

The package of documents you have received is an application to the Newfoundland and Labrador ("NL") court. This application is from a person in a "reciprocating jurisdiction" who is asking the NL court to make an order.

### What's a "reciprocating jurisdiction"?

NL has arrangements with each of the Canadian provinces and territories, and many foreign countries, to deal with support orders. Each of these places is a "reciprocating jurisdiction". There is a list in the *Interjurisdictional Support Orders Regulations*. When two places reciprocate it means that they recognize each other's support orders, and support orders can be made, changed, and enforced using reciprocal laws. People involved in family support (also called 'maintenance') cases do not have to travel to another province, territory, or country to have a court deal with their orders.

The person who has made this application is in one of the "reciprocating jurisdictions". The application will be dealt with by the NL court. The NL court will make an order.

In most cases, the person applying for an order will have filed a Form F. This is a request to the court to make an order ***even if you do not go to court, or file necessary documents***. The court ***can*** make an order if you do not go to court, and that order will be legal. If you want a say in the order the court will make, it is important that you read this FormSupport guide, and the package of documents you received.

Should you require assistance, you may discuss your situation with a Support Applications Social Worker. They provide assistance in matters involving child support either through agreement or by court order. You can contact a Support Applications Social Worker through the court in your area.

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Have you read the documents you received? Form A is the one which gives a summary of what the claimant/applicant is asking for.

The person applying for an order is the:

**Claimant** – if this is an application for a 'first' support order, or

**Applicant** – if this is an application to change an order you have now.

You are the **Respondent**. You are 'responding' to the application.

Let's go through Form N – Respondent's Answer to Application. You will need a "working" copy of Form N to write on, so make a copy. Keep a 'good' copy, and set it aside. As you go through this guide make a note of any other forms or documents you need. Write them down in the Worksheet section at the end of this guide.

### Office Use Only box, top right

The court may have filled in the court file #, court location, and reciprocal #. If you need to contact the court, you should always quote the court file #. If this box has not been filled in, the numbers are on the Application you received. Copy them onto your "working" copy.

### Identification

There are two check boxes on the left of Form N. You are the respondent, so you will check off the first one. The second box would be checked by an agency which has a right to be involved. For example: If the respondent is a support recipient who has assigned support/maintenance rights to the Department of Human Resources and Employment ("HRE"), HRE may want to be in court, and receive any order that is made.

In the box, write your name, address, telephone and fax numbers. Check off whether it is your own address, in care of your lawyer, or in care of another person. This is the address and contact numbers the court will use to get in touch with you, and to send you any mail. This information will be on the court file. If you need to keep your address confidential, you must give a different address where you can be reached.

**Agree, and Consent**

Go back to Form A, the application. At the bottom it describes the kind of order the court is being asked to make. Do you agree? If yes, check off the box on the left, and *one* of the three little boxes below it. Below is a brief description of what each of them means.

- I agree that I will pay support.** Check this box if the application is for a ‘first’ order, and you agree to pay. You must file a financial statement – a blank one is included in your package. The court looks at your finances to decide how much the support should be. There are instructions on the financial statement.
- I agree to change the order -- payor.** Check this box if the application is to *change* the order you already have, and you agree to pay a new amount. You must file a financial statement – a blank one is included in your package.
- I agree to change the order – recipient.** Check this box if you are the support recipient (person receiving the support), and you agree with the *payor’s* application to change the order you have now. Because the court looks at the payor’s finances when it makes an order, you do not have to file a financial statement.

**Note:** If you are a recipient and have assigned your maintenance (support) rights to the Department of Human Resources and Employment you **must** contact HRE. You do not have the right to change the order without HRE being involved.

**Do Not Agree**

If you do not agree with the application, check this box on your working copy of Form N. In cases where the respondent (you) does not agree, the court needs more information. It needs other forms so the claims the claimant / applicant makes can be compared with your information. If you do not agree, go on to the next section.

**I will go to Court...**

If you do not agree with the order requested, it is assumed you will go to court. You can go by yourself, or have a lawyer with you. The court hearing is where you have your say about the order the court will make. Again, you need to know that if you do not go to court, or file the information the court needs, an order can and will be made even if

you are not there. So, check off the box on the left of your working copy, then read through the descriptions below. You will have to fill in one, or more, of the other forms. As you check one off, add the form to your Worksheet at the end of this FormSupport guide.

