

# APPENDIX

## FORMS

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### No. 1 (R. 12)

#### NOTICE OF WITHDRAWAL OF LAWYER

TAKE NOTICE that I intend to cease to act for you in this action from this date.

TAKE NOTICE that on the expiry of 10 days from the filing in the office of the local registrar of a copy of this notice and proof of service thereof on you and on all other parties to this action, except parties who have not defended, no documents relating to this proceeding may be served on me on your behalf, and I will not accept service on your behalf of any such documents.

TAKE NOTICE that on the expiry of the 10 days, any document in the proceeding required to be served on you may be served by mailing a copy addressed to you at your last known address as stated below, unless and until you serve a notice appointing another lawyer, or a notice electing to represent yourself, on me and on every other party to the proceeding, and file such notice with proof of service in the office of the local registrar.

TAKE NOTICE that such notice must contain address information as required by the Rules of Court, including an address for service.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

\_\_\_\_\_  
(Signature)

TO: \_\_\_\_\_

WHOSE LAST KNOWN ADDRESS IS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**No. 2 (R. 13)***(Court file number and year)*

## STATEMENT OF CLAIM

CANADA  
PROVINCE OF SASKATCHEWAN

IN THE QUEEN'S BENCH JUDICIAL CENTRE OF

\_\_\_\_\_  
BETWEEN:\_\_\_\_\_  
PLAINTIFF

-and-

\_\_\_\_\_  
DEFENDANT

## NOTICE TO DEFENDANT

**1** The plaintiff may enter judgment in accordance with this Statement of Claim or such judgment as may be granted pursuant to the Rules of Court unless within 20 days if you were served in Saskatchewan;

within 30 days if you were served elsewhere in Canada or in the United States of America;

within 40 days if you were served outside Canada and the United States of America (excluding the day of service) you serve a Statement of Defence on the plaintiff and file a copy thereof in the office of the local registrar of the Court for the judicial centre above-named.

**2** In many cases a defendant may have the trial of the action held at a judicial centre other than the one at which the Statement of Claim is issued. Every defendant should consult his lawyer as to his rights.

**3** This Statement of Claim is to be served within six months from the date on which it is issued.

**4** This Statement of Claim is issued at the above-named judicial centre the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
*Local Registrar*

OR

4 I \_\_\_\_\_ certify that this Statement of Claim  
 (name of lawyer)

was issued at the above-named judicial centre the \_\_\_\_\_ day of  
 \_\_\_\_\_, 2 \_\_\_\_\_, by telephone by the local registrar  
 pursuant to the Rules of the Court.

(L.S.)

\_\_\_\_\_  
(Signature of Lawyer)

(In an action under the simplified procedure contained in Part Forty, add:)

5 This action is brought against you under the simplified procedure as set out in Part  
 Forty of *The Queen’s Bench Rules*.

(To Commence On The Second Page)

### CLAIM

(Here show the names and residences of the parties, particulars of the claim and the relief sought)

\_\_\_\_\_  
(Signature)

(To Be Shown On The Last Page Of The Claim)

This document was delivered by \_\_\_\_\_  
(firm name)

and the address for service is \_\_\_\_\_  
(address of legal firm)

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
(number) (number, if any)

E-mail address (if any): \_\_\_\_\_

Or, where plaintiff sues in person:

This document was delivered by \_\_\_\_\_  
(plaintiff)

Where address for service differs, add:

of \_\_\_\_\_ telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
(number) (number, if any)

E-mail address (if any): \_\_\_\_\_

**No. 2.1 (R. 17A)****PART A****NOTICE OF MOTOR VEHICLE CLAIM**

TAKE NOTICE THAT \_\_\_\_\_,  
 of \_\_\_\_\_ has a claim for damages arising out of a motor vehicle  
 accident which occurred at \_\_\_\_\_, Saskatchewan on or about  
 the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

Particulars of the motor vehicle accident are:

Vehicles involved: *(here state year, make, model, licence number, name of owner and driver)*

General nature of damages or injuries claimed and names and addresses of those injured:

AND TAKE NOTICE that this document is served pursuant to section 60 of *The Queen's Bench Act, 1998*.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
 of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*(signature)*

Name and Mailing Address of Claimant *(please print)*

\_\_\_\_\_  
 \_\_\_\_\_

\*\*Every proposed defendant should consult his/her solicitor and insurer.

THIS NOTICE IS GIVEN TO THE FOLLOWING PROPOSED DEFENDANT(S):

*(here state full names and addresses of all proposed defendant(s))*

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PART B

CONSENT OF INSURER

Service of a true copy of the Notice of Motor Vehicle Claim is consented to  
by \_\_\_\_\_, as insurer of the following defendant(s):

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Signature of Insurer or Authorized Representative

\_\_\_\_\_  
Name of Insurer

TO: The Local Registrar  
Court of Queen's Bench  
Judicial Centre of \_\_\_\_\_

**Form No. 3**

## ACKNOWLEDGEMENT OF SERVICE

You are asked to fill out and sign this form without delay, and to mail it in the accompanying postage prepaid envelope addressed to (*name of party or lawyer effecting service*) or to return it by fax to (*name and fax number of party or lawyer effecting service*). If you do not return this signed and completed Acknowledgement of Service without delay, you may not receive notice of any further proceedings or any documents may be personally served on you and you will be required to pay the costs of service.

I ACKNOWLEDGE SERVICE on me of a copy of the following document(s):

(*list documents by title and date*)

\_\_\_\_\_  
*Signature* \_\_\_\_\_  
*Date of Service*

My name is: \_\_\_\_\_  
 (*full legal name*)

My address for service is: (*address in Saskatchewan where court documents may be mailed to or left for you*)

\_\_\_\_\_  
 \_\_\_\_\_

My telephone number is: \_\_\_\_\_

My fax number is: (*Optional*) \_\_\_\_\_

My e-mail address is: (*Optional*) \_\_\_\_\_

## NOTICE:

(1) YOU MUST INCLUDE AN ADDRESS IN SASKATCHEWAN WHERE DOCUMENTS MAY BE MAILED TO OR LEFT FOR YOU IF YOU WISH TO RECEIVE NOTICE OF SUBSEQUENT PROCEEDINGS IN THIS MATTER.

(2) It is optional to include your fax number and e-mail address. If you include your fax number or e-mail address, documents may be served on you by fax or electronic transmission.

(3) The address, fax number or e-mail address that you give on this form will be used to serve you with documents until you serve on the other parties and file with the court written notice of a new address for service.

(*Where this form is to be signed by a lawyer or authorized person on behalf of a corporation, unincorporated entity, minor, or dependent adult, it shall be adapted accordingly.*)

**Form No. 3A**

## CERTIFICATE OF SERVICE

I, \_\_\_\_\_, certify that on \_\_\_\_\_  
(name of sheriff, deputy sheriff or sheriff's bailiff) (date)

I served \_\_\_\_\_  
(name of person served)

at \_\_\_\_\_  
(address where service effected)

with a true copy of the attached document(s)

*OR*

with a true copy of \_\_\_\_\_

\_\_\_\_\_,  
(describe the document(s) by title and date)

an original or true copy being part of the court file herein.

I effected service personally *OR* by registered mail and the post office confirmation of delivery to the addressee was signed (*or* returned) on \_\_\_\_\_  
(date) (*or as the case may be*)

\_\_\_\_\_  
Dated, *etc.*

\_\_\_\_\_  
(Signature)





Or by leaving a copy with an adult person \_\_\_\_\_,  
(insert name if known)

who was present at the address for service, \_\_\_\_\_.  
(address)

(Add: 2. I ascertained that the person was an adult person who was an employee (or agent or representative or household member) of \_\_\_\_\_  
(identify person served)

by: \_\_\_\_\_ )  
(insert the grounds for believing that the person documents were left with appeared to be an adult person who was an employee, agent, representative or household member of the person to be served)

(Or, where lawyer served)

by leaving a copy with \_\_\_\_\_,  
(name of employee)

an employee in the lawyer's office, at \_\_\_\_\_  
(address)

Or by leaving a copy in a mail receptacle at the address for service, \_\_\_\_\_,  
\_\_\_\_\_  
(address)

no adult person being present at that address to receive the document (if a business address, continue: during regular office hours).

(If applicable add:

2. Before serving the documents in this way, I made an unsuccessful attempt to serve \_\_\_\_\_ at the same address on \_\_\_\_\_ ).  
(identify person) (date)

Or by sending a copy with \_\_\_\_\_ a courier,  
(name of courier service)  
for delivery to the address for service, \_\_\_\_\_.  
(address)

(Add: 2. Attached as Exhibit "B" is a copy of the courier's receipt bearing a signature that purports to be the signature of \_\_\_\_\_  
(identify person)

and dated \_\_\_\_\_.  
(date)

Or where no courier's receipt bearing signature and date:

2. In the normal course of business a document sent by this courier would be delivered on \_\_\_\_\_ at \_\_\_\_\_ ).  
(date) (time)

(Note: this paragraph should only be used where delivery is made by a courier service. Where the courier is any adult person other than a person operating or employed by a courier service, the person delivering the document should take the affidavit.)

**(Service by mail)**

**1** On \_\_\_\_\_, I served \_\_\_\_\_  
(date) (identify person, party or lawyer)  
(if lawyer add: the lawyer for the \_\_\_\_\_)  
(identify party)  
with the \_\_\_\_\_, attached as Exhibit “A”  
(identify document served)  
(or an original or true copy of which was filed in court on \_\_\_\_\_),  
(date)  
by sending a copy by ordinary mail (or by registered mail) to \_\_\_\_\_  
\_\_\_\_\_,  
(full mailing address)  
the address for service provided by \_\_\_\_\_  
(identify party or person)  
(or, where no such address has been provided:  
the last known address of \_\_\_\_\_.)  
(identify party or person)  
*(If served at an address other than address for service, provide basis for  
belief that the address served at is the party’s address)*

**(Where served by registered mail)**

**2** On \_\_\_\_\_, I received the post office confirmation of delivery to the  
(date)  
addressee, attached as Exhibit “B”, showing confirmation of a signature purporting to be the  
signature of \_\_\_\_\_ and dated \_\_\_\_\_.  
(identify person) (insert date)

**(Service by fax or electronic transmission)**

- 1 On \_\_\_\_\_, at \_\_\_\_\_, I served \_\_\_\_\_  
(date) (time) (identify party or lawyer)  
(if lawyer add: the lawyer for the \_\_\_\_\_),  
(identify party)  
with the \_\_\_\_\_ attached as Exhibit "A"  
(identify document served)  
(or an original or true copy of which was filed in court on \_\_\_\_\_),  
(date)  
by sending a copy by fax (or electronic transmission) to \_\_\_\_\_  
(fax number or electronic transmission address)  
to \_\_\_\_\_.  
(name of party or lawyer)
- 2 Attached as Exhibit "B" is the confirmation of fax transmission (or a hard copy of the electronically transmitted acknowledgment of receipt, received by me on \_\_\_\_\_).  
(date)

SWORN, etc.

**No. 5 (Sr. 43(3))**

## AFFIDAVIT OF LITIGATION GUARDIAN OF MINOR

I, \_\_\_\_\_, of \_\_\_\_\_ Saskatchewan,

Make Oath and Say:

**1** That \_\_\_\_\_, a party to these proceedings, is a minor.

**2** That my address is: \_\_\_\_\_  
(*set out civic address in full*)

**3** That the address of the minor is: \_\_\_\_\_  
(*set out civic address in full*)

**4** That \_\_\_\_\_  
(*state the relationship, if any, between the minor and litigation guardian*)

**5** That I have no interest in these proceedings adverse to the said minor (*or, set out nature of adverse interest*).

**6** That I consent to act in these proceedings as litigation guardian for the said minor and will diligently attend to the interests of the minor.

**7** That I am not under disability.

Sworn, *etc.*

**No. 5A (R. 44)**

## ORDER ON MINOR ATTAINING AGE OF MAJORITY

It appearing by the affidavit of \_\_\_\_\_ that he reached the age of majority on \_\_\_\_\_, 2 \_\_\_\_\_;

IT IS ORDERED that the name and title of the litigation guardian be omitted from the style of cause in all documents issued or served in this action subsequent to the date of this order, and that the said party, by himself or his lawyer, may conduct the action on his own behalf.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

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Local Registrar

**No. 5B (Sr. 52(2))**

## NOTICE TO ALLEGED PARTNER

TAKE NOTICE that, although you are not named as a party to this action, the plaintiff alleges that you are a partner in the defendant partnership or were a partner at the material time.

AND TAKE NOTICE that you will be deemed to admit that you are a partner unless you deliver a Statement of Defence denying that you are a partner.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

**No. 5C (Sr. 54(1))**

## NOTICE TO DELIVER AFFIDAVIT OF PARTNERSHIP INFORMATION

TAKE NOTICE that you are required to deliver an affidavit within eight days showing:

- 1 The persons with whom you were partners on \_\_\_\_\_ together  
*(set out date)*  
with the present address and telephone of each such person, and designating which, if any, were limited partners.
- 2 The firm name of the partnership on the said date.

*(or)*

TAKE NOTICE that you are required to deliver an affidavit sworn by a partner of the firm showing the name in full of each person who was a partner of the firm on \_\_\_\_\_ , with the present address and telephone number of each  
*(set out material date)*  
such person *(where applicable, add: and whether or not he was a limited partner)*.

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_\_ .

To:

**No. 5D (R. 82)**

## NOTICE OF MOTION FOR CERTIFICATION

*(Style of Cause)*Brought under *The Class Actions Act*

TAKE NOTICE that an application will be made by the plaintiff before the Honourable  
M \_\_\_\_\_ Justice \_\_\_\_\_ at the  
*(set out here the name of the designated judge)*

court house in \_\_\_\_\_, Saskatchewan,  
on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock in  
the \_\_\_\_\_ noon or so soon thereafter as counsel can be heard for an order pursuant  
to *The Class Actions Act*:

- (a) certifying this action as a class action;
- (b) defining the class as *(set out here the proposed description of the class by setting out the class's identifying characteristics)*;
- (c) appointing *(set out here the name of the plaintiff)* as representative plaintiff for class members within Saskatchewan;
- (d) stating the nature of the claims, and the relief claimed, to be as follows: *(concisely set out the claims asserted on behalf of the class, and the relief claimed by the class)*;
- (e) certifying the following issues as common issues:
  - (i) *(set out here in point form the proposed common issue)*;
- (f) directing the manner in which, and the time within which, a class member may opt out of the class action;
- (g) directing the manner in which, and the time within which, a person who is not a resident of Saskatchewan may opt into the class action;
- (h) approving the form and method of notice to be given to the members of the class to notify them of the certification of the class proceedings;
- (i) ordering that \_\_\_\_\_ pay the cost of any notice;
- (j) such further orders as this Honourable Court considers appropriate.



## ON THE FOLLOWING GROUNDS:

- (a) the pleadings herein disclose a cause of action against the Defendant;
- (b) there is an identifiable class of two or more persons;
- (c) the claims of the class members raise common issues respecting the within litigation;
- (d) a class action will be the preferable procedure for resolution of the common issues;
- (e) the plaintiff, \_\_\_\_\_, is willing to be appointed as a representative plaintiff and:
  - (i) will fairly and adequately represent the interests of the class;
  - (ii) has produced a plan that sets out a workable method of advancing the action;
  - (iii) does not have, on the common issues, an interest that is in conflict with the interests of other class members;
- (f) *The Class Actions Act*, S.S. 2001, c.C-12.01;
- (g) Queen's Bench Rules for Saskatchewan, rule 82.

AND FURTHER TAKE NOTICE that in support of the said application will be read:

- (a) the affidavit of \_\_\_\_\_  
 (the representative plaintiff or the defendant)  
 sworn the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and filed;
- (b) the pleadings and proceedings herein;
- (c) *(also set forth here any other material to be used, such as transcripts of cross-examinations on affidavits, expert reports dealing with statistical data on size of class or size of losses, etc.).*

AND FURTHER TAKE NOTICE if you wish to oppose the motion an affidavit in response must be filed in the court office and served on each of the parties to this action, at least 7 days before the date set for hearing the motion.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 Lawyer for

To: \_\_\_\_\_

This document was delivered by *(etc., as in Form 2)*

**No. 6 (Sr. 100(2))**

## NOTICE OF INTENT TO DEFEND

TAKE NOTICE that the defendant, \_\_\_\_\_,  
intends to defend this action.

\_\_\_\_\_  
(Signature)

This document was delivered by \_\_\_\_\_  
(firm name) (business address)

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Or, where plaintiff sues in person:*

This document was delivered by \_\_\_\_\_  
(plaintiff)

of \_\_\_\_\_ telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

\_\_\_\_\_

**No. 7 (Sr. 105B(2))**

## NOTICE OF COUNTERCLAIM

TAKE NOTICE that if you do not deliver a Defence to Counterclaim within 20 days after the day of service of this defence and counterclaim, you are liable to have judgment entered against you pursuant to the Rules of Court without further notice to you.

This document was delivered by \_\_\_\_\_  
(firm name) (business address)

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_  
(plaintiff)

of \_\_\_\_\_ telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

\_\_\_\_\_

**No. 8 (Sr. 106(2))**

## NOTICE OF CROSS-CLAIM

TAKE NOTICE that the defendant delivering this Statement of Defence and Cross-claim disputes the plaintiff's claim on the grounds set out in this Statement of Defence, and claims to be entitled to relief against you on the grounds set out in this Cross-claim.

AND TAKE NOTICE that if you wish to dispute this Cross-claim you shall deliver your Defence to Cross-claim within 20 days after the day of service of this Cross-claim on you.

AND TAKE NOTICE that if you fail to do so, you are liable to have judgment entered against you pursuant to the Rules of Court without further notice to you.

## CROSS-CLAIM

**1** The defendant, \_\_\_\_\_, asserts this claim against the defendant \_\_\_\_\_.

**2** *(Here set out in separate consecutively numbered paragraphs each allegation of fact relied on and state the relief claimed).*

\_\_\_\_\_  
(Signature)

This document was delivered by \_\_\_\_\_  
(firm name) (business address)

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_  
(plaintiff)

of \_\_\_\_\_ telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

\_\_\_\_\_

**No. 9 (R. 107A)**

## NOTICE OF THIRD PARTY CLAIM

TAKE NOTICE that the plaintiff has commenced an action against the defendant, \_\_\_\_\_, and a copy of the plaintiff's Statement of Claim and the defendant's Statement of Defence are served herewith:

AND TAKE NOTICE that the defendant claims to be entitled to relief against you on the grounds set out in this Third Party Claim. If you wish to dispute the plaintiff's claim against this defendant, or your liability to this defendant you shall deliver your Third Party Defence within 20 days after the day of service of this Third Party Claim on you.

AND TAKE NOTICE that if you fail to do so, you are liable to have judgment entered against you pursuant to the Rules of Court without further notice to you.

## THIRD PARTY CLAIM

**1** The defendant, \_\_\_\_\_, asserts this claim against the third party.

**2** *(Here set out in separate, consecutively numbered paragraphs each allegation of fact relied on and state the relief claimed).*

\_\_\_\_\_  
(Signature)

This document was delivered by \_\_\_\_\_  
(firm name) (business address)

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_  
(plaintiff)

of \_\_\_\_\_ telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

\_\_\_\_\_

**No. 10 (R. 9B)**

## DEMAND FOR NOTICE

The defendant, \_\_\_\_\_, demands that notice of all further pleadings and proceedings in this action be served on the said defendant.

