Financial Statement (including any additional documents). File your original Financial Statement with the Court. To file the Financial Statement, you must bring the Financial Statement to the Supreme Court location where your file is or you can mail it to that location.

You must give a copy of the Financial Statement to the other person. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING OR FILING THIS FORM ---

Form F10.02A: Financial Statement (Family Law)



In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

You must swear or affirm that the facts and information you have written in this Financial Statement and the attached Schedule(s) is the truth. You must swear or affirm and sign this Financial Statement in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Statement at the Court when you file it.

My name is _____
(Print your name)

I am the Applicant Respondent Other:

My address is _____
(Street Address)

I declare that the facts and information set out in this Financial Statement and all attached Schedules are true and complete to the best of my knowledge as of the date of this document.

- I do not anticipate any significant changes in the information set out in this Financial Statement; OR
- I anticipate the following changes in the information set out in this Financial Statement: (Specify)

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

If you are required to complete a Financial Statement, you must complete Parts A, B, and C. The Schedules you will have to fill out are dependent on your situation and what applies to you.

I have completed and attached the following Parts:

<input type="checkbox"/> Part A: Employment Information
<input type="checkbox"/> Part B: Income Statement
<input type="checkbox"/> Part C: Monthly Expense Statement

I have completed and attached the following Schedules and/or Forms that apply to me:

<input type="checkbox"/> Schedule 1: Adjustments to Annual Income for Child Support Purposes
<input type="checkbox"/> Schedule 2: Special or Extraordinary Expenses
<input type="checkbox"/> Schedule 3: Undue Hardship
<input type="checkbox"/> Schedule 4: Undertaking to Provide Financial Information

Part A Employment Information

I am currently:

<input type="checkbox"/> Employed: My job (or occupation) is: _____ <i>(Job or Occupation)</i> My employer's name and address is: _____ I am paid: <input type="checkbox"/> Every 2 weeks <input type="checkbox"/> Every month <input type="checkbox"/> Other: _____ I have been working for this employer since: _____ <i>(Date: month/day/year)</i>
<input type="checkbox"/> Self-employed: The name of my business, professional practice, or farm is: _____

<input type="checkbox"/> Unemployed: I have been unemployed since: _____ <i>(Date: month/day/year)</i> My most recent job (or occupation) was: _____ <i>(Job or Occupation)</i> My most recent employer's name and address was: _____
<input type="checkbox"/> Retired: I have been retired since: _____ <i>(Date: month/day/year)</i> My most recent job (or occupation) was: _____ <i>(Job or Occupation)</i> My most recent employer's name and address was: _____
<input type="checkbox"/> A shareholder, director, or officer of a corporation: The name of the corporation is: _____ My interest in the corporation is: _____
<input type="checkbox"/> A beneficiary under a trust: The trust settlement agreement is: _____

You must select at least 1 of the following 4 attachment options:

- 1) Copies of my personal Income Tax Returns and copies of my Notices of Assessment (and any Notices of Reassessment) for each of the 3 most recent taxation years.
- 2) Proof of Income Statements (“Option C” or “Income and Deduction” printouts) from the Canadian Revenue Agency for the 3 most recent taxation years.
If you do not have copies of your Returns/Notices of Assessment, you may print your “Option C” printouts online or contact the CRA at 1-800-267-6999 or 1-800-959-8281 to have your “Option C” printouts sent to you.
- 3) A statement from the Canadian Revenue Agency that I have not filed income tax returns for one or more of the 3 most recent taxation years.
If you have not filed your taxes for the past 3 years, you may contact the CRA at 1-800-959-8281 to obtain a statement. You may still be required to file your income taxes to continue your family law proceedings.
- 4) I am a registered Indian within the meaning of the *Indian Act* (Canada) and I am exempt from payment of taxes to the Canadian Revenue Agency. I am attaching the following proof of income for the 3 most recent years:

--

If you are an employee, you must also attach:

- My 3 most recent statements of earnings (including overtime).
If these statements are not available, you may attach a letter from your employer with your annual income information.

If you are self-employed, you must also attach:

- The financial statements of my business/professional practice (other than partnership) or farm for the 3 most recent taxation years; and
- A statement showing all amounts I paid to (or on behalf of) any person with whom I did not deal at arm's length (ie. salaries, wages, management fees, or other payments/benefits).

If you are a partner in a partnership, you must also attach:

- Confirmation of my income, draws from, and capital in the partnership for the 3 most recent taxation years.

If you control a corporation, you must also attach:

- The financial statements of the corporation and its subsidiaries for the past 3 most recent taxation years; and
- A statement showing all amounts the corporation paid to (or on behalf of) any person with whom the corporation does not deal at arm's length (ie. salaries, wages, management fees, or other payments/benefits).

If you are a beneficiary under a trust, you must also attach:

- The trust settlement agreement; and
- The trust's 3 most recent financial statements.

If you are receiving employment insurance (EI) benefits, social assistance, pension, workers' compensation, disability assistance, or any other type of income assistance, you must attach:

- The most recent statement of income (stub) showing the total amount of income from that income assistance source.
If this statement is not available, you may attach a letter from the authority with the required information.

- Check this box if you are unable to provide some or all of the information required. You must attach an Undertaking (Financial Statement Schedule 4) to provide the information.

Part B Annual Income Statement

	Income Source	Amount Received Annually
1	Employment Income (before deductions)	Annual: \$
2	Commissions, Tips, and Bonuses	Annual: \$
3	Other Employment Income	Annual: \$
4	Pension Income	Annual: \$
5	Universal Child Care Benefit (UCCB)	Annual: \$
6	UCCB amount designated to a dependent	Annual: \$
7	Employment Insurance (EI)	Annual: \$
8	Taxable amount of dividends (eligible and other than eligible) from taxable Canadian corporations	Annual: \$
9	Interest and other investment income	Annual: \$
10	Partnership Income (limited or non-active partners only)	Annual Net: \$
11	Registered disability savings plan income	Annual: \$
12	Rental Income (Gross: \$ _____)	Annual Net: \$
13	Taxable Capital Gains	Annual: \$
14	Child Support received (Total: \$ _____)	Annual Taxable: \$
15	Spousal Support received (Total: \$ _____)	Annual Taxable: \$
16	RRSP Income	Annual: \$
17	Other Income (specify): _____	Annual: \$
18	Self-Employment Income (Gross: \$ _____)	Annual Net: \$
19	Workers Compensation Benefits	Annual: \$
20	Social assistance payments	Annual: \$
21	Net Federal Supplements	Annual: \$

TOTAL ANNUAL INCOME (Line 150):	\$
--	-----------

Part C Monthly Expense Statement

Housing and Utilities

Rent / Mortgage	\$
Property Taxes	\$
Property / Rent insurance	\$
Condominium fees	\$
Repairs / Maintenance	\$
Heat / Fuel	\$
Electricity	\$
Water / Sewer	\$
Telephone	\$
Cable / Internet	\$
Lawn care / Snow removal	\$
Other (specify): _____	\$

Household Expenses

Groceries / Household supplies	\$
Meals outside the home	\$
Dry cleaning / laundry	\$
Pet care	\$
Other (specify): _____	\$

Insurance Expenses

Medical insurance premiums	\$
Dental insurance premiums	\$
Life insurance premiums	\$
Disability insurance premiums	\$
Other (specify): _____	\$

Transportation Expenses

Public transit / Taxis	\$
Gas / Oil	\$
Car loan / lease payments	\$
Car Insurance	\$
License(s)	\$
Parking	\$
Repairs / Maintenance	\$
Other (specify): _____	\$

Personal Expenses

Hair care and toiletries	\$
Clothing and footwear	\$
Entertainment / Hobbies	\$
Alcohol / Tobacco	\$
Vacation(s)	\$
Education / School expenses	\$
Medical / Medication expenses	\$
Dental / Eye care expenses	\$
Cell phone	\$
Other (specify): _____	\$

Childcare Expenses

School fees / supplies / tuition	\$
School lunches	\$
Activities and related expenses	\$
Daycare / Babysitter / Summer camps	\$
Clothing and footwear	\$
Hair care and toiletries	\$
Entertainment / Hobbies	\$
Transportation	\$
Books / Toys / Gifts (birthday, holiday, etc.)	\$
Medical / Medication expenses	\$
Dental expenses	\$
Eye care expenses	\$
Other (specify): _____	\$

Savings and Debts

RRSP contributions	\$
RESP contributions	\$
Credit card payments	\$
Payments on loans / lines of credit	\$
Other (specify): _____	\$

Other

Support paid in any other case(s)	\$
Banking / Legal / Accounting expenses	\$
Charitable donations (eg. church)	\$
Other (specify): _____	\$

TOTAL MONTHLY EXPENSES:	\$
--------------------------------	-----------

Fill out Schedule 1 if there is a claim for child support and also a claim for special and/or extraordinary expenses.

Schedule 1 Adjustments to Income for Child Support

Annual Income (to determine basic child support):

(A) Total Annual Income

Total Annual Income or Line 150 Income (from Part B of this form):	\$
---	-----------

(B) Replacements in Income

1	Replace the taxable amount of dividends from Canadian corporations with the actual amount of dividends	Annual: \$
2	Replace the taxable capital gains with the actual amount of capital gains realized in excess of the actual capital losses	Annual: \$

(C) Deductions from Income

3	Union, professional, and association dues	Annual: \$
4	Other employment expenses (Schedule III of the Child Support Guidelines) Specify: _____	Annual: \$
5	Taxable amount of child support I receive	Annual: \$
6	Spousal support I receive from the other party	Annual: \$
7	Income support or social assistance I receive for other members of the family	Annual: \$
8	Actual amount of business investment losses	Annual: \$
9	Carrying charges and interest expenses deductible under the <i>Income Tax Act</i>	Annual: \$
10	Prior period earnings included in self-employment income, net of reserves	Annual: \$
11	Portion of partnership or sole proprietorship properly required for capitalization	Annual: \$
12	Other deductions Specify: _____	Annual: \$

Total Deductions to Adjusted Income: \$ _____

(D) Additions to Income

13	Payments to family members and other non-arm's length persons (eg. salaries, wages, or other payments)	Annual: \$
14	Other employment expenses (Schedule III of the Child Support Guidelines) Specify: _____	Annual: \$
15	Value of exercised employee stock options in a Canadian-controlled corporation	Annual: \$
16	Allowable capital cost allowance for real property	Annual: \$

Total Additions to Adjusted Income: \$ _____

TOTAL ADJUSTED ANNUAL INCOME FOR BASIC CHILD SUPPORT:	\$
--	-----------

Fill out Schedule 2 if there is a claim for special and/or extraordinary expenses.

Schedule 2 Special or Extraordinary Expenses

I am claiming an amount of special or extraordinary expenses for the following reason(s):

<input type="checkbox"/> Child care expenses caused by the custodial parent’s employment, illness, disability, or education or training for employment <input type="checkbox"/> The portion of the medical and dental insurance premiums for the child <input type="checkbox"/> Health-related expenses that are more than insurance reimbursement by at least \$100 annually (including orthodontic treatment, professional counselling provided by a psychologist, social worker, psychiatrist or any other person, physiotherapy, occupational therapy, speech therapy and prescription drugs, hearing aids, glasses, and contact lenses) <input type="checkbox"/> Extraordinary expenses for primary or secondary school education or for any other educational programs that meet the child’s particular needs <input type="checkbox"/> Expenses for post-secondary education <input type="checkbox"/> Extraordinary expenses for extracurricular activities
--

The details of the expenses I am claiming are:

Child’s Name	Description of Expense	Expense Amount (per year)	Contributions, Subsidies, Benefits, Tax Deductions, or Reimbursements (if any)	Amount after Contributions, Subsidies, Benefits, Tax Deductions, or Reimbursements (per year)	Receipt Attached
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>
		\$	\$	\$	<input type="checkbox"/>

TOTAL AMOUNT OF SPECIAL OR EXTRAORDINARY EXPENSES (per year):	\$
--	-----------

If you are unable to attach receipts for any of the special or extraordinary expenses you have listed, check the box:

<input type="checkbox"/> I am unable to obtain receipts to show the amount of the expense(s) I am claiming because: <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>
--

Fill out Schedule 3 if you are claiming undue hardship.

Schedule 3 Undue Hardship

I am claiming undue hardship in respect of a child support claim for the following reason(s):

- I am responsible for unusually high debts that are/were reasonably incurred to support the family (prior to separation) or to earn a living:

Date Incurred (month/day/year)	Owed to	Terms of Debt	Annual Amount
			\$
			\$
			\$
			\$

- Spending time with my child(ren) (parenting time or access) is unusually expensive for me (eg. travel expenses):

Description of Expense	Annual Amount
	\$
	\$

- I have a legal duty to support:
- another person (under a judgment, order, or written separation agreement)
 - a child, other than a child for whom support is claimed in this application
 - a person who is unable to support himself/herself because of illness or disability

Name of Person	Relationship	Nature of Duty	Annual Amount
			\$
			\$
			\$

- Other undue hardship circumstances (Describe):

Description	Annual Amount
	\$
	\$

I am claiming undue hardship and one or more of the following applies to me:

<input type="checkbox"/> I live alone
<input type="checkbox"/> I am living with <i>(Name of the person you are married to / cohabiting with)</i> _____
<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> My spouse's/partner's occupation is: _____ OR <input type="checkbox"/> My spouse/partner does not work outside the home </div>
<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> My spouses'/partner's annual income is: \$ _____ OR <input type="checkbox"/> My spouse/partner does not earn any income. </div>
<div style="border: 1px solid black; padding: 5px;"> My spouse/partner annual contributes: \$ _____ per year towards the home. </div>
<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> I have attached the current income tax returns, notices of assessment, and proof of earnings for my spouse / partner. </div>
<input type="checkbox"/> I / We live with the following other adult(s) _____ <i>Fill in the name(s) of <u>all</u> other adults living in your home</i>
<div style="border: 1px solid black; padding: 5px;"> <input type="checkbox"/> I have attached the current income tax returns, notices of assessment, and proof of earnings for the adults I am living with. </div>
<input type="checkbox"/> I / We live with the following children _____ <i>Fill in the name(s) of all children living in your home.</i>

Schedule 4 Undertaking to Provide Financial Information

I, _____, the Respondent Applicant (in Reply) Other:
(Print your name)

in the within matter have filed a: Response Reply

with which I am required to file financial information. At this date, I do not have the required information. By signing this document, I undertake to provide the required information to the Court and the other party (if applicable), within **60 days** from today's date.

I understand that the Court may make an order against me if I do not provide the required information or an adequate explanation for the delay.

You must swear or affirm that this Undertaking is the truth. You must swear or affirm and sign this Undertaking in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Undertaking at the Court when you file it.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Person Authorized to Administer Oaths</i>

_____ <i>Signature of Lawyer (if any)</i>	_____ <i>Print Name of Lawyer (if any)</i>

How to Complete a Property Statement

Instructions

A **Property Statement (Form 10.04A)** is a sworn document that gives the Court information about your assets and debts.

You only need to fill out a Property Statement if you or the other person is seeking a division of property (matrimonial property or common law property). If either the Applicant or the Respondent makes a claim for property, both persons must each fill out a Property Statement.

Completing Your Property Statement

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire Property Statement. If you need more space to fill out any section of this Property Statement, attach an extra page and indicate which section is continued on the extra page.

Filing Your Property Statement

You can file your Property Statement together with your Application, Response, or Reply. You must make **3 extra copies** of your completed and signed Property Statement (including any additional documents). File your original Property Statement with the Court. To file the Property Statement, you must bring the Property Statement to the Supreme Court location where your file is or you can mail it to that location.

