

SCHEDULE B
(Rules 561.1 to 577.3)

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SCHEDULE B
(Rules 561.1 to 577.3)

FORM 1

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____

BETWEEN:

_____, Plaintiff
and
_____, Defendant

STATEMENT OF CLAIM FOR DIVORCE

The Parties

1.(1) The date of the marriage was:

(2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Plaintiff (or Defendant) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Statement of Claim.

Grounds

3. The Plaintiff's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year)* *(the Defendant has committed adultery)* *(the Defendant has treated the Plaintiff with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

- 4.(1)** There is no possibility of reconciliation.
- (2)** The following efforts to reconcile have been made:

Bars To Divorce

- 5.(1)** There has been no collusion in relation to this divorce action.
- (2)** *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Plaintiff has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

- 6.** The particulars of the children of the marriage are as follows:
- (a) the names and dates of birth of each of the children are:
 - (b) the Plaintiff proposes custody as follows:
 - (c) the Plaintiff proposes access arrangements as follows:
 - (d) the Plaintiff proposes financial arrangements for the children as follows:
- or
- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment**9.(1)** The Plaintiff's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

(2) The Defendant's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

CLAIMS UNDER THE DIVORCE ACT**10.** The Plaintiff makes the following claims:

- (a) a Divorce Judgment;
 - (b) custody of _____;
 - (c) access to _____;
 - (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
- or
- (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));

- (e) support for the Plaintiff in the sum of \$_____ per month
(commencing on _____ (and being retroactive
to _____));
- (f) lump sum support for the Plaintiff in the sum of \$_____;
- (g) a restraining order;
- (h) costs.

DATED at _____, in the Province of Alberta, this _____ day of
_____, 20_____, AND DELIVERED by _____ Barrister and Solicitor,
_____, Alberta, Solicitor for the Plaintiff, whose address for service is in
care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen's Bench of
Alberta, Judicial District of _____, at the _____, in the Province of
Alberta, this _____ day of _____, 20_____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Plaintiff, certify to the Court that I have
complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of
_____, 20_____.

(Signature of Lawyer)

NOTICE TO THE DEFENDANT

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in the attached Statement of Claim.

1. IF YOU DISPUTE ANY OF THE CLAIMS or IF YOU WISH TO MAKE ANY CLAIM YOURSELF, YOU MUST FILE A STATEMENT OF DEFENCE at the court office shown on the Statement of Claim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action be given to you,

and if you do not serve a copy of that Statement of Defence or Demand of Notice on the plaintiff at the address for service given in the Statement of Claim, you are not entitled to notice of any further proceedings and an order may be made in your absence and enforced against you.

This Statement of Claim is issued by:

_____, Solicitor
for the Plaintiff who resides at _____,
Alberta,

and whose address for service is c/o the said Solicitor and is addressed to the Defendant whose residence so far as is known to the Plaintiff is _____, Alberta.

NO.

IN THE COURT OF
QUEEN'S BENCH
OF ALBERTA
JUDICIAL DISTRICT
OF _____

BETWEEN:

_____, Plaintiff

and

_____, Defendant

STATEMENT OF CLAIM FOR DIVORCE

(Lawyer's name, address and telephone number)

FORM 2**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**

_____, Plaintiff
 and
 _____, Defendant

**STATEMENT OF CLAIM FOR DIVORCE AND
DIVISION OF MATRIMONIAL PROPERTY**

DIVORCE:

The Parties

1.(1) The date of the marriage was:

(2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Plaintiff (or Defendant) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Statement of Claim.

Grounds

3. The Plaintiff's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year)* *(the Defendant has committed adultery)* *(the Defendant has treated the Plaintiff with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

- 4.(1)** There is no possibility of reconciliation.
- (2)** The following efforts to reconcile have been made:

Bars To Divorce

- 5.(1)** There has been no collusion in relation to this divorce action.
- (2)** *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Plaintiff has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

- 6.** The particulars of the children of the marriage are as follows:
- (a) the names and dates of birth of each of the children are:
 - (b) the Plaintiff proposes custody as follows:
 - (c) the Plaintiff proposes access arrangements as follows:
 - (d) the Plaintiff proposes financial arrangements for the children as follows:
- or
- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment**9.(1)** The Plaintiff's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

(2) The Defendant's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

MATRIMONIAL PROPERTY CLAIM:

10. The parties are resident in Alberta. *(or as the case may be)*

11. During the marriage the parties acquired both real and personal property in their names, either jointly or separately. *(The particulars of that property, together with the exemption claimed, will be set out in the matrimonial property statements to be filed in this action.)*

12. The Plaintiff is entitled to an equitable division of the matrimonial property.

13. Trial of this action to be held at _____, Alberta.

CLAIMS UNDER THE DIVORCE ACT

14. The Plaintiff makes the following claims:

- (a) a Divorce Judgment;
- (b) custody of _____;
- (c) access to _____;
- (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));

or

- (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));
- (e) support for the Plaintiff in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
- (f) lump sum support for the Plaintiff in the sum of \$_____;
- (g) a restraining order;
- (h) costs.

CLAIMS UNDER THE MATRIMONIAL PROPERTY ACT

15. The Plaintiff makes the following claims:

- (a) an Order for the distribution of all of the property acquired by the Plaintiff and Defendant, either jointly or separately, in such manner as the Court deems just and equitable;
- (b) a matrimonial home possession order;
- (c) (set out such other claims as may relate to the pleadings);
- (d) such further relief and direction as the Court considers necessary to give effect to the distribution of the matrimonial property;
- (e) costs.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20____, AND DELIVERED by _____ Barrister and Solicitor, _____, Alberta, Solicitor for the Plaintiff, whose address for service is in care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen's Bench of Alberta, Judicial District of _____, at the _____, in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Plaintiff, certify to the Court that I have complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of _____, 20____.

(Signature of Lawyer)

NOTICE TO THE DEFENDANT

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in the attached Statement of Claim.

1. IF YOU DISPUTE ANY OF THE CLAIMS or IF YOU WISH TO MAKE ANY CLAIM YOURSELF, YOU MUST FILE A STATEMENT OF DEFENCE at the court office shown on the Statement of Claim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action be given to you,

and if you do not serve a copy of that Statement of Defence or Demand of Notice on the plaintiff at the address for service given in the Statement of Claim, you are not entitled to notice of any further proceedings and an order may be made in your absence and enforced against you.

