

**Supreme Court of Nova Scotia
(Family Division)**

Between:

_____ Applicant/Petitioner

and

_____ Respondent

Statement of Contact Information and Circumstances

of _____ prepared on _____

Please complete all sections regarding your case. Please print in ink.

You may discuss the shaded sections for contact information and service directions with a court officer before completing these sections.

Section A	Information about you. (APPLICANT)	Information about the person against whom you are making this application. (RESPONDENT)
Name	Last Name: First Name:..... Middle Name: Previous Names: Other Names, Alias, etc.;.....	Last Name: First Name:..... Middle Name: Previous Names: Other Names, Alias, etc:.....
Prefix	<input type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:	<input type="checkbox"/> Mr. <input type="checkbox"/> Ms. <input type="checkbox"/> Other:
Gender	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Other

Birth Date	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____
Telephone Email Fax	Home..... Business Message..... Other Email..... Fax.....	Home..... Business Message..... Other Email..... Fax.....
Address	P.O. Box..... Apt. No..... Street City/Town Province Postal Code Special Directions to Accommodate Service of Documents:.....	P.O. Box..... Apt. No..... Street City/Town Province Postal Code Special Directions to Accommodate Service of Documents:.....
Legal Counsel	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe If yes: Lawyer's Name: Firm Name: Address: Phone: Email: Fax:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe If yes: Lawyer's Name: Firm Name Address: Phone: Email: Fax:
Current Marital Status	<input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Spousal or Common law relationship <input type="checkbox"/> Single	<input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Separated <input type="checkbox"/> Spousal or Common law relationship <input type="checkbox"/> Single

Income	<input type="checkbox"/> Employment Income (salary/wages) <input type="checkbox"/> Commission/Bonuses/Overtime <input type="checkbox"/> Self-employed <input type="checkbox"/> Income from a Partnership/Corporation <input type="checkbox"/> Employment Insurance <input type="checkbox"/> Social Assistance/Family Benefits <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Pension Income <input type="checkbox"/> Income from a Trust <input type="checkbox"/> Other Explain:	<input type="checkbox"/> Employment Income (salary/wages) <input type="checkbox"/> Commission/Bonuses/Overtime <input type="checkbox"/> Self-employed <input type="checkbox"/> Income from a Partnership/Corporation <input type="checkbox"/> Employment Insurance <input type="checkbox"/> Social Assistance/Family Benefits <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Pension Income <input type="checkbox"/> Income from a Trust <input type="checkbox"/> Other Explain:
Occupation	Occupation Employer Information Name: Address: Phone Number: Email: Fax: <input type="checkbox"/> Other Places of Employment	Occupation Employer Information Name: Address: Phone Number: Email: Fax: <input type="checkbox"/> Other Places of Employment

Section B	Relationship Between Applicant and Respondent
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Married

Date of Marriage:

Date of Separation:

Spousal or Common Law

Date spousal or common law relationship began:

Date of Separation:

Divorced

Date of Divorce Judgment:

Single

Parent of Applicant's Child

Other

Explain:

Section C		List below the full names and dates of birth of all children who are the subject of this Application.		
Last Name	Given Names (underline name used)	Date of Birth	Gender (M/F/ Other)	Presently Living With:

Section D	Most Recent Court Order or Written Agreement
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Most Recent Court Order (if any):

Date Issued:.....

Court:

File Number:

Most Recent Written Agreement (if any):

Date:

Other Court Proceedings (if any):

Type:

Court:

File number:

Section E	Accessibility requests
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Do you have any language, communication, or health needs that require accommodation?

Yes No

If yes, please explain: _____

Signed on _____, 20 By: _____

Print Name: _____

Supreme Court of Nova Scotia
(Family Division)

Between:

Applicant/Petitioner

and

Respondent

Parenting Statement

Please check the box that applies to You:

- I am the Applicant (the person making the application/petition)
OR
- I am the Respondent (the person responding to an application/petition)

This matter relates to the following child or children:

<u>Full name (Including Middle Name)</u>	<u>Age</u>	<u>Birthdate (M/D/Y)</u>

The child or children receive child care or attend pre-school or school as follows:

<u>Child's Name</u>	<u>Days</u>	<u>Hours</u>	<u>Location</u>

The following child or children have special needs or disabilities that may affect decision-making/custody, parenting time or parenting arrangements:

<u>Child's Name</u>	<u>Special Needs or Disabilities</u>	<u>Details</u>

PRESENT PARENTING ARRANGEMENTS

1. The present parenting arrangements for each child:

a) Where does each child live now?

b) What is the schedule of parenting time for each child now?

