

FORM 2 (RULE 2 (2) )

APPLICATION TO CHANGE OR CANCEL AN ORDER

Court File No. ....

Court Location .....

F.M.E.P. No. ....

In the Provincial Court of British Columbia

In the case between:

.....[name].....

and

.....[name].....

Filed by:

Name ..... Date of birth ..... (APPLICANT)

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

Notice to:

Name ..... Date of birth ..... (RESPONDENT)

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

and to:

- [ ] Director of Maintenance Enforcement [ ] Minister under the BC Benefits (Income Assistance) Act, the BC Benefits (Youth Works) Act or the Disability Benefits Program Act

IMPORTANT NOTE TO APPLICANT AND RESPONDENT:

If this claim involves an order for maintenance, you may be required to file financial information with your reply. If you do not, the court may attribute income to you and set the amount of maintenance to be paid.

[ ] I ask that the attached order\* dated .....[mmm/dd/yyyy]..... be cancelled.

Or

[ ] I ask that the attached order\* dated .....[mmm/dd/yyyy]..... be changed to the following:

Or

[ ] I ask that arrears of maintenance be cancelled or reduced as follows:

.....

Since the order dated .....[mmm/dd/yyyy]..... was made, circumstances have changed as follows:

.....

Notice to respondent: If you fail to file a reply within 30 days of being served with this application you will not receive notice of any part of the proceeding and the court may make an order against you.

Dated .....[mmm/dd/yyyy].....

Signature .....

Name of applicant's lawyer

(\*Order includes a written agreement filed under the Family Relations Act (section 121) )

## To Complete a Financial Statement

*Please read these instructions carefully.*

***You may not have to complete this form at all.  
Or, you may only have to complete parts of it.***

**DO** fill out this form if:

- there is a claim, either by you or against you, for spousal or parental support,
- there is a claim, either by you or against you, for child support and one or more of the following applies:
  - you are the person being asked to pay.
  - the claim is for an amount other than the amount set out in the Child Support Tables.
  - there is an undue hardship claim.
  - there is a claim for special or extraordinary expenses.
  - the parents have split custody (that is, there are 2 or more children and each parent has sole custody of at least one child).
  - the parents have shared custody (that is, the child or children actually live with each parent at least 40% of the time during the year).
  - one or more of the children for whom maintenance is claimed is the age of majority (19 in B.C.) or older.
  - the person being asked to pay, has acted as a parent to a child, but is not the child's natural or adoptive parent.
  - the income of the person being asked to pay is more than \$150,000.

Read carefully and fill out ONLY those sections that apply to you.

**CONFIDENTIALITY OF FINANCIAL INFORMATION:** The Provincial Court (Family) Rule 20(9) says:

A person must not disclose any information contained in a record filed under Rule 4 (*financial information*) except to the extent necessary for the purposes of an application under the *Family Relations Act*.

## **AFFIDAVIT**

Complete the affidavit after you complete the rest of the financial statement.

Before you sign the affidavit:

- check the boxes to indicate the parts of the financial statement you have completed.
- cross out the statement that **does not** apply to you. If the second statement applies, briefly explain the changes you are expecting in the space provided.

Take the financial statement to a Commissioner for Taking Affidavits, who will take your oath or affirmation that the information in your financial statement is complete and true. All lawyers, notaries public and certain staff at the court registry are Commissioners. No fee is charged at the court registry for this service.

**Remember to sign the affidavit in the presence of a Commissioner.**

## **FILING**

This is the last step. Follow these instructions after you have completed the financial statement and affidavit.

**If you are the applicant, you must:**

- make 3 photocopies of your financial statement and of each document listed on page 2 that applies to you.
- attach the documents together to make 4 sets: a set of originals and 3 sets of copies.
- file the 4 sets of documents (financial statement and attached documents) at the registry when you file your application.
- have a copy of the financial statement and attached documents served on the respondent, with a copy of your application.

**If you are the respondent, you must:**

- make 3 photocopies of your financial statement and of each document listed on page 2 that applies to you.
- attach the documents together to make 4 sets: a set of originals and 3 sets of copies.
- file the 4 sets of documents (financial statement and attached documents) at the registry when you file your reply.

FORM 4 (RULE 4)  
**FINANCIAL STATEMENT**

Court File No. ....

Court Location .....

F.M.E.P. No. ....

*In the Provincial Court of British Columbia*

**In the case between:**

.....[*name*].....

and

.....[*name*].....

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I, .....[*name*].....,

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

.....swear or affirm that:

- 1 The information set out in this financial statement is true, to the best of my knowledge.
- 2 I have made complete disclosure in this financial statement of (*check applicable boxes*)
  - my income, including benefits and adjustments, if any, in Part 1,
  - my expenses, in Part 2,
  - my assets and debts, in Part 3.
- 3  I do not anticipate any significant changes in the information set out in this financial statement.

**Or**

I anticipate the following significant changes in the information set out in this financial statement: .....

SWORN OR AFFIRMED BEFORE ME )

at .....[*city etc.*]....., British Columbia )

on .....[*mmm/dd/yyyy*]..... ) .....

.....

A commissioner for taking affidavits  
for British Columbia

## **INCOME**

Check the boxes to indicate your employment status and how often you are paid.

You must include copies of certain documents with your financial statement. Read the list carefully and check the boxes that apply to you. Once you have completed the financial statement, attach a copy of each of those documents to your financial statement.

For the purposes of this form:

“social assistance” includes

- (a) income assistance within the meaning of the *BC Benefits (Income Assistance) Act*,
- (b) a youth allowance within the meaning of the *BC Benefits (Youth Works) Act*, and
- (c) a disability allowance within the meaning of the *Disability Benefits Program Act*;

“support” includes maintenance.

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**PART 1 INCOME**

Complete Part 1 if:

- (a) there is a claim, either by you or against you, for spousal or parental support, or
- (b) there is a claim, either by you or against you, for child support and you are required by the Child Support Guidelines to provide income information.

1 I am

- employed as .....[describe occupation].....  
by .....[name and address of employer].....
- self-employed .....[name and address of business].....
- unemployed since .....[mmm/dd/yyyy].....

2 I am paid

- every 2 weeks  twice a month  monthly
- other (specify) .....

3 I have attached a copy of each of the applicable documents to my financial statement [check applicable boxes]

- every personal income tax return I have filed for each of the three most recent taxation years, together with any attachments
- every income tax notice of assessment or reassessment I have received for each of the three most recent taxation years
- (if you are an employee)** my most recent statement of earnings indicating the total earnings paid in the year to date, including overtime, or where such a statement is not provided by my employer, a letter from my employer setting out that information, including my rate of annual salary or remuneration
- (if you are receiving Employment Insurance benefits)** my three most recent EIC benefit statements
- (if you are receiving Worker’s Compensation benefits)** my three most recent WCB benefit statements
- (if you are receiving Social Assistance)** a statement confirming the amount that I receive
- (if you are self-employed)** for the three most recent taxation years
  - (i) the financial statements of my business or professional practice, other than a partnership, and
  - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom I do not deal at arm’s length,
- (if you are a partner in a partnership)** confirmation of my income and draw from, and capital in, the partnership for its three most recent taxation years
- (if you control a corporation)** for its three most recent taxation years
  - (i) the financial statements of the corporation and its subsidiaries, and
  - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation and every related corporation does not deal at arm’s length, and
- (if you are a beneficiary under a trust)** the trust settlement agreement and the trust’s three most recent financial statements.

