

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

In the Supreme Court of British Columbia

Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR 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.

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1. Information about the parties

The claimant, *Jane Beatrice Doe*, is the wife of the respondent.

The respondent, *John Luthor Doe*, is the husband of the claimant.

2. Spousal relationship history

The claimant, *Jane Beatrice Doe*, and the respondent, *John Luthor Doe*:

- began to live together in a marriage-like relationship on 1 April 1990
- were married on 1 April 1994
- separated on 1 April 2009
- were divorced from each other by 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

OR

- 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: _____

4. My Claims

I am 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*]

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- An order relating to property [*complete and attach Schedule 4*]
- Another order [*complete and attach Schedule 5*]
- An order for costs

5. **Place of trial will be:** Vancouver, British Columbia

6. **The address of the registry is**

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

7. **My address for service is**

Address for Service:

123 Queen Street
Anytown, British Columbia, V1A 2B3

Fax (optional): None

E-mail (optional): None

Date: 1 April 2010

Jane Doe

Signature of

claimant lawyer for claimant(s)

Jane Beatrice Doe

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

In the Supreme Court of British Columbia

Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR DOE

Schedule 1: Divorce

This is Schedule 2 to the Claimant's Notice of Family Claim.

1. Personal Information

	Claimant	Respondent
Birthdate:	1 April 1960	1 April 1962
Ordinarily resident in British Columbia since:	Birth	1 April 1983
Surname at birth:	Smith	Doe
Surname immediately before marriage:	Brown	Doe
Marital status immediately before marriage:	<input type="checkbox"/> never married <input checked="" type="checkbox"/> divorced <input type="checkbox"/> widowed	<input checked="" type="checkbox"/> never married <input type="checkbox"/> divorced <input type="checkbox"/> widowed
Place of marriage:	Las Vegas, Nevada, USA	

2. Grounds for my claim for divorce

I ask for an order for divorce on these grounds:

- (i) My spouse and I have lived separate and apart since 1 April 2009.

AND

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- we have not lived together since then.
- we have lived together again during the following period(s), in an unsuccessful attempt to reconcile: _____

OR

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

AND

- I have not condoned any act relied on under s. 8(2)(b) of the *Divorce Act* (Canada) as a ground for divorce.

3. I confirm that:

- There is no possibility of reconciliation.
- There has been no collusion, as defined in section 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 [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: _____

5. Children

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

The children of the marriage are:

Child's full name:	Birthdate:	Resides with:
Mary Ellen Doe	1 April 1993	Claimant
John Herbert Doe	1 April 1995	Both parties

Date: 1 April 2010

Jane Doe

Signature of

claimant lawyer for claimant(s)

Jane Beatrice Doe

In the Supreme Court of British Columbia

Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR DOE

Schedule 2: Children

This is Schedule 2 to the Claimant's Notice of Family Claim.

1. Identification of child(ren)

I am 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:
Mary Ellen Doe	1 April 1993	Natural child	Natural child	Birth	Claimant
John Herbert Doe	1 April 1995	Natural child	Natural child	Birth	Both parties

2. Orders sought

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

- (a) an order respecting parenting arrangements for a child or children [Complete sections 3 and 4 below.]
- (b) an order for child support [Complete sections 5 to 7 below.]

3. Current parenting arrangements

Current parenting arrangements for the child(ren) are:

Mary lives mostly with me and John moves between our homes roughly equally. Mary is with the Respondent on every other weekend and on every Tuesday and Thursday evening, from 4:00 to 7:00. John is with me every other week and with the Respondent on the weeks in between.

4. Proposed parenting arrangements

I propose the following parenting arrangements for the child(ren):

I propose that the current parenting arrangements continue, and that we have joint custody and joint guardianship of the children, but that Mary move between our homes on the same schedule as John and that I have both children on Tuesday and Thursday evenings, from 4:00 to 7:00 from 4:00 to 7:00, during the weeks they are with the Respondent.

