



Court File Number

(Name of court)
at
Court office address

Form 15: Motion to Change

- the order of Justice
dated
the agreement for support between the parties, dated
filed with the court on

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Assignee (if applicable)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

NOTE: If you are seeking to change a support term in an agreement that has not already been filed with the court pursuant to s. 35 of the Family Law Act, you must file the agreement and Form 26B (Affidavit for Filing Domestic Contract with Court) before bringing this motion to change.

You may use this form if you are seeking to change an order or agreement that has been recalculated by the online Child Support Service. You must serve a copy of this form on the Family Responsibility Office if the order you recalculated was made under the Divorce Act and the recalculation was completed within the last 35 days.

You may not use this form to change a Notice of Calculation made by the online Child Support Service.

If the order or agreement for support has been assigned to a person or agency, the assignee must be served with this form and the Change Information Form (Form 15A). The assignee's consent to change an order or agreement for support may be necessary. It is the responsibility of the person seeking the change to the order or agreement to determine if the order or agreement has been assigned. You can do this by submitting a Confirmation of Assignment form. The Confirmation of Assignment form is available through the Ministry of the Attorney General website or at the court office.

TO: (name(s) of party(ies))

(Name of party bringing motion) has brought a motion to change

- the order of Justice, dated
recalculated by the online Child Support Service on
the agreement between you and (name of party bringing this motion), dated
recalculated by the online Child Support Service on

**THE FIRST COURT DATE IS** \_\_\_\_\_, at \_\_\_\_\_  a.m.  p.m.  
or as soon as possible after that time, at *(address of court)*

**NO COURT DATE HAS BEEN SET FOR THIS CASE.** A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case conference and serves a Conference Notice (Form 17).

**IF, AFTER 365 DAYS, THE CASE HAS NOT BEEN SCHEDULED FOR TRIAL,** the clerk of the court will send out a warning that the case will be dismissed in 60 days unless the parties file proof that the case has been settled or one of the parties asks for a case or a settlement conference.

*(To be completed by the party bringing this motion—check the box of any paragraph that applies to your case:)*

- This case does not include any claim to change support, and a financial statement is therefore not attached.
- The case only includes a claim to change child support in accordance with the table amount specified under the Child Support Guidelines and a financial statement is therefore not attached.
- This case includes a claim to change support other than child support in the amount specified in the table of the applicable child support guidelines, and a financial statement is attached. You **MUST** fill out a Financial Statement (Form 13 or 13.1), serve a copy on the person(s) bringing the motion to change and file a copy in the court office with an Affidavit of Service (Form 6B) even if you do not respond to this case.

**IF YOU CONSENT TO THE CHANGES BEING SOUGHT IN THIS MOTION,** you or your lawyer must complete the Consent Motion to Change (Form 15C—a blank copy should be attached) and return a copy to the person(s) bringing the motion and any assignee, if applicable, within 30 days of being served (60 days if the motion to change is served on you outside Canada or the United States). The person(s) bringing the motion may then file the consent with the court and may obtain a court order based on the consent. If a first court date has been scheduled, you do not need to attend court on that date unless specifically directed by the court to do so.

**IF YOU WANT TO OPPOSE ANY CHANGE BEING SOUGHT IN THIS MOTION OR WANT TO REQUEST A CHANGE OF YOUR OWN,** you or your lawyer must complete the Response to Motion to Change (Form 15B—a blank copy should be attached), serve a copy on the person(s) bringing the motion and file a copy in the court office with an Affidavit of Service (Form 6B). **YOU HAVE ONLY 30 DAYS AFTER THIS MOTION TO CHANGE IS SERVED ON YOU (60 DAYS IF THE MOTION TO CHANGE IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE A RESPONSE TO A MOTION TO CHANGE. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.**

NOTE: If you want to make your own claim to change support, you **MUST** also fill out a Financial Statement (Form 13 or 13.1), serve a copy on the person(s) bringing the motion and file a copy in the court office with an Affidavit of Service (Form 6B) **UNLESS** your only claim for support is for child support in the table amount specified under the Child Support Guidelines.

**YOU SHOULD GET LEGAL ADVICE ABOUT THIS CASE RIGHT AWAY.** If you cannot afford a lawyer, you may be able to get help from your local Legal Aid Ontario Office. (See your telephone directory under LEGAL AID.)

