


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

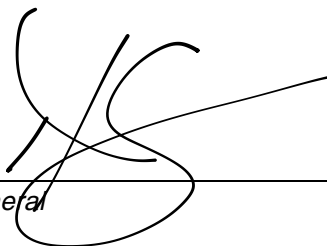
Order in Council No. 432

, Approved and Ordered July 8, 2024

  
\_\_\_\_\_  
Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 1, 2024, the Supreme Court Family Rules, B.C. Reg. 169/2009, are amended as set out in the attached Schedule.

  
\_\_\_\_\_  
Attorney General  
\_\_\_\_\_  
Presiding Member of the Executive Council

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

**Authority under which Order is made:**

Act and section: *Court Rules Act*, R.S.B.C. 1996, c. 80, s. 1;  
*Divorce Act* (Canada), R.S.C., 1985, c. 3 (2nd Supp.), ss. 23.2 (4) and 25

Other: OIC 303/2009

R30724118

## SCHEDULE

**1** *Rule 1-1 (1) of the Supreme Court Family Rules, B.C. Reg. 169/2009, is amended by adding the following definitions:*

“**Divorce Act proceeding**” means a family law case in which an order is sought under the *Divorce Act*;

“**official language**” means

- (a) the English language, and
- (b) the French language; .

**2** *Rule 7-1 (15) is amended by adding the following paragraph:*

- (j.1) without limiting any other orders that may be made under this subrule, in the case of a *Divorce Act* proceeding, make orders respecting the use of either official language in the proceeding, including orders respecting
  - (i) the translation of evidence, affidavits, pleadings, submissions and documents, including documents relating to an application,
  - (ii) the payment by one or more parties of the costs of preparing a translation referred to in subparagraph (i), and
  - (iii) the time limits for the filing and service of documents, including orders waiving or modifying a period referred to in Rule 20-7 (8) (b); .

**3** *Rule 7.1-3 (1) is amended by adding the following paragraph:*

- (r.1) in the case of a *Divorce Act* proceeding, make any order referred to in Rule 7-1 (15) (j.1); .

**4** *Rule 14-3 is amended*

*(a) in subrule (1) (b) by striking out “or” at the end of subparagraph (ii), by adding “or” at the end of subparagraph (iii) and by adding the following subparagraph:*

- (iv) in the case of a *Divorce Act* proceeding, a party intends to file documents, give evidence or make submissions in the French language or both official languages. , **and**

*(b) in subrule (9) by adding the following paragraph:*

- (j.1) without limiting any other orders that may be made under this subrule, in the case of a *Divorce Act* proceeding, make orders respecting the use of either official language in the proceeding, including orders respecting
  - (i) the translation of evidence, affidavits, submissions and documents, and
  - (ii) the payment by one or more parties of the costs of preparing a translation referred to in subparagraph (i); .

**5** *The heading to Part 20 is amended by adding “OR PROCEEDINGS” after “PARTIES”.*

**6** *The following Rule is added:*

## **RULE 20-7 – DIVORCE ACT PROCEEDINGS**

### **Application**

- (1) This rule applies only to *Divorce Act* proceedings.

### **French translation of forms**

- (2) A party to a *Divorce Act* proceeding may use a French language translation of a form in Appendix A.

### **Documents in either official language**

- (3) Despite Rule 21-1 (2), documents prepared for use in court in a *Divorce Act* proceeding may be in either official language, unless the court otherwise orders.

### **Official language selection in pleadings, petition or response to petition**

- (4) A pleading, petition or response to a petition in a *Divorce Act* proceeding must indicate whether the filing party intends to file documents, give evidence or make submissions in the English language, the French language or both official languages.

### **Change in selection of official language**

- (5) Unless the court otherwise orders, if a party did not indicate their intention under subrule (4) or a party wishes to change their choice, the party may file a notice in Form F86.1 to indicate that they intend to file documents, give evidence or make submissions in the English language, the French language or both official languages.

### **Confirmation before hearing or conference**

- (6) If a party indicated their intention under subrule (4) or (5) to file documents, give evidence or make submissions in the French language or both official languages, the party must, before a hearing or conference, file a notice in Form F86.1 to confirm that they intend to file documents, give evidence or make submissions in the French language or both official languages at the hearing or conference.

### **Interpretation of a French language affidavit into another language**

- (7) If all or a portion of an affidavit is in the French language and it appears to the person before whom the affidavit is to be sworn or affirmed that the person swearing or affirming the affidavit does not understand the French language, the affidavit must be interpreted to the person swearing or affirming the affidavit by a competent interpreter who must certify on the affidavit, by endorsement in Form F30, that the interpreter has interpreted the affidavit to the person swearing or affirming the affidavit.

### **Time limits for service extended**

- (8) Unless the court otherwise orders, if a person served with a copy of a filed document in one official language intends to file a document in the other official language and requires additional time to prepare the document,
  - (a) the person may file a requisition in Form F86.2, and
  - (b) on filing of the requisition, the applicable period referred to in these Supreme Court Family Rules, within which the document must be filed and

served, is extended by an additional period of 10 days or, if the applicable period refers to business days, 10 business days.

**Transcripts**

- (9) Despite Rule 21-1 (3), transcripts of oral evidence may be in either official language, unless the court otherwise orders.

**Consolidation**

- (10) If one or more of the proceedings consolidated under Rule 21-3 (8) or (8.1) is a *Divorce Act* proceeding, the court may, in the order for consolidation, make orders respecting the use of an official language in the consolidated proceeding.

**7** *Forms F1, F3, F4, F5, F6, F30, F73 and F74 in Appendix A are repealed and the attached Forms F1, F3, F4, F5, F6, F30, F73 and F74 substituted.*

**8** *The attached Forms F86.1 and F86.2 are added to Appendix A.*

FORM F1 (RULE 2-2 (2))

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant 1:

Claimant 2:

**NOTICE OF JOINT FAMILY CLAIM**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**1 Relationship history** *[Check the correct box(es) and complete the required information.]*

|   |
|---|
| Claimant 1 and Claimant 2:<br><input type="checkbox"/> began to live together in a marriage-like relationship on .....[ <i>date</i> ].....<br><input type="checkbox"/> were married on .....[ <i>date</i> ]..... at .....[ <i>city or town; province or state; country</i> ]<br><input type="checkbox"/> separated on .....[ <i>date</i> ].....<br><input type="checkbox"/> were divorced from each other by order made on .....[ <i>date</i> ].....<br><input type="checkbox"/> were never married |
|---|

