



THE SUPREME COURT OF THE NORTHWEST TERRITORIES  
LA COUR SUPRÊME DES TERRITOIRES DU NORD-OUEST

## PRACTICE DIRECTION

### Revised and New Forms Arising from Amendments to the *Divorce Act (Canada)*

Amendments to the *Divorce Act (Canada)* are in effect as of March 1, 2021. Some of the amendments require changes to the forms currently prescribed in the Divorce Rules so they accurately reflect new requirements and terminology brought in through the amendments. There are also new forms for notices required by the amendments for relocation and change of residence.

The new forms are attached. Please note that “backers” are no longer required for any of the forms prescribed under the Divorce Rules. The file/action number should be typed or written in the top right corner on the first page of the document.

#### CHANGES TO EXISTING FORMS

A brief explanation of the changes to existing forms follows:

**Form 1            Petition for Divorce**

- a. Changed to reflect new terms respecting parenting arrangements, namely “parenting time”, “decision-making responsibility” and “contact”, and to include:
  - i. certifications required of parties and lawyers;
  - ii. information about each party’s gender the day before the marriage (now required by Federal Divorce Registry); and
  - iii. information on other court proceedings and orders.
- b. Incorporates “Notice to Respondent” into the Petition for Divorce instead of a separate form; clarifies wording;

**Form 2            Notice to Respondent - deleted (see above)**

Form 4      **Answer**

Includes Respondent's certificate regarding duties under the *Divorce Act (Canada)*

Form 5      **Counter Petition**

Changed to reflect new terms respecting parenting arrangements, namely "parenting time", "decision-making responsibility" and "contact", and to include:

- a. certifications required of parties and lawyers;
- b. information about each party's gender the day before the marriage (now required by Federal Divorce Registry); and
- c. information on other court proceedings and orders.

Form 7      **Joint Petition for Divorce**

Changed to reflect new terms respecting parenting arrangements, namely "parenting time", "decision-making responsibility" and "contact", and to include:

- a. certifications required of parties and lawyers;
- b. information about each party's gender the day before the marriage (now required by Federal Divorce Registry); and
- c. information on other court proceedings and orders.

Form 12     **Affidavit of Applicant**

Changed to reflect use of *Federal Child Support Guidelines*, new terms respecting parenting arrangements, namely "parenting time", "decision-making responsibility" and "contact".

New provisions to address imputation of income.

Form 16     **Corollary Relief Order**

- a. Changed to reflect new terms respecting parenting arrangements, namely "parenting time", "decision-making responsibility" and "contact"; and
- b. Clarifies that other relief can be included in the order.

**NEW FORMS**

**Form 20 Notice of Relocation**

This form is used by a person with parenting time and decision-making responsibilities to provide formal notice required under s. 16(9) of the *Divorce Act (Canada)*. The Court will accept it in the form attached as well as in the fillable format on the Justice Canada website: <https://www.justice.gc.ca/eng/fl-df/divorce/nrf-fad.html>

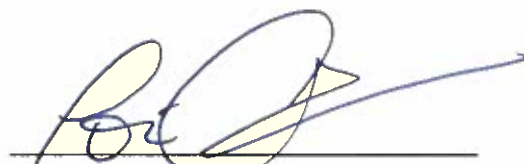
**Form 21 Notice of Objection to Relocation**


This form is used by a person with parenting time and decision-making responsibilities to state his/her/their objection to a proposed relocation, in accordance with s. 16.91(1)(b)(i)(A) of the *Divorce Act (Canada)*.

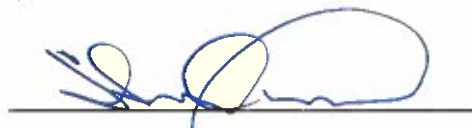
**Form 22 Notice of Change of Residence by Person who has an Order for Contact with Child(ren)**

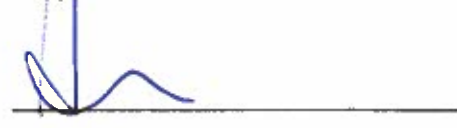
This form is used by a person who has an order for contact with a child or children, if the change of residence is expected to have a significant impact on the child's relationship with him/her/them. The notice is required under s. 16.96(2) of the *Divorce Act (Canada)*.

Issued this 2<sup>nd</sup> day of February, 2021 by direction of the judges of the Supreme Court of the Northwest Territories.

  
Justice L.A. Charbonneau

  
Justice K.M. Shaner

  
Justice S.H. Smallwood

  
Justice A.M. Mahar