

NO. \_\_\_\_\_  
VANCOUVER REGISTRY

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

**JANE DOE**

PLAINTIFF

AND:

**JOHN DOE**

DEFENDANT

**STATEMENT OF CLAIM - FAMILY LAW PROCEEDING**

**PART A: PARTICULARS OF PARTIES**

1. The plaintiff is **JANE DOE**, of **123 Queen Street** in **Vancouver**, British Columbia.
2. The plaintiff was born on **1 February 1960**.
3. The defendant is **JOHN DOE**, of **456 King Street** in **Vancouver**, British Columbia.
4. The defendant was born on **1 March 1961**.
5. The plaintiff has been ordinarily resident in British Columbia since **1998**.
6. The defendant has been ordinarily resident in British Columbia since **his birth**.

**PART B: RELATIONSHIP OF PARTIES**

8. The plaintiff and defendant were married on **1 April 1999** at **Vancouver, British Columbia**.
9. The plaintiff and defendant are spouses as defined by the *Family Relations Act*.
10. The plaintiff and defendant commenced cohabitation on **1 April 1999**.
11. The plaintiff and defendant ceased to cohabit on **1 May 2002**.

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**PART C: CHILDREN**

13. (a) The children of the marriage as defined by the *Divorce Act* (Canada) are:

Name	Birth Date	Person with whom child resides
Ogilvy Pritchard Doe	1 June 1999	Plaintiff
Aemilius Comstock Doe	1 July 2001	Plaintiff

**PART D: OTHER PROCEEDINGS AND AGREEMENTS**

14. (b) There has been no other proceeding between or agreement between the parties with respect to a separation between the parties or to the support or maintenance of a party or of a child of a party, or with respect to the division of property of the parties.

**PART E: DIVORCE**

15. There has been a breakdown in the marriage as defined by the *Divorce Act* (Canada) the particulars of which are as follows:

Pursuant to s. 8(2)(a), the parties have lived separate and apart since 1 May 2002 and will continue to do so for a period of at least one year immediately preceding the determination of the divorce.

16. (a) The surname of the wife immediately before marriage was: **Smith**.  
 (b) The surname of the wife at birth was: **Smith**.
17. (a) The surname of the husband immediately before marriage was: **Doe**.  
 (b) The surname of the husband at birth was: **Doe**.
18. The marital status of the wife at the time of marriage was: **never married**.
19. The marital status of the husband at the time of marriage was: **widowed**.
20. There is no possibility of reconciliation.
21. There has been no collusion in relation to this proceeding. There has been no condonation of any act relied on as a ground for divorce.
22. (a) A certificate of the marriage has been filed.

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## PART F: CUSTODY, GUARDIANSHIP AND ACCESS

23. The children for whom an order of custody, guardianship or access is sought are:
- (i) Ogilvy Pritchard Doe, born on 1 June 1999, and
  - (ii) Aemilius Comstock Doe, born on 1 July 2001.
24. (a) The children in respect of whom such claim is made have been habitually resident in British Columbia since their births.
25. The plaintiff seeks such orders under
- (c) both the *Divorce Act* (Canada) and the *Family Relations Act*
26. The particulars of the past, present and proposed care of the children are as follows:

The Plaintiff has been the children's primary caregiver since their births. The Plaintiff proposes that this continue and that she have the children's primary residence. The Plaintiff proposes that the parties share the joint custody and joint guardianship of the children. The Plaintiff proposes that the Defendant have specified access to the children, in addition to such other access as the parties may agree to amongst themselves.

## PART G: SUPPORT OR MAINTENANCE

28. The plaintiff seeks an order for child support or maintenance under
- (c) both the *Divorce Act* (Canada) and the *Family Relations Act*.
29. (b) The financial position of the plaintiff and of the children in care of the plaintiff is as follows:
- The Plaintiff is a cabinet maker and has an annual income of \$30,000.00. The Plaintiff and children live in rented premises. The Plaintiff has no assets other than her work tools and RRSPs in the approximate amount of \$60,000.00.
30. (b) The financial position of the plaintiff and of the children in care of the plaintiff is as follows
- The Defendant is self-employed as a roofer with his company ABC Roofing Inc., and earns about \$45,000.00 per year. The Defendant lives in rented premises. The Defendant's assets consist of his company which has little or no value, his company van which is worth about \$2,500.00 and his company's work tools.

## SUMMARY OF RELIEF SOUGHT

### Part E: Divorce

The Plaintiff seeks an Order for her divorce from the Defendant.

### Part F: Custody

The Plaintiff seeks an Order that the parties have joint custody and joint guardianship of the children, and that she have the children's permanent primary residence. The Plaintiff seeks an Order that the Defendant have the children every other weekend, from 4:00pm on Friday to the following Sunday at 7:00pm, and every Wednesday from 4:00pm to 7:00pm, in addition to such other access as the parties may agree.

### Part G: Support and Maintenance

The Plaintiff seeks an Order that the Defendant child support to the Plaintiff for the support of the children of the marriage.

## PLACE OF TRIAL

The place of trial will be **Vancouver**, British Columbia.

Dated: 1 January 2004

Jane Doe

JANE DOE  
The Plaintiff

This STATEMENT OF CLAIM is filed and served by the Plaintiff.