Serving Your Property Statement

You must give a copy of the Property Statement to the other person. This is called *service*. You can serve your Property Statement together with your Application, Response, or Reply. If you are serving the property statement alone, you can serve the other person by: personal service (an adult who is not you can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

Important Note

If you find out that this property statement is incorrect or incomplete, or that the information has changed, you must file the correct or updated information with the Court (with a new property statement or an amended property statement). You must also serve the other person with the new information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING OR FILING THIS FORM ---

Form F10.04A: Property Statement (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

You must swear or affirm that what you have written in this Property Statement and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

My name is _____
(Print Name)

I am the Applicant Respondent Other

I live in _____
(City, Province)

I declare that the facts and information in this Property Statement and all attachments are true and complete to the best of my knowledge and belief as of: _____
(Date: month/day/year)

- I do not anticipate any significant changes in the information set out in this Property Statement; OR
- I anticipate the following changes in the information set out in this Property Statement: *(state the changes)*

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

 Signature

 Signature of Person Authorized to Administer Oaths

Part A Assets

For all of the applicable assets below, fill in the best estimate of the market value/amount of each asset. You may check to see if the asset is exempt from distribution in Part C of this form. If you need more space or more entries, attach an extra page (or pages).

Home and Other Real Estate

Include any interests in land owned as of the date of this Property Statement.
List any leasehold interests, mortgages, encumbrances, or costs of disposition in Part B.

Name(s) of registered owner(s)	Type of ownership	Property address	Estimated market value on date of separation	Estimated market value on current date
			\$	\$
			\$	\$
			\$	\$

Vehicles

Examples: cars, boats, trailers, snowmobiles, etc.
List any payments, leases, or loans in Part B.

Name(s) of registered owner(s)	Name of person(s) in possession of the vehicle	Year, make, and model of the vehicle	Estimated market value on date of separation	Estimated market value on current date
			\$	\$
			\$	\$
			\$	\$

Household Contents

Examples: furniture, kitchen appliances, etc.
Attach a list of household contents. For each item, indicate:

- What the item is
- Who has possession of the item
- What the estimated (used) market value (not replacement value) is
- Whether you want the item

I have attached a list of household contents to this Property Statement.

Bank Accounts and Savings

Examples: Cash, savings/chequing accounts, term deposits, TFSAs, etc.

Name(s) of account holder(s)	Type of account	Institution and branch name	Account number	Estimated value on date of separation	Estimated value on current date
				\$	\$
				\$	\$
				\$	\$
				\$	\$

Safety Deposit Boxes

Location	Contents

Employment Benefits

Examples: Severance pay, retirement allowances, pensions, RSPs, profit sharing plans, accrued annual leave, etc.

Name of owner	Type of benefit	Institution	Account number	Estimated value on date of separation	Estimated value on current date
				\$	\$
				\$	\$
				\$	\$
				\$	\$

Insurance Policies

Examples: Life insurance, disability insurance, etc

Name of owner	Insurance company	Type of policy and policy number	Beneficiary	Face Value	Cash surrender value on date of separation	Cash surrender value on current date
				\$	\$	\$
				\$	\$	\$
				\$	\$	\$

Investments and Securities

Examples: RRSPs, RESPs, Shares, bonds, mutual funds, warrants, options, debentures, notes, etc.

Name(s) of owner(s)	Type of investment	Account number	Number of units held	Estimated market value on date of separation	Estimated market value on current date
				\$	\$
				\$	\$
				\$	\$

Business Interests

Examples: Interests in incorporated businesses, sole proprietorships, partnerships, trusts, joint ventures, etc.

Interest held by	Name of company or firm	Description of interest	Estimated market value on date of separation	Estimated market value on current date
			\$	\$
			\$	\$
			\$	\$

Money Owed to You

Examples: Personal loans, business dealings, court judgments in your favour, etc.

Owed to	Details	Amount owed on date of separation	Amount owed on current date
		\$	\$
		\$	\$
		\$	\$

Other Property

Examples: Collections, hobby goods, rewards points, patents, copyright claims, etc.

Name(s) of owner(s)	Description	Estimated value on date of separation	Estimated value on current date
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Part B Debts and Liabilities

For all of the applicable debts and liabilities below, fill in the best estimate of the market value/amount of each debt or liability. You may check to see if the asset is exempt from distribution in Part C of this form. If you need more space or more entries, attach an extra page (or pages).

Home Mortgages and Other Mortgages

Name of lender	Names of all borrowers	Mortgage account number	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date
				\$	\$
				\$	\$
				\$	\$

Loans

Examples: Personal loans, lines of credit, etc.

Name of lender	Names of all borrowers	Type of loan and account number	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date
				\$	\$
				\$	\$
				\$	\$

Tax Arrears

List all unpaid taxes in any previous taxation years.

Money owing to the Canadian Revenue Agency (CRA) for years:	Personal amount owing on date of separation	Personal amount owing on current date
	\$	\$

Credit Cards

Name of primary cardholder (and any secondary cardholder(s))	Type of credit card and account number	Amount owing on date of separation	Amount owing on current date
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

Other Debts and Liabilities

Examples: Charges, liens, notes, accounts payable, contingent liabilities, unpaid legal bills, leases, financing plans/agreements for cars, furniture, etc.

Name of lender	Names of all borrowers	Details (including account number, if any)	Is this debt in arrears?	Amount owing on date of separation	Amount owing on current date
				\$	\$
				\$	\$
				\$	\$
				\$	\$
				\$	\$

Part C Property Exemptions

List property that you believe should be exempt from sharing. Please refer to section 18 of the Family Law Act for a list of items that may be listed as “exempt.” If you need more space or more entries, attach an extra page (or pages).

Examples:

- Gifts, inheritances, trusts or settlements (received from a person other than the other spouse)
- Personal injury awards (excluding any compensation for economic loss)
- Personal effects
- Exempt business assets (refer to section 29 of the Family Law Act)
- Property exempted under a marriage contract or separation agreement
- Family heirlooms
- Real or personal property acquired after separation

Description	Reason for exemption

How to Demand Disclosure

Instructions

A **Demand to Disclose (Form F11.02A)** is a form that you can use to request specific documents or information from the other person that he/she has not provided to you. You can only demand information from the other person if you have an ongoing family law matter.

Completing Your Demand to Disclose

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Select the documents from the list provided or add your own. If you require more space to request additional documents, attach an extra page and indicate that you have attached an extra page.

Filing Your Demand to Disclose

You must make **3 extra copies** of your completed and signed Demand to Disclose.

To file the Demand to Disclose, you must bring the Demand to Disclose to the Supreme Court location where your file is or you can mail it to that location. You must file your original Demand to Disclose with the Court **before the trial date** is set by the Court.

Serving Your Demand to Disclose

You must give a copy of the Demand to Disclose to the other person. This is called *service*. You may serve the Demand to Disclose together with your Originating Application, Originating Application to Vary, or Response. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

You must serve the other person **before the trial date is set** by the Court. The other person has 30 days (from the date of service) to respond.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE DEMAND ---

How to Respond to a Demand to Disclose

Instructions

The other person in your family law matter has demanded that you provide certain documents and information. The specific documents and information the other person has asked for are listed in the attached Demand to Disclose (Form F11.02A).

You have only **30 days** (from the date that you received this Demand to Disclose) to provide the other person and the Court with a **Response to a Demand to Disclose (Form F11.02B)**. You can find the Response to Demand to Disclose form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

If you do not respond, the Court may proceed and make an order without hearing from you. The Court can:

- Make assumptions about your financial situation
- Order you to pay support
- Order that you provide the requested documents within a specified time
- Order your employer or someone else to provide the documents and information
- Order you to pay costs, including compensation to the other person

Providing Disclosure

If you want to provide some or all of the documents and information requested, you must file a Response to Demand to Disclose. You can attach the documents or information to Demand to Disclose.

You must give a copy of the Demand to Disclose and the documents to the other person. This is called *service*. You can serve the other person by: personal service (an adult who is not you hand-delivers the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You may also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

If You Cannot Provide Disclosure

If you cannot provide the requested documents and information for any reason, you may be able to give authorization to a person or institution (eg. your employer) to provide the information. Otherwise, you will have to explain why you cannot provide the documents on the Response to Demand to Disclose.

If You Object to Providing Disclosure

If you want to object to any or all of the demands, you must still file and serve a Response to Demand to Disclose. You will have to explain why you object to providing that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

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Gander: (709) 256-1115

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--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

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Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F11.02A: Demand to Disclose (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____, the Applicant Respondent Other:
(Print your name)

demand that, _____, the Applicant Respondent Other:
(Print the other party's name)

provide copies of the following documents to all parties within 30 days of service of this form:

1	<input type="checkbox"/> Copy of the most recent pension plan statement (and all plans in which you have/will have an interest).
2	<input type="checkbox"/> Confirmation of your entitlement and valuation of any accrued severance benefits, annual leave benefits, and other monetary benefits in which you have an interest.
3	<input type="checkbox"/> Copy of any health and dental insurance coverage available to you through your employer (showing whether coverage is available for your spouse and/or children). <i>If available, provide coverage premiums/employee costs for single person coverage, couple coverage, and/or family coverage.</i>
4	<input type="checkbox"/> Copy of your most recent assessment for any appraisals of the property/properties that you own.

5	<input type="checkbox"/> Copy of every cheque issued to you from any business/corporation in which you have an interest (or to which you have rendered a service) for the period: _____ .
6	<input type="checkbox"/> Copy of every bank account statement in your name for the period: _____ .
7	<input type="checkbox"/> Copy of the most recent statement for all RRSP's, TFSA's, RESP's, term deposit certificates, guaranteed investment certificates, stock accounts, and other investments in your name (or in which you have an interest).
8	<input type="checkbox"/> Copy of every insurance policy (all whole life, term life, disability, etc.) in your name (or in which you have an interest). Include the cash surrender value for every policy.
9	<input type="checkbox"/> Copy of every credit card statement for all credit cards in your name for the period: _____ .
10	<input type="checkbox"/> Other (Specify): <div style="border: 1px solid black; height: 150px; width: 100%; margin-top: 10px;"></div>

DATED at _____, this _____ day of _____, 20____ . <div style="text-align: right; margin-top: 20px;"> _____ <i>Signature</i> </div>
--

How to Respond to a Demand to Disclose

Instructions

A **Response to Demand to Disclose (Form F11.02B)** is a form that you can use to respond to the other person's Demand to Disclose (Form 11.02A).

You have only **30 days** (from the date you received the Demand to Disclose) to provide the other person and the Court with the documents and information along with the Response to a Demand to Disclose form.

If you do not respond, the Court may proceed and make an order without hearing from you.

Completing Your Response to Demand to Disclose

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

List the documents that you are attaching and the documents that you are not attaching.

If you cannot provide the requested documents or information for any reason, you may be able to give authorization to a person or institution (eg. your employer) to provide the information. Otherwise, you must explain why you cannot provide the documents.

If you object to providing any or all of the documents requested, you must write this in your Response to Demand to Disclose and provide reasons.

Filing Your Response to Demand to Disclose

You must make **3 extra copies** of your completed and signed Response to Demand to Disclosure.

To file the Response to Demand to Disclose, you must bring the original Response to Demand to Disclose to the Supreme Court location where your file is or you can mail it to that location. You must file your Response to Demand to Disclose with the Court **within 30 days** from the date you were served.

Serving Your Response to Demand to Disclose

You may serve your Response to Demand to Disclose with your Originating Application, Originating Application for Variation, Response, or Reply. If you are serving just the Demand to Disclose alone, you can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You may also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE RESPONSE ---

Form F11.02B: Response to Demand to Disclose (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

In response to the Demand to Disclose served by, _____,
(Print the other party's name)

dated _____, I am the Applicant Respondent Other:
(Date: month/day/year)

in the within matter .

I have provided the following requested documents and information to all parties:
(List the documents below)

I object to attaching the following requested documents and information for the reasons set out below:
(List the documents below and provide reasons for your objection)

[Empty rectangular box for listing objections and reasons]

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Response to Demand to Disclose is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Response at the Court when you file it.

I declare the facts and information of this Response to Demand to Disclose are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

How to Make a Demand for Answers

Instructions

You can use a **Demand for Answers (Form F11.03A)** to request answers to specific written questions from the other person. You can only demand answers if you have an ongoing family law matter where a Financial Statement or Property Statement is required. You can only demand answers in relation to issues that have not yet been decided by the Court.

Completing Your Demand for Answers

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Fill in the questions you would like the other person to answer. If you require more space to ask more questions, attach an extra page and indicate that you have attached an extra page.

Filing Your Demand for Answers

You must make **3 extra copies** of your completed and signed Demand for Answers.

To file the Demand for Answers, you must bring the Demand for Answers to the Supreme Court location where your file is or you can mail it to that location. You must file your original Demand for Answers with the Court **before the trial date is set** by the Court.

Serving Your Demand for Answers

You must give a copy of the Demand for Answers to the other person. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

You must serve the other person **before the trial date is set** by the Court. The other person has 30 days (from the date of service) to respond.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227
Gander: (709) 256-1115
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260
Happy Valley-Goose Bay: (709) 896-7892
St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788
Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE DEMAND ---

How to Respond to a Demand for Answers

Instructions

The other person in your family law matter has demanded that you answer specific written questions.

The specific questions that the other person has asked are listed in the attached **Demand for Answers (Form F11.03A)**.

You have only **30 days** (from the date that you received the Demand for Answers) to provide the other person and the Court with a **Response to a Demand for Answers (Form F11.03B)**. You can find the Response to Demand for Answers form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

If you do not respond, the Court may proceed and make an order without hearing from you. The Court can:

- Make assumptions about your financial situation
- Order you to pay support
- Order that you provide the requested answers within a specified time
- Order your employer or other person to provide the information
- Order you to pay costs, including compensation to the other person

Providing the Answers, Documents, and/or Information

If you want to provide some or all of the answers requested, you must file a Response to Demand for Answers.

You must give a copy of the Response to Demand for Answers to the other person. This is called *service*. You can serve the other person by: personal service (an adult who is not you hand-delivers the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You may also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

If You Cannot Provide the Answers

If you cannot provide the requested answers for any reason, you may be able to give authorization to a person or institution (eg. your employer) to provide the information. Otherwise, you will have to explain why you cannot provide the answers on the Response to Demand for Answers form.

If You Object to Providing the Answers

If you want to object to any or all of the answers requested, you or your lawyer must still file and serve a Response to Demand for Answers. You will have to explain why you object to providing those answers.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F11.03A: Demand for Answers (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____, the Applicant Respondent Other:
(Print your name)

demand that, _____, the Applicant Respondent Other:
(Print the other party's name)

provide answers to the following questions to all parties within **30 days** of service of this form:

1	
2	
3	
4	
5	

DATED at _____, this _____ day of _____, 20____.

Signature

How to Respond to a Demand for Answers

Instructions

A **Response to Demand for Answers (Form F11.03B)** is a form that you can use to respond to the other person's Demand for Answers.

You have only **30 days** from the date that you received the Demand for Answers to provide the other person and the Court with a Response to a Demand for Answers form.

If you do not respond, the Court may proceed and make an order without hearing from you.

Completing Your Response to Demand for Answers

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person). If you require more space to fill out the form, attach an extra page and indicate that you have attached an extra page.

If you cannot provide the requested answers for any reason, you may be able to give authorization to a person or institution (eg. your employer) to provide the information. Otherwise, you will have to explain why you cannot provide the answers.

If you want to object to any or all of the answers requested, you must write this in your Response to Demand for Answers and provide reasons.

Filing Your Response to Demand for Answers

You must make **3 extra copies** of your completed and signed Response to Demand for Answers.

To file the Response to Demand for Answers, you must bring the original Response to Demand for Answers to the Supreme Court location where your file is or you can mail it to that location. You must file your Response to Demand for Answers with the Court **within 30 days** from the date you were served.

