

Form 81C

ANSWER

COURT OF KING'S BENCH OF NEW BRUNSWICK
FAMILY DIVISION
JUDICIAL DISTRICT OF _____

Court File Number

BETWEEN:

_____ APPLICANT
and
_____ RESPONDENT

ANSWER (FORM 81C)

APPLICANT

Address for service (*street and number, city/town/village, province, postal code*):

E-mail address (*if any*): _____

Telephone numbers

Work: _____

Home: _____

Fax number (*if any*): _____

SOLICITOR FOR APPLICANT

Name of solicitor for applicant:

Name of solicitor's firm (*if applicable*):

Address for service (*street and number, city/town/village, province, postal code*):

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E-mail address (*if any*): _____

Telephone number: _____

Fax number (*if any*): _____

RESPONDENT

Address for service (*street and number, city/town/village, province/state/country, postal code*):

E-mail address (*if any*): _____

Telephone numbers

Work: _____

Home: _____

Fax number (*if any*): _____

SOLICITOR FOR RESPONDENT

Name of solicitor for respondent:

Name of solicitor's firm (*if applicable*):

Address for service (*street and number, city/town/village, province, postal code*):

E-mail address (*if any*): _____

Telephone number: _____

Fax number (*if any*): _____

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ADDED RESPONDENT (IF ANY)

Address for service (*street and number, city/town/village, province/state/country, postal code*):

E-mail address (*if any*): _____

Telephone numbers

Work: _____

Home: _____

Fax number (*if any*): _____

SOLICITOR FOR ADDED RESPONDENT (IF ANY)

Name of solicitor for respondent:

Name of solicitor's firm (*if applicable*):

Address for service (*street and number, city/town/village, province, postal code*):

E-mail address (*if any*): _____

Telephone numbers: _____

Fax number (*if any*): _____



NOTE: THIS FORM IS USED FOR THE FOLLOWING KINDS OF SUPPORT:

(a) CHILD SUPPORT UNDER THE *DIVORCE ACT* OR THE *FAMILY LAW ACT*;

(b) SPOUSAL SUPPORT UNDER THE *DIVORCE ACT*; AND

(c) SUPPORT UNDER THE *FAMILY LAW ACT* FOR A DEPENDANT WHO IS NOT A CHILD.

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INSTRUCTIONS: Financial Statement

COMPLETE A FINANCIAL STATEMENT (Form 72J) IF:

- you are making or responding to a claim for spousal support under the *Divorce Act* or support under the *Family Law Act* for a dependant who is not a child; or
- you are responding to a claim for child support; or
- you are making a claim for child support in an amount different from the table amount specified under the Child Support Guidelines.

You must complete all parts of the Financial Statement **UNLESS** you are **ONLY** responding to a claim for child support in the table amount specified under the Child Support Guidelines **AND** you agree with the claim. In that case only complete A of the Financial Statement.

COMPLETE A FINANCIAL STATEMENT (Form 72J) IF:

- you are making or responding to a claim for property or exclusive possession of the marital home and the household goods; or
- you are making or responding to a claim for property or exclusive possession of the marital home and the household goods together with other claims for relief.

TO THE APPLICANT(S):

If you are making a claim against someone who is not an applicant, insert the person's name and address below:

AND TO: (full legal name) _____
an added respondent, of (address of added party) _____

My name is (full legal name) _____

1. I agree with the following claims(s) made by the applicant:

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2. I do not agree with the following claims(s) made by the applicant:


3. ☐ I am asking that the applicant's claim (except for the parts with which I agree) be dismissed with costs.

4. ☐ I am making a claim of my own.
(If you are making a claim, attach a "Claim by Respondent" page. Otherwise, do not attach a "Claim by Respondent" page.)

5. ☐ The FAMILY HISTORY, as set out in the application ☐ is correct.

☐ is not correct.

 If it is not correct, attach your own FAMILY HISTORY page and **underline** those parts that are different from the applicant's version. If you had agreed to a parenting plan, attach a copy.)

6. The important facts supporting my position in section 2 are as follows:
(Set out below the facts supporting your position. Attach an additional page if you need more space. )

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7. DECLARATION OF RESPONDENT

For proceedings under the Family Law Act

☐ I certify that I am aware of my duties under section 5 of the *Family Law Act*.

