

## Respondent's Answer to Application

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The package of documents you have received is an application to the Yukon court. This application is from a person in a "reciprocating jurisdiction" who is asking the Yukon court to make an order.

### What's a "reciprocating jurisdiction"?

The Yukon has arrangements with each of the Canadian provinces and territories, and many foreign countries, to deal with support orders. Each of these places is a "reciprocating jurisdiction". There is a list in the regulations under the *Interjurisdictional Support Orders (ISO) Act*. When two places reciprocate it means that they recognize each other's support orders, and support orders can be made, changed, and enforced using reciprocal laws. People involved in family support (also called 'maintenance') cases do not have to travel to another province, territory, or country to have a court deal with their orders.

The person who has made this application is in one of the "reciprocating jurisdictions". The application will be dealt with by the Yukon court. The Yukon court will make an order.

In most cases, the person applying for an order will have filed a Form F. This is a request to the court to make an order ***even if you do not go to court, or file necessary documents***. The court ***can*** make an order if you do not go to court, and that order will be legal. If you want a say in the order the court will make, it is important that you read this FormSupport guide, and the package of documents you received.

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Have you read the documents you received? Form A is the one that gives a summary of what the claimant / applicant is asking for.

You have been served with a Notice of Hearing. The Notice sets out in detail the information and documents that you are required to file with the court within 20 days of service of the Notice upon you.

Form N (Respondent's Answer to Application) contains information about your name and address.

Form K (Financial Statement) and Form L (Child Status and Financial Statement) contain all of the financial information that you are required to file with the court.

Please note: There may be other evidence that you will need to provide to the court if you are contesting the application. You are advised to consult a lawyer.

### Office Use Only box, top right

The court may have filled in the court file #, court location, and reciprocal #. If you need to contact the court, you should always quote the court file #. If this box has not been filled in, the numbers are on the Application you received. Copy them onto your "working" copy.

### Identification

There are two check boxes on the left of Form N. You are the respondent, so you will check off the first one. The second box would be checked by an agency that has a right to be involved. For example: if the respondent is a support recipient who has assigned maintenance rights to a social services department, that department may want to be in court, and receive any order that is made.

The person applying for an order is the:

**Claimant** - if this is an application for a 'first' support order, or

**Applicant** - if this is an application to change an order you have now.

You are the **Respondent**. You are 'responding' to the application.

In the box, write your name, address, telephone and fax numbers. If you are not comfortable with the applicant knowing your home address, you can choose another address to receive documents. Check off whether it is your own address, in care of your lawyer, or in care of another person. This is the address and contact numbers the court will use to get in touch with you, and to send you any mail. This information will be on the court file. If you need to

keep your address confidential, you must give a different address where you can be reached.

You have an obligation to keep the court informed of any change of address. It is very important that you update the court if any of your contact information changes.

□ **Agree, and Consent**

Go back to Form A, the application. At the bottom it describes the kind of order the court is being asked to make. Do you agree? If yes, check off the box on the left, and *one* of the three little boxes below it. Below is a brief description of what each of them means.

□ **I agree that I will pay support.** Check this box if the application is for a ‘first’ order, and you agree to pay. You must file a sworn/affirmed financial statement for the court even if you agree with everything the claimant or applicant is asking for. A blank Form K and FormSupport guide for completing it are enclosed with your package. The court looks at your finances to decide how much the support should be.

□ **I agree with the application to change the order – payor.** Check this box if the application is to *change* the order you already have, and you agree to pay a new amount. You must file a financial statement – a blank one is included in your package.

□ **I agree with the application to change the order – recipient.** Check this box if you are the support recipient (person receiving the support), and you agree with the *payor’s* application to change the order you have now. Because the court looks at the payor’s finances when it makes an order, you do not have to file a financial statement.

□ **Do not agree.**

If you do not agree with the application, check this box on your working copy of Form N. In cases where the respondent (you) does not agree, the court needs more information. It needs other forms so the claims the claimant/applicant makes can be compared with your information. If you do not agree, go on to the next section.

□ **I will go to Court...**

If you do not agree with the order requested, it is assumed you will go to court. You can go by yourself, or have a lawyer with you. The court hearing is where you have your say about the order the court will make. Again, you need to know that if you do not go to court, or file the information the court needs, an order can and will be made even if you are not there. So, check off the box on the left of your working copy, and then read through the descriptions below. You will have to fill in one, or more, of the other forms. As you check one off, add the form to your Worksheet at the end of this FormSupport guide.

