**Form FDO4**

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] .

[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* |
|  |  |
|  |  |
|  |  |

# 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

3a [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]

3b 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: %*

3c 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 [date] , 20 .

[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 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 [date] ,

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]

9a All support payments must be made payable to [name of party receiving support] .

9b 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.

9c 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.

9d 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*.

9e [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

10a 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.

10b 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.

10c 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 [date] , 20 .

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

Court Officer