PROPOSED PARENTING ARRANGEMENT

2. The proposed parenting arrangements for each child:

a) Where do you want each child to live?

b) What schedule of parenting time do you want for each child?

(i) Reasonable parenting time (flexible parenting schedule that you both agree to)

OR

(ii) Specified parenting time (give specific details including dates and times) Attach a schedule if necessary:

a. Regular parenting time (i.e. throughout school year)

weekend time (specify)

weekday time (specify)

b. Holiday/Special Occasion parenting time (specific days and times)

March Break

Summer Holiday

Christmas/Hannukah/Kwanza

Easter

Other

OR

(iii) Supervised parenting time (visiting that takes place with another adult present), if so, give specific details (who would supervise/where and when):

3. Do you or the other parent work outside the home, if so what are the days and hours of work?

I declare that the above information is accurate to the best of my knowledge.

Signature

Signed on _____, 20

Signature

Print Name:_____

Supreme Court of Nova Scotia
(Family Division)

Between:

Applicant/Petitioner

and

Respondent

Statement of Contact Time and Interaction

Completed by:

[first and last name of person]

Completed on:

[day/month/year]

You are advised to seek legal advice if you need help in completing this form.

[The term “child/children” in this document means the child or any of the children who are the subject of the court application.]

[If you do not have enough room to give information in any section, please attach extra page(s) and mark with the section number.]

Section 1: RELATIONSHIP TO CHILD

Please describe your relationship to each child:

Child's Last Name	Child's First and Middle Names	Date of Birth (d/m/y)	Relationship (e.g. grandparent, sibling of parent, family friend, etc.)

Section 2: RELATIONSHIP BETWEEN PARTIES

Relationship between the parties

- I am a parent of _____
[name of parent/guardian of child/children]
- I am a relative of _____
[name of parent/guardian of child/children]
- Other [describe relationship]: _____

Section 3: CURRENT CONTACT TIME/INTERACTION AVAILABILITY

- I work from home
- I am retired and not working
- I work regular days and hours from [day] _____ to [day] _____
and [hour] from _____ to [hour] _____
- I work shift work and my regular pattern of days and hours is as follows [describe]: _____

- I work part time irregular days and hours as follows [describe]: _____

- I am not working because:
 - I am unemployed.
 - I am on maternity or parental leave.
 - I am disabled.
 - I am financially supported by [describe person or circumstances]: _____

 - Other [describe circumstances]: _____

Section 4: REASONS FOR REQUESTING AN ORDER

- I have asked for contact or interaction with the child/children and all of my requests were refused

- I have not had any contact or interaction with the child/children since [date]

- Other [describe circumstances]: _____

Section 5: CONTACT TIME PROPOSAL

I propose the following regular schedule for contact time with the child/children:

- a weekend visit once every _____ [describe time period: week/month/number of weeks/months] beginning _____ [day] at [a.m./p.m.] until _____ [day] at _____ [a.m./p.m.].
- a weekday visit once every _____ [describe time period: week/month/number of weeks/months] beginning _____ [day] at [a.m./p.m.] until _____ [day] at _____ [a.m./p.m.].
- at times and places I have agreed upon, or the court orders, with supervision of my contact time by _____ [name].
- at times determined with and supervised through a Supervised Access and Exchange (SAE) program (may not be available in all areas).
- other [describe when the child/children will be in your care]:

I propose the following contact time with the child/children during holidays:

- no additional time beyond the regular schedule for contact time.
- additional contact time [describe each holiday and time request in detail]:

Section 6: TRANSPORTATION BETWEEN HOMES

- I will pick up the child/children from the home of the parent/guardian _____ [name] and return the child/children to the parent's/guardian's home.
- I will go to the home of the parent/guardian _____ [name] to pick up the child/children and the parent/guardian will pick up the child/children from my home.
- I will meet the parent/guardian _____ [name] at _____ [name the location] to pick up and drop off the child/children.
- I will pick up and return the child/children to and from the child care provider or school.
- Other [describe]:

Section 7: INTERACTION PROPOSAL

I propose the following interaction with the child/children:

- attend the following activities [describe, for example: school events, extracurricular activities, religious and cultural events]:

- send cards or gifts [describe when, for example: birthday, holidays, special events]:

- receive cards or gifts [describe when, for example: birthday, holidays, special events]:

- communicate with each child in writing by [describe, for example: letters, e-mails, texts]:

with the following frequency [describe frequency: number of times per week or month]:

- communicate with each child verbally by [describe, for example: telephone, internet conferencing]:

with the following frequency [describe frequency: number of times per week or month]:

- receive photographs of each child from a person named in the order
- receive information regarding the health, education and well-being of each child from a person named in the order
- other [describe]:

I declare that the above information is accurate to the best of my knowledge.

