

Court File Number

(Name of court)

Form 23C: Affidavit for Uncontested Trial, dated

at Court office address

Applicant(s)

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

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

Respondent(s)

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

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

My name is (full legal name)

I live in (municipality & province)

and I swear/affirm that the following is true:

- 1. I am the applicant in this case.
2. There is/are (number) child(ren) from our relationship, namely:

Table with 5 columns: Full Legal Name, Age, Birthdate (d, m, y), Resident in (municipality & province), Now living with (name of person and relationship to child)

3. I am asking for the following order:

- checkbox custody of the child(ren) named above
checkbox access to the child(ren) named above
checkbox support for (name of recipient(s))
checkbox a restraining order against the respondent (name) (date of birth)
checkbox other (specify)

4. The respondent and I were:

- checkbox married on (date)
checkbox separated on (date)
checkbox started living together on (date)
checkbox never lived together.

CUSTODY AND ACCESS

Fill out this section if you are claiming custody of one or more of the children.

5. An order giving me custody of the child(ren) is in the best interests of the child(ren) because: (Give reasons.)

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.....

6. An order giving the respondent access to the children

[] is [] is not

in the best interests of the child(ren) because: (Give reasons.)

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.....

7. If an order for access is made, it should be:

- [] reasonable access on reasonable notice;
[] reasonable access on reasonable notice including but not limited to the terms below:
[] on the following terms:

[] every other weekend from p.m. on Friday until p.m. on Sunday or Monday, if Monday is a statutory holiday, starting on (date)

[] alternate spring breaks, starting in (year)

[] weeks during the summer vacation, to be decided by the parties before April 1 of each year.

[] one half of the winter break, starting on (date) and ending on (date) to be shared as follows:

.....
.....
.....

[] List any other special days such as religious festivals, Christmas Day, birthdays, Mother's Day, Father's Day, etc., and indicate with which person the children will be on each day. (Specify dates and times.)

.....
.....
.....

[] other (Specify.)

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RESTRAINING ORDER

Fill out this section if you are claiming a restraining order against the respondent.

12. I need an order to restrain the respondent (full legal name of person restrained)

(date of birth of person restrained) from

a) contacting or communicating directly or indirectly with the following people (full legal name and date(s) of birth of person[s] protected by this order)

Table with 2 columns: Name, Birthdate (d,m,y)

except through (name of person or agency) to arrange access to the child(ren).

except to permit access to the child(ren) (names and birthdates) on (dates/days and times)

except through or in the presence of counsel.

except through or in the presence of counsel or a clinical investigator from the Office of the Children's Lawyer, if the Children's Lawyer is appointed to represent the child(ren).

b) coming within metres yards feet of (locations and addresses)

at any time or for any purpose

except under the following conditions: (provide details of conditions, including time(s), purpose(s) of exception(s) and address(es) as applicable)

c) (any additional terms)

I need a restraining order for the following reasons:

LACK OF SERVICE

Fill out this section if the respondent is not going to be served or has not been served.

NOTE: The Family Law Rules require all documents to be served on the opposing party. The court will make an order even without service, but only in very unusual circumstances such as:

- 1. An emergency situation where there is not enough time to serve documents or where serving them would put you or your child in danger or would have other serious consequences.
- 2. Where the court is satisfied that every effort has been made to find the other party and that it is impossible to serve him or her by any means.

13. My application/motion is not being served on the respondent for the following reasons:

OTHER ISSUES

Put a line through any blank space left on this page.

Sworn/Affirmed before me at _____
municipality

in _____
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.)