\_\_\_\_\_  
*(Signature)*

This document was delivered by \_\_\_\_\_  
*(firm name) (business address)*

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_  
*(plaintiff)*

of \_\_\_\_\_ telephone \_\_\_\_\_,  
*(business or residence address) (number)*

and the address for service is: \_\_\_\_\_

\_\_\_\_\_

To:

**No. 11 (Sr. 177(1))**

## NOTICE OF PAYMENT INTO COURT

TAKE NOTICE that the defendant, \_\_\_\_\_, has paid into court the sum of \$ \_\_\_\_\_ in satisfaction of the claim of the plaintiff in this action (or, where there is more than one claim, in satisfaction of the following claims of the plaintiff:

1 \$ \_\_\_\_\_ as to the claim for (here specify the claim with respect to which such payment is made).

2 \$ \_\_\_\_\_ as the claim for, etc.)

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Signature)

To:

**No. 12 (Sr. 177(2))**

## NOTICE OF ACCEPTANCE OF PAYMENT INTO COURT

TAKE NOTICE that the plaintiff accepts the sum of \$ \_\_\_\_\_ paid into court in satisfaction of his claim in this action (*or, where there is more than one claim, specify the sum or sums accepted and the claim or claims to which it relates*).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

To:



**No. 13 (Sr. 177(3))**

NOTICE OF REVOCATION OF PAYMENT INTO COURT

TAKE NOTICE that the defendant hereby revokes his payment into court of the sum of \$ \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature)*

To:

(Form 14 is repealed; Gaz. May 15/87)

**No. 15 (R. 212)**

## STATEMENT AS TO DOCUMENTS

1 The above named \_\_\_\_\_ has in \_\_\_\_\_ possession or power the documents relating to the matters in question in this suit set forth in the first and second parts of the first schedule hereto.

2 The said \_\_\_\_\_ objects to produce the said documents set forth in the second part of the first schedule hereto.

3 The said \_\_\_\_\_ objects to produce the said documents on the following grounds:

4 The said \_\_\_\_\_ has had, but has not now in possession or power, the documents relating to the matters in question in this suit, set forth in the second schedule hereto.

5 The last mentioned documents were last in the possession or power of the said \_\_\_\_\_ on \_\_\_\_\_

6 That *(here state what has become of the last mentioned documents and in whose possession they now are.)*

7 According to the best of my knowledge, and belief, the said \_\_\_\_\_ has not now and never had in \_\_\_\_\_ possession, custody or power, or in the possession, custody or power of \_\_\_\_\_ solicitors or agents, solicitor or agent, or in the possession, custody or power of any person or persons \_\_\_\_\_ on behalf, any deed, account, book of account, voucher, receipt, letter, memorandum, paper or writing, or any copy of or extract from any such document, or any other document whatsoever, relating to the matters in question in this suit or any of them, or wherein any entry has been made relative to such matters, or any of them, other than and except the documents set forth in the first and second schedules hereto.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

## NOTE:

- 1 *No reference need be made to the pleadings or other proceedings in the action.*
- 2 *It is not necessary to itemize each letter but it will be sufficient to say, for instance, "Copies of letters from the plaintiff to the defendant, dated \_\_\_\_\_".*
- 3 *In the second schedule it shall not be necessary to refer to the originals of letters, copies of which are referred to in the first schedule, otherwise than in general terms.*

**No. 15 (Sr. 212(4))**

INDORSEMENT ON COPY OF STATEMENT SERVED

TAKE NOTICE that the several documents referred to in the first part of the first schedule hereof may be inspected at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between the hours of  
and \_\_\_\_\_.

\_\_\_\_\_  
Solicitor for

To:

**No. 16 (Sr. 213(1))**

## NOTICE TO PRODUCE DOCUMENTS

TAKE NOTICE that the plaintiff (*or* defendant) requires you to produce for his inspection the following documents referred to in your statement of claim (*or* defence, affidavit or statement as to documents) dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

*(Describe the documents required.)*

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature)*

To:

**No. 17 (Sr. 213(2))**

## NOTICE TO INSPECT DOCUMENTS

TAKE NOTICE that you can inspect the documents mentioned in your notice of the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_ (except the deed numbered \_\_\_\_\_ in that notice), at \_\_\_\_\_

*(insert place of inspection)*

on \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon.

*Or*, that the plaintiff (*or* defendant) objects to giving you inspection of the documents mentioned in your notice of the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, on the ground that *(state the ground)*:

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*(Signature)*

To:

No. 17A (Sr. 237(1))

APPLICATION FOR APPOINTMENT AS SPECIAL COURT REPORTER

1 I hereby apply for appointment as special court reporter to take examinations in this proceeding.

2 I will carry out the duties of a reporter as required by the Rules of Court and such directions as may be given by the local registrar or the court.

3 I will promptly report to the local registrar or the court with respect to each person examined:

- (a) the name of such person;
- (b) the date such person was sworn by me and the fee paid; and
- (c) the date or dates and the length of time of the examinations.

4 My name, address and telephone number are:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Signature)

APPOINTMENT OF SPECIAL COURT REPORTER

The aforesaid applicant is appointed a special court reporter in these proceedings and has been sworn by me as a special examiner this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 18 (R. 243)**

## NOTICE TO ADMIT DOCUMENTS

TAKE NOTICE that the plaintiff (*or* defendant) in this cause proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the defendant (*or* plaintiff), his solicitor or agent, at \_\_\_\_\_, on \_\_\_\_\_, between the hours of \_\_\_\_\_; and the defendant (*or* plaintiff) is hereby required, within six days of the service hereof, to admit that such of the said documents as are specified to be originals were respectively written, signed, or executed, as they purport respectively to have been; that such as are specified as copies are true copies; and that such documents as are stated to have been served, sent, or delivered, were so served, sent, or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence in this cause.

AND FURTHER TAKE NOTICE that if you do not within the aforementioned six days give notice that you do not admit the said documents (or any of them) and that you require the same to be proved at the trial you shall be deemed to have admitted the said document (*or* documents) unless the court or a judge shall otherwise order.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Signed)

G.H., solicitor (*or* agent) for plaintiff (*or* defendant).

To E.F., solicitor (*or* agent) for defendant (*or* plaintiff).

*(Here describe the documents, the manner of doing which may be as follows:)*

## ORIGINALS

Description of Documents

Dates

Deed of covenant between A.B. and  
C.D. first part and E.F. second part

January 1, 2 \_\_\_\_\_.

## COPIES

Description of Documents	Dates
Letter - plaintiff to defendant	February 1, 2 _____ .
Sent by post	February 2, 2 _____ .
Original or Duplicate served, sent, or delivered, when, how, and by whom.	



**No. 19 (R. 246)**

## NOTICE TO ADMIT FACTS

TAKE NOTICE that the plaintiff (*or* defendant) in this action requires the defendant (*or* plaintiff) to admit, for the purposes of this action only the several facts respectively hereunder specified; and the defendant (*or* plaintiff) is hereby required, within five days from the service of this notice, to admit the said several facts, saving all just exceptions to the admissibility of such facts as evidence in this action.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

\_\_\_\_\_  
(*and signed*)

To:

The facts, the admission of which is required, are:

*(Set out facts briefly in numbered paragraphs.)*

**No. 20 (R. 246)**

## ADMISSION OF FACTS, PURSUANT TO NOTICE

The defendant (*or* plaintiff) in this action, for the purposes of this action only, hereby admits the several facts respectively hereunder specified, subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of any such facts, or any of them, as evidence in this action:

Provided that this admission is made for the purpose of this action only, and is not an admission to be used against the defendant (*or* plaintiff) on any other occasion, or by anyone other than the plaintiff (*or* defendant, *or party requiring the admission*).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

\_\_\_\_\_  
(*and signed*)

To:

Facts admitted

Qualifications or limitations, if any, subject  
to which they are admitted

**No. 21 (R. 248)**

## NOTICE TO PRODUCE AT TRIAL

TAKE NOTICE that you are hereby required to produce and show to the court on the trial of this action, all books, papers, letters, copies of letters, and other writings and documents in your custody, possession, or power, containing any entry, memorandum, or minute relating to the matters in question in this action, and particularly:

*(Here set forth the documents with such particularity as to readily identify them.)*

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*(and signed)*

To:

**No. 22 (R. 267)**

## ENTRY OF SPECIAL CASE FOR TRIAL

Enter for argument the special case dated the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_  
at the sittings of this court to be begun and holden at \_\_\_\_\_  
on the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
(and signed)

To the Local Registrar.

**No. 23 (R. 282)**

**MODE OF MARKING EXHIBITS AT TRIAL**

*(Short style of cause)*

Exhibit

filed at trial.

*(Date)*

---

Local Registrar

NOTE: *(Exhibits filed by the plaintiff are to be numbered P.1, P.2 and so on and those filed by the defendant D.1, D.2 and so on.)*

**No. 23A (R. 284B)**

## LIFE EXPECTANCY IN YEARS

<b>Age</b>	<b>Male</b>	<b>Female</b>
5	67.66	75.09
6	66.71	74.12
7	65.74	73.15
8	64.75	72.16
9	63.76	71.18
10	62.77	70.19
11	61.79	69.20
12	60.81	68.21
13	59.84	67.23
14	58.88	66.25
15	57.94	65.28
16	57.02	64.32
17	56.12	63.37
18	55.23	62.41
19	54.35	61.46
20	53.47	60.51
21	52.60	59.55
22	51.72	58.60
23	50.84	57.64
24	49.96	56.68
25	49.06	55.71
26	48.16	54.75
27	47.24	53.78
28	46.32	52.81
29	45.40	51.85
30	44.47	50.89

<b>Age</b>	<b>Male</b>	<b>Female</b>
31	43.54	49.94
32	42.61	48.99
33	41.69	48.05
34	40.76	47.10
35	39.83	46.16
36	38.91	45.21
37	37.98	44.26
38	37.06	43.31
39	36.15	42.37
40	35.24	41.43
41	34.35	40.49
42	33.45	39.55
43	32.57	38.62
44	31.69	37.70
45	30.81	36.78
46	29.93	35.86
47	29.06	34.95
48	28.19	34.05
49	27.33	33.15
50	26.47	32.25
51	25.63	31.35
52	24.79	30.46
53	23.97	29.57
54	23.15	28.69
55	22.35	27.02
56	21.57	26.95
57	20.79	26.10
58	20.03	25.24
59	19.28	24.40

<b>Age</b>	<b>Male</b>	<b>Female</b>
60	18.54	23.55
61	17.81	22.71
62	17.10	21.87
63	16.39	21.04
64	15.71	20.21
65	15.03	19.40
66	14.37	18.59
67	13.72	17.79
68	13.08	17.00
69	12.46	16.23
70	11.86	15.48
71	11.27	14.74
72	10.70	14.01
73	10.14	13.31
74	9.30	12.63
75	9.08	11.97
76	8.57	11.33
77	8.08	10.72
78	7.61	10.13
79	7.16	9.57
80	6.73	9.03
81	6.31	8.51
82	5.92	8.01
83	5.54	7.55
84	5.18	7.10
85	4.85	6.68
86	4.52	6.28
87	4.22	5.90
88	3.94	5.54



<b>Age</b>	<b>Male</b>	<b>Female</b>
89	3.67	5.20
90	3.41	4.88
91	3.18	4.58
92	2.95	4.30
93	2.75	4.03
94	2.55	3.79
95	2.37	3.55
96	2.21	3.34
97	2.05	3.14
98	1.92	2.95
99	1.79	2.74
100	1.64	2.47
101	1.46	2.13
102	1.27	1.74
103	1.05	1.35
104	0.85	1.02
105	0.69	0.77
106	0.57	0.60

**No. 23B (R. 284B)**PRESENT VALUES FOR GUARANTEED PAYMENTS  
UNDER AN ANNUITY CERTAIN*Schedule A:* interest rate 2 1/2% per annum

<u>N</u> <u>Years</u>	Present value of \$ 1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
1	0.98674	16	13.20392
2	1.94941	17	13.86862
3	2.88860	18	14.51710
4	3.80489	19	15.14976
5	4.69882	20	15.76699
6	5.57096	21	16.36917
7	6.42182	22	16.95666
8	7.25193	23	17.52982
9	8.06179	24	18.08900
10	8.85190	25	18.63455
11	9.62274	26	19.16679
12	10.37478	27	19.68604
13	11.10847	28	20.19263
14	11.82427	29	20.68687
15	12.52262	30	21.16905

*Schedule A:* interest rate 2 1/2% per annum

<u>N Years</u>	Present value of \$ 1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
31	21.63947	51	28.97293
32	22.09842	52	29.25301
33	22.54617	53	29.52626
34	22.98300	54	29.79285
35	23.40918	55	30.05293
36	23.82496	56	30.30667
37	24.23061	57	30.55423
38	24.62635	58	30.79574
39	25.01245	59	31.03136
40	25.38913	60	31.26124
41	25.75662	61	31.48551
42	26.11515	62	31.70431
43	26.46493	63	31.91777
44	26.80619	64	32.12603
45	27.13911	65	32.32920
46	27.46392	66	32.52743
47	27.78081	67	32.72081
48	28.08997	68	32.90948
49	28.39159	69	33.09355
50	28.68585	70	33.27313

*Schedule B:* interest rate 3% per annum

<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
1	0.98415	20	15.08095
2	1.93964	21	15.62585
3	2.86730	22	16.15488
4	3.76794	23	16.66850
5	4.64234	24	17.16716
6	5.49128	25	17.65130
7	6.31549	26	18.12134
8	7.11570	27	18.57768
9	7.89260	28	19.02074
10	8.64687	29	19.45089
11	9.37917	30	19.86851
12	10.09014	31	20.27397
13	10.78041	32	20.66761
14	11.45057	33	21.04980
15	12.10121	34	21.42085
16	12.73290	35	21.78109
17	13.34619	36	22.13084
18	13.94161	37	22.47041
19	14.51970	38	22.80008

*Schedule B:* interest rate 3% per annum

<u>N Year</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
39	23.12015	55	27.14061
40	23.43090	56	27.33426
41	23.73260	57	27.52227
42	24.02551	58	27.70480
43	24.30989	59	27.88202
44	24.58599	60	28.05407
45	24.85405	61	28.22111
46	25.11429	62	28.38329
47	25.36696	63	28.54075
48	25.61227	64	28.69362
49	25.85043	65	28.84203
50	26.08166	66	28.98612
51	26.30615	67	29.12602
52	26.52411	68	29.26184
53	26.73571	69	29.39371
54	26.94115	70	29.52173

*Schedule C:* interest rate 3 1/2% per annum

<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
1	0.98159	24	16.31437
2	1.92998	25	16.77426
3	2.84630	26	17.15962
4	3.73164	27	17.56093
5	4.58703	28	17.94867
6	5.41350	29	18.32329
7	6.21202	30	18.68525
8	6.98354	31	19.03497
9	7.72897	32	19.37286
10	8.44919	33	19.69933
11	9.14505	34	20.01475
12	9.81739	35	20.31951
13	10.46699	36	20.61397
14	11.09462	37	20.89846
15	11.70102	38	21.17334
16	12.28692	39	21.43892
17	12.85301	40	21.69552
18	13.39995	41	21.94344
19	13.92840	42	22.18298
20	14.43898	43	22.41441
21	14.93229	44	22.63802
22	15.40892	45	22.85407
23	15.86943	46	23.06282

*Schedule C:* interest rate 3 1/2% per annum

<u>N Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
47	23.26450	59	25.21345
48	23.45937	60	25.34240
49	23.64764	61	25.46700
50	23.82955	62	25.58738
51	24.00530	63	25.70370
52	24.17512	64	25.81608
53	24.33919	65	25.92466
54	24.49771	66	26.02956
55	24.65087	67	26.13092
56	24.79885	68	26.22885
57	24.94183	69	26.32348
58	25.07997	70	26.41490

*Schedule D:* interest rate 4% per annum

<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
1	0.97904	28	16.96639
2	1.92043	29	17.29288
3	2.82561	30	17.60681
4	3.69597	31	17.90867
5	4.53286	32	18.19891
6	5.33756	33	18.47800
7	6.11131	34	18.74635
8	6.85530	35	19.00437
9	7.57068	36	19.25248
10	8.25854	37	19.49104
11	8.91995	38	19.72043
12	9.55592	39	19.94099
13	10.16742	40	20.15307
14	10.75541	41	20.35700
15	11.32078	42	20.55308
16	11.86441	43	20.74161
17	12.38713	44	20.92290
18	12.88974	45	21.09722
19	13.37302	46	21.26483
20	13.83772	47	21.42599
21	14.28454	48	21.58096
22	14.71418	49	21.72996
23	15.12729	50	21.87324
24	15.52451	51	22.01100
25	15.90646	52	22.14346
26	16.27371	53	22.27083
27	16.62684	54	22.39331



*Schedule D:* interest rate 4% per annum

<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>	<u>N</u> <u>Years</u>	Present value of \$1 per Annum Payable Monthly in Arrears for <u>N Years Certain</u>
55	22.51107	63	23.30392
56	22.62430	64	23.38666
57	22.73317	65	23.46621
58	22.83786	66	23.54271
59	22.93853	67	23.61626
60	23.03532	68	23.68698
61	23.12838	69	23.75499
62	23.21787	70	23.82038

**No. 24 (R. 290)**

## ORDER FOR EXAMINATION OF WITNESSES

Before \_\_\_\_\_ in Chambers  
the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

Upon application of counsel for the \_\_\_\_\_ and upon hearing  
read the \_\_\_\_\_.

It is ordered that \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the \_\_\_\_\_  
of \_\_\_\_\_ be appointed a special examiner, for the purpose of taking the  
examination, cross-examination and re-examination *viva voce* on oath or affirmation of: (*here  
set out the names of the witnesses to be examined*)

and other witnesses on behalf of \_\_\_\_\_  
at \_\_\_\_\_ aforesaid. The \_\_\_\_\_'s solicitor to give  
to the \_\_\_\_\_'s solicitor two days' notice in writing of the date on  
which he proposes to send out this order for execution and that within two days after the  
service of such notice the solicitors for the plaintiff and defendant respectively do exchange  
the names of their agents at \_\_\_\_\_ to whom notice relating to  
the examination of the said witnesses may be sent.

And that \_\_\_\_\_ days (exclusive of Sunday) prior to the examination of any witness hereunder, notice of such examination shall be given by the agent of the party on whose behalf such witness is to be examined to the agent of the other party, (unless such notice is dispensed with or unless no agent has been appointed, in which latter case no notice need be given), and that the depositions when so taken together with any documents referred to therein, or certified copies of such documents or of extracts therefrom be transmitted by the examiner, under seal, to the local registrar of this court at \_\_\_\_\_

on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, or such further time as may be ordered, to be filed by him in his office. And that either party be at liberty to read and give such depositions in evidence or of any witness so examined, at the trial of this action, saving all just exceptions.

And it is further ordered that the costs of and incidental to this application and such examination be reserved to be disposed of by the trial judge at or after the trial or by a judge if the action is determined otherwise than by trial.

---

Local Registrar *or* Clerk in Chambers

**No. 25 (R. 305)**

PRAECIPE FOR SUBPOENA

Required a writ of subpoena \_\_\_\_\_ on behalf  
of the \_\_\_\_\_ .

