

CRITERIA

SVP will facilitate variation requests where:

- the request is for variation of child support;
- one of the parents lives in Saskatchewan & fits within the program's income limits*;
- the current order or agreement is registered in a Saskatchewan court;
- the order is not under appeal;
- there is no ongoing appeal of any matrimonial order or judgment;
- there is no domestic violence concern;
- there has been no previous application to SVP within the last six months;
- there has been no unsuccessful attempt to vary the support order in court in the last six months;
- the support arrears have not been previously dealt with by a court or by a formal agreement;
- the ongoing court application is or will be adjourned.

**Consult with program staff for details of income limits.*

WHAT DOES IT COST?

SVP is a service to low-income parents who pay or receive child support. Therefore, the information and resource centre services of SVP are free, as are the services of the variation officer and clerk. Parties are responsible for the cost of the legal advice they obtain, and the Registrar's fees relating to the new court order.

CONTACT

For more information about the Support Variation Project, or to request an Application form, contact:

SUPPORT VARIATION PROJECT
Rm 323, 3085 Albert Street
Regina, Saskatchewan
S4P 3V7

Phone: 1-306-787-5837 (Regina)
1-888-218-2822 (Toll-free)
Fax: 1-306-787-0107

E-mail: svp@justice.gov.sk.ca

THE SUPPORT VARIATION PROJECT

Help for low-income parents
who want to vary their
child support order or agreement

CHANGING A SUPPORT ORDER CAN BE DIFFICULT

Both parents have an obligation to support their children. Orders and agreements provide for the amount of support that separated or divorced parents will pay and how that payment will be made. When a parent or a child's situation changes, the amount of support in the order or agreement may also need to change. The amount in an order is changed by applying to court to vary the order. The amount in an agreement is changed when both parents agree to the change and sign a new agreement which contains the varied child support amount.

One parent may not agree that the order or agreement should be changed. When that is the case, the parents can represent themselves in court and prepare their own application, or, they can hire a lawyer to represent them. They can also get assistance from mediators who may or may not be lawyers, to help them work out an out-of-court settlement.

For some parents, all of these alternatives are beyond their reach because they can't afford them.

HOW THE SUPPORT VARIATION PROJECT HELPS LOW-INCOME PARENTS

The Support Variation Project (SVP) is a new initiative of Saskatchewan Justice, Family Justice Services Branch. This pilot project assists parents with limited income by providing information and services that facilitate changes to their existing child support order or agreement.

A parent wanting a variation can apply to SVP and SVP will contact the other parent. If the parents meet the project's criteria, SVP will help the two come to an agreement about the change. When agreement can be reached, SVP prepares the court documents or agreement. Once the parents have sought independent legal advice, the order or agreement is filed with the court. If the judge approves it, the order is entered and SVP provides the parents with copies. Support payments are then governed by the new order or agreement.

If the parents cannot reach agreement with SVP's help, the matter may end up in court. SVP can provide assistance to the low-income parent who has no lawyer by helping with the court forms. SVP does not provide legal advice, nor does it represent parties in court.

A low-income parent may not be ready to ask for a variation or may have other family issues. In that case, SVP's Information & Resource Centre offers information on Child Support Guidelines, support tables, maintenance enforcement, family courts, Family Justice Services Branch or directs the parent to the appropriate agency for further help.

WHO CAN APPLY?

Either or both parents can apply to SVP. A third party can also refer parents to SVP.

Parents can apply for the following changes to their child support orders or agreements:

- reduce the amount of support;
- increase the amount of support;
- change/add/cancel s.7 expenses;
- cancel, reduce, suspend or otherwise deal with arrears.

WHEN CAN A PERSON APPLY?

A person can apply to SVP at any time. If a court variation application has already been started, this application would have to be adjourned or postponed to allow SVP to work with the parents. If the person or the other party has retained a lawyer, the lawyer must be advised of SVP's involvement.

WHERE CAN A PERSON APPLY?

The Support Variation Project is a pilot project implemented in the Regina area. Facilitated variations are offered only in Regina. However, the Information and Resource Centre is available to all Saskatchewan residents by mail, phone, fax, and e-mail. Individuals can also attend in person at the address indicated on the back of this pamphlet.

WHAT THE SUPPORT VARIATION PROJECT DOES NOT DO

SVP does not provide lawyers or give legal advice. It does not enforce or mediate access or custody orders or agreements. It does not deal with property issues or spousal support.

SVP does not compel parents to participate in the variation process. Parties must consent to this. Where a parent refuses to participate or refuses to disclose information, SVP cannot facilitate the variation request.