

Important: This Form Support does not contain legal advice. You may wish to talk to a lawyer for help in making or responding to an application.

Instructions

You **must** fill out this Form if you are requesting any of the following:

- an amount different than the child support guidelines table amount;
- special and extraordinary expenses;
- support for yourself;
- support for any child over the age of majority;
- support for a child in a split or shared custody arrangement;
- a non-table amount due to an undue hardship claim;
- a non-table amount due to the Respondent's high income (over \$150,000 per year); and/or
- to change a support order requiring you to pay support.

You must also complete this Form if:

- your application is to be sent to the province of Québec;
- your application will be sent to the United States or another country that requires income information for both parties; or
- you are responding to an interjurisdictional application, and the Applicant is requesting support from you.

Tips

- The Forms you submit as part of your application will organize your information for the court. You should include as much information as possible so that the court can make an informed decision.
- If you are making your application under provincial and territorial ISO legislation, you must complete either Form A.1 or A.2. If you are making your application under the *Divorce Act*, then you must complete either Form A.3 or A.4.
- Use the tables included in the Form Support Introduction and General Information Guide or consult your provincial or territorial website to determine the additional Forms you need to complete.
- Use a working copy and a final copy when completing these Forms. To ensure that the final copy is neat and legible, only complete the final copy when satisfied with your responses.
- Include all copies of receipts, documents and other evidence that will help prove statements and claims you make. Documents provided will form part of the evidence for the matter and cannot be returned.
- Receipts and documents may contain address information that you may wish to remain confidential. If you choose to conceal the address information, ensure that you keep the originals in case the court requires that you provide them.
- After completing all of your Forms, you must swear to the accuracy of all the information that you provided – just like if you were in court providing the evidence in person.

For more information on family justice matters, visit www.justice.gc.ca or your province or territory's family justice website.

If the above do not apply, the choice to complete this Form is up to you. In certain circumstances (for example, should the Respondent put forward an undue hardship claim), filling out this Form now could save you a lot of time by giving the court the information it needs from the start.

Example

Nicky, who resides in British Columbia, makes an application for support for her two children. The applicable child support guidelines table amount is fine with her, so she does not include this Form in her application.

Rocky, the Respondent, goes to court in his province, submits a claim of undue hardship, and asks the court to make an order that is different than the child support guidelines table amount.

As a result of Rocky's undue hardship claim, the court postpones the case to a date 6 months away as Nicky's financial information is now required.

Filling out the Form

Section 1

My information

As this Form could be used by either party, begin by writing your name where indicated at the top of page one.

Providing a date tells the court when the Form was completed and whether the information needs to be updated.

Section 2

My financial circumstances

Enter your income (yearly income, before any taxes or deductions are taken off). Ensure it is as accurate as possible.

In the first table you are asked to provide details of all your sources of income and amounts for the current tax year. Check the boxes for all of your sources of income.

Describe the income sources you checked and note the documents you are attaching to support each source. You should include your three most recent statements of earnings (pay stubs) so that you can create an estimate of your income for the entire year.

Note: If you have had more than one job during the current year, you should include the three most recent statements of earnings for each employment source (employer). Doing so will help the court understand how you determined your income for the current year.

Child Support Guidelines in Canada

Child support guidelines are a set of rules and tables to apply when determining child support. The guidelines include very detailed tables, specific to each province and territory, which provide the amount parents should pay.

The courts must follow the applicable child support guidelines, unless there are special circumstances.

The Department of Justice Canada has a publication, *The Federal Child Support Guidelines: Step-by-Step*, which contains general information about child support, including guidance on determining which guidelines apply to you. The publication may be accessed from the following website: www.justice.gc.ca.

Section 3

Proof of my previous income

You are required to provide your income tax records including your statement of assessment and re-assessment for the three most recent tax years. Should this information be unavailable, you must provide all supporting documentation available, and a detailed explanation of why the official tax records and notice of assessments could not be provided.

Section 4

Income information for child support guidelines calculation

In this section, you are asked to provide financial information that will help the court determine the appropriate amount of child support.

- **Lines 1-2**

Complete line 1 if you are providing actual income information from line 150 of your most recent income tax return. If you are providing a projected income based on three recent statements of earnings (pay stub) fill in that amount in line 2.

- **Lines 3-6**

By taking the income you earned last year which you provided in line 1, and adding or subtracting spousal support you receive or pay, you can determine your annual income used to claim special or extraordinary expenses. The court can use this figure to determine the percentage of special or extraordinary expenses for which each parent is responsible.

- **Lines 7-10**

By taking the projected income you provided in line 2, and adding or subtracting spousal support you receive or pay, you can determine your annual income used to claim special or extraordinary expenses. The court can use this figure to determine the percentage of special or extraordinary expenses for which each parent is responsible.

Section 5

Other child support benefits

Check the first box if you are claiming support for a child over the age of majority, and check the second box if you are claiming an amount different than the child support guidelines table amount.

If you receive child support for a child(ren) other than child(ren) listed in this application, check Option A and fill in their names, the amount you receive and whether or not the amount is taxable.

If you receive non-taxable benefits, allowances or amounts, check Option B and then describe the benefits and estimate how much you think they are worth.

Section 6

Household income

Complete this part if you are living with another person(s) who is contributing to the household income or expenses and you are claiming support for yourself or making an undue hardship claim.

You should also complete this section if you believe the Respondent may make an undue hardship claim. This information is needed because it determines your household standard of living.

Section 7

Assets and debts

Note: As a general rule, it is not necessary to complete this section if you are only seeking table amounts of child support under the child support guidelines and all children named in the application are under the age of majority and the other parent resides in Canada.

An “asset” is something you own, solely or jointly with someone else, or have an “interest” in (like owning shares of a company). List your assets in this section, and add additional pages if needed. You may have to do some research to determine the value of some assets. Include all of your assets, and remember that the information you provide on this Form is evidence that you are swearing to be true.

Note: “Equity” is the value of an asset, after taking out what you owe in relation to it (for example, a mortgage on a house would be subtracted from the value of the house to get the equitable value). Also list your debts in this section, and add additional pages if needed.

Section 8

Monthly living expenses

As a general rule, it is not necessary to complete this section if you are only seeking table amounts of child support under the child support guidelines and all children named in the application are under the age of majority and the other parent resides in Canada.

Finish the Form

Finish completing the Form by signing where indicated. Make sure you attach all additional Forms and documents that you were requested to complete while filling out the Form.