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_ .

\_\_\_\_\_  
*(Signature)*

To the Local Registrar.

**No. 26 (R. 306)**

SUBPOENA AD TESTIFICANDUM

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS AND  
TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To

Greeting:

We command you to attend before \_\_\_\_\_  
at \_\_\_\_\_ on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_,  
2 \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon and so  
from day to day until the above action is tried and in case the said trial is adjourned to attend  
on the date to which it is adjourned and so from day to day until such action is tried, to give  
evidence on behalf of the (plaintiff *or* defendant).

Issued, *etc.*

\_\_\_\_\_  
Local Registrar

No. 27 (R. 306)

SUBPOENA DUCES TECUM

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS AND  
TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To

Greeting:

We command you to attend before \_\_\_\_\_  
at \_\_\_\_\_ on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_,  
2 \_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon and so  
from day to day until the above action is tried and in case the said trial is adjourned to attend  
on the date to which it is adjourned and so from day to day until such action is tried, to give  
evidence on behalf of the (plaintiff *or* defendant), and also to bring with you and produce at  
the time and place aforesaid (*specify documents to be produced*).

Issued, *etc.*

\_\_\_\_\_  
Local Registrar

**No. 28 (R. 311)****ORDER FOR TAKING EVIDENCE FOR COURT  
OR TRIBUNAL OUTSIDE SASKATCHEWAN**

Before \_\_\_\_\_ in Chambers  
the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

In the matter of a proceeding before \_\_\_\_\_  
*(description of court or tribunal)*  
intituled as follows:

Between \_\_\_\_\_, plaintiff,  
and \_\_\_\_\_, defendant.

It is ordered that \_\_\_\_\_ of \_\_\_\_\_  
do attend before \_\_\_\_\_  
*(name and address of examiner)*

who is hereby appointed examiner herein, at such time and place as he may appoint, and do there submit to be examined upon oath, or affirmation, touching the issues in the matter aforesaid, and do then and there produce *(description of documents, if any, required to be produced)* saving all just exceptions.

And it is further ordered that the said examiner do cause the evidence of the said witness to be recorded and transcribed according to the rules and practice of the court pertaining to examination for discovery *(or as may be otherwise directed)*, and when so transcribed do transmit the same together with this order, to the Registrar, Regina, for transmission to the proper officer of the *(court or tribunal)* desiring the evidence of such witness.

**No. 29 (R. 314)**CERTIFICATE OF EVIDENCE TAKEN FOR COURT OR  
TRIBUNAL OUTSIDE SASKATCHEWAN

I, \_\_\_\_\_, Registrar of Her Majesty's Court of Queen's Bench for Saskatchewan, hereby certify that the documents annexed hereto are (1) the original order of the Court of Queen's Bench dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and (2) the evidence as transcribed.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.



**No. 30 (R. 336)**

**JUDGMENT**

**IN DEFAULT OF DEFENCE IN CASE OF LIQUIDATED DEMAND AND CERTIFICATE  
OF ASSESSMENT OF COSTS**

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

The defendant not having delivered any defence to the Statement of Claim herein,  
it is this day adjudged that the plaintiff recover against the defendant \$ \_\_\_\_\_  
and costs to be assessed.

\_\_\_\_\_  
Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_

Claim \$  
Costs \$ \_\_\_\_\_  
Total \$

\_\_\_\_\_  
Local Registrar

**No. 31 (R. 336)**

**JUDGMENT**

**IN DEFAULT OF DEFENCE IN ACTION FOR RECOVERY OF LAND**

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ .

No defence having been delivered to the Statement of Claim herein, it is this day adjudged that the plaintiff recover possession of the land in the statement of claim described as \_\_\_\_\_ and costs to be assessed.

\_\_\_\_\_  
Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
Local Registrar

**No. 32 (R. 336)****JUDGMENT****AFTER TRIAL BY JUDGE WITHOUT A JURY**

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

This action having come on for trial before the Honourable Mr. Justice \_\_\_\_\_ without a jury on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ in the presence of counsel for the plaintiff and defendant (*or as the case may be*), upon hearing the evidence adduced on behalf of the plaintiff and defendant (*or as the case may be*), the court was pleased to order that the same should stand over for judgment (*if judgment is reserved*), the same coming on this day for judgment, the court was pleased to order that the plaintiff should recover from the defendant (*here set out the amount or as the case may be*).

It is hereby ordered and adjudged that the plaintiff do recover from the defendant (*here set out the amount or as the case may be*) together with the costs of action to be assessed (*or as the case may be*).

\_\_\_\_\_  
Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 33 (R. 336)****JUDGMENT****AFTER TRIAL BY JUDGE WITH A JURY**

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

This action having come on for trial before the Honourable Mr. Justice \_\_\_\_\_ with a jury on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ in the presence of counsel for the plaintiff and defendant (*or as the case may be*), upon hearing the evidence adduced for the plaintiff and defendant (*or as the case may be*), the jury having answered the following questions in the following manner, namely (*here set forth in order the questions submitted to the jury and their answers thereto*).

And the Honourable Mr. Justice \_\_\_\_\_ having ordered that judgment be entered thereon for the plaintiff for the sum of \$ \_\_\_\_\_ and costs:

It is hereby ordered and adjudged that the plaintiff do recover from the defendant the sum of \$ \_\_\_\_\_ together with the costs of action to be assessed.

\_\_\_\_\_  
Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
Local Registrar

**No. 34 (R. 336)****JUDGMENT**

## IN COURT FOR AMOUNT TO BE ASCERTAINED

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

This action having on the \_\_\_\_\_ been tried before the Honourable Mr. Justice \_\_\_\_\_ and the said Mr. Justice \_\_\_\_\_ having ordered that judgment be entered for the plaintiff for such amount as shall be found due by the local registrar for damages (*or, as the case may be, following the terms of reference*).

It is this day adjudged that the plaintiff recover against the defendant such amount as shall be found due by the local registrar for damages (*or as the case may be*) and costs to be assessed.

The local registrar having certified the amount due to the plaintiff hereunder at \$ \_\_\_\_\_, it is adjudged that the plaintiff recover against the defendant the said sum of \$ \_\_\_\_\_ and costs to be assessed.

\_\_\_\_\_  
Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_

\_\_\_\_\_  
Local Registrar

**No. 35 (R. 336)****JUDGMENT**

## IN PURSUANCE OF AN ORDER

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

Pursuant to the order of the Honourable Mr. Justice \_\_\_\_\_  
*(or as the case may be)*

dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, whereby it was ordered that the plaintiff do recover judgment against the defendant for the sum of \$ \_\_\_\_\_ together with the costs of action to be assessed.

It is hereby ordered and adjudged that the plaintiff do recover from the defendant the sum of \$ \_\_\_\_\_ together with the costs of action to be assessed.

\_\_\_\_\_  
 Local Registrar

The above costs have been assessed and allowed at \$ \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 Local Registrar

**No. 36 (Sr. 176(3) and R. 336)****JUDGMENT****FOR COSTS AFTER ACCEPTANCE OF MONEY PAID INTO COURT**

The \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

The defendant having paid into court in this action the sum of \$ \_\_\_\_\_ in satisfaction of the plaintiff's claim, and the plaintiff having by his notice dated the \_\_\_\_\_ day of \_\_\_\_\_ accepted that sum in satisfaction of his entire cause of action, and the plaintiff's costs herein having been assessed and allowed at the sum of \$ \_\_\_\_\_ and the defendant not having paid the same within four days after the said assessment:

It is this day adjudged that the plaintiff recover against the defendant \$ \_\_\_\_\_.

---

Local Registrar

**No. 37 (R. 357)**

## PRAECIPE FOR WRIT OF EXECUTION

Required a writ of execution directed to the sheriff of \_\_\_\_\_  
to levy against the goods (*or lands, or goods and lands as the case may be*)

of \_\_\_\_\_ the sum of \$ \_\_\_\_\_  
and interest thereon at the rate of five per centum per annum from the \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

Judgment (*or order*) dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_ .

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

\_\_\_\_\_  
(Signature)

To the Local Registrar.



**No. 38 (R. 358 and R. 360)**

## WRIT OF EXECUTION

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS  
AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To the Sheriff of the Judicial Centre of \_\_\_\_\_

You are commanded that of the goods (*or* lands *or* goods and lands) of \_\_\_\_\_ in the Province of Saskatchewan you cause to be made \$ \_\_\_\_\_ which \_\_\_\_\_ by the \_\_\_\_\_ of the said court dated \_\_\_\_\_ (*judgment (or order)*) the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ recovered against him.

And that you have the said money and in what manner you shall have executed this writ make appear to the said court at \_\_\_\_\_ immediately after the execution thereof before the said court at \_\_\_\_\_ together with this writ.

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

(*Directions to sheriff to be endorsed on writ*)

Levy the sum of \$ \_\_\_\_\_ with interest from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, at the rate of 5% per annum together with \$ \_\_\_\_\_ for the costs of this writ besides your own fees, poundage and other legal expenses of execution.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(*Signature*)

\_\_\_\_\_  
Solicitor for

**No. 39 (R. 358 and R. 371)**

## WRIT OF POSSESSION

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS  
AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To the Sheriff of \_\_\_\_\_ Greeting:

Whereas lately in our Court of Queen's Bench, by a \_\_\_\_\_  
*(judgment (or order))*  
of the said court \_\_\_\_\_ recovered or \_\_\_\_\_  
was ordered to deliver to \_\_\_\_\_  
possession of all that \_\_\_\_\_ with the appurtenances in your bailiwick:

Therefore, we command you that you enter the same, and without delay you cause the said \_\_\_\_\_ to have possession of the said land and premises with the appurtenances, and that you defend and keep him and his assigns in peaceable and quiet possession when and as often as any interruption may or shall, from time to time, be given or offered to him or them or any of them by the defendant or any persons claiming through or under him. And in what manner, *etc.*

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

*(Directions to sheriff to be endorsed on writ)*

Cause possession to be delivered to the plaintiff of the within mentioned premises.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
*(Signature)*

NOTE: Where money or costs are also recoverable by the judgment a writ of execution may be combined with the writ of possession.

**No. 40 (R. 358 and R. 370)**

## WRIT OF DELIVERY

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS  
AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To the Sheriff of \_\_\_\_\_ Greeting:

We command you, that without delay you cause the following chattels, that is to say (*here enumerate the chattels recovered by the judgment or order for the return of which execution has been ordered to issue*), to be returned to \_\_\_\_\_

which the said \_\_\_\_\_ lately in our Court of Queen's Bench recovered against \_\_\_\_\_ (*or* \_\_\_\_\_ was ordered to deliver to the said \_\_\_\_\_ ) in an action in our said court. And we further command you, that if the said chattels cannot be found in your bailiwick, you distraint the said \_\_\_\_\_ by all his lands and chattels in your bailiwick, so that neither the said \_\_\_\_\_ nor anyone for him do lay hands on the same, until the said \_\_\_\_\_ render to the said \_\_\_\_\_ the said chattels.

And in what manner, *etc.*

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

*(Directions to sheriff to be endorsed on writ) (or)*

*(The like, but instead of a distress until the chattel is returned, commanding the \_\_\_\_\_ sheriff to levy on defendant's goods the assessed value of it.)*

*(Proceed as in the preceding form until "in an action in our said court", and then thus:)*

And we further command you, that if the said chattels cannot be found in your bailiwick, of the goods and chattels of the said \_\_\_\_\_ in your bailiwick you cause to be made \$ \_\_\_\_\_ (*the assessed value of the chattels*).

And in what manner, *etc.*

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

(*or*)

(*If the judgment includes damages, costs, and interest, proceed to “the \_\_\_\_\_ assessed value of the chattels” and continue thus:*)

And we further command you that of the goods (and lands *as the case may be*) of the said \_\_\_\_\_ in your bailiwick, you cause to be made the sum of \$ \_\_\_\_\_ (*damages*); and also interest thereon at the rate of 5% per annum, from the day of \_\_\_\_\_ which said sum of money and interest were in the said action by the judgment therein (*or* by order) dated the \_\_\_\_\_ day of \_\_\_\_\_ adjudged (*or* ordered) to be paid by the said \_\_\_\_\_ to \_\_\_\_\_ together with certain costs in the said judgment (*or* order) mentioned, and which costs have been assessed and allowed by the assessment officer of our said court at the sum of \$ \_\_\_\_\_ as appears by the certificate of the said assessment officer dated the \_\_\_\_\_ day of \_\_\_\_\_.

And that of the goods (and lands *as the case may be*) of the said \_\_\_\_\_ in your bailiwick you further cause to be made the said sum of \$ \_\_\_\_\_ (*costs*), together with interest thereon at the rate of 5% per annum from the \_\_\_\_\_ day of \_\_\_\_\_ and that you have that money and interest before us in our said court immediately after the execution hereof to be paid to the said \_\_\_\_\_ in pursuance of the said judgment (*or* order).

And in what manner, *etc.*

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

**No. 41 (R. 345)**

## CONSENT TO ENTRY OF MEMORANDUM OF SATISFACTION OF JUDGMENT

I, \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Province of \_\_\_\_\_  
being the plaintiff named in, and the sole person entitled to the benefit of the judgment  
entered herein, on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, hereby  
consent to a memorandum of satisfaction of the said judgment being entered.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

(Witnessed)

\_\_\_\_\_  
(Signature)

## FORM OF AFFIDAVIT VERIFYING THE ABOVE CONSENT

I, \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Province of \_\_\_\_\_

Make Oath and Say:

**1** That the above named \_\_\_\_\_ did on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_, in my presence sign the consent to entry  
of a memorandum of satisfaction of the judgment in this action.

**2** That at the time of signing the said consent the said \_\_\_\_\_  
informed me that he was the sole person entitled to the benefit of the said judgment and that  
the said judgment had been fully satisfied and discharged.

Sworn, *etc.*

**No. 42 (R. 406)**

## WRIT OF REPLEVIN

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS  
AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To the Sheriff of the Judicial Centre of \_\_\_\_\_

You are hereby commanded without delay to cause to be replevied to the plaintiff his goods, chattels and personal property following, that is to say: \_\_\_\_\_

which the said \_\_\_\_\_ alleges to be of the value of \_\_\_\_\_ dollars and which the defendant hath taken and unjustly detains, as it is alleged, in order that the plaintiff may have his just remedy in that behalf.

Issued, *etc.*

[L.S.]

\_\_\_\_\_  
Local Registrar

**No. 43 (R. 408)**

BOND FOR REPLEVIN

Know ye all men by these presents that we \_\_\_\_\_  
of \_\_\_\_\_ and \_\_\_\_\_  
of \_\_\_\_\_ are jointly and severally held and firmly bound  
to \_\_\_\_\_ the sheriff of the judicial centre  
of \_\_\_\_\_ in the sum of \_\_\_\_\_ dollars  
of lawful money to be paid to the said sheriff, his successor in office or either of their assigns  
for which payment well and truly to be made we bind ourselves and each and every of us in  
the whole, our and every of our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

Whereas the said \_\_\_\_\_ has obtained a writ of replevin  
against \_\_\_\_\_ to obtain possession of certain cattle  
(*or goods*) to wit: \_\_\_\_\_ which the said \_\_\_\_\_  
asserts to be his property;

Now the condition of this obligation is such that if the said \_\_\_\_\_  
shall prosecute his suit in which the said writ is issued with effect and without delay or if  
suit is carried on and continued between the said \_\_\_\_\_  
and \_\_\_\_\_ touching the property of the said cattle  
(*or goods*) and the court shall adjudge that the said cattle (*or goods*) be restored to the said  
with damages for detaining the same and during such detention then if the  
said \_\_\_\_\_ shall comply with such adjudication and pay and  
satisfy any judgment that may be obtained against him this bond shall be void, but  
otherwise shall remain in force.

Signed, sealed and delivered  
in the presence of:  
\_\_\_\_\_ )

No. 43A (Sr. 408(3))

DEPOSIT OF CASH OR SECURITIES FOR REPLEVIN

Whereas \_\_\_\_\_ has obtained a writ of replevin against \_\_\_\_\_ to obtain possession of certain goods, to wit: \_\_\_\_\_ which the said \_\_\_\_\_ asserts to be his property. And whereas \_\_\_\_\_ has deposited with the Sheriff, Judicial Centre of \_\_\_\_\_ cash in the amount of \$ \_\_\_\_\_ [negotiable securities of a value of \$ \_\_\_\_\_ , namely: \_\_\_\_\_ ] as security for the performance by the plaintiff of the obligations hereinafter stated.

Now the condition of the deposit as aforesaid is such that if the said \_\_\_\_\_ shall successfully prosecute his suit in which the said writ is issued with effect and without delay, or if the suit is carried on and continued between the said \_\_\_\_\_ and \_\_\_\_\_ touching the said goods and the court shall adjudge that the said goods be restored to the said \_\_\_\_\_ with damages for detaining the same and if the said \_\_\_\_\_ shall comply with such adjudication and pay and satisfy any judgment that may be obtained against him this Deposit of Cash or Securities for Replevin shall be void, but otherwise shall remain in force.

Signed, sealed and delivered  
 in the presence of:  
 \_\_\_\_\_

)  
 )



**No. 43B (Sr. 408(3))**

DEPOSIT OF LETTER OF CREDIT FOR REPLEVIN

Whereas \_\_\_\_\_ has obtained a writ of replevin against \_\_\_\_\_ to obtain possession of certain goods, to wit: \_\_\_\_\_

\_\_\_\_\_ which the said \_\_\_\_\_ asserts to be his property.

And whereas \_\_\_\_\_ has deposited with the Sheriff, Judicial Centre of \_\_\_\_\_ an irrevocable letter of credit on behalf of \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ as security for the performance by the plaintiff of the obligations hereinafter stated.

Now the condition of the deposit as aforesaid is such that if the said \_\_\_\_\_ shall successfully prosecute his suit in which the said writ is issued with effect and without delay, or if the suit is carried on and continued between the said \_\_\_\_\_ and \_\_\_\_\_ touching the said goods and the court shall adjudge that the said goods be restored to the said \_\_\_\_\_ with damages for detaining the same and if the said \_\_\_\_\_ shall comply with such adjudication and pay and satisfy any judgment that may be obtained against him this Deposit of Letter of Credit for Replevin shall be void, but otherwise shall remain in force.

Signed, sealed and delivered  
in the presence of:  
\_\_\_\_\_ }

No. 44 (Sr. 409A(3))

BOND TO RETAIN POSSESSION OF PROPERTY

Know all men by these presents that we \_\_\_\_\_  
 (defendant)  
 of \_\_\_\_\_ and \_\_\_\_\_  
 of \_\_\_\_\_ are jointly and severally held and firmly bound  
 to \_\_\_\_\_ the sheriff of the  
 judicial centre of \_\_\_\_\_ in the sum  
 of \_\_\_\_\_ dollars of lawful money to be paid to the said sheriff, his successor in office or  
 either of their assigns, for which payment well and truly to be made we bind ourselves and  
 each and every of us in the whole, our and every of our heirs, executors and administrators,  
 firmly by these presents.

Sealed with our seals and dated this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

Whereas the said \_\_\_\_\_ claims to retain certain cattle  
 (or goods) to wit: \_\_\_\_\_ to recover possession  
 of which \_\_\_\_\_ has obtained a writ of replevin.