This Statement of Claim is issued by:

_____, Solicitor
 for the Plaintiff who resides at _____,
 Alberta,
 and whose address for service is c/o the said Solicitor and is addressed to the Defendant whose residence so far as is known to the Plaintiff is _____, Alberta.

NO.

IN THE COURT OF
 QUEEN'S BENCH
 OF ALBERTA
 JUDICIAL DISTRICT
 OF _____

BETWEEN:

_____, Plaintiff
 and
 _____, Defendant

**STATEMENT OF CLAIM FOR
 DIVORCE AND DIVISION OF
 MATRIMONIAL PROPERTY**

*(Lawyer's name, address
 and telephone number)*

FORM 3

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

_____, Plaintiff

-and-

_____, Defendant

STATEMENT OF DEFENCE

1. The Defendant agrees to the following relief sought by the Plaintiff:

(a) *(in respect of the divorce action);*

(b) *(in respect of the matrimonial property action).*

2. The Defendant contests the following part or parts of the Statement of Claim:

(a) *(in respect of the divorce action);*

(b) *(in respect of the matrimonial property action).*

3. The Defendant's grounds for contesting the Statement of Claim are as follows:

(a) *(in respect of the divorce action);*

(b) *(in respect of the matrimonial property action).*

DATED at _____, in the Province of Alberta, this _____ day of _____, 20_____.

Defendant or Solicitor for the
Defendant whose address is

and whose address for service is

FORM 4**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**

_____, Plaintiff

and

_____, Defendant

**STATEMENT OF DEFENCE AND
COUNTERCLAIM FOR DIVORCE****STATEMENT OF DEFENCE:**

1. The Defendant agrees to the following relief sought by the Plaintiff:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*
2. The Defendant contests the following part or parts of the Statement of Claim:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*
3. The Defendant's grounds for contesting the Statement of Claim are as follows:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*

COUNTERCLAIM:**To this Honourable Court:****The Parties**

- 1.(1) The date of the marriage was:
- (2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Defendant (or Plaintiff) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Counterclaim.

Grounds

3. The Defendant's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year)* *(the Plaintiff has committed adultery)* *(the Plaintiff has treated the Defendant with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

4.(1) There is no possibility of reconciliation.

(2) The following efforts to reconcile have been made:

Bars To Divorce

5.(1) There has been no collusion in relation to this divorce action.

(2) *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Defendant has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

6. The particulars of the children of the marriage are as follows:
- (a) the names and dates of birth of each of the children are:
 - (b) the Defendant proposes custody as follows:
 - (c) the Defendant proposes access arrangements as follows:
 - (d) the Defendant proposes financial arrangements for the children as follows:
- or
- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment

- 9.(1) The Plaintiff's
- (a) place of employment is:
 - (b) gross income is:
 - (c) total income for the last tax return was:
 - (d) taxable income for the last tax return was:
- (2) The Defendant's
- (a) place of employment is:
 - (b) gross income is:

- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

CLAIMS UNDER THE DIVORCE ACT

10. The Defendant makes the following claims:

- (a) a Divorce Judgment;
- (b) custody of _____;
- (c) access to _____;
- (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));

or

- (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));
- (e) support for the Defendant in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
- (f) lump sum support for the Defendant in the sum of \$_____
- (g) a restraining order;
- (h) costs.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20____, AND DELIVERED by _____ Barrister and Solicitor, _____, Alberta, Solicitor for the Defendant, whose address for service is in care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen’s Bench of Alberta, Judicial District of _____, at the _____, in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Defendant, certify to the Court that I have complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of _____, 20____.

(Signature of Lawyer)

NOTICE TO THE PLAINTIFF

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in this Counterclaim.

1. IF YOU DISPUTE ANY OF THE CLAIMS YOU MUST FILE A STATEMENT OF DEFENCE TO THE COUNTERCLAIM at the court office shown on the Counterclaim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE TO THE COUNTERCLAIM, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action in respect of the Counterclaim be given to you,

and, if you do not serve a copy of that Statement of Defence to the Counterclaim or Demand of Notice on the defendant at the address for service given in the Counterclaim, you are not entitled to notice of any further proceedings in respect of the Counterclaim and an order may be made in your absence and enforced against you.

This Counterclaim is issued by:

Solicitor for the Defendant who resides at _____, Alberta,

and whose address for service is c/o the said Solicitor and is addressed to the Plaintiff whose residence so far as is known to the Defendant is _____, Alberta.

NO.

IN THE COURT OF
 QUEEN'S BENCH
 OF ALBERTA
 JUDICIAL DISTRICT
 OF _____

BETWEEN:

_____, Plaintiff
 and
 _____, Defendant

STATEMENT OF DEFENCE AND COUNTERCLAIM FOR DIVORCE

(Lawyer's name, address and telephone number)

FORM 5**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**

_____, Plaintiff

-and-

_____, Defendant

**STATEMENT OF DEFENCE AND
COUNTERCLAIM FOR DIVORCE AND
DIVISION OF MATRIMONIAL PROPERTY****STATEMENT OF DEFENCE:**

1. The Defendant agrees to the following relief sought by the Plaintiff:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*
2. The Defendant contests the following part or parts of the Statement of Claim:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*
3. The Defendant's grounds for contesting the Statement of Claim are as follows:
 - (a) *(in respect of the divorce action);*
 - (b) *(in respect of the matrimonial property action).*

COUNTERCLAIM:**To this Honourable Court:**

DIVORCE:

The Parties

1.(1) The date of the marriage was:

(2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Defendant (or Plaintiff) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Counterclaim.

Grounds

3. The Defendant's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year)* *(the Plaintiff has committed adultery)* *(the Plaintiff has treated the Defendant with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

4.(1) There is no possibility of reconciliation.

(2) The following efforts to reconcile have been made:

Bars To Divorce

5.(1) There has been no collusion in relation to this divorce action.

(2) *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Defendant has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

6. The particulars of the children of the marriage are as follows:

- (a) the names and dates of birth of each of the children are:
- (b) the Defendant proposes custody as follows:
- (c) the Defendant proposes access arrangements as follows:
- (d) the Defendant proposes financial arrangements for the children as follows:

or

- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment

9.(1) The Plaintiff's

- (a) place of employment is:
- (b) gross income is:

- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

(2) The Defendant's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

MATRIMONIAL PROPERTY CLAIM:

- 10.** The parties are resident in Alberta. *(or as the case may be)*
- 11.** During the marriage the parties acquired both real and personal property in their names, either jointly or separately. *(The particulars of that property, together with the exemption claimed, will be set out in the matrimonial property statements to be filed in this action.)*
- 12.** The Defendant is entitled to an equitable division of the matrimonial property.
- 13.** Trial of this action to be held at _____, Alberta.

