

FORM I

(A summons in conformity with the model established by the Minister of Justice must be attached to the application for divorce)

CANADA

SUPERIOR COURT

PROVINCE OF QUÉBEC

Family Chamber

DISTRICT OF

(Divorce)

NO

APPLICANT(S)

and, if appropriate,

DEFENDANT

APPLICATION FOR DIVORCE

It is declared that:

Matrimonial and family status

1. The wife was born on (date) _____ at (place) _____ and is (age) _____ years old. She is the daughter of (father's name), _____ and (mother's name), _____ as appears from the copy of her birth certificate numbered Exhibit P-1;

2. The husband was born on (date) _____ at (place) _____ and is (age) _____ years old. He is the son of (father's name) _____ and (mother's name) _____ as appears from the copy of his birth certificate numbered Exhibit P-2;

3. The marriage of the parties was solemnized on _____ (date) at _____ (place) as appears from the copy of their marriage certificate numbered Exhibit P-3;

4. At the time of the marriage the wife was _____ the husband was _____; (Give the matrimonial status of each party);

5. The matrimonial regime they adopted was _____; (file as Exhibit P-4 an authentic copy of the relevant document).

There has been no change of this regime.

(If changes of the matrimonial regime have occurred, specify them and file an authentic copy of the pertinent documents).

6. The name, age, sex and date of birth of each child of the marriage is:

	Family name	Given name	Age	Sex	Date of Birth
1.					
2.					
3.					
4.					
5.					

The copies of the birth certificates of each child dealt with in the application are Exhibit P-5 (optional).

None of the children is the object of a decision of a court, nor a pending case before a court nor of any agreement with a director of youth protection. (If such a decision pending or an agreement exists, give particulars and file relevant supporting documents).

Residence

7. The wife ordinarily resides at: _____(no.)_____
 _____(street)_____ (city)_____
 _____(province)_____ since _____(day)_____
 _____(month) _____(year)_____

The husband ordinarily resides at: _____(no.)_____
 _____(street)_____ (city)_____
 _____(province)_____ since _____(day)_____
 _____(month) _____(year)_____

Reasons

8. There has been a breakdown of the marriage for the following reasons:

(Give here particulars of the grounds for divorce, as provided in Section 8(2) of the Divorce Act, 1985)

Reconciliation and mediation

9. Before the signature of the present application:

(A) The lawyer for the applicant has discussed the possibility of reconciliation and informed the applicant as to the existing counselling or guidance facilities. (if not, give reasons).

(B) The lawyer has informed the applicant as to existing mediation facilities which may assist in negotiating matters that may be the subject of a support or custody order and has discussed the advisability of negotiating same.

Safeguard and provisional measures (if the application contains conclusions to that effect), corollary measures and other claims

10 A) There is an agreement between the parties as to corollary relief, a copy of which is numbered Exhibit P-6;

or

(B) There is no agreement between the parties as to all safeguard and provisional measures and corollary relief, and

(i) The grounds in support of the conclusions for provisional relief are (enumerate the facts):

(ii) The grounds in support of corollary relief are (enumerate the facts):

Other proceedings

11. There have been no other proceedings with respect to the marriage; (otherwise, give all details and file a certified copy of all previous judgments).

12. There has been no collusion between the parties.

13. (Where the application is based on Section 8(2) b). There has been no condonation or connivance at the act or conduct complained of.

WHEREFORE, may it please this Court to:

ISSUE the following safeguard orders, if applicable:

ISSUE the following provisional orders, if applicable:

PRONOUNCE the divorce of the parties;

ISSUE the following orders of corollary relief (if applicable):

and GRANT the following additional conclusions (if applicable):

(or)

RATIFY the agreement between the parties and ORDER the parties to conform therewith, _____ costs.

Signed at _____, on
_____ 20_____

APPLICANT(S)

LAWYER'S DECLARATION

I, the undersigned lawyer for the applicant(s), hereby certify that I have complied with the requirements of section 9 of the Divorce Act, 1985.

Signed at _____, on
_____ 20_____

Lawyer(s) for the APPLICANT(S)

(where appropriate)

CERTIFICATE OF CLERK

I, the undersigned, clerk for the District of _____,
certify that there has been received and filed in court office a divorce application,
a certificate of the lawyer and (if appropriate) a notice to the defendant as to
contestation.

(place and date)

CLERK