Now the condition of this obligation is such that if the court shall adjudge that the said  
 cattle (or goods) shall be restored to the said \_\_\_\_\_ with or  
 without damages for detaining the same, then if the said \_\_\_\_\_  
 shall restore the said cattle (or goods) and pay and satisfy any judgment that may be  
 recovered against him, this obligation shall be void, but otherwise shall remain in force.

Signed, sealed and delivered  
 in the presence of:  
 \_\_\_\_\_ )

No. 44A (Sr. 409A(3))

DEPOSIT OF CASH OR SECURITIES TO RETAIN POSSESSION OF PROPERTY

Whereas \_\_\_\_\_ has obtained a writ of replevin against \_\_\_\_\_ to obtain possession of certain goods, to wit: \_\_\_\_\_

\_\_\_\_\_ which the said \_\_\_\_\_ asserts to be his property.

And whereas the said \_\_\_\_\_ claims to be entitled to retain possession of the said goods.

And whereas \_\_\_\_\_ has deposited with the Sheriff, Judicial Centre of \_\_\_\_\_ cash in the amount of \$ \_\_\_\_\_ [negotiable securities of a value of \$ \_\_\_\_\_, namely: \_\_\_\_\_] as security for the performance by the defendant of the obligations hereinafter stated.

Now the condition of the deposit as aforesaid is that if the court shall adjudge that the said goods shall be restored to the said \_\_\_\_\_ with or without damages for detaining the same, and if the said \_\_\_\_\_ shall restore the said goods and pay and satisfy any judgment that may be recovered against him, this Deposit of Cash or Securities to Retain Possession of Property shall be void, but otherwise shall remain in force.

Signed, sealed and delivered in the presence of: \_\_\_\_\_

No. 44B (Sr. 409A(3))

DEPOSIT OF LETTER OF CREDIT TO RETAIN  
POSSESSION OF PROPERTY

Whereas \_\_\_\_\_ has obtained a writ of replevin  
against \_\_\_\_\_ to obtain possession of certain goods, to  
wit: \_\_\_\_\_

\_\_\_\_\_ which the said \_\_\_\_\_ asserts to be his property.

And whereas the said \_\_\_\_\_ claims to be entitled  
to retain possession of the said goods.

And whereas \_\_\_\_\_ has  
*(name of Chartered Bank)*

deposited with the Sheriff, Judicial Centre of \_\_\_\_\_  
an irrevocable letter of credit on behalf of \_\_\_\_\_

in the amount of \$ \_\_\_\_\_ as security for the performance by the defendant of the  
obligations hereinafter stated.

Now the condition of the deposit as aforesaid is that if the court shall adjudge that the  
said goods shall be restored to the said \_\_\_\_\_ with or without  
damages for detaining the same, and if the said \_\_\_\_\_ shall restore  
the said goods and pay and satisfy any judgment that may be recovered against him, this  
Deposit of Letter of Credit to Retain Possession of Property shall be void, but otherwise shall  
remain in force.

Signed, sealed and delivered  
in the presence of:  
\_\_\_\_\_ }

**No. 45 (Sr. 421(2))**

## NOTICE BY SHERIFF TO EXECUTION OR OTHER CREDITOR

Take notice that \_\_\_\_\_ has claimed the goods (*or certain goods*)  
*(where only certain goods are claimed here enumerate them)*

seized by me under the writ of execution issued in this action (*or seized by me under the warrant directed to me by you and dated the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_*).

You are hereby required to admit or dispute the title of the said \_\_\_\_\_ to the said goods and give notice thereof in writing to me within 14 days from the posting of this notice.

If you admit the title of the said \_\_\_\_\_ to the said goods and give notice thereof to me as aforesaid, you will be liable only for any fees and expenses incurred prior to the receipt by me of the notice admitting the claim.

If you fail to admit or if you dispute the title of the said \_\_\_\_\_ to the said goods it will be necessary for me to interplead.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
 Sheriff

This notice posted \_\_\_\_\_  
*(date)*

To: *Name of creditor*  
*or his solicitor*

**No. 46 (Sr. 421(2))**NOTICE TO SHERIFF BY EXECUTION OR OTHER CREDITOR OF ADMISSION OR  
DISPUTE OF TITLE OF CLAIMANT

Take notice that I admit (*or dispute*) the title of \_\_\_\_\_  
to the goods (*or certain of the goods, namely (here set them out)*)

seized by you under the writ of execution issued in this action (*or under my warrant  
directed to you dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_*) .

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_ .

\_\_\_\_\_  
(*Signature*)

To the Sheriff of \_\_\_\_\_

**No. 47 (R. 450)**

## NOTICE OF MOTION

Take notice that an application will be made to the presiding judge in court (*or* the presiding judge in chambers) at the court house in \_\_\_\_\_, Saskatchewan, on \_\_\_\_\_ day the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at 10 o'clock in the forenoon or so soon thereafter as counsel can be heard on behalf of the plaintiff (*or* defendant, *as the case may be*) for an order that:

(a) (*state the precise relief sought*);

(b) on the following grounds (*set forth the statutory provision, Queen's Bench rule, order or other legal basis which the applicant relies upon to justify the relief sought*)

And further take notice that in support of the said application will be read \_\_\_\_\_  
(*here set forth all material to be used, which should be filed before service of the notice of motion*).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

To:

Solicitor for  
\_\_\_\_\_

**No. 48 (R. 453)**

## FORM OF ORIGINATING NOTICE

Take notice that you are required to attend before the presiding judge in chambers at the court house in the City of Regina *(or as the case may be)* \_\_\_\_\_ in the Province of Saskatchewan, on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at 10 o'clock in the forenoon *(or as the case may be)*, or so soon thereafter as there may be a judge in chambers and the application can be heard, on the hearing of an application on the part of the plaintiff for the following relief:

*(here set out the object or objects of the application).*

And further take notice that in support of the said application will be read \_\_\_\_\_

*(here set forth all material to be used, which should be filed before the service of this notice).*

If you do not attend either in person or by your solicitor at the time and place above mentioned, such order will be made in your absence as may seem just and expedient.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

To:

Solicitor for

\_\_\_\_\_

This notice was issued by \_\_\_\_\_ of \_\_\_\_\_ in the Province of Saskatchewan, solicitor for the applicant who resides at \_\_\_\_\_ and whose address for service is the office of \_\_\_\_\_.

Sealed, *etc.*

\_\_\_\_\_  
Local Registrar



**No. 49 (Sr. 467(1))**

## ORDER — GENERAL FORM

Before \_\_\_\_\_ in Chambers  
the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

Upon the application of \_\_\_\_\_ counsel  
on behalf of (plaintiff or defendant or applicant or *as the case may be*) and upon  
hearing \_\_\_\_\_ counsel on behalf of (plaintiff or defendant  
or respondent or *as the case may be*) and upon hearing read (*here set forth all the material used on the  
application*) all filed:

It is ordered (*here state the terms of the order made*).

\_\_\_\_\_  
Chamber Clerk (*or as the case may be*)

*Where an order is issued pursuant to an ex parte application the endorsement required by Subrule 467(2a) must  
appear here.*

**No. 50 (Sr. 547(2))**

## ORDER FOR SECURITY FOR COSTS

Repealed. Gaz. Dec. 13, 2002.

**No. 51 (R. 435)**

## APPOINTMENT FOR APPLICATION FOR LEAVE TO COMMENCE ACTION

In the matter of a proposed action

Between

\_\_\_\_\_ Plaintiff,

- and -

\_\_\_\_\_ Defendant.

Before \_\_\_\_\_ in chambers.

*(insert name of judge)*

Upon the application of counsel for the proposed plaintiff and upon reading the affidavit of \_\_\_\_\_, a copy of which is to be served herewith.

The \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_ noon at the court house at \_\_\_\_\_ is appointed  
*(place)*

as the time and place for the hearing of an application by the proposed plaintiff for leave to commence an action for \_\_\_\_\_

*(here state relief sought)*

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 52 (Sr. 436(I))**

## CLAIM IN MORTGAGE ACTION

1 The plaintiff's claim is under a mortgage dated the \_\_\_\_ day of \_\_\_\_\_,  
 2 \_\_\_\_\_, made by \_\_\_\_\_  
 in favour of \_\_\_\_\_, and registered in the land titles  
 office for the \_\_\_\_\_ Land Registration District, on the \_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_\_, as instrument no. \_\_\_\_\_.

Or

*(If the action is under an equitable mortgage, state that fact and set forth briefly the date when and the manner  
 in which such equitable mortgage was created.)*

2 The mortgage has been duly transferred by the mortgagee to the plaintiff by a  
 transfer dated the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

*(Delete if the mortgage has not been transferred)*

3 The mortgage has been duly assumed by the defendant, \_\_\_\_\_,  
 by an instrument in writing dated the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

*(Delete if the mortgage has not been assumed)*

4 The plaintiff *(or as the case may be)* and the defendant entered into an  
 extension agreement with respect to the mortgage, which agreement is dated the \_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_\_.

*(Delete if there has been no extension agreement)*

5 The following is a description of the mortgaged land namely: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*(here describe the land)*

6 The term of the mortgage has expired and the full amount owing is now due. Default has been made and the amount owing as at the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, is \$ \_\_\_\_\_, together with interest thereon at a rate of \_\_\_\_\_ per cent per annum from that date to date of payment, plus disbursements made pursuant to the provisions of the mortgage which are as follows: \_\_\_\_\_

\_\_\_\_\_  
 (Here set forth particulars of taxes, insurance premiums and all other disbursements and charges claimed).

Or

Default has been made under the mortgage, and the following are the particulars of the amount owing (or in arrears - if arrears only are claimed) as at the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, including all disbursements made pursuant to the provisions of the mortgage:

Arrears of principal: \$ \_\_\_\_\_

Arrears of interest at \_\_\_ % \$ \_\_\_\_\_

Other disbursements as follows: \_\_\_\_\_

\_\_\_\_\_  
 (Here set forth particulars of taxes, insurance premiums and all other disbursements and charges claimed)

\$ \_\_\_\_\_  
 Total \$ \_\_\_\_\_  
 Accelerated principal: \$ \_\_\_\_\_  
 Total including accelerated principal \$ \_\_\_\_\_

7 On the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, there were instalments owing under the mortgage totalling \$ \_\_\_\_\_, being \_\_\_\_\_ months instalments at \$ \_\_\_\_\_ per month.

8 The defendant \_\_\_\_\_  
*(name the defendant or defendants personally liable)*

covenanted in the mortgage *or as the case may be*) to pay the moneys owing under the mortgage. *The Limitation of Civil Rights Act* does not preclude the plaintiff from suing on the covenant because *(here give the reason why the plaintiff is entitled to sue on the personal covenant; delete this paragraph if no claim is made for judgment on the personal covenant)*.

9 The defendants \_\_\_\_\_ appear from the records of the proper land titles office *(or as the case may be)* to be interested in the equity of redemption, subject to the rights of the plaintiff.

10 Leave to commence this action was granted under the provisions of *The Land Contracts (Actions) Act* on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the nature of the remedy which by the leave granted is permitted to be sought in this action is

\_\_\_\_\_  
*(here list the remedies specified in the order granting leave):*

Or

No leave to commence this action was required under *The Land Contracts (Actions) Act* because \_\_\_\_\_

\_\_\_\_\_  
*(here give the reasons why leave under the Act was unnecessary):*

11 The plaintiff claims to be entitled to costs on a solicitor client basis because

\_\_\_\_\_  
*(here give the reasons why solicitor-client costs may be claimed; delete if solicitor-client costs are not claimed).*

**12** The plaintiff claims the following relief, namely \_\_\_\_\_

\_\_\_\_\_  
*(here set forth such relief of the nature following as may be desired and for which the necessary leave was granted):*

**(a)** judgment against the defendant \_\_\_\_\_

*(here name all defendants against whom personal judgment for the payment of money is claimed)*

for the aforesaid sum of \$ \_\_\_\_\_ together with interest on the sum of \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per centum per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and the costs *(specify if solicitor-client costs)* of this action:

**(b)** foreclosure of the mortgage;

**(c)** sale of the mortgaged land;

**(d)** possession *(or immediate possession)* of the mortgaged land;

**(e)** the appointment of a receiver of the rents, issues and profits of the mortgaged land;

**(f)** *Here set forth concisely any other relief which may be properly claimed).*

Dated at \_\_\_\_\_, in the Province of Saskatchewan,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*(and signed)*

To the defendants:

Take notice that you are entitled at any time, by notice in writing, to demand from the plaintiff's solicitors *(if the plaintiff sues in person, insert "plaintiff")* full particulars of the amount claimed by the plaintiff, and production for your inspection of the mortgage, and any other documents sued upon.

**No. 53 (Sr. 436(4))**AFFIDAVIT OF SERVICE IN ACTIONS UNDER MORTGAGES  
OR AGREEMENTS FOR SALE OF LAND

I, \_\_\_\_\_, of \_\_\_\_\_ in the  
*(residence)*  
Province of Saskatchewan,

Make Oath and Say:

**1** That I did on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, serve the defendant, with a true copy of the statement of claim attached hereto and marked exhibit "A" having enclosed such copy in an envelope, addressed to the said defendant at \_\_\_\_\_, and posted the same by registered mail in the post office at \_\_\_\_\_, Saskatchewan.

**2** Attached hereto and marked exhibit "B" is the post office confirmation of delivery to the defendant, showing confirmation of a signature purporting to be the signature of \_\_\_\_\_ and dated \_\_\_\_\_.  
*(identify person)* *(insert date)*

Sworn, etc.

**No. 54 (R. 440)**CLAIM IN ACTION UNDER  
AGREEMENT FOR SALE OF LAND

**1** The plaintiff's claim is under an agreement in writing dated the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2\_\_\_\_, made between \_\_\_\_\_ as vendor and \_\_\_\_\_ as purchaser, for the sale of the following land, namely: \_\_\_\_\_

*(Here insert description of land)*

**2** *(If the agreement has been assigned allege-* "The said agreement has been duly assigned by the vendor to the plaintiff, by an assignment dated the \_\_\_\_ day of \_\_\_\_\_, A.D. 2\_\_\_\_", *or as the case may be.)*

**3** *(If relief is claimed under any guarantee or collateral agreement, or by reason of special facts, allege briefly the terms of such guarantee or agreement, or the special facts relied on, as the case may be.)*

**4** Default has been made under the said agreement, and the following are the particulars of the amount now owing (*or in arrears- if arrears only are claimed*) thereunder, including all disbursements made pursuant to the provisions of the said agreement:

Arrears of principal: \$ \_\_\_\_\_

Accelerated principal: \$ \_\_\_\_\_

Interest: \$ \_\_\_\_\_

Other disbursements as follows: *(Here set forth particulars of taxes, insurance premiums and all other disbursements and charges claimed.)*

Total: \$ \_\_\_\_\_



**5** The plaintiff has not been in possession of the said land or in receipt of the rents or profits therefrom *(or as the case may be)*.

**6** The plaintiff is the registered owner *(or "is entitled to be registered owner", or as the case may be)* of the said land, and is ready, willing and able to transfer the same upon payment of the balance owing under the said agreement.

**7** The defendant \_\_\_\_\_ covenanted in the said agreement *(name the defendant or defendants personally liable)* *(or as the case may be)*, to pay the moneys owing under the said agreement, and the other defendants appear from the records of the proper Land Titles Office *(or as the case may be)* to be interested in the equity of redemption subject to the rights of the plaintiff.

**8** Leave to commence this action was granted under the provisions of *The Land Contracts (Actions) Act* on the \_\_\_\_\_ day of \_\_\_\_\_ and the nature of the remedy which by the leave granted is permitted to be sought in the action is *(here set forth)*

\_\_\_\_\_  
\_\_\_\_\_  
*(If no leave is required under the said Act before proceeding a statement so saying and the reasons therefor are to be set forth in this paragraph.)*

**9** The plaintiff claims the following relief, namely: \_\_\_\_\_

*(Here set forth such relief of the nature following as may be desired.)*

- (a)** Specific performance of the said agreement.
- (b)** Judgment against the defendant \_\_\_\_\_ *(here name all defendants against whom personal judgment for the payment of money is claimed)* for the sum of \$ \_\_\_\_\_ together with interest on the sum of \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per centum per annum from the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2 \_\_\_\_ , and the costs of this action.
- (c)** Cancellation of the said agreement and forfeiture of all moneys paid thereunder.
- (d)** Declaration of vendor's lien and sale of the said land thereunder.
- (e)** Possession *(or immediate possession)* of the said land.
- (f)** *(Here set forth concisely any other relief which may be properly claimed.)*

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(and signed)

To the defendants:

Take notice that you are entitled at any time, by notice in writing, to demand from the plaintiff's solicitors (*if the plaintiff sues in person, insert "plaintiff"*) full particulars of the amount claimed by the plaintiff, and production for your inspection of the agreement, and any other documents sued upon.

**No. 54A (Sr. 437A(1))**

*(Style of Cause)*

**CERTIFICATE OF SEARCH**

**(By Local Registrar)**

I, \_\_\_\_\_, certify that I have searched the court  
*(name of clerk)*  
record and no money has been paid into court to the credit of this action to the date hereof.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 54B (Sr. 437A(2))**

*(Style of Cause)*

**CERTIFICATE OF LAWYER**

I, \_\_\_\_\_ certify that no money has been paid to  
*(name of lawyer)*  
the offices of \_\_\_\_\_ to the credit of this action  
*(name of law firm)*  
to the date hereof.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_  
*(Name of Law Firm)*

Solicitors for

\_\_\_\_\_

**No. 55 (Sr. 438(1))**

## ORDER NISI FOR FORECLOSURE

Upon application of \_\_\_\_\_, upon hearing read the statement of claim with proofs of service thereof, the mortgage sued on herein, the certified copy of title, general registration certificate and *(specify any affidavits, assumption agreements, transfers of mortgage, extension agreements and other documentation relied upon)* filed, and upon hearing *(specify counsel or parties appearing)*:

It is hereby decreed and adjudged that the full amount due for principal and interest under the mortgage between \_\_\_\_\_, as mortgagor, and \_\_\_\_\_, as mortgagee, dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and registered in the land titles office for the \_\_\_\_\_ Land Registration District on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, as instrument no. \_\_\_\_\_  
*(here specify any assignments, transfers of mortgage or extension agreements)*

and covering the following land: \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, was \$ \_\_\_\_\_, and the amount due for arrears under the said mortgage on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, was \$ \_\_\_\_\_.

And *(where permitted)* it is further ordered that the plaintiff have judgment against the defendant \_\_\_\_\_ for the sum of \$ \_\_\_\_\_ together with interest thereon at the rate of \_\_\_\_\_ per cent per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, to the date hereof, plus costs to be assessed *(specify if solicitor client costs are to be awarded)*

And it is further ordered that the defendant do pay into court to the credit of this cause on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, the total amount claimed, namely the sum of \$ \_\_\_\_\_ with interest on \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per cent per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, together with costs to be assessed.