CLAIMS UNDER THE DIVORCE ACT

- 14.** The Defendant makes the following claims:
 - (a) a Divorce Judgment;
 - (b) custody of _____;
 - (c) access to _____;
 - (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));

or

 - (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));

- (e) support for the Defendant in the sum of \$_____ per month
(commencing on _____ (and being retroactive to _____));
- (f) lump sum support for the Defendant in the sum of \$_____;
- (g) a restraining order;
- (h) costs.

CLAIMS UNDER THE MATRIMONIAL PROPERTY ACT

15. The Defendant makes the following claims:

- (a) an Order for the distribution of all of the property acquired by the Plaintiff and Defendant, either jointly or separately, in such manner as the Court deems just and equitable;
- (b) a matrimonial home possession order;
- (c) (*set out such other claims as may relate to the pleadings*);
- (d) such further relief and direction as the Court considers necessary to give effect to the distribution of the matrimonial property;
- (e) costs.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20____, AND DELIVERED by _____ Barrister and Solicitor, _____, Alberta, Solicitor for the Defendant, whose address for service is in care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen's Bench of Alberta, Judicial District of _____, at the _____, in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Defendant, certify to the Court that I have complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of _____, 20____.

(Signature of Lawyer)

NOTICE TO THE PLAINTIFF

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in this Counterclaim.

1. IF YOU DISPUTE ANY OF THE CLAIMS YOU MUST FILE A STATEMENT OF DEFENCE TO THE COUNTERCLAIM at the court office shown on the Counterclaim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE TO THE COUNTERCLAIM, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action in respect of the Counterclaim be given to you,

and, if you do not serve a copy of that Statement of Defence to the Counterclaim or Demand of Notice on the defendant at the address for service given in the Counterclaim, you are not entitled to notice of any further proceedings in respect of the Counterclaim and an order may be made in your absence and enforced against you.

This Counterclaim is issued by:

_____,

Solicitor for the Defendant who resides at _____, Alberta,

and whose address for service is c/o the said Solicitor and is addressed to the Plaintiff whose residence so far as is known to the Defendant is _____, Alberta.

NO.

IN THE COURT OF
 QUEEN'S BENCH
 OF ALBERTA
 JUDICIAL DISTRICT
 OF _____

BETWEEN:

_____, Plaintiff
 and
 _____, Defendant

**STATEMENT OF DEFENCE
 AND COUNTERCLAIM FOR
 DIVORCE AND DIVISION
 OF MATRIMONIAL
 PROPERTY**

*(Lawyer's name, address
 and telephone number)*

FORM 6

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

_____, Plaintiff

-and-

_____, Defendant

DEMAND OF NOTICE

Take notice that the Defendant demands that notice of any proceedings to be taken in this action be given to the Defendant at the Defendant's address for service.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20_____.

Defendant or Solicitor for the
Defendant whose address is

and whose address for service is

TO: The Clerk of the Court and
The Plaintiff

FORM 7

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

_____, Plaintiff

-and-

_____, Defendant

**DEMAND OF NOTICE AND
COUNTERCLAIM FOR DIVORCE**

DEMAND OF NOTICE:

Take notice that the Defendant demands that notice of any proceedings to be taken in this action be given to the Defendant at the Defendant's address for service.

COUNTERCLAIM:

To this Honourable Court:

The Parties

1.(1) The date of the marriage was:

(2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Defendant (or Plaintiff) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Counterclaim.

Grounds

3. The Defendant's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year)* *(the Plaintiff has committed adultery)* *(the Plaintiff has treated the Defendant with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

4.(1) There is no possibility of reconciliation.

(2) The following efforts to reconcile have been made:

Bars To Divorce

5.(1) There has been no collusion in relation to this divorce action.

(2) *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Defendant has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

6. The particulars of the children of the marriage are as follows:

- (a) the names and dates of birth of each of the children are:
- (b) the Defendant proposes custody as follows:
- (c) the Defendant proposes access arrangements as follows:
- (d) the Defendant proposes financial arrangements for the children as follows:

or

- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment

9.(1) The Plaintiff's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

(2) The Defendant's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

CLAIMS UNDER THE DIVORCE ACT

10. The Defendant makes the following claims:

- (a) a Divorce Judgment;
- (b) custody of _____;

- (c) access to _____;
- (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));

or

- (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));
- (e) support for the Defendant in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
- (f) lump sum support for the Defendant in the sum of \$_____;
- (g) a restraining order;
- (h) costs.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20____, AND DELIVERED by _____ Barrister and Solicitor, _____, Alberta, Solicitor for the Defendant, whose address for service is in care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen’s Bench of Alberta, Judicial District of _____, at the _____, in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Defendant, certify to the Court that I have complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of _____, 20____.

(Signature of Lawyer)

NOTICE TO THE PLAINTIFF

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in this Counterclaim.

1. IF YOU DISPUTE ANY OF THE CLAIMS YOU MUST FILE A STATEMENT OF DEFENCE TO THE COUNTERCLAIM at the court office shown on the Counterclaim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE TO THE COUNTERCLAIM, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action in respect of the Counterclaim be given to you,

and, if you do not serve a copy of that Statement of Defence to the Counterclaim or Demand of Notice on the defendant at the address for service given in the Counterclaim, you are not entitled to notice of any further proceedings in respect of the Counterclaim and an order may be made in your absence and enforced against you.

This Counterclaim is issued by:

Solicitor for the Defendant who resides at _____, Alberta,

and whose address for service is c/o the said Solicitor and is addressed to the Plaintiff whose residence so far as is known to the Defendant is _____, Alberta.

NO.

IN THE COURT OF
 QUEEN'S BENCH
 OF ALBERTA
 JUDICIAL DISTRICT
 OF _____

BETWEEN:

_____, Plaintiff
 and
 _____, Defendant

DEMAND OF NOTICE AND COUNTERCLAIM FOR DIVORCE

(Lawyer's name, address and telephone number)

FORM 8**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**

_____, Plaintiff

-and-

_____, Defendant

**DEMAND OF NOTICE AND
COUNTERCLAIM FOR DIVORCE AND
DIVISION OF MATRIMONIAL PROPERTY****DEMAND OF NOTICE:**

Take notice that the Defendant demands that notice of any proceedings to be taken in this action be given to the Defendant at the Defendant's address for service.