Date

Signature

Full name [please print]

**Supreme Court of Nova Scotia
(Family Division)**

Between:

Petitioner

and

Respondent

Affidavit supporting an Uncontested Divorce (Petition)

I [*make oath / affirm*] and give evidence as follows:

1. I am [name] the Petitioner in this proceeding.
2. I filed an uncontested motion for divorce on _____, 20____, and this affidavit provides the required supporting evidence.
3. I have personal knowledge of the evidence [*sworn to/affirmed*] in this affidavit except where otherwise stated to be based on information or belief.
4. I state, in this affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief of the source.

Petition

5. I confirm that all the information contained in the petition for divorce continues to remain true and accurate to the best of my knowledge [./ *except for the following corrections or changes:* provide details .]

Financial statements

6. The financial statements filed remain true and accurate, to the best of my knowledge [./ *except for the following corrections or changes:* provide details .]

Reconciliation

7. There is no possibility of reconciliation between the Respondent and me.

Ground

8. I am seeking a divorce from the Respondent on the ground that our marriage has permanently broken down and, in particular, that the Respondent and I were living separate and apart since [date] . We were living separate and apart at the commencement of the proceeding and have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding.

[or]

8. I am seeking a divorce from the respondent on the ground that our marriage has permanently broken down and, in particular, that the respondent has treated me with [*mental/physical*] cruelty of such a kind as to render intolerable our continued cohabitation. [provide facts in support here] There was no condonation or connivance by me of the conduct which is the basis of that cruelty.

[or]

8. I am seeking a divorce from the respondent on the ground that our marriage has permanently broken down and, in particular, that the respondent has committed adultery by having sexual intercourse with another person during the marriage. [provide facts in support here, and refer to the affidavit, or certified transcript of the examination for discovery, of the admission of the respondent=s adultery] There was no condonation or connivance by me of the adultery.

Collusion

9. There was no collusion in relation to these proceedings.

Written agreement or previous court order

10. Attached is a true copy of [*the written agreement between the respondent and me dated* , 20 , / *a true copy of the court order dated* , 20 , / describe combination of written agreement and court order addressing corollary relief ,] in settlement of all corollary matters.

Children

11. There are no children of the marriage as described in the *Divorce Act*.

[or]

[if these paragraphs are used, renumber them and the paragraphs that follow in sequence]

11a. The full names and birth dates of the children are: [provide details] .

11b. [Set out in general terms the decision-making responsibility, parenting time and parenting arrangements in the agreement.]

11c. [Set out in general terms the child support provisions of the agreement, as well as the present employment and annual incomes of the parties. If child support is not to be paid or if the amount differs significantly from the *Guidelines*, explain why.]

11d. [Refer to any benefits being retained or provided for the children, including medical, dental and drug plan coverage, life insurance, etc.]

11e. [Explain the basis upon which the petitioner concludes that the agreement makes reasonable arrangements for the support of the children.]

11f. [Set out the details of any court order or request for a court order for contact, interaction or parenting arrangements with the child/children of the marriage by a person who is not a party to this proceeding, including party names and court file number]

Spousal Support

12. No spousal support will be paid by either party to the other.

[or]

12. [Set out in general terms the spousal support provisions of the agreement. If present employment and annual incomes are not provided above under "Children", provide those particulars here.]

Costs

13. I am not seeking costs.

[or]

[if these paragraphs are used, renumber them and the paragraphs that follow in sequence]

13a. I am seeking costs in the amount of [\$] .

13b. [State the basis for the claim for costs and the amount.]

Request for Relief

14. I request that this Honourable Court grant my application for a divorce order. I also request that the terms and conditions of [our written agreement dated , 20 /court order dated

, 20 / written agreement dated , 20 and court order dated , 20] be incorporated in and form part of the corollary relief order.

