

If you have used other forms and FormSupport guides in this package, you know there are rules. Courts use those rules to decide whether parents have a duty to support a child, the amount of support, and even when there are exceptions to the rules. In a claim for support for yourself, the rules are different.

Each province, territory, and foreign reciprocating jurisdiction has its own rules about support for a person who is not a child. In Canada the rules (laws) are fairly similar from place to place. The laws deal with the kinds of questions the court asks when determining whether to order support for a person. Here's an example:

*Sylvie and Marc were married, had 2 children, and separated a few months ago. Marc agreed to pay support for the children, and said he would "help out" while Sylvie took a course so she could get a better job. The problem is, the kids are only 2 and 4. With the costs of day care, Sylvie was just barely making ends meet with a part-time job. And now Marc has moved to another province, and isn't sending the full amount of the support anymore.*

*Sylvie is applying for an order for child support. The court in Marc's province will use the rules – the Child Support Guidelines – to decide how much support Marc will pay. Does Sylvie apply for support for herself too? Will she get it?*

### **What the court looks at**

In very general terms, a court will look at the following kinds of questions when it decides whether one person should support the other:

- What did each of them do in the family – what were their roles?
- Did they agree, or did they have an understanding, that one would support the other?
- What are the child care responsibilities?
- Are they both able to support themselves? Could they be?
- What are the economic circumstances?

Some reciprocating jurisdictions (the place where the respondent lives) will have much longer lists, others may be shorter. There is no 'master list'. The Child

Support Guidelines is a set of rules and normal amounts for child support, but there are no guidelines for you and the respondent.

Form J gives you a way of organizing information about yourself. It tells the court about your life. With this information the court may be able to decide if you should receive support for yourself, how much, and for how long. However, there are no guarantees – asking for support doesn't mean you will get it, or that it will be paid.

Laws about support for a claimant/applicant are complex. They are different from one jurisdiction to another. For more information on your rights to support, or to help you make a decision, get advice from a lawyer.

If you decide to ask for support for yourself, you will need to fill out Form J. If you see a lawyer about this part of your claim, filling out the Form J in advance may help the lawyer advise you.

Form J is divided into several sections. Most of them are straight forward. Make sure you have your 'good' copy set aside, and use your 'working' copy. Let's go through the form:

### **A. Your claim**

If you are applying for support for yourself, check off the box on the top left. For now, leave the line where you ask for a specific amount blank. You can fill that in after you have completed Form K, the Financial Statement. Write "Form K", and "support amount" on your worksheet list.

### **B. Facts about my claim**

The first six lines give the court some of your history. Write your answers in the blank boxes on the right of Form J.

Please note that on line 3 you are asked to describe the relationship you had with the respondent. This is not limited to marriage, but can include a wide range of relationships. The last place where you lived together as a couple before separation is important.

If that place was outside Canada, you should get legal advice.

**C. My education**

The statements in this section tell the court about the kind of education you received, and when. It's divided into high-school-level, post-secondary, and 'other' sections. In the column on the right, fill in the information about your education.

**D. My work experience**

There are a lot of choices in this section. Read each numbered statement carefully. When you get to lines 21 and 22, please note that more than one statement can apply, and you can add 'other', and give more details. If lines 23 and/or 24 apply to you, write in your information (you may want to print, neatly).

Here's a worksheet to do the calculations for line 16, if it applies to you. The sample worksheet shows the example from line 16.

**Your calculations for Line 16**

Write the total from Line 5 here	
What is that in months (years x 12, + months)	<b>a.</b>
Write the total from Line 15 here	
What is that in months (years x 12, + months)	<b>b.</b>
Divide box <b>b.</b> by box <b>a.</b> = Line 16	

**Sample**

Write the total from Line 5 here	7 yrs, 2 months
What is that in months (years x 12, + months)	<b>a. 86</b>
Write the total from Line 15 here	3 yrs, 6 months
What is that in months (years x 12, + months)	<b>b. 42</b>
Divide box <b>b.</b> by box <b>a.</b> = Line 16	<b>48.8%</b>

**E. Medical**

If you are not able to fully support yourself because of a medical condition you have, or that another person has, please note lines 25 and 26. For either of these statements, you must attach documents. The documents are your evidence – the proof the court needs.

beginning of Form J, and fill in the amount of your claim. You will also write it on the first page of Form A.