And it is further ordered and decreed that in default of payment into court as aforesaid, there will be foreclosure absolute, and upon application by the plaintiff, the title of the said mortgaged lands shall vest and remain in the plaintiff absolutely freed from all right, title and interest of the defendant, and all persons claiming through or under him in possession of the said lands, shall give up possession thereof to the plaintiff within twenty days after service upon them of a copy of the final order; PROVIDED, HOWEVER, that upon payment of the aforesaid arrears of \$ \_\_\_\_\_ together with instalments accruing due on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and such interest as may have accrued on the arrears to the date of payment, plus costs to be assessed, the defendant \_\_\_\_\_ shall thereupon be relieved from immediate payment of so much of the money secured by the mortgage herein as may not have become payable by lapse of time.

And it is further ordered that a copy of this order be served upon (*specify any special directions as to service*).

And it is further ordered that the costs of an incidental to the application be costs in the cause.

Issued at \_\_\_\_\_, in the Province of Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 56 (R. 438)**

## FINAL ORDER OF FORECLOSURE

Upon the application of the plaintiff and upon reading and upon hearing \_\_\_\_\_ ,

It is hereby ordered and decreed that the defendants and all persons claiming through or under them or any of them be and they and each of them are hereby absolutely foreclosed from all their and each of their right, title and interest in and to the *(here describe lands)*,

and that the title to the said lands be vested in the plaintiff free from all right, title, interest or equity of redemption on the part of the defendants or any of them or of any person or persons claiming through or under them, or any of them but subject to *(here insert claims not to be affected)*.

And it is further ordered that the Registrar of the \_\_\_\_\_ Land Registration District do cancel the existing certificate of title to the said lands and do issue a new certificate of title thereto in the name of the plaintiff freed and discharged from all incumbrances save as hereinbefore provided.

And it is further ordered that the defendants and all persons claiming through or under them bound by the order *nisi* herein and in possession of any of the said lands do give up possession thereof to the plaintiff within 20 days from the service upon them of a copy of this order.

## No. 57

## ORDER NISI FOR SALE

Upon the application of \_\_\_\_\_ and upon reading the statement of claim with proofs of service thereof, the mortgage sued on herein, the certified copy of title, general registration certificate and *(specify affidavits and other documentation relied upon)* filed,

and upon hearing *(specify counsel or parties appearing)*.

It is hereby decreed and adjudged that the full amount due for principal and interest under the mortgage between \_\_\_\_\_, as mortgagor, and \_\_\_\_\_ as mortgagee, dated the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and registered in the Land Titles Office for the \_\_\_\_\_ Land Registration District on the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, as instrument no. \_\_\_\_\_, *(here specify any assignments)* and covering the following land: \_\_\_\_\_

\_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, is \$ \_\_\_\_\_, and the amount due for arrears under the said mortgage on the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, \$ \_\_\_\_\_.



And it is further ordered that the plaintiff have judgment against the defendant \_\_\_\_\_ for the sum of \$ \_\_\_\_\_, together with interest thereon at the rate of \_\_\_\_\_ per cent per annum from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, to the date hereof, plus costs to be assessed (*specify if solicitor client costs are to be awarded*).

And it is further ordered that the defendant \_\_\_\_\_ do pay into court to the credit of this cause on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, the total amount claimed, namely, the sum of \$ \_\_\_\_\_ with interest on \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per cent per annum, from the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, together with costs to be assessed.

And it is further ordered that on default of payment into court as aforesaid, and without further order, (*if there is to be security for costs add: if the defendant \_\_\_\_\_ shall pay into court to the credit of this cause or to the sheriff on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, the sum of \$ \_\_\_\_\_ by way of security for costs of sale*) the mortgaged land shall be sold at \_\_\_\_\_, in the Province of Saskatchewan, under the direction of \_\_\_\_\_ (*specify solicitor, sheriff, or as the case may be*) of \_\_\_\_\_ in the Province of Saskatchewan, at such time and place as may be assessed by the said (*solicitor, sheriff, or as the case may be*) but in any event, the sale shall take place no sooner than the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and no later than the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

Provided, however, that upon payment at any time before sale of the sum of \$ \_\_\_\_\_ being the arrears above mentioned, together with instalments accruing due under the mortgage after the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and such interest as may have accrued on the arrears to the date of payment, plus costs to be assessed, the said defendant shall thereupon be relieved from immediate payment of so much of the money secured by the mortgage herein as may not have become payable by lapse of time.

And it is further ordered that at least four weeks' notice of the time, place and conditions of the sale shall be given, with such notice to be published at least once per week for four consecutive weeks commencing not later than four weeks before the date of sale, in the \_\_\_\_\_, a newspaper published at \_\_\_\_\_, in the Province of Saskatchewan, and, as well, by printed notices to be affixed four weeks prior to the date of sale in \_\_\_\_\_ conspicuous places in \_\_\_\_\_, in the Province of Saskatchewan.

And it is further ordered that the plaintiff and the defendants are hereby given leave to bid at the sale.

And it is further ordered that the terms of the sale shall be 10% cash at the time of sale with the balance to be paid within \_\_\_\_\_ weeks from the date of sale.

And it is further ordered that the mortgaged land shall not be sold for an amount less than \$ \_\_\_\_\_.

And it is further ordered that the mortgaged land shall be sold subject to *(specify claims or encumbrances not to be affected by the sale)*.

And it is further ordered that the following rules and conditions shall apply to the sale: *(specify additional conditions or rules governing conduct of the sale, if any)*.

And it is further ordered that upon confirmation of the sale, the title to the mortgaged land shall vest in the name of the purchaser, or his nominee, subject as aforesaid, free from all right, title and equity of redemption on the part of the defendant \_\_\_\_\_, or any person or persons claiming through or under him, and the defendant \_\_\_\_\_, and all persons claiming through or under him shall give up possession thereof to the purchaser within 20 days after service upon them of a copy of the order confirming such sale.

And it is further ordered that the purchase moneys shall be paid into court to the credit of this cause to be applied as directed by the court.

And it is further ordered that application for confirmation of the sale shall be made to the court within one month after the sale.

And it is further ordered that in the event the sale shall be abortive, or not confirmed, or in the event that the security for costs is not paid as aforesaid, the plaintiff may apply for foreclosure absolute, the title to the mortgaged land to vest and remain in the plaintiff absolutely freed from all right, title and interest of the defendant \_\_\_\_\_, and all persons claiming through or under him; and the said defendant and all persons claiming through or under him in possession of the mortgaged land to give up possession thereof to the plaintiff within 20 days after service upon them of a copy of the final order of foreclosure.

And it is further ordered that a copy of this order be served personally upon the defendant \_\_\_\_\_, and upon

\_\_\_\_\_  
*(here set forth any special directions as to service)*

And it is further ordered that costs of and incidental to this application be costs in the cause.

ISSUED at \_\_\_\_\_, in the Province of Saskatchewan,  
 this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 Local Registrar

## No. 58

## ORDER CONFIRMING SALE

Upon the application of the \_\_\_\_\_, and upon reading \_\_\_\_\_, filed, and upon hearing \_\_\_\_\_.

It is ordered that the sale of the mortgaged land namely:

pursuant to the order made herein and dated the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, to \_\_\_\_\_ of \_\_\_\_\_, in the Province of Saskatchewan by (*specify solicitor, sheriff, or as the case may be*) for the sum of \$ \_\_\_\_\_, be and the same is hereby confirmed.

And it is further ordered that the Registrar of the \_\_\_\_\_ Land Registration District cancel the existing certificate of title to the mortgaged land and issue a new certificate of title in the name of the said purchaser, subject, however, to (*specify encumbrances which are to remain on the title*).

And it is further ordered that the defendant \_\_\_\_\_, and all persons claiming through or under him in possession of the mortgaged land and bound by the order nisi for sale herein do deliver up such possession to the purchaser within 20 days from the service upon them of a copy of this order.

And it is further ordered that the costs of and incidental to this application be costs in the cause.

Issued at \_\_\_\_\_, in the Province of Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Local Registrar

**No. 59 (R. 440)**

## ORDER NISI FOR CANCELLATION

Upon the application of the plaintiff, and upon reading \_\_\_\_\_ and upon hearing \_\_\_\_\_ and it appearing that the total amount due the plaintiff under the said agreement is the sum of \$ \_\_\_\_\_ and the amount of arrears is \$ \_\_\_\_\_ .

It is hereby ordered and decreed that the full amount due for principal and interest under the agreement for sale sued on herein and covering the \_\_\_\_\_ , in the Province of Saskatchewan, on the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , is \$ \_\_\_\_\_ and that the amount due for arrears on the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , is \$ \_\_\_\_\_ .

And it is further ordered that the defendant do pay into court to the credit of this cause on or before the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , the said sum of \$ \_\_\_\_\_ together with interest on \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per cent per annum from the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , together with the costs of action to be taxed.

And it is further ordered and decreed that in default of payment into court as aforesaid the agreement for sale sued on herein be cancelled and determined and that all moneys paid thereunder by the defendant to the plaintiff be forfeited to and retained by the plaintiff (*or as the case may be*); the said defendant and all persons claiming through or under him in possession to give up possession of the said premises to the plaintiff within 20 days from the service upon them of a copy of the final order; provided, however, that upon payment of \$ \_\_\_\_\_ the sum in arrears as aforesaid, together with interest on \$ \_\_\_\_\_ at the rate of \_\_\_\_\_ per cent per annum from the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , and costs, the defendant (purchaser) shall thereupon be relieved from immediate payment of so much of the purchase money as may not have become payable by lapse of time.

And it is further ordered that a copy of this order be served (*here set forth any special directions as to service*).

And it is further ordered and decreed that the costs of and incidental to this application be costs in the cause (*or as the case may be*).

**No. 60 (R. 440)**

## FINAL ORDER FOR CANCELLATION

Upon the application of the plaintiff, and upon reading \_\_\_\_\_  
and upon hearing \_\_\_\_\_

It is hereby ordered and decreed that the agreement for sale sued on herein be and the same is hereby declared to be cancelled, determined and at an end.

And it is further ordered and decreed that the defendant and all persons claiming through or under him be absolutely debarred from all right, title and interest in and to the (*here describe lands*).

And it is further ordered and decreed that all moneys paid under the said agreement for sale to the plaintiff be retained by the plaintiff.

And it is further ordered and decreed that the defendant and all persons claiming through or under him bound by the order *nisi* herein and in possession of the said premises do give up possession thereof to the plaintiff within 20 days from the service upon them of a copy of this order.

*(In case it is necessary to remove any incumbrance from the title, add:)*

And it is further ordered that the Registrar of the \_\_\_\_\_  
Land Registration District do cancel and remove from the certificate of title to the said  
lands, the following incumbrances, namely \_\_\_\_\_

**Forms No. 60A**

Gaz. Mar 31, 2006. Repealed

(The next form is Form 60B).

**No. 60B (R. 528A)***(Style of Cause)*

## CERTIFICATE OF SEARCH

(By Local Registrar)

I, \_\_\_\_\_, certify that I have searched the court record  
*(name of clerk)*  
and it has not been suggested by the garnishee, or any person claiming to be interested, that  
the amount of money paid into court pursuant to the garnishee summons issued  
the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, belongs to a third person or that  
a third person has a lien or charge upon it.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_\_.

---

Local Registrar

**Forms No. 61 to No. 77**

Gaz. Nov 3/2000. Repealed

(The next form is Form 82).



**No. 82 (R. 677)**

## APPLICATION FOR WRIT OF HABEAS CORPUS

IN THE MATTER OF \_\_\_\_\_, of \_\_\_\_\_, Saskatchewan;  
*(name of person detained)*

*(If applicable add:)*

“AND IN THE MATTER OF” \_\_\_\_\_  
*(name of statute or regulation and section thereof)*

## NOTICE OF MOTION FOR HABEAS CORPUS AD SUBJICIENDUM

TAKE NOTICE THAT an application will be made to a judge in chambers, at the Court House \_\_\_\_\_, Saskatchewan on the \_\_\_\_\_ day  
*(address in full)*

of \_\_\_\_\_, 2 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon,  
 or so soon thereafter as counsel can be heard, by \_\_\_\_\_,

*(where applicable add: on behalf of)* \_\_\_\_\_

for a Writ of *Habeas Corpus ad subjiciendum*, directed to \_\_\_\_\_

and to all officers of \_\_\_\_\_ having the body of \_\_\_\_\_ in  
 their charge or detained in their custody by whatever name he may be called to have the  
 body of the said \_\_\_\_\_ before a judge in chambers at

the Court House \_\_\_\_\_, Saskatchewan  
*(address in full)*

forthwith, that this Honourable Court may then and there examine and determine the  
 validity of such detention.

AND FURTHER TAKE NOTICE that on the hearing of this Motion will be read the  
 following, all filed:

1 \_\_\_\_\_

2 *etc.* \_\_\_\_\_,

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 (Signature)

To: \_\_\_\_\_

or other person having custody of the said \_\_\_\_\_

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
*(firm name)* *(business address)*

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
*(plaintiff)* *(business or residence address)*

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
*(number)*

\_\_\_\_\_

**No. 83 (Sr. 678(1))**

## WRIT OF HABEAS CORPUS AD SUBJICIENDUM

ELIZABETH THE SECOND BY THE GRACE OF GOD  
OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS AND  
TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH,  
DEFENDER OF THE FAITH

To: \_\_\_\_\_,  
or other person having the custody of \_\_\_\_\_

## GREETING:

WE COMMAND YOU that you have in our Court of Queen's Bench for Saskatchewan at  
the Court House at \_\_\_\_\_  
*(address in full)*

before a judge of the court (*or*, The Honourable \_\_\_\_\_) on  
the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_ at \_\_\_\_\_ o'clock in the \_\_\_\_ noon,  
(*or*, immediately) the body of \_\_\_\_\_ being taken  
and detained under your custody as is said, together with this writ or a copy thereof and that  
you then and there make return to this writ setting forth the day and cause of his being  
taken and detained, by whatsoever name he may be called therein, that our Court may then  
and there examine and determine the validity of such detention.

AND TAKE NOTICE that in default hereof the Court may at the said time and place, or as  
soon thereafter as counsel may be heard, be moved to commit to prison you or any person  
who shall be in contempt in not obeying this writ.

This writ was issued by order of Mr. (or Madam) Justice \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Local Registrar

*(Set forth address information of party at whose instance the writ was issued.)*

**No. 84 (Sr. 678(6))**

## ORDER OF DISCHARGE IN APPLICATION FOR HABEAS CORPUS

Before \_\_\_\_\_ in Chambers  
 the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

## ORDER OF DISCHARGE

On the application of \_\_\_\_\_  
*(where applicable add: on behalf of)* \_\_\_\_\_  
 and on hearing counsel for the applicant (*or, the applicant*), and on hearing counsel on behalf  
 of the Attorney General (*or respondent, or as the case may be*), and on hearing  
 read \_\_\_\_\_ all filed, it is ordered:  
*(here set forth the material used on the application)*

**1** That \_\_\_\_\_  
 is hereby discharged forthwith out of the custody of \_\_\_\_\_

*Where applicable, as where an order is made under the Criminal Code, add:*

**2** That no civil proceeding shall be taken against \_\_\_\_\_ or  
 against any officer who acted under the conviction, order or other proceeding or under any  
 warrant issued to enforce it.

[L.S.]

\_\_\_\_\_  
 Local Registrar

**No. 85 (Sr. 679(1))**

## ORDER OF HABEAS CORPUS AD SUBJICIENDUM

Before \_\_\_\_\_ in Chambers  
 the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

## ORDER OF HABEAS CORPUS AD SUBJICIENDUM

IT IS HEREBY ORDERED that \_\_\_\_\_

*(where applicable add:)*

and all other officers of \_\_\_\_\_ having the  
 custody of \_\_\_\_\_  
 have in Her Majesty's Court of Queen's Bench for Saskatchewan at the Court House  
 at \_\_\_\_\_, Saskatchewan before

*(address in full)*

a judge of the court (or, The Honourable \_\_\_\_\_  
 on the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_ at \_\_\_\_\_ o'clock in the \_\_\_ noon,  
 (or, immediately) the body of \_\_\_\_\_  
 being taken and detained under the custody of the said \_\_\_\_\_,  
 as is said, together with this order or a copy thereof, and that the said \_\_\_\_\_  
 then and there make return to this order setting forth the day and cause of his being taken  
 and detained, by whatsoever name he may be called therein, that this Court may then and  
 there examine and determine the validity of such detention.

AND IT IS FURTHER ORDERED that in default hereof the applicant shall have leave at  
 the said time and place, or as soon thereafter as counsel for the applicant may be heard, to  
 apply to commit to prison you or any person who shall be in contempt in not obeying this  
 order.

Issued by order of Mr. (or Madam) Justice \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 Local Registrar

*(Where order was issued ex parte, set forth address information of party at whose instance the order was issued.)*

**No. 86 (Sr. 687(1)(a))**

Convention on the service abroad of judicial and extra-judicial documents in civil or commercial matters, signed at The Hague, November 15 ,1965.

## REQUEST

FOR SERVICE ABROAD OF JUDICIAL OR EXTRA-JUDICIAL DOCUMENTS  
(ARTICLE 3)

---

*(Identity and address of the Applicant)*

---

*(Address of receiving authority)*

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with Article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., \_\_\_\_\_

*(identity and address)*

**(a)** in accordance with the provisions of sub-paragraph (a) of the first paragraph of Article 5 of the Convention\*.

**(b)** in accordance with the following particular method (sub-paragraph (b) of the first paragraph of Article 5)\*:

---



---

**(c)** by delivery to the addressee, if he accepts it voluntarily (second paragraph of Article 5)\*.

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes - with a certificate as provided on the reverse side.

List of documents

---



---

Done at \_\_\_\_\_, the \_\_\_\_\_

---

Signature and/or stamp

*\*Delete if appropriate*

**No. 87 (Sr. 687(1)(b))**

## SUMMARY OF THE DOCUMENT TO BE SERVED

(Article 5, Fourth Paragraph)

Name and address of the requesting authority: \_\_\_\_\_

Particulars of the parties\*: \_\_\_\_\_

## JUDICIAL DOCUMENT\*\*

Nature and purpose of the document: \_\_\_\_\_

Nature and purpose of the proceedings, and where appropriate, the amount in dispute:

\_\_\_\_\_

Date and place for entering appearance\*\*: \_\_\_\_\_

Court which has given judgment\*\*: \_\_\_\_\_

Date of judgment\*\*: \_\_\_\_\_

Time limits stated in the document\*\*: \_\_\_\_\_

## EXTRA-JUDICIAL DOCUMENT\*\*

Nature and purpose of the document: \_\_\_\_\_

Time limits stated in the document\*\*: \_\_\_\_\_

\* *If appropriate, identity and address of the person interested in the transmission of the document.*

\*\* *Delete if inappropriate.*

**No. 88 (R. 687(3))**

## CERTIFICATE

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention

**1** that the document has been served\*

the \_\_\_\_\_  
(date)

at \_\_\_\_\_  
(place, street, number)

in one of the following methods authorized by Article 5 -

**(a)** in accordance with the provisions of subparagraph (a) of the first paragraph of Article 5 of the Convention\*.

**(b)** in accordance with the following particular method\*: \_\_\_\_\_

**(c)** by delivery to the addressee, who accepted it voluntarily\*.

The documents referred to in the request have been delivered to:

\_\_\_\_\_  
(identity and description of person)

relationship to the addressee:

\_\_\_\_\_  
(family, business or other)

**2** that the document has not been served, by reason of the following facts\*: \_\_\_\_\_

In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement\*.