**2 Divorce** *[Complete if you are asking for a divorce order.]*

|  |            |            |
|--|------------|------------|
| <input type="checkbox"/> Claimant 1 and Claimant 2 are asking for a divorce order. |            |            |
| <b>A Personal information:</b>   |            |            |
|  | Claimant 1 | Claimant 2 |
| Birthdate: [ <i>date</i> ]   |            |            |
| Habitually resident in British Columbia since:<br>[ <i>date</i> ]                  |            |            |
| Surname at birth:  |            |            |
| Surname immediately before marriage:   |            |            |

|  |  |  |
|--|--|--|
| Marital status immediately before marriage:  | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed                | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed                |
| Place of marriage: [ <i>city or town; province or state; country</i> ]   |  |  |
| Official language choice for <i>Divorce Act</i> proceeding: (See Notice to Claimants below)  | <input type="checkbox"/> English<br><input type="checkbox"/> French<br><input type="checkbox"/> English and French (bilingual) | <input type="checkbox"/> English<br><input type="checkbox"/> French<br><input type="checkbox"/> English and French (bilingual) |
| <p><b>B Grounds for claim for divorce:</b></p> <p>[<i>If divorce is claimed as a result of having lived separate and apart, complete paragraph (i).</i>]</p> <p>(i) <input type="checkbox"/> Claimant 1 and Claimant 2 have lived separate and apart since .....[<i>date</i>].....</p> <p><b>AND</b></p> <p>[<i>Check whichever one of the following boxes is correct and complete any required information.</i>]</p> <p><input type="checkbox"/> Claimant 1 and Claimant 2 have not lived together since then</p> <p><input type="checkbox"/> Claimant 1 and Claimant 2 have lived together again during the following period(s), in an unsuccessful attempt to reconcile: .....[<i>give dates of period(s)</i>].....</p> <p>[<i>If divorce is claimed on grounds other than having lived separate and apart, complete paragraph (ii) by checking both of the following boxes and completing the required information.</i>]</p> <p>(ii) <input type="checkbox"/> Other grounds, under section 8 (2) (b) of the <i>Divorce Act</i> (Canada):</p> <p><input type="checkbox"/> Adultery (the respondent has committed adultery)</p> <p><input type="checkbox"/> Cruelty (the respondent has treated the applicant with physical or mental cruelty of such a kind as to make continued cohabitation intolerable)</p> <p><b>AND</b></p> <p><input type="checkbox"/> There has been no condonation of any act relied on under section 8 (2) (b) of the <i>Divorce Act</i> (Canada) as a ground for divorce.</p> |  |  |
| <p><b>C Claimant 1 and Claimant 2 confirm that:</b> [<i>Check both of the following boxes.</i>]</p> <p><input type="checkbox"/> There is no possibility of reconciliation.</p> <p><input type="checkbox"/> I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court to obtain a divorce.</p>  |  |  |
| <p><b>D Proof of marriage:</b> [<i>Check whichever one of the following boxes is correct and complete any required information.</i>]</p> <p><input type="checkbox"/> A certificate of marriage or registration of marriage has been filed.</p>   |  |  |

A certificate of marriage or registration of marriage is not being filed with this notice of joint family claim because .....[state the reasons]..... and the certificate will be filed before this claim is set down for trial or an application is made for an order of divorce.

It is impossible to obtain a certificate of marriage or registration of marriage because: .....[state the reasons]..... .

**3 Information concerning children [Check whichever one of the following boxes is correct and complete any required information.]**

**Children:**

There are no children of the marriage, as defined by the *Divorce Act* (Canada), or children of whom Claimant 1 and Claimant 2 are parents within the meaning of the *Family Law Act*.

[OR]

There are no children of the marriage, as defined by the *Divorce Act* (Canada), or children of whom Claimant 1 and Claimant 2 are parents within the meaning of the *Family Law Act*, and those children are:

Full name:

Birth date: [date]

Resides with:

**4 Orders asked for in relation to children [Complete section 4 for those children in relation to whom you are asking for an order.]**

A  Claimant 1 and Claimant 2 are asking for the following order respecting arrangements for parenting or contact: .....[set out terms of proposed order].....

B  Claimant 1 and Claimant 2 are asking for an order for child support as follows: .....[set out terms of proposed order].....

C  Claimant 1 and Claimant 2 are asking for the orders under paragraphs A and B of this section under the following statute(s): [Check one or both of the following boxes, as applicable.]

the *Divorce Act* (Canada)  the *Family Law Act*

**5 Spousal support** [Complete section 5 if you are asking for an order for spousal support.]

Claimant 1 and Claimant 2 are asking for an order for spousal support as follows:  
.....[set out terms of proposed order].....

Claimant 1 and Claimant 2 are asking for an order for spousal support under [Check one or both of the following boxes, as applicable.]

the *Divorce Act* (Canada)    the *Family Law Act*

**6 Property and debt** [Complete section 6 if you are asking for an order in relation to property or debt.]

A Property claims under the *Family Law Act*

Claimant 1 and Claimant 2 are asking for an order for:

[Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the *Family Law Act*.]

an equal division of family property and family debt

an unequal division of family property and family debt as follows: .....[set out details of proposed division].....

B Other property claims

Claimant 1 and Claimant 2 ask for an order respecting an interest in property or for compensation instead of an interest in that property, as follows:  
.....

**7 Other** [Complete section 7 if you are asking for any other order.]

Claimant 1 and Claimant 2 are asking for an order in the following terms:  
.....[set out terms of proposed order] .....



**8 Claimants' addresses for service** [Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

|                                       |                                       |
|---------------------------------------|---------------------------------------|
| Claimant 1:                           | Claimant 2:                           |
| Fax (optional)      E-mail (optional) | Fax (optional)      E-mail (optional) |

Date: .....  
 Signature of  
 Claimant 1    lawyer for Claimant 1  
 .....[type or print name].....

Date: .....  
 Signature of  
 Claimant 2    lawyer for Claimant 2  
 .....[type or print name].....

**Notice to Claimants:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French).

Rule 1-1(1) of the Supreme Court Family Rules defines "*Divorce Act* proceeding" as follows:

**"Divorce Act proceeding"** means a family law case in which an order is sought under the *Divorce Act*.

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*If in this family law case a claim is made under the Family Law Act and one or both of the parties is represented by a lawyer, each of the lawyers must complete a certificate in the following form.*

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**LAWYER'S CERTIFICATE (FAMILY LAW ACT, s. 8 (2))**

I, ....., lawyer for .....[name of party]..... certify that, in accordance with section 8 (2) of the *Family Law Act*, I have

- (a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and

(b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

Date: .....

.....

Signature of lawyer

.....[type or print name].....

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*The following certificate must be completed by each party to a divorce claim.*

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**PARTY'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.6)**

[ ] By checking this box, I, .....[name of party]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:

- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.
- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

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*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

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**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

[ ] By checking this box, I, ....., legal adviser for .....[name of party]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:

- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
  - (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to

the legal adviser that might be able to assist the spouses to achieve a reconciliation.

- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
  - (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;
  - (b) to inform the person of the family justice services known to the legal adviser that might assist the person
    - (i) in resolving the matters that may be the subject of an order under this Act, and
    - (ii) in complying with any order or decision made under this Act; and
  - (c) to inform the person of the parties' duties under this Act.

FORM F3 (RULE 4-1 (1) )

Court File No.:.....

Court Registry:.....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**NOTICE OF FAMILY CLAIM**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**This family law case has been started by the claimant(s) for the relief set out in section 4 below.**

If you intend to respond to this family law case, you or your lawyer must

- (a) file a response to family claim in Form F4 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim on the claimant.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to family claim in Form F4 and a counterclaim in Form F5 in the above-named registry of this court within 30 days after the date on which this copy of the filed notice of family claim was served on you, and
- (b) serve a copy of the filed response to family claim and counterclaim on the claimant and on any new parties named in the counterclaim.

**Orders, including orders granting the relief claimed, may be made against you if you fail to file the response to family claim within the 30 day period referred to above.**

**1 Information about the parties**

*[Complete the following for each claimant.]*

The claimant, .....[name]....., is .....[briefly indicate this person's relationship to other parties to this family law case].....

*[Complete the following for each respondent.]*

The respondent, .....[name]....., is .....[briefly indicate this person's relationship to other parties to this family law case].....

**2 Spousal relationship history** [Complete this section if a claimant and a respondent are or have been married or are or have been in a marriage-like relationship.]

[Check the correct box(es) and complete the required information.]

The claimant .....[name of claimant]..... and the respondent  
.....[name of respondent] .....

