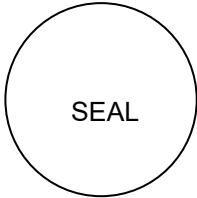


Court File Number



(Name of court)
at
Court office address

Form 8A: Application (Divorce)
Simple (divorce only)
Joint

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:

IN THIS CASE, THE APPLICANT IS CLAIMING DIVORCE ONLY.

TO THE RESPONDENT(S): A COURT CASE FOR DIVORCE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

THIS CASE IS ON THE STANDARD TRACK OF THE CASE MANAGEMENT SYSTEM. No court date has been set for this case but, if you have been served with a notice of motion, it has a court date and you or your lawyer should come to court for the motion. A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case conference or until a motion is scheduled, whichever comes first.

IF, AFTER 365 DAYS, THE CASE HAS NOT BEEN SCHEDULED FOR TRIAL, the clerk of the court will send out a warning that the case will be dismissed within 60 days unless the parties file proof that the case has been settled or one of the parties asks for a case or a settlement conference.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an Answer (Form 10 – a blank copy should be attached), serve a copy on the applicant and file a copy in the court office with an Affidavit of Service (Form 6B). YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.

IF YOU WANT TO MAKE A CLAIM OF YOUR OWN, you or your lawyer must fill out the claim portion in the Answer, serve a copy on the applicant(s) and file a copy in the court office with an Affidavit of Service.

- If you want to make a claim for support but do not want to make a claim for property or exclusive possession of the matrimonial home and its contents, you MUST fill out a Financial Statement (Form 13), serve a copy on the applicant(s) and file a copy in the court office.
However, if your only claim for support is for child support in the table amount specified under the Child Support Guidelines, you do not need to fill out, serve or file a Financial Statement.
If you want to make a claim for property or exclusive possession of the matrimonial home and its contents, whether or not it includes a claim for support, you MUST fill out a Financial Statement (Form 13.1, not Form 13), serve a copy on the applicant(s), and file a copy in the court office.

YOU SHOULD GET LEGAL ADVICE ABOUT THIS CASE RIGHT AWAY. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid Ontario office. (Go to www.legalaid.on.ca/.)

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**THIS CASE IS A JOINT APPLICATION FOR DIVORCE. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.** The application and affidavits in support of the application will be presented to a judge when the materials have been checked for completeness.

If you are requesting anything other than a simple divorce, such as support or property or exclusive possession of the matrimonial home and its contents, then refer to page 1 for instructions regarding the Financial Statement you should file.

\_\_\_\_\_  
*Date of issue*

\_\_\_\_\_  
*Clerk of the court*

Court file number
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**FAMILY HISTORY**

**APPLICANT:** Age: \_\_\_\_\_ Birthdate: (d, m, y) \_\_\_\_\_  
 Resident in (municipality & province) \_\_\_\_\_ since (date) \_\_\_\_\_  
 First name on the day before the marriage date: \_\_\_\_\_  
 Last name on the day before the marriage date: \_\_\_\_\_  
 Gender on the day before the marriage date:  
     Male                      Female                      Another gender                      Gender information not available  
 Divorced before?              No              Yes (Place and date of previous divorce)

**RESPONDENT/JOINT APPLICANT:** Age: \_\_\_\_\_ Birthdate: (d, m, y) \_\_\_\_\_  
 Resident in (municipality & province) \_\_\_\_\_ since (date) \_\_\_\_\_  
 First name on the day before the marriage date: \_\_\_\_\_  
 Last name on the day before the marriage date: \_\_\_\_\_  
 Gender on the day before the marriage date:  
     Male                      Female                      Another gender                      Gender information not available  
 Divorced before?              No              Yes (Place and date of previous divorce)

**RELATIONSHIP DATES:**

Married on (date) \_\_\_\_\_ Started living together on (date) \_\_\_\_\_  
 Separated on (date) \_\_\_\_\_ Never lived together

**THE CHILD(REN)**

List all children involved in this case, even if no claim is made for these children.

