

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 36: Affidavit for Divorce

dated **October 21, Yr 0**

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Sarah Weiss
123 Anywhere Lane
Ottawa, ON
K1S 6O4
Tel: (123) 456-7890

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Susan Smith
Smith, Jones
456 Nowhere Street
10th Floor
Ottawa, Ontario K2R 9X2
Tel: (123) 789-1234
Fax: (123) 345-6789
Susan@smithjones.com

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

David Williams
678 Downtown Road
Ottawa, ON
K4R 0O0
Tel: (123) 345-6789

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Fred Brown
Black & Brown
567 Suburban Street
Ste 200
Ottawa, Ontario K4V 8Y1
Tel: (123) 234-5678
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Fred@blackbrown.ca

My name is (full legal name) **Sarah Weiss**

I live in (municipality & province) **Ottawa, Ontario**

And I swear/affirm that the following is true:

- 1. I am the applicant in this divorce case.
- 2. There is no chance of reconciliation between the respondent and me.
- 3. All information in the application in this case is correct, except: (State any corrections or changes to the information in the application. Write "NONE" if there are no corrections or changes.)

None

- 4. The certificate or registration of my marriage to the respondent has been signed and sealed by the Registrar of Ontario and
 - has been filed with the application.
 - is attached to this affidavit.

The certificate of my marriage to the respondent was issued outside Ontario. It is called (title of certificate)

It was issued at (place of issue)

on (date) by (name and title of person who issued the certificate)

and the information in it about my marriage is correct.

dated _____

I have not been able to get a certificate or registration of my marriage. I was married to the respondent on (date) _____ at: _____ The marriage was performed by (name and title) _____ who had the authority to perform marriages in that place.

5. The legal basis for the divorce is:

- that the respondent and I have been separated for at least one year. We separated on (date) March 5, Yr 0
- (Other. Specify.)

6. I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court in this divorce case.

Strike out the following paragraphs if they do not apply.

~~7. I do not want to make a claim for a division of property in this divorce case, even though I know that it may be legally impossible to make such a claim after the divorce.~~

~~8. I want the divorce order to include the following paragraph numbers of the attached consent, settlement, separation agreement or previous court order: (List the numbers of the paragraphs that you want included in the divorce order.)~~

8. All matters between the Respondent and I have been settled in a separation agreement dated August 31, Yr 0. A copy of the separation agreement is attached hereto and marked as Exhibit "A" to this affidavit.

9. There are (number) 2 children of the marriage. They are:

Full legal name of child	Birthdate
Jacob Williams	October 1, Yr -11
Michael Williams	August 1, Yr-9

10. The custody and access arrangements for the child(ren) are as follows: (Give summary.)

The Applicant mother will have custody of the children and the Respondent father will have access on alternate weekends and on Wednesday evenings until 8:00 p.m. Details of the arrangements are set out in paragraph 4 in the separation agreement dated August 31, Yr 0.

11. These are the arrangements that have been made for the support of the child(ren) of the marriage:

- (a) The income of the party paying child support is (\$) 80,000.00 per year.
- (b) The number of children for whom support is supposed to be paid is (number) 2.
- (c) The amount of support that should be paid according to the applicable table in the child support guidelines is (\$) 1031.00 per month.
- (d) The amount of child support actually being paid is (\$) 1500.00 per month. (Including section 7 expenses)

dated _____

NOTE: Fill out the information in this frame only if amounts in 11(c) & 11(d) are different. If they are the same, go to paragraph 12.

- (a) Child support is already covered by:
- (i) a court order dated (date) _____ that was made before the child support guidelines came into effect (before May 1st, 1997). I attach a copy of the order.
 - (ii) a domestic contract order dated (date) _____ that was made before the child support guidelines came into effect (before May 1st, 1997). I attach a copy of the contract.
 - (iii) a court order or written agreement dated (date) _____ made after the child support guidelines came into effect that has some direct or indirect benefits for the child(ren). I attach a copy.
 - (iv) a written consent between the parties dated (date) _____ agreeing to the payment of an amount different from that set out in the child support guidelines.

(b) The child support clauses of this order or agreement require payment of (\$) _____ per month in child support.

- (c) These child support clauses
- are not indexed for any automatic cost-of-living increases.
 - are indexed according to (Give indexing formula)

- (d) These child support clauses
- have not been changed since the day the order or agreement was made.
 - have been changed on (Give dates and details of changes)

Date(s)	Detail(s)

- (e) (If you ticked off box (i), you can go to paragraph 12. If you ticked off boxes (ii), (iii) or (iv) above, then fill out the information after box of the corresponding number below. For example, if you ticked off box (iii) above, you would fill out the information alongside box (iii) below.)
- (ii) The amount being paid under this agreement is a fair and reasonable arrangement for the support of the child(ren) because: (Give reasons.)
 - (iii) The order or agreement directly or indirectly benefits the children because: (Give details of benefits.)
 - (iv) The amount to which the parties have consented is reasonable for the support of the child(ren) because: (Give reasons.)

12. I am claiming costs in this case. The details of this claim are as follows: (Give details.)

13. The respondent's address last known to me is: (Give address.)

David Williams, 678 Downtown Road, Ottawa, ON, K4R 0O0 Tel: (123) 345-6789

Put a line through any blank space on this page.

dated _____

Sworn/Affirmed before me at:

_____ (municipality)

in Province of Ontario

_____ (province, state or country)

on _____ (date)

Commissioner for taking affidavits
(Type or print name below if signature is illegible)

Signature
(This form is to be signed in front of a lawyer,
justice of the peace, notary public or commissioner
for taking affidavits.)