



ONTARIO
Ontario Family Court of the Superior Court of Justice
(Name of Court)

Court File Number
04FL1234
Family Law Rules, O. Reg. 114/99

at **161 Elgin Street, Ottawa, Ontario K2P 2K1**
(Court office address)

**Form 8A: Application
 (divorce)** **Simple**
 Joint

Applicant(s)

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p> <p>Sarah Weiss 123 Anywhere Lane Ottawa, ON K1S 6O4 Tel: (123) 456-7890</p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p> <p>Susan Smith Smith, Jones 456 Nowhere Street 10th Floor Ottawa, Ontario K2R 9X2 Tel: (123) 789-1234 Fax: (123) 345-6789 Susan@smithjones.com</p>
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Respondent(s)

<p><i>Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p> <p>David Williams 678 Downtown Road Ottawa, ON K4R 0O0 Tel: (123) 345-6789</p>	<p><i>Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).</i></p> <p>Fred Brown Black & Brown 567 Suburban Street Ste 200 Ottawa, Ontario K4V 8Y1 Tel: (123) 234-5678 Fax: (123) 789-3456 Fred@blackbrown.ca</p>
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IN THIS CASE, THE APPLICANT IS CLAIMING DIVORCE ONLY.

TO THE RESPONDENT(S): A COURT CASE FOR DIVORCE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

THIS CASE IS ON THE STANDARD TRACK OF THE CASE MANAGEMENT SYSTEM. No court date has been set for this case but, if you have been served with a notice of motion, it has a court date and you or your lawyer should come to court for the motion. A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case conference or until a notice of motion under subrule 14(5) is served before a case conference has been held. If, after 200 days, the case has not been scheduled for trial, the clerk of the court will send out a warning that the case will be dismissed in 30 days unless the parties file proof that the case has been settled or one of the parties asks for a case conference or a settlement conference.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an *Answer* (Form 10 — a blank copy should be attached), serve a copy on the applicant and file a copy in the court office with an *Affidavit of Service* (Form 6B). **YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.**

IF YOU WANT TO MAKE A CLAIM OF YOUR OWN, you or your lawyer must fill out the claim portion in the *Answer*, serve a copy on the applicant(s) and file a copy in the court office with an *Affidavit of Service*.

- If you want to make a claim for support but do not want to make a claim for property or exclusive possession of the matrimonial home and its contents, you **MUST** fill out a *Financial Statement* (Form 13), serve a copy on the applicant(s) and file a copy in the court office.
- However, if your only claim for support is for child support in the table amount specified under the *Child Support Guidelines*, you do not need to fill out, serve or file a *Financial Statement*.
- If you want to make a claim for property or exclusive possession of the matrimonial home and its contents, whether or not it includes a claim for support, you **MUST** fill out a *Financial Statement* (Form 13.1, not Form 13), serve a copy on the applicant(s), and file a copy in the court office.

YOU SHOULD GET LEGAL ADVICE ABOUT THIS CASE RIGHT AWAY. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid office. *(See your telephone directory under LEGAL AID.)*

THIS CASE IS A JOINT APPLICATION FOR DIVORCE. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES. The application and affidavits in support of the application will be presented to a judge when the materials have been checked for completeness.
If you are requesting anything other than a simple divorce, such as support or property or exclusive possession of the matrimonial home and its contents, then refer to page 1 for instructions regarding the Financial Statement you should file.

May 20, 2006 _____
Date of issue

Clerk of the court

FAMILY HISTORY

HUSBAND: Age: 37 Birthdate: October 31, Yr-37
 Resident in (municipality & province) Ottawa, Ontario
 since (date) birth
 Surname at birth: Williams
 Surname just before marriage: Williams
 Divorced before? No Yes (Place and date of previous divorce)

WIFE: Age: 36 Birthdate: June 1, Yr-36
 Resident in (municipality & province) Ottawa, Ontario
 since (date) birth
 Surname at birth: Weiss
 Surname just before marriage: Weiss
 Divorced before? No Yes (Place and date of previous divorce)

RELATIONSHIP DATES

Married on (date) November 12, Yr-15 Started living together on (date) _____
 Separated on (date) March 5, Yr 0 Never lived together

THE CHILD(REN): List all children involved in this case, even if no claim is made for these children.