## ANNUAL INCOME

If line 150 (total income) of your most recent federal income tax return sets out what you expect your income to be for this year, skip to total income (line A) and record the amount from line 150 on line A. Otherwise, record what you expect your income for this year to be from each source of income that applies to you.

Remember to record these as ANNUAL, or YEARLY amounts. (For example, if you are paid every two weeks, multiply that amount by 26. If you are paid monthly, multiply by 12).

Except where the word "net" appears, use gross **annual** amounts.

Leave blank any lines that do not apply to you.

10. **Child support:** Record the total yearly amounts of child support you receive in the boxes labeled "total amount". If you are required to include any child support as income on your income tax return, record that amount in the boxes labeled "taxable amount".

Do **not** add lines 10a and 10b when calculating the total in line A.

16. **Total social assistance payments:** Record the total amount you receive including any amounts you receive for other members of your household.
- A. **Total Income:** After recording the annual amount of each type of income you receive, add them and record the total here.

## TOTAL BENEFITS

Record all money or non-monetary benefits your receive that are not already included in Total Income (line A). An inheritance or large lottery winning are examples of amounts to be recorded here. Describe the benefit(s) on the lines provided.

You do not have to include here any Child Tax Benefit or BC Family Bonus that you receive for your children

- B. **Total Benefits:** After recording the yearly amount of all benefits your receive, add them and record the total here.

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**ANNUAL INCOME**

If line 150 (total income) of your most recent federal income tax return sets out what you expect your income to be for this year, skip to total income (line A) and record the amount from line 150 on line A. Otherwise, record what you expect your income for this year to be from each source of income that applies to you. Record gross **annual** amounts unless otherwise stated.

1	Employment income (include wages, salaries, commissions, bonuses, tips and overtime)	\$.....
2	Other employment income	+ \$.....
3	Pension income (include CPP, Old Age Security, disability, superannuation and other pensions)	+ \$.....
4	Employment insurance benefits	+ \$.....
5	Taxable dividends from Canadian corporations	+ \$.....
6	Interest and other investment income	+ \$.....
7	<b>Net</b> partnership income: limited or non-active partners only	+ \$.....
8	Rental income Gross \$.....	<b>Net</b> + \$.....
9	Taxable capital gains	+ \$.....
10	Child support	
	(a) Total amount for children from another relationship or marriage	a. \$.....*
	(b) Total amount for children from this relationship or marriage	b. \$.....*
	(c) Taxable amount for children from another relationship or marriage	c. + \$.....
	(d) Taxable amount for children from this relationship or married.	d. + \$.....
11	Spousal support	
	(a) From another relationship or marriage	a. + \$.....
	(b) From this relationship or marriage	b. + \$.....
12	Registered retirement savings plan income	+ \$.....
13	Other income (include any taxable income that is not included on lines 1 to 17)	+ \$.....
14	<b>Net</b> self-employment income (include business, professional, commission, fishing and farming income)	+ \$.....
15	Workers' compensation benefits	+ \$.....
16	Total social assistance payments	+ \$.....
17	<b>Net</b> federal supplements	+ \$.....
<b>A</b>	<b>Total income:</b>	<b>A = \$.....</b>

(\*do not add these items into the total at A)

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**TOTAL BENEFITS**

List all allowances and amounts received and all non-monetary benefits from all sources, that are not included in total income [line A]. You do not have to include here any Child Tax Benefit or BC Family Bonus that you receive for your children.

**B Total benefits:** **B = \$.....**

## ADJUSTMENTS TO INCOME

These amounts will be subtracted from or added to your total income for the purposes of determining child, spousal or parental support.

### Deductions from income

1. **Taxable amount of child support:** If you recorded an amount in Annual Income, line 10(c) or (d), record that amount here.
  2. **Spousal support:** If you recorded spousal support from this relationship in Annual Income, line 11(b), record that amount here.
  4. **Other employment expenses:** If you have any of these employment expenses, identify the expense and record the amount here. Paragraph numbers refer to the sections of the Income Tax Act where the expenses are described.
    - teacher's exchange fund contribution [paragraph 8(1)(d)]
    - railway employee's expenses [paragraph 8(1)(e)]
    - sales expenses [paragraph 8(1)(f)]
    - transport employee's expenses [paragraph 8(1)(g)]
    - travel expenses [paragraph 8(1)(h)]
    - motor vehicle and aircraft costs [paragraph 8(1)(j)]
    - CPP contributions and EI premiums paid for another employee who acts as your assistant or substitute [paragraph 8(1)(i.1)]
    - salary reimbursement [paragraph 8(1)(n)]
    - forfeited amounts [paragraph 8(1)(o)]
    - musician's musical instrument costs [paragraph 8(1)(p)]
    - artist's employment expenses [paragraph 8(1)(q)]
  5. **Social assistance received for any person other than yourself:** If you recorded an amount in Annual Income, line 16 that includes an amount for other members of your household, record the amount received for the others here.
  6. **Prior period earnings:** Complete this line only if you have prior period earnings reported on Revenue Canada form T1139.
- C. **Total deductions from income:** After recording the annual amount of each of your deductions, add them and record the total here.

### Additions to income

2. **Payments to family members:** If you deducted salaries, wages or benefits to arrive at an amount of self-employment income recorded in Annual Income, line 14, record on line 2(a) the salaries, wages and benefits you paid to family members or other non-arm's length people and on line 2(b), record the portion of these payments necessary to earn your self-employment income. Subtract 2(b) from 2(a) and record the total here.
- D. **Total additions to income:** After recording the annual amount of each of your additions to income, add them and record the total here.

### OTHER ADJUSTMENTS TO INCOME - Spousal or Parental Support

Complete **ONLY** if there is a claim, either by or against you, for spousal or parental support.

- E. **Total other adjustments:** After recording the annual amount of each adjustment, add them and record the total here.

**ADJUSTMENTS TO INCOME**

Complete this section if:

- (a) there is a claim, either by you or against you, for spousal or parental support, or
- (b) there is a claim, either by you or against you, for child support and you are required by the Child Support Guidelines to provide income information.

