

# 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  
(Family Chamber)

PROVINCE OF QUÉBEC

■

District of ■

APPLICANT(S)

NO. ■

and, if appropriate,

■

RESPONDENT

## APPLICATION FOR DIVORCE

It is declared that:

### Civil and family status

1. The spouse was born on (date) \_\_\_\_\_ at (place) \_\_\_\_\_, and is (age) \_\_\_\_\_ years old and the child of \_\_\_\_\_ and \_\_\_\_\_ as appears from the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec numbered Exhibit P-1;

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

1.1 At the time of the marriage, the spouse's civil status was (indicate the civil status)

2. The spouse was born on (date) \_\_\_\_\_ at (place) \_\_\_\_\_, and is (age) \_\_\_\_\_ years old and the child of \_\_\_\_\_ and \_\_\_\_\_ as appears from the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec numbered Exhibit P-1;

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

2.1 At the time of the marriage, the spouse's civil status was (indicate the civil status)

3. The marriage of the parties was solemnized on \_\_\_\_\_ (date) at \_\_\_\_\_ (place) as appears from a photocopy of the marriage certificate or the act of marriage numbered Exhibit P-3;

(If the information shown in the photocopy of the marriage certificate or the copy of the act of marriage is contested, or if the document was issued by a competent authority other than the registrar of civil status in Québec, the original must be filed.)

4. The matrimonial regime adopted by the spouses was \_\_\_\_\_ as appears from a photocopy of the supporting documents numbered Exhibit P-4;

There has been no change to this regime.

(If changes to the matrimonial regime have occurred, specify them and file a photocopy of the supporting documents.)

5. The parties are or are not subject to an order, an indictment, an undertaking or a recognizance relating to a criminal matter.

(A party subject to such a document must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the order, indictment, undertaking or recognizance. If the situation changes in the course of the proceedings, the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

5.1 .The parties are or are not subject to a civil protection order provided for in article 509 of the *Code of Civil Procedure* or an application concerning such an order.

(A party subject to such an order must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the protection order or application for an order. If the situation changes in the course of the proceedings the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

5.2. The parties are or are not subject to an order, application, agreement or decision relating to youth protection.

(A party subject to such a document must file a notice with the court office and, if the other party or a child concerned by the proceedings is named, include a copy of the order, application, agreement or decision. If the situation changes in the course of the proceedings, the party concerned must, as soon as possible, file a new notice with the court office and, if the other party or a child concerned by the proceedings is named, include the documents that show that fact.)

6. The family name, given name, age, sex and date of birth of each child of the marriage are as follow:

	<b>Family name</b>	<b>Given name</b>	<b>Age</b>	<b>Sex</b>	<b>Date of birth</b>
1.					
2.					
3.					
4.					
5.					

The photocopies of the birth certificate, of the copy of the act of birth or of the document issued by a competent authority other than the registrar of civil status in Québec attesting to the birth of each child concerned by the application are numbered Exhibit P-5.

(If the information shown in the photocopy of the birth certificate, copy of the act of birth or document issued by a competent authority other than the registrar of civil status in Québec is contested, the original must be filed.)

**Residence**

7. The spouse ordinarily resides at \_\_\_\_\_ (no.) \_\_\_\_\_  
\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_  
\_\_\_\_\_ (province) \_\_\_\_\_ since \_\_\_\_\_ (day) \_\_\_\_\_  
\_\_\_\_\_ (month) \_\_\_\_\_ (year) \_\_\_\_\_

The spouse 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)

**Reconciliation and mediation**

9. Before this application was signed,

(A) The lawyer or notary for the applicant(s) has discussed the possibility of reconciliation and provided information about marriage counselling or guidance services.

(If not, give reasons.)

(B) The lawyer or notary has given the applicant(s) information about the family justice services that may help resolve the points covered by the order and discussed the need to negotiate those points.

(C) The lawyer or notary has informed the applicant(s) of the obligations of the parties under the Divorce Act.

**Safeguard and provisional measures (if the application contains conclusions to that effect), corollary relief 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):

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

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**Other proceedings**

11. There have been no other proceedings with respect to the marriage; (otherwise, give all details and file a certified true 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:

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ISSUE the following provisional orders, if applicable:

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PRONOUNCE the divorce of the parties;

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

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and GRANT the following additional conclusions (if applicable):

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(or)

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

Signed at \_\_\_\_\_, on \_\_\_\_\_

20 \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

APPLICANT(S)

**DECLARATION BY THE LAWYER OR NOTARY**

I, the undersigned lawyer or notary for the applicant(s), hereby certify that I have complied with the requirements of section 7.7 of the Divorce Act.

Signed at \_\_\_\_\_, on \_\_\_\_\_

20 \_\_\_\_\_

\_\_\_\_\_

Lawyer or notary for the APPLICANT(S)

**DECLARATION BY THE APPLICANT(S)**

I (We), the undersigned, attest that I (we) am (are) aware of my (our) obligations under sections 7.1 to 7.5 of the Divorce Act:

7.1 A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.

7.2 A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

7.3 To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.

7.4 A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.

7.5 For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

Signed \_\_\_\_\_ at \_\_\_\_\_, on \_\_\_\_\_  
\_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
APPLICANT(S)

**CERTIFICATE OF CLERK**

I, the undersigned, clerk for the District of \_\_\_\_\_  
certify that an application for divorce, a declaration by the lawyer or notary, a declaration by the applicant(s) and (where applicable) a notice from the respondent concerning contestation have been received and filed with the court office.

(Place and date)

\_\_\_\_\_  
CLERK