

FORM 70 A*
JOINT PETITION FOR DIVORCE

(Court file no.)

(Court)

(Name)
Spouse One

and

(Court seal)

(Name)
Spouse Two

JOINT PETITION FOR DIVORCE

(Date)

Issued by _____

Registrar

Address of court office _____

1. The spouses jointly seek:

(a) under the *Divorce Act*,

(i) a divorce;

(ii)

(iii)

(b) under the *Family Law Act*,

(i)

(ii)

(iii)

GROUND FOR DIVORCE - SEPARATION

2. The spouses have lived separate and apart since _____. The spouses have resumed cohabitation during the following periods in an unsuccessful attempt at reconciliation: *(Date(s) of cohabitation)*

RECONCILIATION

3. There is no possibility of reconciliation of the spouses.

4. The following efforts to reconcile have been made: _____

DETAILS OF MARRIAGE

(Where possible, copy the information from the marriage certificate.)

5. Date of marriage _____

6. Place of marriage (*municipality, province or state, country*) _____

Information about Spouse One

7. Spouse One's birth date _____

8. Spouse One's birthplace (*municipality, province or state, country*) _____

9. Spouse One's surname on the day before the day of marriage _____

10. Spouse One's given names on the day before the marriage _____
 11. Spouse One's gender on the day before the day of the marriage: Female Male Another Gender
 12. Marital status of Spouse One at time of marriage: Never married Divorced Widowed

Information about Spouse Two

13. Spouse Two's birth date _____
 14. Spouse Two's birthplace (*province or state, country*) _____
 15. Spouse Two's surname on the day before the day of the marriage _____
 16. Spouse Two's given names on the day before the day of the marriage _____
 17. Spouse Two's gender on the day before the day of the marriage: Female Male Another Gender
 18. Marital status of Spouse Two at time of marriage: Never married Divorced Widowed

Marriage certificate

19. A certificate of the marriage from Vital Statistics (P.E.I.) (or the equivalent thereof from another jurisdiction) of the spouses has been filed with the court; *or*
 It is impossible to obtain a certificate of the marriage or its registration because:

RESIDENCE

20. Spouse One has resided in (*municipality, province or state, country*) _____, _____ since (*date*) _____
 21. Spouse Two has resided in (*municipality, province or state, country*) _____, _____ since (*date*) _____
 22. Current address:
 (a) Spouse One _____
 (b) Spouse Two _____
 23. Spouse One Spouse Two has habitually resided in Prince Edward Island for at least one year immediately preceding the commencement of this proceeding.

CHILDREN

24. The following are all the living children of the marriage as defined by the *Divorce Act*:

Full name	Birthdate	School and Grade/Year	Person with whom child lives and length of time child has lived there

The children habitually reside in (*municipality, province or state, country*) _____, _____

Parenting order

25. The spouses:
- do not seek an order for parenting time
 - seek an order on consent for parenting time with respect to the following children on the following terms:

Name of child	Terms of the order requested
_____	_____

26. The following are the current parenting time arrangements *(if there are any Orders or written Agreements in place respecting parenting time, provide details)*

Name of child	Current arrangements
_____	_____

27. The spouses:
- do not seek an order for decision-making responsibility
 - seek an order on consent for decision-making responsibility with respect to the following children on the following terms:

Name of child	Terms of the order requested
_____	_____

28. The following are the current decision-making responsibility arrangements respecting the following children *(if there are any Orders or written Agreements in place respecting decision-making responsibility, provide details)*

Name of child	Current arrangements
_____	_____

29. The parenting order sought is in the best interests of the children for the following reasons:

30. The following material changes in the circumstances of the spouses are expected to affect the parenting order in the future: _____

Child Support

31. With respect to child support, there is:
- An order in place, dated _____ (*order is attached*).
 Is this order being followed? Yes No
 Are the spouses seeking to vary the child support terms in this order on consent? Yes No
 - A written agreement in place, dated _____ (*agreement is attached*).
 Is this agreement being followed? Yes No
 Are the spouses seeking to vary the child support terms in this agreement on consent?
 Yes No
 - A verbal agreement in place since *(date)*

Is this agreement being followed? Yes No

Are the spouses seeking a court order on the terms of this verbal agreement on consent?