15. [Set out any special relief or unusual circumstances affecting relief, if applicable, and renumber any remaining paragraphs as required]

Change of Name [may delete this section if it does not apply]

16. I am seeking an order changing my name from [present full name] to [full name, including middle names(s)] .

17. Prior to my marriage to the respondent, my name was .[My name at birth was and I was born on [provide particulars, for example, full name on birth certificate, including middle name(s)].

Sworn to/Affirmed before me)
on, ,20)
at ,)
)
)
)

Signature of Authority
Print Name:
Official Capacity:

Signature of
Print name:

Supreme Court of Nova Scotia
(Family Division)

Between:

and

Applicant

Co-Applicant

Affidavit supporting an Uncontested Divorce (Joint Application)

We make oath and give evidence as follows:

1. We are and , the applicants in this proceeding.
2. We filed a joint application for divorce on , 20 , and this affidavit provides the required supporting evidence.
3. We have personal knowledge of the evidence sworn to in this affidavit except where otherwise stated to be based on information or belief.
4. We state, in this affidavit, the source of any information that is not based on our own personal knowledge, and we state our belief of the source.

Application, Jurisdiction, and Details of Marriage

5a. We confirm that all the information contained in the divorce application is true and accurate to the best of our knowledge and that lives in , and lives in .

5b. The applicant was habitually resident in Nova Scotia for at least one year before the day this application was signed and, in particular since .

5c. The following are the details of the marriage:

- Date of marriage:

- Place of marriage:
- Surnames and given names on the day before marriage
applicant:
co-applicant:
- Gender on the day before marriage
applicant: male female another gender
co-applicant: male female another gender
- Marital status when married
applicant: single divorced
co-applicant: single divorced
- Place and date of birth
applicant:
co-applicant:

Financial statements

6. The financial statements filed remain true and accurate, to the best of our knowledge [. / *except for the following corrections or changes:* provide details .]

Reconciliation

7. There is no possibility of reconciliation between the Applicant and Co-Applicant.

Ground

8. We are seeking a divorce on the ground that our marriage has permanently broken down and, in particular, that the Co-Applicant and I were living separate and apart since [date] . We were living separate and apart at the commencement of the proceeding and have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding.

Collusion

9. There was no collusion in relation to these proceedings.

Written agreement or previous court order

10. Attached is a true copy of [*the written agreement between the Co-Applicant and me dated* , 20 , / *a true copy of the court order dated* , 20 , / describe combination of written agreement and court order addressing corollary relief ,] in settlement of all corollary matters.

Children

11. There are no children of the marriage as described in the *Divorce Act*.

[or]

[if these paragraphs are used, renumber them and the paragraphs that follow in sequence]

11a. The full names and birth dates of the children are: [provide details] .

11b. [Set out in general terms the decision-making responsibility, parenting time, and parenting arrangements in the agreement.]

11c. There are, and there were, no other proceedings or circumstances between the parties or affecting the well-being or safety of the children/parties.

OR

11c. There are, or there were, other proceedings or circumstances between the parties or affecting the well-being or safety of the children/parties, the details of which are set out the following table:

Type of proceeding(s) & court file number	[provide court file number & describe the type of proceeding, for instance, civil, protection, criminal or other]
Order(s) or other measure	[describe any relevant order, including an order to protect a person’s safety, recognizance or undertaking, peace bond, condition, etc.]
Circumstance(s)	[describe]

11d. [Set out in general terms the child support provisions of the agreement, as well as the present employment and annual incomes of the parties. If child support is not to be paid or if the amount differs significantly from the *Guidelines*, explain why.]

11e. [Refer to any benefits being retained or provided for the children, including medical, dental and drug plan coverage, life insurance, etc.]

11f. [Explain the basis upon which the applicants conclude that the agreement makes

reasonable arrangements for the support of the children.]

11g. [Set out the details of any court order or request for a court order for contact, interaction or parenting arrangements with the child/children of the marriage by a person who is not a party to this proceeding, including party names and court file number]

Spousal Support

12. No spousal support will be paid by either party to the other.

[or]

12. [Set out in general terms the spousal support provisions of the agreement. If present employment and annual incomes are not provided above under "Children", provide those particulars here.]

Costs

13. We are not seeking costs.

[or]

[if these paragraphs are used, renumber them and the paragraphs that follow in sequence]

13a. I am seeking costs in the amount of [\$] .

