

Superior Court of Justice Family Court

(Name of court)

Court File Number

at

Court office address

**Form 36:
Affidavit for Divorce**

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 divorce case.
2. There is no chance of a reconciliation between the respondent and me.
3. All the information in the application in this case is correct, except:
(State any corrections or changes to the information in the application. Write "NONE" if there are no corrections or changes.)
4. ☐ The certificate or registration of my marriage to the respondent has been signed and sealed by the Registrar General of Ontario and:
 - ☐ has been filed with the application.
 - ☐ is attached to this affidavit.
- ☐ The certificate of my marriage to the respondent was issued outside Ontario. It is called (title of certificate)

It was issued at (place of issue)

on (date)

by (name and title of person who issued certificate)

and the information in it about my marriage is correct.

- ☐ I have not been able to get a certificate or registration of my marriage. I was married to the respondent on (date)
- at (place of marriage)

The marriage was performed by (name and title)

who had the authority to perform marriages in that place.

5. The legal basis for the divorce is:

☐ that the respondent and I have been separated for at least one year.

We separated on (date) _____

☐ Other (Specify.) _____

6. I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court in this divorce case.

Strike out the following paragraphs if they do not apply.

7. I do not want to make a claim for a division of property in this divorce case, even though I know that it may be legally impossible to make such a claim after the divorce.

8. I want the divorce order to include the following paragraph numbers of the attached consent, settlement, separation agreement or previous court order: (List the numbers of the paragraphs that you want included in the divorce order.) _____

9. There are (number) _____ children of the marriage. They are:

Full legal name of child	Birth date (d, m, y)

10. The parenting arrangements for the child(ren) are as follows: (Give summary.) _____

11. These are the arrangements that have been made for the support of the child(ren) of the marriage:

(a) The income of the party paying child support is \$ _____ per year.

(b) The number of children for whom support is supposed to be paid is (number) _____

(c) The amount of support that should be paid according to the applicable table in the child support guidelines is \$ _____ per month.

(d) The amount of child support actually being paid is \$ _____ per month.

(NOTE: - Where the dollar amounts in clauses [c] and [d] are different, you must fill out the frame on the next page. If the amounts in clauses [c] and [d] are the same, skip the frame and go directly to paragraph 12.)

(Paragraph 11 continued.)

Fill out the information in this frame only if the amounts in paragraphs 11(c) and 11(d) are different. If they are the same, go to paragraph 12.

- a) Child support is already covered by:
- (i) ☐ a court order dated (date) _____ that was made before the child support guidelines came into effect (before 1 May 1997). I attach a copy of the order.
 - (ii) ☐ a domestic contract order dated (date) _____ that was made before the child support guidelines came into effect (before 1 May 1997). I attach a copy of the contract.
 - (iii) ☐ a court order or written agreement dated (date) _____ made after the guidelines came into effect that has some direct or indirect benefits for the child(ren). I attach a copy.
 - (iv) ☐ a written consent between the parties dated (date) _____ agreeing to the payment of an amount different from that set out in the guidelines.
- b) The child support clauses of this order or agreement require payment of \$ _____ per _____ in child support.
- c) These child support clauses
- ☐ are not indexed for any automatic cost-of-living increases.
 - ☐ are indexed according to (Give indexing formula.)
- d) These child support clauses
- ☐ have not been changed since the day the order or agreement was made.
 - ☐ have been changed on (Give dates and details of changes.)
- e) (If you ticked off box [i] above, you can go to paragraph 12. If you ticked off boxes [ii], [iii] or [iv] above, then fill out the information after box of the corresponding number below. For example, if you ticked off box [iii] above, you would fill out the information alongside box [iii] below.)
- (ii) ☐ The amount being paid under this agreement is a fair and reasonable arrangement for the support of the child(ren) because: (Give reasons.)
 - (iii) ☐ The order or agreement directly or indirectly benefits the child(ren) because: (Give details or benefits.)
 - (iv) ☐ The amount to which the parties have consented is reasonable for the support of the child(ren) because: (Give reasons.)

12. I am claiming costs in this case. The details of this claim are as follows: *(Give details.)*

13. The respondent's address last known to me is: *(Give address.)*

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

Sworn/Affirmed before me at _____
_____ municipality

[illegible]

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.)