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# SOLE PETITIONER DIVORCE KIT

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You can use this kit to apply for a divorce if you don't have any other issues you want the court to resolve (such as dividing family property or making parenting arrangements.)

To apply for a divorce in Saskatchewan, one of the two parties must have resided in Saskatchewan for at least one year, and you must not have any other divorce proceedings started anywhere else in Canada.

If you have any questions, please feel free to contact:

Family Law Information Centre  
1-888-218-2822 (extension 2)  
[familylaw@gov.sk.ca](mailto:familylaw@gov.sk.ca)

\*This self-help kit is not a substitute for professional legal advice. It does not address all possible situations nor does it cover all areas of applicable legislation. You use this kit entirely at your own risk. The legal process can be complicated and ***it is recommended that you consult with a lawyer*** before filing any documents and proceeding to court.

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## I. Introduction

A divorce is the legal and formal ending of a marriage. You need to apply to a court to get a divorce. **If there are no issues that need to be resolved by the parties, you can use this kit to apply for a divorce.**

As a result of any separation, other issues may arise, such as decision making responsibility and parenting time, spousal or child support (maintenance payments), and division of family property. If you and your spouse have reached an agreement on these issues, you will be able to use this kit to apply for your divorce. If you have children and you have agreed on the table amount for child support, you will need to fill out an Agreement as to Child Support – Form 15-48B. If these issues have not been resolved, you can either retain a lawyer to assist you, or contact the Family Law Information Centre at 1-888-218-2822 (ext. 2) for further information on what process to follow. **You will not get a divorce if you do not address child support.**

The following instructions will help you use the forms in this kit. **Please read them**

***It is recommended that you see a lawyer before commencing court proceedings or signing any agreement, ensuring that you are fully informed about your rights and obligations.***

**carefully.**

### a) Preliminary Requirements

- Either spouse must have been a resident of Saskatchewan for at least one year before beginning the divorce application. You may not apply for divorce in Saskatchewan until one of you has been resident for at least one year.
- There should be no other divorce proceedings between you and your spouse pending in any other province or territory in Canada. When the Local Registrar's Office issues your Petition for Divorce, it must also confirm that no other divorce action involving you and your spouse exists anywhere else in Canada. To do this, it contacts the Central Divorce Registry in Ottawa, which keeps records of all divorce applications in Canada. If the Central Divorce Registry finds no other divorce application in Canada in its records, it issues a **Clearance Certificate**. A court will not grant a judgment for divorce unless it has received a Clearance Certificate. If another action exists, you cannot use this kit.
- This kit allows you to file a claim for divorce based on living separate and apart for at least for one year. This is your **grounds** for divorce. You may file the Petition for Divorce at any point after you separate. However, the Judgment for Divorce will not be granted before the year of living separate and apart has passed.

- If there are children of the marriage and if both parties agree on the Child Support Guidelines Table amount, then both parties will be required to fill out **Form 15-48B Agreement as to Child Support** (with Affidavits of Execution)

- If there are children of the marriage and if both parties agree on a child support amount that is different from the Table amount, then the parties will be required to explain how the financial needs of the children are being met in **Form 15-78 Affidavit of Petitioner**.

- In order to start your divorce action, you must first prove that you are legally married. You will need a **Marriage Certificate** or a **Certificate of Registration of Marriage**. You must file your marriage certificate with the court when you file your Petition for divorce. If your marriage was performed in Saskatchewan, the “Frame Certificate” of Registration of Marriage can be obtained in Saskatchewan from:

eHealth Saskatchewan  
1-800-667-7551  
[vitalstatistics@eHealthSask.ca](mailto:vitalstatistics@eHealthSask.ca)  
<http://www.ehealthsask.ca/>

- Your original marriage certificate must be in either of Canada’s official languages, English or French. If your marriage certificate is written in a different language, you must provide a translation of the document, together with an affidavit of certification verifying the translation.

- If it is impossible to obtain a marriage certificate, contact the Family Law Information Centre to find out about options to address this.

## **b) Completing the Forms**

It is recommended that you create your court forms electronically. However, if you choose to complete paper copies of the forms, you must use pen (black or blue ink) and you should print all information legibly. The documents must be neat so the Court and Respondent can read them. Forms must be created and submitted single-sided. Whether you type or print your information, you should always keep a copy of all your forms for your own records. All documents must be printed, typewritten or reproduced legibly on one-sided paper, 8.5 inches by 11 inches, with a margin of 1.25 inches on the left hand side. You may complete the forms provided. All of the forms you will need are included in this kit.

At the top of the first page of each form, you will fill in the location of the judicial centre (i.e. the city where you are filing the documents) and the names of the parties.

The staff in the Local Registrar's Office cannot complete the forms for you. These instructions and the templates are designed to provide you with the information you need to complete the application.

The staff at the Family Law Information Centre cannot give you legal advice or appear in court for you. *Before you contact them, read this kit carefully from beginning to end.* Neither they, nor the court staff can fill out this kit for you.

If you have any questions concerning the completion of the documents in the kit, please contact the Family Law Information Centre at 1-888-218-2822 (ext. 2) or at [familylaw@gov.sk.ca](mailto:familylaw@gov.sk.ca).

## II. Commencing Your Action

### a) **Completing Claim: Petition – Form 15-16**

You will first need to prepare a Petition.

Complete the top of the first page of the Petition. Leave the court file number blank for now. When you file the petition with the Court, they will give you a file number. When writing in your name as the Petitioner, make sure that you include your first and any middle names **exactly** as they appear on the **Marriage Certificate** or the **Certificate of Registration of Marriage**. You will use the last names that you currently use on these forms.

The section that is titled Notice to Respondent is the information that the Respondent needs to review when served with your Petition. You do not need to add anything here.

**Paragraph 1: This kit allows you to apply only for a divorce.** There is already an "X" in the box (a) beside "*Divorce Act*", and in the box beside "Divorce" to show that this is the only judgment you are asking the court to make. Nothing else needs to be added here.

**Note:** *If you are a foreign applicant married in Saskatchewan, unable to obtain a divorce in the country where you reside because your marriage is not recognized as valid, then under "Other" you will indicate that you are requesting a divorce for a marriage not recognized in foreign jurisdiction under the Civil Marriage Act.*

## ***PARTICULARS OF MARRIAGE BREAKDOWN***

Paragraph 2: Select one of the three options, and stroke out the paragraphs that do not apply to your application. Most people will choose the first option. If you are unable to obtain a marriage certificate, you will need to complete an additional set of forms to obtain a court order to dispense with the production of the certificate. If you are unable to obtain a marriage certificate, contact the Family Law Information Centre.

Paragraph 3: This kit is for situations where you apply for the divorce judgment based on separation for a period of at least one year. This ground for divorce is found at section 8(2)(a) of the Divorce Act. You can find the *Divorce Act* online here:

<http://laws.justice.gc.ca/eng/acts/D-3.4/index.html>

Paragraph 4: This paragraph requires you to indicate your date of separation. This date can be an earlier date than the date that you stopped living under the same roof if both parties agree that the spousal relationship ended on an earlier date.