**Deductions from Income:**

1	Taxable amount of child support I receive		\$.....
2	Spousal support I receive from the other party		\$.....
3	Union and professional dues	+	\$.....
4	Other employment expenses ( <i>Refer to Schedule III of the Child Support Guidelines</i> ) Specify.....	+	\$.....
5	Social assistance I receive for other members of my household and included in my total income	+	\$.....
6	Dividends from taxable Canadian corporations		
	(a) Taxable amount of dividends	a.	\$.....
	<i>subtract</i> (b) Actual amount of dividends	- b.	\$.....
	Excess portion of dividends (a-b)	=	\$..... → + \$.....
7	Actual business investment losses during the year	+	\$.....
8	Carrying charges and interest expenses paid and deductible under the <i>Income Tax Act</i> (Canada)	+	\$.....
9	Prior period earnings		
	(a) If net self-employment income included in total income includes an amount earned in a prior period, the amount earned in the prior period	a.	\$.....
	<i>subtract</i> (b) Reserves	- b.	\$.....
	Prior period earnings (a-b)	=	\$..... → + \$.....
10	Portion of partnership and sole proprietorship income required to be reinvested	+	\$.....
<b>C</b>	<b>Total deductions from income:</b>		<b>C = \$.....</b>

**Additions to Income:**

1	Capital gains		
	(a) Actual capital gains	a.	\$.....
	<i>subtract</i> (b) Actual capital losses	- b.	\$.....
	<i>subtract</i> (c) Taxable capital gains	- c.	\$.....
	Total capital gains (a-b-c)	=	\$..... → \$.....
	<i>(If amount is zero or less than zero, record "0" on this line)</i>		
2	Payments to family members and other non-arm's length persons		
	(a) Salaries, benefits, wages or other payments to family members or other non-arm's length persons, deducted from self-employment income	a.	\$.....
	<i>subtract</i> (b) Portion of payments necessary to earn self-employment income	- b.	\$.....
	Non arm's length payments (a-b)	=	\$..... → + \$.....
3	Allowable capital cost allowance for real property	+	\$.....
4	Employee stock options in Canadian-controlled private corporations exercised <i>(If some or all of the shares are disposed of in the same year you exercise the option, do not include those shares in the calculation)</i>		
	(a) Value of shares when options are exercised	a.	\$.....
	<i>subtract</i> (b) Amount paid for shares	- b.	\$.....
	<i>subtract</i> (c) Amount paid to acquire option to purchase shares	- c.	\$.....
	Value of employee stock options (a-b-c)	=	\$..... → + \$.....
<b>D</b>	<b>Total additions to income:</b>		<b>D = \$.....</b>

**OTHER ADJUSTMENTS TO INCOME – Spousal or Parental Support**

Complete this section only if there is a claim, either by you or against you, for spousal or parental support.

1	Total child support I receive .....		\$.....
2	Social assistance I receive for other members of my household.....	+	\$.....
3	Child Tax Benefit .....	+	\$.....
4	BC Family Bonus .....	+	\$.....
<b>E</b>	<b>Total other adjustments:</b>		<b>E = \$.....</b>

## INCOME SUMMARY

Complete this summary AFTER you have completed pages 2, 3, and 4.

## EXPENSES, ASSETS AND DEBTS

The next 2 pages ask for information about your expenses, assets and debts.

Complete the next 2 pages, titled "Part 2 - Expenses" and "Part 3 - Assets and Debts" **ONLY** if:

- there is a claim, either by or against you, for spousal or parent support **OR**
- there is a claim, either by or against you, for child support and one or more of the following applies:
  - the claim includes a claim for a child 19 years or older
  - the person who is being asked to pay has a yearly income higher than \$150,000
  - the parents share custody (that is, the child or children actually live with each parent at least 40% of the time over the course of a year)
  - there is a claim or special or extraordinary expenses for a child or children (also complete schedule 1)
  - there is a claim of undue hardship (also complete schedule 2)
  - the person being asked to pay has acted as a parent to the child but is not the child's natural or adoptive parent

If you fall into one of these categories, turn to page 6 and continue filling out the form. Otherwise, go back to page 1 now and follow the instructions for completing the affidavit and filing and serving the financial statement.

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**INCOME SUMMARY**

**Annual Income for a Child Support Claim**

**Total income** [from line A] ..... \$.....  
*subtract* Total deductions from income [from line C] ..... - \$.....  
*add* Total additions to income [from line D] ..... + \$.....  
**Annual income to be used for a Child Support Table amount** ..... = \$.....  
*add* Spousal support received from the other party (if any) ..... + \$.....  
*subtract* Spousal support paid to the other party (if any) ..... - \$.....  
**Annual income to be used for a special or extraordinary expenses claim =**  
\$.....

**Annual Income for a Spousal or Parental Support Claim**

**Total income** [from line A] ..... \$.....  
*subtract* Total deductions from income [from line C] ..... - \$.....  
*add* Total additions to income [from line D] ..... + \$.....  
*add* Total other adjustments [from line E] ..... + \$.....  
**Annual income to be used for a spousal or parental support claim =** \$.....  
**Total Benefits** [from line B] ..... \$.....

## Annual Expenses

Remember to record your expenses as annual or yearly amounts.

If you are claiming special or extraordinary expenses as part of a child support claim, you must also complete Schedule 1.

**F. Total expenses:** After recording the annual amount of each expense, add them and record the total here.

**PART 2 EXPENSES**

You do not have to complete Part 2 if the only support claimed is child support in the amount set out in the Child Support Tables and all children for whom support is claimed are under the age of majority (19 years in B.C.)

**ANNUAL EXPENSES**

Estimate your *annual* expenses:

**Compulsory deductions**

CPP contributions \$.....  
 Employment insurance premiums \$.....  
 Income taxes \$.....  
 Employee pension contributions to a Registered Pension Plan \$.....

Other (specify) \$.....

**Housing**

Rent or mortgage \$.....  
 Property taxes \$.....  
 Homeowner's/Tenant's insurance \$.....  
 Water, sewer and garbage \$.....  
 Strata fees \$.....  
 House repairs and maintenance \$.....  
 Other (specify) \$.....

**Utilities**

Heat \$.....  
 Electricity \$.....  
 Telephone \$.....  
 Cable TV \$.....  
 Other (specify) \$.....

**Household expenses**

Food \$.....  
 Household supplies \$.....  
 Meals outside the home \$.....  
 Furnishings and equipment \$.....  
 Other (specify) \$.....

**Transportation**

Public transit, taxis \$.....  
 Gas and oil \$.....  
 Car insurance and licence \$.....  
 Parking \$.....  
 Repairs and maintenance \$.....  
 Lease payments \$.....  
 Other (specify) \$.....

**Health<sup>a</sup>**

MSP premiums \$.....  
 Extended health plan premiums \$.....  
 Dental plan premiums \$.....  
 Health care (net of coverage) \$.....  
 Drugs (net of coverage) \$.....  
 Dental care (net of coverage) \$.....  
 Other (specify) \$.....

**Personal**

Clothing \$.....  
 Hair care \$.....  
 Toiletries, cosmetics \$.....  
 Education (specify) \$.....

Life insurance \$.....  
 Dry cleaning/laundry \$.....  
 Entertainment, recreation \$.....  
 Alcohol, tobacco \$.....  
 Gifts \$.....  
 Other (specify) \$.....

