

Court File Number

.....
 (Name of court)

at
 (Court office address)

Form 15B: Response to Motion to Change

Applicant(s)

Full legal name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

Applicant(s) Lawyer

Name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

Respondent(s)

Full legal name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

Respondent(s) Lawyer

Name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

Assignee of Support Order (if applicable)

Full legal name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

Assignee's Lawyer

Name:	.....
Address:	.....
Phone & fax:	.....
Email:	.....

PART A – BASIC INFORMATION

My name is *(full legal name)*

1. I am the responding party to this motion to change.

2. I live in *(municipality & province)* **and I swear/affirm that the following is true:**

3. *I request to convert this motion to change support from s. 17 to s. 18.1 of the Divorce Act. (You can make this request only if you live outside of Ontario and this motion includes support claims under the Divorce Act. If the court grants your request, motion documents will be sent to Ontario's designated authority under the Interjurisdictional Support Orders Act, 2002.)*

4. I agree with the following claims made by the requesting party at paragraph 11 of their Motion to Change Form (Form 15) *(list the claims you agree with, for example paragraph 11(a), (b), (c), etc.):*

Paragraph 11,,,,,,,,,

5. I disagree with the following claims made by the requesting party at paragraph 11 of their Motion to Change Form (Form 15) *(list the claims you do not agree with, for example paragraph 11(a), (b), (c), etc.):*

Paragraph 11,,,,,,,,,

6. I disagree with the claims made by the requesting party because *(briefly explain why you do not think that the current order/agreement should be changed):*

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7. I also disagree with the following facts in the requesting party’s Motion to Change Form (Form 15) *(briefly explain what information you do not agree with and explain why)*:

8. I am asking that the motion to change (except the parts that I agree with) be dismissed with costs.

9. If this motion to change includes a request to change support, please complete the following:

- a. I am the support payor support recipient
- b. I have attached a completed confirmation of assignment form, returned to me by the Ontario Ministry of Children, Community and Social Services showing that:

The order has not been assigned to a government agency.

The order has been assigned to a government agency. *(You must serve a copy of this document, with all attachments, on the government agency.)*
- c. Since the order/agreement for child support was made, a Notice of Recalculation was issued by the online Child Support Service dated (please attach).
- d. Please give information about your income and the other party’s income (if known) for the past 3 years *(a party’s income should be their total income from all sources as listed on line 150 of their Income Tax Return)*:

Year	Requesting party’s income	Income source(s) <i>(for example, employer, self-employment, social assistance, etc.)</i>	Responding party’s income	Income source(s) <i>(for example, employer, self-employment, social assistance, etc.)</i>
	\$		\$	
	\$		\$	
	\$		\$	

PART B – CHANGES THAT THE RESPONDING PARTY WANTS TO MAKE

Note: Do not complete this Part if you are only asking to dismiss the requesting party’s motion to change.

10. I want to change the following (*check all that apply*):

- | | |
|---|--------------------------------|
| decision-making responsibility | parenting time |
| child support – table amount | spousal support |
| child support – special or extraordinary expenses | contact |
| (<i>list type of expenses</i>): | other (<i>give details</i>): |

11. I want to change the following specific terms of the current order/agreement (*please provide the paragraph number of each term and the wording of the term exactly as it appears in the order/agreement*):

- a.

Current term:

Requested change:
- b.

Current term:

Requested change:
- c.

Current term:

Requested change:
- d.

Current term:

Requested change:
- e.

Current term:

Requested change:
- f.

Current term:

Requested change:
- g.

Current term:

Requested change:

PART D – ADDITIONAL INFORMATION FOR SUPPORT CASES ONLY

Note: The responding party must complete this Part only if asking to change child support or spousal support.

14. Is support owed under the current order/agreement? Yes. No.

15. If yes, please give details about the support that is owed:

Child support owed to recipient	Child support owed to any assignee(s)	Spousal support owed to recipient	Spousal support owed to any assignee(s)
\$	\$	\$	\$

16. When do you want the change in support to start? (check one)

Today

Before today (give exact date: d, m, y) _____

17. If you are asking to change support starting on a date before today, please answer the following:

a. What date did you first ask the other party for updated income information or to change support?

b. Did the other party do anything to make it difficult for you to know if support should change?

No.

Yes. (Give details in the box below.)

c. Why didn't you ask the court to change support sooner?

d. What are your circumstances and the child's circumstances that support this request?

RESPONDING PARTY'S CERTIFICATE

(Your lawyer, if you are represented, must complete the Lawyer's Certificate below.)

Sections 7.1 to 7.5 of the *Divorce Act* and section 33.1 of the *Children's Law Reform Act* require you and the other party to:

- Exercise your decision-making responsibility, parenting time, or contact with a child in a manner that is consistent with the child's best interests;
- Protect the child from conflict arising from this case, to the best of your ability;
- Try to resolve your family law issues by using out-of-court dispute resolution options, if it is appropriate in your case (for more information on dispute resolution options available to you, including court-connected mediation, you can visit the [Ministry of the Attorney General's website](#) or [www.stepstojustice.ca](#));
- Provide complete, accurate, and up-to-date information in this case; and
- Comply with any orders made in this case.

I certify that I am aware of these duties under the *Divorce Act* and the *Children's Law Reform Act*.

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.)

LAWYER'S CERTIFICATE

My name is: _____
and I am the responding party's lawyer in this case. I certify that I have complied with the requirements section 7.7 of the *Divorce Act* and section 33.2 of the *Children's Law Reform Act* regarding reconciliation and the duty to discuss and inform.

Date

Lawyer's signature

IMPORTANT INFORMATION

YOU SHOULD GET LEGAL ADVICE RIGHT AWAY. For help finding legal advice, you can contact:

- The Law Society of Ontario's Referral Service at www.lsrs.info. If you are unable to use this online service, you can call 416-947-5255 or toll-free at 1-855-947-5255.
- The Law Society of Ontario's list of lawyers at www.lawyerandparalegal.directory.
- Legal Aid Ontario at www.legalaid.on.ca or 1-800-668-8258 (subject to your eligibility).

IF THIS CASE HAS NOT BEEN SCHEDULED FOR A TRIAL AFTER 365 DAYS, the court clerk will send a warning that the case will be dismissed in 60 days unless a party asks to schedule a conference or files proof that the case has been settled.

IF YOU AGREE WITH THE CHANGES that the other party wants to make, you must complete the applicable parts of the Consent Motion to Change (Form 15C), give the original version to the other party, and give a copy to any assignee. The other party may then finish completing the form and file it with the court.

IF YOU DON'T AGREE WITH THE CHANGES, or you want to ask for different changes, you must:

Complete the following forms:

Response to Motion to Change (Form 15B).

An **Affidavit (decision-making responsibility, parenting time, contact) (Form 35.1)** if you or the other party is asking to change your parenting or contact arrangement.

A **Financial Statement (Form 13)** if you or the other party is asking to change any child support or spousal support that you pay.

Serve a copy of all your completed forms on the other party.

Complete an **Affidavit of Service (Form 6B)**.

File all your completed forms and the Affidavit of Service with the court.

You can file your documents in person at a courthouse or online by visiting www.Ontario.ca/familyclaims.