

FORM 70D.4

File No: FD \_\_\_\_\_

**THE KING'S BENCH (Family Division)**

\_\_\_\_\_ **Centre**

BETWEEN:

(full name)

petitioner/applicant

– and –

(full name)

respondent

**TRIAGE BRIEF**

Filed by:  petitioner/applicant  
 respondent

lawyer for the petitioner/applicant  
 lawyer for the respondent

**Triage Screening Date:** \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.  
*(day of the week) (month/day/year) (time)*

\_\_\_\_\_  
Name of lawyer or party filing

\_\_\_\_\_  
Address

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

\_\_\_\_\_  
Fax number

*(Where the party acts in person, include the party's name and address for service, including postal code and telephone number.)*

### TRIAGE BRIEF

(Check all applicable boxes and strike out any statements that do not apply)

#### PART 1 – FAMILY FACTS

1. **PETITIONER/APPLICANT:** Age: \_\_\_\_\_  
Occupation/Employer: \_\_\_\_\_  
Days of week/hours of work: \_\_\_\_\_  
Place of residence/Neighbourhood: \_\_\_\_\_

2. **RESPONDENT:** Age: \_\_\_\_\_  
Occupation/Employer: \_\_\_\_\_  
Days of week/hours of work: \_\_\_\_\_  
Place of residence/Neighbourhood: \_\_\_\_\_

3. **RELATIONSHIP DATES:**

Married       Common law       Never cohabited

Date of marriage: \_\_\_\_\_

Date cohabitation started: \_\_\_\_\_

Date of separation: \_\_\_\_\_

Duration of Relationship: \_\_\_\_\_

4. The basic information about the child(ren) is as follows:

Child's name	Age	Grade	Now living with

**PART 2 – ISSUES IN THIS CASE**

5. List all issues that **have been** settled.

6. List all issues that **HAVE NOT** been settled (still in dispute between the parties):

7. Is this a variation of an existing family court order?

No  Yes (attach copy of the order/agreement you are seeking to vary)

8. Is there a protection order in place?

No  Yes (attach copy of protection order)

9. Are you seeking/opposing the protection order being set aside/varied/revoked?

No  Yes (explain the basis of your position in concise paragraphs)

10. Is there a criminal court recognizance or bail order in place?

No  Yes (attach copy of document)

11. Have you sought or are you seeking a variation of the criminal court recognizance or bail order?

No  Yes (attach variation order or provide date when variation order is being heard)

- 12.** Are there any proceedings under *The Child & Family Services Act* that affect the custody or care and control of any child in this matter?
- No                       Yes (provide details)

- 13.** Are there matters you are seeking to have addressed before the first case conference? If so, briefly state why:
- Set aside/vary/revoke protection order
- Opposing confirmation of Master’s recommendation regarding dates of cohabitation and/or separation
- Other (specify):

### **PART 3 – AREAS IN DISPUTE**

#### **PARENTING ARRANGEMENTS** (Parenting time/decision-making responsibility/contact/custody/access)

- 14.** If parenting arrangements are an issue, is there a custody or access or parenting assessment or mediated parenting agreement in this case?
- Yes – (attach copy of assessment or agreement)
- No – (the assessment is not yet finished – must explain why the assessment is not ready and provide anticipated date of completion)
- No – (neither party is seeking an assessment or mediated agreement)
- 15.** Provide a brief description of the specific disagreement(s) with respect to parenting arrangements of the child(ren) and your proposed resolution of the disagreement(s). Proposed parenting plan must be attached.

**CHILD SUPPORT AND EXTRAORDINARY EXPENSES**

**16.** If child support (or variation/termination of child support) is an issue, provide the current income of the parties and the income for the previous three years:

Petitioner/Applicant: \$ \_\_\_\_\_ (current)  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_

Respondent: \$ \_\_\_\_\_ (current)  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_

(Attach relevant Child Support Guideline calculations)

(Attach Sworn Form 70D Financial Statement and proof of current income and copies of Canada Revenue Agency income and deduction computer printouts or filed income tax returns for the immediately preceding three consecutive years)

**17.** Are special or extraordinary expenses in dispute (i.e., children’s medical costs, dental costs, daycare, university etc.)?

No  Yes (attach relevant expense calculations with supporting documentation)

**18.** Provide a brief description of the specific disagreement(s) with respect to child support and your proposed resolution of the disagreement(s). (set out in concise paragraphs)

**19.** If you are owner of an interest in a corporation, state percentage of ownership and net corporate income for the last three years.

\_\_\_\_\_ State percentage of ownership  
\_\_\_\_\_ Net corporate income in 20\_\_\_\_  
\_\_\_\_\_ Net corporate income in 20\_\_\_\_  
\_\_\_\_\_ Net corporate income in 20\_\_\_\_

20. Is there a dispute over imputation of income?  No  Yes (If so, details must be provided, i.e., unreported income, unreasonable business deductions, capital cost allowance, optional inventory adjustments)

**SPOUSAL /COMMON-LAW SUPPORT**

21. If spousal/ common-law support is an issue, provide the current income of the parties and the income for the previous three years:

Petitioner/Applicant: \$ \_\_\_\_\_ (current)  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_

Respondent: \$ \_\_\_\_\_ (current)  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_  
\$ \_\_\_\_\_ in 20\_\_\_\_

22. Compensatory claim?  No  Yes \_\_\_\_\_ percentage  
Non-compensatory claim?  No  Yes \_\_\_\_\_ percentage

23. Provide a brief description of the specific disagreement(s) with respect to spousal or common-law support and your proposed resolution of the disagreement(s) (set out in concise paragraphs)

(Attach sworn Form 70D Financial Statement, proof of current income and copies of Canada Revenue Agency income and deduction computer printouts or filed income tax returns for the immediately preceding three consecutive years)

(Attach relevant Spousal Support Advisory Guideline calculations — state quantum range [low, mid, high] and duration range)

**FAMILY PROPERTY**

- 24. If family property is an issue, attach the Comparative Family Property Statement (Form 70D.5)
- 25. Provide a brief description of the specific disagreement(s) with respect to family property and your proposed resolution of the disagreement(s) (set out in concise paragraphs)
- 26.  I have NOT obtained a prior reference to a master and I am seeking a reference for a family property accounting on the following terms:
  - Valuation of joint assets/liabilities \_\_\_\_\_
  - Shareability/Tracing \_\_\_\_\_
  - Ownership \_\_\_\_\_
  - Other \_\_\_\_\_
- 27. I have received the master’s recommendation identifying the dates of cohabitation and/or separation and I consent to this recommendation being confirmed.
- 28. I have received the master’s recommendation identifying the dates of cohabitation and/or separation and I am opposed to this recommendation being confirmed and I am seeking a prioritized hearing to address this issue.

**VARIATION OF SUPPORT/CANCELLATION OF ARREARS**

- 29. If you are seeking to reduce/delete arrears of support, you must complete the following chart for each year in which arrears accrued

Court-Ordered Monthly Support	Year	Line 150 of Income Tax Return	Support Payable	Support Paid	Arrears/ Overpayment

- 30. What is your settlement proposal with respect to the arrears? (set out in concise paragraphs)

**31.** Do you require an order suspending maintenance enforcement?

- No             Yes (provide letter from the Director of Assistance regarding the Department's position on the matter)

**OTHER ISSUES (Not previously identified)**

**32.** Identify any other issues that are at issue between the parties (set out in concise paragraphs)

\_\_\_\_\_  
Date of party's signature

\_\_\_\_\_  
Signature of party

\_\_\_\_\_  
Date of lawyer's signature

\_\_\_\_\_  
Signature of lawyer