Use the **Tab** key to go from grey field to field.

[More detailed instructions on how to fill out this form](https://family.legalaid.bc.ca/sites/default/files/2021-06/noticeofjointfamilyclaim_inx_20210611.pdf)

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

(Mac: Click and wait a few seconds)

Form F1 (Rule 2-2(2))

»Court File No.:

Fill in the city/town of your registry » Court Registry:

In the Supreme Court of British Columbia

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

Claimant 1:

Claimant 2:

NOTICE OF JOINT FAMILY CLAIM

1. Relationship history

Claimant 1 and Claimant 2:

dd/Mmm/yyyy (01/Jan/2000) or hit the **Tab** key after typing for automatic formatting

dd/Mmm/yyyy (01/Jan/2000) or hit the **Tab** key after typing for automatic formatting

dd/Mmm/yyyy (01/Jan/2000) or hit the **Tab** key after typing for automatic formatting

[ ]  began to live together in a marriage-like relationship on

[ ]  were married on

dd/Mmm/yyyy (01/Jan/2021) or hit the **Tab** key after typing for automatic formatting

[ ]  separated on

[ ]  were divorced from each other by order made on

[ ]  were never married

2. Divorce

[ ]  Claimant 1 and Claimant 2 are asking for a divorce order.

A. Personal information:

Dates: dd/Mmm/yyyy (01/Jan/2021), or hit Tab after typing for automatic formatting.

|  |  |  |
| --- | --- | --- |
|  | Claimant 1 | Claimant 2 |
| Birthdate: |       |       |
| Habitually resident in British Columbia since: |       |       |
| Surname at birth:  |       |       |
| Surname immediately before marriage:  |       |       |
| Marital status immediately before marriage: |  |  |
| Place of marriage: |       « city, province/state, country |

B. Grounds for claim for divorce: Check off the first OR second box:

[ ]  Divorce is claimed as a result of having lived separate and apart. Fill out (i) below

[ ]  Divorce is claimed on grounds other than having lived separate and apart. Fill out (ii) below

(i) [ ]  Claimant 1 and Claimant 2 have lived separate and apart since

AND

[ ]  Claimant 1 and Claimant 2 have not lived together since then

[ ]  Claimant 1 and Claimant 2 have lived together again during the following period(s), in an unsuccessful attempt to reconcile:

      « Example of a date range: *From 01/Jan/2020 to 01/Mar/2020*.

(ii) [ ]  **Other grounds**, under section 8(2)(b) of the *Divorce Act* (Canada):

AND

[ ]  There has been no condonation of any act relied on under section 8(2)(b) of the *Divorce Act* (Canada) as a ground for divorce.

C. Claimant 1 and Claimant 2 confirm that: Check both of the following boxes:

[ ]  There is no possibility of reconciliation.

[ ]  There has been no collusion, as defined in section 11(4) of the *Divorce* *Act* (Canada), in relation to this claim for divorce.

D. Proof of marriage:

First box = you plan to file your marriage certificate with this form. Select *and translation* if it’s been translated into English.

[ ]  A certificate of marriage or registration of marriage
has been filed.

[ ]  A certificate of marriage or registration of marriage is not being filed with this notice of joint family claim because                                                                   , and the certificate will be filed before this claim is set down for trial or an application is made for an order of divorce.

[ ]  It is impossible to obtain a certificate of marriage or registration of marriage because:

3. Information concerning children

A. Children:

[ ]  There are no children of the marriage, as defined by the *Divorce* *Act* (Canada), or children of whom Claimant 1 and Claimant 2 are parents within the meaning of the *Family Law Act*.

[ ]  There are children of the marriage, as defined by the *Divorce* *Act* (Canada), or children of whom Claimant 1 and Claimant 2 are parents within the meaning of the *Family Law Act*, and those children are:

|  |  |  |
| --- | --- | --- |
| Full name | Birth date | Resides with |
|       |       |       |
|       |       |       |
|       |       |       |
|       |       |       |

For >5 children, place cursor in last right-hand box and hit **Tab** to make a new row.

|  |  |  |
| --- | --- | --- |
|       |       |       |

4. Orders asked for in relation to children

**A.** [ ]  Claimant 1 and Claimant 2 are asking for the following order respecting arrangements for parenting or contact:

**B.** [ ]  Claimant 1 and Claimant 2 are asking for an order for child support as follows:

**C.** [ ]  Claimant 1 and Claimant 2 are asking for the orders under paragraphs A and B of this section under the following statute(s):

[ ]  the *Divorce Act* (Canada)  [ ]  the *Family Law Act*

If you didn’t marry, you must use the *Family Law Act*. If you’re married, you have a choice. See [Which laws can you use for your family law issue?](https://family.legalaid.bc.ca/separation-divorce/going-through-separation/which-laws-apply-to-your-case) and [Parenting apart.](https://family.legalaid.bc.ca/children/parenting-guardianship/parenting/parenting-apart)

5. Spousal support

[ ]  Claimant 1 and Claimant 2 are asking for an order for spousal support as follows:

[ ]  Claimant 1 and Claimant 2 are asking for an order for spousal support under

[ ]  the *Divorce Act* (Canada)  [ ]  the *Family Law Act*

If you didn’t marry, you must use the *Family Law Act*. If you’re married, you have a choice. See [Which laws can you use for your family law issue?](https://family.legalaid.bc.ca/separation-divorce/going-through-separation/which-laws-apply-to-your-case)

6. Property and debt

A. Property claims under the *Family Law Act*

[ ]  Claimant 1 and Claimant 2 are asking for an order for:

[ ]  an equal division of family property and family debt

[ ]  an unequal division of family property and family debt, as follows:

Note: The court will only order an *unequal* division when an *equal* division is significantly unfair.

B. Other property claims

[ ]  Claimant 1 and Claimant 2 ask for an order respecting an interest in property or for compensation instead of an interest in that property, as follows:

This section is about **excluded property**. This includes property that the other person already owned when you moved in together, and gifts or inheritances they received during the relationship. Compensation is cash instead of ownership of your share of the property.

7. Other

[ ]  Claimant 1 and Claimant 2 are asking for an order in the following terms:

8. Claimants’ addresses for service

|  |  |
| --- | --- |
| Claimant 1: | Claimant 2: |
|       « street address |       « street address |
| Fax (optional)       | Fax (optional)       |
| E-mail (optional)       | E-mail (optional)       |

|  |  |
| --- | --- |
| Date:       « dd/Mmm/yyyy  |  Signature of [ ]  Claimant 1 [ ]  Lawyer for Claimant 1      [*Type or print name*] |
| Date:       « dd/Mmm/yyyy  |  Signature of [ ]  Claimant 2 [ ]  Lawyer for Claimant 2      [*Type or print name*] |

If in this family law case a claim is made under the *Family Law Act* and one or both of the parties is
represented by a lawyer, each of the lawyers must complete a certificate in the following form.

LAWYER’S CERTIFICATE

(*FAMILY LAW ACT*, S. 8(2))

If you’re asking for an order under the Family Law Act and one or both of you have a lawyer,
they’ll have to sign this (one certificate for each lawyer).

I,                          , lawyer for                          , certify that, in accordance with section 8(2) of the *Family Law Act*, I have

(a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and

(b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

|  |  |
| --- | --- |
| Date:        |  Signature of lawyer      [*Type or print name*] |

If in this family law case a claim is made under the *Family Law Act* and one or both of the parties is
represented by a lawyer, each of the lawyers must complete a certificate in the following form.

LAWYER’S CERTIFICATE

(*FAMILY LAW ACT*, S. 8(2))

For Claimant 2’s lawyer to fill out.

I,                          , lawyer for                          , certify that, in accordance with section 8(2) of the *Family Law Act*, I have

(a) discussed with the party the advisability of using various types of family dispute resolution to resolve the matter, and

(b) informed the party of the facilities and other resources, known to me, that may be available to assist in resolving the dispute.

|  |  |
| --- | --- |
| Date:        |  Signature of lawyer      [*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)

If you’re applying for a divorce or for an order under the Divorce Act,
you and your spouse each have to fill out a party’s certificate.

[ ]  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 by each party to a divorce claim.

PARTY’S CERTIFICATE

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

For Claimant 2 to fill out.

[ ]  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 you’re applying for a divorce or for an order under the Divorce Act, *and* you have a legal adviser (e.g., a lawyer), they’ll have to fill this out (one certificate for each legal adviser).

[ ]  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.

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))

For Claimant 2’s legal adviser to fill 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.