**Children<sup>1</sup>**

Child care \$.....  
 Clothing \$.....  
 Hair care \$.....  
 School fees and supplies \$.....  
 Entertainment, recreation \$.....  
 Activities, lessons \$.....  
 Gifts \$.....  
 Insurance \$.....  
 Other (specify) \$.....

**Savings for the future**

RRSP \$.....  
 RESP \$.....  
 Other (specify) \$.....

**Support payments to others**

(specify)<sup>2</sup>

**Debt payments**

(specify)

**Other**

Charitable donations \$.....  
 Vacation \$.....  
 Pet care \$.....  
 Newspapers, publications \$.....

**Reserve for income tax** \$.....

**F Total expenses**      **F \$.....**  
 =

- a. If you claim child support and special or extraordinary expenses, you must also complete Schedule 1.
- b. List only the names of those for whom support is not claimed in this application. Indicate whether the payments are tax deductible to you and whether you make the payments under a court order or agreement.

<sup>1</sup> If you claim child support and special or extraordinary expenses, you must also complete Schedule 1.

<sup>2</sup> List only the names of those for whom support is not claimed in this application. Indicate whether the payments are tax deductible to you and whether you make the payments under a court order or agreement.

## Assets

Assets include property, money and investments, and money that is owed to you.

If you need more space, attach a separate list and indicate on the form that there is an attached list.

1. **Real estate equity** is the difference between market value and the amount owing on the mortgage. For **market value**, use the amount on your most recent assessment notice.
2. **Cars, boats, vehicles:** your equity is the difference between market value and the amount owing on your loan(s). Estimate the **market value** and be prepared to justify your estimate.

**G. Asset value total:** After recording asset values, add them and record the total here.

## Debts

Remember to record these as ANNUAL, or YEARLY amounts.

Do NOT record mortgage or car payments here, as they are included under Annual Expenses.

If you need more space, attach a separate list and indicate on the form that there is an attached list.

**H. Debt payment total:** After recording debt payments, add them and record the total here.

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**PART 3 ASSETS AND DEBTS**

You do not have to complete Part 3 if the only support claimed is child support in the amount set out in the Child Support Tables and all children for whom support is claimed are under the age of majority (19 years in B.C.).

**Assets**

Real estate equity ..... \$.....  
Market value: \$.....  
Mortgage balance: \$.....  
Cars, boats, vehicles ..... + \$.....  
Make and year:.....  
Market value: \$.....  
Loan balance: \$.....  
Pension plans ..... + \$.....  
Other property ..... + \$.....  
Bank or other account (*include RRSPs*) ..... + \$.....  
Stocks and bonds ..... + \$.....  
Life insurance (*cash surrender value*) ..... + \$.....  
Money owing to me ..... + \$.....  
Name of debtor.....  
Other ..... + \$.....  
(*attach list if necessary*)

**G Asset value total ..... G = \$.....**

**Annual debt payments**

**Credit card** \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Bank or finance company** ..... + \$.....  
(*do not include amount owing on mortgage*)  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Department store** ..... + \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Other** (*attach list if necessary*) ..... + \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....

**H Debt payment total ..... H = \$.....**

## SCHEDULES

### Complete a schedule only if it applies to you

**Schedule 1:** You must complete this ONLY if you are claiming **special or extraordinary expenses** in a claim for child support.

**Schedule 2:** You must complete this ONLY if you are claiming **undue hardship** in a claim for child support.

**Schedule 3:** You must complete this ONLY if there is a claim, either by you or against you, for **undue hardship**, in a claim for child support.

If none of the schedules apply to you, go back to page 1 now, and follow the instructions for completing the affidavit and filing and serving the financial statement.

### Schedule 1 - Special or Extraordinary Expenses

*Please read these instructions carefully.*

Complete this schedule if you are claiming **special or extraordinary expenses** in a claim for child support.

The form contains columns for recording special expenses for 4 children. If your claim is for more than 4 children, photocopy this form before you begin and use the photocopy for the additional children.

Remember to record the expenses as ANNUAL, or YEARLY amounts.

If your claim includes an expense for child care, health care or post secondary education, you must subtract from the gross or full amount, any related subsidies, income tax deductions or credits you are eligible to receive the expense. After you subtract any subsidies, deductions or credits from the expense, record the result in the space labeled "net". Give details of the subsidy, deduction or credits in the space provided at the bottom of schedule 1.

After you record the annual amount of each expense, subtract the child's contribution. For example, a child may use money from a summer job to help pay university tuition.

**Total:** Add the special or extraordinary expenses claimed for each child. Subtract the child's contribution from the amount. Record the difference here.

If neither schedule 2 nor 3 applies to you, go back to page 1 now and follow the instructions for completing the affidavit and filing and serving the financial statement.

**SCHEDULE 1 – SPECIAL OR EXTRAORDINARY EXPENSES**

*Complete if you claim special or extraordinary expenses as part of a child support claim.*

<b>Name of child:</b>								
Child care expenses	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Medical/dental insurance premiums attributable to child	\$.....		\$.....		\$.....		\$.....	
Health related expenses (over \$100)	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Extraordinary expenses for primary or secondary school	\$.....		\$.....		\$.....		\$.....	
Post secondary education expenses	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Extraordinary extracurricular expenses	\$.....		\$.....		\$.....		\$.....	
Subtract contributions from child	<\$.....>		<\$.....>		<\$.....>		<\$.....>	
<b>Total</b>								
	\$.....		\$.....		\$.....		\$.....	

\*To calculate the net amount, subtract from the gross amount subsidies, benefits, income tax deductions or credits related to the expense. Give details below.

## **SCHEDULE 2**

Complete this schedule only if you are claiming undue hardship in a child support claim.

Schedule 2 lists 6 categories that may cause undue hardship. Choose the category that applies to your claim and provide the information requested.

## **SCHEDULE 3**

Complete this schedule if you or the other party claims undue hardship in a child support claim.

Record the name of each member of your household. Calculate the annual gross income of each of these people.

Now go back to page 1 and follow the instructions for completing the affidavit and filing and serving the financial statement.

**SCHEDULE 2 – UNDUE HARDSHIP**

*Complete if you plead undue hardship in respect of a child support claim.*

Responsibility for unusually high debts reasonably incurred to support the family prior to separation or to earn a living:

Owed to:	Terms of debt:	Monthly amount
		\$.....
		\$.....

Unusually high expenses for exercising access to a child:

Details of expense:	Monthly amount
	\$.....

Legal duty under a court order or separation agreement to support another person:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Legal duty to support a child, other than a child for whom support is claimed in this application, who is: (a) under the age of majority (19 years in B.C.), or (b) the age of majority or over but unable to support himself or herself because of illness, disability or other cause:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Legal duty to support a person who is unable to support himself or herself because of illness or disability:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Other undue hardship circumstances:

Details of other undue hardship circumstances:	Monthly amount
	\$.....

**SCHEDULE 3 – INCOME OF OTHER PERSONS IN HOUSEHOLD**

*Complete this section if there is an undue hardship claim*

Other person's name:	Annual income
	\$.....
	\$.....
	\$.....
	\$.....