\_\_\_\_\_  
*Date of issue by the clerk of the court*

\_\_\_\_\_  
*Clerk of the court*

CLAIM BY (name(s) of person(s) bringing motion) \_\_\_\_\_

I ASK THE COURT TO CHANGE THE EXISTING COURT ORDER OR SUPPORT AGREEMENT BY MAKING AN ORDER AS FOLLOWS: (complete only those items that affect the terms of the order or agreement that you are seeking to change.)

1.  An order that (name(s) of party(ies) or person(s)) \_\_\_\_\_ have custody of the following child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

2.  An order that (name(s) of party(ies) or person(s)) \_\_\_\_\_ have access to the following child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

as follows: (give details of access) \_\_\_\_\_

3.  An order that (name(s) of party(ies) or person(s)) \_\_\_\_\_ and \_\_\_\_\_ have joint custody of the following child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

4.  An order for the following residential/access arrangements for the child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

5. Order(s) dealing with child support as follows:

Since the order/agreement for child support was made, a Notice of Recalculation was issued by the online Child Support Service dated \_\_\_\_\_ (please attach).

The order/agreement for child support, dated \_\_\_\_\_, be terminated for the following child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

effective (date) \_\_\_\_\_.

Based on the payor's annual income of \$ \_\_\_\_\_, (name of party) \_\_\_\_\_ pay (name of party) \_\_\_\_\_ \$ \_\_\_\_\_ per month for the following child(ren): (name(s) and birthdate(s) of child(ren)) \_\_\_\_\_

with payments to start on (date) \_\_\_\_\_.

- This amount is the table amount listed in the Child Support Guidelines.
- This amount is more than the table amount listed in the Child Support Guidelines.
- This amount is less than the table amount listed in the Child Support Guidelines.

Starting on (date) \_\_\_\_\_, (name of party) \_\_\_\_\_ pay to (name of party) \_\_\_\_\_ \$ \_\_\_\_\_

for the following special or extraordinary expenses:

Table with 5 columns: Child's Name, Type of Expense, Total Amount of Expense, Payor's Share, Terms of Payment. Includes rows for expense details with dollar signs in the amount columns.

Other: (give details) \_\_\_\_\_

6. Orders dealing with the outstanding child support owed as follows:

The child support owed to (name of recipient) \_\_\_\_\_ be fixed at \$ \_\_\_\_\_ as of (date) \_\_\_\_\_.

(Name of payor) \_\_\_\_\_ pay to (name of recipient) \_\_\_\_\_ \$ \_\_\_\_\_ per month, with payments to begin on (date) \_\_\_\_\_ until the full amount owing is paid.

The child support owed to (name of agency or other person) \_\_\_\_\_ be fixed at \$ \_\_\_\_\_ as of (date) \_\_\_\_\_.

(Name of payor) \_\_\_\_\_ pay to (name of agency or other person) \_\_\_\_\_ \$ \_\_\_\_\_ per month, with payments to begin on (date) \_\_\_\_\_ until the full amount owing is paid.

7. An order that the spousal support be changed as follows:

The order/agreement for spousal support, dated \_\_\_\_\_ be terminated effective (date) \_\_\_\_\_.

(Name of party) \_\_\_\_\_ pay spousal support to (Name of party) \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ per month, effective on (date) \_\_\_\_\_.

Other (give details of the order you want the court to make) \_\_\_\_\_

8. An order that the outstanding spousal support owed be paid as follows:

The spousal support owed to (name of recipient) \_\_\_\_\_ be fixed at \$ \_\_\_\_\_ as of (date) \_\_\_\_\_.

(Name of payor) \_\_\_\_\_ pay to (name of recipient) \_\_\_\_\_ \$ \_\_\_\_\_ per month, with payments to begin on (date) \_\_\_\_\_ until the full amount owing is paid.

Court File Number

The spousal support owed to (name of agency or other person) \_\_\_\_\_  
be fixed at \$ \_\_\_\_\_ as of (date) \_\_\_\_\_ .

(Name of payor) \_\_\_\_\_ pay to (name of agency or other person)  
\_\_\_\_\_ \$ \_\_\_\_\_ per month, with  
payments to begin on (date) \_\_\_\_\_ until the full amount owing is paid.

9.  I ask that the term(s) of the order of Justice (name of judge) \_\_\_\_\_ ,  
dated \_\_\_\_\_ , for (give details) \_\_\_\_\_  
be changed as follows: (give details of the order you want the court to make) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10.  I ask the court for the following order:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The information and facts supporting my motion to change are set out in the Change Information Form (Form 15A) attached.

\_\_\_\_\_  
Date of signature

\_\_\_\_\_  
Signature of person bringing the motion or person's lawyer