Serving Your Response to Demand for Answers

You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You may also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE RESPONSE ---

Form F11.03B: Response to Demand for Answers (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

In response to the Demand for Answers served by, _____,
(Print the other party's name)

the Applicant Respondent Other: _____, dated _____,
(Date: month/day/year)

I am the Applicant Respondent Other: _____ in the within matter .

Check the appropriate box for each question that corresponds with the Demand for Answers:

1	<p><input type="checkbox"/> The answer to this question is <i>(Fill in the answer based on your knowledge)</i>:</p> <div style="border: 1px solid black; height: 60px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I have no personal knowledge of any of the matters referred to, but after making proper inquiries I believe the answer is <i>(Fill in what information you received and who you got the information from)</i>:</p> <div style="border: 1px solid black; height: 60px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I am unable to answer the question because I do not know the answer and cannot ascertain the answer.</p> <p><input type="checkbox"/> I object to answering this written question because <i>(Fill in the reasons for your objection)</i>:</p> <div style="border: 1px solid black; height: 40px; margin-bottom: 10px;"></div>
2	<p><input type="checkbox"/> The answer to this question is <i>(Fill in the answer based on your knowledge)</i>:</p> <div style="border: 1px solid black; height: 60px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I have no personal knowledge of any of the matters referred to, but after making proper inquiries I believe the answer is <i>(Fill in what information you received and who you got the information from)</i>:</p> <div style="border: 1px solid black; height: 60px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I am unable to answer the question because I do not know the answer and cannot ascertain the answer.</p> <p><input type="checkbox"/> I object to answering this written question because <i>(Fill in the reasons for your objection)</i>:</p> <div style="border: 1px solid black; height: 40px; margin-bottom: 10px;"></div>

<p>3</p>	<p><input type="checkbox"/> The answer to this question is <i>(Fill in the answer based on your knowledge)</i>:</p> <div data-bbox="370 298 1421 464" style="border: 1px solid black; height: 79px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I have no personal knowledge of any of the matters referred to, but after making proper inquiries I believe the answer is <i>(Fill in what information you received and who you got the information from)</i>:</p> <div data-bbox="370 583 1421 749" style="border: 1px solid black; height: 79px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I am unable to answer the question because I do not know the answer and cannot ascertain the answer.</p> <p><input type="checkbox"/> I object to answering this written question because <i>(Fill in the reasons for your objection)</i>:</p> <div data-bbox="370 892 1421 1020" style="border: 1px solid black; height: 61px;"></div>
<p>4</p>	<p><input type="checkbox"/> The answer to this question is <i>(Fill in the answer based on your knowledge)</i>:</p> <div data-bbox="370 1117 1421 1283" style="border: 1px solid black; height: 79px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I have no personal knowledge of any of the matters referred to, but after making proper inquiries I believe the answer is <i>(Fill in what information you received and who you got the information from)</i>:</p> <div data-bbox="370 1402 1421 1568" style="border: 1px solid black; height: 79px; margin-bottom: 10px;"></div> <p><input type="checkbox"/> I am unable to answer the question because I do not know the answer and cannot ascertain the answer.</p> <p><input type="checkbox"/> I object to answering this written question because <i>(Fill in the reasons for your objection)</i>:</p> <div data-bbox="370 1711 1421 1839" style="border: 1px solid black; height: 61px;"></div>

5	<input type="checkbox"/> The answer to this question is <i>(Fill in the answer based on your knowledge)</i> : <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
	<input type="checkbox"/> I have no personal knowledge of any of the matters referred to, but after making proper inquiries I believe the answer is <i>(Fill in what information you received and who you got the information from)</i> : <div style="border: 1px solid black; height: 60px; margin-top: 5px;"></div>
	<input type="checkbox"/> I am unable to answer the question because I do not know the answer and cannot ascertain the answer. <input type="checkbox"/> I object to answering this written question because <i>(Fill in the reasons for your objection)</i> : <div style="border: 1px solid black; height: 40px; margin-top: 5px;"></div>

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Response to Demand for Answers and the attached Schedule(s) is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Response at the Court when you file it.

<p>I declare the facts and information of this Response to Demand for Answers are true to the best of my knowledge and belief.</p> <p>SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.</p>	
<p>_____</p> <p><i>Signature</i></p>	<p>_____</p> <p><i>Signature of Person Authorized to Administer Oaths</i></p>

Form F14.04A: Request for Case Management Hearing (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print Name)

am requesting a case management hearing on the following issues:

List the issue(s) you want to address in a Case Management Hearing. You may also provide brief details of the issue(s): (These listed issues must be in accordance with Rule 14.07(1) of the Trial Division Family Rules)

Check the box(es) for any additional requests that you wish to make in your Case Management Hearing:
 You must fill out and file any additional Form(s) that correspond to your request.

Request	Fill Out Form
<input type="checkbox"/> Disclosure	Demand to Disclose (Form F11.02A)
<input type="checkbox"/> Answers to Written Questions	Demand for Answers (Form F11.04A)
<input type="checkbox"/> Formal Trial	Request for Trial (Form F29.02A)
<input type="checkbox"/> Informal Trial	Request for Informal Trial (Form F31.02A)
<input type="checkbox"/> Summary Judgment Hearing	Request for Summary Judgment Hearing (Form F28.02A)
<input type="checkbox"/> Pre-Trial Determination of a Question of Law or Fact	Request for Pre-Trial Determination (Form F27.02A)
<input type="checkbox"/> Settlement Conference	Request for Settlement Conference (Form F25.02A)
<input type="checkbox"/> Binding Settlement Conference	Request for Settlement Conference (Form F25.02A) (include Schedule 1 of Request for Settlement Conference)

Addresses for Notice of Case Management

Applicant or Applicant's Lawyer:	Mailing Address:
	Email Address:
	Phone Number:
Respondent or Respondent's Lawyer:	Mailing Address:
	Email Address:
	Phone Number:
Second Applicant/Respondent or second Applicant/Respondent's Lawyer: (if applicable)	Mailing Address:
	Email Address:
	Phone Number:

Signature and Date

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>
	_____ <i>Print Name of Lawyer (if any)</i>

How to Make an Interim Application for a Procedural Order

Instructions

You can make an **Interim Application for a Procedural Order (Form 16.03A)** in your family law proceeding if you need an order that does not directly deal with your family law issues (for divorce, parenting, support, etc.). For example, if you cannot serve the other person with court documents, you can make an application for substituted service.

When You Can Make an Interim Application for a Procedural Order

You can make an Interim Application for a Procedural Order at any time. You can make an Interim Application for a Procedural for a number of reasons. For example:

- 1) You are seeking access to a court file;
- 2) You cannot obtain your marriage certificate (or registration of marriage);
- 3) You are seeking an extension of time to file financial information;
- 4) You are seeking a renewal of an Application;
- 5) You are seeking an order relating to the manner or timing of service of a document;
- 6) A rule in the *Trial Division Family Rules* allows you to make an Interim Application for a Procedural Order;
- 7) A judge has given you permission to make an Interim Application for a Procedural Order.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

To file your Interim Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html. You do not need to give a copy of this Application to the other person unless a judge orders you to do so.

The Court will contact you to let you know if your procedural order is granted or not. Sometimes a judge will ask that you attend a court hearing to hear your application. If you need to attend a hearing, the Court will contact you with a date and time. If your procedural order is granted, you will need to give a copy of the order to the other person immediately.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F16.03A: Interim Application for a Procedural Order (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY
HEARING DATE (if applicable)
The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____
Time: _____ am / pm

I, _____, the Applicant Respondent Other:
(Print your name)

am seeking an procedural order without providing notice to any other party.

Part A Basis of application

Check the box that applies to you:

<input type="checkbox"/>	I am an officer of the Court and I am seeking access to a Court file. <i>(If you are not an officer of the Court and you are seeking access to a Court file, you must file an Interim Application (Form F18.03A))</i>
<input type="checkbox"/>	I cannot obtain my original marriage certificate (or registration of marriage).
<input type="checkbox"/>	I am seeking an extension of time to file financial information which must accompany an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I am seeking an order to renew an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I am seeking an order relating to the manner or timing of service of a document. <i>(eg. substituted service, dispensing with service, etc.)</i>
<input type="checkbox"/>	Rule <i>(specify rule number)</i> _____ permits this application to be made.
<input type="checkbox"/>	Other: _____

Part B Procedural order(s) sought

Fill in what you are seeking:

Part C **Reasons for seeking procedural order(s) (Affidavit)**

Fill in the reasons why you are seeking the procedural order(s):

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Interim Application for a Procedural Order and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Interim Application for a Procedural Order are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

How to Make an Emergency Interim Application

Instructions

You can make an **Emergency Interim Application (Form F17.03A)** if your family law issue requires urgent attention. This application can be made at any time, but you can **ONLY** make this applicant in a true emergency.

When You Can Make an Emergency Interim Application

You can **ONLY** make an Emergency Interim Application if at least one of these situations applies to you:

- There is an immediate danger of a child's removal from the jurisdiction;
- There is an immediate danger to the health or safety of a child or another person; or
- Not granting an order would have immediate and irreversible consequences;

AND a judge is satisfied that notice to the other person is **NOT** required for one of the following reasons:

- The delay caused by providing notice would (or might) cause serious harm to you or your child(ren);
- There is urgency for another reason; or
- The circumstances make notice unnecessary.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

You must file your completed and signed Emergency Interim Application with the Court (including any additional documents). To file the Emergency Interim Application, you must bring it to the Supreme Court location where your file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html

Serving Your Application

You do not need to give a copy of this application to the other person (unless the Court orders otherwise). However, if your Emergency Interim order is granted, the Court will contact you with a hearing date within 7 days. You will need to give a copy of the application (with the hearing date), the Instructions on "How to Respond to an Emergency Interim Application" and a copy of the order to the other person immediately by *personal service*. This means that an adult (who is not you) must hand-deliver the documents to the other person.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get professional legal advice ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE APPLICATION ---

How to Respond to an Emergency Interim Application**Instructions****You have been served with an Emergency Interim Order.**

This means that the other person in your family law proceeding is asked the Court to grant an emergency interim order and this order was granted by the Court.

Read the attached Court Order (or Endorsement) and the Emergency Interim Application carefully.

If you want to oppose the Order (or Endorsement), you must file ONE affidavit in response. You can find an Affidavit template form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

Your affidavit should set out your position on the issues in the Emergency Interim Application and any important details or information.

You must give a copy of your Affidavit to the other person **at least 2 days before** the hearing date indicated on the front page of the Emergency Interim Application.

If you do not respond or do not appear at the scheduled court hearing, the Court may proceed and make another Order (or Endorsement) without hearing from you.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or (709) 722-2643

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form (F17.03A): Emergency Interim Application – For a Temporary Order (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY	
HEARING DATE	
The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:	
Location:	Supreme Court in _____, Newfoundland and Labrador
Address:	_____
Date:	_____
Time:	_____ am / pm

I, _____, the Applicant Respondent Other:
(Print Name)

am seeking an emergency interim order without notice to any other party.

Part A Basis of request

In order to make an Emergency Interim Application, you must be able check AT LEAST ONE of the requirements below:

- There is an immediate danger of a child's removal from the jurisdiction
- There is an immediate danger to the physical or emotional health or safety of a child or another person
- There would be immediate and irreversible consequences if the order is not granted

In order to make an Emergency Interim Application, you must also be able check AT LEAST ONE of the requirements below:

- The delay in giving notice would or may impose serious harm or prejudice on you or your child(ren).
- There is a degree of urgency or another reason that makes it inappropriate to give notice.
- The circumstances of the case make notice to the other party unnecessary.
- A statute permits (*indicate the title and section of the statute*): _____

Part B Emergency order sought

Fill in the details of the emergency order that you are seeking:

Part C Reasons for seeking emergency order (Affidavit)

Fill in the facts and reasons why you are seeking an emergency order:

Part D Steps to minimize prejudice

What have you done (and/or what will you do) so that the other party will not be disadvantaged by not being immediately notified of this application?

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Emergency Interim Application and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Emergency Interim Application are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

How to Make an Interim Application

Instructions

You can make an **Interim Application (Form F18.03A)** if your family law issue needs a temporary order in place until your issue gets a final resolution.

When You Can Make an Interim Application

You can **ONLY** make an interim application if either of the following applies to you:

- 1) There has been a case management hearing about the same issue(s) that your interim application is about (For example, you can only apply for interim child support if a case management hearing for child support has already taken place) **AND** your matter is urgent; or
- 2) You have permission from a judge to apply for an interim application. You can use this form to request permission.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form.

Filing Your Interim Application

You must make **2 extra copies** of your completed and signed Interim Application (including any additional documents). To file the Interim Application, you must bring the Application to the Supreme Court location where your family law file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html

If you have had a case management meeting already, the Court will schedule a date for an Interim Application hearing on the front page of this form.

If your Interim Application requires permission from a judge, the Court will contact you to let you know if permission is granted or not. If permission is granted, the Court will schedule a date for an Interim Application hearing (and write that date on the front page of this form).

Serving Your Application

You must give a copy of your Interim Application and the hearing date to the other person **at least 10 days** before the hearing date that the Court provides to you. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE APPLICATION ---

How to Respond to an Interim Application**Instructions****You have been served with an Interim Application.**

This means that the other person in your family law proceeding is asking the Court to grant a temporary order until final resolution of your family law issue.

Read the attached Interim Application carefully.

If you want to oppose any claim(s) made in the interim application, you must file ONE affidavit in response. You can find an Affidavit template form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

Your affidavit should set out your position on the issues in the Interim Application and any important details or information.

You must give a copy of your Affidavit to the other person **at least 4 days before** the hearing date indicated on the front page of the Interim Application.

If you do not respond or do not appear at the scheduled court hearing, the Court may proceed and make an order without hearing from you.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F18.03A: Interim Application (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY
<input type="checkbox"/> PERMISSION REQUIRED (for an interim application made before case management) <input type="checkbox"/> PERMISSION NOT REQUIRED (for an interim application made after case management, application to be removed as lawyer of record, or application to access a court record)
<input type="checkbox"/> PERMISSION GRANTED <input type="checkbox"/> PERMISSION GRANTED IN PART <input type="checkbox"/> PERMISSION DENIED
_____ _____ _____ _____

FOR COURT USE ONLY
HEARING DATE
A hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____ Time: _____ am / pm

I, _____, the Applicant Respondent Other:
(Print your name)

am seeking an interim order.

Part A Interim order(s) sought

Fill in what you are seeking:

Part B Reasons for seeking interim relief (Affidavit)

Fill in the reasons why you are seeking the Interim Order(s):

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Interim Application any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Interim Application are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

How to Apply to Vary an Interim Order

Instructions

You can make an **Application to Vary an Interim Order (Form 19.02A)** if your circumstances have changed since an interim order was made and you would like to change that interim order.

When You Can Make an Application to Vary an Interim Order

You can **ONLY** apply to vary an interim order if you have permission from a judge to do so. You may use this form to request permission.

Completing Your Application

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

You must make **2 extra copies** of your completed and signed Application to Vary (including any additional documents). To file the Application to Vary, you must bring the Application to the Supreme Court location where your family law file is or you can mail it to that location (with the filing fee attached). You can look up the fees online: www.court.nl.ca/supreme/fees.html

If you get permission from a judge, the Court will schedule a date for an Interim Application hearing (and write that date on the front page of this form).

Serving Your Application

If you get permission, you must give a copy of this Application form and the date of the hearing to the other person **at least 10 days** before the hearing date that the Court provides to you. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING THE APPLICATION ---

How to Respond to an Application to Vary an Interim Order**Instructions****You have been served with an Application to Vary an Interim Order.**

This means that the other person in your family law proceeding is asking the Court to change an interim order that is in place.