I am asking for an order for custody or access under:

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

5. Current child support arrangements

Current child support arrangements are:

The Respondent pays support to me for Mary only since we're sharing John's time almost equally.

6. Income of person being asked to pay child support

- I do not know the income of the person being asked to pay child support
- I believe that the income of the person being asked to pay child support is \$53,000, based on these facts:

The Respondent is a legal secretary at Smith Smith Smith & Smith and I have always done his taxes. His income in 2009 was \$50,000 and he should have received his annual raise by now.

7. Proposed child support arrangements

I am asking for:

- support in the amount set out in the child support guidelines table for the following child(ren): Mary Ellen Doe and John Herbert Doe.
- special or extraordinary expenses in accordance with s. 7 of the Child Support Guidelines for the following child(ren): Mary Ellen Doe and John Herbert Doe

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- 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):

I am asking for an order for child support under:

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

Date: 1 April 2010

Jane Doe

Signature of

- claimant lawyer for claimant(s)

Jane Beatrice Doe

Note to Claimant AND Respondent: you must file **financial information** (Form F8) if:

- there is a claim against you for 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) 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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In the Supreme Court of British Columbia

Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR DOE

Schedule 3: Spousal Support

This is Schedule 3 to the Claimant's Notice of Family Claim.

1. Current arrangements for spousal support

Current spousal support arrangements are:

None.

2. Proposed spousal support arrangements

I am asking for an order for spousal support as follows:

Permanent spousal support in the about of \$2,000 per month.

I am asking for an order for spousal support under:

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

3. Income of claimant and respondent

My gross annual income is \$25,300,

I do not know what my spouse's income is

I believe that my spouse's gross annual income is \$53,000, based on these facts:

The Respondent is a legal secretary at Smith Smith Smith & Smith and I have always done his taxes. His income in 2009 was \$50,000 and he should have received his annual raise by now.

Date: 1 April 2010

Jane Doe

Signature of

claimant lawyer for claimant(s)

Jane Beatrice Doe

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 income.

Court File No: _____
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Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR DOE

Schedule 4: Property

This is Schedule 4 to the Claimant's Notice of Family Claim.

1. My claims

A. Declaration

- I am married to **John Luthor Doe** and I am asking for a declaration under s. 57 of the *Family Relations Act* that **John Luthor Doe** and I have no reasonable prospect of reconciling with each other.

B. Property claims under the Family Relations Act

I am asking for an order for:

- equal division of family assets, under the Family Relations Act
- reapportionment of family assets, as follows and on the following grounds: _____

The address and legal description of any real property in which I claim an interest as a family asset is:

123 Queen Street
Anytown, British Columbia, V1A 2B3

PID: 012-345-678
Lot 1, Block 1, Section 1, New Westminster District Plan 12345

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C. Other property claims

I claim:

- 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

- I am applying for a Certificate of Pending Litigation to be registered against the following real property:

PID: 012-345-678

Lot 1, Block 1, Section 1, New Westminster District Plan 12345

Date: 1 April 2010

Jane Doe

Signature of

claimant lawyer for claimant(s)

Jane Beatrice Doe

In the Supreme Court of British Columbia

Claimant:

JANE BEATRICE DOE

Respondent:

JOHN LUTHOR DOE

Schedule 5: Other Orders

This is Schedule 5 to the Claimant's Notice of Family Claim.

I am asking for the following orders:

- an order under the *Name Act* that my name be changed from Jane Beatrice Doe to my name before our marriage, Jane Beatrice Brown.
- the following orders under the *Family Relations Act*:
 1. an order that the Respondent be restrained from disposing of or encumbering the family assets and other assets at issue, pursuant to s. 67 of the *Family Relations Act*; and,
 2. an order that the Respondent be restrained from removing the children from the Lower Mainland of British Columbia without my express written permission or the further order of this Honourable Court.
- other orders:

Date: 1 April 2010

Jane Doe

Signature of

claimant lawyer for claimant(s)

Jane Beatrice Doe