

Court File No.

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

Petitioner

and

Respondent

PETITION FOR DIVORCE

PART 1: NOTICE TO THE RESPONDENT

IMPORTANT INFORMATION

TO: _____ *(insert name of Respondent)*

An application has been made against you for a Divorce Judgment. The Petitioner may be claiming other things, too, as specified in this Petition for Divorce.

IF YOU DISPUTE ANY OF THE CLAIMS YOU MUST FILE AN ANSWER (Form 4) with the Supreme Court of the Northwest Territories.

IF YOU WISH TO MAKE ANY CLAIMS YOURSELF, YOU MUST ATTACH A COUNTER PETITION (Form 5) TO THE ANSWER and file it with the Supreme Court of the Northwest Territories.

IF YOU DO NOT DISPUTE THE CLAIMS but you want to be notified of court applications or other steps in this action, you must file a DEMAND OF NOTICE (Form 6) with the Supreme Court of the Northwest Territories.

YOU MUST SERVE THE ANSWER and any COUNTER PETITION or the DEMAND OF NOTICE on the PETITIONER within the following times:

- Within 25 days after the day this was served on you in the Northwest Territories;
- Within 30 days after the day this was served on you if you were served outside of the Northwest Territories but within Canada; or
- Within the time directed on the Order for Service if you were served OUTSIDE of Canada.

IF YOU DO NOT file an ANSWER (and COUNTER PETITION, if any) or a DEMAND OF NOTICE and SERVE a copy of it on the Petitioner you are NOT entitled to notice of any further proceedings in this case and ORDERS MAY BE MADE IN YOUR ABSENCE AND ENFORCED AGAINST YOU.

THE PETITIONER'S ADDRESS FOR SERVICE IS:

PART 2: DETAILS OF PETITIONER'S CLAIM(S)

Relief the Petitioner is Seeking

1. The Petitioner asks for a Divorce Judgment and the following relief: *(choose all that apply)*

- Decision-making responsibility for child(ren);
- Parenting time with child(ren);
- Child support as required in the *Federal Child Support Guidelines*;
- Child support in an amount other than what is required by the *Federal Child Support Guidelines*
- Spousal support;
- Equalization of family property under the *Family Law Act*;
- Exclusive possession of the family home under the *Family Law Act*;
- Costs;
- Other (*specify*)

Grounds for Divorce:

2. The Petitioner's grounds for seeking a divorce are *(choose all that apply)*

- Separation: The spouses separated on *(insert date)* and *(choose one of the following)*:
 - they have not lived together since that date; **OR**
 - they have lived together again during the following period(s) in unsuccessful attempts to reconcile *(provide dates)*:

___ Adultery: The Respondent committed adultery on *(insert date)* by engaging in intimate sexual activity with another person without my permission. **Note:** *You do not need to name the other person, but if you do, you must serve them with this Petition*

___ Cruelty: The Respondent has treated the Petitioner with physical or mental cruelty of such a nature that continued cohabitation was intolerable.

Reconciliation

3. Choose **one**:

___ There is no possibility of reconciliation

___ The following efforts to reconcile have been made *(provide details)*:

No Collusion

4. There has been no conspiracy or agreement between the Petitioner and the Respondent, directly or indirectly, for the purpose of subverting the administration of justice and no agreement, understanding or arrangement to fabricate or suppress evidence or to deceive this Honourable Court.

Information about the Marriage:

5. The particulars of the marriage are:

a. Date of marriage: _____

b. Place of marriage: _____

c. Petitioner's full name the day before the marriage: _____

d. Respondent's full name the day before the marriage: _____

e. Marital status the day before the marriage:

i. Petitioner: _____ *(single, divorced, widowed)*

ii. Respondent: _____ *(single, divorced, widowed)*

f. Gender on the day before the marriage:

i. Petitioner: *(specify)*:

___ *male,*

___ *female,*

___ *another gender,*

___ *information not available*

- ii. Respondent: (*specify*):
 - _____ *male,*
 - _____ *female,*
 - _____ *another gender,*
 - _____ *information not available*

- g. Petitioner's birthday: _____
- h. Petitioner's place of birth: _____
- i. Respondent's birthday: _____
- j. Respondent's place of birth: _____
- k. Petitioner's address: _____
- l. Respondent's address: _____

Residency of Petitioner or Respondent

- 6. The Petitioner (*or the Respondent*) has been ordinarily resident in the Northwest Territories for at least one year immediately before the day this Petition was issued.

Information About Child(ren)

- 7. Choose **one**:

_____ There are no children of the marriage (go to "Previous Agreements")

_____ The names and dates of birth of all children of the marriage are set out below:

- 8. The Petitioner seeks an order for decision-making responsibility for the following child(ren):

- 9. The Petitioner seeks an order for parenting time with the following child(ren):

- 10. Petitioner proposes the following parenting arrangements:

Financial Arrangements for the Child(ren):

11. Choose **one** and provide details:

- The Petitioner proposes the following financial arrangements for the care and support of the child(ren):

- The Petitioner and the Respondent have made the following financial arrangements for the care and support of the children:

Previous Agreements

12. Choose **one**:

- The particulars of all written or oral agreements between the Petitioner and Respondent regarding financial support for the Petitioner or the Respondent and for parenting time, decision-making responsibility and financial support for the child(ren) are as follows:

- There are no such agreements

Information about Other Court Orders or Proceedings

13. Choose **one**

- There have been no other court proceedings.

- The particulars of all court proceedings regarding the marriage, financial support of either the Petitioner or the Respondent or the child(ren) and parenting time, decision-making authority, custody or access to the child(ren) are as follows (*check all that apply*):
 - Proceedings/orders under the *Children's Law Act*;
 - Proceedings/orders under the *Family Law Act*;
 - Proceedings/orders under the *Protection Against Family Violence Act*;
 - Proceedings/orders/measures/undertakings/recognizances in relation to matters of a criminal nature;
 - Proceedings/orders/measures under the *Child and Family Services Act*;
 - Other (*specify*)

Other Claims

14. If you are making **other claims**, such as equalization of family property or exclusive possession of the family home, provide the details **here**.

PETITIONER’S CERTIFICATE

(To be signed only if there are children of the marriage)

I, _____ certify to the Court that I am aware of the following duties imposed on me by sections 7.1 to 7.5 of the *Divorce Act* (Canada) and I will:

- exercise decision-making responsibility, parenting time or contact with a child in a manner that is consistent with the child(ren)’s best interests;
- protect the child(ren) from conflict arising from this case, to the best of my ability;
- try to resolve family law issues by using out-of-court dispute resolution options, if appropriate;
- provide complete, accurate and up-to-date information in this case; and
- comply with any and all orders made in this case.

Petitioner’s Signature *Date*

LAWYER’S CERTIFICATE

(Not required if Petitioner is self-represented)

I, _____ am the Petitioner’s lawyer. I certify that I have complied with the requirements of s. 7.7 of the *Divorce Act* regarding reconciliation and the duty to discuss and inform.

Lawyer’s signature *Date*

Lawyer or Petitioner’s signature *Date*

ISSUED out of the office of the Clerk of the Supreme Court on _____
Date

D/Clerk of the Supreme Court