

STANDARDIZED CLAUSES FOR SPOUSAL SUPPORT

NOTE: These clauses provide examples of wording that can be used for some common family law applications. This is not a complete list of every order the court can make. The clauses may need to be adapted to suit your specific application.

INTERIM ORDERS

1. [Name] and [name] cohabited as spouses continuously from [date] to [date] [OR cohabited as spouses in a relationship of some permanence and are parents of a child/ren [full name and birth date]].
2. Pursuant to [Section 15.2 of the *Divorce Act* OR sections 5(1) and 9(1) of *The Family Maintenance Act, 1997*] [name] shall pay to [name] interim spousal support in the sum of [total \$ amount] per month which shall commence on [date] and be payable thereafter on the [specify day] of every month until further court order.

FINANCIAL DISCLOSURE

1. Pursuant to Rule 15-47 of the Court of King's Bench, [name] shall serve on [name] or their lawyer and file on or before [date] the following documents:
 - a financial statement (Form 15-47) and/or
 - any information requested in a Notice to Disclose dated [] and/or information requested in a Notice to File Financial Statement dated [] including Income Tax Returns and Notices of Assessment and Reassessment (if any) for [last 3 years], and
 - all Statements of Earnings for [current year].

FINAL ORDERS

a. Periodic Spousal Support:

Pursuant to [Section 15.2 of the *Divorce Act* OR Sections 5(1) and 9(1) of *The Family Maintenance Act, 1997*], [name] shall pay spousal support to [name] in the amount of [total \$ amount] per month, commencing [date] and continuing on the [specify day] of each month ...

- 1. thereafter until further order [if indefinite spousal support is being paid], OR
- 2. thereafter until [specific date], at which time the obligation of [name] to pay further spousal support shall terminate, OR
- 3. thereafter for a period of [#] [months or years] up to and including [date], at which time [one or both parties] shall have leave to seek a review of the spousal support order in order to [for example, determine whether the health or employment situation of [one or either] of the parties has changed or whether [name] has achieved economic self-sufficiency].

On or before [the review date], the parties shall exchange all reasonable information required to conduct the review of spousal support, including recent sworn financial statements in Form 15-47 of the *King's Bench Rules* with their most recent income tax return attached.

[Name] shall promptly advise [name] upon receiving employment, together with the name of the employer, the date the employment started, the salary and employment benefits.

[Name or each party] shall provide to [name or the other] on or before [specify month and day] of every year the following information: [Example, a copy of his/her/their Canada Revenue Agency Income Tax Return and Notice of Assessment].

b. Lump Sum Spousal Support:

Pursuant to [Section 15.2 of the *Divorce Act* OR Sections 5(1) and 9(1) of *The Family Maintenance Act, 1997*], [name] shall pay the lump sum of [\$ amount] on or before [date], to [name] as spousal support. There shall be no further spousal support payments.

c. Retroactive Spousal Support:

[Name] shall pay to [name] retroactive spousal support for the months of [month, year] through [month, year] for a total sum of [\$ amount] to be paid [forthwith or specify installments].

VARIATION

1. Pursuant to [s. 17(1)(a) of the *Divorce Act* or s. 10 of *The Family Maintenance Act, 1997*] and having established a material change in circumstances, namely [for example, a change in the employment or income of one of the parties, a change in the entitlement of a child] the Order granted [date] by the Honourable Justice [name] of the Court of King's Bench in Saskatchewan is varied to provide that the amount of support payable to [name] shall be [reduced or increased] to [\$] per month, commencing [date] and continuing to be paid on the [specify day] of each month until [specific date or until further order].

2. Pursuant to [s. 17(1)(a) of the *Divorce Act* or s. 10 of *The Family Maintenance Act, 1997*] and having established a material change in circumstances, namely [for example, a change in the employment or income of one of the parties, a change in the entitlement of a child] the Order granted [date] by the Honourable Justice [name] of the Court of King's Bench in Saskatchewan is varied to provide that the amount of support payable to [name] shall be terminated effective [date].

RELATED PROVISIONS

1. Pursuant to s. 9(1)(e) of *The Family Maintenance Act, 1997*, [name] shall designate [name] [irrevocably or until date] as the beneficiary of their pension plan with [name of pension or other benefit plan] and shall provide [name] with proof of the designation on or before [date].

2. Pursuant to s. 9(1)(d) of *The Family Maintenance Act, 1997* [name] shall designate [name] as the beneficiary [irrevocably or until date] on their existing life insurance policy and [name] shall maintain the policy in good standing and pay all premiums on such policy and shall provide [name] with proof of the designation within [#] days of a written request.

ARREARS OF SUPPORT

1. The total arrears of spousal support owing to [name] by [name] pursuant to the Order of the Honourable Justice [name] of the Court of King's Bench of Saskatchewan pronounced [date] are set at [specify \$ amount] as of [date]. The arrears shall be paid to [name] as follows: [specify the manner of payment eg. forthwith or by installments] until the arrears are paid in full or varied by the Court.

2. The total arrears of spousal support owing to [name] in the sum of [specify \$ amount] as of [date] arising from the Order of the Honourable Justice [name] pronounced [date] shall be [suspended until further order or cancelled].