

**FORM 70A\***  
**JOINT PETITION FOR DIVORCE**

(Court file no.)

(Court)

(Name)

Husband

and

(Court seal)

(Name)

Wife

JOINT PETITION FOR DIVORCE

(Date)

Issued by \_\_\_\_\_  
Registrar

Address of court office \_\_\_\_\_

1. The husband and wife jointly seek:
  - (a) a divorce;
  - (b) under the Divorce Act,
    - (i)
    - (ii)
    - (iii)
  - (c) under the Family Law Reform Act,
    - (i)
    - (ii)
    - (iii)

GROUNDS FOR DIVORCE - SEPARATION

2. The spouses have lived separate and apart since \_\_\_\_\_. The spouses have resumed cohabitation during the following periods in an unsuccessful attempt at reconciliation:

(Date(s) of cohabitation)

RECONCILIATION

3. There is no possibility of reconciliation of the spouses.
4. The following efforts to reconcile have been made: \_\_\_\_\_

DETAILS OF MARRIAGE

(Where possible, copy the information from the marriage certificate.)

- 5. Date of marriage \_\_\_\_\_
- 6. Place of marriage (*municipality and province, state or country*) \_\_\_\_\_
- 7. Wife's surname immediately before marriage \_\_\_\_\_
- 8. Wife's surname at birth \_\_\_\_\_
- 9. Husband's surname immediately before marriage \_\_\_\_\_
- 10. Husband's surname at birth \_\_\_\_\_
- 11. Marital status of husband at time of marriage, (*never married, divorced or widower*) \_\_\_\_\_
- 12. Marital status of wife at time of marriage, (*never married, divorced or widow*) \_\_\_\_\_
- 13. Wife's birthplace (*province, state or country*) \_\_\_\_\_
- 14. Wife's birth date \_\_\_\_\_
- 15. Husband's birthplace (*province, state or country*) \_\_\_\_\_
- 16. Husband's birth date \_\_\_\_\_
- 17. (a)  a certificate of \_\_\_\_\_  the marriage  
 the registration of the marriage  
of the spouses has been filed with the court.
- (b)  It is impossible to obtain a certificate of the marriage or its registration because: \_\_\_\_\_
- (c)  A certificate of the marriage or its registration will be filed before this action is set down for trial or a motion is made for judgment.

RESIDENCE

- 18. The wife has resided in (*municipality and province, state or country*) \_\_\_\_\_  
\_\_\_\_\_ since (*date*) \_\_\_\_\_
- 19. The husband has resided in (*municipality and province, state or country*) \_\_\_\_\_  
\_\_\_\_\_ since (*date*) \_\_\_\_\_
- 20. The husband's current address is \_\_\_\_\_
- 21. The  husband has habitually resided in Prince Edward Island for at least  
one year  
 wife  
immediately preceding the commencement of this proceeding.

CHILDREN

22. The following are all the living children of the marriage as defined by the Divorce Act (*Canada*):

Full name	Birth date	School and grade or year	Person with whom child lives and length of time child has lived there
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\_\_\_\_\_

The children ordinarily reside in (*municipality and province, state or country*)\_\_\_\_\_

23. (a) The spouses seek an order on consent for custody or joint custody of the following children on the following terms:

Name of child	Terms of the order
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(b) The spouses are not seeking an order for custody and  
 are content that a previous court order for custody continue in force  
 are attempting to obtain an order for custody in another proceeding full particulars of which are as follows:  
*(Give name of court, court file no. and particulars of the order or proceeding.)*

(c) The spouses seek an order on consent for access (*visiting arrangements*) to the following children on the following terms:

Name of child	Terms of the order
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24. (a) The following are the existing visiting arrangements (*access*) for the spouse who does not have the children living with him or her:

(b) The existing visiting arrangements (*access*) are  satisfactory  not satisfactory.  
*(If not satisfactory, give reasons and describe how the arrangements should be changed.)*

25. The order sought in paragraph 23 is in the best interests of the children for the following reasons: \_\_\_\_\_

26. The following material changes in the circumstances of the spouses are expected to affect the children, their custody and the visiting arrangements (*access*) in the future: \_\_\_\_\_

27. (a) The existing arrangements between the spouses for support for the children are as follows:

Amount paid	Time period ( <i>weekly,</i>	Paid by ( <i>husband</i>	Paid for ( <i>name of</i>
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\_\_\_\_\_ *monthly, etc.)*      \_\_\_\_\_ *or wife)*      \_\_\_\_\_ *child)*  
 \_\_\_\_\_

(b) The existing support arrangements  are being honoured  
 are not being honoured.  
*(If not being honoured, specify how much is unpaid and for how long. If you seek an order for payment of part or all of the unpaid amount, be sure to include it in paragraph 1.)*

(c) The spouses propose that the support arrangements for the children should be as follows:

Amount to be paid	Time period <i>(weekly, monthly, etc.)</i>	To be paid by <i>(husband or wife)</i>	To be paid for <i>(name of child)</i>
_____	_____	_____	_____

28. The educational needs of the children  are being met.  
 are not being met.  
*(If not being met, give particulars.)*

**OTHER COURT PROCEEDINGS**

29. The following are all other court proceedings with reference to the marriage or any child of the marriage: *(Give the name of the court, the court file no., the kind of order the court was asked to make and what order, if any, the court made. If the proceeding is not yet completed, give its current status.)*

**DOMESTIC CONTRACTS AND FINANCIAL ARRANGEMENTS**

30. The spouses have entered into the following domestic contracts and other written or oral financial arrangements: *(Indicate whether the contract or arrangement is now in effect, and if support payments are not being paid in full, state the amount that has not been paid.)*

Date	Nature of contract or arrangement	Status

**NO COLLUSION**

31. There has been no collusion in relation to this divorce proceeding.

**DECLARATION OF SPOUSES**

32. (a) I have read and understand this petition for divorce. The statements in it are true, to the best of my knowledge, information and belief.  
 (b) I understand that I have the right to seek independent legal advice

concerning this proceeding and to retain my own separate counsel.

- (c) I understand that I may lose my right to make a claim for division of property after the divorce if I do not make the claim at this time.

Date \_\_\_\_\_  
Signature of husband

Date \_\_\_\_\_  
Signature of wife

#### STATEMENT OF WIFE'S SOLICITOR

33. (a) I, (*name*), solicitor for the wife, certify to this court that I have complied with the requirements of section 9 of the Divorce Act. (*Where in the circumstances it would clearly not be appropriate to discuss the matters in section 9 with the applicant, set out the circumstances.*)

I also certify that I have advised the wife that she has the right to seek independent legal advice and retain separate counsel in this proceeding.

Date \_\_\_\_\_  
Signature of Solicitor

#### STATEMENT OF HUSBAND'S SOLICITOR

- (b) I, (*name*), solicitor for the husband, certify to this court that I have complied with the requirements of section 9 of the Divorce Act. (*Where in the circumstances it would clearly not be appropriate to discuss the matters in section 9 with the applicant, set out the circumstances.*)

I also certify that I have advised the husband that he has the right to seek independent legal advice and retain separate counsel in this proceeding.

Date \_\_\_\_\_  
Signature of Solicitor

(*Name, address and telephone number of solicitor's*). If no solicitor for either spouse, address and telephone numbers of husband and wife.)