Paragraph 5: Complete by describing all the efforts that have been made by you and your spouse to reconcile. If you and the Respondent resumed cohabitation for at least 90 days after your original date of separation, write that here. Otherwise, you can simply write “none.”

Paragraph 6: Read this paragraph carefully. When you sign the Petition, you are confirming that this statement is true. You do not have to add anything to this statement.

## ***COLLUSION, CONDONATION AND CONNIVANCE***

Paragraph 7: When you sign the Petition, you are confirming that this statement is true. You do not have to add anything to this statement.

## ***MEDIATION***

Paragraph 8: Complete this paragraph by describing any mediation facilities used by you and your spouse to resolve issues of property division, support and/or decision making responsibility. If you did not use mediation, write or type “None” or “Not Applicable”.

## ***PARTICULARS OF PROPERTY CLAIM***

Paragraphs 9 and 10: This kit is not designed to make a claim for Property Division. You are confirming this statement to be true, you do not have to add anything to these statements.

*Please note that if you have not settled the division of any family property (assets and debts), your ability to do so will be affected by applying for a divorce. It is recommended that you obtain legal advice relating to property division prior to applying for a divorce.*

### **PARTICULARS OF RELATIONSHIP**

Paragraphs 11 and 12: Complete all of these paragraphs in full.

### **PARTICULARS OF PARTIES**

Paragraphs 13 to 20: Complete all of these paragraphs in full.

### **RESIDENCE**

Paragraphs 21 to 23: Complete all of these paragraphs in full. It is very important that you say how long you, or your spouse, have lived in Saskatchewan. One of you must have resided in Saskatchewan for at least one year.

### **CHILDREN**

Paragraph 24 to 36: Fill out these paragraphs to the best of your ability. This kit is not designed for you to request that the court decide any decision making responsibility or child support issues. Summarize the terms of any agreements that are in place and in particular, describe the child support arrangements.

**IMPORTANT! *The Divorce Act* requires the Court to ensure that adequate arrangements have been made for the support of children. If you and your spouse have agreed to an amount of child support, the Court may not consider this amount to be adequate in the circumstances of your case. If so, the Court may refuse to grant the Divorce until satisfied that adequate arrangements have been made for child support. If you wish to determine the amount of child support that would normally be payable under *The Federal Child Support Guidelines*, you can find further information here: <http://www.justice.gc.ca/eng/fl-df/index.html>**

### **SPOUSAL SUPPORT**

Paragraph 37: This kit is not designed for you to request any spousal support issues to be decided. You are confirming this statement to be true, you do not have to add anything to this statement.

## ***PROCEEDINGS AND AGREEMENTS***

Paragraph 38 and 39: If any legal proceedings were started by you or your spouse with regard to the marriage, decision making responsibility, parenting time, support, or division of family property give details of the proceedings, including dates and location of the proceedings, whether any orders were made and whether any proceedings are still pending. If there are no other proceedings, write “none”.

Paragraph 40: If you and your spouse have reached any agreements, complete this paragraph. Indicate which topics are covered by the agreement.

Paragraph 41: If there are any other agreements or court orders that relate to any other children (e.g. from previous relationships) living with either party, list them here.

Paragraph 42: If there are any other legal proceedings that have resulted in an existing order, recognizance or undertaking, that restricts contact or communication between the Respondent and yourself, or any other member of the respective households, you can list them here.

## ***FINANCIAL INFORMATION***

Paragraph 43: Select the option that applies to you. If you have no children under the age of majority, you will select the first option. If there are any children under the age of majority, you will select the second option where you and the respondent have agreed on the amount to be paid for child support and an **Agreement as to Child Support in Form 14-48B** is filed in this proceeding and is included in this kit.

Paragraphs 44 to 49: Complete in full. For any of the Respondent’s information, if you are not sure, write “unknown”. If there are no children of the relationship, you can delete paragraphs 44 to 49, or write “Not Applicable”.

### **b) Signing the Petition**

Make at least two copies of the completed Petition for Divorce and sign all three copies. Be sure to fill in the name of the city or town where you signed the Petition and the date on which you signed it. You must also complete the address for service at the bottom of the Petition. This is an address in Canada where the Respondent can serve documents on you if necessary. If you move after filing your Petition, you should update your address with the Court of Queen’s Bench.

### **III. Issuing the Petition**

After you have completed and signed the Petition, take three copies to the Local Registrar’s Office along with your **Certificate of Registration of Marriage or**

**Marriage Certificate.** The Local Registrar's Office is open to the public from 10:00 AM to 4:00 PM, Monday to Friday. A list of the addresses for all Court of Queen's Bench locations in the province is provided in this kit.

***REMEMBER*** to take your *Marriage Certificate* with you, along with the \$300 fee for issuing the *Petition*.

The local registrar at the court will require:

- a) a filing fee of \$300
- b) three copies of the *Petition*
- c) Certificate of Registration of Marriage or Marriage Certificate

The local registrar will file one copy of your *Petition* and Marriage Certificate and will give you a court file number. This number will be required on all future court documents you prepare.

A clerk at the Local Registrar's Office will issue your *Petition* if it is properly completed and you have all the required documents with you. The original copy of the *Petition* and the original marriage certificate will be kept on the court file. The marriage certificate will not be returned to you.

#### **IV. Judicial Centres in Saskatchewan**

<https://sasklawcourts.ca/>

##### **Battleford**

Box 340, 291-23<sup>rd</sup> Street West  
Battleford, Saskatchewan  
S0M 0E0  
Tel: (306) 446-7675  
Fax: (306) 446-7737

##### **Melfort**

Box 6500, 409 Main Street  
Melfort, Saskatchewan  
S0E 1A0  
Tel: (306) 752-6265  
Fax: (306) 752-6264

##### **Prince Albert**

1800 Central Avenue  
Prince Albert, Saskatchewan  
S6V 4W7  
Tel: (306) 953-3200  
Fax: (306) 953-3210

##### **Regina**

2425 Victoria Avenue  
Regina, Saskatchewan  
S4P 3V7  
Tel: (306) 787-5377  
Fax: (306) 787-7217

##### **Swift Current**

121 Lorne Street West  
Swift Current, Saskatchewan  
S9H 0J4  
Tel: (306) 778-8400  
Fax: (306) 778-8581

##### **Estevan**

1016 – 4<sup>th</sup> Street  
Estevan, Saskatchewan  
S4A 0W5  
Tel: (306) 637-4527  
Fax: (306) 637-4536

##### **Moose Jaw**

64 Ominica Street West  
Moose Jaw, Saskatchewan  
S6H 1W9  
Tel: (306) 694-3602  
Fax: (306) 694-3056

##### **Yorkton**

29 Darlington Street East  
Yorkton, Saskatchewan  
S3N 0C2  
Tel: (306) 786-1515  
Fax: (306) 786-1521

##### **Saskatoon**

520 Spadina Crescent East  
Saskatoon, SK  
S7K 3G7  
Tel: (306) 933-5174  
Fax: (306) 975-4818

## V. Serving the Petition

The Petition must be personally served on the Respondent. Personal service means that the person serving the documents must hand the documents to the person to be served or, if that person will not accept the documents, by setting the documents down in front of them and stating that these are court documents for a divorce. The person serving the document must confirm the identity of the person being served, either because they know the person, or the person being served confirmed their identity (orally or by showing ID).