COUNTERCLAIM:**To this Honourable Court:**

DIVORCE:

The Parties

1.(1) The date of the marriage was:

(2) The place of the marriage was:

(3) The surnames of the parties at birth were:

Husband:

Wife:

(4) At the time of marriage the marital status of each party was:

Husband:

Wife:

(5) The wife was born at _____ on the _____ day of _____, 20____.

(6) The husband was born at _____ on the _____ day of _____, 20____.

(7) The parties ceased cohabiting on the _____ day of _____, 20____.

(8) The Plaintiff's address is:

(9) The Defendant's address is:

Residence

2. The Defendant (or Plaintiff) has been ordinarily resident in the Province of Alberta for at least one year immediately preceding the date of this Counterclaim.

Grounds

3. The Defendant's ground for divorce is the breakdown of the marriage by reason of: *(the parties have been living separate and apart in excess of one year) (the Plaintiff has committed adultery) (the Plaintiff has treated the Defendant with cruelty; specify whether mental cruelty or physical cruelty or both).*

Reconciliation

4.(1) There is no possibility of reconciliation.

(2) The following efforts to reconcile have been made:

Bars To Divorce

5.(1) There has been no collusion in relation to this divorce action.

(2) *(if the grounds are under section 8(2)(b) of the Divorce Act (Canada)).* The Defendant has not connived at or condoned the grounds complained of prior to bringing this divorce action.

Children

6. The particulars of the children of the marriage are as follows:

- (a) the names and dates of birth of each of the children are:
- (b) the Defendant proposes custody as follows:
- (c) the Defendant proposes access arrangements as follows:
- (d) the Defendant proposes financial arrangements for the children as

follows:

or

- (d) the financial arrangements for the support of the children are as follows:

Agreements

7. There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

Court Proceedings

8. The details of any court orders whether in the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction in regard to the marriage, support of the parties, property or custody, access and support of the children are as follows:

Employment

9.(1) The Plaintiff's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

(2) The Defendant's

- (a) place of employment is:
- (b) gross income is:
- (c) total income for the last tax return was:
- (d) taxable income for the last tax return was:

MATRIMONIAL PROPERTY CLAIM:

10. The parties are resident in Alberta. *(or as the case may be)*

11. During the marriage the parties acquired both real and personal property in their names, either jointly or separately. *(The particulars of that*

property, together with the exemption claimed, will be set out in the matrimonial property statements to be filed in this action.)

12. The Defendant is entitled to an equitable division of the matrimonial property.

13. Trial of this action to be held at _____, Alberta.

CLAIMS UNDER THE DIVORCE ACT

14. The Defendant makes the following claims:

- (a) a Divorce Judgment;
 - (b) custody of _____;
 - (c) access to _____;
 - (d) support of the child or children in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
- or
- (d) support of the child or children pursuant to the Child Support Guidelines (commencing on _____ (and being retroactive to _____));
 - (e) support for the Defendant in the sum of \$_____ per month (commencing on _____ (and being retroactive to _____));
 - (f) lump sum support for the Defendant in the sum of \$_____;
 - (g) a restraining order;
 - (h) costs.

CLAIMS UNDER THE MATRIMONIAL PROPERTY ACT

15. The Defendant makes the following claims:

- (a) an Order for the distribution of all of the property acquired by the Plaintiff and Defendant, either jointly or separately, in such manner as the Court deems just and equitable;
- (b) a matrimonial home possession order;
- (c) *(set out such other claims as may relate to the pleadings);*

(d) such further relief and direction as the Court considers necessary to give effect to the distribution of the matrimonial property;

(e) costs.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20____, AND DELIVERED by _____ Barrister and Solicitor, _____, Alberta, Solicitor for the Defendant, whose address for service is in care of that Solicitor.

ISSUED out of the Office of the Clerk of the Court of Queen's Bench of Alberta, Judicial District of _____, at the _____, in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

STATEMENT OF SOLICITOR:

I, _____, solicitor for the Defendant, certify to the Court that I have complied with the requirements of section 9 of the Divorce Act (Canada).

Dated at _____, in the Province of Alberta, this _____ day of _____, 20____.

(Signature of Lawyer)

NOTICE TO THE PLAINTIFF

TO:

A CLAIM HAS BEEN MADE FOR A DIVORCE JUDGMENT AND OTHER RELIEF. The details are set out in this Counterclaim.

1. IF YOU DISPUTE ANY OF THE CLAIMS YOU MUST FILE A STATEMENT OF DEFENCE TO THE COUNTERCLAIM at the court office shown on the Counterclaim within the following times:

- (a) if you were served in Alberta, within 15 days from the date of service;
- (b) if you were served elsewhere in Canada, within 40 days from the date of service;
- (c) if you were served elsewhere than that referred to in clause (a) or (b), within the time indicated on the Order for Service.

2. IF YOU DO NOT FILE

- (a) A STATEMENT OF DEFENCE TO THE COUNTERCLAIM, or
- (b) A DEMAND OF NOTICE requiring that notice of any application to be made in this action in respect of the Counterclaim be given to you,

and, if you do not serve a copy of that Statement of Defence to the Counterclaim or Demand of Notice on the defendant at the address for service given in the Counterclaim, you are not entitled to notice of any further proceedings in respect of the Counterclaim and an order may be made in your absence and enforced against you.

This Counterclaim is issued by:

_____,
Solicitor for the Defendant who resides at _____, Alberta,

and whose address for service is c/o the said Solicitor and is addressed to the Plaintiff whose residence so far as is known to the Defendant is _____, Alberta.

NO.

IN THE COURT OF
QUEEN'S BENCH
OF ALBERTA
JUDICIAL DISTRICT
OF _____

BETWEEN:

_____, Plaintiff
and
_____, Defendant

DEMAND OF NOTICE AND COUNTERCLAIM FOR DIVORCE AND DIVISION OF MATRIMONIAL PROPERTY

(Lawyer's name, address and telephone number)

FORM 9

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Applicant
-and-

Respondent

**NOTICE OF MOTION FOR INTERIM
COROLLARY RELIEF**

TAKE NOTICE that an application will be made before the presiding judge in chambers at the Court House in the _____ of _____, in the Province of Alberta at _____ o'clock in _____ noon, or as soon thereafter as counsel may be heard, on the _____ day of _____, 20____ for an order for the following corollary relief:

AND FURTHER TAKE NOTICE that the grounds for the relief are:

AND FURTHER TAKE NOTICE that in support of this application will be read the affidavits of _____;

AND FURTHER TAKE NOTICE that if you do not appear an order may be made in your absence.