Read the attached Application to Vary carefully.

If you want to oppose any claim(s) made in the Application to Vary an Interim Order, you must file ONE affidavit in response. You can get an Affidavit template form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html

Your affidavit should set out your position on the issues in the Application to Vary and any important details or information.

You must give a copy of your Affidavit to the other person **at least 4 days before** the hearing date indicated on the front page of the Interim Application.

If you do not respond or do not appear at the hearing date, the Court may proceed and make an order without hearing from you.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F19.02A: Application to Vary an Interim Order (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY
<input checked="" type="checkbox"/> PERMISSION REQUIRED
<input type="checkbox"/> PERMISSION GRANTED <input type="checkbox"/> PERMISSION GRANTED IN PART <input type="checkbox"/> PERMISSION DENIED

FOR COURT USE ONLY
HEARING DATE
A hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____ Time: _____ am / pm

I, _____, the Applicant Respondent Other:
 (Print your name)

am seeking to vary an interim order.

Fill in the details for the Interim Order that you are seeking to vary:

Date Order was Issued	Month:	Day:	Year:
Which Court?			
Place of Order	City:	Province:	Country:
Name of Justice or Judge			

Check this box if you have more than 1 Interim Order that you are seeking to change. Attach an extra page at the end of this application to provide the details of those Orders.

Part A Variation(s) sought

List the changes that you are seeking:

Part B Reasons for seeking variation(s) (Affidavit)

Why do you want to change the interim order?

(Have your circumstances changed since the interim order was made? Will you or someone else be harmed before your matter can be resolved? What steps have you taken to resolve your issues? Is there a reason why your matter has not advanced to a hearing or final resolution?)

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Application to Vary an Interim Order and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Application to Vary an Interim Order are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer’s Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

How to Make an Offer to Settle

Instructions

You can use this **Offer to Settle (Form F23.01A)** form to settle your family law issues outside of court.

Completing Your Offer to Settle

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and give a copy to the other person).

Make sure to fill out the first page of this form and attach any Schedules that apply to you. If you need more space to fill out any section of this Offer to Settle, attach an extra page and indicate which section is continued on the extra page.

After You Have Completed Your Offer to Settle

**DO NOT file your Offer to Settle with the Court.
DO NOT disclose any information about the Offer to Settle to the Court.**

You can only tell the Court that you made an Offer to Settle AFTER the judge has made a decision on all the issues in dispute (except costs).

Delivering Your Offer to Settle

You will need to give the completed and signed Offer to Settle to the other person. You do not have to formally serve the Offer to Settle. Remember to make a copy of the Offer to Settle for yourself.

Acceptance or Refusal of Offer to Settle

Once you have made your Offer to Settle, the other person may respond to your offer with an **Acceptance of Offer (Form F23.05A)**. If the other person accepts your offer, you and other person may draft and sign an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. You can then file the agreement or Consent Order with the Court.

If you change your mind before the other person responds, you can withdraw your offer with a **Withdrawal of Offer to Settle (Form F23.02A)**.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SENDING THE OFFER TO SETTLE ---

How to Respond to an Offer to Settle**Instructions**

You have received an Offer to Settle from the other person in your current family law proceeding.

**DO NOT file any forms related to the Offer to Settle with the Court.
DO NOT disclose any information about the Offer to Settle to the Court.**

Read the attached **Offer to Settle (Form F23.01A)** carefully.

To respond to the offer, you can send the other person an **Acceptance of Offer to Settle (Form F23.05A)**. You can find the Acceptance of Offer to Settle form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html

On page 1 of the Offer to Settle, you may find that there is a time limit to accept the offer. If you plan to accept the offer, be sure to send the other person a written and signed acceptance by that deadline. If you do not accept the offer by the deadline, the offer will be deemed to be rejected.

If the other person has indicated on page 1 that the offer may be accepted in part, you do not have to accept all of the terms of the offer. You may be able to negotiate some of the terms of the offer.

If you accept the offer or come up with terms that both you agree to, you and other person can draft and sign an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. You can then file the agreement or Consent Order with the Court.

You can also make your own Offer to Settle, using the Offer to Settle form (Form F23.01A). Please see the instructions on the form for more information on how to make an Offer to Settle.

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F23.01A: Offer to Settle (Family Law)



In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

Check the issues that are in your Offer to Settle and fill out the corresponding Schedules. Remember to sign and date this page of the Offer to Settle:

<input type="checkbox"/> Parenting (Custody and/or Access)	Schedule 1
<input type="checkbox"/> Child Support	Schedule 2
<input type="checkbox"/> Spousal, Partner, Parental, or Dependent Support	Schedule 3
<input type="checkbox"/> Division of (Matrimonial or Common Law) Property	Schedule 4
<input type="checkbox"/> Other offers	Schedule 5

Check whether this offer may be accepted in part:

<input type="checkbox"/> This offer can be accepted in part.
<input type="checkbox"/> This offer cannot be accepted in part; all terms of this offer must be accepted.

Provide the details on any time limits for this offer:

<input type="checkbox"/> Acceptance of this offer must be made on or before (date: month/day/year): _____ at (time) _____
<input type="checkbox"/> Other:

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>

--- THIS OFFER SHALL NOT BE FILED WITH OR DISCLOSED TO THE COURT UNTIL ALL ISSUES IN THIS OFFER (other than costs) HAVE BEEN DETERMINED ---

Schedule 1 Parenting

If you are making an Offer to Settle with regards to parenting (custody and/or access), fill in the details of your parenting proposal below:

Your **proposed** parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Schedule 2 Child Support

If you are making an offer for child support, fill in the details of your child support proposal:

The basic Child Support Guidelines table amount of \$ _____ per month,
 paid by the payor, _____, to the recipient, _____,
(Name of payor) (Name of recipient),
 commencing _____.
(Date: month/day/year)

Contribution to special and extraordinary expenses:

<input type="checkbox"/> Child care	\$ _____	per month	or	% of expense
<input type="checkbox"/> Medical and dental insurance premiums for the child(ren)	\$ _____	per month	or	% of expense
<input type="checkbox"/> Health related expenses (that exceed insurance reimbursement by at least \$100 annually)	\$ _____	per month	or	% of expense
<input type="checkbox"/> Extra-ordinary expenses for primary or secondary school education or for any other educational programs that meet the child(ren)'s particular needs	\$ _____	per month	or	% of expense
<input type="checkbox"/> Expenses for post-secondary education	\$ _____	per month	or	% of expense
<input type="checkbox"/> Extraordinary expenses for extracurricular activities	\$ _____	per month	or	% of expense
<input type="checkbox"/> Other:	\$ _____	per month	or	% of expense

paid by the payor, _____, to the recipient, _____,
(Name of payor) (Name of recipient),
 , commencing _____.
(Date: month/day/year)

Child support not in accordance with the Child Support Guidelines table amount of \$ _____,
 paid by the payor, _____, to the recipient, _____,
(Name of payor) (Name of recipient),
 , commencing _____.
(Date: month/day/year)

Other child support amount of \$ _____ per month (eg. arrears or retroactive support),
 paid by the payor, _____, to the recipient, _____,
(Name of payor) (Name of recipient),
 , commencing _____.
(Date: month/day/year)

Schedule 3 Spousal, Partner, Parental, or Dependent Support

If you are making an offer to settle with regards to spousal, partner, parental, or dependent support, fill in the applicable details of your support proposal below:

Your **proposed** support arrangements are for:

- Spousal support
- Partner support
- Parental support
- Dependent support

Your **proposed** support arrangements:

<input type="checkbox"/> Support amount of \$ _____ to be paid monthly (or <input type="checkbox"/> other: _____), by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> (Name of payor) (Name of recipient) </div> <input type="checkbox"/> for a duration of _____ months, commencing _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> (Number of months) (Date: month/day/year) </div> <input type="checkbox"/> for an indefinite period.

<input type="checkbox"/> Support amount of \$ _____ to be paid in lump sum , by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> (Name of payor) (Name of recipient) </div> , on or before _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> (Date: month/day/year) </div>
--

<input type="checkbox"/> Other support (eg. arrears/retroactive) amount of \$ _____ to be paid monthly (or <input type="checkbox"/> other: _____), by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> (Name of payor) (Name of recipient) </div> , for a duration of _____ months, commencing _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> (Number of months) (Date: month/day/year) </div>
--

<input type="checkbox"/> Other support (eg. arrears/retroactive) amount of \$ _____ to be paid in lump sum , paid by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> (Name of payor) (Name of recipient) </div> , on or before _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> (Date: month/day/year) </div>

Schedule 4 **Division of Property**

If you are making an offer to settle with regards to division of property, fill in the details of your proposal below:

Check all of the boxes that apply and fill in any information required:

What type of property are you making an offer for:

- Matrimonial property (where the parties are/were married)
- Common law property (where the parties were never married, but cohabitated in a conjugal relationship)

Your proposed division of property arrangement for:

Assets (eg. houses, land, cabins, vehicles, pensions, investments, RRSPs, etc.):

Debts (eg. mortgages, credit card debt, loans, lines of credit, etc.):

Other (eg. business assets, etc.):

Schedule 5 Other Offers

If your offer involves other issues, provide the details below:

How to Withdraw an Offer to Settle

Instructions

A **Withdrawal of Offer to Settle (Form F23.02A)** is a document that you can fill out if you want to withdraw certain terms or all of the terms in your Offer to Settle.

Completing Your Withdrawal of Offer to Settle

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and give a copy to the other person).

To complete a Withdrawal of Offer to Settle, make sure to fill out the sections of the form that apply to you. If you need more space to fill out any section of this Withdrawal of Offer to Settle, attach an extra page and indicate which section is continued on the extra page.

After You Have Completed Your Withdrawal of Offer to Settle

**DO NOT file your Withdrawal of Offer to Settle with the Court.
DO NOT disclose any information about the Withdrawal of Offer to Settle to the Court.**

You can only tell the Court that you withdrew your Offer to Settle AFTER the judge has made a decision on all the issues in dispute (except costs).

Serving Your Withdrawal of Offer to Settle

You will need to give the completed and signed Withdrawal of Offer to Settle to the other person. You do not have to formally serve the Withdrawal of Offer to Settle. Remember to make a copy of the Withdrawal of Offer to Settle for yourself.

Remaining Offer Terms

If your Withdrawal of Offer to Settle only partially withdraws your offer, the other person can respond to the remaining offer terms with an **Acceptance of Offer (Form F23.05A)** or they can refuse your offer.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can get more information from:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SENDING THE WITHDRAWAL ---

How to Respond to a Withdrawal of Offer to Settle**Instructions**

The Offer to Settle that you received from the other person has been withdrawn.

**DO NOT file any forms related to the Offer to Settle or Withdrawal with the Court.
DO NOT disclose any information about the Offer to Settle or Withdrawal to the Court.**

Read the attached **Withdrawal of Offer to Settle (Form F23.02A)** carefully.

You may find that only some of the terms of Offer to Settle were withdrawn, while others are still open for you to accept or refuse. The time limits of the Offer to Settle may still apply.

If you want to accept the remaining terms of the offer (if applicable), you can send the other person an **Acceptance of Offer (Form F23.05A)**.

You may also make your own Offer to Settle, using the **Offer to Settle form (Form F23.01A)**. Please see the instructions on the form for more information on how to make an Offer to Settle. You can get the Offer to Settle form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can get more information from:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F23.02A: Withdrawal of Offer to Settle (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

withdraw my Offer to Settle, dated _____ in relation to the following:
(Date: month/day/year)

Where you wish to withdraw the Offer to Settle in its ENTIRETY, please check the following section:

All terms and issues

Where you wish to withdraw ONE OR MORE OF THE TERMS of the Offer to Settle, please indicate which terms you withdraw below:

Parenting (Custody and Access)
 List the term(s) of the Offer to Settle that you are withdrawing:

<input type="checkbox"/> Child Support <i>List the term(s) of the Offer to Settle that you are withdrawing:</i>
<input type="checkbox"/> Spousal, Partner, Parental, or Dependent Support <i>List the term(s) of the Offer to Settle that you are withdrawing:</i>
<input type="checkbox"/> Division of (Matrimonial or Common Law) Property <i>List the term(s) of the Offer to Settle that you are withdrawing:</i>
<input type="checkbox"/> Other Offers <i>List the term(s) of the Offer to Settle that you are withdrawing:</i>

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>

--- DO NOT FILE THIS WITHDRAWAL WITH THE COURT ---
--- DO NOT DISCLOSE THIS WITHDRAWAL TO THE COURT UNTIL ALL ISSUES IN THE OFFER (other than costs) HAVE BEEN RESOLVED ---

How to Accept an Offer to Settle

Instructions

An **Acceptance of Offer to Settle (Form F23.05A)** is a document that you can fill out if you want to accept the terms of an Offer to Settle (or, where permitted, certain terms of the offer).

If you wish to accept the Offer to Settle (or part of it) and there is a time limit in the Offer to Settle, you must send your Acceptance of Offer to Settle form to the other person before the time limit expires. If you do not send anything, the Offer to Settle will be deemed rejected.

Completing Your Acceptance of Offer to Settle

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and give a copy to the other person).

To complete an Acceptance of Offer to Settle, fill out the sections of the form that apply to you and remember to sign and date the last page. If you need more space to fill out any section of this Acceptance of Offer to Settle, attach an extra page and indicate which section is continued on the extra page.

Delivering Your Acceptance of Offer to Settle

You will need to give a copy of your completed and signed Acceptance of Offer to Settle to the other person. You do not have to formally serve the Acceptance of Offer to Settle and you do not have to provide proof of service to the Court.

Remember to make a copy of the Acceptance of Offer to Settle for yourself.

After You Have Completed and Delivered Your Acceptance of Offer to Settle

DO NOT file your Acceptance of Offer to Settle with the Court.

If you and the other person come to an agreement on some or all of the issues, you can draft either a agreement or a consent order. You can draft a consent order using the Consent Order template form. You can get the form from any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html. File the agreement or consent order with the Court.

Further Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SENDING THE ACCEPTANCE ---

What to Do When Your Offer to Settle Is Accepted**Instructions**

Your Offer to Settle has been accepted (in whole or in part).

**DO NOT file any forms related to the Offer to Settle or Acceptance with the Court.
DO NOT disclose any information about the Offer to Settle or Acceptance to the Court.**

Read the attached **Acceptance of Offer to Settle (Form F23.05A)** carefully. You may find that some of the terms in your Offer to Settle were accepted, while others were not accepted. You may have to do some further negotiation with the other person if this is the case.

If you and the other person come to an agreement on some or all of the issues, you can draft either a agreement or a consent order. You can draft a consent order using the Consent Order template form. You can get the form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html. File the agreement or consent order with the Court.

Questions? Contact a Court near you:

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or (709) 722-2643

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F23.05A: Acceptance of Offer to Settle (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print Name)

accept the formal Offer to Settle, dated _____ in relation to the following:
(Date: month/day/year)

If you wish to accept the offering party's Offer to Settle in its ENTIRETY, check the following section:

All terms of the Offer to Settle

If you wish to accept ONE OR MORE of the terms of the Offer to Settle (and the Offer to Settle has specified that the offer to may be accepted in part), indicate which terms you accept below:

Parenting (Custody and Access)
 List the term(s) of the Offer to Settle that you accept:

<input type="checkbox"/> Child Support <i>List the term(s) of the Offer to Settle that you accept:</i> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>
<input type="checkbox"/> Spousal, Partner, Parental, or Dependent Support <i>List the term(s) of the Offer to Settle that you accept:</i> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>
<input type="checkbox"/> Division of (Matrimonial or Common Law) Property <i>List the term(s) of the Offer to Settle that you accept:</i> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>
<input type="checkbox"/> Other Offers <i>List the term(s) of the Offer to Settle that you accept:</i> <div style="border: 1px solid black; height: 80px; margin-top: 5px;"></div>

DATED at _____, this _____ day of _____, 20____.
<div style="display: flex; justify-content: space-between;"> _____ _____ </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <i>Signature</i> <i>Signature of Lawyer (if any)</i> </div>

--- THIS ACCEPTANCE SHALL NOT BE FILED WITH OR DISCLOSED TO THE COURT UNTIL ALL ISSUES IN THE OFFER (other than costs) HAVE BEEN DETERMINED ---

How to Request a Settlement Conference

Instructions

A **settlement conference** is an informal meeting where you and the other person meet to hear each other's proposals and look for solutions that are acceptable to everyone. A judge will assist you. You can request a settlement conference if you want to negotiate a resolution and have more control over the outcome of your case. If your settlement conference is unsuccessful, you can go to trial.

