



**SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

**NOTICE TO THE PROFESSION/PUBLIC – UPCOMING RULE AMENDMENTS
NEW FAMILY FORMS FOR FAMILY PROCEEDINGS**

The Rules Committee of the Supreme Court of Newfoundland and Labrador, Trial Division, recently approved minor amendments to the following family law forms: F4.03A; F4.04A; F4.04B; F5.05A; F5.06A; F6.02A; F6.04A; F6.06A; F7.02A; F8.04A; F8.11A; F10.02A; F10.04A; F11.02A; F11.02B; F11.03B; F14.04A; F16.03A; F17.03A; F18.03A; F19.02A; F23.01A; F23.02A; F23.05A; F25.03A; F26.02A; F26.03A; F27.02A; F28.02A; F29.02A; F31.02A; F34.02A; F34.02B; F34.02C; F38.04A; F38.04B; F38.06A; and F40.04A. The amendments were introduced to address comments and feedback the Court has received following the implementation of the *Trial Division Family Rules* on March 1, 2017. A summary of the amendments is included below.

The amending regulation will be published in the June 2, 2017, edition of the *Newfoundland and Labrador Gazette*, and will be in force upon publication. The family forms on the Court's website will be updated in advance of June 2, 2017, so that they are available for use. The old version of the forms will also be accepted until June 16, 2017.

SUMMARY OF AMENDMENTS

1. General formatting changes to all forms:

- Removed lines for fill-in spaces and replaced with unlined spaces.
- Corrected issues with box text going off the page.
- Corrected page number issues by removing total page count from footnotes.
- Corrected PDF form issues.

2. Originating Application (Form F4.03A), Joint Originating Application (Form F4.04A), Originating Application for Variation (Form F5.05A) and Joint Originating Application for Variation (Form F5.06A):

- Added "Last Name at Birth" to Applicant/Respondent information.
- Added sections to accommodate applications made under the *Civil Marriages Act* and the *Family Homes on Reserves and Matrimonial Interests or Rights Act*.

3. Response (Form F6.02A):

- Added information relating to the relationship of the parties.
- Added disclosure instructions for payors in child support basic table amount situations. Payors are directed to page 4 of the Financial Statement – to provide 3 years Income Tax Returns and Notices of Assessments, as well as current income information.

4. Reply (Form F7.02A):

- Added disclosure instructions for payors in child support basic table amount situations. Payors are directed to page 4 of the financial statement – to provide 3 years Income Tax Returns and Notices of Assessments, as well as current income information.

5. Affidavit of Service (Form F8.11A):

- Added list of documents with check boxes.
- Removed instructions that “Registry can provide a list of process servers” form the Affidavit of Service instructions.

6. Property Statement (Form F10.04A):

- Changed the format to charts instead of lists.
- Added *Family Law Act* references.

7. Request for Case Management Hearing (Form F14.04A):

- Added space for addresses for Notice of Case Management.

8. Interim Application for a Procedural Order (Form F16.03A):

- Added an “Other” option in the “Basis of Application” section of the form.

9. Interim Application (Form F18.03A):

- Added more space for “Orders Sought” and “Reasons” sections.
- Changed “Court Use Only” sections to include “Permission Not Required” option and “Permission granted in part” option.

10. Application for Judgment (Form F26.02A):

- Changed “Attachments” section to “Relevant Documents” and changed description in this section to clarify how to properly fill out that section.
- Separated the Affidavit section on a different page so that it may be copied in uncontested proceedings involving Co-Applicants.
- Corrected typo errors.

11. Consent Order – Support (Form F34.02A):

- Added space for parties to provide their address, as required by the Rules.
- Added additional spaces to provide details throughout (eg. space for special/extraordinary expenses that are not accumulated on a monthly basis or is not known at the time of the sign of the consent.
- Removed options for “final order” and “interim order”, leaving only options for “final order on consent” and “interim order on consent”.
- Added a line in retroactive support to specify that the amount agreed to represents the payor’s support obligations from (date) to (date).
- Added option for both parties to agree to produce financial disclosure.
- Added note to parties for that recalculation can only be used if parties agree to basic table amount and either primary residence parenting or split parenting.

12. Consent Order – Other than Support (Form F34.02B):

- Changed language of parenting orders (ie. decision-making and parenting time).
- Added shared-parenting and split parenting section for CRA income tax purposes.

13. Certificate of Divorce (Form F40.04A):

- Added space for court seal.

The Court will also be adding the following additional forms to its website for the use and convenience of litigants and counsel:

1. **Notice of change of lawyer**
2. **Notice of representation by lawyer**
3. **Blank order form** (which can be used for drafting any type of order)
4. **Support order** (template)
5. **Order for issues other than support** (template)

If you have any questions with respect to the above, please contact the Family Division’s Legal Research Officer at 709-729-1381.

RAYMOND P. WHALEN
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Newfoundland and Labrador, Trial Division