TO APPLY TO ENFORCE A CUSTODY ORDER
Rule 16(1)

Step 1

COMPLETE the APPLICATION. Use a typewriter or print clearly and firmly.

▽

Step 2

FILE the APPLICATION and a certified copy of the custody order you want enforced, by taking or mailing them to the registry. If it is a Provincial Court order, this should be the court where the custody order was made. If it is a Supreme Court order, the documents may be filed at any Provincial Court registry. The staff will apply the registry stamp and will return the copies you need for your records.

▽

Step 3

The registry will set a court date. You will receive a notice of hearing, indicating the date, time and place of the court appearance.

Court File Number:

Copy the court file number and the location from the order. If your order was made by the British Columbia Supreme Court and does not yet have a B.C. Provincial Court file number , registry staff will assign one.

Case Name:

The name of the case does not change. Copy it exactly as it appears on the order you want enforced.

Filed by:

You must be sure that the address for service you give is correct because this is where the registry will send any further notices or information to you. If your address changes at any time, you must file a NOTICE OF CHANGE OF ADDRESS form with the court registry and serve a copy of it on the other party. *IMPORTANT NOTE: If you do not want the other party to know your residential address, advise the court registry in writing and provide another address at which you can receive information and notices. Failure to accept service at the address provided could result in a final order being made in your absence.*

Notice to:

Provide the name, address and telephone number of the other party. You may include a fax number if you know it. Include even if the other party will not be given notice of this application.

Request to have application heard without notice to other party:

The judge may make an order authorizing a peace officer to apprehend a child for the purpose of enforcing a custody order, and may do so without the other party being present at the hearing. Check the appropriate boxes if you are asking for permission to have this done.

Information about the child(ren):

In addition to the name(s) and birthdate(s) of each child, include details about their whereabouts to help the peace officer to find them.

What are the Important facts:

Keep your description brief. You will have an opportunity to present the facts when your application is heard in court.

If you need more space, use an extra sheet of paper. Sign and attach it to this application.

Examples of important facts are:
- dates when the respondent did not return the child(ren) to you as required
- relocation of the other party's residence since the order was made
- special circumstances, such as health problems, related to the children.

If you are asking a judge to hear this application without giving notice to the other party, explain why this is necessary.

Sign your name and state today's date.

APPLICATION TO ENFORCE A CUSTODY ORDER

In the Provincial Court of British Columbia

Court File Number:

Court Location:

Case name as it appears on the order.

In the case between:

NAME

And:

NAME

Your current address for service.

Filed by:

NAME

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

APPLICANT

Other party's address. Include even if the other party will not be given notice of this application.

Notice to:

NAME

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

RESPONDENT

What are you asking for in this application? Check the appropriate box(es) and fill in any required information.

I ask for the following:

☐ permission to have this application heard without giving notice to the other party.

☐ that the following child(ren) be apprehended by a peace officer and brought to me. A certified copy of the order awarding me custody is attached.

Full name of each child to be brought to you.

NAME(S) OF CHILD(REN)	BIRTHDATE(S) OF CHILD(REN)	CURRENT ADDRESS (IF KNOWN)

What are the important facts relevant to your application? Describe briefly. If you need more space, use an extra sheet of paper. Sign and attach it to this application.

Below is a summary of the important facts:

Sign your name and state today's date.

Dated _____

Signature _____

Applicant's lawyer _____

Respondent's lawyer _____

*"Order" includes a written agreement filed under the *Family Relations Act (Section 121)*

PFA 066   06/2003   Form 21
(OPC 7530854022)

COURT FILE

APPLICATION TO ENFORCE A CUSTODY ORDER

In the Provincial Court of British Columbia

Court File Number:

Court Location:

Case name

In the case between:

NAME

And:

NAME

Other party's address for service.

Filed by:

NAME

APPLICANT

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

Notice to:

NAME

RESPONDENT

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

What is the other party asking for in this application?

I ask for the following:

☐ permission to have this application heard without giving notice to the other party.

☐ that the following child(ren) be apprehended by a peace officer and brought to me. A certified copy of the order awarding me custody is attached.

NAME(S) OF CHILD(REN)	BIRTHDATE(S) OF CHILD(REN)	CURRENT ADDRESS (IF KNOWN)

Below is a summary of the important facts:

Dated _____

Signature

Applicant's lawyer _____

Respondent's lawyer _____

*"Order" includes a written agreement filed under the *Family Relations Act (Section 121)*

RESPONDENT'S COPY

APPLICATION TO ENFORCE A CUSTODY ORDER

In the Provincial Court of British Columbia

Court File Number:

Court Location:

Case name as it appears on the order.

In the case between:

NAME

And:

NAME

Your current address for service.

Filed by:

NAME   APPLICANT

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

Other party's address. Include even if the other party will not be given notice of this application.

Notice to:

NAME   RESPONDENT

ADDRESS   CITY

PROVINCE   POSTAL CODE   PHONE   FAX

What are you asking for in this application? Check the appropriate box(es) and fill in any required information.

Full name of each child to be brought to you.

I ask for the following:

☐ permission to have this application heard without giving notice to the other party.

☐ that the following child(ren) be apprehended by a peace officer and brought to me. A certified copy of the order awarding me custody is attached.

NAME(S) OF CHILD(REN)	BIRTHDATE(S) OF CHILD(REN)	CURRENT ADDRESS (IF KNOWN)

What are the important facts relevant to your application? Describe briefly. If you need more space, use an extra sheet of paper. Sign and attach it to this application.

Below is a summary of the important facts:

Sign your name and state today's date.

Dated _____

Signature _____

Applicant's lawyer _____   Respondent's lawyer _____

*"Order" includes a written agreement filed under the *Family Relations Act (Section 121)*

PFA 066   06/2003   Form 21
(OPC 7530854022)

APPLICANT'S COPY