DATED at _____, in the Province of Alberta this, _____ day of _____, 20____.

_Applicant or applicant's
solicitor whose address is

-
and whose address for service is

-

TO: The Clerk of the Court
The Respondent

IMPORTANT NOTICE TO RESPONDENT

If you want to respond to this motion, you or your lawyer must attend in the Law Courts Building on the date and at the time specified.

If you want to present any evidence to the judge hearing this application you must

- make an affidavit, sworn or affirmed as true before a Commissioner for Oaths or Notary Public
- file the affidavit with the Clerk of the Court
- make sure that the applicant's lawyer (or the applicant if he or she does not have a lawyer) receives the affidavit ***at least 24 hours before the hearing.***

FORM 10**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**_____
Applicant

-and-

Respondent**ORIGINATING NOTICE**

TO: (Respondent)

TAKE NOTICE that an application will be made on behalf of _____, the applicant, of _____ in the Province of _____ before the presiding judge in chambers at the Court House in the _____ of _____ on the _____ day of _____, 20____ at the hour of _____ o'clock in the _____ noon, or as soon thereafter as counsel may be heard, for an order that:

AND FURTHER TAKE NOTICE that the grounds for the relief that the applicant is seeking are:

AND FURTHER TAKE NOTICE that in support of this application will be read the affidavit of

_____.

DATED at _____, in the Province of Alberta, this _____ day of _____ 19____.

Clerk of the Court

This originating notice was taken out by _____, the applicant, or _____, solicitor for the applicant, whose address is _____ and whose address for service is _____.

TO: The Respondent

Take notice that if you do not appear either in person or by counsel at the time and place appointed, the relief sought may be granted against you without further notice.

FORM 11**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**_____
Applicant

-and-

Respondent**NOTICE OF CONFIRMATION HEARING**

TO:

TAKE NOTICE that an application to confirm the Provisional Order of
(Judge) of *(Court)* made on the ____ day of _____, 20__ will be
heard by the presiding judge at _____ *(Address)*

in the Province of Alberta on the _____ day of _____,
20_____ at _____ o'clock in the _____ noon, or as soon
thereafter as the matter can be heard.

AND FURTHER TAKE NOTICE that in support of the application will be read
all material forwarded by the Court that granted the Provisional Order, that
material being filed with the undersigned clerk.

AND FURTHER TAKE NOTICE that if you do not appear in person or with
counsel an order may be made in your absence and enforced against you.

DATED at _____, in the Province of Alberta this _____ day of
_____, 20_____.

Clerk of the Court

FORM 12**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**_____
Plaintiff

-and-

Defendant**REQUEST FOR DIVORCE
(WITHOUT ORAL HEARING)**

TO THE CLERK OF THE COURT:

1. I request that this action be set for hearing as an undefended divorce to be considered pursuant to Rule 568 on the basis of affidavit evidence.
2. Service of the Statement of Claim on my spouse was effected by _____ on the _____ day of _____, 20_____, (or as indicated in the affidavit of service).
3. The affidavit evidence to be considered with my Statement of Claim has been filed and is attached to this request.
4. The Defendant has not filed a Statement of Defence or a Demand of Notice (or has filed a Demand of Notice but has consented to this request by consent endorsed on this request).
5. The Defendant's address is _____.
6. The address of the Defendant's solicitor is _____.
7. The Plaintiff's address is _____.
8. The address of the Plaintiff's solicitor is _____.

DATED at _____, in the Province of Alberta, this _____ day of _____, 20_____.

Plaintiff or Solicitor

FORM 13

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Plaintiff

-and-

Defendant

REQUEST FOR A CERTIFICATE OF DIVORCE

I, _____ of the _____ of _____ in the _____
do hereby request that a Certificate of Divorce be issued.

DATED at _____, in the Province of Alberta, this _____ day of
_____, 20_____.

FORM 14

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

CERTIFICATE OF DIVORCE

This is to certify that the marriage of _____ and
_____ that was solemnized on the _____ day of
_____, 20____ was dissolved by a judgement that became effective on the
_____ day of _____, 20____.

DATED at _____, in the Province of Alberta, this _____ day
of _____, 20____.

Clerk of the Court

FORM 15**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____****BETWEEN:**

_____, Plaintiff

-and-

_____, Defendant

AFFIDAVIT OF APPLICANT

I, _____, of the _____, in the Province of Alberta, MAKE OATH
AND SAY:

Parties

1. THAT I am the spouse of the Defendant whose last known address is _____, in the _____ of _____, in the Province of _____. I identify the person in the picture attached as Exhibit "_____" to the Affidavit of Service filed herein, as the Defendant herein.

Marriage

2. THAT I was married to the Defendant, _____, on the _____ day of _____, 20_____, at the _____ of _____, in the Province of _____, and attached hereto and marked Exhibit "A" to this my Affidavit is a certified copy of a marriage certificate issued by the Province of _____, which accurately sets forth the particulars of my marriage.

(If a marriage certificate cannot be obtained, then the marriage can be proved by setting out the circumstances of the marriage: the place and date, the licence, the person performing the marriage, the witnesses, and the fact that the parties then considered themselves married. A certificate from a religious ceremony, can, in addition, be appended as an exhibit. It is expected that marriage certificates for marriages performed within Canada will be obtained.)

Residence

3. THAT I (or the Defendant) have been ordinarily resident in the Province of Alberta for a period of at least one year immediately preceding the date of the issuance of the Statement of Claim herein.

Grounds

4. THAT there has been a marriage breakdown, which is evidenced by the following:

- (a) THAT I separated from the Defendant on the _____ day of _____, 20____, at the _____ of _____, in the Province of _____ and have lived separate and apart from the Defendant since that date, which is a period in excess of one year.

OR

- (a) THAT the Defendant has committed adultery as evidenced by (his or her _____) Affidavit filed herein;
- (b) THAT I separated from the Defendant on the _____ day of _____, 20____, at the _____ of _____, in the Province of _____ and have lived separate and apart from the Defendant since that date.

OR

- (a) THAT the Defendant has treated me with mental or physical cruelty, particulars of which are as follows:

(Here put in the details of the conduct that the applicant alleges establishes the existence of the mental or physical cruelty.)

- (b) THAT I separated from the Defendant on the _____ day of _____, 20____, at the _____ of _____, in the Province of _____ and have lived separate and apart from the Defendant since that date.