- began to live together in a marriage-like relationship on .....[date].....
- were married on .....[date].....at .....[city or town; province or state; country]
- separated on .....[date].....
- were divorced from each other by order made on .....[date].....

**3 Prior court proceedings and agreements** [Check the correct box(es) and complete any required information.]

- There is no prior agreement, court order or court proceeding relating to any of the claims made in this notice of family claim.
- One or more of the following relates to claims made in this notice of family claim:
  - a written agreement dated .....[date].....
  - a court order dated .....[date].....
  - a prior court proceeding: .....[file number and court registry].....

**4 The claimant's claims** [Check the correct box(es) and complete and attach the required Schedules.]

**The claimant is asking for the following:**

- An order for divorce – [complete and attach Schedule 1]
- An order respecting child(ren) – [complete and attach Schedule 2]
- An order for spousal support – [complete and attach Schedule 3]
- An order relating to family property and family debt – [complete and attach Schedule 4]
- Another order – [complete and attach Schedule 5]
- An order for costs
- An order to  confirm or  set aside [check whichever one of the following boxes is correct and complete the required information] a written agreement dated .....[date].....in respect of
  - spousal support
  - child support
  - division of property and/or debt

other  
for the following reasons:  
.....,

**4.1 Official language choice for *Divorce Act* proceedings (see Notice to Claimant and Respondent below)** [Check whichever one of the following boxes is correct.]

The claimant intends to file documents, give evidence or make submissions in this proceeding in the  
 English language  
 French language  
 English language and French language (bilingual)

**5 Place of trial will be:** .....[name of registry].....

**6 The address of the registry is:** .....[address of registry].....

**7 The claimant's address for service is** [Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for Service:  
Fax (optional)                      E-mail (optional)

Date: .....

.....

Signature of  
 claimant    lawyer for claimant(s)

.....[type or print name].....

**Note to Claimant AND Respondent:** you must file **financial information** (Form F8) if any of the following apply:

- there is a claim against you for spousal support or you are claiming spousal support;
- there is a claim by either party for the division of property and/or debts under Part 5 or 6 of the *Family Law Act*;
- there is a claim against you for the support of a child, OR
- you are claiming child support **unless all** of the following conditions apply:
  - (a) you are making no claim for any other kind of support;
  - (b) the child support is for children who are not stepchildren;
  - (c) none of the children for whom child support is claimed is 19 years of age or older;
  - (d) the income of the person being asked to pay child support is under \$150 000 per year;

- (e) you are not applying for special expenses under section 7 of the child support guidelines;
- (f) you are not applying for an order under section 8 of the child support guidelines;
- (g) you are not applying for an order under section 9 of the child support guidelines;
- (h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.

If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount.

**Notice to Claimant AND Respondent:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French).

Rule 1-1(1) of the Supreme Court Family Rules defines "*Divorce Act* proceeding" as follows:

**"*Divorce Act* proceeding"** means a family law case in which an order is sought under the *Divorce Act*.

**Note to Respondent:** if you intend to file a response to family claim (Form F4) in the official language other than the one used in this notice of family claim (Form F3) served on you, you may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file the response to family claim in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

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*If in this family law case a claim is made under the Family Law Act and the claimant is represented by a lawyer, the lawyer must complete the following certificate.*

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**LAWYER'S CERTIFICATE (FAMILY LAW ACT, s. 8 (2) )**

I, ....., lawyer for .....[*name of party*]....., certify that, in accordance with section 8 (2) of the *Family Law Act*, I have

- (a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and
- (b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

Date: .....

.....

Signature of lawyer

.....[*type or print name*].....

FORM F3 (RULE 4-1 (1) )

**SCHEDULE 1 - DIVORCE**

**1 Personal Information**

|  | Claimant  | Respondent  |
|--|---|---|
| Birthdate: <i>[date]</i>   |   |   |
| Habitually resident in British Columbia since:<br><i>[date]</i>      |   |   |
| Surname at birth:  |   |   |
| Surname immediately before marriage:                                 |   |   |
| Marital status immediately before marriage:                          | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed |
| Place of marriage: <i>[city or town; province or state; country]</i> |   |   |

**2 Grounds for the claimant's claim for divorce**

The claimant asks for an order for divorce on these grounds:  
*[If divorce is claimed as a result of having lived separate and apart, complete paragraph (i).]*

(i)  The claimant and the claimant's spouse have lived separate and apart since  
 .....*[ date]*.....

**AND**

*[Check whichever one of the following boxes is correct and complete any required information.]*

the claimant and the claimant's spouse have not lived together since then

the claimant and the claimant's spouse have lived together again during the following period(s), in an unsuccessful attempt to reconcile: .....*[give dates of period(s)]*.....

*[If divorce is claimed on grounds other than having lived separate and apart, complete paragraph (ii) by checking both of the following boxes and completing the required information.]*

(ii)  **Other grounds**, under section 8 (2) (b) of the *Divorce Act* (Canada):

Adultery (the respondent has committed adultery)

Cruelty (the respondent has treated the applicant with physical or mental cruelty of such a kind as to make continued cohabitation intolerable)

**AND**



The claimant has not condoned any act relied on under section 8 (2) (b) of the *Divorce Act* (Canada) as a ground for divorce.

**3 The claimant confirms that:** [*The claimant seeking an order for divorce must check both of the following boxes.*]

There is no possibility of reconciliation.

I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court to obtain a divorce.

**4 Proof of marriage** [*Check whichever one of the following boxes is correct and complete any required information.*]

A certificate of marriage or of registration of marriage has been filed

A certificate of marriage or of registration of marriage is not being filed with this notice of family claim because .....[*state the reasons*]....., and the certificate will be filed before this claim is set down for trial or an application is made for an order of divorce

It is impossible to obtain a certificate of marriage or of registration of marriage because:  
.....[*state the reasons*].....

**5 Children** [*Check whichever one of the following boxes is correct and complete any required information.*]

There are no children of the marriage as defined by the *Divorce Act* (Canada)

The children of the marriage are:

Full name:

Birthdate: [*date*]

Resides with:

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*The following certificate must be completed by each party to a divorce claim.*

**PARTY'S CERTIFICATE (*DIVORCE ACT* (CANADA), s. 7.6)**

By checking this box, I, .....[*name of party*]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:

**7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.

- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.
- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

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*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

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**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

- [ ] By checking this box, I, ....., legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:
- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;
  - (b) to inform the person of the family justice services known to the legal adviser that might assist the person
    - (i) in resolving the matters that may be the subject of an order under this Act, and
    - (ii) in complying with any order or decision made under this Act; and
  - (c) to inform the person of the parties' duties under this Act.

FORM F3 (RULE 4-1 (1))

**SCHEDULE 2 – CHILDREN**

**1 Identification of child(ren)**

The claimant is asking for an order in respect of the following child or children:

| Child's full legal name | Child's birthdate<br>[ <i>date</i> ] | Child's relationship to the claimant | Child's relationship to the respondent | Child habitually resident in BC since<br>[ <i>date</i> ] | Child now living with |
|-------------------------|--------------------------------------|--------------------------------------|--|--|-----------------------|
|                         |                                      |                                      |  |  |                       |
|                         |                                      |                                      |  |  |                       |
|                         |                                      |                                      |  |  |                       |
|                         |                                      |                                      |  |  |                       |
|                         |                                      |                                      |  |  |                       |
|                         |                                      |                                      |  |  |                       |

**2 Orders sought**

The claimant is asking for the following order(s): [*Check the correct box(es) and complete the required information.*]

an order respecting arrangements for parenting for a child or children [*Complete sections 3 and 4 below.*]

an order for child support [*Complete sections 5 to 7 below.*]

**3 Current arrangements for parenting**

Current arrangements for parenting are:

**4 Proposed arrangements for parenting**

The claimant proposes the following arrangements for parenting:  
.....[set out terms of proposed order sought in relation to arrangements for parenting, including custody, guardianship, parenting arrangements or contact with a child].....