13b. [State the basis for the claim for costs and the amount.]

Request for Relief

14. We request that this Honourable Court grant our application for a divorce order. We also request that the terms and conditions of [our written agreement dated , 20 /court order dated , 20 /written agreement dated , 20 and court order dated , 20] be incorporated in and form part of the corollary relief order.

15. [Set out any special relief or unusual circumstances affecting relief, if applicable, and renumber any remaining paragraphs as required]

Change of Name [may delete this section if it does not apply]

16. I am seeking an order changing my name from [present full name] to [full name, including middle name(s)] .

17. Prior to my marriage to the [applicant / co-applicant], my name was [pre-marriage name] . My name at birth was , and I was born on [provide particulars for example, full name on birth certificate, including middle name(s)] .

Sworn to/Affirmed before me)
On , 20)
at ,)
)
)
)
)
)

Signature of Authority

Signature of Applicant

Print Name:
Official Capacity:

Sworn to/Affirmed before me)
On , 20)
at ,)
)
)
)
)
)

Signature of Authority

Signature of Co-applicant

Print Name:
Official Capacity:

**Supreme Court of Nova Scotia
(Family Division)**

Between:

Applicant

and

Respondent

Affidavit supporting an Uncontested Divorce (Application)

I [*make oath / affirm*] and give evidence as follows:

1. I am [name] the applicant in this proceeding.
2. I filed an application for divorce by agreement on _____, 20____, and this affidavit provides the required supporting evidence.
3. I have personal knowledge of the evidence [*sworn to / affirmed*] in this affidavit except where otherwise stated to be based on information or belief.
4. I state, in this affidavit, the source of any information that is not based on my own personal knowledge, and I state my belief of the source.

Application, Jurisdiction, and Details of Marriage

5a. I confirm that all the information contained in the divorce application is true and accurate to the best of my knowledge [*except for the following corrections or changes: provide details* ,] and that [name] lives in _____ [community] , and [name] lives in _____ [community] .

5b. [*The applicant/The respondent*] [name] was habitually resident in Nova Scotia for at least one year before the day this application was signed and, in particular since _____ .

5c. The following are the details of the marriage:

- Date of marriage:

- Place of marriage:
- Surnames and given names on the day before marriage
applicant:
respondent:
- Gender on the day before marriage
applicant: male female another gender
co-applicant: male female another gender
- Marital status when married
applicant: never married/single divorced
respondent: never married/single divorced
- Place and date of birth
applicant:
respondent:

Financial statements

6. The financial statements filed remain true and accurate, to the best of my knowledge [. / *except for the following corrections or changes:* provide details .]

Reconciliation

7. There is no possibility of reconciliation between the Respondent and me.

Ground

8. I am seeking a divorce from the Respondent on the ground that our marriage has permanently broken down and, in particular, that the Respondent and I were living separate and apart since [date] . We were living separate and apart at the commencement of the proceeding and have lived separate and apart for at least one year immediately preceding the determination of the divorce proceeding.

[or]

8. I am seeking a divorce from the respondent on the ground that our marriage has permanently broken down and, in particular, that the respondent has treated me with [*mental/physical*] cruelty of such a kind as to render intolerable our continued cohabitation. [provide facts in support here] There was no condonation or connivance by me of the conduct which is the basis of that cruelty.

[or]

8. I am seeking a divorce from the respondent on the ground that our marriage has permanently broken down and, in particular, that the respondent has committed adultery by having sexual

intercourse with another person during the marriage. [provide facts in support here, and refer to the affidavit, or certified transcript of the examination for discovery, of the admission of the respondent's adultery] There was no condonation or connivance by me of the adultery.

Collusion

9. There was no collusion in relation to these proceedings.

Written agreement or previous court order

10. Attached is a true copy of [*the written agreement between the respondent and me dated* , 20 , / *a true copy of the court order dated* , 20 , / describe combination of written agreement and court order addressing corollary relief .] in settlement of all corollary matters.

Children

11. There are no children of the marriage as described in the *Divorce Act*.

[or]

11a. The full names and birth dates of the children are: [provide details] .

11b. [Set out in general terms the decision-making responsibility, parenting time and parenting arrangements in the agreement.]

11c. There are, and there were, *no* other proceedings or circumstances between the parties or affecting the well-being or safety of the children/parties.

