
 Court file No/N° du dossier _____

 IN THE COURT OF QUEEN'S BENCH OF
NEW BRUNSWICK
FAMILY DIVISION
JUDICIAL DISTRICT
OF _____

COUR DU BANC DE LA REINE DU
NOUVEAU BRUNSWICK
DIVISION DE LA FAMILLE
CIRCONSCRIPTION JUDICIAIRE
DE _____

BETWEEN:

ENTRE:

_____ PETITIONER

_____ REQUÉRANT

AND 


ET

_____ RESPONDENT


_____ INTIMÉ

**NOTICE OF MOTION
(FORM 37A)**


**AVIS DE MOTION
(FORMULE 37A)**

 **TO :** _____

À : _____

 The petitioner will apply to the court at
_____ on the ____ day of _____ 20 ____
at _____ (a.m. or p.m.) for an order that

Le requérant demandera à la cour à
_____ le ____ jour de _____ 20 ____
à ____ h __, d'ordonner

 *(state the precise order sought and the grounds to be argued, including a reference to any statutory provision or rule to be relied on);*

(indiquez l'ordonnance demandée, les motifs à discuter et les renvois aux dispositions législatives ou règles qui seront invoquées);

Upon the hearing of the motion, the following affidavits or other documentary evidence will be presented:



(list the documentary evidence to be used at the hearing of the motion).

À l'audition de la motion, les affidavits ou les autres preuves littérales suivantes seront présentées :

(énumérez les preuves littérales qui seront utilisées lors de l'audition de la requête).

You are advised that:

a) you are entitled to issue documents and present evidence at the hearing in English or French or both;



b) the petitioner intends to proceed in the _____ language; and

c) if you intend to proceed in the other official language, an interpreter may be required and you must so advise the court administrator at least 7 days before the hearing.

Sachez que:

a) vous avez le droit d'émettre des documents et de présenter votre preuve à l'audience en français, en anglais ou dans les deux langues;

b) le requérant a l'intention d'utiliser la langue _____; et

c) si vous avez l'intention d'utiliser l'autre langue officielle, les services d'un interprète pourront être requis et vous devrez en aviser l'administrateur de la cour au moins 7 jours avant l'audition.



DATED at _____ this ___ day
of _____, 20__.

FAIT à _____ le
_____, 20__.



Petitioner/Solicitor for the Petitioner

Requérant/Avocat du Requérant

END NOTES :

*** COMPLETE THIS FORM IN EITHER ENGLISH OR FRENCH ***

1. COURT FILE NUMBER – The court administrator will assign a court file number when you file your Notice of Motion (**if this is an originating process**). You need to put this number on all your court documents. If however, this is an ongoing matter before the Court, you need to print the same court file number which appears on the top right hand corner of the court documents.
2. JUDICIAL DISTRICT – Your judicial district is the place in New Brunswick where either the petitioner or the respondent resides and where you will be filing your Notice of Motion. There are eight judicial districts: Bathurst, Campbellton, Edmundston, Fredericton, Miramichi, Moncton, Woodstock and Saint John. {However, if you are in the Judicial District of Saint John (Counties of Kings, Charlotte and Saint John) you must use different forms because there is a new Family Court Pilot Project which includes the introduction of new family law forms}.
3. If you are filing this motion, you are the petitioner. The other parent is the respondent. Type in your name on the petitioner's line and the other parent's name on the respondent's line.
4. Fill in the other parent's full name and address.
5. Leave blank spaces for the location and date. The court staff will fill them in.
6. Indicate the order you wish the court to make, including the specific section(s) of the Act or Rule you are relying on. (Please refer to the self-help guide for specific sections of the Act or Rule.)
7. Indicate what documents you will use at the hearing. For example, list any affidavits and from whom.
8. English or French – the language you will use at the hearing.
9. Fill in the place and date where you signed the motion.
10. Print your name and address under Petitioner. Once the document has been printed, sign your name on the signature line.

** The endnotes on these formatted family law forms were created by Public Legal Education and Information Service of New Brunswick. Financial support for this initiative was provided by Justice Canada. For general information on court procedure, call the toll free family law information line at 1-888-236-2444, or visit the Family Law NB website at www.familylawnb.ca. For advice on your specific situation, please consult a lawyer.**