The claimant is asking for this order under [Check one or both of the following boxes, as applicable.]

the Divorce Act (Canada)  the Family Law Act

**5 Current child support arrangements**

Current child support arrangements are:

**6 Income of person being asked to pay child support** [Check whichever one of the following boxes is correct and complete any required information.]

The claimant does not know the income of the person being asked to pay child support

The claimant believes that the income of the person being asked to pay child support is \$....., based on these facts:

.....  
.....

**7 Proposed child support arrangements** [Check the correct box(es) and complete the required information.]

The claimant is asking for:

support in the amount set out in the child support guidelines table, commencing on ..... [date] ....., for the following child(ren): .....[name(s) and date(s) of birth of child(ren)].....

special or extraordinary expenses in accordance with section 7 of the child support guidelines, commencing on .....[date]....., for the following child(ren): .....[name(s) and date(s) of birth of child(ren)].....

an order for support in an amount different than the amount set out in the child support guidelines table, commencing on .....[date]....., for the following child(ren): .....[name(s) and date(s) of birth of child(ren)].....

The claimant is asking for an order for child support under [Check one or both of the following boxes, as applicable]

the Divorce Act (Canada)  the Family Law Act

FORM F3 (RULE 4-1 (1))  
**SCHEDULE 3 – SPOUSAL SUPPORT**

**1 Current arrangements for spousal support**

Current spousal support arrangements are:

**2 Proposed spousal support arrangements** *[Check the correct box(es) and complete the required information.]*

The claimant is asking for an order for spousal support as follows: .....*[set out terms of proposed order sought in relation to spousal support]*.....

The claimant is asking for an order for spousal support under *[Check one or both of the following boxes, as applicable.]*

the *Divorce Act* (Canada)     the *Family Law Act*

**3 Income of claimant and respondent**

The claimant's gross annual income is \$.....,

*[Check whichever one of the following boxes is correct and complete any required information.]*

The claimant does not know what the respondent's income is

The claimant believes that the respondent's gross annual income is \$....., based on these facts:

.....

.....

.....

**Note to Claimant AND Respondent:** You must file **financial information** (Form F8) if there is a claim by you or against you for spousal support.

If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that amount.

FORM F3 (RULE 4-1 (1))

SCHEDULE 4 – PROPERTY

1 The claimant's claims

**A. Property and debt claims under the *Family Law Act***

*[Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the Family Law Act.]*

The claimant is asking for an order for:

- equal division of family property and family debt
- unequal division of family property and family debt, as follows and on the following grounds: .....*[set out details of proposed unequal division and the grounds on which it is made]*.....

Identify any relevant debt to the extent that it is known at this time:

.....

The address and legal description of any real property (land and buildings) in which the claimant claims an interest as a family property is:

.....

The claimant pleads the following property as excluded from family property under section 85 of the *Family Law Act* (explain the basis for the exclusion):

.....

**B. Other property claims**

*[Check the correct box(es) and complete the required information.]*

The claimant claims:

- occupancy rent / occupational rent
- an interest in the following property: .....*[specify every interest claimed in property and if an interest is claimed in real property, provide the address and legal description of that real property]* .....
- an order for compensation instead of an interest in the property described as .....*[identify every property for which compensation is claimed and if compensation is claimed for real property, provide the address and legal description of that real property]*.....

on the following grounds: .....*[set out the grounds on which any claim under this paragraph for interest or compensation is based]*.....

**2 Certificate of Pending Litigation**

The claimant is applying for a Certificate of Pending Litigation to be registered against the following real property (land or building): .....[provide the legal description of every real property against which a Certificate of Pending Litigation is to be registered].....

---

FORM F3 (RULE 4-1 (1) )

**SCHEDULE 5 – OTHER ORDERS**

The claimant is asking for the following orders:

[Check the correct box(es) and complete the required information.]

an order under the *Name Act* that the claimant’s name be changed from .....[current full legal name]..... to .....[full new name].....

the following additional orders under the *Family Law Act* [Using numbered paragraphs, set out any orders sought under the *Family Law Act* that are not referred to in Schedules 1 to 4 and the sections of that Act under which those orders are sought.]

1

2

other orders [Using numbered paragraphs, set out terms of other proposed orders and the authority under which those orders are sought.]

1

2

FORM F4 (RULE 4-3 (1))

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**RESPONSE TO FAMILY CLAIM**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms]*

**Filed by:**.....[party(ies)].....

**1 Response to information in notice of family claim:**

My position regarding the information set out in the notice of family claim is as follows:

*[Check the correct box(es) and complete the required information.]*

The information set out in sections 1, 2 and 3 of the notice of family claim is correct.

The information set out in sections 1, 2 and 3 of the notice of family claim is not correct in the following respects:.....*[identify the information you say is not correct and set out the information you say is correct]*.....

Schedule 1:

The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the notice of family claim is correct.

The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the notice of family claim is not correct in the following respects: .....*[identify the information you say is not correct and set out the information you say is correct]*.....

Schedule 2:

The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the notice of family claim is correct.

The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the notice of family claim is not correct in the following respects: .....*[identify the information you say is not correct and set out the information you say is correct]*.....

Schedule 3:

The information set out in sections 1 and 3 of Schedule 3 to the notice of family claim is correct.



The information set out in sections 1 and 3 of Schedule 3 to the notice of family claim is not correct in the following respects: .....[identify the information you say is not correct and set out the information you say is correct].....

## 2 Response to claims in notice of family claim:

### **This is my response to claims made against me in the Schedules to the counterclaim:**

[For each of the claims identified below that are made in the counterclaim, indicate whether you agree or disagree with that claim by checking the correct box opposite that claim.]

Claim for divorce (Schedule 1, section 2)  Agree  Disagree

*If you disagree, briefly explain why:*

Parenting arrangements (Schedule 2, section 4)  Agree  Disagree

*If you disagree, briefly explain why:*

Child support (Schedule 2, section 7)  Agree  Disagree

*If you disagree, briefly explain why:*

Spousal support (Schedule 3, section 2)  Agree  Disagree

*If you disagree, briefly explain why:*

Division of family property and family debt (Schedule 4, section 1)  Agree  Disagree

*If you disagree, briefly explain why:*

Other property claim(s) (Schedule 4, section 1)  Agree  Disagree

*If you disagree, briefly explain why:*

Other orders (Schedule 5) [identify each claim made in Schedule 5 of the notice of family claim and indicate whether you agree or disagree with that claim by checking the correct box opposite that claim]

[claim]  Agree  Disagree

*If you disagree, briefly explain why:*

[claim]  Agree  Disagree

*If you disagree, briefly explain why:*

**2.1 Official language choice for *Divorce Act* proceedings (see Notice to Respondent below) [Check whichever one of the following boxes is correct.]**

The respondent intends to file documents, give evidence or make submissions in this proceeding in the

- English language
- French language
- English language and French language (bilingual)

**3 My address for service is** [Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for Service:  
Fax (optional)                      E-mail (optional)

Date: .....  
.....  
Signature of  
[ ] filing party [ ] lawyer for filing party(ies)  
.....[type or print name].....