Annexes

Documents returned: \_\_\_\_\_

Done at \_\_\_\_\_, the \_\_\_\_\_

*In appropriate cases*, documents establishing the service:

\_\_\_\_\_  
Signature and/or stamp

\* Delete if appropriate



**No. 89 (R.690)**

NOTICE OF APPLICATION FOR GRANT

In the Queen's Bench Judicial Centre of \_\_\_\_\_

In the Estate of \_\_\_\_\_, Deceased.

To: the Registrar

TAKE NOTICE of an application to this court, particulars of which are as follows:

Application for letters probate (*or of administration or as the case may be*)

Name of deceased: \_\_\_\_\_

Residence of the deceased at the time of death: \_\_\_\_\_

Date of death: \_\_\_\_\_

Date of will (*if any*): \_\_\_\_\_

Date of codicil(s) (*if any*): \_\_\_\_\_

Date application received: \_\_\_\_\_

Date of this notice: \_\_\_\_\_

Court file number: \_\_\_\_\_

Name and address of applicant: \_\_\_\_\_

\_\_\_\_\_

Name and address of lawyer: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Local Registrar

**No. 90 (R.692)**

## CERTIFICATE AS TO APPLICATIONS, CAVEATS AND DEPOSITS OF WILLS

This is to certify that:

- 1** No other application for grant has been made in respect of the property of the above named deceased, no notice of application for grant having been received by me from the local registrar.
- 2** No caveat or copy of a caveat against the grant of probate or administration with or without will annexed of the property of the deceased has been filed or received by me.
- 3** No will or other testamentary paper of the above named deceased has been deposited for safe keeping in the office of any local registrar.

---

Registrar

**No. 91 (Sr. 693(2))**

## LETTERS PROBATE

By order of The Honourable M \_\_\_\_ . Justice \_\_\_\_\_  
 made on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, the last will and testament (with  
 codicil *or* codicils *if any*) of \_\_\_\_\_,  
 (name of deceased)

late of \_\_\_\_\_  
 (residence at time of death)

who died on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_,  
 at \_\_\_\_\_ and  
 (place of death)

who at the time of death resided in Saskatchewan, (*or* resided out of Saskatchewan but had  
 at such time property in Saskatchewan), WAS PROVED AND REGISTERED in the Court of  
 Queen's Bench, a true copy of which last will and testament (with codicil *or* codicils, *if any*) is  
 hereunto annexed; and THE ADMINISTRATION of the estate of the deceased, and any way  
 concerning the will (and codicil *or* codicils *if any*) WAS GRANTED BY THE  
 COURT TO \_\_\_\_\_,  
 (name and residence of executor)

the sole executor (*or as the case may be*) named in the will (*or* codicil), having first sworn  
 faithfully to administer the same by paying the just debts of the deceased, and the legacies  
 contained in the will (and codicils, *if any*) so far as thereunto bound by law, and by  
 distributing the residue (if any) of the estate according to law, and to exhibit under oath a  
 true and perfect inventory of the estate, and to render a just and full account of h \_\_\_\_\_  
 executorship within two years after the grant of letters probate or whenever required by law  
 to do so.

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ .

(L.S.)

\_\_\_\_\_  
 Local Registrar

## No. 92 (Sr. 693(2))

## LETTERS OF ADMINISTRATION WITH WILL ANNEXED

\_\_\_\_\_, late of \_\_\_\_\_  
*(Name of deceased)* *(residence at time of death)*

who died on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_,

at \_\_\_\_\_ and who at the time of death resided in Saskatchewan,  
*(place of death)*

(or resided out of Saskatchewan but had at such time property in Saskatchewan), made and fully executed h \_\_\_\_\_ last will and testament (with codicil *or* codicils *if any*), and named

therein \_\_\_\_\_,  
*(name and residence of executor named in will or codicil)*

executor thereof who refused or failed to prove the will (or named no executor therein), a true copy of which last will and testament (with codicil *or* codicils, *if any*) is hereunto annexed; and

By order of The Honourable M \_\_\_\_ . Justice \_\_\_\_\_

made on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_ , LETTERS OF ADMINISTRATION, with the will (and codicils *if any*) annexed, of all and singular the property (or as the case may be, *if grant limited*) of the deceased, and WERE GRANTED BY THE COURT TO

\_\_\_\_\_,  
*(name and residence of administrator)*

\_\_\_\_\_  
 \_\_\_\_\_  
*(insert the character in which the grant is taken, and if the executor has renounced or died state it), the administrator having first sworn faithfully to administer the same, according to the tenor of the will, by paying the just debts of the deceased, and the legacies contained in the will (and codicils *if any*) so far as thereunto bound by law, and by distributing the residue (*if any*) of the property according to law, and to exhibit under oath a true and perfect inventory of the estate, and to render a just and full account of administration within two years after the grant of letters of administration, or whenever required by law to do so.*

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ .

(L.S.)

\_\_\_\_\_  
 Local Registrar

**No. 93 (Sr. 693(2))**

## LETTERS OF ADMINISTRATION

By order of The Honourable M \_\_\_\_ . Justice \_\_\_\_\_  
 made on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, LETTERS OF  
 ADMINISTRATION of all and singular the property *(or as the case may be, if grant limited)*  
 of \_\_\_\_\_,  
*(name of deceased)*  
 late of \_\_\_\_\_ who died on  
*(residence at time of death)*  
 or about the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_,  
*(place of death)*  
 intestate, and who at the time of death resided in Saskatchewan, *(or resided out of*  
*Saskatchewan but had at such time property in Saskatchewan)* WERE GRANTED BY THE  
 COURT TO \_\_\_\_\_,  
*(name and residence of administrator)*  
 the widow *(or as the case may be)* of the intestate, the administrator having first sworn faithfully  
 to administer the same by paying the just debts of the deceased, and by distributing the  
 residue *(if any)* of the property according to law, and to exhibit under oath a true and perfect  
 inventory of the estate, and to render a just and full account of administration within two  
 years after the grant of letters of administration, or whenever required by law to do so.  
 Issued this \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

(L.S.)

\_\_\_\_\_  
Local Registrar

**No. 94 (Sr. 693(2))**

## DOUBLE PROBATE

Whereas by order of The Honourable M \_\_\_\_\_ . Justice \_\_\_\_\_  
made on the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ , the last will and  
testament (with codicil *or* codicils *if any*) of \_\_\_\_\_ ,  
*(name of deceased)*

late of \_\_\_\_\_  
*(residence at time of death)*

who died on or about the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ ,  
at \_\_\_\_\_ and who at the time of death resided  
*(place of death)*

in Saskatchewan, (*or* resided out of Saskatchewan but had at such time property in  
Saskatchewan), was proved and registered in the Court of Queen's Bench, a true copy of  
which last will and testament (with codicil *or* codicils *if any*) is hereunto annexed; and the  
administration of the estate of the deceased, and any way concerning the will was granted  
by the court to \_\_\_\_\_ ,  
*(name and residence of original executor)*

one of the executors named in the will (*or* codicil); power being reserved of making the like  
grant to \_\_\_\_\_ ,  
*(name and residence of executor now applying)*

the other executor named in the will, when he should apply for the same:

Therefore, by order of The Honourable M \_\_\_\_\_ . Justice \_\_\_\_\_  
made on the \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ ,  
the will of the deceased WAS ALSO PROVED by, and the like administration of the estate  
of the deceased, and in any way concerning the will, was granted to \_\_\_\_\_ ,  
the executor having first sworn faithfully to administer the same by paying the just debts of  
the deceased, and the legacies contained in the will (and codicils, *if any*) so far as thereunto  
bound by law, and by distributing the residue (*if any*) of the property according to law, and to  
exhibit under oath a true and perfect inventory of the estate, and to render a just and full  
account of the executorship within two years after the grant of letters probate or whenever  
required by law to do so.

Issued this \_\_\_\_\_ day of \_\_\_\_\_ , 2 \_\_\_\_\_ .

(L.S.)

\_\_\_\_\_  
Local Registrar

**No. 95 (Sr. 693(3))**

## REPORT TO THE REGISTRAR OF GRANT ISSUED

Report showing particulars of a grant made in the Court of Queen's Bench at the Judicial  
Centre of \_\_\_\_\_ :

Name of deceased: \_\_\_\_\_

Late of: \_\_\_\_\_

Date of death: \_\_\_\_\_

Date of grant: \_\_\_\_\_

Nature of grant: \_\_\_\_\_

Names and addresses of personal representatives to whom grant made: \_\_\_\_\_

Number on Registrar's certificate: \_\_\_\_\_

I certify that the above is a true statement of particulars relating to the grant made in this court in respect to the estate of the above named deceased person as appears by the records in my office.

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_\_ .

\_\_\_\_\_  
Local Registrar

**No. 96 (R. 694)**

CERTIFICATE THAT NO PERSONS UNDER THE  
AGE OF EIGHTEEN YEARS INTERESTED

In the Queen's Bench Judicial Centre of \_\_\_\_\_

In the Estate of \_\_\_\_\_, Deceased.

This is to certify that:

**1** Letters probate (*or of administration or as the case may be*) for the estate of

\_\_\_\_\_,  
*(name of deceased)*

late of \_\_\_\_\_

*(residence at time of death)*

were granted to \_\_\_\_\_

*(name and address of personal representative)*

by the Court of Queen's Bench for Saskatchewan on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

**2** As appears by the records in my office, no person under the age of eighteen (18) years is interested in the estate of the deceased.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
Local Registrar

Amend. Gaz. Mar. 14, 2008.



**No. 97 (Sr. 695(3))**

## CERTIFICATE OF DEPOSIT OF WILL FOR SAFE KEEPING

This is to certify that there has this day been deposited in my office for safe keeping a sealed package purporting to contain a will (*or* codicil), particulars of which are stated to be as follows:

Name of testator: \_\_\_\_\_

Residence: \_\_\_\_\_

Date of document: \_\_\_\_\_

Date of deposit: \_\_\_\_\_

Names and residences of executors: \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Local Registrar

No. 98 (R.698)

APPLICATION FOR GRANT OF PROBATE

The application of \_\_\_\_\_ states that:  
(name and residence)

1 \_\_\_\_\_, late of \_\_\_\_\_, deceased,  
(Name of deceased) (place of residence)

died at \_\_\_\_\_  
(place of death)

on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and at the time of death resided in Saskatchewan (or resided out of Saskatchewan but had property in Saskatchewan).

2 The deceased made a last will and testament dated the \_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, (and codicil or codicils dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_), and was at the time of making the will (and codicil, if any) of the full age of \_\_\_\_\_ years. (If otherwise, see Rule 706(1)(a) and The Wills Act, sections 5 and 6 and set out the applicable exception. For the applicable age see the provisions of The Age of Majority Act summarized below.)

3 The following beneficiary (ies), and no other person(s), is (are) entitled to share in the estate of the deceased: (show here the name and address of each beneficiary and the relationship to the deceased).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(If applicable, add:)

3(a) The deceased died intestate as to a portion of h \_\_\_\_\_ estate leaving surviving the following persons, and no others, who are entitled by law to share in the estate: (show here the name and address of each beneficiary and the relationship to the deceased).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4 Every person named as a beneficiary survived the deceased. (If otherwise, state whether he or she was a brother, sister, child or other issue of the deceased, and if so, if he or she is survived by a child now under the age of 18 years. See section 32 of The Wills Act. If so, file Form 101.)

**5** No beneficiary is now under the age of eighteen (18) years, and no child under the age of eighteen (18) years survived the deceased, and no posthumous child has been or will be born to the deceased. *(If otherwise so state and file Form 101.)*

**6** The deceased was not survived by any dependent adult who is a beneficiary of the estate or may have a claim against it under *The Dependants' Relief Act* or *The Family Property Act*. *(If otherwise so state and file Form 101.)*

**7** The deceased was \_\_\_\_\_ years of age at death.

**8** The deceased was \_\_\_\_\_ at death.  
*(set out marital status)*

**9** The deceased did not, after execution of the will, marry or cohabit in a spousal relationship continuously for two years. *(If otherwise, set out the applicable exception: see Rule 706(1)(b).)*

**10** After making the will and before his death, the marriage of the testator was not terminated by a decree absolute or final judgment of divorce nor was it found to be void or declared a nullity by a court in a proceeding to which the testator was a party nor did the testator and his or her spouse, who were not legally married, cease to cohabit in a spousal relationship for at least 24 months. *(If otherwise, comply with Rule 706(2).)*

**11** The applicant(s) is (are) the executor(s) named in the will and (each) is 18 years of age (or a trust company).

**12** Neither witness to the will is a beneficiary or the spouse of a beneficiary named in the will. *(If otherwise, set out the applicable exception: see Rule 706(1)(c).)*

13 The value of the estate for the purpose of local registrars fees is \$ \_\_\_\_\_ .

14 No other application for grant has been made to this Honourable Court to prove the will or for letters of administration with the will annexed, to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that probate of the will of the deceased may be granted by this Honourable Court.

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_\_ .

\_\_\_\_\_  
(Name of Applicant)

This document was delivered by \_\_\_\_\_ , \_\_\_\_\_ ,  
(firm name) (business address)

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
(plaintiff) (business or residence address)

telephone \_\_\_\_\_ , and the address for service is: \_\_\_\_\_  
(number)

*Note: Summary of changes made by The Age of Majority Act:*

(a) 21 years to June 30, 1970

(b) 19 years from June 30, 1970 to June 1, 1972

(c) 18 years from June 1, 1972

Amend. Gaz. Mar. 14, 2008.

No. 99 (R.698)

APPLICATION FOR GRANT OF ADMINISTRATION WITH WILL ANNEXED

The application of \_\_\_\_\_ states that: (name and residence)

1 \_\_\_\_\_, late of \_\_\_\_\_, deceased, (Name of deceased) (place of residence) died at \_\_\_\_\_ on or (place of residence)

about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and at the time of death resided in Saskatchewan (or resided out of Saskatchewan but had property in Saskatchewan).

2 The deceased made a last will and testament dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, (and codicil or codicils dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_), and was at the time of making the will (and codicil, if any) of the full age of \_\_\_\_\_ years. (If otherwise, see Rule 706(1)(a) and The Wills Act, sections 5 and 6 and set out the applicable exception. For the applicable age see the provisions of The Age of Majority Act summarized below.)

3 The following beneficiary (ies), and no other person(s), is (are) entitled to share in the estate of the deceased: (show here the name and address of each beneficiary and the relationship to the deceased).

Four horizontal lines for listing beneficiaries and their details.

(If applicable, add:)

3(a) The deceased died intestate as to a portion of h \_\_\_\_\_ estate leaving surviving the following persons, and no others, who are entitled by law to share in the estate: (show here the name and address of each beneficiary and the relationship to the deceased).

Four horizontal lines for listing beneficiaries and their details.

**4** Every person named as a beneficiary survived the deceased. *(If otherwise, state whether he or she was a brother, sister, child or other issue of the deceased, and if so, if he or she is survived by a child now under the age of 18. See section 32 of The Wills Act. If so, file Form 101.)*

**5** No beneficiary is now under the age of eighteen (18) years, and no child under the age of eighteen (18) years survived the deceased, and no posthumous child has been or will be born to the deceased. *(If otherwise so state and file Form 101.)*

**6** The deceased was not survived by any dependent adult who is a beneficiary of the estate or may have a claim against it under *The Dependants' Relief Act* or *The Family Property Act*. *(If otherwise so state and file Form 101.)*

**7** The deceased was \_\_\_\_\_ years of age at death.

**8** The deceased was \_\_\_\_\_ at death.  
*(set out marital status)*

**9** The deceased did not, after execution of the will, marry or cohabit in a spousal relationship continuously for two years. *(If otherwise, set out the applicable exception: see Rule 706(1)(b).)*

**10** After making the will and before his death, the marriage of the testator was not terminated by a decree absolute or final judgment of divorce nor was it found to be void or declared a nullity by a court in a proceeding to which the testator was a party nor did the testator and his or her spouse, who were not legally married, cease to cohabit in a spousal relationship for at least 24 months. *(If otherwise, comply with Rule 706(2).)*

**11** No executor is named in the will *(or the executor named in the will has died since the death of the testator, or has renounced and the renunciation is attached)*.

**12** The applicant is a \_\_\_\_\_ under the will and no other person has a prior or equal right to grant of administration with will annexed *(or all persons having prior or equal right to grant of administration have renounced and the renunciation of each is attached: see Rule 714)*.

**13** The applicant is 18 years of age *(or a trust company)*.

**14** Neither witness to the will is a beneficiary or the spouse of a beneficiary named in the will. *(If otherwise, set out the applicable exception: see Rule 706(1)(c).)*

**15** The value of the estate for the purpose of local registrars fees is \$ \_\_\_\_\_ .

**16** No other application for grant has been made to this Honourable Court to prove the will or for letters of administration with the will annexed, to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that letters of administration with will annexed of the will of the deceased may be granted by this Honourable Court (, without bond).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Name of Applicant)

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
(firm name) (business address)

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
(plaintiff) (business or residence address)

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
(number)

*Note: Summary of changes made by The Age of Majority Act:*

(a) 21 years to June 30, 1970

(b) 19 years from June 30, 1970 to June 1, 1972

(c) 18 years from June 1, 1972

Amend. Gaz. Mar. 14, 2008.

**No. 100 (R.698)**

**APPLICATION FOR GRANT OF ADMINISTRATION**

The application of \_\_\_\_\_ states that:  
(name and residence)

**1** \_\_\_\_\_, late of \_\_\_\_\_, deceased,  
(Name of deceased) (place of residence)

died at \_\_\_\_\_ on or about  
(place of death)

the \_\_\_ day of \_\_\_\_\_, **2** \_\_\_\_\_, and at the time of death resided in Saskatchewan  
(or resided out of Saskatchewan but had property in Saskatchewan).

**2** The deceased died intestate leaving surviving the following person(s), and no others,  
who are entitled by law to share in the estate: (show here the name and address of each beneficiary and  
the relationship to the deceased).

_____	_____
_____	_____
_____	_____
_____	_____

**3** No beneficiary is now under the age of eighteen (18) years, and no child now under the  
age of eighteen (18) years survived the deceased, and no child (or brother or sister, *if they are  
beneficiaries*) predeceased the deceased leaving a child who is now under the age of  
eighteen (18) years, and no posthumous child has been or will be born to the deceased. (If  
*otherwise so state and file Form 101*).

**4** No dependent adult is interested in the estate or may have a claim against it under *The  
Dependants' Relief Act* or *The Family Property Act*. (If *otherwise so state and file Form 101*).

**5** The deceased was \_\_\_\_\_ years of age at death.

**6** The deceased was \_\_\_\_\_ at death.  
(set out marital status)



**7** The applicant(s) is (are) 18 years of age and is (*state the character in which the applicant claims, e.g. Official Administrator, Public Guardian and Trustee, or next of kin with a beneficial interest, and state the names and addresses of all other next of kin, with their relationship, who may have prior or equal rights to the applicant and whether any or all such persons have renounced their rights. If they have renounced attach Form 106. If the applicant is a trust company, so state and indicate that the company is licensed under The Trust and Loan Corporations Act*).

**8** The value of the estate for the purpose of local registrars fees is \$ \_\_\_\_\_ .

**9** No other application has been made to this Honourable Court for a grant of letters of administration, to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that letters of administration may be granted by this Honourable Court (, without bond).

DATED at \_\_\_\_\_ , Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_\_ .