The documents can be served in any of the following ways:

X **by a Sheriff or process server.** You can have the Sheriff serve the documents. There is a fee. Sheriffs are available at any Queen's Bench Court (see the blue pages of the telephone book under Government of Saskatchewan.) Process servers are listed in the Yellow Pages or by searching "process server" on the internet.

X **by any other person.** Any person, other than you, may serve documents personally. An Affidavit of Personal Service must be sworn by the person who served the documents. This document is contained within this package. It is your responsibility to ensure that the Affidavit of Service is filed with the court to prove the documents were properly served. There is no charge to file this document.

***IMPORTANT: The person who serves the Petition on the Respondent will need to swear an Affidavit of Service. Their signature must be witnessed by a Commissioner for Oaths. The person who served the Respondent must sign the Affidavit of Service in front of a Commissioner for Oaths for Saskatchewan.***

Sometimes the Respondent cannot be located. If this happens, you can try to apply to the court for an order allowing you to serve the Respondent in an alternate manner. In such a case, you should see a lawyer, or contact the Family Law Information Centre, at **1-888-218-2822 (extension 2)**.

## **VI. Noting for Default**

Once the Respondent has been served with the Petition, they may respond if they want to dispute the divorce application or if they want to make claims of their own. To do this, the Respondent must serve you with a document called an “Answer” or an “Answer and Counter Petition” within the following deadlines:

- X     30 days if the Petition was served anywhere in Canada or the United States;
- or
- X     60 days if the Petition was served anywhere else in the world.

If the Respondent serves you with a Notice of Intent to Answer, he or she is entitled to an additional 10 days in which to deliver an Answer and Counter-Petition.

Once the time limits have expired and the Respondent has not filed any response, you can ask the Local Registrar to note this matter for default. This means that the Respondent cannot file a response to your Petition without your consent or a court order. You will need to have previously filed the Affidavit of Personal Service of the Petition at the Local Registrar’s Office in order to note a matter for default.

***The court will charge you \$30 to have the matter noted for default.***

When you file your Petition with the Court, the Court will apply to the Central Divorce Registry in Ottawa for a **Clearance Certificate**. It will usually take 3 to 6 weeks for the Clearance Certificate to arrive. You can call the Local Registrar’s Office to find out if your Clearance Certificate has arrived. Once it is on the court file, you can apply for the divorce judgment.

**NOTE: If the Respondent serves you with a document of any kind, you should contact a lawyer immediately. It may be that the Respondent has served you with an “Answer” or “Answer and Counter-Petition” or a “Demand for Notice”. If that happens, this kit will not help you.**

## VII. Applying for the Divorce Judgment

Once the Respondent has been noted for default, and a Clearance Certificate has been received at the Court of Queen's Bench, you may apply for judgment.

***REMEMBER that you are applying for divorce on the grounds that you have lived separate and apart for more than one year, you cannot apply to the court for a divorce judgment until one year has passed since the date of your separation.***

You will be completing these forms at this time:

- 1) Application for Judgment: Form 15-76A
- 2) Affidavit of Petitioner: Form 15-78
- 3) Draft judgment; Form 15-102
- 4) Draft certificate; Form 15-103
- 5) Agreement as to Child Support: Form 15-48B (if applicable)

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### a) **Completing the Application for Judgment – Form 15-76A**

**NOTE: The headings and paragraph numbers below correspond to the headings and paragraph numbers on the Application form. REMEMBER to write your initials beside any paragraph you strike out.**

Paragraphs 1 and 2: Nothing needs to be added.

Paragraph 3: Check off all documents that are on the court file. For most people, this will be "Petition", "Marriage Registration", and "Central Registry Notification". These have been checked off for you.

Paragraph 4: Provide the information as to where and when the Respondent was served. The box indicating that the Petition was effected by "Personal Service" has been selected for you.

Paragraph 5: Complete the date the Respondent was noted for default.

Paragraph 6: Check off each document that you have attached to your Affidavit of Petitioner. For example, if you have a Separation Agreement or Inter-Spousal Contract, you should check off "Separation or financial or custody agreement". Please review the note below. You may need to attach financial information or an additional document called an Agreement as to Child Support.

**Note:** If there are any children under the age of 18, both the Divorce Act and Queen’s Bench Rule 15-48(3) require the court to be satisfied that support arrangements are in place before a divorce can be granted. This means that even if no claim is made for a child support order, the parties must provide:

- either all income information of the parties required by the Federal Child Support Guidelines, or
- An **Agreement as to Child Support in Form 15-48B (included in this kit)** along with a copy of the most recent personal income tax return filed by the payor, Notice of Assessment, and any Notice of Reassessment. If parenting is shared or split, both parents need to provide their tax information.

Furthermore, if the support is not based on *The Federal Child Support Guideline Tables*, you will need to explain why the support payments are appropriate, in the Affidavit of Petitioner.

Paragraph 7: Check off any other documents that you are filing with your application. For most people, this will only be “Draft Judgment”, “Draft Certificate” and “Addressed Envelopes”. These items have been checked off for you. You may also need to include an Agreement as to Child Support.

Paragraph 8: Write in the address of the Respondent.

Sign and date the Application. You will only need one copy of the Application to file with the court. You can choose to keep a copy for your own records.

### **b) Completing the Affidavit of Petitioner – Form 15-78**

**NOTE:** The headings and paragraph numbers below correspond to the headings and paragraph numbers on the Affidavit form.

#### **GENERAL**

Paragraph 1: Nothing needs to be added to this.

Paragraph 2: Indicate whether any circumstances have changed since your Petition was filed. If nothing has changed, write “None.”

Paragraph 3: Nothing needs to be added to this. You are confirming that this statement is true.

Paragraph 4: Nothing needs to be added to this. You are confirming that this statement is true.

Paragraph 5: Give the date when you or your spouse became ordinarily resident in Saskatchewan.

## **RECONCILIATION**

Paragraph 6: You must complete 6(a) and/or (b) or (c). The judge must be satisfied that no possibility of reconciliation exists before he or she may grant a divorce.

Paragraph 7: Nothing needs to be added to this. You are confirming that this statement is true.

## **MARRIAGE BREAKDOWN**

Paragraph 8: Check off the box which applies to you.

Paragraph 9: Indicate your date of separation.

## **COLLUSION, CONDONATION AND CONNIVANCE**

Paragraph 10: Please read carefully. You are confirming that this statement is true.

## **CHILDREN**

Paragraph 11: Select the option that applies to you and list any children in the care of either of you.

Paragraph 12: Nothing needs to be done.

Paragraphs 13 to 14: If there are children of the marriage, you must complete these paragraphs. If there are no children, you can strike them out. For paragraph 14, you will need to attach the income tax Notice of Assessment for any party that is required to pay child support for any children under 18. Check the appropriate box.

