

Court File No.: _____
Court Registry: **Vancouver**

In the Supreme Court of British Columbia

Claimant:

JOHN JAMES DOE

Respondent:

JANE JANICE DOE

NOTICE OF FAMILY CLAIM

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

The claimant, John James Doe , is the married spouse of the respondent.
The respondent, Jane Janice Doe , is the married spouse of the claimant.

2. Spousal relationship history

The claimant **John James Doe** and the respondent **Jane Janice Doe**

- began to live together in a marriage-like relationship on **1 January 1995**
- were married on **1 April 1996**
- separated on **1 January 2012**
- were divorced from each other by an order made on _____

3. Prior court proceedings and agreements

- 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 _____
 - a court order dated _____
 - a prior court proceeding, file no. _____, _____ registry.

4. The claimant's claims

The claimant is asking for the following:

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

5. Place of trial will be:

Vancouver

6. The address of the registry is:

Law Courts
800 Smithe Street
Vancouver, British Columbia, V6Z 2E1

7. The claimant's address for service is:

Address for service: 123 King Street
Vancouver, British Columbia, V1A 2B3

Fax: none

Email: jjdoe@gmail.com

Date: 1 January 2013

John Doe

JOHN JAMES DOE
The Claimant

Court File No.: _____
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In the Supreme Court of British Columbia

Claimant:

JOHN JAMES DOE

Respondent:

JANE JANICE DOE

SCHEDULE 1: DIVORCE

THIS IS SCHEDULE 1 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

1. Personal information

	Claimant	Respondent
Birthdate:	1 January 1975	1 January 1975
Ordinarily resident in British Columbia since:	Birth	1990
Surname at birth:	Doe	Smith
Surname immediately before marriage:	Doe	Brown
Marital status immediately before marriage:	<input checked="" type="checkbox"/> never married <input type="checkbox"/> divorced <input type="checkbox"/> widowed	<input type="checkbox"/> never married <input checked="" type="checkbox"/> divorced <input type="checkbox"/> widowed
Place of marriage:	Niagara Falls, Ontario, Canada	
Date of marriage:	1 April 1996	

**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.**

2. Ground for the claimant's claim for divorce

The claimant is asking for a divorce on these grounds:

- The parties have **lived separate and apart** since **1 January 2012** AND
- The parties have not lived together since then.
- The parties have lived together again during the following period(s) in an unsuccessful attempt to reconcile: _____
- OR
- Other grounds**, under s. 8(2)(b) of the *Divorce Act* (Canada) _____, AND
- The claimant has not condoned any act relied upon under s. 8(2)(b) of the *Divorce Act* (Canada) as a ground for divorce.

3. The claimant confirms that:

- There is no possibility of reconciliation.
- There has been no collusion, as defined in s. 11(4) of the *Divorce Act* (Canada), in relation to this claim for divorce.

4. Proof of marriage

- 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 _____, 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 _____.

5. Children

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

The children of the marriage are:

Full name:	Birthdate:	Resides with:
Jennifer Jean Doe	1 January 2000	Both parties
Jeffrey Jonas Doe	1 January 2002	Both parties

Date: 1 January 2013

John Doe

 JOHN JAMES DOE
 The Claimant

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Respondent:

JANE JANICE DOE

SCHEDULE 2: CHILDREN

THIS IS SCHEDULE 2 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

1. Identification of child(ren)

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

Child's name:	Child's birthdate:	Child's relationship to the claimant:	Child's relationship to the respondent:	Child habitually resident in BC since:	Child now living with:
Jennifer Jean Doe	1 Jan 2000	Natural child	Natural child	Birth	Both parties
Jeffrey Jonas Doe	1 Jan 2002	Natural child	Natural child	Birth	Both Parties

2. Orders sought

The claimant is asking for the following order(s):

- | |
|---|
| <input checked="" type="checkbox"/> an order respecting arrangements for parenting for a child or children. [Complete sections 3 and 4 below.]
<input checked="" type="checkbox"/> an order for child support. [Complete sections 5, 6 and 7 below.] |
|---|

3. Current arrangements for parenting

Current arrangements for parenting 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.

4. Proposed arrangements for parenting

The claimant proposes the following arrangements for parenting:

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.

The claimant is asking for this order under:

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

5. Current child support arrangements

The current child support arrangements are:

None.

6. Income of person being asked to pay child support

- 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 \$65,000 based on these facts:

The respondent is the manager of a cell phone store, and I prepared her 2012 income tax return.

7. Proposed child support arrangements

The claimant is asking for:

- support in the amount set out in the Child Support Guidelines table for the following child(ren): Jennifer Jean Doe and Jeffrey Jonas Doe.
- special or extraordinary expenses in accordance with s. 7 of the Child Support Guidelines for the following child(ren): Jennifer Jean Doe and Jeffrey Jonas Doe.

by consent, an order for support in an amount different than the amount set out in the Child Support Guidelines table for the following child(ren): _____

The claimant is asking for an order for child support under:

the *Divorce Act* (Canada)

the *Family Law Act*

Date: 1 January 2013

John Doe

JOHN JAMES DOE

The Claimant

Note to Claimant AND Respondent

You must file **financial information** (Form F8) if:

- there is a claim against you for the support of a child, OR
- you are claiming child

unless all of the following conditions apply:

- (a) you are making no claim for any other kind of support;
- (b) you are not applying for special expenses under s. 7 of the Child Support Guidelines;
- (c) the child support is for children who are not stepchildren;
- (d) none of the children for whom child support is claimed is 19 years of age or older;
- (e) there is no application for a shared custody order;
- (f) the income of the party being asked to pay child support is under \$150,000 per year;
- (g) there is no application for a split custody order; and,
- (h) you are not making a claim based on undue hardship under s. 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.

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JANE JANICE DOE

SCHEDULE 3: SPOUSAL SUPPORT

THIS IS SCHEDULE 3 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

1. Current arrangements for spousal support

The current spousal support arrangements are:

The respondent gives me extra help when I need it, but we have no formal arrangements set up.

2. Proposed spousal support arrangements

The claimant is asking for an order for spousal support as follows:

I am asking for spousal support at the low end of the Spousal Support Advisory Guidelines range, \$527 per month, until I am able to get back on my feet and have found a permanent, full-time job.

The claimant is asking for an order for spousal support under:

the *Divorce Act* (Canada)

the *Family Law Act*

3. Income of claimant and respondent

The claimant's gross annual income is \$15,000.

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

The claimant believes that the respondent spouse's gross annual income is \$65,000 based on these facts:

The respondent is the manager of a cell phone store, and I prepared her 2012 income tax return.

Date: 1 January 2013

John Doe

JOHN JAMES DOE
The Claimant

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.

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JANE JANICE DOE

SCHEDULE 4: PROPERTY AND DEBT

THIS IS SCHEDULE 4 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

1. The claimant's claims

A. Property and debt claims under 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:

The address and legal description of any real property in which the claimant claims an interest as family property are:

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

PID: 123-456-789

Lot 12, District Lot 34, Block 56, Plan 789, New Westminster Land District

B. Other property claims

The claimant claims:

- an interest in the following property:
 an order for compensation instead of an interest in the property described as _____
 on the following grounds:

2. Certificate of Pending Litigation

The claimant is applying for a Certificate of Pending Litigation to be registered against the following real property:

PID: 123-456-789

Lot 12, District Lot 34, Block 56, Plan 789, New Westminster Land District

Date: 1 January 2013

John Doe

JOHN JAMES DOE

The Claimant

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SCHEDULE 5: OTHER ORDERS

THIS IS SCHEDULE 5 TO THE CLAIMANT'S NOTICE OF FAMILY CLAIM.

The claimant is asking for the following orders:

an order under the *Name Act* that the claimant's name be changed from _____
 to _____

the following orders under the *Family Law Act*:

1. a declaration that the respondent and I are guardians of the children under s. 39;
2. an order that the respondent not remove the children from British Columbia without my written consent, under s. 64; and,
3. an order that the respondent be restrained from disposing or encumbering the family property and other property at issue under s. 91.

the following other orders:

4. an order that I have my costs of this proceeding.

Date: 1 January 2013

John Doe

 JOHN JAMES DOE
 The Claimant