Bars to Divorce

5(a) THAT I have not entered into any agreement or conspiracy, either directly or indirectly, for the purpose of subverting the administration of justice, nor have I entered into any agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the Court in this action;

(The following two paragraphs are applicable only if the grounds are adultery or mental or physical cruelty.)

- (b) THAT I have not done anything to encourage the Defendant to commit the acts complained of, nor have I done anything which would have led the Defendant to believe that I would agree or not object to such acts;
- (c) THAT I have not forgiven the Defendant for committing the acts described herein and have not taken him/her back to live with me as my spouse.

Children, Child Care and Financial Arrangements For Children

6. (a) THAT there are no children of the marriage as defined by the Divorce Act (Canada).

or

- (a) THAT there are _____ children of the marriage, as defined by the Divorce Act (Canada) namely:

(i) _____, born the _____ of _____, 20____.

(ii) _____, born the _____ of _____, 20____.

(iii) _____, born the _____ of _____, 20____.

- (a.1) There are in existence the following court orders from the Court of Queen's Bench of Alberta, the Provincial Court of Alberta or any other jurisdiction relating to the children of the marriage:

And attached hereto and marked Exhibit "B" to this my affidavit is a copy of all orders from the Provincial Court of Alberta and any other jurisdiction.

- (a.2) There are in existence the following agreements between the parties or with a third party relating to the children of the marriage:

An attached hereto and marked Exhibit "C" to this my affidavit is a copy of all agreements (except Minutes of Settlement pertaining to the settlement of this action.)

- (b) (Set out arrangements for custody and access).
- (c) THAT the following arrangements have been made for the

support of the children of the marriage and it is my belief that these arrangements are reasonable arrangements as required by section 11(1)(b) of the Divorce Act (Canada):

- (i) the amount of \$_____ per month for the children of the marriage will be paid for his/her/their support;
 - (ii) the payments of the amount referred to in subclause (i) shall commence on the _____ day of _____, 20_____.
- (d) THAT in support of the arrangements referred to in clause (c) the following information is provided:

- (i) my guideline income is determined as follows:

employment income \$ _____;

other income (*specify*) \$ _____;

for a total income of \$ _____;

minus the following adjustments permitted under Schedule III of the Federal Child Support Guidelines

(*specify*) \$ _____;

for a guideline income of \$ _____;

- (ii) the Defendant's guideline income is determined as follows:

employment income \$ _____;

other income (*specify*) \$ _____;

for a total income of \$ _____;

minus the following adjustments permitted under Schedule III of the Federal Child Support Guidelines

(*specify*) \$ _____;

for a guideline income of \$ _____;

- (iii) the amount payable by _____ under the Federal Child Support Guidelines is \$ _____;

- (iv) special or extraordinary expenses allowable under section 7 of the Federal Child Support Guidelines are:

(A) \$_____ per year babysitting/day care costs;

- (B) \$ _____ per year medical/dental insurance premiums related to the children;
- (C) \$ _____ per year health related expenses in excess of \$100.00;
- (D) \$ _____ extraordinary school expenses;
- (E) \$ _____ post-secondary school expenses;
- (F) \$ _____ extraordinary extracurricular expenses.

[Important Note: When

- no expenses are claimed for babysitting/day care costs, and
- the parent with whom the children live, works outside the home,

please explain why no claim is made for babysitting/day care. The explanation will help reduce the likelihood that the application will be returned with a request for more information.]

- (v) the _____ (*payor*) will provide medical and dental insurance coverage for the children as follows: (*specify*);

(Additional provisions under Federal Child Support Guidelines)

- (vi) *provisions for child over the age of majority are (specify);*
- (vii) *split custody (specify);*
- (viii) *shared custody (specify);*
- (ix) *there has been a deviation from the Federal Child Support Guidelines for the following reasons:*

(Include all relevant information to substantiate the deviation and, if undue hardship is claimed, state that it is claimed, what it is and set out the standard of living test)

- (e) THAT in support of arrangements referred to in clause (c) the source of my knowledge in regard to the above information relating to the Defendant is as follows:

(In addition, a copy of any agreement may be attached.)

Spousal Maintenance

7. THAT the following arrangements have been made for spousal maintenance:

Reconciliation

8. THAT there is no possibility of reconciliation between my spouse and me.

Statement of Claim for Divorce

9. THAT I have read the Statement of Claim for Divorce filed herein and the information contained therein is correct except where otherwise stated in this Affidavit.

Relief Requested

10. THAT this Affidavit is made in support of an application for: *(Set out in list form relief being requested.)*

Sworn before me at the _____ of _____)
 _____, in the Province of Alberta,)
 this ____ day of _____, 20____) _____
)
)
 _____)
 A Commissioner for Oaths in and)
 for the Province of Alberta)

FORM 16

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Plaintiff
-and-

Defendant

Before the Honourable Justice _____ At _____, in the Province
of the Court of Queen's Bench of Alberta of Alberta, on the ____ day
of _____, 20__

**DIVORCE JUDGMENT
(WITHOUT ORAL EVIDENCE)**

UPON THE STATEMENT OF CLAIM coming on before the Court this day;

AND UPON READING the pleadings and the Affidavits of _____;

IT IS HEREBY ADJUDGED that the Court renders a Judgment of Divorce between the Plaintiff and the Defendant, who were married on the ____ day of _____, 20____, at the _____ of _____, in the _____ of _____, the divorce to be effective on the 31st day after the day that this Judgment is rendered, unless this Judgment is appealed before that 31st day.

JUSTICE OF THE COURT OF
QUEEN'S BENCH OF ALBERTA

ENTERED at the _____ of _____ in the Province of Alberta, this _____ day of _____, 20_____.

Clerk of the Court

THE SPOUSES ARE NOT FREE TO REMARRY UNTIL THIS JUDGMENT TAKES EFFECT, AT WHICH TIME EITHER SPOUSE MAY OBTAIN A CERTIFICATE OF DIVORCE FROM THIS COURT. IF AN APPEAL IS TAKEN FROM THIS JUDGMENT, IT MAY DELAY THIS JUDGMENT TAKING EFFECT.