Any discussions that take place in a settlement conference cannot be brought up or used against you if you go to trial. If you go to trial, your trial judge will be different from your settlement conference judge, unless you and the other person agree otherwise.

A binding settlement conference is similar to a settlement conference, except that you both agree that the settlement conference judge can make a decision. This decision becomes a final order and is binding.

Before you can file a **Request for a Settlement Conference (Form F25.03A)**, you must already have a scheduled date for a case management hearing. A judge will consider your request at that case management hearing.

Completing a Request for a Settlement Conference

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out pages 1-3 of the form. If you are requesting a binding settlement conference, you must also fill out and attach Schedule 1. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for a Settlement Conference

You must make **2 extra copies** of your signed Request for a Settlement Conference. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Settlement Conference

You must give a copy of this Request form to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

The other person can respond by filing their own Request for a Settlement Conference form.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE SERVING AND FILING YOUR REQUEST ---

How to Respond to a Request for a Settlement Conference

Instructions

You have been served with a **Request for a Settlement Conference (Form 25.03A)**. This means that the other person wants to schedule a settlement conference or binding settlement conference. At your next case management hearing, the judge will decide whether you should go to a settlement conference.

A **settlement conference** is an informal meeting where you and the other person meet to hear each other's proposals and look for solutions that are acceptable to everyone. A judge will assist you. You can request a settlement conference if you want to negotiate a resolution and have more control over the outcome of your case. If your settlement conference is unsuccessful, you can go to trial.

Any discussions that take place in a settlement conference cannot be brought up or used against you if you go to trial. If you go to trial, your trial judge will be different from your settlement conference judge, unless you and the other person agree otherwise.

A binding settlement conference is similar to a settlement conference, except that you both agree that the settlement conference judge can make a decision. This decision becomes a final order and is binding.

Responding to a Request for a Settlement Conference

To respond to the other person's request, you must fill out your own **Request for a Settlement Conference** form. You can get this form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html . Even if you do not agree to a settlement conference, you must still fill out your own Request form. You can check off the option on the form to indicate that you do not agree to a settlement conference. A judge may still order you to attend a settlement conference.

Filing a Request for a Settlement Conference

You must make **2 extra copies** of your signed Request for a Settlement Conference. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Settlement Conference

You must give a copy of this Request form to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Comer Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form 25.03A: Request for a Settlement Conference (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

- am requesting a settlement conference. *(Fill out Parts A, B, C, D, and E)*
- am requesting a binding settlement conference. *(Fill out Parts A, B, C, D, E, and Schedule 1)*
- am responding to a request for a settlement conference.
 - I agree to the request for a settlement conference. *(Fill out Parts A, B, C, D, and E)*
 - I reject the request for a settlement conference because:

- am responding to a request for a binding settlement conference.
 - I agree to the request for a binding settlement conference. *(Fill out Parts A, B, C, D, E, and Schedule 1)*
 - I reject the request for a binding settlement conference.

Part A Resolved Issues

Check the issues that have already been resolved (by court order, agreement, consent, or otherwise):

<input type="checkbox"/> Divorce
<input type="checkbox"/> Parenting (Custody and/or Access)
<input type="checkbox"/> Child Support
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property
<input type="checkbox"/> Other:

Part B Issues for Settlement Conference

Check the issues that you would like to address at the settlement conference and provide a brief description:

<input type="checkbox"/> Divorce:
<input type="checkbox"/> Parenting (Custody and/or Access):
<input type="checkbox"/> Child Support:
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support:
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>):
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property:
<input type="checkbox"/> Other:

Part C Time Required for Settlement Conference

How much time do you estimate the settlement conference will require?

<input type="checkbox"/> Half day	<input type="checkbox"/> Full day	<input type="checkbox"/> Other:
-----------------------------------	-----------------------------------	---------------------------------

Part D Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/> I will serve and file a settlement conference brief at least 7 days before the settlement conference date.
<input type="checkbox"/> I will keep my financial information current by filing with the Court and delivering to the opposing party the updated financial information at least 7 days before the settlement conference date.
<input type="checkbox"/> I will promptly advise the Court if a settlement has been reached prior to the settlement conference date.
<input type="checkbox"/> I will provide the Court and the other party with all documents I intend to rely on in the settlement conference.

Part E Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/> I am currently represented by (<i>Name of lawyer</i>) _____. <div style="margin-left: 20px;"> <input type="checkbox"/> The above named lawyer will represent me at the settlement conference. <input type="checkbox"/> I will be represented by a different lawyer at the settlement conference: (<i>Name of lawyer</i>) _____. <input type="checkbox"/> I will be representing myself at the settlement conference. </div>
<input type="checkbox"/> I am not currently represented by a lawyer. <div style="margin-left: 20px;"> <input type="checkbox"/> I anticipate having a lawyer for the settlement conference: (<i>Name of lawyer</i>) _____. <input type="checkbox"/> I will be representing myself at the settlement conference. </div>

Signature and Date

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>
	_____ <i>Print Name of Lawyer (if any)</i>

Schedule 1 Agreement to Binding Settlement Conference

Outstanding Issues for Binding Settlement Conference:

Check the issues that you would like to address at the binding settlement conference:

<input type="checkbox"/> Divorce:
<input type="checkbox"/> Parenting (Custody and/or Access):
<input type="checkbox"/> Child Support:
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support:
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>):
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property:
<input type="checkbox"/> Other:

Preference of Judge

If you prefer to have a particular judge for your binding settlement conference, please indicate the judge's (or judges') name(s):

Consent and Waiver

I, _____ the Applicant Respondent Other:
(Print your name)

consent to a binding settlement conference to resolve the outstanding issue(s).

I understand the binding settlement conference process.
I have chosen a binding settlement conference to resolve the outstanding issue(s) instead of a trial of the issue(s).
I agree to be bound by the decision of the settlement conference judge should the judge find it appropriate to decide the issue(s).
I understand that the settlement conference judge is not bound by the strict rules of evidence, but may receive and use any information submitted to the Court.
I understand that the settlement conference judge has full power and authority to rule on any questions of law and/or fact applying to the admission of evidence or determination of the issues in the same manner as a judge at trial.

I understand that a decision of the settlement conference judge is enforceable in the same manner as any other Judgment of the Court.
I understand that having a binding settlement conference will impact any right of appeal following the binding settlement conference.
I agree to keep all communications and discussions from the entire binding settlement conference process confidential.
I understand that my participation in this binding settlement conference is strictly voluntary and that I can withdraw consent to proceed with a binding settlement conference at any time prior to the conference date.
I have not been coerced or threatened in any way to agree to this binding settlement conference process and I have not been promised anything to get me to agree to this binding settlement conference process.
I understand that I can seek independent legal advice from a lawyer before consenting to this binding settlement conference process, and <input type="checkbox"/> I have received independent legal advice; or <input type="checkbox"/> I have chosen not to seek independent legal advice.

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>
	_____ <i>Print Name of Lawyer</i>

How to Make an Application for Judgment

Instructions

An **Application for Judgment (Form F26.02A)** is a form that you may use to apply for judgment in an uncontested proceeding. If any of the following applies to your situation, your matter is an uncontested proceeding:

- The Respondent failed to file and serve a Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Response has been withdrawn or struck out;
- The Respondent filed a Response stating that he or she is not contesting a claim in the Application;
- The Applicant failed to file a Reply in relation to a claim against them made in the Response within the prescribed time (and a Notice of Default (Form F6.06A) has been filed);
- The Reply has been withdrawn or struck out;
- The Applicant filed a Reply stating that he or she is not contesting a claim in the Response;
- The parties have applied together for the same relief; or
- Each party to the proceeding consents to a draft judgment or order.

Completing Your Application for Judgment

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court).

You must fill out the entire Application for Judgment form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application for Judgment

To file your Application for Judgment, bring it to the Supreme Court location where your family law file is or mail the Application to that Supreme Court location. Before you file it, you should make an extra copy of your completed and signed Application for Judgment for your own records.

If you are applying for a divorce, you must also file a draft **Divorce Judgment (Form F26.03A)** along with 2 extra copies of that Divorce Judgment. You can get a Divorce Judgment form from any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html

Serving Your Application for Judgment

You do not have to give a copy of this Application to the other person unless he/she has filed a **Demand for Notice (Form F6.04A)**.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F26.02A: Application for Judgment (Family Law)

(for uncontested family law proceedings)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT or CO-APPLICANT
(Print full name)

AND: _____ RESPONDENT or CO-APPLICANT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT
 CO-APPLICANT

Part A The Order(s) Sought

Check the type of order(s) that you are seeking and provide a brief description:

<input type="checkbox"/> Divorce:
<input type="checkbox"/> Parenting (Custody and/or Access):
<input type="checkbox"/> Child Support:
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support:
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for someone other than parents or child</i>):
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property:
<input type="checkbox"/> Consent Order:
<input type="checkbox"/> Other:

Part B Basis for Application for Judgment

Check the box that applies to your situation:

<input type="checkbox"/> The Respondent failed to file and serve a Response within the prescribed time.
<input type="checkbox"/> The Response has been withdrawn or struck out.
<input type="checkbox"/> The Respondent filed a Response stating that he/she is not contesting the claim(s) made in the Application.
<input type="checkbox"/> The Applicant failed to file a Reply in relation to a claim against him/her made in the Response within the prescribed time.
<input type="checkbox"/> The Reply has been withdrawn or struck out.
<input type="checkbox"/> The Applicant filed a Reply stating that he/she is not contesting the claim(s) made in the Response.
<input type="checkbox"/> The Applicant and the Respondent made a Joint Originating Application for the same relief.
<input type="checkbox"/> The Applicant and the Respondent have consented to the draft judgment or draft order.

Part C Relevant Documents

Check the following documents that support your claims as they relate to the order that you are seeking:
(Attach any documents that you have not already filed with the court)

<input type="checkbox"/> Originating Application	<input type="checkbox"/> Property Statement of the Applicant
<input type="checkbox"/> Originating Application for Variation	<input type="checkbox"/> Property Statement of the Respondent
<input type="checkbox"/> Joint Originating Application	<input type="checkbox"/> Affidavit of Service
<input type="checkbox"/> Joint Originating Application for Variation	<input type="checkbox"/> Previous Court Order(s)
<input type="checkbox"/> Response	<input type="checkbox"/> Domestic Contract (eg. Separation Agreement)
<input type="checkbox"/> Demand for Notice	<input type="checkbox"/> Certificate (or Registration) of Marriage
<input type="checkbox"/> Notice of Default	<input type="checkbox"/> Order dispensing with Certificate of Marriage
<input type="checkbox"/> Reply	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Applicant's address
<input type="checkbox"/> Financial Statement of the Applicant	<input type="checkbox"/> 1 self-addressed, stamped envelope with the Respondent's address
<input type="checkbox"/> Financial Statement of the Respondent	<input type="checkbox"/> Draft Divorce Judgment and/or other draft orders
<input type="checkbox"/> Other:	

- Check this box if you are Co-Applicants (filed a Joint Originating Application or Joint Originating Application for Variation). Both Co-Applicants must fill out Part E. Make a copy of pages 4-6 for the second Co-Applicant. Attach both affidavits to this Application for Judgment.

Part E Affidavit

I, _____, of _____
(Print your name) (City/Town and Province)

swear or affirm and say as follows:

1. I have personal knowledge of the facts in this affidavit, except where stated to be information learned from someone else and where that is stated, I believe the information to be true.

2. Other Proceedings

No other legal proceedings have been commenced by me or the other party with reference to the marriage, cohabitation, parenting, support, or division of property, except as follows:

3. Agreements or Contracts

Check the box that applies to your situation:

There are no agreements or contracts between me and the other party.

OR

There are agreements or contracts between me and the other party.
If the agreement or contract has not been filed with the Court, attach a copy of the agreement or contract to this form.

The agreement or contract deals with the following issues (eg. parenting, child support, property, etc.):

4. Changes to Pleadings

Check the box that applies to your situation:

There have been no changes to the contents in my:

Originating Application Originating Application for Variation Interim Application
 Response Other:

There have been changes to the contents in my:

Originating Application Originating Application for Variation Interim Application
 Response Other:

Fill in the details of the changes to the contents:

If there is a change in your financial circumstances since the filing of the Originating Application, Originating Application for Variation, Interim Application, Response, Financial Statement, and/or Property Statement, you must file and serve updated documents.

5. Divorce (if applicable)

In order to apply for a divorce, you must be able to satisfy ALL of the requirements below:

There is no prospect of reconciliation of the marriage between the other party and myself.

The other party and I have remained living separate and apart from the date of our separation to the date of this Affidavit.

If you have a child or children:

Reasonable arrangements have been made for the support of the child(ren). Provide details:

Check this box if you are seeking an earlier date of effect for a divorce judgment. You must fill out a Request for Earlier Date for a Divorce Judgment form.

6. Support (if applicable)

Check the box that applies to your situation:

I am claiming support.

I know/believe the other party's income to be: \$ _____ per year.

If you are seeking child support and the other party has not filed income information, you must provide sufficient information of the other party's income.

I am not claiming support.

Sufficient financial arrangements have been made for the care of the child(ren).

7. Costs (if applicable)

Costs are claimed in the amount of \$ _____ for the following reasons:

8. Service of Judgment:

The present address of the other party where service of the judgment may be made is:

I know/believe that this is the address of the other party because:

Service of the judgment upon the other party should be dispensed with for the following reasons:

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Application for Judgment and Affidavit is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information of this Application for Judgment and Affidavit are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature Signature of Person Authorized to Administer Oaths

Form F26.03A: Divorce Judgment (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT or CO-APPLICANT
(Print full name)

AND: _____ RESPONDENT or CO-APPLICANT
(Print full name)

BEFORE the Honourable Justice _____, on _____
(Print Name) *(Date: month/day/year)*

Pursuant to the *Divorce Act (Canada)*, it is ordered that _____ and
(Name of Applicant)

_____ who were married on _____
(Name of Respondent) *(Date: month/day/year)*

are divorced and, unless appealed, this judgment takes effect and the marriage is dissolved on the 31st day after the date of this judgment.

Pursuant to the *Divorce Act (Canada)*, it is further ordered that:

Pursuant to the *Family Law Act (Newfoundland and Labrador)*, it is ordered that:

Order Issued at:	FOR COURT USE ONLY
Location: Supreme Court in _____, Newfoundland and Labrador	
Date: _____	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

All support orders (child, spousal, partner, parental, and/or dependant support orders) must be set out in a separate order.

The parties cannot remarry until 31 days after the date of this judgment, at which time either party may obtain a Certificate of Divorce from the Court. If judgment is appealed, the ability for the parties to remarry may be delayed.

How to Request a Pre-Trial Determination

Instructions

You can ask a judge to make a determination on a specific question of fact or law before you go to trial. For example, you may ask a judge to determine a payor's income or ask a question on the admissibility of a piece of evidence.