## To Complete a Financial Statement

*Please read these instructions carefully.*

***You may not have to complete this form at all.  
Or, you may only have to complete parts of it.***

**DO** fill out this form if:

- there is a claim, either by you or against you, for spousal or parental support,
- there is a claim, either by you or against you, for child support and one or more of the following applies:
  - you are the person being asked to pay.
  - the claim is for an amount other than the amount set out in the Child Support Tables.
  - there is an undue hardship claim.
  - there is a claim for special or extraordinary expenses.
  - the parents have split custody (that is, there are 2 or more children and each parent has sole custody of at least one child).
  - the parents have shared custody (that is, the child or children actually live with each parent at least 40% of the time during the year).
  - one or more of the children for whom maintenance is claimed is the age of majority (19 in B.C.) or older.
  - the person being asked to pay, has acted as a parent to a child, but is not the child's natural or adoptive parent.
  - the income of the person being asked to pay is more than \$150,000.

Read carefully and fill out **ONLY** those sections that apply to you.

**CONFIDENTIALITY OF FINANCIAL INFORMATION:** The Provincial Court (Family) Rule 20(9) says:

A person must not disclose any information contained in a record filed under Rule 4 (*financial information*) except to the extent necessary for the purposes of an application under the *Family Relations Act*.

## **AFFIDAVIT**

Complete the affidavit after you complete the rest of the financial statement.

Before you sign the affidavit:

- check the boxes to indicate the parts of the financial statement you have completed.
- cross out the statement that **does not** apply to you. If the second statement applies, briefly explain the changes you are expecting in the space provided.

Take the financial statement to a Commissioner for Taking Affidavits, who will take your oath or affirmation that the information in your financial statement is complete and true. All lawyers, notaries public and certain staff at the court registry are Commissioners. No fee is charged at the court registry for this service.

**Remember to sign the affidavit in the presence of a Commissioner.**

## **FILING**

This is the last step. Follow these instructions after you have completed the financial statement and affidavit.

**If you are the applicant, you must:**

- make 3 photocopies of your financial statement and of each document listed on page 2 that applies to you.
- attach the documents together to make 4 sets: a set of originals and 3 sets of copies.
- file the 4 sets of documents (financial statement and attached documents) at the registry when you file your application.
- have a copy of the financial statement and attached documents served on the respondent, with a copy of your application.

**If you are the respondent, you must:**

- make 3 photocopies of your financial statement and of each document listed on page 2 that applies to you.
- attach the documents together to make 4 sets: a set of originals and 3 sets of copies.
- file the 4 sets of documents (financial statement and attached documents) at the registry when you file your reply.

FORM 4 (RULE 4)  
FINANCIAL STATEMENT

Court File No. ....

Court Location .....

F.M.E.P. No. ....

*In the Provincial Court of British Columbia*

**In the case between:**

.....[*name*].....

and

.....[*name*].....

I, .....[*name*].....,

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

.....swear or affirm that:

- 1 The information set out in this financial statement is true, to the best of my knowledge.
- 2 I have made complete disclosure in this financial statement of (*check applicable boxes*)
  - my income, including benefits and adjustments, if any, in Part 1,
  - my expenses, in Part 2,
  - my assets and debts, in Part 3.
- 3  I do not anticipate any significant changes in the information set out in this financial statement.

**Or**

I anticipate the following significant changes in the information set out in this financial statement: .....

SWORN OR AFFIRMED BEFORE ME )

at .....[*city etc.*]....., British Columbia )

on .....[*mmm/dd/yyyy*]..... ) .....

.....  
A commissioner for taking affidavits  
for British Columbia

## **INCOME**

Check the boxes to indicate your employment status and how often you are paid.

You must include copies of certain documents with your financial statement. Read the list carefully and check the boxes that apply to you. Once you have completed the financial statement, attach a copy of each of those documents to your financial statement.

For the purposes of this form:

“social assistance” includes

- (a) income assistance within the meaning of the *BC Benefits (Income Assistance) Act*,
- (b) a youth allowance within the meaning of the *BC Benefits (Youth Works) Act*, and
- (c) a disability allowance within the meaning of the *Disability Benefits Program Act*;

“support” includes maintenance.

---

**PART 1 INCOME**

Complete Part 1 if:

- (a) there is a claim, either by you or against you, for spousal or parental support, or
- (b) there is a claim, either by you or against you, for child support and you are required by the Child Support Guidelines to provide income information.

1 I am

- employed as .....[describe occupation].....  
by .....[name and address of employer].....
- self-employed .....[name and address of business].....
- unemployed since .....[mmm/dd/yyyy].....

2 I am paid

- every 2 weeks  twice a month  monthly
- other (*specify*) .....

3 I have attached a copy of each of the applicable documents to my financial statement [*check applicable boxes*]

- every personal income tax return I have filed for each of the three most recent taxation years, together with any attachments
- every income tax notice of assessment or reassessment I have received for each of the three most recent taxation years
- (if you are an employee)** my most recent statement of earnings indicating the total earnings paid in the year to date, including overtime, or where such a statement is not provided by my employer, a letter from my employer setting out that information, including my rate of annual salary or remuneration
- (if you are receiving Employment Insurance benefits)** my three most recent EIC benefit statements
- (if you are receiving Worker’s Compensation benefits)** my three most recent WCB benefit statements
- (if you are receiving Social Assistance)** a statement confirming the amount that I receive
- (if you are self-employed)** for the three most recent taxation years
  - (i) the financial statements of my business or professional practice, other than a partnership, and
  - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom I do not deal at arm’s length,
- (if you are a partner in a partnership)** confirmation of my income and draw from, and capital in, the partnership for its three most recent taxation years
- (if you control a corporation)** for its three most recent taxation years
  - (i) the financial statements of the corporation and its subsidiaries, and
  - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation and every related corporation does not deal at arm’s length, and
- (if you are a beneficiary under a trust)** the trust settlement agreement and the trust’s three most recent financial statements.

## ANNUAL INCOME

If line 150 (total income) of your most recent federal income tax return sets out what you expect your income to be for this year, skip to total income (line A) and record the amount from line 150 on line A. Otherwise, record what you expect your income for this year to be from each source of income that applies to you.

Remember to record these as ANNUAL, or YEARLY amounts. (For example, if you are paid every two weeks, multiply that amount by 26. If you are paid monthly, multiply by 12).

Except where the word "net" appears, use gross **annual** amounts.

Leave blank any lines that do not apply to you.

10. **Child support:** Record the total yearly amounts of child support you receive in the boxes labeled "total amount". If you are required to include any child support as income on your income tax return, record that amount in the boxes labeled "taxable amount".

Do **not** add lines 10a and 10b when calculating the total in line A.

16. **Total social assistance payments:** Record the total amount you receive including any amounts you receive for other members of your household.
- A. **Total Income:** After recording the annual amount of each type of income you receive, add them and record the total here.

## TOTAL BENEFITS

Record all money or non-monetary benefits your receive that are not already included in Total Income (line A). An inheritance or large lottery winning are examples of amounts to be recorded here. Describe the benefit(s) on the lines provided.

