This document must be filled out on-screen (and not by hand).

[More detailed instructions on how to fill out this form](https://family.legalaid.bc.ca/sites/default/files/2021-06/applicationresponse_inx_20210611.pdf)

(PC: You may have to Ctrl-click the link)

(Mac: Click and wait a few seconds)

Form F32 (Rule 10-6(9))

Court File No.:

This top section (**court file no.**, **registry**, **roles**, and **names**) should be the same as what’s on the original Notice of Family Claim (Form F3).

Court Registry:

In the Supreme Court of British Columbia

Your full legal names, including *also known as*:

Claimant:

Respondent:

APPLICATION RESPONSE

Application response of:                          « your name (the one responding to the Notice of Application), (the “application respondent(s)”)

THIS IS A RESPONSE TO the notice of application of                          « name of the person who filled out the Notice of Application, filed             « dd/Mmm/yyyy.

**Part 1:** ORDERS CONSENTED TO

Which of the orders in Part 1 of the Notice of Application do you agree with? List the paragraph numbers along with a description of the order.

The application respondent(s) consent(s) to the granting of the orders set out in the following of Part 1 of the notice of application on the following terms:

**Part 2:** ORDERS OPPOSED

Paragraph numbers of the orders you disagree with.

The application respondent(s) oppose(s) the granting of the orders set out in       of Part 1 of the notice of application.

**Part 3:** ORDERS ON WHICH NO POSITION IS TAKEN

Paragraph numbers of the orders with which you neither agree or disagree.

The application respondent(s) take(s) no position on the granting of the orders set out in       of Part 1 of the notice of application.

**Part 4:** FACTUAL BASIS

Brief summary of the facts that support what you’re asking the court to order (in numbered paragraphs).

1.

**Part 5:** LEGAL BASIS

The section of the act or court rule or any other legal arguments (e.g., case law) you’re relying on (in numbered paragraphs).

1.

**Part 6:** MATERIAL TO BE RELIED ON

The affidavits and financial statement you’ll be relying on to persuade the court to make the orders you’re asking for. Affidavit #**1** [number in the top right-hand corner of the affidavit] of [name], made [dd/Mmm/yyyy]. Financial statement of [name], made [dd/Mmm/yyyy]

1.

The application respondent(s) estimate(s) that the application will take      « List hours and minutes.

[ ]  The application respondent has filed in this family law case a document that contains the application respondent’s address for service.

[ ]  The application respondent has not filed in this family law case a document that contains an address for service. The application respondent’s ADDRESS FOR SERVICE is:

|  |  |
| --- | --- |
| Date:       « dd/Mmm/yyyy  |  Signature of[ ]  application respondent[ ]  lawyer for application respondent(s)      [*Type or print name*] |

The following certificate must be completed by each party to a divorce claim.

PARTY’S CERTIFICATE

(*DIVORCE ACT* (CANADA), S. 7.6)

Fill this out if an order you agree or disagree with in Parts 1 or 2 above is under the Divorce Act.

[ ]  By checking this box, I, , certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act* (Canada), which say:

7.1 A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.

7.2 A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

7.3 To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.

7.4 A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.

7.5 For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

The following certificate must be completed for each party to a divorce claim who is represented by a legal adviser.

LEGAL ADVISER’S CERTIFICATE

(*DIVORCE ACT* (CANADA), S. 7.7(3))

If an order you agree or disagree with in Parts 1 or 2 above is under the Divorce Act,
*and* you have a legal adviser (e.g., a lawyer), they’ll fill this out.

[ ]  By checking this box, I,                          , legal adviser for
 , certify that I have complied with section 7.7 of the *Divorce Act* (Canada), which says:

7.7 (1) Unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so, it is the duty of every legal adviser who undertakes to act on a spouse’s behalf in a divorce proceeding

(a) to draw to the attention of the spouse the provisions of this Act that have as their object the reconciliation of spouses; and

(b) to discuss with the spouse the possibility of the reconciliation of the spouses and to inform the spouse of the marriage counselling or guidance facilities known to the legal adviser that might be able to assist the spouses to achieve a reconciliation.

(2) It is also the duty of every legal adviser who undertakes to act on a person’s behalf in any proceeding under this Act

(a) to encourage the person to attempt to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process, unless the circumstances of the case are of such a nature that it would clearly not be appropriate to do so;

(b) to inform the person of the family justice services known to the legal adviser that might assist the person

(i) in resolving the matters that may be the subject of an order under this Act, and

(ii) in complying with any order or decision made under this Act; and

(c) to inform the person of the parties’ duties under this Act.