<p><b>REMEMBER:</b> <i>If you have agreed to a level of child support that is different than the amounts found in The Federal Child Support Guideline Tables, you will need to explain why you feel the amount is appropriate in Paragraph 14 of the Affidavit of the Petitioner.</i></p>
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## **SPOUSAL SUPPORT**

Paragraph 15: This kit does not allow you to claim spousal support. You are confirming this statement to be true.

## **PROCEEDINGS AND AGREEMENTS**

Paragraph 16: If there were any court orders with respect to any issues arising from your separation, select the first option and attach a copy as an exhibit to this affidavit. If there are no such court orders, select the next paragraph.

Paragraph 17: Set out the dates of all separation agreements, financial agreements or parenting agreements between you and your spouse. Attach a copy of the written agreement(s) to the affidavit as an exhibit. If there is no agreement, select the next option.

Paragraph 18: If either of you have any other children in your care who are not of this marriage (i.e. from a previous relationship), fill this section in. If there are no other children write "None." If there is existing court order(s) or agreement(s), fill out this area and attach a copy as an exhibit to this affidavit.

### ***FINANCIAL INFORMATION***

Paragraphs 19 and 20: Complete in full. If there are no children of the relationship, you can delete these paragraphs.

### ***PROPERTY***

Paragraph 21: This kit does not allow you to claim property division. You are confirming this statement to be true.

### ***JUDGMENT***

Paragraphs 22 and 22A: Fill in and indicate the present address of the Respondent.

Paragraph 23: Nothing needs to be added to this paragraph.

Paragraph 24: This kit does not allow you to claim any costs from the Respondent.

### **Do not sign your affidavit yet!**

You must sign your affidavit in front of a Commissioner for Oaths. Before you sign your affidavit, the Commissioner for Oaths will ask you whether or not you swear or affirm the contents of your affidavit to be true.

The court staff are Commissioners for Oaths and you may swear your completed documents in front of them. This service is free.

Any lawyer can also be a Commissioner for Oaths. You can also find Commissioners for Oaths in some businesses like banks, insurance agencies, and law offices. You will likely have to pay for this service at those locations.

### **Attaching Exhibits to Affidavits**

**Note:** You may have some documents attached to your affidavit as exhibits. To make a document an exhibit, it must have the following words written or stamped on it, and completed by the Commissioner for Oaths who takes your oath when you swear the affidavit:

*The is Exhibit "A" to the affidavit of \_\_\_\_\_ sworn before me at \_\_\_\_\_ in the Province of Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_.*  
*A Commissioner for Oaths in and for the Province of Saskatchewan,  
Being a Court Official.*

*If there is more than one exhibit to be attached to the affidavit, they should be marked as "A", "B", "C", "D", etc.*

Do not forget to point out exhibits to the Commissioner for Oaths. They will have to sign them also.

### **Completing the Judgment for Divorce – Form 15-102**

Complete the information at the top of the document, but then leave the spaces for the name of the judge and the date of the judgment empty.

Paragraph 1: Fill in your name, your spouse's name and the date of your marriage. You will need three copies of the Judgment. A copy of the Judgment will be mailed to you and a copy to the Respondent in the envelopes you provide, once it is granted by the court.

#### **c) Completing the Certificate of Divorce – Form 15-103**

Fill in the court file number at the top of the Certificate, the location of the court house where you filed the application, the names of you and your spouse, and the date of your marriage. You will need three copies of the Certificate of Divorce to file with the court.

You file the Certificate of Divorce with the Application for Judgment but the Local Registrar does not sign it until 31 days after the date the Judgment is granted. The Certificate of Divorce will be mailed to you and the Respondent in the envelopes you provided.

**REMEMBER:** You may not remarry until the Judgment for Divorce takes effect, 31 days after it was granted. If you ever wish to remarry, you will need this Certificate.

#### **d) Complete Addressed Envelopes**

You must also file four envelopes, approximately 4 inches by 9 inches:

- X two addressed to the Respondent at the address shown on the Affidavit of Service, or if a more recent address is disclosed in your Affidavit, at that address; and
- X two addressed to the yourself at your address for service.

These are the envelopes in which the Local Registrar's Office will use to send you the Divorce Judgment and the Certificate of Divorce.

#### **e) Filing the Documents**

You will now need to go to the Court of Queen's Bench where you Petition was issued to file this second set of document. The Local Registrar at the court will require:

- A filing fee of \$95
- Application for Judgment; Form 76A (1 copy)
- Affidavit of Petitioner; Form 15-78 (1 copy)
- Draft Judgment; Form 15-102 (3 copies)
- Draft Certificate; Form 15-103 (3 copies)
- Agreement as to Child Support; Form 15-48B (if applicable) (1 copy)
- Envelopes addressed to you and the Respondent (2 addressed to you and 2 to the Respondent)

### **VIII. What if I have questions when I am using this kit?**

For any questions, you can contact:

Family Law Information Centre  
(306) 787-5837 or 1-888-218-2822 (extension 2)  
[familylaw@gov.sk.ca](mailto:familylaw@gov.sk.ca)  
Room 323, 3085 Albert Street  
Regina, SK S4S 0B1

The staff at the Family Law Information Centre cannot give you legal advice or appear in court for you. *Before you contact them, read this kit carefully from beginning to end.* Remember, neither they nor the court staff can fill out this kit for you.

## **IX. Summary**

X Complete and file a Petition at the Local Registrar's Office, together with an original marriage certificate and the filing fee of \$300.00. Provide the court with 3 copies of the Petition. Two copies will be returned to you.

X Have one copy of the Petition personally served on the Respondent. The server of the Petition swears an Affidavit of Service. File the Affidavit of Service at the Local Registrar's Office.

X At least 30 days later, ask the courthouse staff to note the Respondent for default (\$30 fee).

X File a completed Application for Judgment, Affidavit of Petitioner, draft Judgment (3 copies) and draft Certificate (3 copies), at the Local Registrar's Office, together with the fee of \$95.00.

X A judge reviews all the documents on the court file. If everything is in order, the judge will grant the Judgment for Divorce.

X The Local Registrar will add the judge's name and date on the Judgment and will send one copy to you and one copy to the Respondent in two of the four the envelopes you provided.

X Thirty-one days after the date the judge granted the Judgment for Divorce, the Local Registrar will complete the Certificate of Divorce as long as no appeal has been filed by the Respondent.

**(NOTE: If the Respondent files and serves and appeal within 30 days of the date on the Judgment for Divorce, you should see a lawyer immediately.)**

X The Certificate of Divorce will be sent to you and to the Respondent by the Local Registrar in the remaining two envelopes you provided.

**Form 15-16**  
(Subrule 15-16)

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE \_\_\_\_\_

PETITIONER \_\_\_\_\_

RESPONDENT \_\_\_\_\_

**PETITION**

**NOTICE TO RESPONDENT**

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU. THE PETITIONER IS ASKING THE COURT TO MAKE ONE OR MORE ORDERS OR JUDGMENTS AGAINST YOU, PARTICULARS OF WHICH ARE SET OUT IN THE ATTACHED PAGES. IF YOU DO NOT AGREE WITH WHAT THE PETITIONER IS CLAIMING, YOU MUST TAKE CERTAIN STEPS TO MAKE SURE THAT THE COURT HEARS YOUR POSITION. ADDITIONALLY, YOU MAY ALSO ASK THE COURT TO MAKE ONE OR MORE ORDERS OR JUDGMENTS IN YOUR FAVOUR AGAINST THE PETITIONER.