\_\_\_\_\_  
(Name of Applicant)

This document was delivered by \_\_\_\_\_ , \_\_\_\_\_ ,  
(firm name) (business address)

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
(plaintiff) (business or residence address)

telephone \_\_\_\_\_ , and the address for service is: \_\_\_\_\_  
(number)

Amend. Gaz. Mar. 14, 2008.

**No. 101 (R. 699)**

IN THE QUEEN'S BENCH

JUDICIAL CENTRE OF \_\_\_\_\_

IN THE ESTATE OF \_\_\_\_\_

LATE OF \_\_\_\_\_

IN THE PROVINCE OF \_\_\_\_\_

\_\_\_\_\_  
(*occupation*)

DECEASED.

## NOTICE

TO: PUBLIC GUARDIAN AND TRUSTEE *OR* PROPERTY GUARDIAN (*as the case may be*).

Take notice that \_\_\_\_\_

of \_\_\_\_\_

(mailing address)

\_\_\_\_\_  
(*telephone*)\_\_\_\_\_  
(*fax*)is making application to the court for grant of letters \_\_\_\_\_ in the estate of the deceased,  
who died at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.And further take notice that the deceased died (in)testate, survived by the following  
competent adults entitled to share in the estate:

<i>Name</i>	<i>Address</i>	<i>Relationship to deceased</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

the following persons under the age of 18 years entitled to share in the estate:

<i>Name</i>	<i>Name &amp; Address of Guardian</i>	<i>Relationship to deceased</i>	<i>Date of Birth</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

the following persons under the age of 18 years who may have a claim against the estate pursuant to *The Dependants' Relief Act, 1996*:

<i>Name</i>	<i>Name &amp; Address of Guardian</i>	<i>Relationship to deceased</i>	<i>Date of Birth</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

the following persons who are dependent adults as defined in *The Public Guardian and Trustee Act* and who are entitled to share in the estate:

<i>Name</i>	<i>Name &amp; Address of Guardian</i>	<i>Relationship to deceased</i>	<i>Date of Birth</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

the following persons who are dependent adults as defined in *The Public Guardian and Trustee Act* and who may have a claim against the estate pursuant to *The Dependent's Relief Act, 1996* or *The Family Property Act*:

<i>Name</i>	<i>Address</i>	<i>Relationship to deceased</i>	<i>Date of Birth</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

And further take notice that the following are attached to this notice:

- (a) a statement of the assets of the deceased as shown on the application;
- (b) a statement of the debts of the estate; and
- (c) a copy of the Last Will and Testament of the deceased, if applicable.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

This document was delivered by:

(Firm name) \_\_\_\_\_

(Address) \_\_\_\_\_

Address of Property Guardian \_\_\_\_\_

**No. 102 (R.700)**

AFFIDAVIT OF APPLICANT FOR PROBATE  
(OR ADMINISTRATION WITH WILL ANNEXED)

I, \_\_\_\_\_, make oath and say that:  
*(name and residence)*

**1** Attached hereto and marked as exhibit "A" is my application for grant of probate (or administration with will annexed) of the last will and testament of \_\_\_\_\_, *(name of testator)*, late of \_\_\_\_\_, *(residence at time of death)*,

and all the allegations of fact contained in the application are true (*add, if applicable, save such facts as are not within the personal knowledge of the deponent but which have been verified by other affidavits*).

**2** I believe the document attached hereto and marked as exhibit "B" to contain the original last will and testament of the deceased. (*If there is a codicil continue this paragraph by adding: I believe the document attached hereto and marked as exhibit "C" to contain a codicil to the last will and testament of the deceased, and change the lettering of the remaining exhibits.*)

**3** Attached hereto and marked as exhibit "C" is a statement (*in Form 104*) showing all the property owned by the deceased at the time of death; such statement truly and correctly, in so far as it has been possible to ascertain, sets forth all the property of the deceased showing the fair market value thereof at death.

**4** I will faithfully administer the property of the testator by paying the just debts and the legacies contained in the will (and codicil, *if any*) so far as thereunto bound by law; and I will exhibit under oath a true and perfect inventory of the estate, and render a full and just account of my executorship (or administration) within two years after the grant of letters probate (or of administration with will annexed) to me, or whenever required by law to do so.

Sworn, *etc.*

\_\_\_\_\_  
Applicant

**No. 103 (R. 700)**

## AFFIDAVIT OF APPLICANT FOR ADMINISTRATION

I, \_\_\_\_\_, make oath and say that:  
*(name and residence)*

**1** Attached hereto and marked as exhibit "A" is my application for grant of administration to the estate of \_\_\_\_\_,  
*(name of deceased)*

late of \_\_\_\_\_,  
*(residence at time of death)*

and all the allegations of fact contained in the application are true *(add, if applicable, save such facts as are not within the personal knowledge of the deponent but which have been verified by other affidavits)*.

**2** I have made a careful search in all places where the deceased usually kept papers, and had depositories, and I believe the deceased died without having left any will, codicil, or testamentary document whatsoever.

**3** Attached hereto and marked as exhibit "B" is a statement *(in Form 104)* showing all the property owned by the deceased at the time of death; such statement truly and correctly, in so far as it has been possible to ascertain, sets forth all the property of the deceased showing the fair market value thereof at death.

**4** I will, if appointed, faithfully administer the property of the deceased by paying the just debts and distributing the residue, if any, of the estate according to law; and I will exhibit under oath a true and perfect inventory of the estate, and render a full and just account of my administration within two years after the grant of letters of administration to me, or whenever required by law to do so.

Sworn, *etc.*

\_\_\_\_\_  
Applicant

**No. 104 (R. 701)**

## STATEMENT OF PROPERTY

*(If the application is for an initial grant of probate or administration in Saskatchewan [see Rule 701(1)], this statement should show all the real and personal property of the deceased at the time of death at its value at the time of death.)*

*(If the application is for a second grant in Saskatchewan [see Rule 701(2)], this statement is limited to the property unadministered or to be administered in Saskatchewan at its value at the time of the application for grant.)*

*(If the application is for a resealing in Saskatchewan [see Rule 722], this statement should show all of the property owned in Saskatchewan by the deceased at the time of death at its value at the time of the application for resealing.)*

PART I  
SCHEDULE OF ASSETS

**A Real Estate**

Legal description:

Value at date of death: \$ \_\_\_\_\_

Less amount owed on loan, mortgage or agreement for sale *(in excess of any amount of insurance payable to discharge the loan, mortgage or agreement)*: \$ \_\_\_\_\_

Deceased's Equity: \$ \_\_\_\_\_

**B Mortgages (Payable to deceased)**

Dated: \_\_\_\_\_

Parties: \_\_\_\_\_

Terms: \_\_\_\_\_

Balance owing at date of death: \$ \_\_\_\_\_

**C Agreements for Sale (Payable to deceased)**

Description: \_\_\_\_\_

Dated: \_\_\_\_\_

Parties: \_\_\_\_\_

Terms: \_\_\_\_\_

Balance owing at date of death: \$ \_\_\_\_\_

<b>D</b>	Stocks and Shares		
	Company: _____		
	Certificate No.: _____		
	Number of shares: _____		
	Value at date of death:		\$ _____
<b>E</b>	Bonds and Debentures		
	Number: _____		
	Coupons due or accrued interest:		\$ _____
	Face value:		\$ _____
	Total value:		\$ _____
<b>F</b>	Bank Accounts, Cash on Hand		
	1 Bank: _____		
	Branch: _____		
	Savings Account No.: _____		
	Accrued interest:		\$ _____
	Principal:		\$ _____ \$ _____
	Chequing Account No.: _____		\$ _____
	2 Cash on Hand:		\$ _____
	3 Uncashed Cheques ( <i>with particulars</i> ):		\$ _____ \$ _____
<b>G</b>	Life Insurance Payable to the Estate:		
	Company: _____		
	Policy Number: _____		
	Value at date of death:		\$ _____
<b>H</b>	Annuities, Pensions, Superannuation, RRSPs, Payable to the Estate		
	Description: _____		
	Value at date of death:		\$ _____
<b>I</b>	Miscellaneous Personal Property:		
	Description: _____		
	Value at date of death:		\$ _____
	<b>TOTAL VALUE OF ESTATE:</b>		<b>\$ _____</b>

Amended. Gaz. Sep. 3, 2010.

## PART II

**A** Property Held Jointly (*with right of survivorship*):

## 1 Real estate

Legal description: \_\_\_\_\_

Registered owners: \_\_\_\_\_

Value at date of death: \$ \_\_\_\_\_

## 2 Bank accounts

Description: \$ \_\_\_\_\_ \$ \_\_\_\_\_

**B** Insurance (*Payable to a named beneficiary*)

Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Designated Beneficiary: \_\_\_\_\_

Value at date of death: \$ \_\_\_\_\_

**C** Pensions and Annuities (*Payable to a named beneficiary*)

Description: \_\_\_\_\_

Designated Beneficiary: \_\_\_\_\_

Value at date of death: \$ \_\_\_\_\_

**D** Real Property Outside Saskatchewan

Legal description: \_\_\_\_\_

Situs: \_\_\_\_\_

Value at date of death: \$ \_\_\_\_\_

**E** Personal Property Outside Saskatchewan*(Where deceased died domiciled outside Saskatchewan)*

Description: \_\_\_\_\_

Value at date of death: \$ \_\_\_\_\_

Amend. Gaz. Mar. 14, 2008.







No. 107 (Sr. 707(1))

AFFIDAVIT OF EXECUTION OF WILL

I, \_\_\_\_\_  
(name and residence)

make oath and say/affirm that:

1 I know/knew \_\_\_\_\_ of late (or late of) \_\_\_\_\_.  
(name of testator) (residence of testator)

2 On or about the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

I was present and saw the document annexed and marked as exhibit "A" signed  
by \_\_\_\_\_  
(name of testator)

(if the testator executed the will by making his or her mark, add: by making h \_\_\_\_ mark),  
as the same now appears, as and for h \_\_\_\_\_ last will and testament.

3 The document was signed by \_\_\_\_\_  
(name of testator)

in the presence of me and of \_\_\_\_\_,  
(name and residence of other subscribing witness)

who were both present at the same time, at which time we, in the presence of \_\_\_\_\_  
(name of testator)

and in the presence of each other, attested and subscribed the document as witnesses.

(If the testator was blind, or executed the will by making his or her mark, add:

4 Before the execution of the will by the testator the will was read over to the testator by  
me (or by \_\_\_\_\_ in my presence,  
as the case may be) and the testator had knowledge of its contents and appeared perfectly  
to understand the same.)

SWORN (OR AFFIRMED) BEFORE ME

at \_\_\_\_\_, Saskatchewan,  
this \_\_\_\_\_ day of 2\_\_\_\_\_

} \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
Commissioner for Oaths in  
and for Saskatchewan

No. 108 (Sr. 707(6))

AFFIDAVIT PROVING EXECUTION OF A HOLOGRAPH WILL

I, \_\_\_\_\_  
(name and residence)

make oath and say that:

1 I knew \_\_\_\_\_, of \_\_\_\_\_,  
(name of deceased) (residence)

and was present and saw the deceased write and sign in h \_\_\_\_\_ own hand the document hereunto annexed and marked as exhibit "A".

OR

1 I was well acquainted with \_\_\_\_\_,  
(name of deceased)

of \_\_\_\_\_,  
(residence)

and have frequently seen h \_\_\_\_\_ write and sign h \_\_\_\_\_ name.

2 I have examined the document hereunto annexed and marked as exhibit "A", and I believe the whole of the document and the signature thereto is in the handwriting of the deceased.

Sworn, etc.

\_\_\_\_\_  
Signature of deponent

Note: Deponent should not be a beneficiary of the will.

**No. 109 (Sr. 707(7))**

## AFFIDAVIT OF PLIGHT AND CONDITION

I, \_\_\_\_\_,  
*(name and residence)*

make oath and say that:

**1** On or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, I was present and saw the document hereunto annexed and marked as exhibit "A" signed by

\_\_\_\_\_  
*(name of deceased)*

as h \_\_\_\_\_ last will and testament.

**2** I have examined the will and observed that *(here refer to the alterations, erasures and interlineations, if any, in the will, its general plight and condition and any other matter requiring to be accounted for; also, recite the finding of the will and, if possible, clearly trace it from the possession of the deceased in his or her lifetime up to the time of making the affidavit).*

**3** The will is now in all respects in the same condition as when executed by the testator *(or as the case may be).*

Sworn, etc.

\_\_\_\_\_  
*Signature of deponent*

*Note: If the deponent cannot verify the condition of the will at the time of execution and no deponent can be found to do so, then state such facts and circumstances as will tend to show that the will is in fact the act of the testator.*

**No. 110 (R.710)**

## AFFIDAVIT VERIFYING TRANSLATION OF A WILL

I, \_\_\_\_\_,  
(name and residence)

make oath and say that:

**1** I am well acquainted with the \_\_\_\_\_ and English languages and can read, write and speak fluently in both languages, and am competent to translate documents from the \_\_\_\_\_ language into the English language.

**2** I have examined the document hereunto annexed and marked as exhibit "A" which purports to be the original last will and testament of \_\_\_\_\_,  
(name of deceased)

deceased, and is written in the \_\_\_\_\_ language.

**3** I have made a translation of the will into the English language which translation is hereunto annexed and marked as exhibit "B", and I say exhibit "B" is a true and faithful translation of the will from the \_\_\_\_\_ language into the English language.

Sworn, *etc.*

\_\_\_\_\_  
*Signature of deponent*

**No. 111 (Sr. 716(1))**

## POWER OF ATTORNEY

Whereas \_\_\_\_\_  
*(name and address of deceased)*

died (testate *or* intestate) at \_\_\_\_\_  
*(place of death)*

on \_\_\_\_\_  
*(date of death)*

And whereas I, \_\_\_\_\_,  
*(name and address)*

am the person entitled to grant of administration (*or* probate).

And whereas I am the widow (*or* next of kin) of the deceased.

*(Where applicable, add:)*

And whereas I reside outside Saskatchewan.

Now I appoint \_\_\_\_\_  
*(name and address)*

to be my attorney for the purpose of obtaining \_\_\_\_\_  
*(name of grant sought)*

to be granted by the Court of Queen's Bench for Saskatchewan for my use and benefit and until I shall apply for and obtain a grant.

And I promise to ratify and confirm whatever my attorney shall lawfully do or cause to be done.

In witness whereof, I have hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

Signed, sealed and delivered in the presence of \_\_\_\_\_

*(Seal)*

*Note:*

1 *An affidavit of execution is necessary.*

2 *The instrument signed by all beneficiaries must be identical.*

**No. 112 (R. 716)**APPLICATION FOR GRANT OF ADMINISTRATION AS  
ATTORNEY FOR NEXT-OF-KIN

The application of \_\_\_\_\_ states that:  
(name and residence)

**1** \_\_\_\_\_ late of \_\_\_\_\_,  
(Name of deceased) (place of residence)

deceased, died at \_\_\_\_\_  
(place of death)

on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and at the time of death resided in Saskatchewan, (or resided out of Saskatchewan but had at such time property in Saskatchewan).

**2** The deceased died intestate leaving surviving the following person(s), and no others, who are entitled by law to share in the estate:

(show here the name and address of each beneficiary and the relationship to the deceased).

_____	_____
_____	_____
_____	_____
_____	_____

**3** No beneficiary is now under the age of eighteen (18) years, and no child now under the age of eighteen (18) years survived the deceased, and no child (or brother or sister, *if they are beneficiaries*) predeceased the deceased leaving a child who is now under the age of eighteen (18) years, and no posthumous child has been or will be born to the deceased. (*If otherwise so state and file Form 101.*)

**4** No dependent adult is interested in this estate or may have a claim against it under *The Dependants' Relief Act* or *The Family Property Act*.

(*If otherwise, so state and file Form No. 101.*)

**5** The deceased was \_\_\_\_\_ years of age at death.

**6** The deceased was \_\_\_\_\_ at death.

(state marital status)

**7** The applicant(s) is (are) of 18 years of age and is (are) the lawful attorney(s) of (name(s) of beneficiary(ies) appointing the attorney(s)), and all next-of-kin who have equal or prior rights to administration of this estate have renounced their right to apply.



8 The value of the estate for the purposes of local registrars fees is \$\_\_\_\_\_.

9 No other application has been made to this Honourable Court for a grant of letters of administration to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that letters of administration may be granted to the applicant(s) by this Honourable Court (,without bond) as attorney(s) for the beneficiary(ies) for his (her *or* their) use and benefit and until he (she *or* they) apply for and obtain letters of administration.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Name of Applicant)

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
(firm name) (business address)

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
(plaintiff) (business or residence address)

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
(number)

Amend. Gaz. Mar. 14, 2008.

**No. 113 (R. 716)**AFFIDAVIT OF APPLICANT FOR ADMINISTRATION  
AS ATTORNEY FOR NEXT-OF-KIN

I, \_\_\_\_\_,  
(name and residence of applicant)

make oath and say that:

**1** Hereunto annexed and marked as exhibit “A” is the application for grant to me of letters of administration in the estate of \_\_\_\_\_,  
(name of deceased)

late of \_\_\_\_\_,  
(state residence at time of death)

in Saskatchewan, and all the allegations of fact contained in the application are true. (*Add, if applicable, save such facts as are not within the personal knowledge of the deponent but which have been verified by other affidavits*).

**2** I have made careful search in all places where the deceased usually kept papers, and had depositories, and I believe the deceased died without having left any will, codicil or testamentary paper whatsoever.

**3** Hereunto annexed and marked as exhibit “B” is the Power of Attorney dated the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_, by which \_\_\_\_\_, the lawful beneficiary(ies) and next-of-kin of the deceased appointed me his (her or their) lawful attorney for the purpose of obtaining letters of administration of the estate of \_\_\_\_\_, deceased.

**4** Hereunto annexed and marked as exhibit “C” is a statement (*in Form 104*) showing all the property owned by the deceased at the time of death; such statement truly and correctly, in so far as it has been possible to ascertain, sets forth all the property of the deceased showing the fair market value thereof at death.

**5** I will, as attorney for \_\_\_\_\_ for his (her or their) use and benefit and until he (she or they) shall apply for and obtain letters of administration, if appointed, faithfully administer the property of the deceased by paying the just debts and distributing the residue, if any, of the estate according to law; and I will exhibit under oath a true and perfect inventory of the estate of the deceased, and render a just and full account of my administration within two years after the grant of Letters of Administration to me, or whenever required by law to do so.

Sworn, *etc.*

\_\_\_\_\_  
*Signature of applicant*

**No. 114 (R. 717)**

APPLICATION FOR ADMINISTRATION *DE BONIS NON*

The application of \_\_\_\_\_  
 (name and residence)

states that:

**1** \_\_\_\_\_ late of \_\_\_\_\_,  
 (name of deceased) (place of residence)

deceased, died (in)testate at \_\_\_\_\_  
 (place of death)

on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and at the time of death resided in Saskatchewan, (or resided out of Saskatchewan but had at such time property in Saskatchewan).

**2** Letters probate (or of administration (with will annexed) *as the case may be*) were granted on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ by this court to \_\_\_\_\_ as executor (or administrator (with will annexed) *as the case may be*).

**3** The executor (or administrator) died on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, (In the case of an executor, add: intestate and there are no other executors to carry on the administration of the estate,) leaving part of the estate unadministered.