**Note to Claimant AND Respondent:** You must file **financial information** (Form F8) if any of the following apply:

- there is a claim against you for spousal support or you are claiming spousal support;
- there is a claim by either party for the division of property and/or debts under Part 5 or 6 of the *Family Law Act*;
- there is a claim against you for the support of a child, OR
- you are claiming child support **unless all** of the following conditions apply:
  - (a) you are making no claim for any other kind of support;
  - (b) the child support is for children who are not stepchildren;
  - (c) none of the children for whom child support is claimed is 19 years of age or older;
  - (d) the income of the person being asked to pay child support is under \$150 000 per year;
  - (e) you are not applying for special expenses under section 7 of the child support guidelines;
  - (f) you are not applying for an order under section 8 of the child support guidelines;
  - (g) you are not applying for an order under section 9 of the child support guidelines;
  - (h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.

If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount.

**Notice to Respondent:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French).

Rule 1-1(1) of the Supreme Court Family Rules defines "*Divorce Act* proceeding" as follows:

**"Divorce Act proceeding"** means a family law case in which an order is sought under the *Divorce Act*.

You may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file this response to family claim (Form F4) in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

---

*If in this family law case a claim is made under the Family Law Act and the respondent is represented by a lawyer, the lawyer must complete the following certificate.*

---

**LAWYER'S CERTIFICATE (FAMILY LAW ACT, S. 8 (2) )**

I, ....., lawyer for .....[*name of party*]....., certify that, in accordance with section 8 (2) of the *Family Law Act*, I have

- (a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and
- (b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

Date: .....  
Signature of lawyer  
.....[*type or print name*].....

---

*The following certificate must be completed by each party to a divorce claim.*

---

**PARTY'S CERTIFICATE (DIVORCE ACT (CANADA), S. 7.6)**

[ ] By checking this box, I, .....[*name of party*]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:

- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

---

*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

---

**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

- [ ] By checking this box, I, ....., legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:
- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;
  - (b) to inform the person of the family justice services known to the legal adviser that might assist the person
    - (i) in resolving the matters that may be the subject of an order under this Act, and
    - (ii) in complying with any order or decision made under this Act; and
  - (c) to inform the person of the parties' duties under this Act.

FORM F5 (RULE 4-4 (2) )

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**COUNTERCLAIM**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**Filed by:** .....[party(ies)]..... (the "respondent")

This counterclaim has been made by the above-named respondent(s) for the relief set out in section 1 below.

If you intend to respond to this counterclaim, you or your lawyer must

- (a) file a response to counterclaim in Form F6 in the above-named registry of this court within 30 days after the date on which a copy of the filed counterclaim was served on you, and
- (b) serve a copy of the filed response to counterclaim on all parties.

**Orders, including orders granting the relief claimed, may be made against you if you fail to file the response to counterclaim within the 30 day period referred to above.**

**1 Spousal relationship history [Check the correct box(es).]**

The claimant, .....[name]..... and the respondent .....[name].....:

Began to live together in a marriage-like relationship on .....[date].....

Were married on .....[date]..... at.....[city or town; province or state; country].....

Separated on .....[date].....

Were divorced from each other by order made on .....[date].....

**2 Counterclaim** [Check the correct box(es) and complete and attach the required Schedule(s).]

The respondent is asking for the following:

- An order for divorce – [complete and attach Schedule 1]
- An order respecting child(ren) – [complete and attach Schedule 2]
- An order for spousal support – [complete and attach Schedule 3]
- An order relating to family property and family debt – [complete and attach Schedule 4]
- Another order – [complete and attach Schedule 5]
- An order for costs

An order to  confirm or  set aside [check whichever one of the following boxes is correct and complete the required information] a written agreement dated .....[date]..... in respect of

- spousal support
- child support
- division of property and/or debt
- other

for the following reasons:

.....

**2.1 Official language choice for Divorce Act proceedings (see Notice to Respondent below)** [Check whichever one of the following boxes is correct.]

The respondent intends to file documents, give evidence or make submissions in this proceeding in the

- English language
- French language
- English language and French language (bilingual)

**3 The respondent's address for service is** [Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Address for Service:  
Fax (optional)    E-mail (optional)

Date: .....

.....

Signature of

filing party  lawyer for filing party(ies)

.....[type or print name].....

**Note to Claimant AND Respondent:** you must file **financial information** (Form F8) if any of the following apply:

- there is a claim against you for spousal support or you are claiming spousal support;
- there is a claim by either party for the division of property and/or debts under Part 5 or 6 of the *Family Law Act*;
- there is a claim against you for the support of a child, OR
- you are claiming child support **unless all** of the following conditions apply:
  - (a) you are making no claim for any other kind of support;
  - (b) the child support is for children who are not stepchildren;
  - (c) none of the children for whom child support is claimed is 19 years of age or older;
  - (d) the income of the person being asked to pay child support is under \$150 000 per year;
  - (e) you are not applying for special expenses under section 7 of the child support guidelines;
  - (f) you are not applying for an order under section 8 of the child support guidelines;
  - (g) you are not applying for an order under section 9 of the child support guidelines;
  - (h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.

If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount.

**Notice to Respondent:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French).

Rule 1-1(1) of the Supreme Court Family Rules defines "*Divorce Act* proceeding" as follows:

**"*Divorce Act* proceeding"** means a family law case in which an order is sought under the *Divorce Act*.

You may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file this counterclaim (Form F5) in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

FORM F5 (RULE 4-4 (2))

**SCHEDULE 1 - DIVORCE**

**1 Personal information**

|  | Claimant  | Respondent  |
|--|---|---|
| Birthdate: <i>[date]</i>   |   |   |
| Habitually resident in British Columbia since: <i>[date]</i>         |   |   |
| Surname at birth:  |   |   |
| Surname immediately before marriage:                                 |   |   |
| Marital status immediately before marriage:                          | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed | <input type="checkbox"/> never married<br><input type="checkbox"/> divorced<br><input type="checkbox"/> widowed |
| Place of marriage: <i>[city or town; province or state; country]</i> |   |   |

**2 Grounds for the respondent's claim for divorce**

The respondent asks for an order for divorce on these grounds:  
*[If divorce is claimed as a result of having lived separate and apart, complete paragraph (i).]*

(i)  The respondent and the respondent's spouse have lived separate and apart since .....*[date]*.....

**AND**

*[Check whichever one of the following boxes is correct and complete any required information.]*

the respondent and the respondent's spouse have not lived together since then

the respondent and the respondent's spouse have lived together again during the following period(s), in an unsuccessful attempt to reconcile: .....*[give dates of period(s)]*.....

*[If divorce is claimed on grounds other than having lived separate and apart, complete paragraph (ii) by checking both of the following boxes and completing the required information.]*

(ii)  Other grounds, under section 8 (2) (b) of the *Divorce Act* (Canada):

Adultery (the respondent has committed adultery)

Cruelty (the respondent has treated the applicant with physical or mental cruelty of such a kind as to make continued cohabitation intolerable)

**AND**



The respondent has not condoned any act relied on under section 8 (2) (b) of the *Divorce Act* (Canada) as a ground for divorce.

**3 The respondent confirms that:** *[The respondent seeking an order for divorce must check both of the following boxes.]*

There is no possibility of reconciliation.  
 I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court to obtain a divorce.

**4 Proof of marriage** *[Check whichever one of the following boxes is correct and complete any required information.]*

A certificate of marriage or of registration of marriage has been filed  
 A certificate of marriage or of registration of marriage is not being filed with this counterclaim because .....*[state the reasons]*....., and the certificate will be filed before this claim is set down for trial or an application is made for an order of divorce  
 It is impossible to obtain a certificate of marriage or of registration of marriage because .....*[state the reasons]*.....