A judge must agree that your question is appropriate for a pre-trial determination hearing. If a judge gives you an answer to your question of fact or law, you and the other person may be able to resolve some or all of your family law issues faster than if you went straight to trial.

You can request a pre-trial determination of a question of fact or law by using a **Request for a Pre-Trial Determination (Form F27.02A)**.

Before you can make a Request for a Pre-Trial Determination, you must have a scheduled date for a case management hearing. A judge will consider your request at that case management hearing.

Completing a Request for a Pre-Trial Determination

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for a Pre-Trial Determination

You must make **2 extra copies** of your signed Request for a Pre-Trial Determination. To file your Request for a Pre-Trial Determination, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Pre-Trial Determination

You must give a copy of this Request form to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

The other person may respond by filing their own Request for a Pre-Trial Determination form.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING YOUR REQUEST ---

How to Respond to a Request for a Pre-Trial Determination

Instructions

You have been served with a **Request for a Pre-Trial Determination (Form F27.02A)**.

This means that the other person in your family law case is asking a judge to answer a specific question of fact or law before you go to trial. For example, the other person may ask a judge to determine your income or ask a question on the admissibility of a piece of evidence.

The Court will decide at your next scheduled case management hearing if the question is appropriate for a pre-trial determination. If a judge gives an answer to the question of fact or law, you and the other party may be able to resolve some or all of your family law issues faster than if you went straight to trial.

Responding to a Request for a Pre-Trial Determination

To respond to the other person's request, you must fill out your own Request for a Pre-Trial Determination form. You can get this form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Filing a Request for a Pre-Trial Determination

You must make **2 extra copies** of your signed Request for a Pre-Trial Determination. To file your Request for a Pre-Trial Determination, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Pre-Trial Determination

You must give a copy of this Request form to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

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Gander: (709) 256-1115

Grand Bank: (709) 832-1720

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Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F27.02A: Request for a Pre-Trial Determination (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

- am requesting a pre-trial determination of a question of fact or law. *(Fill out Parts A, B, C, D, E, and F)*
- am responding to a request for a pre-trial determination of a question of fact or law.
 - I agree to the request for a pre-trial determination of a question of fact or law. *(Fill out Parts A, B, C, D, E, and F)*
 - I reject the request for a pre-trial determination of a question of fact or law because:

Part A Issue(s) for Pre-Trial Determination

If you are requesting a pre-trial determination, fill in the issue(s) that you are asking the judge to decide:

Part B Reason(s) for a Pre-Trial Determination

Fill in the reason(s) why a pre-trial determination of a question of fact or law is appropriate.

Part C Time Required for a Pre-Trial Determination

How much time do you estimate the pre-trial determination hearing (including summations) will require?

_____ day(s)

Part D Affidavits

I will be filing one or more affidavit(s) in support of or in response to the pre-trial determination.

Fill out the names of the person(s) providing affidavits:

You may be required to discuss the content of each of the affidavits at the case management hearing.

Requests for oral evidence can be made at the case management hearing.

Part E Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/>	I will keep my financial information current by filing with the Court and delivering to the opposing party the updated financial information no later than 7 days before the pre-trial determination hearing.
<input type="checkbox"/>	I will promptly advise the Court if a settlement has been reached prior to the pre-trial determination hearing.
<input type="checkbox"/>	I will provide the Court and the other party with all documents I intend to rely on in the pre-trial determination hearing.

Part F Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/>	I am currently represented by (Name of lawyer) _____.
<input type="checkbox"/>	The above named lawyer will represent me for the pre-trial determination hearing.
<input type="checkbox"/>	I will be represented by a different lawyer for the pre-trial determination hearing: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself for the pre-trial determination hearing.
<input type="checkbox"/>	I am not currently represented by a lawyer.
<input type="checkbox"/>	I anticipate having a lawyer for the pre-trial determination hearing: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself for the pre-trial determination hearing.

Signature and Date

DATED at _____, this _____ day of _____, 20_____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>
	_____ <i>Print Name of Lawyer (if any)</i>

How to Request a Summary Judgment Hearing

Instructions

A **summary judgment hearing** can help to resolve some or all of your family law issues faster than if you went through a formal trial. A summary judgment hearing is simpler than a trial because most of the evidence is presented as sworn statements and oral evidence is limited.

You can request a summary judgment hearing by using a **Request for a Summary Judgment Hearing (Form F28.02A)**. You can only request a summary judgment hearing if you are seeking determination on an issue that does not require a trial.

Before you can file a Request for a Summary Judgment Hearing, you must already have a scheduled date for a case management hearing. A judge will consider your request at that case management hearing.

Completing a Request for a Summary Judgment Hearing

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire form. If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for a Summary Judgment Hearing

You must make **2 extra copies** of your signed Request for a Summary Judgment Hearing. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Summary Judgment Hearing

You must give a copy of this Request to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

The other person can respond by filing their own Request for a Summary Judgment Hearing form.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING YOUR REQUEST ---

How to Respond to a Request for a Summary Judgment Hearing

Instructions

You have been served with a **Request for Summary Judgment Hearing (Form F28.02A)**.

This means that the other party is asking the Court to make a summary judgment on a specific issue. At your next case management hearing date, the judge will decide whether you should go to a summary judgment hearing.

A summary judgment hearing can help to resolve some or all of your family law issues faster than if you went through a formal trial. A summary judgment hearing is simpler than a trial because most of the evidence is presented as sworn statements and oral evidence is limited.

A summary judgment hearing may be requested where a party is seeking determination of an issue that does not require a trial. The Court will decide at a case management hearing how your family law matter will proceed.

Responding to a Request for a Summary Judgment Hearing

To respond to the other person's request, you must fill out your own **Request for a Summary Judgment Hearing**. You can get this form at any Supreme Court location or online:

www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Filing a Request for a Summary Judgment Hearing

You must make **2 extra copies** of your signed Request for a Summary Judgment Hearing. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Summary Judgment Hearing

You must give a copy of this Request to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

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--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

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Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F28.02A: Request for a Summary Judgment Hearing (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

- am requesting a summary judgment hearing. *(Fill out Parts A, B, C, D, and E)*
- am responding to a request for a summary judgment hearing.
 - I agree to the request for a summary judgment hearing.
(Fill out Parts A, B, C, D, and E)
 - I reject the request for a summary judgment hearing because:

Part A Reasons for Summary Judgment

Fill in the reason(s) why a summary judgment hearing is appropriate and why there is no genuine issue for trial
OR fill in the reason(s) why the issue(s) raised by the other party requires a trial:

Part B Time Required for Summary Judgment Hearing

How much time do you estimate the summary judgment (including summations) will require?

_____ day(s)

Part C Affidavits

I will be filing one or more affidavit(s) in support of or in response to the summary judgment hearing.
Fill out the names of the person(s) providing affidavits:

You may be required to discuss the content of each of the affidavits at the case management hearing.

Requests for oral evidence can be made at the case management hearing.

Part D Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/>	I will file and serve a summary judgment hearing brief (setting out the concise set of facts and law) no later than 2 days before the summary judgment hearing.
<input type="checkbox"/>	I will keep my financial information current by filing with the Court and delivering to the opposing party the updated financial information no later than 7 days before the summary judgment hearing.
<input type="checkbox"/>	I will promptly advise the Court if a settlement has been reached prior to the summary judgment hearing date.
<input type="checkbox"/>	I will provide the Court and the other party with all documents I intend to rely on in the summary judgment hearing.

Part E Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/>	I am currently represented by (Name of lawyer) _____.
<input type="checkbox"/>	The above named lawyer will represent me for the summary judgment hearing.
<input type="checkbox"/>	I will be represented by a different lawyer for the summary judgment hearing: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself for the summary judgment hearing.
<input type="checkbox"/>	I am not currently represented by a lawyer.
<input type="checkbox"/>	I anticipate having a lawyer for the summary judgment hearing: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself for the summary judgment hearing.

Signature and Date

DATED at _____, this _____ day of _____, 20_____.	
_____	_____
<i>Signature</i>	<i>Signature of Lawyer (if any)</i>

	<i>Print Name of Lawyer (if any)</i>

How to Request a Trial Date

Instructions

You can request a trial date by using this **Request for a Trial (Form F29.02A)**.

Before you can file a **Request for a Trial**, you must already have a scheduled date for a case management hearing. A judge will consider your request at that case management hearing.

Completing a Request for a Trial

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for a Trial

You must make **2 extra copies** of your signed Request for a Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Trial

You must give a copy of this Request form to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

The other person can respond by filing their own Request for a Trial form.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

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--- It is highly recommended that you get advice from a lawyer ---

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Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING YOUR REQUEST ---

How to Respond to a Request for a Trial Date**Instructions**

You have been served with a **Request for a Trial (Form F29.02A)**.

This means that the other party is seeking to go to trial and get a scheduled trial date. At your next case management hearing, the judge will decide whether you should go to trial.

Responding to a Request for a Trial

To respond to the other person's request, you must fill out your own **Request for a Trial** form. Even if you do not agree that your matter should go to trial, you must still fill out your own Request form. You can get this form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Filing a Request for a Trial

You must make **2 extra copies** of your signed Request for a Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Trial

You must give a copy of this Request form to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F29.02A: Request for a Trial (Family Law)



In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

- am requesting a trial.
- am responding to a request for a trial.

Part A Pre-requisites

Check all of the boxes that apply to you:

<input type="checkbox"/> All relevant parties are before the Court.
<input type="checkbox"/> All sworn Financial Statements and/or Property Statements have been filed with the Court.
<input type="checkbox"/> All appropriate pretrial applications have been made.
<input type="checkbox"/> No amendments to the pleadings are contemplated.
<input type="checkbox"/> No further disclosure is required or requested.
<input type="checkbox"/> The parties have participated in or have been excused by a judge from participation in a dispute resolution program or process.

Part B Issues for Trial

Check the issues to be addressed at trial:

<input type="checkbox"/> Divorce
<input type="checkbox"/> Parenting (Custody and/or Access)
<input type="checkbox"/> Child Support
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property
<input type="checkbox"/> Other:

Part C Witnesses

If you have requested a formal trial, fill in the information for all of the **witnesses** you intend to call at trial:

	Witness 1	Witness 2
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

	Witness 3	Witness 4
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

- Check this box if you do not intend to call any witnesses at trial.
- Check this box if you intend to call more than 4 witnesses. Attach an extra page to provide the details of those witnesses.

Fill in the information for all of the **expert witnesses** you intend to call at trial:

	Expert Witness 1	Expert Witness 2
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

- In the event of an expert witness testifying at the trial, I will provide the other party with a copy of the expert's report(s) and resume or curriculum vitae at least 30 days before the trial date.
- Check this box if you do not intend to call any expert witnesses at trial.
- Check this box if you intend to call more than 2 expert witnesses. Attach an extra page to provide the details of those witnesses.

Part D Documents for Trial

Check any of the following that apply:

<input type="checkbox"/> A joint book of documents will be filed prior to the trial.
<input type="checkbox"/> A trial brief will be filed in this matter.

Part E Special requirements

Check any of the following that apply:

<input type="checkbox"/> An interpreter is required. <i>Specify language and dialect:</i> Please note that the Court is not responsible for any interpreter fees in family matters.
<input type="checkbox"/> Audio recordings may be entered/played in evidence. <i>Specify:</i>
<input type="checkbox"/> Video recordings may be entered/played in evidence. <i>Specify:</i>
<input type="checkbox"/> A party or witness requests the opportunity to give evidence by teleconference or videoconference. <i>Name of party or witness:</i>
<input type="checkbox"/> Other. <i>Specify:</i>

Part F Time Required for Trial

How much time do you estimate the trial (including summations) will require?

_____ day(s)

Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/>	I will participate in a Trial Readiness Conference if requested by the Court.
<input type="checkbox"/>	I will keep my financial information current by filing updated financial information with the Court and serving the other party with updated financial information at least 7 days before the trial.
<input type="checkbox"/>	I will promptly advise the Court if a settlement has been reached prior to the trial date.
<input type="checkbox"/>	I will promptly advise the Court if, after the case management hearing, it is anticipated that the duration of the trial will differ from the estimated trial time.
<input type="checkbox"/>	I will provide the Court and the other party with all documents I intend to rely on in the trial.

Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/>	I am currently represented by (Name of lawyer) _____.
<input type="checkbox"/>	The above named lawyer will represent me at trial.
<input type="checkbox"/>	I will be represented by a different lawyer at trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at trial.
<input type="checkbox"/>	I am not currently represented by a lawyer.
<input type="checkbox"/>	I anticipate having a lawyer at trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at trial.

Signature and Date

DATED at _____, this _____ day of _____, 20_____.	
_____	_____
<i>Signature</i>	<i>Signature of Lawyer (if any)</i>

	<i>Print Name of Lawyer (if any)</i>

How to Request an Informal Trial

Instructions

In an **informal trial**, the strict rules of evidence may not apply. Both you and the other person can speak directly to the judge and the judge can ask you questions directly. Your ability to present witnesses is limited.

You may request a trial date by using a **Request for an Informal Trial (Form F31.02A)**. Before you can file a **Request for an Informal Trial**, you must already have a scheduled date for a case management hearing.

You can only have an informal trial if both you and the other person agree to the process. The judge at your case management hearing must also agree that your matter should proceed to an informal trial.

Completing a Request for an Informal Trial

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for an Informal Trial

You must make **2 extra copies** of your signed Request for an Informal Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for an Informal Trial

You must give a copy of this Request form to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

If the other person agrees to an informal trial, he/she must file their own Request for Informal Trial form and give you a copy. If the other person does not agree to the informal trial and instead wants a formal trial, he/she must file a **Request for Trial (Form F29.02A)** and give you a copy.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING AND SERVING YOUR REQUEST ---

How to Respond to a Request an Informal Trial

Instructions

You have been served with a **Request for an Informal Trial (Form F31.02A)**.

This means that the other person is asking the Court to decide your family law matter with an **informal trial**. In an informal trial, the strict rules of evidence may not apply. Both you and the other person can speak directly to the judge and the judge can ask you questions directly. Your ability to present witnesses is limited.

You can only have an informal trial if both you and the other person agree to the process. The judge at your case management hearing must also agree that your matter should proceed to an informal trial.

Responding to a Request for Informal Trial

If you consent to an informal trial, you must complete your own Request for an Informal Trial form, file it with the Court, and give a copy to the other person. You can get this form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

If you do not consent to an informal trial and want to request a formal trial, you must indicate that you do not consent on a Request for an Informal Trial form. You must also file a **Request for Trial (Form 29.02A)**. You can get this form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form online, you must still print the form, file it with the Court, and give a copy to the other person).

Filing a Request for an Informal Trial

You must make **2 extra copies** of your signed Request for an Informal Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for an Informal Trial

You must give a copy of this Request form to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

Form F31.02A: Request for an Informal Trial (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other:
(Print your name)

am requesting an informal trial date.
 am responding to a request for an informal trial date.

Consent and Waiver

I, _____ the Applicant Respondent Other:
(Print your name)

consent to an informal trial. *(Fill out the Consent and Waiver, and Parts A, B, C, D, and E)*
 do not consent to an informal trial. *(Fill out a Request for a Trial (Form F29.02A))*

I agree to place responsibility for the conduct of the informal trial with the judge.
I agree that the strict application of the rules of evidence in this informal trial will not apply.

I agree that both parties may submit any document or other evidence to the judge and that copies of any submitted documents or evidence will be provided to the other party.
I agree that both parties may advise the Court of anything he/she feels is relevant to the issue(s).
I agree that the normal question-and-answer manner of trial will not apply.
I agree that the judge may ask me, the other party, and witnesses (if any) questions about the case.
I understand that the judge will determine the relevance of all evidence (including documents, physical evidence, and testimony) that is provided as evidence during the informal trial process.
I understand that having an informal trial may impact any appeal following the informal trial hearing.
I understand the informal trial process.
I understand that my participation in this informal trial process is strictly voluntary and that I can withdraw consent to proceed with an informal trial at any time prior to the informal trial hearing.
I have not been coerced or threatened in any way to agree to this informal trial process and I have not been promised anything to get me to agree to this informal trial process.