Full legal name	Age	Birthdate	Resident in (municipality & province)	Now Living with (name of person and relationship to child)
Jacob Williams	15	October 1, Yr -11	Middlesex, Ontario	Mother
Michael Williams	13	August 1, Yr -9	Middlesex, Ontario	Mother

PREVIOUS CASES OR AGREEMENTS

Have the parties or the children been in a court case before?
 No Yes (Attach a Summary of Court Cases – Form 8E.)
 Have the parties made a written agreement dealing with any matter involved in this case?
 No Yes (Give date of agreement. Indicate which of its items are in dispute.)

CLAIMS

USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE.

WE JOINTLY ASK THE COURT FOR THE FOLLOWING:

Claims under the <i>Divorce Act</i>	Claims under the <i>Family Law Act</i> or <i>Children's Law Reform Act</i>	Claims relating to property
00 <input type="checkbox"/> a divorce	10 <input type="checkbox"/> spousal support	20 <input type="checkbox"/> equalization of net family properties
01 <input type="checkbox"/> spousal support	11 <input type="checkbox"/> support for child(ren) – table amount	21 <input type="checkbox"/> exclusive possession of matrimonial home
02 <input type="checkbox"/> support for child(ren) – table amount	12 <input type="checkbox"/> support for child(ren) - other than table amount	22 <input type="checkbox"/> exclusive possession of contents of matrimonial home
03 <input type="checkbox"/> support for child(ren) - other than table amount	13 <input type="checkbox"/> custody of child(ren)	23 <input type="checkbox"/> freezing assets
04 <input type="checkbox"/> custody of child(ren)	14 <input type="checkbox"/> access to child(ren)	24 <input type="checkbox"/> sale of family property
05 <input type="checkbox"/> access to child(ren)	15 <input type="checkbox"/> restraining/non-harassment order	
	16 <input type="checkbox"/> indexing spousal support	Other Claims
	17 <input type="checkbox"/> declaration of parentage	30 <input type="checkbox"/> costs
	18 <input type="checkbox"/> guardianship over child's property	31 <input type="checkbox"/> annulment of marriage
		32 <input type="checkbox"/> prejudgment interest
		50 <input type="checkbox"/> (Other; specify.)

USE THIS FRAME ONLY IF THE APPLICANT'S ONLY CLAIM IN THIS CASE IS FOR DIVORCE.

I ASK THE COURT FOR:

00 a divorce (Check if applicable.)
 30 costs

IMPORTANT FACTS SUPPORTING THE CLAIM FOR DIVORCE

Separation: The spouses have lived separate and apart since (date) March 5, Yr 0 and have not lived together again since that date.
 have lived together again during the following period(s) in an unsuccessful attempt to reconcile:
 (Give dates.)

Adultery: (Name of spouse) _____ has committed adultery. (Give details. It is not necessary to name any other person involved but, if you do name the other person, then you must serve this application on the other person.)

Cruelty: (Name of spouse) _____ has treated (name of spouse) _____ with physical or mental cruelty of such a kind as to make continued cohabitation intolerable. (Give details.)

USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE.

The details of the other order(s) that we jointly ask the court to make are as follows: *(Include any amounts of support and the names of the children for whom support, custody or access is to be ordered.)*

IMPORTANT FACTS SUPPORTING OUR CLAIM(S)

(Set out below the facts that form the legal basis for your claim(s)).

Put a line through any blank space left on this page

In a joint application for divorce, there will be two signatures — one for each spouse. But in an application where the applicant's only claim is for divorce, you and your lawyer are the only ones who will sign and you should strike out the inappropriate zone for your spouse's signature and corresponding date.

Date of signature

Signature of applicant husband

Date of signature

Signature of applicant wife

LAWYER'S CERTIFICATE

My name is: Susan Smith
and I am the lawyer for *(name)* Sarah Weiss
in this divorce case. I certify that I have complied with the requirements of section 9 of the *Divorce Act*.

May 20, Yr 0

Date of signature

Lawyer's signature