OR

11c. There are, or there were, other proceedings or circumstances between the parties or affecting the well-being or safety of the children/parties, the details of which are set out in the following table:

Type of proceeding(s) & court file number	[provide court file number & describe the type of proceeding, for instance, civil, protection, criminal or other]
Order(s) or other measure	[describe any relevant order, including an order to protect a person's safety, recognizance or undertaking, peace bond, condition, etc.]
Circumstance(s)	[describe]

11d. [Set out in general terms the child support provisions of the agreement, as well as the present employment and annual incomes of the parties. If child support is not to be paid or if the

amount differs significantly from the *Guidelines*, explain why.]

11e. [Refer to any benefits being retained or provided for the children, including medical, dental and drug plan coverage, life insurance, etc.]

11f. [Explain the basis upon which the parties conclude that the agreement makes reasonable arrangements for the support of the children.]

11g. [Set out the details of any court order or request for a court order for contact, interaction or parenting arrangements with the child/children of the marriage by a person who is not a party to this proceeding, including party names and court file number]]

Spousal Support

12. No spousal support will be paid by either party to the other.

[or]

12. [Set out in general terms the spousal support provisions of the agreement. If present employment and annual incomes are not provided above under "Children", provide those particulars here.]

Costs

13. I am not seeking costs.

[or]

13a. I am seeking costs in the amount of [\$] .

13b. [State the basis for the claim for costs and the amount]

Request for Relief

14a. I request that this Honourable Court grant my application for a divorce order. I also request that the terms and conditions of [*our written agreement dated* , 20 /*court order dated* , 20 /*written agreement dated* , 20 *and court order dated* , 20] be incorporated in and form part of the corollary relief order.

14b. [Set out any special relief or unusual circumstances affecting relief]

Change of Name [may delete this section if it does not apply]

15a. I am seeking an order changing my name from [present full name] to [full name, including middle name(s)] .

15b. Prior to my marriage to the respondent, my name was _____ . . My name at birth was _____ and I was born on _____ [provide particulars for example, full name on birth certificate, including middle name(s)] .

Sworn to/Affirmed before me _____)
on _____, 20 _____)
at _____, _____)
_____)
_____)

Signature of Authority
Print Name:
Official Capacity:

Signature of Applicant
Print Name:

No.

**Supreme Court of Nova Scotia
(Family Division)**

Between:

Applicant/Petitioner

and

Respondent

Notice of Motion for Interim Relief (Family Proceeding)

To: [name of respondent]

Motion

_____ (name), the _____ in this proceeding, moves for an order for the following relief:

- interim decision-making responsibility/custody;
 - interim parenting time, contact time or interaction;
 - leave to apply
 - interim child support;
 - interim spousal support;
 - interim exclusive occupation or possession of residence or matrimonial home;
 - other interim relief, specifically _____
- _____

Time and place *[to be completed by court staff]*

The motion is to be heard by a judge on _____, 20____ at _____ a.m./p.m. at the courthouse located at: _____

The party making the motion requests the motion for hearing for _____.
The party making the motion says that the motion will not require more time.

References

The party making the motion relies on the following legislation, Rules, or points of law:

- the *Divorce Act*, section(s)_____;
- the *Parenting and Support Act*, section(s)_____;
- the *Matrimonial Property Act*, section(s)_____;
- interim spousal support or spousal maintenance;
- other: _____

Evidence and documents

The evidence in support of the motion is as follows:

- affidavit of_____
- other affidavits, specifically:_____

The applicant also relies on the following documents in support of the motion:

- parenting statement
- statement of contact time and interaction
- statement of income
- statement of special or extraordinary expenses
- statement of undue hardship circumstances
- statement of expenses
- statement of property
- pre-hearing brief

A copy of each document is to be delivered to you with this notice.

Possible order against you

You may file an affidavit and a brief, attend the hearing of the motion, and state your position on whether the proposed order should be made. If you do not attend, the judge may grant an order without further notice to you.

Signature

Signed on _____, 20

Signature

Print name: _____

Form FDO 4

20

No.

Supreme Court of Nova Scotia
(Family Division)

Between: [copy standard heading]

[name]

[*Petitioner/Applicant*]

and

[name]

Respondent

Order (Family Proceeding)

[may add words to distinguish from other orders
or to identify a consent order]

Before the Honourable Justice [name or blank]

This proceeding is before the court for determination [*following a hearing* / describe
circumstances including when the parties agree with the terms as a consent order] .