You do not have to include here any Child Tax Benefit or BC Family Bonus that you receive for your children

- B. **Total Benefits:** After recording the yearly amount of all benefits your receive, add them and record the total here.

---

**ANNUAL INCOME**

If line 150 (total income) of your most recent federal income tax return sets out what you expect your income to be for this year, skip to total income (line A) and record the amount from line 150 on line A. Otherwise, record what you expect your income for this year to be from each source of income that applies to you. Record gross **annual** amounts unless otherwise stated.

1	Employment income (include wages, salaries, commissions, bonuses, tips and overtime)	\$.....
2	Other employment income	+ \$.....
3	Pension income (include CPP, Old Age Security, disability, superannuation and other pensions)	+ \$.....
4	Employment insurance benefits	+ \$.....
5	Taxable dividends from Canadian corporations	+ \$.....
6	Interest and other investment income	+ \$.....
7	<b>Net</b> partnership income: limited or non-active partners only	+ \$.....
8	Rental income Gross \$.....	<b>Net</b> + \$.....
9	Taxable capital gains	+ \$.....
10	Child support	
	(a) Total amount for children from another relationship or marriage	a. \$.....*
	(b) Total amount for children from this relationship or marriage	b. \$.....*
	(c) Taxable amount for children from another relationship or marriage	c. + \$.....
	(d) Taxable amount for children from this relationship or married.	d. + \$.....
11	Spousal support	
	(a) From another relationship or marriage	a. + \$.....
	(b) From this relationship or marriage	b. + \$.....
12	Registered retirement savings plan income	+ \$.....
13	Other income (include any taxable income that is not included on lines 1 to 17)	+ \$.....
14	<b>Net</b> self-employment income (include business, professional, commission, fishing and farming income)	+ \$.....
15	Workers' compensation benefits	+ \$.....
16	Total social assistance payments	+ \$.....
17	<b>Net</b> federal supplements	+ \$.....
<b>A</b>	<b>Total income:</b>	<b>A = \$.....</b>

(\*do not add these items into the total at A)

---

**TOTAL BENEFITS**

List all allowances and amounts received and all non-monetary benefits from all sources, that are not included in total income [line A]. You do not have to include here any Child Tax Benefit or BC Family Bonus that you receive for your children.

**B Total benefits:** **B = \$.....**

## ADJUSTMENTS TO INCOME

These amounts will be subtracted from or added to your total income for the purposes of determining child, spousal or parental support.

### Deductions from income

1. **Taxable amount of child support:** If you recorded an amount in Annual Income, line 10(c) or (d), record that amount here.
  2. **Spousal support:** If you recorded spousal support from this relationship in Annual Income, line 11(b), record that amount here.
  4. **Other employment expenses:** If you have any of these employment expenses, identify the expense and record the amount here. Paragraph numbers refer to the sections of the Income Tax Act where the expenses are described.
    - teacher's exchange fund contribution [paragraph 8(1)(d)]
    - railway employee's expenses [paragraph 8(1)(e)]
    - sales expenses [paragraph 8(1)(f)]
    - transport employee's expenses [paragraph 8(1)(g)]
    - travel expenses [paragraph 8(1)(h)]
    - motor vehicle and aircraft costs [paragraph 8(1)(j)]
    - CPP contributions and EI premiums paid for another employee who acts as your assistant or substitute [paragraph 8(1)(i.1)]
    - salary reimbursement [paragraph 8(1)(n)]
    - forfeited amounts [paragraph 8(1)(o)]
    - musician's musical instrument costs [paragraph 8(1)(p)]
    - artist's employment expenses [paragraph 8(1)(q)]
  5. **Social assistance received for any person other than yourself:** If you recorded an amount in Annual Income, line 16 that includes an amount for other members of your household, record the amount received for the others here.
  6. **Prior period earnings:** Complete this line only if you have prior period earnings reported on Revenue Canada form T1139.
- C. **Total deductions from income:** After recording the annual amount of each of your deductions, add them and record the total here.

### Additions to income

2. **Payments to family members:** If you deducted salaries, wages or benefits to arrive at an amount of self-employment income recorded in Annual Income, line 14, record on line 2(a) the salaries, wages and benefits you paid to family members or other non-arm's length people and on line 2(b), record the portion of these payments necessary to earn your self-employment income. Subtract 2(b) from 2(a) and record the total here.
- D. **Total additions to income:** After recording the annual amount of each of your additions to income, add them and record the total here.

### OTHER ADJUSTMENTS TO INCOME - Spousal or Parental Support

Complete **ONLY** if there is a claim, either by or against you, for spousal or parental support.

- F. **Total other adjustments:** After recording the annual amount of each adjustment, add them and record the total here.

**ADJUSTMENTS TO INCOME**

Complete this section if:

- (a) there is a claim, either by you or against you, for spousal or parental support, or
(b) there is a claim, either by you or against you, for child support and you are required by the Child Support Guidelines to provide income information.

**Deductions from Income:**

Table with 3 columns: Line number, Description, and Amount. Includes items like Taxable amount of child support I receive, Spousal support I receive from the other party, Union and professional dues, etc. Total deductions from income: C = \$.....

**Additions to Income:**

Table with 3 columns: Line number, Description, and Amount. Includes items like Capital gains, Payments to family members and other non-arm's length persons, Allowable capital cost allowance for real property, etc. Total additions to income: D = \$.....

**OTHER ADJUSTMENTS TO INCOME – Spousal or Parental Support**

Complete this section only if there is a claim, either by you or against you, for spousal or parental support.

Table with 3 columns: Line number, Description, and Amount. Includes items like Total child support I receive, Social assistance I receive for other members of my household, Child Tax Benefit, BC Family Bonus. Total other adjustments: E = \$.....

## INCOME SUMMARY

Complete this summary AFTER you have completed pages 2, 3, and 4.

## EXPENSES, ASSETS AND DEBTS

The next 2 pages ask for information about your expenses, assets and debts.

Complete the next 2 pages, titled "Part 2 - Expenses" and "Part 3 - Assets and Debts" **ONLY** if:

- there is a claim, either by or against you, for spousal or parent support **OR**
- there is a claim, either by or against you, for child support and one or more of the following applies:
  - the claim includes a claim for a child 19 years or older
  - the person who is being asked to pay has a yearly income higher than \$150,000
  - the parents share custody (that is, the child or children actually live with each parent at least 40% of the time over the course of a year)
  - there is a claim or special or extraordinary expenses for a child or children (also complete schedule 1)
  - there is a claim of undue hardship (also complete schedule 2)
  - the person being asked to pay has acted as a parent to the child but is not the child's natural or adoptive parent

If you fall into one of these categories, turn to page 6 and continue filling out the form. Otherwise, go back to page 1 now and follow the instructions for completing the affidavit and filing and serving the financial statement.

