

**IN THE QUEEN'S BENCH
(FAMILY DIVISION)
CENTRE**

BETWEEN:

A.B.,
Petitioner/Applicant,
-and-
C.D.,
Respondent

**CERTIFICATION OF COMPLETION OF PREREQUISITES AND
REQUEST TO OBTAIN DATE FOR APPEARANCE IN
FAMILY TRIAGE COURT**

I am the _____
(petitioner/applicant/respondent or lawyer for the petitioner/applicant/respondent)

I certify that prior to making this request, that the parties have engaged in four-way resolution meetings and/or alternative dispute resolution processes and are still unable to reach settlement on the following issues:

Claims under the <i>Divorce Act</i> (check boxes in this column only if relief under the Divorce Act is sought)	Claims under <i>The Family Maintenance Act, The Domestic Violence and Stalking Act, or other provincial legislation</i>	Claims related to Property
<input type="checkbox"/> a divorce	<input type="checkbox"/> spousal/common law support	<input type="checkbox"/> accounting equalization of net family assets
<input type="checkbox"/> spousal support	<input type="checkbox"/> support for child(ren) – table amount	<input type="checkbox"/> unequal division of family assets
<input type="checkbox"/> support for child(ren) – table amount	<input type="checkbox"/> support for child(ren) – other than table amount	<input type="checkbox"/> exclusive occupation of family home
<input type="checkbox"/> support for child(ren) – other than table amount	<input type="checkbox"/> custody of child(ren)	<input type="checkbox"/> sale of family home
<input type="checkbox"/> custody of child(ren)	<input type="checkbox"/> access to child(ren)	
<input type="checkbox"/> access to child(ren)	<input type="checkbox"/> protective relief	<input type="checkbox"/> other (specify)
	<input type="checkbox"/> declaration of parentage	
	<input type="checkbox"/> variation of final order	
<input type="checkbox"/> variation of final order	<input type="checkbox"/> set aside/vary protection order	
	<input type="checkbox"/> other (specify)	

I ask the Court to set a date for the parties to appear in Family Triage Court.

Attendance by telephone *(If one of the following applies, check applicable box.)*

- There is a no contact order between the parties which would affect their attendance at Triage Court, and a teleconference courtroom is requested.
(or)
- A teleconference courtroom is requested because of extenuating circumstances.

I will serve a copy of this Certification with the date of the Family Triage Court appearance on the other party as required by the *Queen's Bench Rules*, at least 14 days in advance of the Triage Court date.

I certify that the following pre-requisites to Family Triage Court have been completed (check all that apply):

A. PLEADINGS:

- Pleadings are closed
- Pleadings are not closed and a date is required due to urgent circumstances as described below at paragraph I.
- The Petitioner/Applicant/Respondent is seeking Summary Judgment (proceed to paragraph G)
- The Petitioner/Applicant/Respondent is appealing a Master's Order (proceed to paragraph H)

B. DOCUMENTS/SERVICE REQUIREMENTS

I certify that the following documents have been filed:

- Certificate of Marriage (divorce cases only)
- Certificates of Birth of minor children (declaration of parentage cases)
- Affidavit of Service (or substituted services) of pleading on other party
- Affidavit of Service on Director of Child & Family Services (declaration of parentage cases)
- Affidavit of Service on Director of Income Assistance (variation of child and/or spousal support)
- All documents have been exchanged between the parties and/or examinations for discovery are complete or have been scheduled

C. PREREQUISITES IN CUSTODY CASES

I certify that the following documents have been filed:

- Certificate of Attendance at “For Sake of the Children”
- Written parenting plan of Petitioner/Applicant/Respondent
- Copy of mediation report, if mediation was undertaken
- Copy of assessment report or confirmation that assessment has been ordered OR assessment is not required

D. PREREQUISITES IN CHILD SUPPORT/SPOUSAL/Common LAW SUPPORT AND VARIATION OF SUPPORT CASES

I certify that the following documents have been filed:

- Form 70D Financial Statement of Petitioner/Applicant/Respondent
- proof of year-to-date income from all sources
- Copies of T1 General Income Tax Return for immediately preceding 3 consecutive years
- All requests for financial information have been made and the information has been received or if the information has not been received that I have obtained an order for financial disclosure or will make a motion for that order before the scheduled date of the case conference.