IF YOU DO NOT AGREE WITH WHAT THE PETITIONER IS CLAIMING OR YOU WISH TO MAKE A CLAIM AGAINST THE PETITIONER, YOU NEED TO DO THE FOLLOWING:

- EITHER YOU OR YOUR LAWYER MUST PREPARE AN ANSWER IN FORM 15-19 OR AN ANSWER AND COUNTER-PETITION IN FORM 15-20, SERVE A COPY ON THE PETITIONER OR THEIR LAWYER AND FILE IT, WITH PROOF OF SERVICE IN THE COURT. IF THE COUNTER-PETITION SEEKS RELIEF NOT IN THE PETITION, YOU MUST ARRANGE TO SERVE THE ANSWER AND COUNTER-PETITION ON THE PETITIONER PERSONALLY THROUGH A THIRD PARTY (YOU CANNOT SERVE IT YOURSELF).
- THE ANSWER OR ANSWER AND COUNTER-PETITION MUST BE SERVED AND FILED (WITH PROOF OF SERVICE) WITH THE COURT:
  - a. WITHIN 30 DAYS AFTER THIS PETITION IS SERVED ON YOU, IF YOU WERE SERVED IN CANADA OR IN THE UNITED STATES; OR
  - b. WITHIN 60 DAYS AFTER THIS PETITION IS SERVED ON YOU IF YOU WERE SERVED OUTSIDE OF CANADA OR THE UNITED STATES.
- IF YOU FAIL TO SERVE AND FILE AN ANSWER, A JUDGMENT OR ORDER MAY BE GRANTED IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU ON ANY CLAIM IN THIS PETITION, INCLUDING DISSOLUTION OF YOUR MARRIAGE AND DIVISION OF YOUR PROPERTY AND YOU MAY LOSE YOUR RIGHT TO SUPPORT OR A DIVISION OF PROPERTY.

- BEFORE SERVING AND FILING AN ANSWER, YOU MAY SERVE AND FILE A NOTICE OF INTENT TO ANSWER IN FORM 15-19B. THIS WILL ENTITLE YOU TO 10 MORE DAYS WITHIN WHICH TO FILE AND SERVE YOUR ANSWER.
- IF THE PETITION CONTAINS A CLAIM FOR CHILD SUPPORT OR SPOUSAL SUPPORT YOU MUST COMPLY WITH THE NOTICE TO FILE A FINANCIAL STATEMENT WHICH HAS BEEN SERVED UPON YOU WITH THIS PETITION. IF YOUR COUNTER-PETITION CONTAINS A CLAIM FOR CHILD SUPPORT OR SPOUSAL SUPPORT YOU MUST SERVE AND FILE A FINANCIAL STATEMENT IN FORM 15-47 EXCEPT IN LIMITED CIRCUMSTANCES.
- IF THE PETITION OR YOUR COUNTER-PETITION CONTAINS A PROPERTY CLAIM, YOU MUST SERVE AND FILE WITH THE COURT A PROPERTY STATEMENT IN FORM 15-49.
- IF THE PETITION OR YOUR COUNTER-PETITION CONTAIN A CLAIM FOR CHILD SUPPORT OR PARENTING, YOU ARE REQUIRED TO ATTEND A PARENTING EDUCATION PROGRAM EXCEPT IN LIMITED CIRCUMSTANCES. FAILURE TO DO SO CAN HAVE SERIOUS CONSEQUENCES TO YOUR COURT CASE. TO ATTEND THE PARENTING EDUCATION PROGRAM, YOU MUST REGISTER AT LEAST TWO DAYS IN ADVANCE BY TELEPHONE, TOLL-FREE AT 1-877-964-5501.
- IF YOU DO NOT OPPOSE OR DISPUTE THE PETITION, BUT WISH TO BE INFORMED OF SUBSEQUENT STEPS IN THE PROCEEDING, YOU MAY SERVE AND FILE A DEMAND FOR NOTICE IN FORM 15-21; AFTER WHICH NOTICE OF ALL SUBSEQUENT PLEADING OR PROCEEDINGS MUST BE SERVED ON YOU BY THE PETITIONER.

**IF THE PETITION SEEKS A DIVORCE, NEITHER SPOUSE IS FREE TO REMARRY UNTIL A JUDGMENT OF DIVORCE TAKES EFFECT.**

**THIS PETITION IS TO BE SERVED WITHIN 6 MONTHS FROM THE DATE ON WHICH IT IS ISSUED, UNLESS ORDERED OTHERWISE.**

This petition is issued at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

\_\_\_\_\_  
Local Registrar

TO THIS HONOURABLE COURT:

**CLAIM**

1 I ask this Honourable Court for the following remedy:

*Divorce Act* (Canada)

Divorce

IN THE CIRCUMSTANCES set out below:

**PARTICULARS OF MARRIAGE BREAKDOWN:**

2 Proof of marriage:

A certificate of the marriage or of registration of the marriage has been filed with the Court.

Or

An understanding to file the certificate of marriage or of registration of the marriage with the Court by \_\_\_\_\_ has been filed with the Court.  
(date)

Or

It is impossible or impractical to obtain a certificate of marriage or of registration of the marriage and application has been made for an order dispensing with production of the certificate.

3 There has been a breakdown of the marriage by reason of:

Separation for more than one year;

4 The facts on which my petition for divorce is based are:

The petitioner and the Respondent have lived separate and apart since on or about the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, and at the commencement of this proceeding, continue to live separate and apart.

5 The following efforts to reconcile have been made:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6 It is no longer possible for me to reconcile or resume cohabitation with my spouse.

**COLLUSION, CONDONATION AND CONNIVANCE:**

7 I have truthfully set out the facts establishing the breakdown of my marriage and I have not entered into any agreement, understanding or arrangement to make up or hide evidence

or to deceive the Court.

**MEDIATION AND FAMILY DISPUTE RESOLUTION:**

8 The mediation facilities and family dispute processes utilized to negotiate matters pertaining to support or parenting are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PARTICULARS OF PROPERTY CLAIM:**

9 At the date of issue of this petition the respondent and I owned or held an interest in real and personal property either separately or jointly.

10 Regarding division of property: I am not making a claim for division of family property, as I am satisfied with how we have already divided our assets and debts.

