

Form 56A.16A

(rule 56A.16)

In the Supreme Court of Newfoundland and Labrador
Trial Division (General / Family)

Court No. _____
Court File No. _____
Central Divorce Registry No. _____ (if applicable)

BETWEEN: _____ APPLICANT

AND: _____ RESPONDENT

**Interim/Interlocutory Application
(Family Law Proceeding)**

TAKE NOTICE that an application will be made to the presiding judge in chambers at the court house in _____, Newfoundland and Labrador, at _____ o'clock in the _____ noon on the _____ day of _____, 20____ or so soon thereafter as the matter may be heard on behalf of the applicant (*or* respondent, *as the case may be*) for an order that:

(a)

(b)

on the grounds set out in the Affidavit(s) attached.

AND FURTHER TAKE NOTICE that in support of this application will be read the Affidavit of (*name of person bringing application*) _____.

(Also set out here any other material to be used, including the financial disclosure required of you under Division III, where child support is sought.)

AND FURTHER TAKE NOTICE that if you wish to oppose the application, you or your lawyer must prepare an affidavit in response, serve a copy at the address for service given at the end of this document, and file it in the court registry office, with proof of service, at least 2 days before the date set for hearing the application. You or your lawyer must also come to court for the hearing of the application on the date set.

(Where spousal, partner or parental support is sought) AND FURTHER TAKE NOTICE that whether or not you oppose this application, you must file a Financial Statement in Form 56A.27A at least two days before the date set for hearing the application.

(*Where child support is sought*) AND FURTHER TAKE NOTICE that whether or not you oppose this application, you must file the income information as required by the *Federal or Provincial Child Support Guidelines* including:

- ▶ a written statement from your employer confirming your year to date earnings, including overtime and rate of annual pay;
- ▶ copies of your tax return for the last 3 years; and
- ▶ copies of the notice of assessment or re-assessment issued by Canada Revenue Agency with respect to each of the last 3 years tax returns. You may contact Canada Revenue Agency at 1-800-959-8281.

THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with an application for child support, please consult the *Federal or Provincial Child Support Guidelines*.

AND FURTHER TAKE NOTICE that if you do not appear at the hearing (or fail to provide the required financial information (*where a support order is sought*)) an order may be made in your absence and enforced against you. YOU WILL NOT RECEIVE FURTHER NOTICE OF THIS APPLICATION.

Dated at _____, this ____ day of _____, 20____.

Signature

To: (Address for service on Applicant/Applicant's lawyer)

Attach Affidavit in Support of this Interim Application

Filed at _____, Province of Newfoundland and Labrador
this ____ day of _____, 20____.

Registrar of the Supreme Court
of Newfoundland and Labrador

In the Supreme Court of Newfoundland and Labrador
Trial Division (General / Family)

Court No. _____
Court File No. _____
Central Divorce Registry No. _____ (if applicable)

BETWEEN: _____ APPLICANT

AND: _____ RESPONDENT

Affidavit in Support of Interim/Interlocutory Application

I, _____, make oath (or affirm) and say as follows:

1. That I am the Applicant in the within matter and have personal knowledge of the matters referred to herein except where otherwise specified.

(set out the reasons why you are making the application)

2.

3.

4.

5.

6. That I make this application in support of my Interim / Interlocutory Application for an order that _____

SWORN TO OR AFFIRMED at _____ in the Province of Newfoundland and Labrador this _____ day of _____, 20____.

Commissioner of Oaths/Justice of the Peace

Signature