Proof of service of the notice was established and the [*application / application and response*]
, and the evidence presented by [*affidavit/testimony/affidavit and testimony*] , were considered.

[add if there are children]

The parties have the following [*child/children*] :

Name of Child

Date of Birth

[add if applicable]

[name] acknowledges that he is [*the father / a possible father*] of the [*child / children*] :

Name of Child

Date of Birth

[add if child support is to be paid]

[name of party paying child support] is found to have an annual income of \$ [amount] . [add if child support includes special or extraordinary expenses]

For the purpose of making an order for payment of special or extraordinary expenses, the [name of party receiving child support] is found to have an annual income of \$ [amount] .

OR

[replace the two income clauses with the following, if applicable]

For the purpose of making an order for payment of child support in an amount other than the table amount and special or extraordinary expenses, the [name of party paying child support] is found to have an annual income of \$ [amount] , and the [name of party receiving child support] is found to have an annual income of \$ [amount]

[add if there is a court order for contact time with the child/children]

Contact time/interaction arrangements involving the [child/children] of the marriage were granted pursuant to the [Divorce Act/Parenting and Support Act] by court order dated [date issued] bearing the court file number [insert #].

On motion of [name of moving party, parties, or counsel] : the following is ordered under the [Parenting and Support Act . / Parenting and Support Act and name of applicable legislation . / name of applicable legislation .]

[a selection from paragraphs 1 to 10, as applicable, is required]

[delete paragraphs 1 to 6 if there are no children]

Custody

1 Custody of the following [child/children] is granted to [name/both parties jointly] :

Name of Child	Date of Birth
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Parenting time

2 [name] has primary care and residence for the [child/children] , and [name] has parenting time at the following times, according to the following terms:

OR

2 [name] has primary care and residence for the [child/children] , and [name] will have reasonable parenting time with the [child/children] on reasonable notice to [name] or at times agreed to by the parties.

OR

2 The parties will share parenting time with the [child/children], such that each parent cares for the [child/children] for a minimum of 40% of the time over the course of a year, according to following schedule and the following terms: [provide details]

Child support payments

3 a. [name] must pay child support to [name] in the amount of \$ [amount] each month, based on the applicable table amount of the *Child Support Guidelines*.

[add if an amount for special or extraordinary expenses is to be paid]

b. In addition to the table amount, [name] must pay child support to [name] in the amount of \$ [amount] each month for [their] share of the following special or extraordinary [expense /expenses] :

[use the following list for each child's expense or create a chart providing this information]

Child's name:

Description of expense:

Total monthly net expense: \$

Monthly amount to be paid: \$

Percentage: %

c. In total, [name] must pay child support to [name] in the amount of \$ [amount] each month, consisting of the table amount of \$ [amount] per month, plus special or extraordinary expenses of \$ [amount] per month.

When child support payments are due

4 Child support payments are due on the first day of each month starting on ,

OR

[provide payment schedule, for example, weekly, bi-weekly, or twice per month on specified dates]

Child support through health plan

- 5 [name] must [*continue/acquire and continue*] medical, dental and drug plan coverage for the [*child/children*] available through [*their*] present or subsequent employer and [name] must see that the other party is reimbursed without delay after a receipt is delivered by the other party for submission to the insurer.

OR

[set out specific terms]

Ongoing disclosure for child support

- 6 No later than June 1 of each year, [name /st *both parties*] must provide [name /*each other*] with a copy of [*their*] income tax return, completed and with all attachments, even if the return is not filed with the Canada Revenue Agency, and also provide each other with all notices of assessment from the Canada Revenue Agency, immediately after they are received. If non-taxable or unreported income is earned or received, [name] must provide [name] with supporting documents to show all non-taxable and unreported income earned for the prior income tax year.

Spousal support

- 7 Neither party is required to pay spousal support to the other.

OR

- 7 [name] must pay spousal support to [name] in the amount of \$ [amount] each month.