**5 Children** *[Check whichever one of the following boxes is correct and complete any required information.]*

There are no children of the marriage as defined by the *Divorce Act* (Canada)  
 The children of the marriage are:  
Full name:                      Birthdate: *[date]*    Resides with:

---

*The following certificate must be completed by each party to a divorce claim.*

---

**PARTY'S CERTIFICATE (*DIVORCE ACT* (CANADA), s. 7.6)**

- By checking this box, I, .....*[name of party]*....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:
- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
  - 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

---

*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

---

**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

- [ ] By checking this box, I, ....., legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:
- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;
  - (b) to inform the person of the family justice services known to the legal adviser that might assist the person
    - (i) in resolving the matters that may be the subject of an order under this Act, and
    - (ii) in complying with any order or decision made under this Act; and
  - (c) to inform the person of the parties' duties under this Act.

FORM F5 (RULE 4-4 (2))

**SCHEDULE 2 - CHILDREN**

**1 Identification of child(ren)**

The respondent is asking for an order in respect of the following child or children:

| Child's full legal name | Child's birthdate [date] | Child's relationship to the claimant | Child's relationship to the respondent | Child habitually resident in BC since [date] | Child now living with |
|-------------------------|--------------------------|--------------------------------------|--|--|-----------------------|
|                         |                          |                                      |  |  |                       |
|                         |                          |                                      |  |  |                       |
|                         |                          |                                      |  |  |                       |
|                         |                          |                                      |  |  |                       |
|                         |                          |                                      |  |  |                       |

**2 Orders sought**

The respondent is asking for the following order(s): [Check the correct box(es) and complete the required information.]

an order respecting arrangements for parenting [Complete sections 3 and 4 below.]

an order for child support [Complete sections 5 to 7 below.]

**3 Current arrangements for parenting**

Current arrangements for parenting are:

**4 Proposed arrangements for parenting**

The respondent proposes the following arrangements for parenting: .....[set out terms of proposed order sought in relation to arrangements for parenting, including custody, guardianship, parenting arrangements or contact with a child].....

The respondent is asking for this order under [Check one or both of the following boxes, as applicable.]

the Divorce Act (Canada)  the Family Law Act

**5 Current child support arrangements**

Current child support arrangements are:

**6 Income of person being asked to pay child support** *[Check whichever one of the following boxes is correct and complete any required information.]*

The respondent does not know the income of the person being asked to pay child support

The respondent believes that the income of the person being asked to pay child support is \$....., based on these facts:

.....  
.....

**7 Proposed child support arrangements** *[Check the correct box(es) and complete the required information.]*

The respondent is asking for:

support in the amount set out in the child support guidelines table, commencing on.....[*date*]....., for the following child(ren): .....[*name(s) and date(s) of birth of child(ren)*].....

special or extraordinary expenses in accordance with section 7 of the child support guidelines, commencing on.....[*date*]....., for the following child(ren): .....[*name(s) and date(s) of birth of child(ren)*].....

an order for support in an amount different than the amount set out in the child support guidelines table, commencing on.....[*date*]....., for the following child(ren): .....[*name(s) and date(s) of birth of child(ren)*].....

The respondent is asking for an order for child support under *[Check one or both of the following boxes, as applicable.]*

the *Divorce Act* (Canada)  the *Family Law Act*

FORM F5 (RULE 4-4 (2) )

**SCHEDULE 3 – SPOUSAL SUPPORT**

**1 Current arrangements for spousal support**

The current arrangements for spousal support are:

**2 Proposed spousal support arrangements [Check the correct box(es) and complete the required information.]**

The respondent is asking for an order for spousal support as follows: .....[set out terms of proposed order sought in relation to spousal support].....  
 The respondent is asking for an order for spousal support under [Check one or both of the following boxes, as applicable.]  
 the *Divorce Act* (Canada)     the *Family Law Act*

**3 Income of claimant and respondent**

The respondent's gross annual income is \$.....,  
[Check whichever one of the following boxes is correct and complete any required information.]  
 The respondent does not know what the claimant's income is  
 The respondent believes that the claimant's gross annual income is \$....., based on these facts:  
.....  
.....

**Note to Claimant AND Respondent:** you must file **financial information** (Form F8) if there is a claim by you or against you for spousal support.  
If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that amount.

**SCHEDULE 4 - PROPERTY**

**1 The respondent's claims**

**A. Property and debt claims under the *Family Law Act***

*[Check whichever one of the following boxes is correct and complete any required information in relation to family property and family debt, as those terms are defined in the Family Law Act.]*

The respondent is asking for an order for:

equal division of family property and family debt

unequal division of family property and family debt, as follows and on the following grounds: .....*[set out details of proposed unequal division and the grounds on which it is made]*.....

Identify any relevant debt to the extent that it is known at this time:

.....

The address and legal description of any real property (land and buildings) in which the claimant claims an interest as a family property is:

.....

The respondent pleads the following property as excluded from family property under section 85 of the *Family Law Act* (explain the basis for the exclusion):

.....

**B. Other property claims**

*[Check the correct box(es) and complete the required information.]*

The respondent claims:

occupancy rent / occupational rent

an interest in the following property: .....*[specify every interest claimed in property and if an interest is claimed in real property, provide the address and legal description of that real property]*  
.....

an order for compensation instead of an interest in the property described as  
.....*[identify every property for which compensation is claimed and if compensation is claimed for real property, provide the address and legal description of that real property]* .....  
on the following grounds:.....*[set out the grounds on which any claim under this paragraph for interest or compensation is based]*.....

**2 Certificate of Pending Litigation**

The respondent is applying for a Certificate of Pending Litigation to be registered against the following real property (land or building): .....*[provide the legal description of every real property against which a Certificate of Pending Litigation is to be registered]*.....

---

FORM F5 (RULE 4-4 (2) )

**SCHEDULE 5 – OTHER ORDERS**

The respondent is asking for the following orders:

[*Check the correct box(es) and complete the required information.*]

[ ] an order under the *Name Act* that the respondent's name be changed from .....[*current full legal name*]..... to .....[*full new name*].....

[ ] the following additional orders under the *Family Law Act* [*Using numbered paragraphs, set out any orders sought under the Family Law Act that are not referred to in Schedules 1 to 4 and the sections of that Act under which those orders are sought.*]

1

2

[ ] other orders [*Using numbered paragraphs, set out terms of other proposed orders and the authority under which those orders are sought.*]

1

2

FORM F6 (RULE 4-4 (5) )

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**RESPONSE TO COUNTERCLAIM**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**Filed by:** .....[party(ies)].....

**1 Response to information in counterclaim**

My position regarding the information set out in the counterclaim is as follows: *[Check the correct box(es) and complete the required information.]*

Schedule 1:

The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the counterclaim is correct.

The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the counterclaim is not correct in the following respects: .....*[identify the information you say is not correct and set out the information you say is correct]*.....

Schedule 2:

The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the counterclaim is correct.

The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the counterclaim is not correct in the following respects: .....*[identify the information you say is not correct and set out the information you say is correct]*.....

Schedule 3:

The information set out in sections 1 and 3 of Schedule 3 to the counterclaim is correct.

The information set out in sections 1 and 3 of Schedule 3 to the counterclaim is not correct in the following respects: .....*[identify the information you say is not correct and set out the information you say is correct]*.....