**PARTICULARS OF RELATIONSHIP:**

11 The respondent and I:

Were married on \_\_\_\_\_ at \_\_\_\_\_.  
(date) (place)

12 Regarding cohabitation:

I ceased to cohabit with the respondent on or about \_\_\_\_\_  
(date)

**PARTICULARS OF PARTIES:**

13 My surname at birth: \_\_\_\_\_

14 My surname immediately before marriage: \_\_\_\_\_

15 My marital status at the time of marriage: \_\_\_\_\_  
(never married, divorced or widowed)

16. I was born: \_\_\_\_\_  
(date)

17 (Complete this paragraph if the petition contains a claim for divorce.) On the day before my marriage to the respondent, my gender was:  
 male  female  other

18 The respondents surname at birth: \_\_\_\_\_

19 The respondents surname immediately before marriage: \_\_\_\_\_

20 The marital status of respondent at the time of marriage: \_\_\_\_\_

21 The respondent was born: \_\_\_\_\_  
(date)

**RESIDENCE:**

22 My address is: \_\_\_\_\_

23 The respondent's address is: \_\_\_\_\_

24 I have (or the respondent has) been ordinarily resident of Saskatchewan since:  
\_\_\_\_\_  
(date)

**CHILDREN:**

25 Regarding children of our relationship:

There are no children of the respondent or myself who are in the care of either of us.

Or

The names, dates of birth and place of residence of all children of the respondent and I who are in the care of either of us are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

And/or

I am claiming no remedy with respect to the following children:

Decision making responsibility, parenting arrangement and child support issues have been resolved.

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

26 The particulars of the current parenting arrangements of the children are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

27 I am not making any claim for parenting time.

28 I propose to permit parenting to the following children on the following terms:  
(Specify length of parenting time, terms for parental decision-making proposed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

29 The proposed arrangement for parenting is in the best interest of the children for the following reasons:

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30 The following changes of circumstances of myself or the respondent are expected to affect the children or parenting of the children in the future:

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31 The nature of my relationship to and interest in the children is as follows:

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32 The nature of the respondent's relationship and interest in the children is as follows:

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33 Other than the respondent and myself the following persons may have an interest in the parenting of the children, or may have an obligation to support, the children: *(State name, address and relationship to children.)*

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34 The existing financial arrangements for the support of the children are as follows:

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35 I propose that the financial arrangements for the support of the children, remain as they are currently established.

36 *(If the amount claimed is different than the table amount under the Federal Child Support Guidelines.)* The current child support in an amount determined under the Federal Child Support Guidelines due to:

- Child 18 or over
- Income over \$150 000
- Split parenting
- Shared parenting
- Payor standing in place of parent
- Undue hardship, particulars of which are set out in Part 4 of my  Financial Statement
- Special or extraordinary expenses, particulars of which are set out in Part 3 of my Financial Statement

37 The facts to substantiate the proposed terms of child support are as follows:

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**SPOUSAL SUPPORT:**

38 I am not making a claim for spousal support.

**PROCEEDINGS AND AGREEMENTS:**

39 The particulars and status of all other legal proceedings instituted between myself and the respondent with reference to the marriage, cohabitation, parenting, support, maintenance or division of property are:

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40 The particulars and status of all other civil and criminal proceedings, past or on-going, that may be relevant to the safety, security or well-being of the children are:

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41 The dates of my written or oral separation or financial or parenting agreements between me and the respondent are \_\_\_\_\_

The agreement pertains to:

- Parenting of the children
- Child support
- Spousal support
- Division of property
- Other (*specify*)

*(If it is sought to incorporate provisions of a separation agreement in the judgement, refer to the specific provisions to be incorporated.)*

42 The particulars of any other orders or agreements relating to any child in the care of either the respondent or me are:

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43 The particulars and status of all other legal proceedings that have resulted in an existing order, recognizance or undertaking that restricts contact or communication between the respondent and me, or any other members of our respective households, are: *(Include date and terms of order, recognizance or undertaking.)*

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**FINANCIAL INFORMATION:**

44 Financial documents:

No Financial information is filed in this proceeding.

Or

The respondent and I have agreed on the amount to be paid for child support and on the annual income of each of us who would be required to provide income information under the Federal Child Support Guidelines, and an Agreement as to Child Support in Form 14-78B (*with all required documents attached*) is filed in this proceeding.

45 My occupation is \_\_\_\_\_

46 My place of employment is: \_\_\_\_\_

47 My current annual income from all sources is estimated to be \$ \_\_\_\_\_

48 The respondent's occupation is \_\_\_\_\_

49 The respondent's place of employment is \_\_\_\_\_

50 The respondent's current annual income from all sources is estimated to be \$ \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(signature of petitioner)

**STATEMENT OF PETITIONER IF DIVORCE ORDER SOUGHT UNDER DIVORCE ACT**

I, \_\_\_\_\_, the petitioner, hereby certify that I am aware of my duties under sections 7.1 to 7.5 of the *Divorce Act*.

\_\_\_\_\_  
(signature of petitioner)

**INFORMATION NOTE**

Sections 7.1 to 7.5 of the *Divorce Act* state as follows:

**Best interests of child**  
7.1 A person to whom parenting time or decision-making responsibility has been allocated in respect of a child of the marriage or who has contact with that child under a contact order shall exercise that time, responsibility or contact in a manner that is consistent with the best interests of the child.

**Protection of children from conflict**  
7.2 A party to a proceeding under this Act shall, to the best of their ability, protect any child of the marriage from conflict arising from the proceeding.

**Family dispute resolution process**  
7.3 To the extent that it is appropriate to do so, the parties to a proceeding shall try to resolve the matters that may be the subject of an order under this Act through a family dispute resolution process.

**Complete, accurate and up-to-date information**  
7.4 A party to a proceeding under this Act or a person who is subject to an order made under this Act shall provide complete, accurate and up-to-date information if required to do so under this Act.

**Duty to comply with orders**  
7.5 For greater certainty, a person who is subject to an order made under this Act shall comply with the order until it is no longer in effect.

**If the party is self-represented:**

Name of party: \_\_\_\_\_

Address for service: \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

Email address (if any): \_\_\_\_\_

**Form 15-8A**  
(Subrule 15-8)

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH OF SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE \_\_\_\_\_

PETITIONER \_\_\_\_\_

RESPONDENT \_\_\_\_\_

**AFFIDAVIT OF PERSONAL SERVICE**

I, \_\_\_\_\_, of \_\_\_\_\_

Make Oath and Say (or AFFIRM):

**1** On \_\_\_\_\_, at \_\_\_\_\_, I personally served the  
*(date) (month) (year)* *(time)*

respondent \_\_\_\_\_, with a true copy of the Petition for divorce,  
*(name of party served)*

an original being part of the Court file, by leaving a true copy with them at \_\_\_\_\_

\_\_\_\_\_  
*(full address where respondent was served)*

**2** My means of knowledge as to the identity of the respondent are as follows:

- (a)
- (b)

**3** The postal address of the respondent is \_\_\_\_\_.

**4** The basis of my information and belief as to the postal address of the respondent is:  
\_\_\_\_\_.

**5** To effect service I necessarily travelled \_\_\_\_\_ kilometres.

SWORN (OR AFFIRMED) BEFORE ME  
at, \_\_\_\_\_, Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
2 \_\_\_\_\_.

\_\_\_\_\_  
Commissioner for Oaths  
for Saskatchewan



\_\_\_\_\_  
*(signature)*

**Form 15-76A**  
(Subrule 15-76)

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE \_\_\_\_\_

PETITIONER \_\_\_\_\_

RESPONDENT \_\_\_\_\_

**APPLICATION FOR JUDGMENT IN AN UNCONTESTED DIVORCE PROCEEDING**

This application is being made by the Petitioner without notice.

