

**MAKING A SUPPORT OR SUPPORT VARIATION APPLICATION OUTSIDE ONTARIO
- CHOOSING WHICH FORMS TO USE -**

Introduction

Ontario has reciprocal agreements with all the Canadian provinces and territories, and with several foreign countries. These are 'reciprocating jurisdictions'. This means that Ontario and each of the 'reciprocating jurisdictions' have agreed to recognize each other's family support (maintenance) laws.

The Ontario law about reciprocity is the *Interjurisdictional Support Orders Act*, which is called 'ISO' as a short form. Each of the reciprocating jurisdictions has similar ISO laws.

Using ISO, you can apply for a support order in one of the reciprocating jurisdictions without having to go there. You can also apply to change an existing support order. A person in one of the reciprocating jurisdictions can do the same thing. The person making the application does not usually have to go to court – the respondent (the person in the reciprocating jurisdiction) goes to court to *respond* to the application.

There are several forms available for applications using the ISO laws. Not all of the forms are needed for every application. By answering a few questions, you can pick the forms that you need.

1. Where does the other person (the respondent) live? _____

2. Is this a 'reciprocating jurisdiction'?

Look at the list in the box below. If the respondent lives in one of the reciprocating jurisdictions, go on to the next question. If your answer is 'no', you cannot use ISO laws.

Reciprocating Jurisdictions (see The Interjurisdictional Support Orders Regulation for the official list of Reciprocating Jurisdictions and included territories)	
<p>In Canada All Canadian Provinces and Territories</p> <p>In the United States of America (*) All US States, the District of Columbia, Puerto Rico, Guam, American Samoa, and the US Virgin Islands</p> <p>In the United Kingdom (*) England, Scotland, Northern Ireland, Wales Guernsey, Alderney and Sark; Jersey; Isle of Man</p> <p>In Europe Austria; Finland; Germany; Gibraltar; Malta; Poland</p>	<p>In Africa Ghana South Africa Zimbabwe</p> <p>In Asia Hong Kong</p> <p>Others Australia(*) New Zealand(*) Fiji Papua New Guinea</p>
<p>* Note: The United Kingdom, Australia and New Zealand require special forms for applications. The United States also has special forms that should be used along with some of the ISO forms. These special forms are <i>not</i> available on the ISO Unit Forms web site. If your application is to the US, UK, Australia or New Zealand, contact the ISO Unit: In the Greater Toronto Area: (416) 240-2410/Toll Free outside the Greater Toronto Area: 1-800-463-3533.</p>	

3. What are you applying for? Which of these statements applies to you?

- I want to get an order for support for children, and/or myself. I *do not* have an order or written agreement which deals with support. Fill out Section **A** on the other side of this page.
- I want to change an order or agreement that deals with support for children and/or myself. I am the person who **receives** support in the order or agreement I have now. Fill out Section **B** on the other side of this page.
- I want to change or cancel the support in an order or agreement I have now. I am the person who is required to **pay** support in the order of agreement I have now. Fill out Section **C** on the other side of this page.
- I want to change or cancel the support in my Divorce order. (*If this statement applies to you, you cannot use ISO laws for your application. The Divorce Act is a federal law and it has its own rules. Please get legal advice on how to change or cancel the support in your Divorce order.*)

Section A

Support Application – if you do not have a support order now	✓ if yes	Use Form(s)
I am applying for a support order		A and B
I am asking for support for (<i>how many</i>) children under age 18 (_____)		E
I am asking for support for 1 or more children age 18 or older, or - the other parent and I have split custody of a child, or - the other parent and I have shared custody of a child, or - I am asking for a different amount than in the child support guidelines tables, or - I believe the respondent makes more than \$150,000 per year		L G
I am asking for additional child support, to cover special expenses		H
I am asking that the respondent (the other person) be declared a parent of a child or children		C
I believe the respondent may say he/she is not the parent of a child or children		D
I want the court to make an order even if the respondent does not come to court, or give financial information (<i>recommended</i>)		F
I am asking for support for myself		J and K

Section B

Support Variation Application – if you receive support	✓ if yes	Use Form(s)
I am applying to change a support order I have now		A, B, M
I want to change the amount of child support		E, F
I want child support for (<i>how many</i>) children age 18 or older (_____)		G and L
I am asking that the amount of support change. - the respondent and I have split, or shared, custody, or - the child support guidelines table amount would cause hardship, or - I believe the respondent makes more than \$150,000 per year		G
I want to change, or add, an amount for special expenses		H
I want to change the amount of support for myself		J and F
If my choice includes any of Forms G, H, or J		K

Section C

Support Variation Application – if you pay support	✓ if yes	Use Form(s)
I am applying to change or cancel a support order I have now		A, B, K, M
I want the court to make an order even if the respondent does not come to court, or give financial information (<i>recommended</i>)		F
I want to change, or end, support for a child age 18 or older		I
I am asking that the amount of support change. - the respondent and I have split, or shared, custody, or - the child support guidelines table amount would cause hardship.		I

You have now identified that you can use the ISO process and which forms you need to make your application to a court in a 'reciprocating jurisdiction'. Each of the forms has a matching FormSupport guide that will help you fill in the forms. There are three ways to get the forms and guides:

1. Go to the ISO Unit Forms website and print the forms and guides you need at:
<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/FormsRepository.nsf/Interjurisdictional>
2. Go to the court house closest to you and pick up the ISO forms and guides package.
3. Contact the ISO Unit at (416) 240-2410 or toll free outside the Greater Toronto Area at 1-800-463-3533. You can also contact the ISO Unit by fax at (416) 240-2405 or by mail at P.O. Box 640, Downsview, ON, M3M 3A3.

If you want the Forms and Guides mailed to you, fax or mail this request to the ISO Unit.

Your name:
Your mailing address:
Postal code:
Your daytime telephone number: ()