---

**INCOME SUMMARY**

**Annual Income for a Child Support Claim**

**Total income** [from line A] ..... \$.....  
*subtract* Total deductions from income [from line C] ..... - \$.....  
*add* Total additions to income [from line D] ..... + \$.....  
**Annual income to be used for a Child Support Table amount** ..... = \$.....  
*add* Spousal support received from the other party (if any) ..... + \$.....  
*subtract* Spousal support paid to the other party (if any) ..... - \$.....  
**Annual income to be used for a special or extraordinary expenses claim =**  
\$.....

**Annual Income for a Spousal or Parental Support Claim**

**Total income** [from line A] ..... \$.....  
*subtract* Total deductions from income [from line C] ..... - \$.....  
*add* Total additions to income [from line D] ..... + \$.....  
*add* Total other adjustments [from line E] ..... + \$.....  
**Annual income to be used for a spousal or parental support claim =** \$.....  
**Total Benefits** [from line B] ..... \$.....

## Annual Expenses

Remember to record your expenses as annual or yearly amounts.

If you are claiming special or extraordinary expenses as part of a child support claim, you must also complete Schedule 1.

**F. Total expenses:** After recording the annual amount of each expense, add them and record the total here.

**PART 2 EXPENSES**

You do not have to complete Part 2 if the only support claimed is child support in the amount set out in the Child Support Tables and all children for whom support is claimed are under the age of majority (19 years in B.C.)

**ANNUAL EXPENSES**

Estimate your *annual* expenses:

**Compulsory deductions**

CPP contributions \$.....  
 Employment insurance premiums \$.....  
 Income taxes \$.....  
 Employee pension contributions to a Registered Pension Plan \$.....

Other (specify) \$.....

**Housing**

Rent or mortgage \$.....  
 Property taxes \$.....  
 Homeowner's/Tenant's insurance \$.....  
 Water, sewer and garbage \$.....  
 Strata fees \$.....  
 House repairs and maintenance \$.....  
 Other (specify) \$.....

**Utilities**

Heat \$.....  
 Electricity \$.....  
 Telephone \$.....  
 Cable TV \$.....  
 Other (specify) \$.....

**Household expenses**

Food \$.....  
 Household supplies \$.....  
 Meals outside the home \$.....  
 Furnishings and equipment \$.....  
 Other (specify) \$.....

**Transportation**

Public transit, taxis \$.....  
 Gas and oil \$.....  
 Car insurance and licence \$.....  
 Parking \$.....  
 Repairs and maintenance \$.....  
 Lease payments \$.....  
 Other (specify) \$.....

**Health <sup>a</sup>**

MSP premiums \$.....  
 Extended health plan premiums \$.....  
 Dental plan premiums \$.....  
 Health care (net of coverage) \$.....  
 Drugs (net of coverage) \$.....  
 Dental care (net of coverage) \$.....  
 Other (specify) \$.....

**Personal**

Clothing \$.....  
 Hair care \$.....  
 Toiletries, cosmetics \$.....  
 Education (specify) \$.....

Life insurance \$.....  
 Dry cleaning/laundry \$.....  
 Entertainment, recreation \$.....  
 Alcohol, tobacco \$.....  
 Gifts \$.....  
 Other (specify) \$.....

**Children <sup>3</sup>**

Child care \$.....  
 Clothing \$.....  
 Hair care \$.....  
 School fees and supplies \$.....  
 Entertainment, recreation \$.....  
 Activities, lessons \$.....  
 Gifts \$.....  
 Insurance \$.....  
 Other (specify) \$.....

**Savings for the future**

RRSP \$.....  
 RESP \$.....  
 Other (specify) \$.....

**Support payments to others**

(specify) <sup>4</sup>

**Debt payments**

(specify)

**Other**

Charitable donations \$.....  
 Vacation \$.....  
 Pet care \$.....  
 Newspapers, publications \$.....

**Reserve for income tax**

\$.....

**F Total expenses**      **F \$.....**  
 =

- c. If you claim child support and special or extraordinary expenses, you must also complete Schedule 1.
- d. List only the names of those for whom support is not claimed in this application. Indicate whether the payments are tax deductible to you and whether you make the payments under a court order or agreement.

<sup>3</sup> If you claim child support and special or extraordinary expenses, you must also complete Schedule 1.

<sup>4</sup> List only the names of those for whom support is not claimed in this application. Indicate whether the payments are tax deductible to you and whether you make the payments under a court order or agreement.

## Assets

Assets include property, money and investments, and money that is owed to you.

If you need more space, attach a separate list and indicate on the form that there is an attached list.

1. **Real estate equity** is the difference between market value and the amount owing on the mortgage. For **market value**, use the amount on your most recent assessment notice.
2. **Cars, boats, vehicles:** your equity is the difference between market value and the amount owing on your loan(s). Estimate the **market value** and be prepared to justify your estimate.

**G. Asset value total:** After recording asset values, add them and record the total here.

## Debts

Remember to record these as ANNUAL, or YEARLY amounts.

Do NOT record mortgage or car payments here, as they are included under Annual Expenses.

If you need more space, attach a separate list and indicate on the form that there is an attached list.

**H. Debt payment total:** After recording debt payments, add them and record the total here.

---

**PART 3 ASSETS AND DEBTS**

You do not have to complete Part 3 if the only support claimed is child support in the amount set out in the Child Support Tables and all children for whom support is claimed are under the age of majority (19 years in B.C.).

**Assets**

Real estate equity ..... \$.....  
Market value: \$.....  
Mortgage balance: \$.....  
Cars, boats, vehicles ..... + \$.....  
Make and year:.....  
Market value: \$.....  
Loan balance: \$.....  
Pension plans ..... + \$.....  
Other property ..... + \$.....  
Bank or other account (*include RRSPs*) ..... + \$.....  
Stocks and bonds..... + \$.....  
Life insurance (*cash surrender value*) ..... + \$.....  
Money owing to me..... + \$.....  
Name of debtor.....  
Other..... + \$.....  
(*attach list if necessary*)

**G Asset value total ..... G = \$.....**

**Annual debt payments**

**Credit card** \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Bank or finance company** ..... + \$.....  
(*do not include amount owing on mortgage*)  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Department store**..... + \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....  
**Other** (*attach list if necessary*)..... + \$.....  
Balance owing: \$.....  
Date of last payment:.....  
Reason for borrowing:.....

**H Debt payment total ..... H = \$.....**

## SCHEDULES

### Complete a schedule only if it applies to you

**Schedule 1:** You must complete this ONLY if you are claiming **special or extraordinary expenses** in a claim for child support.

**Schedule 2:** You must complete this ONLY if you are claiming **undue hardship** in a claim for child support.

**Schedule 3:** You must complete this ONLY if there is a claim, either by you or against you, for **undue hardship**, in a claim for child support.

If none of the schedules apply to you, go back to page 1 now, and follow the instructions for completing the affidavit and filing and serving the financial statement.

### Schedule 1 - Special or Extraordinary Expenses

*Please read these instructions carefully.*

Complete this schedule if you are claiming **special or extraordinary expenses** in a claim for child support.

