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| C A N A D A | S U P E R I O R C O U R T |
| PROVINCE OF QUEBEC | (Family Division) |
| **DISTRICT OF**  NO: | , residing and domiciled at      ;  Plaintiff  -and-       , residing and domiciled at      ;  Defendant |
|  |

**JOINT MOTION FOR THE HOMOLOGATION OF AN AGREEMENT**

**(SECTION 44.1 AND 814.1 C.C.P.)**

***(Par 1.1 of section 4.7 Act respecting legal aid***

***and the provision of certain other legal services)***

**(DESA + AIDE)**

**TO THE SPECIAL CLERK OF THE SUPERIOR COURT IN THE JUDICIAL DISTRICT OF**      **, THE JOINT APPLICANTS SUBMIT THE FOLLOWING:**

1. A judgment was issued in the file (number)       on (date)      , regarding the support allowance payable for      , the whole as it appears from this Court’s record and a copy of said judgment filed herein as **Exhibit P-1**;
2. Since the issuance of the above judgment, the parties have come to an agreement on a variation of the measures included in said judgment;
3. Indeed, on      , the joint applicants have signed an agreement to vary the existing court order, the whole in complete settlement of the issues of custody and/or support for      , the whole as it appears from the agreement signed on       and filed herein as **Exhibit P-2**;
4. The parties therefore ask this Court to homologate their agreement and order them to conform to it;
5. Where warranted, a notice of judicial proceeding concerning the obligation of support was given to the Ministère de l'Emploi et de la Solidarité sociale (service des pensions alimentaires) in accordance with section 64 of the Individual and Family Assistance Act (section 174 of the Individual and Family Assistance Regulation), as it appears from a copy of said notice and the fax journal print-out filed herein as **Exhibit P-3**;

**THEREFORE, MAY IT PLEASE THE COURT TO:**

**HOMOLOGATE** the agreement signed by the joint applicants on      ;

**ORDER** the parties to conform to it;

**THE WHOLE WITHOUT COSTS.**

     , this

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Attorneys for the parties

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| A F F I D A V I T |

I, undersigned,      , residing and domiciled at      , district of Montreal, province of Quebec,      ,solemnly declare:

1. I am the plaintiff in the present motion;
2. The child(ren) in this case is (are) not the object of a court decision, nor a pending case before a court, nor of an agreement with the Director of Youth Protection; (if applicable)
3. I have given free and enlightened consent to the agreement for which I ask the court an homologation order;
4. All the facts stated herein are true.

AND I HAVE SIGNED

In Montreal, on this \_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sworn before me in Montreal,

the same day

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Commissioner of oath

for the province of Quebec

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| A F F I D A V I T |

I, undersigned,      , residing and domiciled at      , district of Montreal, province of Quebec,      , solemnly declare:

1. I am the defendant in the present motion;
2. The child(ren) in this case is (are) not the object of a court decision, nor a pending case before a court, nor of an agreement with the Director of Youth Protection; (if applicable)
3. I have given free and enlightened consent to the agreement for which I ask the court an homologation order;
4. All the facts stated herein are true.

AND I HAVE SIGNED

In Montreal, on this \_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sworn before me in Montreal,

the same day

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Commissioner of oath

for the province of Quebec