**F. The present, and the future**

All information you give on this form, as with all forms, is evidence. You are swearing/affirming it is true, and the court will take it very seriously. Not all the statements in this section will apply to you. Read each part carefully. If a statement does not apply, leave the box on the right blank.

**Worksheet**

Write down the documents you need to complete your application. As you get each document, check off the 'done' column. Keep the documents with your Form J.

You must complete lines 31, 32, and 33. Remember, this is **you**, talking to the court. Be clear, accurate, and realistic. Use your working copy to plan out what you want to say, and keep to the point.

\* \* \*

When you are finished with your working copy, be sure to go through the form and identify any documents you need. The first one is Form K, your Financial Statement. When you finish doing Form K, and have collected any other documents, go back to the

Document / To Do	done
Form K	
Write claim amount at top of Form J	
Write claim amount, first page Form A	

**SUPPORT FOR CLAIMANT / APPLICANT**

# Form J

**A. I am the claimant / applicant and ask for support for myself. I ask the Court to order support of \$ \_\_\_\_\_ per month. A Financial Statement (Form K) is included in my Application. My claim is based on the following facts:**

**B. FACTS ABOUT MY CLAIM:**

1.	My date of birth is:	
2.	The children living with me are aged: <i>(if there is a child support order/agreement about any child, attach it)</i>	
3.	The respondent and I cohabited (lived together) in a marriage, marriage-like, common-law, civil union, or other domestic partnership: <i>(write details here)</i>  The last place where we lived as a couple before separation is:	Start date:  End date:  (city/country):
4.	During the time we were together, we separated for a total of <i>(years, months)</i> because:	Total time separated:
5.	The respondent and I lived together for a total of <i>(years, months)</i> :	
6.	My present status <i>(separated, divorced, married, common-law, single, other)</i> :	

**C. MY EDUCATION:**

7.	The last grade I finished in school (before post-secondary school):	
8.	Year I completed this grade:	
9.	College / University level or year completed:	
10.	Year I completed this level:	
11.	Other training / certificate / diploma received:	
12.	Length of the training / certificate / diploma course (years, months)	
13.	Year I completed this course:	

**D. MY WORK EXPERIENCE:**

14.	I did not work for pay while the respondent and I were together <i>(if this statement applies, put an X in box, and go to line 21)</i>	
15.	During the time the respondent and I were together, I worked for pay for a total of <i>(years, months)</i> <i>(attach work history list, with dates, employment, monthly pay)</i>	<input type="checkbox"/> work history list attached
16.	I worked for (%) of the time the respondent and I were together [example: if the entry on line 5 is 7 years + 2 months that equals (7x12)+84+2= 86 months. If the entry on line 15 is 3 years + 6 months that equals (3x12)+6=42 months. Then 42 ÷ 86 = 48.8%]	%
17.	The work I did was <i>(full time, or part time, or both)</i>	
18.	My normal employment was as: <i>(occupation)</i>	
19.	I also worked as <i>(other occupations)</i>	
20.	If part time, I worked an average of <i>(fraction)</i> of full time [ 1/2, 3/4, etc]	
21.	I worked less than full time, or did not work for pay, because <i>(check any that apply)</i> <input type="checkbox"/> I cared for the child(ren) when young <i>(dates)</i> . . . . .	From: _____ To: _____