1. The petitioner requests that this proceeding be set down for determination as an uncontested proceeding to be heard pursuant to rule 15-76 on the basis of affidavit evidence.

2. The petitioner claims the following remedy:

- Divorce \_\_\_\_\_
- Other: (*specify*) \_\_\_\_\_

3. The following pleadings, proceedings and documents are on file:

- Petition
- Demand for Notice
- Marriage registration
- Order dispensing with production of marriage registration
- Financial Statements \_\_\_\_\_petitioner \_\_\_\_\_respondent
- Central Registry notification

4. Service of the petition on the respondent was effected in \_\_\_\_\_  
(province/state or country)

on \_\_\_\_\_, by:  
(date)

- Personal service. See affidavit of personal service

5. The respondent was noted for default of Answer on \_\_\_\_\_  
(date)

6. The Petitioner's Affidavit required by rule 15-78 (or rule 15-82) accompany this application.

Exhibited to the affidavit(s) are the following documents:

- Income information of:  petitioner  respondent
- Separation or financial or parenting agreement
- Previous court orders(s)
- Other (specify): \_\_\_\_\_

7. The following documents also accompany this application.

- Agreement as to Child Support
- Draft judgment
- Draft certificate
- Address envelopes – 2 addressed to respondent and 2 addressed to petitioner
- Other (*specify*): \_\_\_\_\_

8. The respondent's address is: \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(party)

**If the party is self-represented:**

Name of party: \_\_\_\_\_

Address for service: \_\_\_\_\_  
(set out the street address)

Telephone number: \_\_\_\_\_

Fax number (if any): \_\_\_\_\_

Email address (if any): \_\_\_\_\_

**Form 15-78**  
(Subrule 15-78)

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE \_\_\_\_\_

PETITIONER \_\_\_\_\_

RESPONDENT \_\_\_\_\_

**AFFIDAVIT OF PETITIONER**

**Information Note**

A party may apply for judgment on an uncontested basis claiming one or more remedies (divorce, parenting, child support, spousal support, property division, judicial separation, or nullity) provided those claims have been set out in the documents commencing the family law proceeding. Depending on the specific remedies sought, Form 15-78 should be completed having regard for the corresponding rules in Division 6, Subdivision 1 of Part 15 of the Rules as to the documents, affidavit materials and other evidence to be filed in support of the application for judgment.

**INFORMATION NOTE:**

I, \_\_\_\_\_ of \_\_\_\_\_,  
(name of petitioner) (name of city, town, other)  
in the \_\_\_\_\_ of \_\_\_\_\_,  
(province, state, country) (name of province, state, country)

Make Oath and Say/Affirm as follows:

**GENERAL**

**1** I am the petitioner in this proceeding and I have personal knowledge of the matters and facts deposed to in this affidavit, except where stated to be on information learned from someone else and where that is stated, I believe the information to be true.

**2** All of the facts and information contained in the Petition continue to remain true and accurate, except for the following: (*note here corrections or subsequent changes*):

**3** I have not filed a Financial Statement.

**4** I have not filed a Property Statement.

5 I have (or The respondent has) been ordinarily resident in Saskatchewan since the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ (*include if it is a divorce proceeding*) which is a period of at least one year immediately preceding the date of issue of the Petition in this proceeding.

### RECONCILIATION

6 The following efforts to reconcile have been made:

(a) I resumed cohabitation with the respondent on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, for the purpose of achieving a reconciliation, and continued cohabitation for that purpose until on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, but a reconciliation was not achieved;

*and/or*

(b) The respondent and I consulted several individuals and agencies for counselling for the purpose of rehabilitating our marriage, including the following:

(i)

(ii) *etc.*

but a reconciliation was not achieved;

*or*

(c) No efforts to reconcile have been made.

7 I do not wish to reconcile or to resume cohabitation with my spouse.

### MARRIAGE BREAKDOWN

8  A certificate of the marriage has been filed.

*or*

(*If no certificate of the marriage or of registration of the marriage has been filed*) It is impossible or impractical to obtain a certificate of marriage or of registration of the marriage. The particulars of the marriage are: (*state sufficient particulars to prove the marriage*)

9 There has been a breakdown of my marriage to the respondent by reason of the fact that:

I separated from the respondent on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and have lived separate and apart from the respondent since that date, which is a period in excess of one year.

### COLLUSION, CONDONATION AND CONNIVANCE

10 I have truthfully set out the facts establishing the breakdown of my marriage and I have not entered into any agreement, understanding or arrangement to makeup or hide evidence or to deceive the Court.

**CHILDREN**

11  There are no children of the respondent or myself who are in the care of either of us.

or

The names, dates of birth and place of residence of all children of the respondent and I who are in the care of either of us are:

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12 I am claiming no remedy with respect to the children.

13 The present and proposed arrangements with respect to parenting of any or all children are as follows:

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14 *(In a divorce proceeding where there are children but no claim is made for child support)* The arrangements that have been made for the support of any children are as follows:

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My income information required by the Federal Child Support Guidelines is attached as Exhibit " \_\_\_\_\_ ", and the income information of the respondent required by the Federal Child Support Guidelines is attached as Exhibit " \_\_\_\_\_ ".

or

The respondent and I have entered into an Agreement as to Child Support in Form 15-48B a copy of which is attached as Exhibit " \_\_\_\_\_ ".

**SPOUSAL SUPPORT**

15 I do not seek a support order for myself.

**PROCEEDINGS AND AGREEMENTS**

16  A previous Court order with reference to (the marriage, cohabitation, parenting, support, maintenance, or division of property, as the case may be) was granted the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, in a proceeding under \_\_\_\_\_, *(state statute under which relief granted)* a copy of which is attached as Exhibit " \_\_\_\_\_ ".

or

No other legal proceedings have been instituted between me and the respondent with reference to the marriage, cohabitation, parenting, support, maintenance or division of property.

**17** The dates of any written or oral separation or financial or parenting, agreements between me and the respondent are: \_\_\_\_\_

The agreements pertain to:

- parenting of the children
- child support
- spousal support
- division of property
- other (*specify*) \_\_\_\_\_

A copy of the agreement(s) is (are) attached as Exhibit(s) "\_\_\_\_\_". (*Attach agreement*)

*or*

There have been no written or oral separation or financial or parenting agreements between me and the respondent.

**18** Copies of other orders or agreements relating to any children who are in the care of either the respondent or me are attached as Exhibit "\_\_\_\_\_".

**FINANCIAL INFORMATION**

**19** My occupation is: \_\_\_\_\_

My place of employment is: \_\_\_\_\_

My current annual income from all sources is \$ \_\_\_\_\_.

**20** The respondent's occupation is: \_\_\_\_\_

The respondent's place of employment is: \_\_\_\_\_

The respondent's current annual income from all sources is \$ \_\_\_\_\_.

**PROPERTY**

**21**  The respondent and I divided our property following our separation. I am satisfied with the current division of property.