Part A Resolved Issues

Check the issues that have already been resolved (by court order, agreement, consent, or otherwise):

<input type="checkbox"/> Divorce
<input type="checkbox"/> Parenting (Custody and/or Access)
<input type="checkbox"/> Child Support
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property
<input type="checkbox"/> Other:

Part B Issue(s) for the Informal Trial

Check the issues that you would like to address in the informal trial:

<input type="checkbox"/> Divorce
<input type="checkbox"/> Parenting (Custody and/or Access)
<input type="checkbox"/> Child Support
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property
<input type="checkbox"/> Other:

Part C Time Required for the Informal Trial

How much time do you estimate the informal trial (including summations) will require?

_____ day(s)

Part D Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/>	I will keep my financial information current by filing with the Court and delivering to the opposing party the updated financial information at least 7 days before the informal trial.
<input type="checkbox"/>	I will promptly advise the Court if a settlement has been reached prior to the informal trial date.
<input type="checkbox"/>	I will promptly advise the Court if, after the case management hearing, it is anticipated that the estimated duration of the informal trial will differ from the estimated time.
<input type="checkbox"/>	I will provide the Court and the other party with all documents I intend to rely on in the informal trial.

Part E Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/>	I am currently represented by (Name of lawyer) _____.
<input type="checkbox"/>	The above named lawyer will represent me at the informal trial.
<input type="checkbox"/>	I will be represented by a different lawyer at the informal trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at the informal trial.
<input type="checkbox"/>	I am not currently represented by a lawyer.
<input type="checkbox"/>	I anticipate having a lawyer at the informal trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at the informal trial.

Signature and Date

DATED at _____, this _____ day of _____, 20_____.

_____ Signature	_____ Signature of Lawyer (if any)
	_____ Print Name of Lawyer (if any)

How to do a Consent Order

Instructions

If you and the other person have come to an agreement on all of your family law issues, you can do a Consent Order. You can use this **Consent Order (Form F34.02A)** template to draft the agreement between you and the other person. By signing a Consent Order, you acknowledge that the terms of the Order will be enforced. Before you sign a Consent Order, both you and the other person should get advice from separate lawyers.

You can only file a Consent Order if you already have an **Originating Application (Form F4.03A)**, **Originating Application for Variation (Form F5.05A)**, **Joint Originating Application (Form F4.04A)**, or **Joint Originating Application (Form F5.06A)** filed with the Court. If you do not one of those documents filed with the Court, you must complete one and file it at the same time as your Consent Order.

If there are any issues that you and the other person do not agree on, you must set out these issues in an **Originating Application (Form F4.03A)** or **Originating Application for Variation (Form F5.05A)**. You can still do a Consent Order on the issues you agree on.

Completing Your Consent Order

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court).

Check off “Final Order on Consent” (on the first page) if you are consenting to a final order. Check off “Interim Order on Consent” (on the first page) if you are consenting to an interim order.

Consent Orders dealing with child, spousal, partner, parental, or dependant support, must be separated from other types of orders. If you are consenting to support, fill out this **Consent Order – Support**. For all other Consent Orders (eg. parenting or property), fill out a **Consent Order – Other than Support (Form F34.02B)**.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Consent Order

You must make **2 extra copies** of your completed and signed consent Order. To file it, you must bring the original Consent Order to the same Court location where the Originating Application, Originating Application for Variation, Joint Originating Application, or Joint Originating Application for Variation was filed. You can also mail the Consent Order to that Supreme Court location.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---

F34.02A: Consent Order – Support (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN:	_____	<input type="checkbox"/> APPLICANT
	<i>(Print full name)</i>	<input type="checkbox"/> CO-APPLICANT
AND:	_____	<input type="checkbox"/> RESPONDENT
	<i>(Print full name)</i>	<input type="checkbox"/> CO-APPLICANT
AND:	_____	<input type="checkbox"/> NOT APPLICABLE
	<i>(Print full name)</i>	<input type="checkbox"/> SECOND APPLICANT
		<input type="checkbox"/> SECOND RESPONDENT
		<input type="checkbox"/> CO-APPLICANT

BEFORE the Honourable Justice _____, on _____.

(Print Name) *(Date: month/day/year)*

<input type="checkbox"/> Final Order on Consent <input type="checkbox"/> Interim Order on Consent
--

IT IS ORDERED THAT under the:

- Family Law Act (Newfoundland and Labrador):
- Divorce Act (Canada):
- _____

Child Support

Basic Table Amount

The parties agree to an amount of child support according to the basic table amount as per the *Child Support Guidelines* as follows:

Payment amount: \$ _____ Payor's annual income: \$ _____

To be paid: (eg. 1st day of every month, weekly, etc.) _____

Paid by: (name) _____ to: (name) _____

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

OR

Amount Different from the Basic Table Amount (Shared Parenting or Split Parenting)

The parties agree to an amount of child support that is different from the *Child Support Guidelines* as follows:

Applicant or Co-Applicant 1's annual income: \$ _____

Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- AND ---

Respondent or Co-Applicant 2's annual income: \$ _____

Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid: (eg. 1st day of every month, weekly, etc.) _____

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

--- SET OFF (if split parenting) or AMOUNT (if shared parenting) ---

Payment amount: \$ _____

Paid by: (name) _____ to: (name) _____

To be paid: (eg. 1st day of every month, weekly, etc.) _____

Commencement date: (month/day/year) _____

OR

Amount Different from the Basic Table Amount

The parties agree to an amount of child support that is different from the *Child Support Guidelines* as follows:

Payment amount: \$ _____

To be paid: (eg. 1st day of every month, weekly, etc.) _____

Paid by: (name) _____ to: (name) _____

For the following child(ren): (names and dates of birth) _____

Commencement date: (month/day/year) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

Reason or further details:

Special and/or Extraordinary Expenses

The parties agree to an amount of special and/or extraordinary expenses as follows:

Child's Name and date of birth	Description of Expense	Total Amount of Expense (per month)	Payor's Share or Contribution (\$ or %) (per month)	Frequency of Payment	Commencement Date (month/day/year)
		\$			
		\$			
		\$			
		\$			
		\$			

Other special expenses and/or details:

Paid by: (name) _____ to: (name) _____

Payor's annual income: \$ _____ Recipient's annual income: \$ _____

Parties will send receipts to Support Enforcement.

Retroactive Child Support

The parties agree to an amount of retroactive child support as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____ to: (name) _____ ,
 representing the payor's child support obligations from (date: month/day/year) _____
 to (date: month/day/year) _____

For the following child(ren): (names and dates of birth) _____

Commencement/Payment date: (month/day/year) _____

Arrears

The parties agree that the outstanding child support amount owed, fixed at (arrears) \$ _____
 as of (date) (month/day/year) _____ , shall be paid as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____
 to: (name or agency, if assigned) _____

For the following child(ren): (names and dates of birth) _____

Commencement/Payment date: (month/day/year) _____

Disclosure (Payor)

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) _____ shall provide a copy
 of the his/her income tax return and notice of assessment to (name) _____
 on or before (date: month/day/year) _____ each year, commencing in the year _____.

Disclosure (Recipient) (if applicable)

Pursuant to section 25 of the *Federal Child Support Guidelines* (Canada) (or section 23 of the provincial *Child Support Guidelines Regulations*), (name) _____ shall provide a copy
 of the his/her income tax return and notice of assessment to (name) _____
 on or before (date: month/day/year) _____ each year, commencing in the year _____.

Support Enforcement

All amounts owing under this Order shall be paid directly to the Director of Support Enforcement at:
 Support Enforcement Division
 P.O. Box 2006
 Corner Brook, Newfoundland and Labrador A2H 6J8

This order shall be enforced by the Director of Support Enforcement pursuant to the *Support Orders Enforcement Act*, 2006, SNL 2006, Chapter S-31.1, unless the Order is withdrawn from the Director, pursuant to s.7 of the Act.

Support Recalculation

(You can only check this box if all parties have agreed to basic table amount of child support and either primary residence parenting or split parenting.)

The amount of child support ordered shall be reviewed annually and, where necessary, recalculated as follows:

- (a) On or before the ____ day of (month) _____ of each year commencing (year) _____, the person paying child support shall provide the Recalculation Office at:

P.O. Box 2006
 Corner Brook, Newfoundland and Labrador A2H 6J8
 Telephone: (709) 634-4172 Fax: (709) 634-4155

with a copy of his/her income tax return and notice(s) of assessment (or other documents acceptable to the Recalculation Office) for the previous year, for review and possible recalculation of child support pursuant to the *Child Support Service Regulations*, NLR 31/07, using the applicable table for the child support amount.

- (b) If the recalculation results in a difference of \$5.00 or more per month in the amount of child support, the Recalculation Office shall recalculate the amount of child support payable and provide notice to each party of the intended change in child support by registered mail.
- (c) If either party objects to the change in child support payable, he/she must apply to the court that made the order by completing and filing a Notice of Objection within 30 days after receipt of the Notice of Recalculation provided to him/her by the Recalculation Office. If a Notice of Objection is filed, no change shall be made to the amount of child support payable except by court order. If no Notice of Objection is filed, the recalculated amount will be effective 31 days after the Recalculation Office receives confirmation that notice was provided to all parties and an order has been issued by the court. The new amount of child support shall then be payable to and enforceable by the Support Enforcement Division.
- (d) In the event of a change in address or telephone number, the parties shall notify the Recalculation Office within 30 days of such change.
- (e) The Recalculation Office shall have access to addresses and telephone information maintained by the Support Enforcement Program.
- (f) If an Income Tax Return and Notice of Assessment (or other documents acceptable to the Recalculation Office) for the previous year(s) are not provided to the Recalculation Office as required by this Order, the Recalculation Office shall recalculate the amount of child support payable on the basis that the income of the person required to pay child support shall be considered to be the sum of:
- (i) the person's income for the most recent preceding year in which:
 - (A) the person's income information was provided to the Recalculation Office under the child support order, or
 - (B) a recalculation order was issued in respect of the child support order, as determined using the person's income information or the amount of the income set out in the recalculation order; plus
 - (ii) 10 percent of the person's income as determined under paragraph (i), and using the applicable table to determine the child support amount.
- (g) Any recalculated amount of child support shall be payable to the Support Enforcement Program as is otherwise stated in this order.

Other:

Spousal, Partner, Parental, or Dependant Support

No Spousal, Partner, Parental, and/or Dependant Support

The parties agree that there will be no spousal, partner, parental, and/or dependant support to either party.

Ongoing Support

The parties agree to an amount of:

- Spousal support Parental support Partner support Dependant support

as follows:

Payment amount: \$ _____ per month

Paid by: (name) _____ to: (name) _____

For the following person(s): (names) _____

Commencement date: (month/day/year) _____

Duration (if applicable): _____

Review date (if applicable): (month/day/year) _____

Nature of Review (if applicable): _____

Retroactive Support

The parties agree to an amount of **retroactive**:

- Spousal support Parental support Partner support Dependant support

as follows:

Payment amount: \$ _____ per month

Paid by: (name) _____ to: (name) _____, representing

the payor's support obligations from (date: month/day/year) _____ to (date: month/day/year) _____

For the following person(s): (names) _____

Commencement date: (month/day/year) _____

Arrears

The parties agree that the outstanding support amount owed, fixed at (arrears) \$ _____

as of (date: month/day/year) _____, shall be paid off as follows:

Payment amount: \$ _____ per month OR \$ _____ lump sum

Paid by: (name) _____

to: (name or agency, if assigned) _____

Commencement/Payment date: (month/day/year) _____

The parties agree to the financial arrangement for support as follows:

Consent Signatures *(if applicable)*

If applicable, both parties must sign the Consent Order in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Consent Order at the Court when you file it.

Applicant (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Applicant (or Co-Applicant)</i>
<i>Address of Applicant (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

Respondent (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Respondent (or Co-Applicant)</i>
<i>Address of Respondent (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

Applicant's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

Respondent's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

<p>Order Issued at:</p> <p>Location: Supreme Court in _____, Newfoundland and Labrador</p> <p>Date: _____</p> <p style="text-align: center;">_____ Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador</p>	<p>FOR COURT USE ONLY</p>
---	----------------------------------

How to do a Consent Order**Instructions**

If you and the other person have come to an agreement on all of your family law issues, you can do a Consent Order. You can use this **Consent Order** template to draft the agreement between you and the other person.

By signing a Consent Order, you acknowledge that the terms of the Order will be enforced. Before you sign a Consent Order, both you and the other person should get advice from separate lawyers.

You can only file a Consent Order if you already have an **Originating Application (Form F4.03A)**, **Originating Application for Variation (Form F5.05A)**, **Joint Originating Application (Form F4.04A)**, or **Joint Originating Application (Form F5.06A)** filed with the Court. If you do not one of those documents filed with the Court, you must complete one and file it at the same time as your Consent Order.

If there are any issues that you and the other person do not agree on, you must set out these issues in an **Originating Application (Form F4.03A)** or **Originating Application for Variation (Form F5.05A)**. You can still do a Consent Order on the issues you agree on.

Completing Your Consent Order

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form and file it with the Court).

Check off “Final Order on Consent” (on the first page) if you are consenting to a final order. Check off “Interim Order on Consent” (on the first page) if you are consenting to an interim order.

Consent orders dealing with child, spousal, partner, parental, or dependant support, must be separated from other types of orders. If you are consenting to support, fill out an **Consent Order – Support**. For all other Consent orders (eg. parenting or property), fill out this **Consent Order – Other than Support**.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Consent Order

You must make **2 extra copies** of your completed and signed Consent Order. To file it, you must bring the original Consent Order to the same Court location where the Originating Application, Originating Application for Variation, Joint Originating Application, or Joint Originating Application for Variation was filed. You can also mail the Consent Order to that Supreme Court location.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Gander: (709) 256-1115

Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260

Happy Valley-Goose Bay: (709) 896-7892

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---

F34.02B: Consent Order – Other than Support (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name) CO-APPLICANT

AND: _____ RESPONDENT
(Print full name) CO-APPLICANT

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT
 CO-APPLICANT

BEFORE the Honourable Justice _____, on _____
(Print Name) *(Date: month/day/year)*

<input type="checkbox"/> Final Order on Consent	<input type="checkbox"/> Interim Order on Consent
---	---

IT IS ORDERED THAT under the:

Family Law Act (Newfoundland and Labrador):

Divorce Act (Canada):

Children’s Law Act (Newfoundland and Labrador):

Parenting

Decision-Making

One parent makes all the decisions (Sole Decision-Making)

The parties agree that _____
(Print name)

shall make all of the major decisions regarding the following children: *(Name(s) and date(s) of birth of children)*

Other details (decision-making and information):

OR

Both parents make the decisions together (Joint Decision-Making)

The parties agree that _____
(Names of Co-Applicants or parties)

shall make all of the major decisions jointly for the following children: *(Name(s) and dates(s) of birth of children)*

OR

Other (Qualified Joint Decision-Making)

The parties agree that _____
(Names of Co-Applicants or parties)

shall make the decisions for the following children: *(Name(s) and dates(s) of birth of children)*

as follows:

Parenting Time

The parties agree that there shall be:

- Shared parenting. *(Fill in the details of your arrangement below)*
- Primary residence with *(name)* _____ and access arrangements. *(Fill in the details of your arrangement below)*
- Primary residence with *(name)* _____ and no access.
- Split parenting. *(Fill in the details of your arrangement below)*

Details:

Regular parenting schedule (daily, weekly, monthly or other):

Parenting schedule for holidays and special occasions:

Schedule for other contact (ie. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

Division of Property

The parties agree that there shall be:

- Equal division of matrimonial property. *(Fill in the details of your arrangement below)*
- Unequal division of matrimonial property. *(Fill in the details of your arrangement below)*
- Division of common law property. *(Fill in the details of your arrangement below)*
- Property arrangement. *(Fill in the details of your arrangement below)*

Details:

Other

If you are consenting to something other than the orders provided for in this Form, fill in the details below:

Consent Signatures *(if applicable)*

If applicable, both parties must sign the Consent Order in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this Consent Order at the Court when you file it.