The form contains columns for recording special expenses for 4 children. If your claim is for more than 4 children, photocopy this form before you begin and use the photocopy for the additional children.

Remember to record the expenses as ANNUAL, or YEARLY amounts.

If your claim includes an expense for child care, health care or post secondary education, you must subtract from the gross or full amount, any related subsidies, income tax deductions or credits you are eligible to receive the expense. After you subtract any subsidies, deductions or credits from the expense, record the result in the space labeled "net". Give details of the subsidy, deduction or credits in the space provided at the bottom of schedule 1.

After you record the annual amount of each expense, subtract the child's contribution. For example, a child may use money from a summer job to help pay university tuition.

**Total:** Add the special or extraordinary expenses claimed for each child. Subtract the child's contribution from the amount. Record the difference here.

If neither schedule 2 nor 3 applies to you, go back to page 1 now and follow the instructions for completing the affidavit and filing and serving the financial statement.

**SCHEDULE 1 – SPECIAL OR EXTRAORDINARY EXPENSES**

*Complete if you claim special or extraordinary expenses as part of a child support claim.*

<b>Name of child:</b>								
Child care expenses	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Medical/dental insurance premiums attributable to child	\$.....		\$.....		\$.....		\$.....	
Health related expenses (over \$100)	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Extraordinary expenses for primary or secondary school	\$.....		\$.....		\$.....		\$.....	
Post secondary education expenses	Gross	Net*	Gross	Net*	Gross	Net*	Gross	Net*
	\$.....		\$.....		\$.....		\$.....	
	\$.....		\$.....		\$.....		\$.....	
Extraordinary extracurricular expenses	\$.....		\$.....		\$.....		\$.....	
Subtract contributions from child	<\$.....>		<\$.....>		<\$.....>		<\$.....>	
<b>Total</b>								
	\$.....		\$.....		\$.....		\$.....	

\*To calculate the net amount, subtract from the gross amount subsidies, benefits, income tax deductions or credits related to the expense. Give details below.

## **SCHEDULE 2**

Complete this schedule only if you are claiming undue hardship in a child support claim.

Schedule 2 lists 6 categories that may cause undue hardship. Choose the category that applies to your claim and provide the information requested.

## **SCHEDULE 3**

Complete this schedule if you or the other party claims undue hardship in a child support claim.

Record the name of each member of your household. Calculate the annual gross income of each of these people.

Now go back to page 1 and follow the instructions for completing the affidavit and filing and serving the financial statement.

**SCHEDULE 2 – UNDUE HARDSHIP**

*Complete if you plead undue hardship in respect of a child support claim.*

Responsibility for unusually high debts reasonably incurred to support the family prior to separation or to earn a living:

Owed to:	Terms of debt:	Monthly amount
		\$.....
		\$.....

Unusually high expenses for exercising access to a child:

Details of expense:	Monthly amount
	\$.....

Legal duty under a court order or separation agreement to support another person:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Legal duty to support a child, other than a child for whom support is claimed in this application, who is: (a) under the age of majority (19 years in B.C.), or (b) the age of majority or over but unable to support himself or herself because of illness, disability or other cause:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Legal duty to support a person who is unable to support himself or herself because of illness or disability:

Name of person:	Relationship:	Nature of duty:	Monthly amount
			\$.....
			\$.....

Other undue hardship circumstances:

Details of other undue hardship circumstances:	Monthly amount
	\$.....

**SCHEDULE 3 – INCOME OF OTHER PERSONS IN HOUSEHOLD**

*Complete this section if there is an undue hardship claim*

Other person's name:	Annual income
	\$.....
	\$.....
	\$.....
	\$.....

FORM 3 (RULE 3 (1) AND (5) )

REPLY

Court File No. ....

Court Location .....

F.M.E.P. No. ....

In the Provincial Court of British Columbia

In the case between:

.....[name].....

and

.....[name].....

To:

Name ..... (APPLICANT)

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

From:

Name ..... (RESPONDENT)

Address for service ..... City .....

Province ..... Postal Code ..... Phone ..... Fax .....

IMPORTANT NOTE TO APPLICANT:

If the respondent's reply includes a claim for maintenance and you, the original applicant, do not file the required financial information with your reply, the court may attribute income to you and set the amount of maintenance to be paid. The respondent has estimated your gross annual income as set out in item 2 below.

Agreement with application:

I agree with the request(s) of the applicant for:

- [ ] custody [ ] guardianship [ ] access
[ ] maintenance for a child [ ] spousal maintenance [ ] parental maintenance
[ ] a change in or cancellation of an earlier order
[ ] other order (specify) .....

I wish to make the following comments regarding the request(s) even though I agree:

.....
.....
.....
.....

Disagreement with application:

I disagree with the request(s) of the applicant for:

- [ ] custody [ ] guardianship [ ] access
[ ] maintenance for a child [ ] spousal maintenance [ ] parental maintenance
[ ] a change in or cancellation of an earlier order
[ ] other order (specify) .....

I disagree because:

.....
.....
.....
.....

---

**Respondent's own application**

I wish to make application for the following:

- custody  guardianship  access
- maintenance for a child  spousal maintenance  parental maintenance
- a change in or cancellation of an earlier order
- an order that arrears under the *Family Relations Act* be cancelled or reduced
- other order (*specify*) .....

**1 – Children** (*complete if you are asking for custody, access or child maintenance*)

Name(s) of child(ren)	Birthdate(s)

(*If applying for access*) I am asking for access to the children as follows:.....  
.....

**2 – Maintenance** (*complete if you are asking for child or spousal maintenance*)

I believe that the applicant's gross annual income is \$..... because.....  
.....  
.....

**3 – Restraining Orders** (*complete if you are asking for a restraining order*)

I am asking for an order prohibiting the applicant from interfering with or harassing the children and/or myself because .....

Dated .....[mmm/dd/yyyy]..... Signature .....

.....  
Name of respondent's lawyer



FORM 6 (RULES 5 (5) AND 6 (7) )

REFERRAL REQUEST

Court File No. ....

Court Location .....

In the Provincial Court of British Columbia

In the case between:

.....[name].....

and

.....[name].....

Confirmation of attendance with family justice counsellor

The applicant/respondent met with a family justice counsellor, as required under the Provincial Court (Family) Rules.

Dated .....[mmm/dd/yyyy].....

Family justice counsellor

Statement of referral results by applicant/respondent

I, ....., [ ] applicant [ ] respondent ask for a referral to a judge.

Complete the following:

- I [ ] met with a family justice counsellor but did not seek referral to any person, program or service
[ ] enrolled in and completed a Parenting After Separation Program
[ ] attended with a person designated by the Attorney General to provide specialized maintenance assistance
[ ] attended with a family justice counsellor for the purposes of pursuing dispute resolution
[ ] attended with a private family mediator
[ ] other (attach a separate sheet if necessary) .....

The following issues have been resolved: .....

The following issues have yet to be resolved: .....

Dated .....[mmm/dd/yyyy].....

Signature of applicant/respondent