E. PREREQUISITES IN PROPERTY CASES

I certify that the following documents have been filed:

- Statement of Family Assets and Debts completed by Petitioner/Applicant/Respondent
- Statement of Comparative Family Assets and Debts containing the position of the Petitioner/Applicant/Respondent on the sharing of family assets and debts
- Copies of corporate tax returns and financial statements for immediately preceding 3 consecutive years if family assets include commercial assets
- All requests for financial information have been made and the information has been received or if the information has not been received that I have obtained an order for financial disclosure or will make a motion for that order before the scheduled date of the case conference.

F. FAMILY TRIAGE COURT BRIEF [REQUIRED IN ALL CASES EXCEPT SUMMARY JUDGMENT AND APPEAL OF MASTER'S ORDER]

- I CERTIFY THAT I HAVE FILED A FAMILY COURT TRIAGE BRIEF AND HAVE SERVED SAME UPON THE OPPOSING PARTY.

G. SUMMARY JUDGMENT – REQUEST FOR APPEARANCE AT TRIAGE COURT

I certify that the following documents have been filed:

- Notice of Motion for Summary Judgment
 All affidavits in support of motion
 Affidavit of service of motion and affidavits on opposing party
 Summary Judgment Motion Brief

H. APPEAL OF A MASTER'S ORDER

I certify that the following documents have been filed:

- Notice of Appeal of Master's Order
 All affidavits in support of motion
 Affidavit of service of motion and affidavits on opposing party
 Appeal Brief

I. URGENT CASE – REQUEST FOR APPEARANCE AT TRIAGE COURT

REQUEST FOR MASTER TO GRANT LEAVE TO SET A FAMILY TRIAGE COURT DATE IF REQUEST RELATES TO URGENT CASE

There is a request relating to custody, access, support, preservation of property, and/or protective relief that is urgent.

- The situation is urgent
- The Petitioner/Applicant/Respondent will face hardship if they have to wait until pleadings are closed to seek relief before the Court
- it is in the interests of justice that the matter be heard by the Triage Court

I am unable to certify the completion of the prerequisites for Family Triage Court and this is a situation of urgency or hardship because of the following:
The facts upon which the Petitioner/Applicant/Respondent relies upon to request an urgent hearing before the close of pleading (set out in consecutively numbered paragraphs a concise statement of the facts):

(Give a brief explanation of the situation of urgency or hardship.)

I request that this Request be placed before the Master on _____
(day of the week) (month/day/year)

I request that the Master grant leave (give permission) to have a Triage Court date set because of the situation of urgency or hardship.

DATED _____
(month/day/year) _____
(signature of party or lawyer)

Master's Decision

Leave is granted for the matter to appear on the next available Triage Court Date.

(or)

Leave is granted for the matter to appear on the next available Triage Court Date on the following conditions:

(or)

Leave is not granted for the matter to appear on the next available Triage Court Date and the parties are directed to complete the applicable pre-requisites prior to seeking a future court date.

Dated _____
(month/day/year) Master _____

Family Triage Court Date

A Family Triage Court date is set for _____ a.m./p.m.
(day of the week) *(month/day/year)* *(time)*

Deputy Registrar

LAWYER'S CERTIFICATION

- I CERTIFY THAT THE FOREGOING REPRESENTS THE COMPLETION OF ALL PREREQUISITIES IN THIS MATTER. FURTHER, I CERTIFY THAT I HAVE INFORMED MY CLIENT THAT HE/SHE MUST BE IN PERSONAL ATTENDANCE AT THE FAMILY TRIAGE COURT AND THAT FAILURE TO ATTEND MAY RESULT IN AN ORDER BEING MADE IN HIS/HER ABSENCE EVEN IF COUNSEL ATTENDS ON THEIR BEHALF.

Dated (month/day/year)

Signature of Lawyer

SELF-REPRESENTED PARTY'S CERTIFICATION

- I CERTIFY THAT THE FOREGOING REPRESENTS THE COMPLETION OF ALL PREREQUISITIES IN THIS MATTER. FURTHER, I CERTIFY THAT I UNDERSTAND THAT I MUST BE IN PERSONAL ATTENDANCE AT THE FAMILY TRIAGE COURT AND THAT FAILURE TO ATTEND MAY RESULT IN AN ORDER BEING MADE AGAINST ME WITHOUT FURTHER NOTICE TO ME.

Dated (month/day/year)

Signature of Party