- Financial Statement.** The financial statement (Form K) – a blank copy is in the package you received – is almost always necessary. The only time it is *not* required is if you are a support recipient, and you have agreed to change an existing support order. You will have checked off the third little box under the “I agree” section.
- Request to Pay, different than Child Support Guidelines table amount.** If you are a support payor, and you want to pay a different amount than the Child Support Guidelines table amount, check this box. You will need to fill out Form I. The FormSupport guide for Form I gives you more information about the Child Support Guidelines.
- Request for a child support order, different than Child Support Guidelines table amount.** If you are a support recipient, and you want to receive a different amount than the Child Support Guidelines table amount, check this box. You will need to fill out Form G. The FormSupport guide for Form G gives you more information about the Child Support Guidelines.
- Special Expense Claim.** Has the applicant/payor applied to change the special expense amounts listed in an order you have now? If yes, and you do not agree with the change, check this box, and fill out Form H.
- Child Status and Financial Statement.** Do you agree with an application which asks for support for a child over the “age of majority” (age 19 in NL), **or** wants to end support for an “age of majority” child? If you do not agree, check this box. You will fill in a Form L for each ‘over majority’ child.
- Other.** There may be other forms or documents you want the court to see. List them in this section.

**Lawyer**

If you choose to have a lawyer with you at court, check the box on your working copy of Form N. Write your lawyer’s name, address, and telephone number. With this information, the court will contact your lawyer directly.

**Where can I get a copy of the forms?**

When you have completed your working copy of Form N you will know what other forms you need to file your Answer. You can get a copy of each of the forms, and the FormSupport guide which goes with each, from the internet at [www.gov.nf.ca/just/](http://www.gov.nf.ca/just/) or from any court that deals with family law matters.

Make a working copy of each of the forms, and set aside the ‘good’ copy. When you are ready – you have all the information you need, and the working copies are complete – make a ‘good’ copy. This is what you will file in court.

**Swearing / Affirming the documents**

The forms and documents you file with the court are evidence. At the end of Form N is the ‘oath’ part. Do not sign it yet, or fill in the date. When you have your complete package of documents, ready to file, take it to a lawyer, notary public, or a commissioner for oaths. The person who “takes your oath” will ask you if all the information is true. If you say yes, you will be

asked to sign your Answer, and the lawyer, notary or commissioner for oaths will fill in the part on the left.

Once this is done – the documents are sworn or affirmed – do not make any changes or add anything. Make 3 photocopies of the whole package. Take your “original” sworn package (the one that you signed in front of the lawyer, notary or commissioner for oaths) and two of the copies to the court. If a lawyer is helping you, this step will probably be done by your lawyer’s office. Keep one photocopy for yourself. You will take it to court with you. You must file your documents on or before the court date.

**Worksheet**

As you went through this FormSupport guide and Form N, did you note any information or documents you needed? Write them down on this worksheet. As you get the document, or complete a task, check off the ‘done’ column. Keep any documents with the ‘good’ copy of Form N.

**Worksheet**

Document / To Do	done

# Form N

Court File #: \_\_\_\_\_  
Court Location: \_\_\_\_\_  
REMO/RESO/ISO # \_\_\_\_\_  
Date Filed: \_\_\_\_\_

Court use only

## RESPONDENT'S ANSWER TO APPLICATION

- I am the Respondent
- I am a person or agency or government with a legal right to participate in this application. My relationship is: \_\_\_\_\_.

I have been served with a Support Application, or Support Variation Application. My address for delivery of documents is:

(Last Name)	(First Name)	(Middle Names)
(Street address and City/Town)		
(Province and Postal Code)		(daytime telephone)
(Mailing Address, if different than street address)		(fax number)
These are: <input type="checkbox"/> my own address(es), or <input type="checkbox"/> c/o my lawyer, or <input type="checkbox"/> c/o another person		

- I AGREE with the Application, and consent to an Order being made as requested.
- I agree to an order that I will pay support. My financial statement is attached to this Answer, or
  - I am the support payor under the Order or Agreement the applicant wishes to change. My financial statement is attached to this Answer, or
  - I am the support recipient under the Order or Agreement the applicant wishes to change. My financial information is not required to make a support variation Order.
- I DO NOT AGREE with the Application. My reasons for not agreeing are in the attached documents.
- I will go to Court and bring with me 3 copies of this Respondent's Answer to Application with copies of the following documents attached, where applicable:
- Financial Statement (Form K) (*required unless you are a support recipient who agrees to change an existing order*)
  - Request to Pay Child Support (different than Child Support Guidelines table amount) (Form I)
  - Request for a Child Support Order (different than Child Support Guidelines table amount) (Form G)
  - Special Expense Claim (Form H) (*use if you are the recipient/respondent and you do not agree with the payor/applicant's application to change special expense amounts under the existing order*)
  - Child Status and Financial Statement (Form L) (*one for each child over the age of majority where you do not agree with the application concerning the support for that child*)
  - Other (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I will have a lawyer at the Court hearing. My lawyer's name, address, and telephone number are :

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I, \_\_\_\_\_ make oath or affirm and say that the information and facts contained in this answer, including the attached forms and/or documents, are true. I am making this answer in good faith.

**SWORN OR AFFIRMED BEFORE ME**

At the \_\_\_\_\_ of \_\_\_\_\_

In the Province/Territory of \_\_\_\_\_

On \_\_\_\_\_, 200 \_\_\_\_.

\_\_\_\_\_  
**Commissioner for Oaths, Notary Public etc.**

\_\_\_\_\_  
**Respondent's Signature**