**FORM 70 BB**

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| **SUPREME COURT-PRINCE EDWARD ISLAND****FAMILY SECTION****FORM 70BB**PRE-MOTION CONFERENCE MEMORANDUM | Court File Number:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Name of party filing this memorandum Date of pre-motion conference**

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**Moving Party**

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| --- | --- |
| *Full legal name & address for service – street & number, municipality, postal code, telephone & fax numbers and email address (if any).* | *Lawyer’s name & address – street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).* |
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**Responding Party**

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| --- | --- |
| *Full legal name & address for service – street & number, municipality, postal code, telephone & fax numbers and email address (if any).* | *Lawyer’s name & address – street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).* |
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**PART 1: FAMILY FACTS**

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| 1. | MOVING PARTY: | Age: | Birthdate: (d, m, y) |
| 2. | RESPONDING PARTY: | Age: | Birthdate: (d, m, y) |
| 3. | RELATIONSHIP DATES:

|  |  |  |
| --- | --- | --- |
| □ | Married on *date)* |  |
| □ | Separated on (*date)*  |
| □ | Started living together on *(date)*  |
| □ | Never lived together |
| □ | Other *(Explain.)* |  |

 |
| 4. | The basic information about the child(ren) is as follows: |
| **Child’s full legal name** | **Age** | B**irthdate***(d, m, y)* | **Grade/Year and school** | **Now living with** |
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| **PART 2: ISSUES** |
| **5.** | **What are the issues in this case that HAVE been settled:** |
| □ decision-making  responsibility for  child(ren)\*  | □ child support  | □ emergency protection order  | Restraining order:□ against person□ against property |
| □ parenting time\*\* | □ spousal support | □ equalization of net family property |
| □ contact order\*\*\* | □ ownership of property | □ possession of home |
| \* *Decision-making responsibility* means the responsibility for making significant decisions about a child’s well-being, including in respect of health; education; culture, language, religion, and spirituality; and significant extra-curricular activities.\*\* *Parenting time* means the time that a child spends in the care of a parent, whether or not the child is physically with that parent during that entire time.*\*\*\* Contact order* refers to an order providing for contact between a child and someone other than a parent. |
| **6.**  | **What are the issues for this pre-motion conference:** |
|  | □ decision-making  responsibility for  child(ren)\* | □ child support  | □ emergency protection order | Restraining order:□ against person□ against property |
| □ parenting time\*\* | □ spousal support | □ equalization of net family property |
| □ contact order\*\*\* | □ ownership of property | □ possession of home |
| **7.**  | **If the issue of decision-making responsibility or parenting time are not yet settled: Has a Parenting Arrangements Assessment (home study) been requested?**  |
|  |  □ No | □ Yes. Date of request: |
| **8.** | **If child or spousal support is an issue, give the income of the parties:** |
|  | (*Attach proof of current income, most recent income tax return, and most recent Notice of Assessment or Reassessment)* |
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| Moving Party: | $ | per year for the year 20\_\_ |
| Responding Party: | $ | per year for the year 20\_\_ |
| Moving Party’s Employer: |
| Responding Party’s Employer: |

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| **9.** | **Have you explored any ways to settle the issues still in dispute?**□ No □ Yes. (*Give details below)* |
| **10.** | **Have any of the issues that have been settled been turned into a court order or a written agreement?** |
|  | □ | No. |
|  | □ Yes. □ An order dated\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ □ A written agreement dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (□ *copy attached*)   |
| **11.**  | **Have the parents attended a family law or parenting education session?** |
|  |  □ No.  | □ Yes. (*Give details.)* |
|  |  |
| **12.**  | **What is your proposal to resolve the issues, particularly in relation to the children?** |
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| **PART 3: FINANCIAL INFORMATION** |
| **13.** | **If a claim is being made for child support and a claim is made for special or extraordinary expenses under Section 7 of the *Child Support Guidelines*, give details of the special expenses. (Note: You do not need to attach receipts or other documentation that show the amount of expenses you are claiming for each child, but please be prepared to present amounts at the pre-motion conference.)**□ I am claiming the following special or extraordinary expenses:* childcare expenses incurred as a result of the employment, illness, disability or education or training for employment of the spouse who has the majority of parenting time;
* that portion of the medical and dental insurance premiums attributable to the child;
* health-related expenses that exceed insurance reimbursement by at least $100 annually, including orthodontic treatment, professional counselling provided by a psychologist, social worker, psychiatrist or any other person, physiotherapy, occupational therapy, speech therapy and prescription drugs, hearing aids, glasses and contact lenses;
* extraordinary expenses for primary or secondary school education or for any other educational programs that meet the child’s particular needs;
* expenses for post-secondary education;
* the following extraordinary expenses for extracurricular activities:

 □ I am not claimingspecial or extraordinary expenses |
| **14.**  | **If a claim is made for child support and you claim that the *Child Support Guidelines* table amount should not be ordered, briefly outline the reasons here.** |
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| **PART 4: PROCEDURAL ISSUES** |
| **15.** | **Does any party need an order for the disclosure of documents, a property valuation, or any other matter in this case?** |
|  | □ No  | □ Yes (*Give details below)* |
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| **16.** | **Are any other procedural orders needed?** |
|  |  □ No.  | □ Yes. (*Give details.*) |
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|  **17.** | **Has Director of Child Protection been notified of the motion?** |
|  |  □ No | □ Yes. (*Give details.*) | □ N/A (*Give reasons below*) |
|  |  |
| **18.** | **Has the Director of Child Protection been involved with these parties at any time in the past?** |
|  |  □ No | □ Yes. (*Give details.*) | □ N/A (*Give reasons below*) |
|  |  |
| **19.** | **Has the Office of the Children’s Lawyer been involved with these parties at any time in the past?** |
|  |  □ No | □ Yes. (*Give brief explanation below.*) | □ N/A (*Give reasons below*) |
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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date Signature of party or party’s lawyer |