FORM 17

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Plaintiff
-and-

Defendant

Before the Honourable Justice _____ At _____, in the Province
_____ of the Court of Queen's of Alberta, on the ____ day
Bench of Alberta of _____, 20__

**DIVORCE JUDGMENT AND
COROLLARY RELIEF ORDER
(WITHOUT ORAL EVIDENCE)**

UPON THE STATEMENT OF CLAIM FOR DIVORCE coming on before the Court this day;

AND UPON READING the pleadings and the Affidavit(s) of _____;

AND UPON the Defendant having been found to have a guideline income of \$_____ and the Plaintiff to have a guideline income of \$_____;

AND UPON the Court being advised that the name and birth date of each child of the marriage is as follows:

1. IT IS ADJUDGED:

THAT the Court renders a Judgment of Divorce between the Plaintiff and the Defendant, who were married on the ____ of _____, 20__, in the _____ of _____, the divorce to be effective on the 31st day after the day this Judgment is rendered, unless this Judgment is appealed before that 31st day.

2. IT IS ORDERED:

THAT *(set out custody arrangements)*.

3. IT IS ORDERED:

THAT *(set out access arrangements)*.

4. IT IS ORDERED:
(Standard Child Support Payment Clause)
 THAT The Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$_____ per month for the support of the child(ren) of the marriage, *(names of child(ren))*, payable on the 1st day of each month, commencing _____ 1, 20__.

5. IT IS ORDERED:
(Add-on for Additional Expenses)
 THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$_____ per month for additional expenses for the child(ren) of the marriage, payable on the 1st day of each month, commencing _____ 1, 20__, allocated as follows:

Child	Nature of Add-on	Amount of Percentage
_____	_____	_____
_____	_____	_____

6. IT IS ORDERED:
(Medical and Dental Coverage)
 THAT the Defendant/Plaintiff shall provide medical and dental insurance coverage for the child(ren) of the marriage.

7. IT IS ORDERED:
(Child Over Age of Majority)
 THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$_____ per month for _____, a child of the marriage over the age of majority, payable on the 1st day of each month, commencing _____ 1, 20__.

8. IT IS ORDERED:
(Undue Hardship)
 THAT the Defendant/Plaintiff, having satisfied the Court that payment of the full amount of child support prescribed in the Federal Child Support Guidelines would cause the Defendant/Plaintiff undue hardship due to _____, shall pay to the Defendant/Plaintiff for the support of the child(ren), *(names of child(ren))*, the sum of \$_____ per month, payable on the 1st day of each month commencing _____ 1, 20__.

[and]

IT IS FURTHER ORDERED:
 THAT the child support shall be revisited in _____ of 20__, it being determined that the cause of the undue hardship should be eliminated by that date.

[or]

IT IS FURTHER ORDERED:

THAT commencing on the _____ day of _____, 20____, the Defendant/Plaintiff shall pay the amounts prescribed by the guidelines, namely _____.

8.1. IT IS ORDERED:

(Continuing obligation to provide income information)

THAT each party shall provide the other party with a complete copy of his or her income tax return and any notices of assessment and reassessment issued to him or her by the Canada Customs and Revenue Agency on an annual basis, on or before June 30th of each year, as long as there is a child of the marriage as defined by the *Divorce Act* (Canada).

[and]

IT IS FURTHER ORDERED:

THAT in the event that a party has not filed an income tax return for the previous year, he or she shall provide the other party with copies of his or her T4, T4A and all other relevant tax slips and statements disclosing any and all sources of income, including self-employment income.

9. IT IS ORDERED:

THAT *(set out spousal support arrangements)*.

10. IT IS ORDERED:

THAT the amounts owing under this Order shall be paid to the Director of Maintenance Enforcement (MEP) at _____ and shall be enforced by MEP upon the creditor (recipient of support) or debtor (payor of support) registering with MEP. Such enforcement shall continue until the party who registered gives MEP a notice in writing withdrawing the registration pursuant to section 9 of the Maintenance Enforcement Act.

JUSTICE OF THE COURT OF
QUEEN’S BENCH OF ALBERTA

ENTERED at the _____ of _____ in the Province of Alberta, this _____ day of _____, 20____.

Clerk of the Court

THE SPOUSES ARE NOT FREE TO REMARRY UNTIL THIS JUDGMENT TAKES EFFECT, AT WHICH TIME EITHER SPOUSE MAY OBTAIN A CERTIFICATE OF DIVORCE FROM THIS COURT. IF AN APPEAL IS

TAKEN FROM THIS JUDGMENT, IT MAY DELAY THIS JUDGMENT
TAKING EFFECT. (WHERE THE JUDGMENT AND COROLLARY
RELIEF ORDER ARE GRANTED OTHER THAN UNDER RULE 568, THE
HEADING AND PREAMBLE MUST BE MODIFIED ACCORDINGLY.)

Consent to Corollary Relief

Solicitor for the Defendant

(Consent may be required in some circumstances for Corollary Relief Orders.)

FORM 18

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Plaintiff
-and-

Defendant

Before the Honourable Justice _____ At _____, in the Province
_____ of the Court of Queen's of Alberta, on the ____ day
Bench of Alberta of _____, 20__

COROLLARY RELIEF ORDER

THE PARTIES hereto having been divorced by a Divorce Judgment rendered on the _____ day of _____, 20__ and this matter having come on for hearing in the presence of the Plaintiff and the Defendant (or in the absence of the parties and counsel, as the case may be);

AND UPON CONSIDERING the pleadings and the Affidavit(s) of (or the evidence presented);

AND UPON the Defendant having been found to have a guideline income of \$ _____ and the Plaintiff to have a guideline income of \$ _____;

AND UPON the Court being advised that the name and birth date of each child of the marriage is as follows:

1. IT IS ORDERED:
THAT *(set out the custody arrangements)*
2. IT IS ORDERED:
THAT *(set out the access arrangements)*
3. IT IS ORDERED:
(Standard Child Support Payment Clause)
THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the

sum of \$ _____ per month for the support of the child(ren) of the marriage, (names of child(ren)), payable on the 1st day of each month, commencing _____ 1, 20__.

4. IT IS ORDERED:

(Add-on for Additional Expenses)

THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$ _____ per month for additional expenses for the child(ren) of the marriage, payable on the 1st day of each month, commencing _____ 1, 20__, allocated as follows:

Child	Nature of Add-on	Amount of Percentage
_____	_____	_____
_____	_____	_____

5. IT IS ORDERED:

(Medical and Dental Coverage)

THAT the Defendant/Plaintiff shall provide medical and dental insurance coverage for the child(ren) of the marriage.

6. IT IS ORDERED:

(Child Over Age of Majority)

THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$ _____ per month for _____, a child of the marriage over the age of majority, payable on the 1st day of each month, commencing _____ 1, 20__.