**2 Response to claims in counterclaim:**

**This is my response to claims made against me in the Schedules to the counterclaim:**

*[For each of the claims identified below that are made in the counterclaim, indicate whether you agree or disagree with that claim by checking the correct box opposite that claim.]*

|  |  |
|--|--|
| Claim for divorce (Schedule 1, section 2)  | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Parenting arrangements (Schedule 2, section 4)   | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Child support (Schedule 2, section 7)  | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Spousal support (Schedule 3, section 2)  | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Division of family property and family debt (Schedule 4, section 1)  | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Other property claim(s) (Schedule 4, section 1)  | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| Other orders (Schedule 5) <i>[identify each claim made in Schedule 5 of the counterclaim and indicate whether you agree or disagree with that claim by checking the correct box opposite that claim]</i> |  |
| <input type="checkbox"/> [claim]   | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |
| <input type="checkbox"/> [claim]   | <input type="checkbox"/> Agree <input type="checkbox"/> Disagree |

**2.1 Official language choice for *Divorce Act* proceedings (see Notice to Claimant below)** *[Check whichever one of the following boxes is correct.]*

The claimant intends to file documents, give evidence or make submissions in this proceeding in the

- English language
- French language
- English language and French language (bilingual)

**3 My address for service is** *[Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]*

Address for Service:  
Fax (optional)                      E-mail (optional)

Date: .....

.....  
Signature of  
 filing party  lawyer for filing party(ies)  
.....*[type or print name]*.....

**Note to Claimant AND Respondent:** You may be required to file **financial information** (Form F8) if there is a claim by you or against you for support of a child or spouse. See the note at the end of Schedules 1 and 2 of the counterclaim for details. If you do not file the financial information that is required, the court may attribute an amount of income to you and make a support award against you, based on that amount.

**Notice to Claimant:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French). See the note at the end of Forms F3 or F4 for details.

You may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file this response to counterclaim (Form F6) in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

---

*The following certificate must be completed by each party to a divorce claim.*

---

**PARTY'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.6)**

- [ ] By checking this box, I, .....[*name of party*]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:
- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.
- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

---

*The following certificate must be completed for each party to a divorce claim  
who is represented by a legal adviser.*

---

**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

[ ] By checking this box, I, ....., legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:

- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;
  - (b) to inform the person of the family justice services known to the legal adviser that might assist the person
    - (i) in resolving the matters that may be the subject of an order under this Act, and
    - (ii) in complying with any order or decision made under this Act; and
  - (c) to inform the person of the parties' duties under this Act.

FORM F30 (RULES 10-4 (2) AND (7) AND 20-7 (7) )

This is the .....[1st/2nd/3rd/etc.]..... affidavit  
of .....[name]..... in this case  
and was made on .....[date].....

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**AFFIDAVIT**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

I, .....[name]....., of .....[address]....., .....[occupation]....., SWEAR (OR AFFIRM)  
THAT:

- 1
- 2
- 3

*[The following paragraphs must be included if the affidavit was sworn or affirmed by video conference:*

*[#] "I acknowledge the solemnity of making a sworn statement/solemn declaration and acknowledge the consequences of making an untrue statement." and*

*[##] "I was not physically present before the person before whom this affidavit was sworn or affirmed but was in that person's presence using video conferencing."]*

SWORN (OR AFFIRMED) BEFORE ME )

at .....[commissioner's city/town]....., )

British Columbia on .....[date]..... ) .....

)

..... )

A commissioner for taking )

affidavits for British Columbia )

....[print name or affix stamp of commissioner]....

[The following endorsement must be completed if required under Rules 10-4 (7) and 20-7 (7) of the Supreme Court Family Rules.]

ENDORSEMENT OF INTERPRETER

[if applicable]

I, .....[name]....., of .....[address]....., .....[occupation]..... certify that:

- 1 I have a knowledge of the English or French and ..... languages and I am competent to interpret from one to the other.
- 2 I am advised by the person swearing or affirming the affidavit and believe that the person swearing or affirming the affidavit understands the ..... language.
- 3 Before the affidavit on which this endorsement appears was made by the person swearing or affirming the affidavit I correctly interpreted it for the person swearing or affirming the affidavit from the English or French language into the ..... language and the person swearing or affirming the affidavit appeared to fully understand the contents.

Date: .....

.....

Signature of interpreter

FORM F73 (RULE 17-1 (2) )

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Petitioner:

Respondent:

**PETITION TO THE COURT**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

ON NOTICE TO:

.....*[name and address of each person to be served]*.....

The address of the registry is:

The petitioner(s) estimate(s) that the hearing of the petition will take .....*[time estimate]*..... .

**Official language choice for *Divorce Act* proceedings (see Notice to Petitioner and Petition Respondent below)**

*[If the petition is seeking orders under the Divorce Act, check whichever one of the following boxes is correct.]*

|   |
|---|
| <p>The petitioner(s) intend(s) to file documents, give evidence or make submissions in this proceeding in the</p> <p><input type="checkbox"/> English language</p> <p><input type="checkbox"/> French language</p> <p><input type="checkbox"/> English language and French language (bilingual)</p> |
|---|

This family law case is brought, for the relief set out in Part 1 below, by

*[Check whichever one of the following boxes is correct and complete any required information.]*

- the person(s) named as petitioner(s) in the style of proceedings above
- .....*[name(s)]*..... (the petitioner(s) )

If you intend to respond to this petition, you or your lawyer must

- (a) file a response to petition in Form F74 of the Supreme Court Family Rules in the above-named registry of this court within the time for response to petition described below, and
- (b) serve on the petitioner(s)
  - (i) 2 copies of the filed response to petition, and
  - (ii) 2 copies of each filed affidavit on which you intend to rely at the hearing.

**Orders, including orders granting the relief claimed, may be made against you, without any further notice to you, if you fail to file the response to petition within the time for response.**

### Time for response to petition

A response to petition must be filed and served on the petitioner(s),

- (a) if you were served with the petition anywhere in Canada, within 21 days after that service,
- (b) if you were served with the petition anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the petition anywhere else, within 49 days after that service, or
- (d) if the time for response has been set by order of the court, within that time.

|     |   |
|-----|---|
| (1) | The ADDRESS FOR SERVICE of the petitioner(s) is: .....[Set out the street address of the address for service for each petitioner. One or both of a fax number and an e-mail address may be given as additional addresses for service.].....<br><br>Fax number address for service (if any) of the petitioner(s):<br>E-mail address for service (if any) of the petitioner(s): |
| (2) | The name and office address of the petitioner's(s') lawyer is:  |

**Notice to Petitioner AND Petition Respondent:** under **section 23.2 of the *Divorce Act***, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any ***Divorce Act*** proceeding in either of the two official languages of Canada (English or French).

Rule 1-1(1) of the Supreme Court Family Rules defines "*Divorce Act* proceeding" as follows:

**"*Divorce Act* proceeding"** means a family law case in which an order is sought under the *Divorce Act*.

**Note to Petition Respondent:** if you intend to file a response to petition (Form F74) in the official language other than the one used in this petition to the court (Form F73) served on you, you may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file the response to petition in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

### CLAIM OF THE PETITIONER(S)

#### Part 1: ORDER(S) SOUGHT

[Using numbered paragraphs, set out the order(s) that will be sought at the hearing of the petition and indicate against which respondent(s) the order(s) is(are) sought.]

1

2





---

*The following certificate must be completed by each party to a divorce claim.*

---

**PARTY'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.6)**

- [ ] By checking this box, I, .....[*name of party*]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:
- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.
- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

---

*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

---

**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

- [ ] By checking this box, I, ..... legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:
- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;

- (b) to inform the person of the family justice services known to the legal adviser that might assist the person
  - (i) in resolving the matters that may be the subject of an order under this Act, and
  - (ii) in complying with any order or decision made under this Act; and
- (c) to inform the person of the parties' duties under this Act.