□ **Financial Statement**

The financial statement – a blank copy is in the package you received – is almost always necessary. The only time it is *not* required is if you are a support recipient, and you have agreed to change an existing support order. You will have checked off the third little box under the “I agree” section.

□ **Request to Pay, different than child support guidelines.** If you are a support payor, and you want to pay a different amount than the child support guidelines table amount, check this box. You will need to fill out Form I. The FormSupport guide for Form I gives you more information about the child support guidelines.

□ **Request for a child support order, different than child support guidelines.** If you are a support recipient, and you want to receive a different amount than the child support guidelines table amount, check this box. You will need to fill out Form G. The FormSupport guide for Form G gives you more information about the child support guidelines.

□ **Special Expense Claim.** Has the applicant/ payor applied to change the special expense amounts listed in an order you have now? If yes, and you do not agree with the change, check this box, and fill out Form H.

□ **Child Status and Financial Statement.** Do you agree with an application that asks for support for a child over the “age of majority” (age 19 in the Yukon), **or** wants to end support for an “age of majority” child? If you do not agree, check this box. You will fill in a Form L for each ‘over majority’ child.

□ **Other.** There may be other forms or documents you want the court to see. List them in this section.

❑ **Lawyer**

If you choose to have a lawyer with you at court, check the box on your working copy of Form N. On the lines, write your lawyer's name, address, and telephone number. With this information, the court will contact your lawyer directly.

When you have filled out your working copy of Form N you will know what other forms you need to file with your Answer. You can get a copy of each of the forms, and the FormSupport guide that goes with each, from the internet at

<http://www.justice.gov.yk.ca/prog/famjust.html>.

Look under 'Separation and Divorce', and choose 'Interjurisdictional Support Orders'. Then print the forms and guides you need.

You may also request the forms by:

1. Mailing your request to:

ISO Office  
C/O Maintenance Enforcement Program  
Court Services  
Box 2703 (J-3M)  
Whitehorse, Yukon  
Canada Y1A 2C6

2. Picking up forms at the MEP office in Whitehorse:

Ground floor  
Andrew A. Philipsen Law Centre  
2134 Second Avenue

3. Phoning the MEpline:

Toll Free in 867 area code:  
1-877-617-5347

In Whitehorse and outside the Yukon:  
867-667-5437

4. Picking up forms at the Supreme Court registry office in Whitehorse:

Ground floor  
Law Courts  
2134 Second Avenue

Make a working copy of each of the forms, and set aside the 'good' copy. When you are ready, you have all the information you need, and the working copies

are complete – make a 'good' copy. This is what you will file in court.

**Swearing/Affirming the documents**

The forms and documents you file with the court are evidence. At the end of Form N is the 'oath' part. Do not sign it yet, or fill in the date. When you have your complete package of documents, ready to file, take it to a lawyer or notary public. There is a notary public at the court registry in Whitehorse, as well as at the Designated Authority in the Maintenance Enforcement Program office. The person who "takes your oath" will ask you if all the information is true. If you say yes, you will be asked to sign your Answer, and the lawyer or notary will fill in the part on the left, and put a stamp on the form.

Once this is done – the documents are sworn/affirmed – do not make any changes or add anything. Make 2 photocopies of the whole package. Take your "original" sworn/affirmed package (the one that you signed in front of the lawyer or notary) and your copies to the court registry in Whitehorse for filing or mail them in to:

Supreme Court Registry  
The Law Courts  
2134 Second Avenue  
Whitehorse, Yukon  
Canada Y1A 5H6

If you have a lawyer, this step will probably be done by your lawyer's office.

You must file your documents on or before the court date. Court staff will file the original and return the copies to you. Keep one photocopy for yourself, and take or send one to the Designated Authority at the Maintenance Enforcement Program office. Take your copy to court with you on the date of your court hearing.

**Worksheet**

As you went through this FormSupport guide and Form N, did you note any information or documents you needed? Write them down on this worksheet. As you get the document, or complete a task, check off the 'done' column. Keep any documents with the 'good' copy of Form N.

**Worksheet**

<b>Document / To Do</b>	<b>Done</b>