

APPLICATION TO OBTAIN AN ORDER

Court File Number: _____

Court Location: **Vancouver**

F.M.E.P. No.:

In the Provincial Court of British Columbia

In the case between:

JOHN JAMES DOE

and:

JANE JANICE DOE

FILED BY:

Name:

John James Doe

Date of Birth:

1 January 1970

APPLICANT

Address for service:

123 King Street, Vancouver, British Columbia, V1A 2B3

Phone: **604-123-4567**

Fax:

Email: **jjdoe@gmail.com**

NOTICE TO:

Name:

Jane Janice Doe

Date of Birth:

1 January 1970

RESPONDENT

Address for service

123 Queen Street, Vancouver, British Columbia, V1A 2B3

Phone: **604-123-4567**

Fax: **604-123-4567**

Email:

IMPORTANT NOTES TO RESPONDENT

If this application contains a claim for support, you are required to file financial information with your Reply. If you do not, the court may attribute income to you and set the amount of support to be paid. The applicant has estimated your gross annual income as set out in item 3 below.

If you fail to file a Reply within 30 days after being served with this application, you will not receive notice of any part of the proceeding and the court may make an order against you.

**THIS DOCUMENT IS A SAMPLE DOCUMENT AND IS INTENDED ONLY AS A GENERAL GUIDE.
IT MAY NOT CONTAIN INFORMATION RELEVANT TO YOUR SITUATION.
IT SHOULD NOT BE USED AS A PRECEDENT FOR DRAFTING YOUR OWN DOCUMENT.**

I am applying for:

- guardianship
- allocation of parental responsibilities
- parenting time
- contact with a child
- child support
- spousal support
- a protection order
- other order: *an order that the respondent not remove the children from British Columbia without my written consent*

1 — Orders and Agreements

Are there any court orders or written agreements between the parties concerning separation, guardianship, parenting arrangements, contact with a child or support?

- No order
- No written agreements
- I am attaching copies of all other orders
- I am attaching copies of all other written agreements

2 — Children

Name(s) of child(ren)	Birthdate(s)
Jennifer Jean Doe	1 January 2000
Jeffrey Jonas Doe	1 January 2002

My relationship to the child(ren) is: *biological father*.

The respondent's relationship to the child(ren) is: *birth mother*.

The present arrangements for guardianship, parenting arrangements or contact with a child are:
The children live with each of us about half the time. We usually swap the children on Mondays after school, but we each take them at other times when the other parent is busy.

I am asking for guardianship, parenting arrangements or contact with a child as follows (*complete if you are asking for guardianship, parenting arrangements or contact with a child*):
We should share the children's parenting time equally and we should each have all parental responsibilities and be required to consult with each other when making important decisions with respect to the child.

3 — Support (*complete if you are asking for child or spousal support*)

The current support arrangements are: *none*.

I believe that the respondent's gross annual income is \$65,000 because she is the manager of a cell phone store, and I prepared her 2012 income tax return.

I am asking for (*complete only if you are asking for child support*):

- support in the amount set out in the Child Support Guidelines for 2 children
- special or extraordinary expenses, as follows: *we should each contribute toward the children's expenses in proportion to our incomes.*

I am asking for (*complete only if you are asking for retroactive child support or retroactive spousal support*):

- child support retroactive to _____ because:
- spousal support retroactive to _____ because:

INFORMATION FOR APPLICANT AND RESPONDENT

You must complete a Financial Statement in Form 4, following the instructions on that form, if:

- there is a claim for spousal or parental maintenance,

OR

- there is a claim for child maintenance and one or more of the following applies:
 - you are the person being asked to pay;
 - the claim is for an amount other than the amount set out in the tables of the Child Support Guidelines, including a claim under s. 8, 9 or 10 of the Child Support Guidelines;
 - there is a claim under s. 7 of the Child Support Guidelines;
 - one or more of the children for whom support is claimed is 19 years of age or older;
 - the person who is being asked to pay is a stepparent, or a guardian who is not a parent, of one or more of the children for whom support is claimed.

You may also provide this financial information before receiving the respondent's Reply, in order to avoid delay, if you believe that the income of a respondent from whom child support is claimed is over \$150,000 per year or that the respondent will claim undue hardship, special or extraordinary expenses or make a counterclaim for support.

4 — Protection Orders (*complete if you are asking for a protection order*)

I am asking for a protection order in the following terms:

Date: 1 January 2013

John Doe

JOHN JAMES DOE

The Applicant

Name of applicant's lawyer: