

# Reply to an Application About a Family Law Matter

Registry location:	
Court File Number:	

with counter application

## FORM 6

Provincial Court Family Rules

Rule 28

### Information about the parties

1. The Application About a Family Law Matter was filed by *[full name of the other party]*. They are the other party in this case.

2. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

Lawyer (if applicable):		
Address:		
City:	Province:	Postal code:
Email:	Telephone:	

### Lawyer's statement

3. Complete this section only if you are a lawyer for the party. You may leave this section blank.

- I, *[full name of lawyer]*, the lawyer for *[full name of party]*, acknowledge that I have complied with the requirements of section 8 of the *Family Law Act*.

### Identification of child(ren)

4. Select only one of the options below

- The application does not ask for any order(s) about a child or children (*skip ahead to section 6*)
- The other party correctly provided the name and date of birth of each child involved in the application
- The following is the correct name and date of birth of each child involved in the application:

*If you have selected this option, please provide the name and date of birth of ALL the children*

Child's full name	Child's date of birth ( <i>mmm/dd/yyyy</i> )

5.  I understand that I must consider the child(ren)'s best interests with respect to each order I am asking the court to make about the child.

### About us

6. You may choose to complete this section or leave this section blank

I would like to share the following information with the court about the cultural, linguistic, religious and spiritual upbringing and heritage of my family, including, if the child is an Indigenous child, the child's Indigenous identity:

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**Existing written agreements or court orders**

7. There is an existing agreement or court order about parenting arrangements, child support, contact with a child, guardianship of a child and/or spousal support that was not provided by the other party with their application

Yes  No

*If yes, attach a copy of the order(s) to your reply*

8. There is an existing court order protecting one of the parties, the child(ren), or restraining contact between the parties, including a protection order, child protection or supervision order, peace bond, restraining order, bail condition or other criminal order that was not provided by the other party with their application

Yes  No

*If yes, attach a copy of the order(s) to your reply*

**Initial requirements**

9. I am filing my reply in:

an early resolution registry and I have met the following requirements:

*The requirements have been met if you completed or participated in, or if you were granted an exemption from completing or participating in, the following: Select all options that apply.*

needs assessment

parenting education program

consensual dispute resolution

a family justice registry and I understand I will be required to participate in a needs assessment and complete a parenting education program, unless exempt, before a family management conference can be scheduled

a parenting education program registry and I understand I will be required to complete a parenting education program, unless exempt, before a family management conference can be scheduled

none of the above

## Replying to the other party

### Agreement with order(s)

#### 10. I agree with the following order(s) applied for by the other party:

*Refer to the Application About a Family Law Matter schedules as referenced below to assist in completing this section.*

*Select all options that apply*

#### Parenting arrangements

Parenting arrangements – new *[see Schedule 1 of Application About a Family Law Matter]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[see Schedule 2 of Application About a Family Law Matter]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

#### Child support

- child support – new *[see Schedule 3 of Application About a Family Law Matter]*
- child support order/agreement – existing *[see Schedule 4 of Application About a Family Law Matter]*

#### Contact with a child

- contact with a child – new *[see Schedule 5 of Application About a Family Law Matter]*
- contact order/agreement – existing *[see Schedule 6 of Application About a Family Law Matter]*

#### Guardianship of a child

- appointing a guardian of a child *[see Schedule 7 of Application About a Family Law Matter]*
- cancelling guardianship of a child *[see Schedule 8 of Application About a Family Law Matter]*

#### Spousal support

- spousal support – new *[see Schedule 9 of Application About a Family Law Matter]*
- spousal support order/agreement – existing *[see Schedule 10 of Application About a Family Law Matter]*

## Disagreement with order(s)

### 11. I do not agree to all or part of the following order(s) applied for by the other party:

*Refer to the Application About a Family Law Matter schedules to assist in completing this section. Select all options that apply, complete and attach the required schedule(s).*

#### Parenting arrangements

Parenting arrangements – new *[complete and attach Schedule 1]*

- parental responsibilities
- parenting time
- conditions on parenting time

Parenting arrangements order/agreement – existing *[complete and attach Schedule 2]*

- change to parental responsibilities
- change to parenting time
- change to conditions on parenting time

#### Child support

- child support – new *[complete and attach Schedule 3]*
- child support order/agreement – existing *[complete and attach Schedule 4]*

#### Contact with a child

- contact with a child – new *[complete and attach Schedule 5]*
- contact order/agreement – existing *[complete and attach Schedule 6]*

#### Guardianship of a child

- appointing a guardian of a child *[complete and attach Schedule 7]*
- cancelling guardianship of a child *[complete and attach Schedule 8]*

#### Spousal support

- spousal support – new *[complete and attach Schedule 9]*
- spousal support order/agreement – existing *[complete and attach Schedule 10]*

### IMPORTANT NOTE:

**If this family law case includes an application about support, you must provide your financial information with your reply to the application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

### Making a counter application

Complete this section only if, in addition to replying to the other party's application, you want to apply for an order about a family law matter that the other party did not make an application about in section 6 of their Application About a Family Law Matter

#### 12. I am applying for a court order about the following family law matter(s):

Select all options that apply, complete and attach the required schedule(s)

##### Parenting arrangements

- parenting arrangements – new [complete and attach Schedule 11]  
including parental responsibilities and parenting time
- parenting arrangements order/agreement – existing [complete and attach Schedule 12]  
including parental responsibilities and parenting time

##### Child support

- child support – new [complete and attach Schedule 13]
- child support order/agreement – existing [complete and attach Schedule 14]

##### Contact with a child

- contact with a child – new [complete and attach Schedule 15]
- contact order/agreement – existing [complete and attach Schedule 16]

##### Guardianship of a child

- appointing a guardian of a child [complete and attach Schedule 17]
- cancelling guardianship of a child [complete and attach Schedule 18]

##### Spousal support

- spousal support – new [complete and attach Schedule 19]
- spousal support order/agreement – existing [complete and attach Schedule 20]

#### Identification of child(ren)

##### 13. Select only one of the options below and complete the required information

- My counter application does not ask for any order(s) about a child or children (skip section 14)
- My counter application is asking for an order(s) about the following child or children:

Child's full name	Child's date of birth (mmm/dd/yyyy)	My relationship to the child	Other party's relationship to the child	Child is currently living with

14.  I understand that I must consider the child(ren)'s best interests with respect to each order I am asking the court to make about the child.

#### Note to the other party:

If the reply includes a counter application, you may reply to the counter application by filing a Reply to a Counter Application in Form 8, and any additional documents that may be required to be filed, within 30 days after the date you receive the reply with counter application.

**SCHEDULE 1 – REPLY TO AN APPLICATION ABOUT PARENTING ARRANGEMENTS – NEW**

**This is Schedule 1 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new application by the other party about parenting arrangements for the child or children. The order they applied for about parenting arrangements can be found in Schedule 1 of their Application About a Family Law Matter.*

1. I do not agree to all or part of the following order(s) about parenting arrangements applied for by the other party:

*Select all options that apply and complete the required part(s)*

- parental responsibilities *(complete Part 1 of this Schedule)*
- parenting time schedule *(complete Part 2 of this Schedule)*
- conditions on parenting time *(complete Part 3 of this Schedule)*

**PART 1 – REPLY TO AN APPLICATION – PARENTAL RESPONSIBILITIES**

*Complete this part only if you are disagreeing with an order about parental responsibilities requested by the other party. You may leave this part blank.*

1. I do not agree with the requested allocation of parental responsibilities because:

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2. I am asking for the parental responsibilities to be exercised by the guardians as follows:

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3. I believe the parental responsibilities I am asking for are in the child(ren)'s best interests because:

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**PART 2 – REPLY TO AN APPLICATION – PARENTING TIME SCHEDULE**

*Complete this part only if you are disagreeing with an order about the parenting time schedule requested by the other party. You may leave this part blank.*

1. I do not agree with the requested parenting time schedule because:

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2. I am asking for the parenting time schedule to be as follows:

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3. I believe my requested parenting time schedule is in the child(ren)'s best interests because:

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**PART 3 – REPLY TO AN APPLICATION – CONDITIONS ON PARENTING TIME**

*Complete this part only if you are disagreeing with an order about the conditions on parenting time requested by the other party. You may leave this part blank.*

1. I do not agree with the requested conditions on my parenting time or the other guardian's parenting time because:

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2. I am asking for the conditions on my parenting time or the other guardian's parenting time to be as follows:

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3. I believe the conditions I have asked for on parenting time are in the child(ren)'s best interests because:

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**SCHEDULE 2 – REPLY TO AN APPLICATION ABOUT PARENTING ARRANGEMENTS – EXISTING**

**This is Schedule 2 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with an application by the other party to change or cancel an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, for the child or children. The order they applied for about parenting arrangements can be found in Schedule 2 of their Application About a Family Law Matter.*

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about parenting arrangements was made
- There has been no change in needs or circumstances since the final order about parenting arrangements was made
- I agree the agreement about parenting arrangements is not in the best interests of the child(ren)
- I believe the agreement about parenting arrangements is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about parenting arrangements to continue to be in place
- I am applying to change or replace the existing final order or agreement about parenting arrangements as follows:

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**Best interests of child**

4. I believe the order about parenting arrangements I am applying for is in the child(ren)'s best interests because:

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**SCHEDULE 3 – REPLY TO AN APPLICATION ABOUT CHILD SUPPORT – NEW**

**This is Schedule 3 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new application by the other party about child support. The order they applied for about child support can be found in Schedule 3 of their Application About a Family Law Matter.*

1. I am:

- a parent to the child(ren)
- a person standing in the place of a parent to the child(ren) *(for example, a step-parent)*
- not a parent of the child(ren)
  - I request a parentage test *(Select only if applicable)*
- not a person standing in the place of a parent to the child(ren)

2. I do not agree with the order about child support requested by the other party because:

*Select all options that apply and complete the required information*

- my income is not what the other party claims it is
- the other party's income is not what they claim it is

*Explain below*

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- I believe the special and extraordinary expenses are not what the other party claims they are

*Explain below*

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- the living arrangements for the child(ren) are not as described

*Describe the child(ren)'s living arrangements below*

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- the amount would cause me undue hardship because:

*Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts*

- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have unusually high expenses to exercise parenting time or contact with the child(ren)
- I have a legal duty to support another person, such as an ill or disabled person or a former spouse
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances *(specify):*

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- other reason *(specify):*

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**Financial statement**

3. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this reply
- I am not able to complete a Financial Statement at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed Financial Statement.

**Calculations**

4. *Select only one of the options below*

- I am attaching calculations showing how much I believe should be paid for child support according to the child support guidelines
- I am not attaching calculations because:

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**IMPORTANT NOTE:**

**This family law case includes an application about child support. You must provide your financial information with your reply to the application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party’s income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party’s expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

## SCHEDULE 4 – REPLY TO AN APPLICATION ABOUT CHILD SUPPORT – EXISTING

### This is Schedule 4 to the Reply to an Application About a Family Law Matter

*This schedule must be completed only if you are disagreeing with an application by the other party to change or cancel an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support. The order they applied for about child support can be found in Schedule 4 of their Application About a Family Law Matter.*

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about child support was made
- There has been no change in circumstances since the final order about child support was made
- I agree the agreement about child support should be set aside or replaced
- I believe the agreement about child support was made on consideration of section 150 of the *Family Law Act*

2. I do not agree with the requested order about the existing final order or agreement about child support because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about child support to continue to be in place
- I am applying to change or replace the existing final order or agreement about child support as follows:

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### Calculations

4. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

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### **Unpaid child support**

5. *Select only one of the options below*

- I agree that the amount of unpaid child support (arrears) in the application is correct
- The amount of unpaid child support (arrears) in the application is not correct. As of [mmm/dd/yyyy], the amount of unpaid child support (arrears) was \$

### **IMPORTANT NOTE:**

**This family law case includes an application to change an existing final order or agreement about child support. You must provide updated financial information with your reply to the application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 5 – REPLY TO AN APPLICATION ABOUT CONTACT WITH A CHILD – NEW**

**This is Schedule 5 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new application by the other party about contact with a child or children. The order they applied for about contact can be found in Schedule 5 of their Application About a Family Law Matter.*

1. I do not agree that the other party should have contact with the child(ren) as requested. Instead, I ask that the other party's contact with the child(ren) be as follows:

*Select all options that apply and complete the required information*

- no contact of any type  
 in person:

*Provide specific dates or events requested, or dates and times that would be most suitable*

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- telephone communication  
 video communication  
 written communication  
 other method of communication (*specify*):

*Complete only if applicable. You may leave this section blank.*

I am asking to have the following conditions placed on the contact with the child(ren):

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**Best interests of child**

2. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

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**SCHEDULE 6 – REPLY TO AN APPLICATION ABOUT CONTACT WITH A CHILD – EXISTING**

**This is Schedule 6 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with an application by the other party to change or cancel an existing final order about contact, or to set aside or replace an existing agreement about contact, with a child or children. The order they applied for about contact can be found in Schedule 6 of their Application About a Family Law Matter.*

1. *Select only one of the options below*

- I agree that needs or circumstances have changed since the final order about contact was made
- There has been no change in needs or circumstances since the final order about contact was made
- I agree the agreement is not in the best interests of the child(ren)
- I believe the agreement is in the best interests of the child(ren)

2. I do not agree with the requested order about the existing final order or agreement about contact with a child or children because:

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3. *Select only one of the options below*

- I am applying for the existing final order or agreement about contact with a child or children to continue to be in place
- I am applying to change or replace the existing final order or agreement about contact with a child or children as follows:

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**Best interests of child**

4. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

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**SCHEDULE 7 – REPLY TO AN APPLICATION ABOUT APPOINTING A GUARDIAN OF A CHILD OR CHILDREN**

**This is Schedule 7 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with an application by the other party to be appointed as a guardian of a child or children. The order they applied for about guardianship of a child can be found in Schedule 7 of their Application About a Family Law Matter.*

1. I do not believe it is in the best interests of the child(ren) for the other party to become a guardian of the child(ren) because:

*Select all options that apply and explain why*

the other party is not able to be a guardian because:

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the other party is not suitable to be a guardian because:

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other reason(s) (*specify*):

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**SCHEDULE 8 – REPLY TO AN APPLICATION ABOUT CANCELLING GUARDIANSHIP OF CHILD OR CHILDREN**

**This is Schedule 8 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with an application by the other party to cancel guardianship of a child or children. The order they applied for about cancelling guardianship can be found in Schedule 8 of their Application About a Family Law Matter.*

1. Do not cancel guardianship of the child(ren) as requested because:

*Select all options that apply and explain why*

the guardian is able and willing to be a guardian because:

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the guardian is suitable to be a guardian because:

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the guardian does not consent to cancellation of their guardianship because:

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other reason(s) (*specify*):

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**Best interests of child**

2. I believe it is not in the best interests of the child(ren) to cancel guardianship as requested by the other party because:

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**SCHEDULE 9 – REPLY TO AN APPLICATION ABOUT SPOUSAL SUPPORT – NEW**

**This is Schedule 9 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with a new application by the other party about spousal support. The order they applied for about spousal support can be found in Schedule 9 of their Application About a Family Law Matter.*

1. *Select only one of the options below*

- I am (or was) the other party's spouse
- I have never been the other party's spouse

2. I do not agree with the order about spousal support requested by the other party because:

*Select all options that apply and complete the required information*

- I do not believe the other party is entitled to spousal support

*Explain below*

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- my income is not what the other party claims it is
- my employment, training, health and ability to work is not what the other party claims it is

*Explain below*

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- the other party's financial situation is not what they claim it is

*Explain below*

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- I believe the other party's employment, training, health and ability to work is not what the other party claims it is

*Explain below*

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- the other party's expenses are not what they claim them to be

*Explain below*

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- other reason (*specify*):

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3. The order for spousal support that I believe should be made is as follows:

*Select all options that apply and complete the required information*

- in the amount of \$            per month to commence on [mmm/dd/yyyy] until [mmm/dd/yyyy]
- in a lump sum of \$
- other (*specify*):

**Calculations**

4. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

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**Financial statement**

5. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this reply
- I am not able to complete a Financial Statement at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement to file this reply with a completed Financial Statement.

**IMPORTANT NOTE:**

**This family law case includes an application about spousal support. You must provide your financial information with your reply to the application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 10 – REPLY TO AN APPLICATION ABOUT SPOUSAL SUPPORT – EXISTING**

**This is Schedule 10 to the Reply to an Application About a Family Law Matter**

*This schedule must be completed only if you are disagreeing with an application by the other party to change or cancel an existing final order about spousal support, or to set aside or replace all or part of an existing written agreement about spousal support. The order they applied for about spousal support can be found in Schedule 10 of their Application About a Family Law Matter.*

1. *Select only one of the options below*

- I agree that circumstances have changed since the final order about spousal support was made
- There has been no change in circumstances since the final order about spousal support was made
- I agree the circumstances were as described by the other party when the written agreement about spousal support was made
- I do not believe the circumstances as described by the other party existed when the written agreement about spousal support was made

**Unpaid spousal support**

2. *Select only one of the options below*

- I agree that the amount of unpaid spousal support (arrears) in the application is correct
- The amount of unpaid spousal support (arrears) in the application is not correct. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

**About the order**

3. I do not agree with the requested order about the existing final order or written agreement about spousal support because:

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4. *Select only one of the options below*

- I am applying for the existing final order or written agreement about spousal support to continue to be in place
- I am applying to change or replace the existing final order or written agreement about spousal support as follows:

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**Calculations**

5. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

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**Financial statement**

6. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this reply
- I am not able to complete a Financial Statement at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this reply be filed with a completed Financial Statement.

**IMPORTANT NOTE:**

**This family law case includes an application to change or replace a final order or written agreement about spousal support. You must provide updated financial information with your reply to the application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 11 – COUNTER APPLICATION PARENTING ARRANGEMENTS – NEW**

**This is Schedule 11 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are a guardian of a child making a new counter application about parenting arrangements for a child or children identified in section 13 of the reply with counter application.*

*Parenting arrangements include how each guardian of a child will parent their child(ren) together, including each guardian’s responsibilities for decision making about a child, and the time each guardian spends with a child.*

1. I am:

- a guardian of the child(ren)

*A child’s parents are most often the child’s guardians, but other people can be guardians too. A parent who has never lived with their child is a guardian if they have regularly taken care of the child, there is an agreement or court order that says they are a guardian of a child, or under a will if the other parent dies. A person who is not a parent can become a guardian of a child by a court order or under a will.*

- applying to be appointed as a guardian of the child(ren)

**Parental responsibilities**

*Parental responsibilities can be set up so that they can be exercised by one or more guardians only, or by each guardian acting separately, or by all guardians acting together.*

2. *Select all options that apply and complete the required information*

- I am applying for an order that gives me all parental responsibilities of the following child(ren):  
*List the name of each child you are requesting all parental responsibilities for*

- I am applying for an order for the parental responsibilities to be exercised by the guardians as follows:

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**Parenting time**

*During parenting time, a guardian has the parental responsibility of making day-to-day decisions affecting the child and having day-to-day care, control, and supervision of the child. Complete section 3 below only if you are applying for an order about parenting time. You may leave this section blank.*

3. I am applying for an order about the allocation of parenting time as follows:

*Select all options that apply and complete the required information. You may leave a section blank.*

- I am asking for the child(ren) to spend time with me as follows:

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I am willing to have the following conditions placed on my time with the child(ren):

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I am asking for the child(ren) to spend time with the other guardian(s) as follows:

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I am asking to have the following conditions placed on the other guardian's time with the child(ren):

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**Parenting arrangements**

4. *Complete only if there are additional order terms you want. You may leave this section blank.*

I am applying for the following other order term(s) about parenting arrangements:

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**Best interests of child**

5. I believe the order about parenting arrangements I am applying for, including parental responsibilities and parenting time, is in the child(ren)'s best interests because:

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**SCHEDULE 12 – COUNTER APPLICATION PARENTING ORDER/WRITTEN AGREEMENT – EXISTING**

**This is Schedule 12 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are making a counter application to change or cancel all or part of an existing final order about parenting arrangements, or to set aside or replace all or part of an agreement about parenting arrangements, of the child or children identified in section 13 of the reply with counter application.*

1. I am:

- a guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)

2.  I am attaching a copy of the existing final order or agreement about parenting arrangements made on [mmm/dd/yyyy]

**Existing final order**

3. *Complete only if you have an existing order. You may leave this section blank.*

I am applying for the existing final order to be:

- changed
- cancelled

Since the final order was made, needs or circumstances have changed as follows:

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**Existing agreement**

4. *Complete only if you have an existing agreement. You may leave this section blank.*

I am applying for all or part of the existing agreement to be:

- set aside
- replaced

I believe the agreement is not in the best interests of the child(ren) because:

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**About the order**

5. *Complete only if you are applying for changes to parental responsibilities. You may leave this section blank.*

I am applying for the parenting responsibilities (who makes certain decisions about the child(ren)) to be changed or replaced as follows:

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6. *Complete only if you are applying for changes to parenting time. You may leave this section blank.*

I am applying for the parenting time schedule to be changed or replaced as follows:

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7. *Complete only if you are applying for changes to conditions on parenting time. You may leave this section blank.*

I am applying for the conditions on my parenting time or the other guardian's parenting time to be changed or replaced as follows:

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8. *Complete only if you are applying for changes to other parenting arrangements. You may leave this section blank.*

I am applying for the other order term(s) about parenting arrangements to be changed or replaced as follows:

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**Best interests of child**

9. I believe the order I am applying for is in the child(ren)'s best interests because:

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**SCHEDULE 13 – COUNTER APPLICATION CHILD SUPPORT – NEW**

**This is Schedule 13 to the Reply to an Application About a Family Law Matter with Counter Application**

Complete this schedule only if you are making a new counter application for child support and/or special and extraordinary expenses for the child or children identified in section 13 of the reply with counter application.

1. I am:

- a parent or guardian of the child(ren)
- applying to be appointed as a guardian of the child(ren)
- other (*specify*):

2. The other party is:

- a parent or guardian of the child(ren)
- a person standing in the place of a parent to the child(ren) (*for example, a step-parent*)
- other (*specify*):

3. The child or children spend time with me and the other party as follows:

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4. The current support arrangements are as follows:

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5. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

6. I know the following facts about the other party's employment, training, health and ability to work:  
*If you do not have any information, please leave this section blank*

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**About the order**

7.  I am applying for an order for ongoing child support to be paid by [*name of paying party*] in the monthly amount set out in the child support guidelines table for the following child(ren) identified in section 13 of this reply with counter application:  
*List the name of each child you are applying for support for*

8. *Select only one of the options below*

- Each child I am applying for an order about child support for is under 19 years of age
- The following child(ren) is/are 19 years of age or older and need(s) child support because of illness, disability or because they are full-time students:

Full name of child	Reason for child support <i>Select the applicable option</i>
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student
	<input type="checkbox"/> illness <input type="checkbox"/> disability <input type="checkbox"/> student

**Start of payment(s)**

9. *Child support payments may start on a past (retroactive), present or future date or event, such as the date of separation, the date the application is made or the start date of a new job*

Child support payments should start on [mmm/dd/yyyy or event] because:

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**Calculations**

10. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

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**Undue hardship**

11. *Complete only if applicable. You may leave this section blank.*

- I am applying for an order to change the guideline amount payable because the guideline amount would cause me undue hardship for the following reason(s):  
*Note: If this option applies to your situation, you will need to complete the undue hardship portion of the Financial Statement, Part 4 and Part 5, in addition to any other required parts*
- I have an unusual or excessive amount of debt I incurred to support the family prior to separation or to earn a living
- I have unusually high expenses to exercise parenting time or contact with the child(ren)
- I have a legal duty to support another person, such as an ill or disabled person or a former spouse
- I have a legal duty to support a dependent child from another relationship
- other undue hardship circumstances (*specify*):

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**Special and extraordinary expenses**

12. *Select only one of the options below*

- I am not applying for an order for special and extraordinary expenses for the child(ren)
- I am applying for an order for special and extraordinary expenses under section 7 of the child support guidelines. The following special or extraordinary expenses (net of tax credits, subsidies, deductions, credits and contributions from the children) are included in my application for child support:

Name of Child:				
Special and Extraordinary Expenses	Annual Amount	Annual Amount	Annual Amount	Annual Amount
Child care expenses	\$	\$	\$	\$
Portion of medical/dental premiums attributable to child	\$	\$	\$	\$
Health related expenses that exceed insurance reimbursement by at least \$100	\$	\$	\$	\$
Extraordinary expenses for primary or secondary school	\$	\$	\$	\$
Post-secondary school expenses	\$	\$	\$	\$
Extraordinary extracurricular activities expenses	\$	\$	\$	\$
Total	\$	\$	\$	\$

**Financial statement**

13. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this counter application because the following applies to my situation:  
*Select all options that apply*
  - I am the payor
  - there is split or shared parenting time
  - there is a child 19 years old or over for whom support is being applied for
  - a party has been acting as a parent to a child of the other party
  - the paying parent earns more than \$150,000 per year
  - there is an application for special or extraordinary expenses for a child
  - I am claiming undue hardship
- I am not required to file a Financial Statement at this time as none of these situations apply to me
- I am required to file a Financial Statement but I am not able to complete it at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counter application be filed with a completed Financial Statement.

**IMPORTANT NOTE TO THE OTHER PARTY:**

**This family law case includes a counter application about child support. You must provide your financial information with your reply to this application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party’s income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party’s expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 14 – COUNTER APPLICATION CHILD SUPPORT ORDER OR WRITTEN AGREEMENT – EXISTING**

**This is Schedule 14 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are making a counter application to change or cancel all or part of an existing final order about child support, or to set aside or replace all or part of an existing agreement about child support, for the child or children identified in section 13 of the reply with counter application.*

1. The existing final order or agreement requires me to:

*Select only one of the options below*

- make payments for support of a child or children
- receive payments for support of a child or children
- other (*specify*):

2.  I am attaching a copy of the existing final order or agreement about child support made on [mmm/dd/yyyy]

**Existing final order**

3. *Complete only if you have an existing order. You may leave this section blank.*

- I am applying for the existing final order about child support to be:
  - changed
  - cancelled

Since the final order about child support was made, circumstances have changed as follows:

*Select all options that apply and complete the required information*

- my financial situation has changed
- I believe the other party's financial situation has changed
- the special and extraordinary expenses for the child(ren) have changed as follows:

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- the child(ren)'s living arrangement(s) have changed as follows:

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- information has become available that was not available when the order was made (*specify*):

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- other changes or circumstances (*specify*):

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**Existing agreement**

4. *Complete only if you have an existing agreement. You may leave this section blank.*

- I am applying for the existing agreement about child support to be:
  - set aside
  - replaced

I believe the agreement should be set aside or replaced because:

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**About the order**

5. *Complete only if you are applying to change or replace an existing final order or agreement about child support. You may leave this section blank.*

I am applying for the final order or agreement about child support to be changed or replaced as follows:

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**Unpaid child support**

6. As of [mmm/dd/yyyy], the amount of unpaid child support (arrear) was \$

7. *Complete only if there is unpaid child support. You may leave this section blank.*

*Select only one of the options below.*

- I am not applying to reduce the amount of unpaid child support (arrear)
- I am applying to reduce the amount of unpaid child support (arrear) to \$ \_\_\_\_\_ because:

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8. *Complete only if there is unpaid child support. You may leave this section blank.*

I am applying for an order that the remaining unpaid child support (arrear) be paid as follows:

*Select all options that apply and complete the required information*

- at a rate of \$ \_\_\_\_\_ per month
- in a lump sum
- other (specify):

**Calculations**

9. *Select only one of the options below*

- I am attaching calculations showing how much child support I believe should be paid according to the child support guidelines
- I am not attaching calculations because:

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**Start of payment(s)**

10. *Child support payments may start or end on a past (retroactive), present or future date or event, such as the date of separation, the date the application is made or the start date of a new job*

The order about child support should start on [mmm/dd/yyyy] because:

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**Financial statement**

11. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this counter application because the following applies to my situation:

*Select all options that apply*

- I am the payor
- there is split or shared parenting time
- there is a child 19 years old or over for whom support is being applied for
- a party has been acting as a parent to a child of the other party
- the paying parent earns more than \$150,000 per year
- there is an application for special or extraordinary expenses for a child
- I am claiming undue hardship
- I am not required to file a Financial Statement at this time as none of these situations apply to me
- I am required to file a Financial Statement but I am not able to complete it at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counter application be filed with a completed Financial Statement.

**IMPORTANT NOTE TO THE PARTIES:**

**If this family law case includes a counter application to change or replace an order or agreement about child support, you must provide financial information with your counter application or reply to this counter application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 15 – COUNTER APPLICATION CONTACT WITH A CHILD – NEW**

**This is Schedule 15 to the Reply to an Application About a Family Law Matter with Counter Application**

Complete this schedule only if you are not a guardian of the child or children and you are making a new counter application about contact with the child or children identified in section 13 of the reply with counter application. Contact with a child is the time a child spends with a person who is not their guardian.

- 1.  I am not a guardian of the child(ren)
- 2. I am applying for an order for contact with the following child(ren) identified in section 13 of this reply with counter application:  
*List the name of each child you want to have contact with*

**About the order**

- 3. I am applying for contact with the child(ren) as follows:  
*Select all options that apply and complete the required information*
  - in person:  
*Provide specific dates or events requested, or dates and times that would be most suitable*

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- telephone communication
- video communication
- written communication
- other method of communication (*specify*):

*Complete only if applicable. You may leave this section blank.*

I am willing to have the following conditions placed on my contact with the child(ren):

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- 4. I last had contact with the child(ren) on or around [mmm/dd/yyyy]

**Best interests of child**

- 5. I believe the order about contact I am applying for is in the child(ren)'s best interests because:

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**SCHEDULE 16 – COUNTER APPLICATION CONTACT ORDER OR WRITTEN AGREEMENT – EXISTING**

**This is Schedule 16 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are making an application to change or cancel an existing final order about contact, or to set aside or replace all or part of an existing agreement about contact, with a child or children identified in section 13 of the reply with counter application.*

1. I am:
- a person allowed to have contact with the child(ren) according to a court order or written agreement
  - a guardian of the child(ren)
2.  I am attaching a copy of the existing final order or agreement about contact made on [mmm/dd/yyyy]

**Existing final order**

3. *Complete only if you have an existing order. You may leave this section blank.*
- I am applying for the existing final order about contact with a child or children to be:
    - changed
    - cancelled

Since the order was made, needs or circumstances have changed as follows:

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**Existing agreement**

4. *Complete only if you have an existing agreement. You may leave this section blank.*
- I am applying for all or part of the existing agreement about contact with a child or children to be:
    - set aside
    - replaced

I believe the agreement is not in the best interests of the child(ren) because:

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**About the order**

5. *Complete only if you are applying to change or replace an existing final order or agreement about contact with a child or children. You may leave this section blank.*

I am applying to change or replace the existing final order or agreement about contact as follows:

*Select all options that apply*

- no contact of any type



in person:

*Provide specific dates or events requested, or dates and times that would be most suitable*

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telephone communication

video communication

written communication

other method of communication (*specify*):

*Complete only if applicable. You may leave this section blank.*

I am applying to have the following conditions placed on the contact with the child(ren):

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**Best interests of the child**

6. I believe the order I am applying for is in the child(ren)'s best interests because:

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## SCHEDULE 17 – COUNTER APPLICATION TO APPOINT A GUARDIAN OF A CHILD OR CHILDREN

### This is Schedule 17 to the Reply to an Application About a Family Law Matter with Counter Application

Complete this schedule only if you are making a counter application to be appointed as a guardian of a child or children identified in section 13 of the reply with counter application.

#### Order about guardianship

1.  I am applying to be appointed as a guardian of the following child(ren) identified in section 13 of this application:

*List the name of each child you want to be appointed as a guardian of*

#### Indigenous ancestry of child(ren)

*These questions will help the court make a decision about guardianship of a child.*

2. Is the child or children Indigenous?  Yes  No  Unknown

*If yes, please select the option(s) below that best describe(s) the child(ren)'s Indigenous ancestry*

- First Nation  
 Nisga'a  
 Treaty First Nation  
 the child is under 12 years of age and has a biological parent who is of Indigenous ancestry, including Métis and Inuit, and self-identifies as Indigenous  
 the child is 12 years of age or older, of Indigenous ancestry, including Métis and Inuit, and self-identifies as Indigenous

3. *Complete the following statement only if the child is a Nisga'a child or a Treaty First Nation child*

- I acknowledge that I must serve the Nisga'a Lisims Government or the Treaty First Nation to which the child belongs with notice of this application as described in section 208 or 209 of the *Family Law Act*.

#### Guardianship affidavit and supporting documents

4.  I understand that I am required to file a Guardianship Affidavit in Form 5 as described in Rule 26 before the court can make a final order about guardianship
5.  I have initiated or completed a criminal record check as required for the Guardianship Affidavit in Form 5
6. *Select only one of the options below*
- I am filing the following required documents along with this counter application
- a Consent for Child Protection Record Check in Form 5 under the *Family Law Act Regulation*
  - a request, in the form provided by the registry, to search the protection order registry
- I am not able to complete the required documents at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counter application be filed with the additional documents.

**SCHEDULE 18 – COUNTER APPLICATION TO CANCEL GUARDIANSHIP OF A CHILD OR CHILDREN**

**This is Schedule 18 to the Reply to an Application About a Family Law Matter with Counter Application**

Complete this schedule only if you are making a counter application to cancel the guardianship of a child or children identified in section 13 of the reply with counter application.

**Order about guardianship**

1.  I am applying for the following person(s) to no longer be the guardian(s) of the child or children:

Full name of guardian	Name of child(ren)	They have been a guardian of the child(ren) since:

2. I am:
- a guardian of the child(ren)
  - applying to be appointed as a guardian of the child(ren)

**Indigenous ancestry of child**

*These questions will help the court make a decision about guardianship of a child.*

3. Is the child or children Indigenous?  Yes  No  Unknown
- If yes, please select the option(s) below that best describe(s) the child(ren)'s Indigenous ancestry*
- First Nation
  - Nisga'a
  - Treaty First Nation
  - the child is under 12 years of age and has a biological parent who is of Indigenous ancestry, including Métis and Inuit, and self-identifies as Indigenous
  - the child is 12 years of age or older, of Indigenous ancestry, including Métis and Inuit, and self-identifies as Indigenous
4. *Complete the following statement only if the child is a Nisga'a child or a Treaty First Nation child*
- I acknowledge that I must serve the Nisga'a Lisims Government or the Treaty First Nation to which the child belongs with notice of this application as described in section 208 or 209 of the *Family Law Act*.

**Best interests of the child(ren)**

5. I believe it is in the child(ren)'s best interests to cancel the guardianship of the person(s) listed in paragraph 1 because:

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**SCHEDULE 19 – COUNTER APPLICATION SPOUSAL SUPPORT – NEW**

**This is Schedule 19 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are making a new counter application about spousal support.*

**Entitlement to spousal support**

1. I believe that I am, or the other party is, entitled to spousal support for the following reason(s):

*Select all options that apply*

- there are economic advantages or disadvantages to the spouses arising from the relationship or breakdown of the relationship
- to share the financial consequences arising from caring for the children during the relationship, beyond the duty to provide support for the child
- to relieve economic hardship of the spouses arising from the breakdown of the relationship
- to help each spouse become financially independent within a reasonable period

**Current arrangements**

2. The current support arrangements are as follows:

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**Income and earning potential**

3. My current employment situation, training, health and ability to work are as follows:

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4. *Select only one of the options below*

- I do not know the income of the other party
- I believe the other party's annual income is \$

5. I know the following facts about the other party's employment, training, health and ability to work:

*If you do not have any information, please leave this section blank*

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**About the order**

6. I am applying for an order for spousal support to be paid by *[name of paying party]* as follows:

*Select all options that apply and complete the required information*

- in the amount of \$            per month to commence on *[mmm/dd/yyyy]* until *[mmm/dd/yyyy]*
- in a lump sum of \$
- other *(specify)*:

**Calculations**

7. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

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**Financial statement**

8. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this counter application
- I am not able to complete a Financial Statement at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counter application be filed with a completed Financial Statement.

**IMPORTANT NOTE TO THE PARTIES:**

**This family law case includes a counter application about spousal support. You must provide your financial information with your counter application or reply to this counter application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party’s income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party’s expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate

**SCHEDULE 20 – COUNTER APPLICATION SPOUSAL SUPPORT – EXISTING**

**This is Schedule 20 to the Reply to an Application About a Family Law Matter with Counter Application**

*Complete this schedule only if you are making a counter application to change or cancel an existing final order about spousal support or to set aside or replace all or part of an existing written agreement about spousal support.*

1.  I am attaching a copy of the existing final order or written agreement about spousal support made on [mmm/dd/yyyy]

**Existing final order**

2. *Complete only if you have an existing order. You may leave this section blank.*

- I am applying for the existing final order about spousal support to be:
- changed
  - cancelled

Since the final order about spousal support was made, circumstances have changed as follows:

*Select all options that apply and complete the required information*

- my financial situation has changed
- I believe the other party's financial situation has changed
- my employment, training, health and/or ability to work has changed as follows:

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- I believe the other party's employment, training, health and/or ability to work has changed as follows:

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- my household expenses have changed as follows:

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- information has become available that was not available when the order was made (specify):

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- other changes or circumstances (*specify*):

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**Existing agreement**

3. *Complete only if you have an existing agreement. You may leave this section blank.*

- I am applying for the existing written agreement about spousal support to be:
  - set aside
  - replaced

I believe the agreement should be set aside or replaced because:

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**About the order**

4. *Complete only if you are applying to change or replace an existing final order or written agreement about spousal support. You may leave this section blank.*

I am applying for the final order or agreement about spousal support to be changed or replaced as follows:

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**Unpaid spousal support**

5. As of [mmm/dd/yyyy], the amount of unpaid spousal support (arrears) was \$

6. *Complete only if there is unpaid spousal support. You may leave this section blank.*

*Select only one of the options below.*

- I am not applying to reduce the amount of unpaid spousal support (arrears)
- I am applying to reduce the amount of unpaid spousal support (arrears) to \$            because:

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7. *Complete only if there is unpaid spousal support. You may leave this section blank.*

I am applying for an order that the remaining unpaid spousal support (arrears) be paid as follows:

*Select all options that apply and complete the required information*

- at a rate of \$            per month
- in a lump sum
- other (*specify*):

**Calculations**

8. *Select only one of the options below*

- I am attaching calculations showing how much spousal support I believe should be paid according to the Spousal Support Advisory Guidelines
- I am not attaching calculations because:

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### **Financial statement**

9. *Select only one of the options below*

- I am filing a Financial Statement in Form 4 with this counter application
- I am not able to complete a Financial Statement at this time. I am filing an Application for Case Management Order Without Notice or Attendance in Form 11 requesting to waive the requirement that this counter application be filed with a completed Financial Statement.

### **IMPORTANT NOTE TO THE PARTIES:**

**This family law case includes a counter application about spousal support. You must provide your financial information with your counter application or reply to this counter application by completing and filing a Financial Statement in Form 4.**

If you do not give your complete, true, and up-to-date financial information when needed, the court can:

- order that the income information be provided
- assume a party's income is a certain amount for support purposes and make an order based on it
- require a party to give security
- require a party to pay the other party's expenses, an amount to the other party up to \$5,000, or a fine up to \$5,000
- make any other order the court considers appropriate