Form J

Support for Claimant / Applicant

If you have used other forms and FormSupport guides in this package, you know there are rules. Courts use those rules to decide whether parents have a duty to support a child, the amount of support, and even when there are exceptions to the rules. In a claim for support for you, the rules are different.

Each province, territory, and foreign reciprocating jurisdiction has its own rules about support for a person who is not a child. In Canada, the rules (laws) are fairly similar from place to place. The laws deal with the kinds of questions the Court asks. Here's an example:

Sylvie and Marc were married, had 2 children, and separated a few months ago. Marc agreed to pay support for the children and said he would "help out" while Sylvie took a course so she could get a better job. The problem is that the kids are only 2 and 4. With the costs of day care, Sylvie was just barely making ends meet with a part-time job. Marc has moved to another province and isn't sending the full amount of the support anymore.

Sylvie is applying for an order for child support. The Court in Marc's province will use the rules, the Child Support Guidelines, to decide how much support Marc will pay. Does Sylvie apply for support for herself too? Will she get it?

What the Court looks at

In very general terms, a Court will look at the following kinds of questions when it decides whether one person should support the other:

- What did each of them do in the family – what were their roles?
- Did they agree, or did they have an understanding, that one would support the other?
- What are the childcare responsibilities?
- Are they both able to support themselves? Could they be?
- What are the economic circumstances?

Some reciprocating jurisdictions (the place where the respondent lives) will have much longer lists; others may be shorter. There is no "master list". The Child Support Guidelines is a set of rules and normal amounts for child support, but there are no guidelines for you and the respondent.

Form J gives you a way of organizing information about yourself. It tells the Court about your life. With this information, the Court may be able to decide if you should receive support for yourself, how much, and for how long. It is important to say that there are no guarantees. Asking for support doesn't mean you will get it, or that it will be paid.

Laws about support for a claimant/applicant are complex. They are different from one jurisdiction to another. For more information on your rights to support, or to help you make a decision, get advice from a family law lawyer.

If you decide to ask for support for yourself, you will need to fill out Form J. If you see a lawyer about this part of your claim, filling out the Form J in advance may help the lawyer advise you.

Form J is divided into several sections. Most of them are straightforward. Let's go through the form:

A. Your claim

If you are applying for support for yourself, check off the box on the top left. For now, leave the line where you ask for a specific amount blank. You can fill that in after you have completed Form K, the Financial Statement. Write "Form K", and "support amount" on your worksheet list.

B. Facts about my claim

The first six lines give the Court some of your history. Write your answers in the blank boxes on the right of Form J.

Please note that on line 3 you are asked to describe the relationship you had with the respondent. This is not limited to marriage, but can include a wide range of relationships. The last place where you lived together as a couple before separation is important. If that place was outside Canada, you should get legal advice.

C. My education

The statements in this section tell the Court about the kind of education you received, and when. It's divided into high-school-level, post-secondary, and "other" sections. In the column on the right, fill in the information about your education.

D. My work experience

There are a lot of choices in this section. Read each numbered statement carefully. When you get to lines 21 and 22, please note that more than one statement can apply, and you can add "other", and give more details. If lines 23 and/or 24 apply to you, write in your information. Please print neatly.

Here's a little worksheet to do the calculations for line 16, if it applies to you. The sample worksheet shows the example from line 16.

Your calculations for Line 16

Write the total from Line 5 here		
What is that in months (years x 12, + months)		**a.**
Write the total from Line 15 here		
What is that in months (years x 12, + months)		**b.**
Divide box **b.** by box **a. =** Line 16		

Sample

Write the total from Line 5 here	7 yrs, 2 months	
What is that in months (years x 12, + months)		**a. 86**
Write the total from Line 15 here	3 yrs, 6 months	
What is that in months (years x 12, + months)		**b. 42**
Divide box **b.** by box **a. =** Line 16		**48.8%**

E. Medical

If you are not able to fully support yourself because of a medical condition you have, or that another person has, please note lines 25 and 26. For either of these statements, you must attach documents. The documents are your evidence, the proof the Court needs.

F. The present and the future

Information you give on this form is evidence. You are swearing it is true, and the Court will take it very seriously. Not all of the statements in this section will apply to you. Read each part carefully. If a statement does not apply, leave the box on the right blank.

You must complete lines 31, 32, and 33. Remember, this is **you**, talking to the Court. Be clear, accurate, and realistic. Use a working copy to plan out what you want to say, and keep to the point.

* * *

When you are finished completing the form, be sure to go through the form and identify any documents you need. The first one is Form K, your Financial Statement. When you finish doing Form K and have collected any other documents, go back to the beginning of Form J and fill in the amount of your claim. You will also write it on the first page of Form A.

Worksheet

Write down the documents you need to complete your application. As you get each document, check off the "done" column. Keep the documents with Form J.

Document / To Do	done
Form K	
Write claim amount at top of Form J	
Write claim amount on first page of Form A	

Reminder

Don't forget to attach any documents that might support your case.