

Respondent's Answer to Application

The package of documents you have received is an application to the Ontario court. This application is from a person in a “reciprocating jurisdiction” who is asking the Ontario court to make an order.

What's a “reciprocating jurisdiction”?

Ontario has arrangements with each of the Canadian provinces and territories, and many foreign countries, to deal with support orders. Each of these places is a “reciprocating jurisdiction”. There is a list of reciprocating jurisdictions in a regulation made under the *Interjurisdictional Support Orders Act, 2002*. When two places reciprocate it means that they recognize each other's support orders, and support orders can be made, changed, and enforced using reciprocal laws. People involved in family support (also called ‘maintenance’) cases do not have to travel to another province, territory, or country to have a court deal with their orders.

The person who has made this application is in one of the “reciprocating jurisdictions”. The application will be dealt with by the Ontario court. The Ontario court will make an order.

In most cases, the person applying for an order will have filed a Form F. This is a request to the court to make an order ***even if you do not go to court, or file necessary documents***. The court ***can*** make an order if you do not go to court, and that order will be legal. If you want a say in the order the court will make, it is important that you read this FormSupport guide, and the package of documents you received.

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Have you read the documents you received? Form A is the one that gives a summary of what the claimant / applicant is asking for.

The person applying for an order is the:

Claimant – if this is an application for a ‘first’ support order, or

Applicant – if this is an application to change an order you have now.

You are the **Respondent**. You are ‘responding’ to the application.

Let's go through Form N – Respondent's Answer to Application. You will need a “working” copy of Form N to write on, so make a copy. Keep a ‘good’ copy, and set it aside. As you go through this guide make a note of any other forms or documents you need. Write them down in the Worksheet section at the end of this guide.

Office Use Only box, top right

The court may have filled in the court file number, court location. If you need to contact the court, you should always quote the court file number. If this box has not been filled in, the numbers are on the Application you received. Copy them onto your “working” copy.

Identification

There are two check boxes on the left of Form N. You are the respondent, so you will check off the first one. The second box would be checked by an agency which has a right to be involved. For example: If the respondent is a support recipient who has assigned maintenance rights to a social assistance provider in the Ministry of Community, Family, and Children's Services (General Welfare or Ontario Disability Support Program), that Ministry may want to be in court, and receive any order that is made.

In the box, write your name, address, telephone and fax numbers. Check off whether it is your own address, in care of your lawyer, or in care of another person. This is the address and contact numbers the court will use to get in touch with you, and to send you any mail. This information will be on the court file. If you need to keep your address confidential, you must give a different address where you can be reached.

Agree, and Consent

Go back to Form A, the application. At the bottom it describes the kind of order the court is being asked to make. Do you agree? If yes, check off the box on the left, and *one* of the three little boxes below it. Below is a brief description of what each of them means.

- I agree that I will pay support.** Check this box if the application is for a ‘first’ order, and you agree to pay. You must file a financial statement – a blank one is included in your package. The court looks at your finances to decide how much the support should be.
- I agree to change the order -- payor.** Check this box if the application is to *change* the order you already have, and you agree to pay a new amount. You must file a financial statement – a blank one is included in your package.
- I agree to change the order – recipient.** Check this box if you are the support recipient (person receiving the support), and you agree with the *payor’s* application to change the order you have now. Because the court looks at the payor’s finances when it makes an order, you do not have to file a financial statement.

Note: If you are a recipient and have assigned your maintenance (support) rights to the Ministry of Community, Family, and Children’s Services (General Welfare or Ontario Disability Support Program), you **must** contact your caseworker. You do not have the right to change the order without your caseworker, and that office, being involved.

- Do Not Agree**
If you do not agree with the application, check this box on your working copy of Form N. In cases where the respondent (you) does not agree, the court needs more information. It needs other forms so the claims the claimant / applicant makes can be compared with your information. If you do not agree, go on to the next section.
- I am filing this response with the Court...**
If you do not agree with the order requested, it is assumed you will file your response with the court. You can do this by yourself, or have a lawyer help you. This is how you have your say about the order the court will make. Again, you need to know that if you do not file the information the court needs, an order can and will be made without your information being in the court file. So, check off the box on the left of your working copy, then read through the descriptions below. You will have to fill in one, or more, of the other forms. As you check one off, add the form to your Worksheet at the end of this FormSupport guide.

- Financial Statement.** The financial statement – a blank copy is in the package you received – is almost always necessary. This is Form K. The only time it is *not* required is if you are a support recipient, and you have agreed to change an existing support order. You will have checked off the third little box under the “I agree” section.
- Request to Pay, different than child support guidelines.** If you are a support payor, and you want to pay a different amount than the child support guidelines table amount, check this box. You will need to fill out Form I. The FormSupport guide for Form I gives you more information about the child support guidelines.
- Request for a child support order, different than child support guidelines.** If you are a support recipient, and you want to receive a different amount than the child support guidelines table amount, check this box. You will need to fill out Form G. The FormSupport guide for Form G gives you more information about the child support guidelines.
- Special Expense Claim.** Has the applicant/payor applied to change the special expense amounts listed in an order you have now? If yes, and you do not agree with the change, check this box, and fill out Form H.
- Child Status and Financial Statement.** Do you agree with an application which asks for support for a child over the “age of majority” (age 18 in Ontario), **or** wants to end support for an “age of majority” child? If you do not agree, check this box. You will fill in a Form L for each ‘over majority’ child.
- Other.** There may be other forms or documents you want the court to see. List them in this section.

- Lawyer**
If you have hired a lawyer to help you fill out the forms and respond to this application, check the box on your working copy of Form N. On the lines, write your lawyer’s name, address, and telephone number. With this information, the court can contact your lawyer directly.

When you have filled out your working copy of Form N you will know what other forms you need to file your Answer. You can get a copy of each of the forms, and the FormSupport guide that goes with each, from

the internet at:

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/FormsRepository.nsf/Interjurisdictional>

You can also get the forms and guides at the court, or call the Interjurisdictional Support Orders Unit (or ISO Unit, for short) to get copies of the forms and the guides, at (416) 240-2410 or 1-800-463-3533.

Make a working copy of each of the forms, and set aside the ‘good’ copy. When you are ready – you have all the information you need, and the working copies are complete – make a ‘good’ copy. This is what you will file in court.

Swearing the documents

The forms and documents you file with the court are evidence. At the end of Form N is the ‘oath’ part. Do not sign it yet, or fill in the date. When you have your complete package of documents, ready to file, take it to a lawyer or court counter. The person who “takes your oath” will ask you if all the information is true. If you say yes, you will be asked to sign your Answer, and the

lawyer or court staff member will fill in the part on the left.

Once this is done – the documents are sworn – do not make any changes or add anything. Make 3 photocopies of the whole package. Take your “original” sworn package (the one that you signed in front of the lawyer or court staff member) and two of the copies to the court. If a lawyer is helping you, this step will probably be done by your lawyer’s office. Keep one photocopy for yourself. You must file your documents on or before the date mentioned in the notice you received from the court. Usually, that is 30 days after you got the court documents.

Worksheet

As you went through this FormSupport guide and Form N, did you note any information or documents you needed? Write them down on this worksheet. As you get the document, or complete a task, check off the ‘done’ column. Keep any documents with the ‘good’ copy of Form N.

Worksheet

Document / To Do	done