Full legal name	Age	Birthdate (d,m,y)	Resident in (municipality & province)	Now Living With (name of person and relationship to child)

**PREVIOUS CASES OR AGREEMENTS**

Have the parties or the children been in a court case before?  
     No                      Yes

Have the parties made a written agreement dealing with any matter involved in this case?  
     No                      Yes (Give date of agreement. Indicate which of its terms are in dispute. Attach an additional page if you need more space.)

Court file number
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Has a Notice of Calculation and/or a Notice of Recalculation been issued by the online Child Support Service in this case?  
 No Yes (Give date(s) of Notice(s) of Calculation or Recalculation.)

If yes, are you asking the court to make an order for child support that is different from the amount set out in the Notice?  
 No Yes (Provide an explanation.)

**CLAIMS**

<b>USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE</b>					
<b>WE JOINTLY ASK THE COURT FOR THE FOLLOWING:</b>					
	<b>Claims under the <i>Divorce Act</i></b>		<b>Claims under the <i>Family Law Act</i> or <i>Children's Law Reform Act</i></b>		<b>Claims relating to property</b>
00	a divorce	10	spousal support	20	equalization of net family properties
01	spousal support	11	support for child(ren) – table amount	21	exclusive possession of matrimonial home
02	support for child(ren) – table amount	12	support for child(ren) – other than table amount	22	exclusive possession of contents of matrimonial home
03	support for child(ren) – other than table amount	13	decision-making responsibility for children	23	freezing assets
04	decision-making responsibility for child(ren)	14	parenting time with child(ren)	24	sale of family property
05	parenting time with child(ren)	15	restraining/non-harassment order	<b>Other claims</b>	
		16	indexing spousal support	30	costs
		17	declaration of parentage	31	annulment of marriage
		18	guardianship over child's property	32	prejudgment interest
				50	Other ( <i>Specify</i> )

<b>USE THIS FRAME ONLY IF THE APPLICANT'S ONLY CLAIM IN THIS CASE IS FOR DIVORCE.</b>			
<b>I ASK THE COURT FOR:</b> (Check if applicable.)			
00	a divorce	30	costs

**IMPORTANT FACTS SUPPORTING THE CLAIM FOR DIVORCE**

**Separation:** The spouses have lived separate and apart since (date) \_\_\_\_\_ and have not lived together again since that date in an unsuccessful attempt to reconcile. have lived together again during the following period(s) in an unsuccessful attempt to reconcile: (*Give dates.*)

**Adultery:** (*Name of spouse*) \_\_\_\_\_ has committed adultery. (*Give details. It is not necessary to name any other person involved but if you do name the other person, then you must serve this application on the other person.*)

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Cruelty: (Name of spouse) \_\_\_\_\_ has treated (name of spouse) \_\_\_\_\_ with physical or mental cruelty of such a kind as to make continued cohabitation intolerable. (Give details.)

USE THIS FRAME ONLY IF THIS CASE IS A JOINT APPLICATION FOR DIVORCE.

The details of the other order(s) that we jointly ask the court to make are as follows: (Include any amounts of support and the names of the children for whom support, decision-making responsibility, parenting time or contact is to be ordered.)

IMPORTANT FACTS SUPPORTING OUR CLAIM(S)

(Set out the facts that form the legal basis for your claim(s). Attach an additional page if you need more space.)

APPLICANT'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.

We/I certify that we are/I am aware of these duties under the Divorce Act and the Children's Law Reform Act.

Complete this section if your only claim is for a divorce. Your lawyer, if you are represented, must complete the Lawyer's Certificate below.

Date of signature

Signature of applicant

Complete this section if you are making a joint application for divorce.

Date of signature

Signature of joint applicant

Date of signature

Signature of joint applicant

Court File Number
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**LAWYER'S CERTIFICATE**

My name is: \_\_\_\_\_  
and I am the applicant's lawyer in this case. I certify that I have complied with the requirements of 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*

My name is: \_\_\_\_\_  
and I am the applicant's lawyer in this case. I certify that I have complied with the requirements of 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*