

FORM CFS-11

THE KING'S BENCH

THE PROVINCIAL COURT

(FAMILY DIVISION)

OR

(FAMILY DIVISION)

_____ CENTRE

OF _____

IN THE MATTER OF: *The Child and Family Services Act* – subsection 15(3.1)

AND IN THE MATTER OF:

[name and birthdate of child(ren)]

BETWEEN:

(name of agency)

Applicant,

- and -

(parent(s) or guardian(s))

Respondent(s).

NOTICE OF APPLICATION

TO THE RESPONDENT(S)

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following page.

THIS APPLICATION will come on for a hearing before a judge, on (day), (date) at (time), at (address of the court house).

IF YOU WISH TO OPPOSE THIS APPLICATION, you or a Manitoba lawyer acting for you must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE APPLICATION, you or your lawyer must serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the court office where the application is to be heard as soon as possible, but not later than 2:00 p.m. on the day that is at least four days before the hearing.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

(Date)

Issued by

Registrar

FORM CFS-11

TO: (name and address of each respondent)

APPLICATION

1. The applicant makes application for an order requiring the respondent(s) to pay to the applicant maintenance for the child(ren) in accordance with a maintenance agreement executed by the applicant and the respondent(s) under subsection 15(2) of *The Child and Family Services Act* on (date).
2. The said maintenance for the child(ren) is to be paid to the agency pursuant to the provisions of Part VI of *The Family Maintenance Act*.

or

1. The respondent(s) was/were unwilling to execute a maintenance agreement under subsection 15(2) of *The Child and Family Services Act* and the applicant makes an application for an order requiring the respondent(s) to pay to the applicant such maintenance for the child(ren) by way of lump sum, periodic payments, or both, as appropriate.
2. The said maintenance for the child(ren) is to be paid to the agency pursuant to the provisions of Part VI of *The Family Maintenance Act*.
3. The applicant makes this application in accordance with subsection 15(3.1) of *The Child and Family Services Act*.
4. The following documentary evidence will be used at the hearing of the application: (List the affidavits or other documentary evidence to be relied on)

(Date of issue)

(name, address and telephone number of lawyer or applicant)