Yes No

No order or agreement in place

32. If there is an order, written agreement, or verbal agreement respecting child support in place, provide details of the child support terms in the order or agreement:

(a) Basic child support (table amount)

Name of child	Payable by (<i>Spouse One or Spouse Two</i>)	Amount payable

(b) Special or extraordinary expenses

Name of child	Name of expense	Payable by	Amount of expense

33. If the spouses are seeking an order for child support on consent, state the terms of the order that the spouses are seeking:

(a) Basic child support (table amount)

Name of child	Payable by (<i>Spouse One or Spouse Two</i>)	Amount payable

(b) Special or extraordinary expenses

Name of child	Name of expense	Payable by	Amount of expense

34. If the spouses are seeking an order for basic child support and claim that the *Federal Child Support Guidelines* table amount should not be ordered, briefly outline the reasons here.

DOMESTIC CONTRACTS AND FINANCIAL ARRANGEMENTS

35. The spouses have entered into the following domestic contracts and other written or oral financial arrangements: (*Indicate whether the contract or arrangement is now in effect, and if support payments are not being paid in full, state the amount that has not been paid.*)

Date	Nature of contract or arrangement	Status
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OTHER COURT PROCEEDINGS OR ORDERS

36. Family law proceedings or orders
(a) Are there any current or previous family law orders or proceedings involving either spouse?
(b) If yes, give the name of the court, the court file number, the current status of any proceedings, and details of any orders made.
37. Criminal proceedings or orders
(a) Is either spouse currently charged with committing, or has either spouse been convicted of, a criminal offence involving family violence? If yes, provide details.
(b) Is either spouse required to follow conditions in relation to a criminal case (for example, bail order, probation order, recognizance (peace bond), or parole order)? If yes, provide details.
38. Child protection proceedings or orders
(a) Is there any current or previous involvement of Child Protection Services with Spouse One, Spouse Two, or the children? If yes, provide details.
39. Civil protection proceedings or orders (e.g. emergency protection order, victim assistance order)
(a) Are there any current or previous civil protection orders or proceedings involving Spouse One and Spouse Two? If yes, provide details.

NO COLLUSION

40. There has been no collusion in relation to this divorce proceeding.

DECLARATION OF SPOUSES

41. (a) I have read and understand this petition for divorce. The statements in it are true, to the best of my knowledge, information and belief.
- (b) I understand that I have the right to seek independent legal advice concerning this proceeding and to retain my own separate counsel.
- (c) I understand that I may lose my right to make a claim for division of property after the divorce if I do not make the claim at this time.
- (d) I certify to this court that I am aware of my duties under sections 7.1 to 7.5 of the

Divorce Act.

Date

Signature of Spouse One
*(Name, address, telephone number, and email
address of Spouse One's lawyer or Spouse One)*

Date

Signature of Spouse Two
*(Name, address, telephone number, and email
address of Spouse Two's lawyer or Spouse Two)*

STATEMENT OF LAWYER FOR SPOUSE ONE

42. (a) I, *(name)*, lawyer for Spouse One, certify to this court that I have complied with the requirements of section 7.7 of the *Divorce Act*. *(Where in the circumstances it would clearly not be appropriate to discuss the matters in section 7.7(1) and/or section 7.7(2)(a) with Spouse One, set out the circumstances.)*
- (b) I also certify that I have advised Spouse One that they have the right to seek independent legal advice and retain separate counsel in this proceeding.

Date

Signature of lawyer

STATEMENT OF LAWYER FOR SPOUSE TWO

43. (a) I, *(name)*, lawyer for Spouse Two, certify to this court that I have complied with the requirements of section 7.7 of the *Divorce Act*. *(Where in the circumstances it would clearly not be appropriate to discuss the matters in section 7.7(1) and/or section 7.7(2)(a) with Spouse Two, set out the circumstances.)*
- (b) I also certify that I have advised Spouse Two that they have the right to seek independent legal advice and retain separate counsel in this proceeding.

Date

Signature of lawyer