Applicant (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Applicant (or Co-Applicant)</i>
<i>Address of Applicant (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

Respondent (or Co-Applicant)

DATE (month/day/year): _____
<i>Signature of Respondent (or Co-Applicant)</i>
<i>Address of Respondent (or Co-Applicant)</i>
<i>Signature of Person Authorized to Administer Oaths</i>

Applicant's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

Respondent's (or Co-Applicant's) Lawyer (if any)

DATE (month/day/year): _____
<i>Signature of Lawyer</i>
<i>Print name of Lawyer</i>

<p>Order Issued at:</p> <p>Location: Supreme Court in _____, Newfoundland and Labrador</p> <p>Date: _____</p> <p style="text-align: center;">_____ Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador</p>	<p>FOR COURT USE ONLY</p>
---	----------------------------------

Form F34.02C: Affidavit of Execution (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

I swear or affirm that I, _____ of, _____
(Print your name) (City and Province)

did see _____ sign his/her name to the Order/Agreement attached
(Print name)

on _____ .
(Date: month/day/year)

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____ .

Signature

Signature of Person Authorized to Administer Oaths

Form F38.06A: Notice of Application to the Central Authority and Contact Judge for the Return of a Child (Family Law)



In the Supreme Court of Newfoundland and Labrador Trial Division (General/Family)

FOR COURT USE ONLY	
COURT FILE NO:	_____
CENTRAL DIVORCE REGISTRY NO:	_____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20_____.	
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador	

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

TAKE NOTICE that an application for the return of a child pursuant to the *Hague Convention on International Child Abduction* has been made in the above noted proceeding.

FOR COURT USE ONLY	
HEARING DATE	
A hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:	
Location:	Supreme Court in _____, Newfoundland and Labrador
Address:	_____
Date:	_____
Time:	_____ am / pm

Form F38.04A: Originating Application for the Return of a Child (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____
(Print full name)

NOT APPLICABLE
 SECOND APPLICANT
 SECOND RESPONDENT

Notice to the Respondent

An application for the return of a child pursuant to the *Hague Convention on International Child Abduction* has been made against you. The details are set out in the attached Originating Application for the Return of a Child.

You have **7 days** to file a Response (Form F6.02A) and file it at the Supreme Court of Newfoundland and Labrador, Trial Division. You must also attend the hearing (details below). If you do not file a Response or attend the scheduled hearing, the Court may proceed and make an order without hearing from you.

FOR COURT USE ONLY
HEARING DATE
A return date to schedule the hearing for this application will be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____
Time: _____ am / pm

Part A The Order(s) Sought

I hereby seek an order for the return of the following child(ren) under the *Hague Convention on International Child Abduction*.

	Child 1	Child 2
Child's Full Name		
Mother's Full Name		
Father's Full Name		
Date of Birth <i>(month/day/year)</i>		
Gender		
Child is Currently Living With <i>(Name)</i>		
Disabilities and/or Special Needs		

Check this box if there are more than 2 children. Attach an extra page to provide the details of those children.

Part B Details of the Parties

Applicant Information

Fill in your information below:

If you have safety concerns and do not want to provide your contact information, you may provide alternate contact information below. You must still provide the Court with your actual contact information in a sealed envelope. This envelope will not be available to the other party.

Current Last Name		Last Name at Birth:
First Name		
Middle Name(s) (if any)		
Gender		
Residential Address		
	<i>Street Address</i>	<i>City Province Postal Code</i>
Mailing Address <i>(if different from Residential Address)</i>		
	<i>Street Address or PO Box</i>	<i>City Province Postal Code</i>
Telephone Number (if any)	Home:	Cell:
Fax Number (if any)		
Email Address (if any)		
Date of Birth	Month:	Day: Year:
Occupation(s) or Job(s)		

Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Foreign National		
Are you a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of your band?	
		Do you live on a reserve?	
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees in family matters.	If yes, state the language and dialect:	
Lawyer's Name, Telephone Number, and Address (if any)			

Respondent Information

Fill in the Respondent's information below (to the best of your knowledge):

Current Last Name				Last Name at Birth:			
First Name							
Middle Name(s) (if any)							
Gender							
Residential Address							
	<i>Street Address</i>		<i>City</i>		<i>Province</i>		<i>Postal Code</i>
Mailing Address (if different from Residential Address)							
	<i>Street Address or PO Box</i>		<i>City</i>		<i>Province</i>		<i>Postal Code</i>
Telephone Number (if any)	Home:			Cell:			
Fax Number (if any)							
Email Address (if any)							
Date of Birth	Month:		Day:		Year:		
Occupation(s) or Job(s)							
Citizen / Immigration Status	<input type="checkbox"/> Canadian Citizen <input type="checkbox"/> Permanent Resident <input type="checkbox"/> Foreign National						
Is the Respondent a registered Indian under the <i>Indian Act</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, what is the name of his/her band?					
		Does he/she live on a reserve?					
Do you need an interpreter?	<input type="checkbox"/> Yes <input type="checkbox"/> No Please note that the Court is not responsible for any interpreter fees in family matters.	If yes, state the language and dialect:					
Lawyer's Name, Telephone Number, and Address (if any)							

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Originating Application for the Return of a Child and the attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information of this Originating Application for the Return of a Child are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20_____.

Signature of Applicant

Signature of Person Authorized to Administer Oaths

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)

Form F38.04B: Affidavit in Support of Originating Application for the Return of a Child (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____, the Applicant Respondent Other:
(Print your name)

swear or affirm and say as follows:

I have personal knowledge of the matters referred to herein except where otherwise specified.

I make this application in support of my Application for the return of the following child(ren) under the *Hague Convention on International Child Abduction* (for the return of a child from outside Canada)

Child's Full Name	
Date of Birth (month/day/year)	

Child's Full Name	
Date of Birth (month/day/year)	

At what address does the child(ren) habitually (normally) live?

Set out all of the available facts and information that you have relating to the whereabouts of the child(ren):

Set out all the available facts and information that you have regarding the identity of the person that the child(ren) is/are presumed to be with:

Set out your reasons for making the application:

[Empty rectangular box for reasons for making the application]

Provide the details of any ongoing court proceedings, court orders, written agreements, and/or laws relating to the custody and/or access of the child(ren).

[Empty rectangular box for details of court proceedings, orders, agreements, and laws]

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Affidavit and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information of this Affidavit are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Form F40.04A: Certificate of Divorce (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
Trial Division (General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT or CO-APPLICANT
(Print full name)

AND: _____ RESPONDENT or CO-APPLICANT
(Print full name)

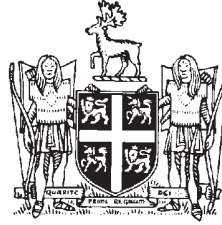
This is to certify that the marriage of _____ and _____
(Print Name) *(Print Name)*

which was solemnized on _____ was dissolved by judgment of this Court,
Date: (month/day/year)

effective on _____ .
Date: (month/day/year)

DATED at _____, this _____ day of _____, 20____ .

Registrar of the Supreme Court of Newfoundland and Labrador



NEWFOUNDLAND AND LABRADOR REGULATION 48/17

Members' Resources and Allowance Rules (Amendment)
under the
House of Assembly Accountability, Integrity and Administration Act

(Filed May 30, 2017)

Under the authority of section 64 of the *House of Assembly Accountability, Integrity and Administration Act*, the House of Assembly Management Commission makes the following Rules.

Dated at St. John's, May 25, 2017.

Tom Osborne
Chairperson, House of Assembly Management Commission
and Speaker of the House of Assembly

REGULATIONS

Analysis

1. S.46 Amdt.
Expenses related to
constituency work

SNL2007 cH-10.01
Sch. as amended

1. Paragraph 46(4)(g) of the *Members' Resources and Allowance Rules* is repealed and the following substituted:

- (g) meal expenses in restaurants, pubs, delicatessens and similar establishments for meetings with constituents, their family members and other guests and hospitality food and beverages except as provided for in paragraph (3)(a);

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PART II

CONTINUING INDEX OF SUBORDINATE LEGISLATION

Title of Act and Subordinate Legislation made thereunder	CNLR or NL Reg.	Amendment	NL Gazette Date & Page No.
House of Assembly Accountability, Integrity and Administration Act			
Members' Resources and Allowance Rules (Amendment)	NLR 48/17	Amends SNL2007 cH-10.01 Sch. S.46 Amdt.	Jun 2/17 p. 851
Judicature Act			
Rules of Supreme Court, 1986 (Amendment)	NLR 47/17	Rule F8.04 Amdt. Forms F R&S	Jun 2/17 p. 627

The Newfoundland and Labrador Gazette is published from the Office of the Queen's Printer.

Copy for publication must be received by **Friday, 4:30 p.m.**, seven days before publication date to ensure inclusion in next issue. Advertisements must be submitted in either PDF format or as a MSWord file. When this is not possible, advertisements must be either, typewritten or printed legibly, separate from covering letter. Number of insertions required must be stated and the names of all signing officers typewritten or printed.

Copy may be mailed to the address below, faxed to (709) 729-1900 or emailed to queensprinter@gov.nl.ca. Subscription rate for *The Newfoundland and Labrador Gazette* is \$144.38 for 52 weeks plus 15% HST (\$166.04). Weekly issues, \$3.47 per copy, plus 15% HST (\$3.99) payable in advance.

All cheques, money orders, etc., should be made payable to THE NEWFOUNDLAND EXCHEQUER ACCOUNT and all correspondence should be addressed to: Office of the Queen's Printer, P. O. Box 8700, Ground Floor, East Block, Confederation Building, St. John's, NL A1B 4J6, Telephone: (709) 729-3649, Fax: (709) 729-1900.

Web Site: <http://www.servicenl.gov.nl.ca/printer/index.html>

The Newfoundland and Labrador Gazette

Advertising Rates

Prices effective July 1, 2016

Notices	Rate	15%	HST Total
Lands Act - Notice of Intent - 1 week	\$31.13	\$4.67	\$35.80
Motor Carrier Act - Notice - 1 week	\$39.90	\$5.99	\$45.89
Trustee Act - Estate Notice - 1 week	\$34.65	\$5.20	\$39.85
Trustee Act - Estate Notice - 2 weeks	\$62.37	\$9.36	\$71.73
Trustee Act - Estate Notice - 3 weeks	\$91.25	\$13.69	\$104.94
Trustee Act - Estate Notice - 4 weeks	\$118.97	\$17.85	\$136.82

All other public notices required by law to be published in *The Newfoundland and Labrador Gazette*, eg., Corporations Act, Municipalities Act, Quieting of Titles Act, Urban and Rural Planning Act, etc., are priced according to size: for Single Column \$3.47 per cm or Double Column \$6.93 per cm, plus 15% HST.

For quotes please contact the Office of the Queen's Printer queensprinter@gov.nl.ca

**Government Information Product
Publication Rate Mail
G.S.T. # R107442683**

**STATUTES OF NEWFOUNDLAND AND LABRADOR
2017**

Bill	Act	Chapter
First Session, 48th General Assembly 66 Elizabeth II, 2017		
65	<i>Financial Administration (Amendment) Act No. 2</i>	1
66	<i>Financial Administration (Amendment) Act No. 3 (To be proclaimed)</i>	2
67	<i>Public Safety (Amendment) Act</i>	3
68	<i>Highway Traffic (Amendment) Act, No. 5 (In force Sept. 21/17)</i>	4
69	<i>Health Professions (Amendment) Act (In force Sept. 29/17)</i>	5
70	<i>Patient Safety Act</i>	P-3.01
71	<i>Interim Supply Act, 2017 (In force Apr. 1/17)</i>	6
(ASSENTED TO MARCH 21, 2017)		
Second Session, 48th General Assembly 66 Elizabeth II, 2017		
6	<i>Supply Act, 2017</i>	7
(ASSENTED TO MAY 18, 2017)		
2	<i>House of Assembly Accountability, Integrity and Administration (Amendment) Act (In force Apr. 1/17)</i>	8
4	<i>Intergovernmental Affairs (Amendment) Act</i>	9
5	<i>Attorney General Statutes Amendment Act, 2017 (S2 in force Dec. 16/08 & Ss3 & 26 in force on the day the Seniors' Advocate Act comes into force)</i>	10

Bill	Act	Chapter
7	<i>Public Service Pensions (Amendment) Act, 1991</i> (S1 in force Mar. 31/15)	11
8	<i>House of Assembly Accountability, Integrity and Administration (Amendment) Act No.2</i>	12
9	<i>Revenue Administration (Amendment) Act</i> (S3 in force Dec. 1/17)	13
10	<i>Natural Products Marketing (Amendment) Act</i>	14
11	<i>Proceedings Against the Crown (Amendment) Act</i> (In force Jul. 1/17)	15
12	<i>The Loan and Guarantee (Amendment) Act, 1957</i>	16

(ASSENTED TO MAY 31, 2017)

* Bills amended in Committee of the Whole House.

In researching the law readers should note that the following Statutes of Newfoundland and Labrador, 2017 include amendments to other Statutes and regulations as listed below:

Chapter 10	<u><i>Attorney General Statutes Amendment Act, 2017</i></u> (S2 in force Dec. 16/08 & Ss3 & 26 in force on the day the <i>Seniors' Advocate Act</i> comes into force) <i>Abitibi-Consolidated Rights and Assets Act</i> <i>Access to Information and Protection of Privacy Act, 2015</i> <i>Automobile Insurance Act</i> <i>Building Standards Act</i> <i>Change of Name Act, 2009</i> <i>City of Mount Pearl Act</i> <i>City of St. John's Municipal Taxation Act</i> <i>Coat of Arms Act</i> <i>Correctional Services Act</i> <i>Denturists Act, 2005</i> <i>Employers' Liability Act</i> <i>Firefighters' Protection Act</i> <i>Geographical Names Board Act</i> <i>Highway Traffic Act</i> <i>Highway Traffic Demerit Point System Regulations</i> <i>Hydro Corporation Act, 2007</i> <i>Land Surveyors Act, 1991</i> <i>Legal Aid Regulations</i> <i>Municipal Affairs Act</i> <i>Municipalities Act, 1999</i> <i>Partnership Act</i>
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Proceedings Against the Crown Act
Provincial Flag Act
Public Service Collective Bargaining Act
Public Service Commission Act
St. John's Municipal Council Parks Act
Survival of Actions Act
Taxation of Utilities and Cable Television Companies Act
Urban and Rural Planning Act, 2000
Waste Management Regulations, 2003
Workplace Health, Safety and Compensation Regulations
Obsolete or spent Acts and regulations (Repealed)

Chapter P-3.01

Patient Safety Act

Access to Information and Protection of Privacy Act, 2015
Evidence Act
Personal Health Information Act
Public Inquiries Act, 2006
Public Service Commission Act

Chapter 15

Proceedings Against the Crown (Amendment) Act

(In force Jul. 1/17)
Labour Mobility Implementation Act
Law Society Act, 1999
Medical Regulations
Public Service Commission Act
Teacher Certification Regulations

This list was prepared by the Office of the Legislative Counsel.

Questions or omissions should be brought to the attention of that Office.

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