**Form 59.46**

20 No.

Supreme Court of Nova Scotia

(Family Division)

Between: [copy standard heading]

[full name, including middle name(s)]

Applicant

and

[full name, including middle name(s)]

Co-Applicant

**Joint Application for Divorce**

**The applicants request a divorce**

The applicants apply to the court for a divorce order [*and a corollary relief order*] consistent with an agreement dated , 20 , which settles all issues concerning the dissolution of their marriage and corollary relief.

Accordingly, the applicants request this joint application be referred directly to a judge without opportunity for a hearing.

**Motion**

The applicants jointly move for a divorce order and for a corollary relief order consistent with the agreement.

**Information and evidence in support**

The evidence in support of the motion is as follows:

marriage certificate [if marriage certificate cannot be produced, an affidavit must be filed proving the marriage and providing sufficient reasons for not proving it by certificate]

affidavits, or a joint affidavit, of the applicants proving the required facts and claims, and attaching the written agreement between the applicant as an exhibit to the affidavit [modify if only one applicant files an affidavit]

[May delete any of the following that do not apply]

waiver of financial statements filed on , 20

written undertaking not to appeal the divorce order filed on , 20

applicant’s, [name] , parenting statement filed on , 20

co-applicant’s, [name] , parenting statement filed on , 20

applicant’s, [name] , statement of income filed on , 20

co-applicant’s, [name] , statement of income filed on , 20

applicant’s, [name] , statement of special or extraordinary expenses filed on

, 20

co-applicant’s, [name] , statement of special or extraordinary expenses filed on , 20

applicant’s, [name] , statement of expenses filed on , 20

co-applicant’s, [name] , statement of expenses filed on , 20

applicant’s, [name] , statement of undue hardship circumstances filed on , 20

co-applicant’s, [name] , statement of undue hardship circumstances filed on , 20

applicant’s, [name] , statement of property filed on , 20

co-applicant’s, [name] , statement of property filed on , 20

draft divorce order

draft corollary relief order

two stamped envelopes with the designated address of one applicant and two stamped envelopes with the designated address of the other applicant

other required statements or documents [specify] .

**Non-parties**

Are there other persons *with* contact time, interaction, or parenting time with the child/children?

Yes, details in the Affidavit.

No

Are there other persons *looking for* contact time, interaction, or parenting time with the child/children?

Yes, details in the Affidavit.

No

**Contact information**

The applicant [name] designates the following address:

The co-applicant [name] designates the following address:

Documents delivered to these addresses are considered received by the applicant who designated the address on delivery.

**Declaration & certificate**

I declare that the statements in this application for divorce 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 by [name of applicant] on , 20

Signature of applicant

Signed by [name of co-applicant] on , 20

Signature of co-applicant

**Counsel’s certificate** [delete if not applicable]

I, counsel for [name of applicant] , certify that I have complied with the requirements of section 7.7 of the *Divorce Act*.

Signature of counsel

Print name:

[delete if not applicable]

I, counsel for [name of co-applicant] , 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 joint application for divorce was filed with the court on , 20 .

Court Officer