FORM F74 (RULE 17-1 (5) )

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Petitioner:

Respondent:

**RESPONSE TO PETITION**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**Filed by:** .....[party(ies)]..... (the "petition respondent(s)")

THIS IS A RESPONSE TO the petition filed .....[date]..... .

The petition respondent(s) estimate(s) that the application will take .....[time estimate]..... .

**Official language choice for *Divorce Act* proceedings (see Notice to Petition Respondent below):**

*[If the petition is seeking orders under the Divorce Act, check whichever one of the following boxes is correct.]*

|  |
|--|
| <p>The petition respondent(s) intend(s) to file documents, give evidence or make submissions in this proceeding in the</p> <p><input type="checkbox"/> English language</p> <p><input type="checkbox"/> French language</p> <p><input type="checkbox"/> English language and French language (bilingual)</p> |
|--|

**Part 1: ORDERS CONSENTED TO**

The petition respondent(s) consent(s) to the granting of the orders set out in the following paragraphs of Part 1 of the petition: .....[set out paragraph numbers]..... .

**Part 2: ORDERS OPPOSED**

The petition respondent(s) oppose(s) the granting of the orders set out in paragraphs .....[list paragraph numbers]..... of Part 1 of the petition.

**Part 3: ORDERS ON WHICH NO POSITION IS TAKEN**

The petition respondent(s) take(s) no position on the granting of the orders set out in paragraphs .....[list paragraph numbers]..... of Part 1 of the petition.

**Part 4: FACTUAL BASIS**

*[Using numbered paragraphs, set out a brief summary of the material facts on which the orders sought in the petition should not be granted.]*

1

2

**Part 5: LEGAL BASIS**

[Using paragraphs numbered sequentially from Part 4 above, specify any rule or other enactment relied on and provide a brief summary of any other legal bases on which the petition respondent(s) intend(s) to rely in opposing the orders sought in the petition. In addition, a written argument may be provided to the court in opposition to the petition.]

- 3
- 4

**Part 6: MATERIAL TO BE RELIED ON**

[Using numbered paragraphs, list the affidavits served with this response to petition and any other affidavits and other documents already in the court file on which the petition respondent(s) will rely. Each affidavit included on the list must be identified as follows: "Affidavit #.....[sequential number, if any, recorded in the top right hand corner of the affidavit]..... of .....[name]....., made ..... [date].....".]

- 1
- 2

Date: .....  
Signature of [ ] petition respondent  
[ ] lawyer for petition respondent(s)  
.....[type or print name].....

Petition respondent's(s) address for service: [Set out the street address of the address for service. One or both of a fax number and an e-mail address may be given as additional addresses for service.]

Fax number address for service (if any):

E-mail address for service (if any):

Name of the petition respondent's(s) lawyer, if any:

**Notice to Petition Respondent:** under **section 23.2 of the Divorce Act**, you may choose to file pleadings or other documents, including this form, give evidence or make submissions in any **Divorce Act** proceeding in either of the two official languages of Canada (English or French).  
Rule 1-1(1) of the Supreme Court Family Rules defines "Divorce Act proceeding" as follows:  
**"Divorce Act proceeding"** means a family law case in which an order is sought under the *Divorce Act*.  
You may file a Notice of Extension – Official Languages in Form F86.2 and receive an additional 10 days to file this response to petition (Form F74) in accordance with Rule 20-7 (8) of the Supreme Court Family Rules.

---

*The following certificate must be completed by each party to a divorce claim.*

---

**PARTY'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.6)**

- [ ] By checking this box, I, .....[*name of party*]....., certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:
- 7.1** A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.
- 7.2** A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.
- 7.3** To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.
- 7.4** A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.
- 7.5** For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

---

*The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.*

---

**LEGAL ADVISER'S CERTIFICATE (*DIVORCE ACT (CANADA)*, s. 7.7 (3))**

- [ ] By checking this box, I, ..... legal adviser for .....[*name of party*]....., certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:
- 7.7** (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse's behalf in a divorce proceeding
- (a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and
  - (b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.
- (2) It is also the duty of every legal adviser who undertakes to act on a person's behalf in any proceeding under this Act
- (a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;

- (b) to inform the person of the family justice services known to the legal adviser that might assist the person
  - (i) in resolving the matters that may be the subject of an order under this Act, and
  - (ii) in complying with any order or decision made under this Act; and
- (c) to inform the person of the parties' duties under this Act.

Form F86.1 (Rule 20-7)

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**LANGUAGE CHANGE AND CONFIRMATION — OFFICIAL LANGUAGES**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**Filed by:** .....[party].....

Having made no previous choice, the ....[party]... is choosing to file documents, give evidence, or make submissions in the *[choose one of the following]:*

- English language
- French language
- English language and French language (bilingual).

OR

....[Party]..... is changing their choice to file documents, give evidence, or make submissions in the English language, the French language or both official languages in these proceedings that was made in the following document filed on .....[date].....

- Notice of joint family claim
- Notice of family claim
- Response to family claim
- Counterclaim
- Response to counterclaim
- Petition to the court
- Response to petition.

...[Party]... is now choosing to file documents, give evidence, or make submissions in the *[choose one of the following]:*

- English language
- French language
- English language and French language (bilingual)

OR

[ ] ...[Party]... confirms that for the ... [conference/hearing/trial]..... scheduled for .....[date]....., they will give evidence or make submissions in the .....[indicate official language]... language and if .....[name of other party]..... intends to proceed in the ... [other official language]..... language, ....[party]... will need [select one]:

[ ] consecutive interpretation services.

Or

[ ] simultaneous interpretation services.

**Notice to the Party:** As a party to a divorce case, you can request interpretation services to understand what is said in the other official language at the court hearing. You may choose between consecutive interpretation or simultaneous interpretation. If no selection is made, **consecutive interpretation** will be made available.

**Consecutive interpretation** means that the interpreter will translate after the person speaking is done a part of what they have to say. The person and the interpreter take turns speaking. This type of interpretation may allow parties, witnesses and legal advisors to better ensure the accuracy of the interpretation because they hear both what the person and the interpreter are saying. But, it does take more time than simultaneous interpretation.

**Simultaneous interpretation** means that the interpreter will translate what is being said at the same time as you are speaking. This type of interpretation is quicker but may be less accurate than consecutive interpretation because the interpreter is speaking at the same time as the person being interpreted.

For more information, please visit the Department of Justice website: <https://www.justice.gc.ca/eng/fl-df/language-linguistiques.html>

Date .....

.....

Signature of

[ ] filing person [ ] lawyer for filing person

.....[type or print name].....



Form F86.2 (Rule 20-7 (8) )

Court File No.: .....

Court Registry: .....

*In the Supreme Court of British Columbia*

Claimant:

Respondent:

**NOTICE OF EXTENSION – OFFICIAL LANGUAGES**

*[Rule 21-1 of the Supreme Court Family Rules applies to all forms.]*

**Filed by:** .....[party].....

Required:

[.....Party.....] was served with the following document in the [...English/French...] language and intends to file and serve response documents in the other official language and requires the extension of time by 10 days [*If the applicable period refers to business days, use "by 10 business days"*] allowed by Rule 20-7 (8) to ensure sufficient time for translation activities:

- Notice of family claim/Amended notice of family claim
- Counterclaim/Amended counterclaim
- Petition to the court
- Notice of application
- Case plan proposal
- Other document [*State document name*]: .....

Date .....

.....

Signature of

filing party  lawyer for filing party

.....[type or print name].....