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| ONTARIO | | | | | | | | | | | | | | | | | |
|  | |  | | | | | | | | | | | | | |  | Court File Number |
|  | | (Name of court) | | | | | | | | | | | | | |  |
| **at** |  | | | | | | | | | | | | | | | Form 36: Affidavit for Divorce |
|  | Court office address | | | | | | | | | | | | | | |
| Applicant(s) | | | | | | | | | | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | | | | | | | | | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |
|  | | | | | | | | | | | | |  |  | | | |
| Respondent(s) | | | | | | | | | | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | | | | | | | | | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | |
|  | | | | | | | | | | | | |  |  | | | |
| **My name is** *(full legal name)* | | | | | | |  | | | | | | | | | | |  |  |
| **I live in** *(municipality & province)* | | | | | | | |  | | | | | | | | | |
| **and I swear/affirm that the following is true:** | | | | | | | | | | | | | | | | | |
| **1.** | | | I am the applicant in this divorce case. | | | | | | | | | | | | | | |
| **2.** | | | There is no chance of a reconciliation between the respondent and me. | | | | | | | | | | | | | | |
| **3.** | | | All the information in the application in this case is correct, except: | | | | | | | | | | | | | | |
|  | | | (State any corrections or changes to the information in the application. Write “NONE” if there are no corrections or changes.) | | | | | | | | | | | | | | |
|  | | |  | | | | | | | | | | | | | | |
| **4.** | | |  | The certificate or registration of my marriage to the respondent has been signed and sealed by the Registrar General of Ontario and: | | | | | | | | | | | | | |
|  | | |  |  | has been filed with the application. | | | | | | | | | | | | |
|  | | |  |  | is attached to this affidavit. | | | | | | | | | | | | |
|  | | |  | The certificate of my marriage to the respondent was issued outside Ontario. It is called *(title of certificate)* | | | | | | | | | | | | | |
|  | | |  |  | | | | | | | | | | | | | |
|  | | |  | It was issued at *(place of issue)* | | | | |  | | | | | | | | |
|  | | |  | on *(date)* | |  | | | | | | | | | | | |
|  | | |  | by *(name and title of person who issued certificate)* | | | | | | |  | | | | | | |
|  | | |  | and the information in it about my marriage is correct. | | | | | | | | | | | | | |
|  | | |  | I have not been able to get a certificate or registration of my marriage. I was married to the respondent on *(date)* | | | | | | | | | | | | | |
|  | | |  |  | | | | | | at *(place of marriage)* | | | | |  | | |
|  | | |  | The marriage was performed by *(name and title)* | | | | | | | |  | | | | | |
|  | | |  | who had the authority to perform marriages in that place. | | | | | | | | | | | | | |

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| Form 36: | | | | | Affidavit for Divorce | | | | | | | (page 2) | | | Court File Number | | |
|  | | | | |  | | | | | | |  | | |
|  | | | | | | | | | | | | | | | | | |
| **5.** | The legal basis for the divorce is: | | | | | | | | | | | | | | | | |
|  |  | that the respondent and I have been separated for at least one year. | | | | | | | | | | | | | | | |
|  |  | We separated on *(date)* | | | | |  | | | | | | | | | | |
|  |  | Other *(Specify.)* | | | | | | | | | | | | | | | |
|  | |  | | | | | | | | | | | | | | | |
| **6.** | I do not know about and I am not involved in any arrangement to make up or to hide evidence or to deceive the court in this divorce case. | | | | | | | | | | | | | | | | |
| Strike out the following paragraphs if they do not apply. | | | | | | | | | | | | | | | | | |
| **7.** | I do not want to make a claim for a division of property in this divorce case, even though I know that it may be legally impossible to make such a claim after the divorce. | | | | | | | | | | | | | | | | |
| **8.** | I want the divorce order to include the following paragraph numbers of the attached consent, settlement, separation agreement or previous court order: *(List the numbers of the paragraphs that you want included in the divorce order.)* | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | |
| **9.** | There are *(number)* | | | | |  | | | children of the marriage. They are: | | | | | | | | |
|  | | | | | | | | | | | | | | | | | |
| **Full legal name of child** | | | | | | | | | | | | | **Birth date** | | | | |
| (d, m, y) | | | | |
|  | | | | | | | | | | | | |  | | | | |
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|  | | | | | | | | | | | | |  | | | | |
| **10.** | The parenting arrangements for the child(ren) are as follows: *(Give summary.)* | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | |
| **11.** | These are the arrangements that have been made for the support of the child(ren) of the marriage: | | | | | | | | | | | | | | | | |
|  | (a) | | The income of the party paying child support is $ | | | | | | | |  | | | | | per year. | |
|  | (b) | | The number of children for whom support is supposed to be paid is *(number)* | | | | | | | | | | |  | | | |
