**Form 59.10**

20 No.

Supreme Court of Nova Scotia

(Family Division)

Between: [copy standard heading]

[full name, including middle name(s)] Petitioner

and

[full name, including middle name(s)] Respondent

**Answer**

**To:** [name of petitioner]

**Contested claims, facts and allegations**

The claims made in the petition for divorce are not contested, except as follows:

[*There are no claims in the petition that are contested and the respondent files this answer only to make a claim*./State which claims are contested.]

The facts and allegations made in the petition for divorce in support of the claim for divorce are not contested, except as follows:

[*The facts and allegations in support of the claim for divorce in the petition are admitted*./State which facts and allegations are contested.]

**Corrections to details stated in the petition**

The petition for divorce correctly provides details about the children of the marriage [./*except* provide corrections.]

The petition also correctly provides details of all relevant agreements, and related proceedings and orders [./*except* provide corrections.]

The respondent wishes to correct other statements in the petition as follows: [*none*./provide corrections].

**Respondent’s claims under *Divorce Act***

The respondent claims the following relief under the following sections of the *Divorce Act*: [may delete any that do not apply]

divorce (s. 8)

decision-making responsibility (s. 16)

parenting time (s. 16) [choose one]

* primary care (time in excess of 60%)
* shared parenting (time between 40-60%)
* other

child support (s. 15.1)

administrative recalculation of child support (s. 25.1)

spousal support (s. 15.2)

other: [describe] .

**Respondent’s claims under other legislation**

The respondent claims under the following legislation for the following relief: [may delete any that do not apply]

*Matrimonial Property Act* for the following:

exclusive possession of matrimonial home (s. 11)

division of assets (s. 12)

other [give specifics, i.e. s. 13, s. 18]

*Pension Benefits Act*, *Pension Benefits Division Act*, or other legislation, for a division of pension

*Change of Name Act* for a change of registered name

Other: [describe] .

**Ground for divorce and particulars** [delete if a divorce is not claimed]

There was a breakdown of the marriage of the parties and in particular: [may delete any that do not apply]

The parties were living separate and apart since [day, month, and year] , were living separate and apart at the time this action was started, and will have lived separate and apart for no less than one year when this action is determined.

The petitioner has committed adultery and there was no condonation or connivance on the part of the respondent.

The petitioner has treated the respondent with physical or mental cruelty of such kind as to render intolerable the continued cohabitation of the spouses, and there was no condonation or connivance on the part of the respondent.

**No reconciliation** [delete if a divorce is not claimed]

There is no possibility of reconciliation between the parties.

**No improper conduct** [delete if a divorce is not claimed]

There was no collusion between the parties leading to this answer.

**Documents in support**

The respondent files the following documents in support of the answer:

parenting statement

statement of income

statement of special or extraordinary expenses

statement of undue hardship circumstances

statement of expenses

statement of property

affidavit of [name]

other affidavits and documents [give specifics]

A copy of each document is to be delivered to you with this answer.

**Contact information**

The respondent designates the following address:

Documents delivered to this address are considered received by the respondent on delivery.

**Declaration & certificate**

I declare that the statements in this answer are true to the best of my personal knowledge, or information given to me that I believe to be true, and I certify that I am aware of my duties under sections 7.1 through 7.5 of the *Divorce Act* which include:

1. I must exercise any parenting time or decision-making responsibility that I have with respect to any child/children of the marriage in a manner that is consistent with the best interests of the child/children;
2. To the best of my ability, I must protect the child/children of the marriage from conflict arising from this proceeding;
3. To the extent that it is appropriate to do so, I must try to resolve the issues in this proceeding through a family dispute resolution process;
4. I must provide complete, accurate and up-to-date information as required under the *Divorce Act,* as part of this proceeding and under a Court Order; and,
5. If I am subject to an order made under the *Divorce Act*, I must follow and comply with the order until it is no longer in effect.

Signed , 20

Signature of respondent

Print name:

**Counsel’s certificate** [delete if not represented by counsel]

I, counsel for the respondent, certify that I have complied with the requirements of section 7.7 of the *Divorce Act*.

Signature of counsel

Print name:

**Court officer’s certificate**

I certify that this answer was filed with the court on , 20 .

Court Officer