**JUDGMENT**

**22** The present address of the respondent where service of the judgment may be made is:  
\_\_\_\_\_  
\_\_\_\_\_

*and*

**22A** The basis of my information and belief as to the address of the respondent is as follows:  
\_\_\_\_\_

---

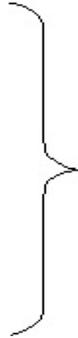
**23** I claim the following remedy:

Divorce

**24** I am not making a claim for Costs.

SWORN (OR AFFIRMED) BEFORE ME  
at, \_\_\_\_\_, Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_,  
2 \_\_\_\_\_.

\_\_\_\_\_  
Commissioner for Oaths  
for Saskatchewan



\_\_\_\_\_  
*(signature of Petitioner)*

THIS AFFIDAVIT IS FILED ON BEHALF OF THE PETITIONER



**Form 15-103**

(Rule 15-103)

**CERTIFICATE OF DIVORCE**

NO. \_\_\_\_\_ 2 \_\_\_\_\_

CANADA  
PROVINCE OF SASKATCHEWAN

IN THE QUEEN'S BENCH  
JUDICIAL CENTRE OF

\_\_\_\_\_

**CERTIFICATE OF DIVORCE**

This is to certify that the marriage of \_\_\_\_\_ and \_\_\_\_\_,  
which was solemnized on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, was  
dissolved by a judgment of this Court, which became effective on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2 \_\_\_\_\_.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Local Registrar

Please note Queen's Bench Rule **15-101**:

**Financial information if children, but no child support claimed**

**15-101** In a divorce proceeding in which there are children but no claim is made for child support, the parties shall produce at trial or shall exhibit to an affidavit filed in support of an application:

- (a) all income information of the parties required by the guidelines; or
- (b) an agreement as to child support in Form 15-48B, together with:
  - (i) either:
    - (A) a copy of the most recent personal income tax return filed by the payor, and by the recipient if there is to be shared or split parenting time, together with a copy of the most recent income tax assessment or reassessment; or
    - (B) an affidavit explaining why the documents mentioned in paragraph (A) are not available and providing evidence to satisfy the Court of the amount of income of the payor and that the amount of child support agreed to by the parties is reasonable; and
  - (ii) if special or extraordinary expenses are to be shared or if the amount agreed to differs from the table amount set out in the guidelines:
    - (A) a copy of the most recent personal income tax return filed by the recipient, together with a copy of the most recent income tax assessment or reassessment; or
    - (B) an affidavit explaining why the documents mentioned in paragraph (A) are not available and providing evidence to satisfy the Court of the amount of income of the recipient.

**Steps:**

- 1) **Complete Agreement as to Child Support form (15-48B). Attach income tax return Notice of Assessment of support payor (and of support recipient if applicable). Make sure signatures of payor and recipient are witnessed.**
- 2) **Witnesses to signatures of payor and recipient must each fill out and swear their own affidavit of execution in front of a Commissioner for Oaths.**
- 3) **File all documents along with Application for Divorce Judgment and supporting material.**

**Form 15-48B**  
(Subrule 15-48(2))

COURT FILE NUMBER \_\_\_\_\_

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN  
(FAMILY LAW DIVISION)

JUDICIAL CENTRE \_\_\_\_\_

PETITIONER \_\_\_\_\_

RESPONDENT \_\_\_\_\_

**AGREEMENT AS TO CHILD SUPPORT**

THE PARTIES AGREE AS FOLLOWS:

**1** The income of the payor \_\_\_\_\_ is \$ \_\_\_\_\_.  
*(name)*

**2** The payor currently resides in \_\_\_\_\_.  
*(province or, if resident outside of Canada, country)*

**3** The income of the recipient \_\_\_\_\_ is \$ \_\_\_\_\_.  
*(name)*

**4** The recipient currently resides in \_\_\_\_\_.  
*(province or, if resident outside of Canada, country)*

*(Paragraphs 3 and 4 must be included if special or extraordinary expenses are to be shared or if the amount agreed to differs from the table amount set out in the Federal Child Support Guidelines.)*

**5** Child support is to be provided for *(state names and dates of birth of children for whom child support is to be provided)*

Name of Child	Date of Birth

and according to the applicable child support table set out in the Federal Child Support Guidelines, the amount of child support payable for that number of children (the "child support table amount") is \$ \_\_\_\_\_.

**6** The payor will pay to the recipient, \_\_\_\_\_,  
(name)

child support of \$ \_\_\_\_\_ per month for the children referred to in section 5.

**7** (If applicable) The amount of child support agreed on by this agreement differs from the child support table amount because: (state reasons)

**8** (If there are expenses pursuant to section 7 of the Federal Child Support Guidelines to be shared) There are special or extraordinary expenses, being \_\_\_\_\_

\_\_\_\_\_  
(state type of expense)

on behalf of \_\_\_\_\_  
(name child)

in the amount of \$ \_\_\_\_\_ per month, and the payor's share of this expense is \$ \_\_\_\_\_ per month.

**9** Attached to this agreement are documents required by Rule 15-48(2)(b) and (c).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
(signature of petitioner)

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
(signature of respondent)

**AFFIDAVIT OF EXECUTION**

I, \_\_\_\_\_, of the City of \_\_\_\_\_, in the Province of Saskatchewan,  
MAKE OATH AND SAY AS FOLLOWS:

1. I was personally present and did see \_\_\_\_\_ named in the Agreement as to Child Support, who is personally known to me, duly sign and execute it;
2. The Agreement as to Child Support was executed at \_\_\_\_\_, in the Province of Saskatchewan, and that I am the subscribing witness;
3. I know \_\_\_\_\_, and he/she is in my belief of the full age of eighteen years or more.

SWORN (OR AFFIRMED) BEFORE ME

at, \_\_\_\_\_ Saskatchewan,

this \_\_\_\_\_ day of \_\_\_\_\_,

2 \_\_\_\_\_

\_\_\_\_\_

Commissioner for Oaths  
for Saskatchewan



\_\_\_\_\_  
(signature)

(MUST BE WITNESSED BY  
COMMISSIONER FOR OATHS)

**AFFIDAVIT OF EXECUTION**

I, \_\_\_\_\_, of the City of \_\_\_\_\_, in the Province of Saskatchewan,  
MAKE OATH AND SAY AS FOLLOWS:

1. I was personally present and did see \_\_\_\_\_ named in the Agreement as to Child Support, who is personally known to me, duly sign and execute it;
2. The Agreement as to Child Support was executed at \_\_\_\_\_, in the Province of Saskatchewan, and that I am the subscribing witness;
3. I know \_\_\_\_\_, and he/she is in my belief of the full age of eighteen years or more.

SWORN (OR AFFIRMED) BEFORE ME

at, \_\_\_\_\_ Saskatchewan,

this \_\_\_\_\_ day of \_\_\_\_\_,

2 \_\_\_\_\_

\_\_\_\_\_  
Commissioner for Oaths  
for Saskatchewan



\_\_\_\_\_  
(signature)

(MUST BE WITNESSED BY  
COMMISSIONER FOR OATHS)