**G. INTERJURISDICTIONAL SUPPORT ORDERS REGIME (ISO REGIME)**

1. The interjurisdictional support orders regime (“ISO”) is addressed in the *Interjurisdictional Support Orders Act*, RSPEI 1988, Cap. I-4.2. The *Act* sets out the process to be followed where one party resides in Prince Edward Island and the other party does not. Further procedural and substantive guidance on ISO applications can be found in the *Divorce Act*, RSC 1985, Cap. 3, and the *Rules of Civil Procedure*.
2. This regime only applies to jurisdictions in which Prince Edward Island has a reciprocal enforcement agreement.
3. Where the party seeking an order resides in Prince Edward Island, the party completes the required ISO forms, provides them to the designated authority under the *Interjurisdictional Support Orders Act****,*** namely the Director of Maintenance Enforcement (the “Director”)and the forms are then forwarded to the designated authority in the jurisdiction where the other party (the respondent) resides. The court hearing is then held in the jurisdiction where the respondent lives. Further direction may be provided from that jurisdiction.
4. Where the party seeking an order (the applicant) does not live in Prince Edward Island, but the respondent does, the applicant completes the required ISO forms in their jurisdiction. The forms are then provided to the designated authority in the other jurisdiction which sends them to the Director.
5. The Director, or its counsel, files these documents with the court. The Director, or its counsel, obtains a hearing date, and Notice of Hearing from the court. The Director, or its counsel, then serves various documents on the respondent, such as the applicant’s application; the applicant’s affidavit; the Notice of Hearing, which includes the date and time of the Prince Edward Island court hearing; and, additional ISO forms to be completed by the respondent. The Director, or its counsel, also serves the Notice of Hearing on the applicant.
6. The respondent is to complete, serve and file the documents prior to the scheduled hearing. The respondent is required to attend the court hearing, and if the respondent fails to do so, the court may grant relief, even in the absence of the respondent.
7. The respondent may be cross-examined at the hearing.
8. Particularly given the potential for cross-examination on the applicant’s affidavit, it is generally necessary for the applicant to participate in the ISO hearing. However, it is generally not necessary to participate in person as the court usually accommodates requests for virtual attendances.
9. ISO hearings generally proceed in two stages: Stage 1 and Stage 2.
10. At the initial Stage 1 hearing, the focus is on clarifying the relief sought; ensuring appropriate information and documentation has been served and filed; and, establishing timelines for the serving and filing of any additional documentation. The focus is usually on comprehensive, and up-to-date, financial and income documentation. If the court is satisfied it has sufficient documentation to determine the application at the Stage 1 hearing, it may proceed directly to a Stage 2 hearing at that time.
11. The Stage 2 hearing is the substantive ISO hearing where the evidence is put before the court, and the parties make submissions on the relief sought.
12. Legal counsel for the Director participates in the ISO regime, including the actual hearing(s), as a friend of the court.
13. Counsel for the Director facilitates the initial exchange, service and filing of documentation, and often assists in the articulation of the issues and highlights of the law. If directed by the court, the Director, or its counsel, will facilitate drafting any resulting order and the exchange, service and filing of any further documentation.
14. Additional information on the interjurisdictional support orders regime may be obtained from the Child Support Services Office or the Office of the Director of Maintenance Enforcement.