

IN THE NUNAVUT COURT OF JUSTICE

NOTICE TO RESPONDENT

To: *(full name of Respondent)*:

AN APPLICATION HAS BEEN MADE FOR A DIVORCE JUDGMENT. The details are set out in the attached Petition for Divorce.

1. IF YOU DISPUTE ANY OF THE CLAIMS or IF YOU WISH TO MAKE ANY CLAIM YOURSELF, YOU MUST FILE AN ANSWER at the court office shown on the Petition for Divorce and SERVE THE ANSWER on the Petitioner
 - (a) within 25 days after the day on which the Petition for Divorce was served on you, if you were served in Nunavut;
 - (b) within 30 days after the day on which the Petition for Divorce was served on you, if you were served in Canada but outside Nunavut; or
 - (c) within the time indicated on the Order of Service, if you were served outside Canada.
2. IF YOU DO NOT
 - (a) FILE AN ANSWER or A DEMAND OF NOTICE requiring that notice of any application made in this action be given to you, and
 - (b) serve a copy of that Answer or Demand of Notice on the Petitioner at the address for service given in the Petition for Divorce,
you are not entitled to notice of any further proceedings and an order may be made in your absence and enforced against you.

DATED at _____, in _____ on _____, 20__.

(community) (territory or province) (month) (day)

D/Clerk of the Nunavut Court of Justice

SCHEDULE

FORM 1

(Subrule 7(1))

IN THE NUNAVUT COURT OF JUSTICE

BETWEEN:

Petitioner

-and-

Respondent

PETITION FOR DIVORCE

TO THIS HONOURABLE COURT:

1. The Petitioner applies for a Divorce judgment and the following relief:

- (a) custody of _____ (d) support for myself in the amount of _____ per month or _____;
- _____
- (b) access to _____
- _____
- _____
- (c) support for the children of the marriage in the amount of \$_____ per month, per child (e) non-molestation order;
- (f) costs.

(Delete reference to any relief not being sought and fill in amounts where maintenance is requested.)

(If a cause of action is joined under rule 5, specify relief claimed and add an item after item 11 of this form providing particulars of the claim.)

2. The Petitioner's grounds for seeking a divorce are that there has been a breakdown of the marriage by _____
 Separation for not less than 1 year Adultery Physical cruelty Mental cruelty

(Provide those grounds set out in subsection 8(2) of the Divorce Act (Canada) as are applicable.)

- 3. (1) There is no possibility of reconciliation.
- (2) The following efforts to reconcile have been made:

4. There has been no collusion in relation to this Petition for Divorce, that is, there has been no agreement or conspiracy between the Petitioner and the Respondent, directly or indirectly, for the purpose of subverting the administration of justice, and no agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the Court (*where the Petition is based on the grounds set out in paragraph 8(2)(b) of the Divorce Act (Canada) add:* and there has been no condonation or connivance on the part of the Petitioner in the bringing of this Petition).

(If otherwise in respect of item 4, give particulars and the facts that justify the granting of the Divorce Judgment in any event.)

5. The particulars of the Petitioner’s marriage are as follows:

(a) the date of the marriage was _____ ;

(b) the place of the marriage was _____ ;

(c) the Petitioner’s surname before this marriage was _____ ;

(d) the Petitioner’s surname at birth was _____ ;

(e) the Respondent’s surname before this marriage was _____ ;

(f) the Respondent’s surname at birth was _____ ;

(g) the parties’ marital status at the time of the marriage was:

Petitioner _____ Respondent _____

(h) the Petitioner was born at _____ on _____ .
(month) (day) (year)

(i) the Respondent was born at _____ on _____ .
(month) (day) (year)

(j) the Petitioner ceased cohabiting with the Respondent on _____ .
(month) (day) (year)

6. (1) The Petitioner’s address is _____ .

(2) The Respondent’s address is _____ .

(3) The Petitioner (or Respondent) has been ordinarily resident in Nunavut for at least one year immediately preceding the date of this Petition.

(If there are no children of the marriage and if spousal support is not requested, indicate in item 7(a) that there are no children of the marriage and omit the remainder of item 7 and items 8,9, and 10.)

7. The particulars regarding the children of the marriage are as follows:

(a) the names and dates of birth of all the children are:

(b) the Petitioner claims custody of:

(c) the Petitioner proposes the following access arrangements:

(d) the following financial arrangements for the support of the children have been made:

OR

the Petitioner proposes the following financial arrangements for the support of the children having regard to the relief claimed:

8. The particulars of all written or oral agreements between the Petitioner and the Respondent regarding the support of the Petitioner, the Respondent, the children of the marriage and custody of, or access to, the children are as follows:

9. The particulars of all court proceedings regarding the marriage, support of the parties or children and custody of, or access to, the children are as follows:

(Where a claim or cause of action is joined under rule 5, set out the particulars of the claim or cause here)

Petitioner or solicitor for the Petitioner

The Petitioner's address is:

The Petitioner's address for service is:

STATEMENT OF SOLICITOR

I, _____, the solicitor for _____, the Petitioner herein, certify to this Court that I have complied with section 9 of the *Divorce Act* (Canada).

DATED at _____ in _____ on _____, 20____.
(community) (territory or province) (month) (day)

(Signature of solicitor)

ISSUED out of the office of the Clerk of the Nunavut Court of Justice on _____ 20____.
(month) (day)

D/Clerk of the Nunavut Court of Justice

FILE NO. _____ DIV

IN THE NUNAVUT COURT OF JUSTICE

BETWEEN:

Petitioner

and

Respondent

PETITION FOR DIVORCE

Address for Service in Nunavut:

Telephone: _____