For proceedings under the Divorce Act

☐ I certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act*.

DATED at _____ this ____ day of _____, 20____ .
(location)

SIGNATURE OF RESPONDENT

8. SOLICITOR'S CERTIFICATE

My name is: _____
and I am the respondent's solicitor in this proceeding.

☐ I certify that I have complied with the requirements of section 6 of the *Family Law Act*.

☐ I certify that I have complied with the requirements of section 7.7 of the *Divorce Act*.

DATED at _____ this ____ day of _____, 20____ .
(location).

SIGNATURE OF SOLICITOR

CLAIM BY RESPONDENT

i Fill out a separate Claim by Respondent for each person against whom you are making your claim(s).

9. THIS CLAIM IS MADE AGAINST

☐ THE APPLICANT

☐ AN ADDED PARTY, whose name is: (full legal name)

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10. I ASK THE COURT FOR THE FOLLOWING:

(Claims below include claims for interim orders.)

Claims under the *Divorce Act*

(Check boxes in this column only if you are asking for a divorce.)

Claims under the *Family Law Act*

Claims relating to property under the *Marital Property Act*


- | | | |
|--|--|--|
| <input type="checkbox"/> a divorce | <input type="checkbox"/> support for me | <input type="checkbox"/> exclusive possession of marital home |
| <input type="checkbox"/> support for me | <input type="checkbox"/> support for the child(ren) –
<i>table amount</i> | <input type="checkbox"/> exclusive possession of household goods |
| <input type="checkbox"/> support for the child(ren) –
<i>table amount</i> | <input type="checkbox"/> support for the child(ren) –
<i>other than table amount</i> | <input type="checkbox"/> freezing family assets |
| <input type="checkbox"/> support for the child(ren) –
<i>other than table amount</i> | <input type="checkbox"/> parenting time in respect of
the child(ren) | <input type="checkbox"/> sale of family assets |
| <input type="checkbox"/> parenting time in respect of
the child(ren) | <input type="checkbox"/> decision- making responsibility
in respect of the child(ren) | |
| <input type="checkbox"/> decision- making responsibility
in respect of the child(ren) | <input type="checkbox"/> restraining/ non-harassment order | |
| | <input type="checkbox"/> exclusive possession of
marital home | |
| | <input type="checkbox"/> exclusive possession of
household goods | |

Other claims

- ☐ declaration of parentage under the *Family Services Act*
- ☐ costs
- ☐ prejudgment interest

Give details of the order that you want the court to make. (Include any amounts of support (if known) and the names of the child(ren) for whom support, parenting time or decision-making responsibility is claimed.)

IMPORTANT FACTS SUPPORTING MY CLAIM(S)

i Set out below the facts supporting your claim(s). Attach an additional page if you need more space. 

11. OTHER COURT PROCEEDINGS

If you are applying for a parenting order, a contact order, or an order for child support, spousal support or support for a dependant who is not a child, you will need to tell the court about:

- any criminal or child protection cases or orders that involve you or the other party to the proceeding, or
- any restraining or protection orders or applications against one of you.

The judge will use this information to help ensure that any orders made in this court proceeding do not conflict with other orders or proceedings

The following are all other court proceedings involving one or both parties to this proceeding or any of the children: *(Give the name of the court, the court file number, the kind of order the court was asked to make and what order, if any, the court made. If the proceeding is not yet completed, give its current status.)*

i Put a line through any blank space left on this form.

12. DECLARATION OF RESPONDENT

For proceedings under the Family Law Act

☐ I certify that I am aware of my duties under section 5 of the *Family Law Act*.

For proceedings under the Divorce Act

☐ I certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act*.

DATED at _____ this _____ day of _____, 20____ .
(location)

SIGNATURE OF RESPONDENT

(continued on next page)

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13. SOLICITOR'S CERTIFICATE

My name is: _____
and I am the respondent's solicitor in this proceeding.

☐ I certify that I have complied with the requirements of section 6 of the *Family Law Act*.

☐ I certify that I have complied with the requirements of section 7.7 of the *Divorce Act*.

DATED at _____ this _____ day of _____, 20____ .
(location).

SIGNATURE OF SOLICITOR