	<input type="checkbox"/> I had a child at home with special needs ( <i>dates</i> ) . . . . .	From: _____ To: _____
21. cont'd	<input type="checkbox"/> I needed to be home when the child(ren) returned from school <input type="checkbox"/> We moved often ( <i>how many times during relationship: _____</i> ) <input type="checkbox"/> I did not have the education/experience to get full time work <input type="checkbox"/> There were no full time jobs available <input type="checkbox"/> I did not want to work full time <input type="checkbox"/> I was not able to work full time (due to medical condition) <input type="checkbox"/> The respondent and I agreed that I would not work full time <input type="checkbox"/> The respondent and I agreed that I would work only part time <input type="checkbox"/> The respondent and I agreed that I would not work at all <input type="checkbox"/> The respondent did not want me to work full time <input type="checkbox"/> The respondent wanted me to work only part time <input type="checkbox"/> The respondent did not want me to work at all <input type="checkbox"/> Other reason(s):	
22.	Since the respondent and I separated, I have ( <i>check any that apply</i> ) <input type="checkbox"/> Worked full time <input type="checkbox"/> Worked part time <input type="checkbox"/> Received social assistance <input type="checkbox"/> Received income/benefits from employment insurance, disability, workers' compensation, investments (details) <input type="checkbox"/> Received government grants or benefits (details) <input type="checkbox"/> Other sources of income (details)	(dates)
23.	Since the respondent and I separated, I have not worked for pay because: ( <i>reasons</i> )	
24.	Since the respondent and I separated, I have taken the following steps to improve my ability to support myself: ( <i>courses, job training, education, re-location, etc.</i> )	

**E. MEDICAL:**

25.	I am not able to fully support myself because of a medical condition, disability, or special need which keeps me from working ( <i>put short description in the box, and attach documents or doctor's letter giving details</i> )	<input type="checkbox"/> documents attached
26.	I am not able to fully support myself because a child or other person has a medical condition, disability, or special need which keeps me from working ( <i>put name of person, relationship, and short description in the box, and attach documents or doctor's letter giving details</i> )	Name of person: Relationship to me: Condition / Special Need: <input type="checkbox"/> documents attached

**F. THE PRESENT, AND THE FUTURE:**

27.	As of the date of this application, I am <input type="checkbox"/> Not working <input type="checkbox"/> Working full time ( <i>occupation, monthly income</i> ) <input type="checkbox"/> Working part time ( <i>occupation, monthly income</i> ) <input type="checkbox"/> Looking for work ( <i>attach job search list</i> ) <input type="checkbox"/> Receiving social assistance ( <i>monthly income</i> )	
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	<input type="checkbox"/> Going to school ( <i>type of course, how long, where</i> )	
28.	The respondent is paying support for me (\$ <i>monthly</i> )	
29.	The respondent agreed to pay support for me of (\$ <i>monthly, or other amount</i> ) and has not paid the whole amount. There is now unpaid support of \$ _____ owing	<input type="checkbox"/> agreement attached
30.	My other sources of income are (monthly) ( <i>check any that apply and put amount in box at right</i> ) <input type="checkbox"/> rental of space / apartment in my home <input type="checkbox"/> investment income ( <i>savings, GICs, bonds, property</i> ) <input type="checkbox"/> support from a present spouse, or other former spouse ( <i>attach order or agreement</i> ) <input type="checkbox"/> other ( <i>details</i> )	
31.	Compared to the time the respondent and I were together, my standard of living is now <input type="checkbox"/> much worse ( <i>Details of the differences</i> ) <input type="checkbox"/> worse <input type="checkbox"/> the same <input type="checkbox"/> better <input type="checkbox"/> much better	
32.	If the Court orders support for me, I plan to make myself self-supporting by: <input type="checkbox"/> going to school to complete high school <input type="checkbox"/> going to school to obtain a certificate / diploma / degree <input type="checkbox"/> obtaining a job / vocational training to get a job I expect that when my plan is completed my standard of living will be ( <i>pick one</i> ) <input type="checkbox"/> worse <input type="checkbox"/> better <input type="checkbox"/> the same, as when the respondent and I were together <input type="checkbox"/> OR, I will not be able to become self-supporting because:  <input type="checkbox"/> Other	
33.	Details of my plan include: ( <i>list name of course, where offered, length of time it takes, whether full of part time, costs, and results to be achieved. If the training/course has a brochure or curriculum, attach it.</i> )	

[Mark each attached document with the line number to which the document relates]

- I have attached additional page(s) with more details about my claim, education, work experience, relationship with the respondent, medical information, present condition, and future plans, if applicable.

This document is attached to, and forms part of the evidence in, my support application/support variation application.

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Claimant's/Applicant's Signature