When spousal support payments are due

[delete if neither party is to pay spousal support]

8 Spousal support payments are due on the first day of each month starting on ,
20 .

OR

[provide payment schedule, for example, weekly, bi-weekly, or twice per month on specified dates]

Director of Maintenance Enforcement

[delete if neither party is to pay support]

- 9 a. All support payments must be made payable to [name of party receiving support] .
- b. The payments must be sent by [name of party paying support] to the Office of the Director of Maintenance Enforcement, P.O. Box 803, Halifax, Nova Scotia B3J 2V2, while the order is filed for enforcement with the Director.
- c. A court officer must send a copy of this order, under section 9 of the *Maintenance Enforcement Act*, and the current designated addresses of the parties, to the Office of the Director of Maintenance Enforcement.
- d. Both parties must advise the Office of the Director of Maintenance Enforcement of any change to their address, within ten (10) days of the date of the change, under section 42(1) of the *Maintenance Enforcement Act*.
- e. [name of party paying support] must advise the Office of the Director of Maintenance Enforcement of any change in location, address and place of employment, including the start or end of employment, within ten (10) days of the date of the change, under section 42(2) of the *Maintenance Enforcement Act*.

Enforcement

- 10 a. A requirement to pay money under this order, that is not enforced under the *Maintenance Enforcement Act*, may be enforced by execution order, or periodic execution order.
- b. The sheriff must do such things as are necessary to enforce this order and, to do so, may exercise any power of a sheriff permitted in a recovery order or an execution order.

c. All constables and peace officers are to do all such acts as may be necessary to enforce the terms of this order and they have full power and authority to enter upon any lands and premises to enforce this order.

Issued _____, 20

Court Officer

Supreme Court of Nova Scotia
(Family Division)

Between:

Applicant/Petitioner

and

Respondent

Order for an Assessment Report

Before the Honourable Justice [name or blank]

Proof of sufficient grounds to grant the preparation of an assessment report were established.

The parties have [*a dependent child / dependent children*] born of their relationship who is/are:

Name

Birth Date

For the purposes of determining the cost to the parties for the preparation of the assessment report, [name of applicant] is found to have a gross annual income of approximately \$ [amount] and [name of respondent] is found to have a gross annual income of approximately \$ [amount] .

[*On motion of* name of moving party, parties, or counsel , *the / The*] following is ordered:

Preparation of report

[Select the applicable request]

1. A [decision-making responsibility/custody, parenting time and interaction/parenting time and interaction/ parental capacity/(when required add “including psychological testing) /voice of the child] assessment shall be prepared by an assessor selected from the approved Supreme Court (Family Division) list of assessors and agreed upon by the parties or, in the event that the parties are unable to agree, as selected by the court.

2. The assessor is to conduct the assessment and provide an opinion about

[sample wording below – the assessor must know what you expect to receive]

Decision-Making Responsibility/Custody, Parenting time and Interaction

What may be an appropriate decision-making responsibility/custody, parenting time and interaction arrangement for the child/children commenting upon any needed conditions or restrictions attached to recommendations made.

Parenting time and Interaction

The appropriate parenting time and interaction, if any, to be exercised by [name] with the child/children commenting upon whether any conditions or restrictions should be placed upon [name] while he/she has the child/children in his/her care.

Parental Capacity

What may be an appropriate decision-making responsibility/custody, parenting time and interaction arrangement for the child/children commenting upon [name (s)] parenting capacity and upon any needed conditions or restrictions attached to recommendations made.

Voice of the Child

The child's/children's observations, viewpoint, and life experiences with each parent including the child's/children's preferences if they wish to express a preference about anything relevant to the present or future parenting arrangements.

The ability and maturity of each child to arrive at and express his/her viewpoint and preferences.

The independence of the children's viewpoint and preferences as expressed.

Responsibilities

Notwithstanding Civil Procedure Rule 70.32, the assessor shall, for the purpose of completing the assessment, have access to the file maintained by the Court in this proceeding.

Both parties shall co-operate in the assessment and do whatever is reasonably necessary to facilitate the completion of the assessment including making themselves and the children available to meet with the assessor when requested to do so.

Both parties shall inform (named collaterals) that they have consent of the parents to provide the assessor all information requested by the assessor.

The assessor shall file the assessment report with this Court upon its completion and shall make copies available to each of the parties unless the assessor is concerned about the impact this report may have in which case the concern is to be provided in a separate letter to the Court and it will decide how and when to release the report to that parent or counsel for each of the parties.

Cost of report

3. The cost of this report shall be as prescribed by the *Costs and Fees Act* and the appropriate contribution of each party shall be determined by a separate order of this court.

OR

[use the following clause if the court orders that the report be prepared at the expense of the Department of Justice]

3. The Assessment shall be prepared at the expense of the Nova Scotia Department of Justice in accordance with the *Costs and Fees Act*

Issued _____, 20

Court Officer