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/responsetofamilyclaim_inx_20210611.pdf)

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

(Mac: Click and wait a few seconds)

Form F4 (Rule 4-3(1))

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

Court File No.:

Court Registry:

In the Supreme Court of British Columbia

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

Claimant:

Respondent:

RESPONSE TO FAMILY CLAIM

Filed by:                           (the “respondent”)

Insert your name again (or *names* if more than one respondent); *also known as* isn’t necessary.

1. Response to information in notice of family claim:

My position regarding the information set out in the notice of family claim is as follows:

[ ]  The information set out in sections 1, 2 and 3 of the notice of family claim is correct.

[ ]  The information set out in sections 1, 2 and 3 of the notice of family claim is not correct in the following respects:

[ ]  Schedule 1:

[ ]  The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the notice of family claim is correct.

[ ]  The information set out in sections 1, 2, 3, 4 and 5 of Schedule 1 to the notice of family claim is not correct in the following respects:

[ ]  Schedule 2:

[ ]  The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the notice of family claim is correct.

[ ]  The information set out in sections 1, 3, 5 and 6 of Schedule 2 to the notice of family claim is not correct in the following respects:

[ ]  Schedule 3:

[ ]  The information set out in sections 1 and 3 of Schedule 3 to the notice of family claim is correct.

[ ]  The information set out in sections 1 and 3 of Schedule 3 to the notice of family claim is not correct in the following respects:

2. Response to claims in notice of family claim:

This is my response to claims made against me in the Schedules to the notice of family claim: If you check off *Disagree* for any of the following, briefly explain why in the space provided.

|  |
| --- |
| Claim for divorce (Schedule 1, section 2) [ ]  Agree [ ]  Disagree |
|       |
| Parenting arrangements (Schedule 2, section 4) [ ]  Agree [ ]  Disagree |
|       |
| Child support (Schedule 2, section 7) [ ]  Agree [ ]  Disagree |
|       |
| Spousal support (Schedule 3, section 2) [ ]  Agree [ ]  Disagree |
|       |
| Division of family property and family debt (Schedule 4, section 1) [ ]  Agree [ ]  Disagree |
|       |
| Other property claim(s) (Schedule 4, section 1) [ ]  Agree [ ]  Disagree |
|       |

Other orders (Schedule 5)

List the claims in Schedule 5 of the Notice of Family Claim. If you disagree, briefly explain why.

|  |  |
| --- | --- |
|       « the claim | [ ]  Agree [ ]  Disagree |
|       |
|       « the claim | [ ]  Agree [ ]  Disagree |
|       |
|       « the claim | [ ]  Agree [ ]  Disagree |
|       |

3. My address for service is

|  |  |
| --- | --- |
| Address for Service: |       « your street address |

Fax (optional):

E-mail (optional):

|  |  |
| --- | --- |
| Date:       « dd/Mmm/yyyy  |  Signature of[ ]  filing party [ ]  lawyer for filing party(ies)      [*Type or print name*] |

|  |
| --- |
| **Note to Claimant AND Respondent**The [introduction](https://family.legalaid.bc.ca/bc-legal-system/legal-forms-documents/filling-out-court-forms/complete-supreme-court-financial) of Complete a Supreme Court Financial Statement (Form F8)has a version of this box that’s easier to understand.You must file **financial information** (Form F8) if any of the following apply:* there is a claim against you for spousal support or you are claiming spousal support;
* there is a claim by either party for the division of property and/or debts under Part 5 or 6 of the *Family Law Act*;
* there is a claim against you for the support of a child, OR
* you are claiming child support **unless all** of the following conditions apply:

(a) you are making no claim for any other kind of support;(b) the child support is for children who are not stepchildren;(c) none of the children for whom child support is claimed is 19 years of age or older;(d) the income of the person being asked to pay child support is under $150 000 per year;(e) you are not applying for special expenses under section 7 of the child support guidelines;(f) you are not applying for an order under section 8 of the child support guidelines;(g) you are not applying for an order under section 9 of the child support guidelines;(h) you are not making a claim based on undue hardship under section 10 of the child support guidelines.If you do not file the financial information that is required, the court may attribute an amount of income to you, and make a support award against you, based on that amount. |

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 your spouse is asking for an order under the Family Law Act and you have a lawyer,
your lawyer will have to sign this.

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 varying 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)

Fill this out if your spouse is applying for a divorce or for an order 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 your spouse is applying for a divorce or asking for an order under the Divorce Act,
*and* you have a legal adviser (e.g., a lawyer), your legal adviser will have to 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.