|  | (c) | | The amount of support that should be paid according to the applicable table in the child support guidelines is | | | | | | | | | | | | | | |
|  |  | | $ |  | | | | per month. | | | | | | | | | |
|  | (d) | | The amount of child support actually being paid is $ | | | | | | |  | | | | | | | per month. |
|  |  | | (**NOTE:** - Where the dollar amounts in clauses [c] and [d] are different, you must fill out the frame on the next page. If the amounts in clauses [c] and [d] are the same, skip the frame and go directly to paragraph 12.) | | | | | | | | | | | | | | |

| Form 36: | | | | | | Affidavit for Divorce | | | | (page 3) | | | Court File Number | | | | | | |
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|  | | | | | | | | | | | | | | | | | | | |
| (Paragraph 11 continued.) | | | | | | | | | | | | | | | | | | | |
| Fill out the information in this frame only if the amounts in paragraphs 11(c) and 11(d) are different. If they are the same, go to paragraph 12. | | | | | | | | | | | | | | | | | | | |
| a) | Child support is already covered by: | | | | | | | | | | | | | | | | | | |
|  | (i) | |  | | a court order dated *(date)* | |  | | | | | | | that was made before the | | | | | |
|  |  | | | | child support guidelines came into effect (before 1 May 1997). I attach a copy of the order. | | | | | | | | | | | | | | |
|  | (ii) | |  | | a domestic contract order dated *(date)* | | |  | | | | | | that was made before the | | | | | |
|  |  | | | | child support guidelines came into effect (before 1 May 1997). I attach a copy of the contract. | | | | | | | | | | | | | | |
|  | (iii) | |  | | a court order or written agreement dated *(date)* | | | |  | | | | | | | | made after the | | |
|  |  | | | | guidelines came into effect that has some direct or indirect benefits for the child(ren). I attach a copy. | | | | | | | | | | | | | | |
|  | (iv) | |  | | a written consent between the parties dated *(date)* | | | | | |  | | | | agreeing to the payment | | | | |
|  |  | | | | of an amount different from that set out in the guidelines. | | | | | | | | | | | | | | |
| b) | The child support clauses of this order or agreement require payment of $ | | | | | | | | | | |  | | | | per | |  |  |
|  | in child support. | | | | | | | | | | | | | | | | | | |
| c) | These child support clauses | | | | | | | | | | | | | | | | | | |
|  |  | | are not indexed for any automatic cost-of-living increases. | | | | | | | | | | | | | | | | |
|  |  | | are indexed according to *(Give indexing formula.)* | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | |
| d) | These child support clauses | | | | | | | | | | | | | | | | | | |
|  |  | | have not been changed since the day the order or agreement was made. | | | | | | | | | | | | | | | | |
|  |  | | have been changed on *(Give dates and details of changes.)* | | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | |
| e) | (If you ticked off box [i] above, you can go to paragraph 12. If you ticked off boxes [ii], [iii] or [iv] above, then fill out the information after box of the corresponding number below. For example, if you ticked off box [iii] above, you would fill out the information alongside box [iii] below.) | | | | | | | | | | | | | | | | | | |
|  | (ii) |  | | The amount being paid under this agreement is a fair and reasonable arrangement for the support of the child(ren) because: *(Give reasons.)* | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | |
|  | (iii) |  | | The order or agreement directly or indirectly benefits the child(ren) because: *(Give details or benefits.)* | | | | | | | | | | | | | | | |
|  |  | |  | | | | | | | | | | | | | | | | |
|  | (iv) |  | | The amount to which the parties have consented is reasonable for the support of the child(ren) because: *(Give reasons.)* | | | | | | | | | | | | | | | |
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| Form 36: | | | | | Affidavit for Divorce | | | | (page 4) | | | | Court File Number |
|  | | | | |  | | | |  | | | |
|  | | | | | | | | | | | | | |
| **12.** | | | | I am claiming costs in this case. The details of this claim are as follows: *(Give details.)* | | | | | | | | | |
|  | | | |  | | | | | | | | | |
| **13.** | | | | The respondent’s address last known to me is: *(Give address.)* | | | | | | | | | |
|  | | | |  | | | | | | | | | |
| Put a line through any blank space left on this page. | | | | | | | | | | | | | |
| Sworn/Affirmed before me at | | | | | |  | | | |  |  |  | |
|  | | | | | | municipality | | | |  |  |  | |
| in |  | | | | | | | | |  |  |  | |
|  | province, state or country | | | | | | | | |  |  |  | |
| on | |  | | | | |  |  | |  |  | Signature  (This form is to be signed in front of a lawyer, justice of the peace, notary public or commissioner for taking affidavits.) | |
|  | | | date | | | |  | Commissioner for taking affidavits | |  |  |
|  | | |  | | | |  | (Type or print name below if signature is illegible.) | |  |  |