7. IT IS ORDERED:

(Undue Hardship)

THAT the Defendant/Plaintiff, having satisfied the Court that payment of the full amount of child support prescribed in the Federal Child Support Guidelines would cause the Defendant/Plaintiff undue hardship due to _____, shall pay to the Defendant/Plaintiff for the support of the child(ren) of the marriage, (names of child(ren)), the sum of \$ _____ per month, payable on the 1st day of each month commencing _____ 1, 20__ up to and including _____, 20__.

[and]

IT IS FURTHER ORDERED:

THAT child support shall be revisited in _____ of 20__, it being determined that the cause of the undue hardship should be eliminated by that date.

[or]

IT IS FURTHER ORDERED:

THAT commencing on the _____ day of _____, 20__,

the Defendant/Plaintiff shall pay the amounts prescribed by the guidelines, namely _____.

- 7.1. IT IS ORDERED:
(Continuing obligation to provide income information)
 THAT each party shall provide the other party with a complete copy of his or her income tax return and any notices of assessment and reassessment issued to him or her by the Canada Customs and Revenue Agency on an annual basis, on or before June 30th of each year, as long as there is a child of the marriage as defined by the *Divorce Act* (Canada).

[and]

IT IS FURTHER ORDERED:
 THAT in the event that a party has not filed an income tax return for the previous year, he or she shall provide the other party with copies of his or her T4, T4A and all other relevant tax slips and statements disclosing any and all sources of income, including self-employment income.

8. IT IS ORDERED:
 THAT *(set out spousal support arrangements)*

9. IT IS ORDERED:
 THAT the amounts owing under this Order shall be paid to the Director of Maintenance Enforcement (MEP) at _____ and shall be enforced by MEP upon the creditor (recipient of support) or debtor (payor of support) registering with MEP. Such enforcement shall continue until the party who registered gives MEP a notice in writing withdrawing the registration pursuant to section 9 of the Maintenance Enforcement Act.

 JUSTICE OF THE COURT OF
 QUEEN'S BENCH OF ALBERTA

ENTERED at the _____ of
 _____ in the Province of
 Alberta, this _____ day of
 _____, 20 _____.

 Clerk of the Court

FORM 19

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____**

BETWEEN:

Plaintiff
-and-

Defendant

Before the Honourable Justice _____ At _____, in the Province
_____ of the Court of Queen's Bench of Alberta of Alberta, on the ____ day
of _____, 20__

VARIATION ORDER

UPON THE APPLICATION of _____;

AND UPON READING the Affidavit(s) of _____ filed on behalf of (the Plaintiff or the Defendant);

AND UPON HEARING representations by the counsel for both parties;

AND UPON the Defendant having been found to have a guideline income of \$ _____ and the Plaintiff to have a guideline income of \$ _____;

AND UPON the Court being advised that the name and birth date of each child of the marriage is as follows:

1. IT IS ORDERED:
THAT, pursuant to the Divorce Act (Canada), the Judgment pronounced _____, 20__ by the Honourable Justice _____ is hereby varied to delete paragraph _____ of the said judgment.
2. IT IS ORDERED:
THAT the amounts owing under this Order shall be paid to the Director of Maintenance Enforcement (MEP) at _____ and shall be enforced by MEP upon the creditor (recipient of support) or debtor

(payor of support) registering with MEP. Such enforcement shall continue until the party who registered gives MEP a notice in writing withdrawing the registration pursuant to section 9 of the Maintenance Enforcement Act.

VARIABLE CLAUSES

3. IT IS ORDERED:
(Standard Child Support Payment Clause)
 THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$ _____ per month for the support of the child(ren) of the marriage, *(names of child(ren))*, payable on the 1st day of each month, commencing _____ 1, 20__.

4. IT IS FURTHER ORDERED:
(Add-on for Additional Expenses)
 THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$ _____ per month for additional expenses for the child(ren) of the marriage, payable on the 1st day of each month, commencing _____ 1, 20__, allocated as follows:

Child	Nature of Add-on	Amount of Percentage
_____	_____	_____
_____	_____	_____

5. IT IS ORDERED:
(Medical and Dental Coverage)
 THAT the Defendant/Plaintiff shall provide medical and dental insurance coverage for the child(ren) of the marriage.

6. IT IS ORDERED:
(Child Over Age of Majority)
 THAT the Defendant/Plaintiff shall pay to the Defendant/Plaintiff the sum of \$ _____ per month for _____, a child of the marriage over the age of majority, payable on the 1st day of each month, commencing _____ 1, 20__.

7. IT IS ORDERED:
(Undue Hardship)
 THAT the Defendant/Plaintiff, having satisfied the Court that payment of the full amount of child support prescribed in the Federal Child Support Guidelines would cause the Defendant/Plaintiff undue hardship due to _____, shall pay to the Defendant/Plaintiff for the support of the child(ren) of the marriage, *(names of child(ren))*, the sum of \$ _____ per month, payable on the 1st day of each month commencing _____ 1, 20__ up to and including _____, 20__.

[and]

IT IS FURTHER ORDERED:

THAT the child support shall be revisited in _____ of 20____,
it being determined that the cause of the undue hardship should be
eliminated by that date.

[or]

IT IS FURTHER ORDERED:

THAT commencing on the _____ day of _____, 20____, the
Defendant/Plaintiff shall pay the amounts prescribed by the guidelines,
namely _____.

7.1. IT IS ORDERED:

(Continuing obligation to provide income information)

THAT each party shall provide the other party with a
complete copy of his or her income tax return and any notices
of assessment and reassessment issued to him or her by the
Canada Customs and Revenue Agency on an annual basis, on
or before June 30th of each year, as long as there is a child of
the marriage as defined by the *Divorce Act* (Canada).

[and]

IT IS FURTHER ORDERED:

THAT in the event that a party has not filed an income tax
return for the previous year, he or she shall provide the other
party with copies of his or her T4, T4A and all other relevant
tax slips and statements disclosing any and all sources of
income, including self-employment income.

8. IT IS ORDERED:

THAT *(set out spousal arrangements)*.

JUSTICE OF THE COURT OF
QUEEN'S BENCH OF ALBERTA

APPROVED AS TO FORM AND CONTENT:
(or) CONSENTED TO:

Solicitor for the Plaintiff

Solicitor for the Defendant

ENTERED at _____ of
_____ in the Province of
Alberta, this _____ day of
_____, 20 _____.

Clerk of the Court

AR 117/86 s4;243/96;133/97;191/97;152/98;101/99;172/99;38/2003;200/2003; 50/2006; 17/2007