**4** The following person(s), and no others, are still entitled by law to share in the estate: (*show here the name and address of each beneficiary and the relationship to the deceased*).

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**5** No beneficiary is now under the age of 18 years, and no child now under the age of 18 years survived the deceased, and no child (or brother or sister, *if they are beneficiaries*) predeceased the deceased leaving a child who is now under the age of 18 years, and no posthumous child has been or will be born to the deceased. (*If otherwise so state and file Form 101.*)

**6** No dependent adult is interested in this estate or may have a claim against it under *The Dependants' Relief Act* or *The Family Property Act*. (*If otherwise, so state and file Form 101.*)

**7** The applicant is 18 years of age (*state the character in which the applicant claims, and the names and addresses of all other persons who may have prior or equal rights with the applicant and whether any or all have renounced their rights. If they have renounced attach Form 106. If the applicant is a trust company so state.*)

_____	_____
_____	_____
_____	_____

**8** The value of the property remaining unadministered is \$ \_\_\_\_\_.

**9** No other application has been made to this Honourable Court for a grant of letters of administration *de bonis non* to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that letters of administration *de bonis non* may be granted by this Honourable Court (,without bond).

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Name of applicant)

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
(firm name) (business address)

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

(Or, where plaintiff sues in person:)

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
(plaintiff) (business or residence address)

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
(number)

\_\_\_\_\_

**No. 115 (R. 717)**AFFIDAVIT OF APPLICANT FOR  
ADMINISTRATION *de bonis non*

I, \_\_\_\_\_,  
(name and residence)

make oath and say that:

**1** Hereunto annexed and marked as exhibit “A” is the application for grant to me of letters of administration *de bonis non* in the estate of \_\_\_\_\_,  
(name of deceased)

late of \_\_\_\_\_,  
(state residence at time of death)

in Saskatchewan, and all the allegations of fact contained in the application are true. (*Add, if applicable, save such facts as are not within the personal knowledge of the deponent but which have been verified by other affidavits*).

**2** Hereunto annexed and marked as exhibit “B” is the original grant (*or a certified copy of the original grant*) issued out of this court (*where a copy, add: the original grant having been lost*).

**3** Hereunto annexed and marked as exhibit “C” is a statement (*in Form 104*) showing all the property owned by the deceased at the time of death remaining unadministered; such statement truly and correctly sets forth all the property of the deceased remaining unadministered showing the fair market value thereof at the time of this application for grant.

**4** I will, if appointed, faithfully administer the property of the deceased by paying the just debts and distributing the residue, if any, of the estate according to law; (*or in case of a will: by paying the just debts and the legacies contained in the will and codicils, if any, so far as the same will thereunder extend and the law bind me and by distributing the residue according to law*) and I will exhibit under oath a true and perfect inventory of the estate of the deceased, and render a just and full account of my administration within two years after the grant of Letters of Administration *De Bonis Non* to me, or whenever required by law to do so.

Sworn, *etc.*

\_\_\_\_\_  
*Signature of applicant*

**No. 116 (R. 719)**

## ADMINISTRATION BOND

Know all men by these presents that we \_\_\_\_\_  
of \_\_\_\_\_,  
*(residence)*  
administrator, and \_\_\_\_\_ of \_\_\_\_\_,  
*(residence)*  
surety, are jointly and severally bound unto a judge of the Court of Queen's Bench for  
Saskatchewan at the judicial centre of \_\_\_\_\_  
in the sum of \_\_\_\_\_ dollars, to be paid to him at the said judicial centre, for  
which payment well and truly to be made, we bind ourselves and each of us for the whole, our  
and each of our heirs, executors and administrators, firmly by these presents.

Sealed with our seals and dated the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

The condition of this obligation is such, that if the above named administrator of all the  
property *(or as the case may be)* of \_\_\_\_\_  
*(name of deceased)*

late of \_\_\_\_\_, deceased,  
*(residence at time of death)*

who died on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_,  
do, if appointed such administrator when lawfully called on in that behalf, make or cause to  
be made a true and perfect inventory of all the property of the deceased, which has or shall  
come into the possession or knowledge of the administrator or into the possession of any  
other person for the administrator, and the same so made do exhibit or cause to be exhibited  
into the office of the local registrar of the Court of Queen's Bench at the judicial centre  
of \_\_\_\_\_ whenever required  
by law to do so; and the same property, and all other property of the deceased at the time of  
death, which at any time after shall come into the possession of the administrator or into the  
possession of any other person for the administrator, do well and truly administer according  
to law; that is to say, do pay the debts which the deceased owed at death, \* so far as such  
property will thereunto extend, and the law bind him, and all the rest and residue of the  
property do transfer, deliver and pay unto such persons as are by law entitled thereto; and  
further do make, or cause to be made, a full, true and just account of the administration  
within two years after the grant of letters of administration, or whenever required by law to

do so; and if it hereafter appears that any last will or testament was made by the deceased, and the executor therein named does exhibit the same to the court, making request to have it allowed and approved accordingly, if the administrators, being so required, do render and deliver the letters of administration (*approbation of such testament being first had and made*) in the court; then this bond to be void, but otherwise to remain in force.

Signed, sealed and delivered, *etc.*

(*L.S.*)

\* *In case the bond is given on behalf of the administrator with the will annexed, the following will be inserted where the asterisk is placed: and the legacies contained in the will annexed to the letters of administration to \_\_\_\_\_ committed and then proceed as in the above form.*

*Note:*

*Where the application is for a limited grant (such as under a power of attorney, etc.) the condition of the bond shall be in accordance with the obligation of the applicant. (See, e.g., Tristram and Coote's Probate Practice, 19th ed, p.1138 for terms of obligations.)*

#### AFFIDAVIT PROVING EXECUTION OF THE BOND

I, \_\_\_\_\_, make oath and say that:  
(*name and residence of subscribing witness of bond*)

**1** I was personally present and did see \_\_\_\_\_

\_\_\_\_\_  
(*names of the parties to the bond where execution was witnessed by the deponent*)

named in the within bond, who are personally known to me to be the persons named therein, duly sign, execute and seal the same for the purpose named therein.

**2** The bond was executed on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and I am the subscribing witness thereto.

**3** I know \_\_\_\_\_,

\_\_\_\_\_  
(*names of the persons as above stated*)

and they are each (*or he is*) in my belief of the full age of 18 years.

Sworn, *etc.*

## AFFIDAVIT OF SURETY

I, \_\_\_\_\_,  
*(name and residence of surety)*

make oath and say that:

**1** I am one of the proposed sureties on behalf of the intended administrator of the property of \_\_\_\_\_,  
*(name of deceased)*

deceased, in the within bond named for the faithful administration of the property of the deceased.

**2** I am possessed of property in Saskatchewan of the value of \_\_\_\_\_ dollars,  
*(name amount for which he can justify)*

all my debts being first paid, and over and above any other amounts for which I am now bail, for which I am liable as surety or indorser or otherwise, and over and above all exemptions from seizure and sale under execution allowed by law.

Sworn, *etc.*

\_\_\_\_\_  
*Signature of deponent*





8

9

10

11

12

13 *(In case of administration)* The applicant was required by the \_\_\_\_\_

*(name of court)*

of \_\_\_\_\_ to give security for the due administration  
*(province or country)*

of the estate of the deceased in the sum of \_\_\_\_\_ dollars, and in fixing the amount of such security the value of the estate of the deceased in Saskatchewan was included in the sum of \_\_\_\_\_ dollars, the total known value of the estate of the deceased being \_\_\_\_\_ dollars.

14 No other application has been made in Saskatchewan for a grant of letters probate, or letters of administration, or letters of administration with the will annexed, in respect of the estate of the deceased or to have the same resealed, to the best of the applicant(s) information and belief.

Therefore the applicant(s) request(s) that the \_\_\_\_\_

*(name of grant)*

issued out of the \_\_\_\_\_ of \_\_\_\_\_ in

*(name of court)*

*(province or country)*

respect of the estate of the deceased be resealed.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day

of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
*Name of applicant*

## No. 118 (R. 722)

## AFFIDAVIT OF APPLICANT FOR RESEALING FOREIGN GRANT

I, \_\_\_\_\_,  
(name and residence)

make oath and say that:

1 Hereunto annexed and marked as exhibit "A" is my application for resealing letters probate (or of administration *as the case may be*), issued out of the \_\_\_\_\_  
(name of court)

of \_\_\_\_\_ in the estate of \_\_\_\_\_,  
(province or country) (name of deceased)

late of \_\_\_\_\_, and all the allegations of  
(residence at time of death)

fact contained in the application are true (*add, if applicable: save such facts as are not within the personal knowledge of the deponent but which have been verified by other affidavit*).

2 The document hereunto annexed and marked as exhibit "B" is a certified (or notarial) copy of the original letters probate (or of administration *as the case may be*) issued to me out of the \_\_\_\_\_ of \_\_\_\_\_  
(name of court) (province or country)

3 Hereunto annexed and marked as exhibit "C" is a statement (*in Form 104*) showing all the property in Saskatchewan owned by the deceased at the time of death; such statement truly and correctly sets forth all the property of the deceased showing the value thereof at the time of this application for resealing foreign grant.

4 I will, if letters probate (or of administration) issued out of the said court are resealed, faithfully administer the property of the deceased in Saskatchewan by paying the just debts and by distributing the residue, if any, of the estate according to law (*or in case of a will: by paying the just debts and the legacies contained in the will and codicils, if any, so far as the same will thereunder extend and the law bind me and by distributing the residue according to law*) and I will exhibit a true and perfect inventory of the estate of the deceased and render a full and just account of my administration within two years after this grant of resealing to me or whenever required by law to do so.

Sworn, etc.

\_\_\_\_\_  
Name of deponent

**No. 119 (R. 724)**APPLICATION IN SMALL ESTATES  
MEMORANDUM TO THE JUDGE

This is an *ex parte* application under section 9 of *The Administration of Estates Act*, for an order that the personal property of \_\_\_\_\_, late of \_\_\_\_\_,  
(name of deceased) (residence at time of death)  
in Saskatchewan, be paid or delivered to \_\_\_\_\_, of \_\_\_\_\_,  
in Saskatchewan, to be disposed of as follows:

- (a) \_\_\_\_\_ to \_\_\_\_\_  
(state amount) (state recipient)  
as payment of reasonable funeral expenses.
- (b) \_\_\_\_\_ to \_\_\_\_\_  
(state amount) (state name of creditor)  
as payment of the debts of the deceased.
- (c) the balance of \_\_\_\_\_ to \_\_\_\_\_.  
(state amount) (state names of beneficiaries or next of kin)

All of which is respectfully submitted.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
Name of applicant

AFFIDAVIT OF APPLICANT

I, \_\_\_\_\_,  
(name and residence)

make oath and say that:

1 \_\_\_\_\_ late of \_\_\_\_\_,  
(name of deceased) (residence at time of death)

in Saskatchewan, died at \_\_\_\_\_, in Saskatchewan,  
(place of death)

on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

2 \_\_\_\_\_ was \_\_\_\_\_,  
(Name of deceased) (state marital status)

and the following persons may be entitled to share in the estate: (names, ages, and addresses of all such persons)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3 The estate of the deceased consists of the following: (set out full particulars of all the property of the deceased showing the names and addresses of the persons in whose possession such property may be and including the value of all such property)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4 Funeral expenses in the amount of \$ \_\_\_\_\_ have been paid by \_\_\_\_\_  
(or have not been paid and are owing to \_\_\_\_\_).

5 As far as I have been able to ascertain, the debts of the deceased are as follows: (state the names, addresses and amount of claims of the creditors of the deceased).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**6** I will well and truly administer the property of the deceased by paying the funeral expenses and debts of the deceased, and by distributing or paying the residue of such property to the persons entitled to share in the estate or to the Minister of Finance, as the court may order.

**7** I will file with the local registrar of the judicial centre of \_\_\_\_\_ at which this order is made, all receipts of payment or other disposition of the property of the deceased made by me.

**8** I make this affidavit for the purpose of obtaining an order of this Honourable Court under section 9 of *The Administration of Estates Act*.

Sworn, *etc.*

---

Name of applicant

**No. 120 (R. 725)**

## INTERVENTION

Take notice that I am a beneficiary *(or, as the case may be)* in this estate and desire notice of all proceedings taken herein.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2\_\_\_\_\_.

\_\_\_\_\_  
(Signature of intervener)

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
*(firm name)* *(business address)*

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
*(plaintiff)* *(business or residence address)*

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
*(number)*

## AFFIDAVIT OF INTERVENER

I, \_\_\_\_\_,  
*(name and address of intervener)*

make oath and say that:

**1** \_\_\_\_\_

\_\_\_\_\_  
*(State the nature of the deponent's interest in the estate)*

Sworn, etc.

**No. 121 (R. 726)**

## CAVEAT

Let nothing be done in the estate of \_\_\_\_\_,  
*(name and address of deceased)*

deceased, who died on or about the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_,  
 at \_\_\_\_\_,  
*(place of death)*

(or who resided out of Saskatchewan, but had at such time property in Saskatchewan),  
 unknown to \_\_\_\_\_.  
*(name and residence of caveator)*

The caveator is \_\_\_\_\_ of the deceased.  
*(show here the caveator's relationship)*

The grounds on which the caveat is filed are \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
 Signature of caveator, or his lawyer

This document was delivered by \_\_\_\_\_, \_\_\_\_\_,  
*(firm name) (business address)*

and the address for service is: \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*(Or, where plaintiff sues in person:)*

This document was delivered by \_\_\_\_\_ of \_\_\_\_\_  
*(plaintiff) (business or residence address)*

telephone \_\_\_\_\_, and the address for service is: \_\_\_\_\_  
*(number)*



AFFIDAVIT OF CAVEATOR

I, \_\_\_\_\_,  
*(name and address of caveator)*

make oath and say that:

- 1 I am the caveator above named.
- 2 The grounds recited in the caveat are true.

Sworn, *etc.*



**No. 123 (R. 739)**

**AFFIDAVIT VERIFYING ACCOUNTS**

I, \_\_\_\_\_,  
*(name and address of personal representative)*

make oath and say that:

**1** I am the executor (or administrator, or administrator with will annexed, as the case may be) named in the letters probate (or of administration) of the estate of \_\_\_\_\_,  
*(name of deceased)*  
 late of \_\_\_\_\_, deceased,  
*(residence of deceased)*

granted to me by this Honourable Court on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

**2** The following persons have received their bequests in full and have no further interest in the estate:

<i>Name</i>	<i>Address</i>	<i>Description of Bequest</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**3** The only persons now interested in the estate are:

<i>Name</i>	<i>Address</i>
_____	_____
_____	_____
_____	_____

all of whom are 18 years of age except:

<i>Name</i>	<i>Address</i>
_____	_____
_____	_____
_____	_____

**4** I have gathered in all the property of the deceased of which I have any knowledge, and I have paid all the debts of the deceased of which I have any knowledge.

**5** I have caused to be made the following inquiries to ascertain the debts of the deceased (*state whether notice to creditors has been published in accordance with section 125 of The Queen's Bench Act, or otherwise*).

**6** I have set forth in the statement hereunto annexed and marked as exhibit "A" an account of my administration of the property of the deceased showing the assets and liabilities at date of death, receipts and disbursements including the amount distributed to each beneficiary, the property remaining on hand and all liabilities remaining unpaid, and the manner in which I propose to distribute the remaining assets, including the proposed amount of compensation to be paid to the executor or administrator, the amount of lawyer's fees, and the amounts to be paid to the beneficiaries of the estate in full discharge.

**7** The particulars shown in the account are true and correct in every respect and detail, and the persons to whom I propose to distribute the property are the ones lawfully entitled to receive it.

**8** (*Here deal with matters that require further explanation*).

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Sworn, *etc.*

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*Signature of deponent*

**No. 124 (R. 742)**

## CERTIFICATE OF EXAMINING OFFICER

In pursuance of the reference to me by the Honourable M \_\_\_ Justice \_\_\_\_\_  
of the accounts of the executor (or administrator) of the estate of \_\_\_\_\_,  
(name of deceased)  
deceased, I hereby certify that the result of the examination of the accounts is as follows:

**1** The assets and liabilities of the deceased at the time of death are correctly described in the accounts. *(If otherwise so state.)*

**2** The receipts and disbursements including the amount distributed to each beneficiary, are correctly described in the accounts. *(If otherwise so state.)*

**3** The debts of the deceased which have been allowed are correctly described in the accounts and have been paid in full. *(If otherwise so state, and show those unpaid.)*

**4** The funeral expenses of the deceased amount to the sum of \$ \_\_\_\_\_, which have been paid in full. *(If not paid state reason.)*

**5** The real estate to which the deceased was entitled is correctly described in the accounts. *(If otherwise so state.)*

**6** The sale of real estate described in the accounts was made *(state whether (a) under the authority of the terms of the will, or (b) by consent of the persons entitled thereto, or (c) by consent of the Public Guardian and Trustee where infants are interested, or (d) approved by the Court of Queen's Bench the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_).*

7 After giving credits and making allowances for all debits properly chargeable against the estate of the deceased the assets remaining in the hands of the executor (or administrator) as at the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_ , are correctly described in the accounts. *(If otherwise so state.)*

8 *(Here report on any matter of special interest or importance as to the accounts of the applicant, or any other matter that may be of assistance to the judge.)*

The evidence produced on this examination consists of the accounts, the affidavit verifying the same, and the receipts *(and other material if any)*.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2 \_\_\_\_ .

---

*Examining Officer*

**No. 125 (R. 483)****Repealed.** Gaz. Jan. 11/2008.

(The next form is Form 202A)

**No. 202A**

## NOTICE OF REQUEST FOR TRANSFER OF PROCEEDING

TO:

TAKE NOTICE that a request for transfer of proceeding made by \_\_\_\_\_  
(name of court)at \_\_\_\_\_  
(address in full)was filed in the Court of Queen's Bench for Saskatchewan at \_\_\_\_\_  
(address in full)on \_\_\_\_\_ . The material forwarded by the court that requested  
(date)

the transfer of proceeding has been served on you together with this notice.

FURTHER TAKE NOTICE that within 30 days of the service of this Notice on you, you may apply by Notice of Motion for an order accepting or refusing the transfer of the proceeding and such application shall not be deemed to be a submission to the jurisdiction of the Court.

FURTHER TAKE NOTICE that if no party brings a motion within the time provided, the court may make an order accepting or refusing the transfer of the proceeding in the absence of the parties.

Dated, *etc.*\_\_\_\_\_  
(Local) Registrar

**No. 202B**

## NOTICE OF RECEIPT OF FURTHER MATERIAL

TO:

TAKE NOTICE that further material has been received by this court respecting the request for transfer of proceeding made by the \_\_\_\_\_

(name of court that made the request)

at \_\_\_\_\_  
(address in full)

A copy of the further material has been served on you together with this notice.

FURTHER TAKE NOTICE that \_\_\_\_\_, at \_\_\_\_\_  
(date) (time)

at \_\_\_\_\_  
(court house address)

is appointed as the time and place for further consideration of the application for acceptance (or refusal) of the request for transfer of proceeding. *(Include this paragraph where an application to accept or refuse the transfer has been adjourned in order to request further materials or modification of the transfer order)*

*Or* FURTHER TAKE NOTICE if no party applies by Notice of Motion for an order accepting or refusing the transfer of the proceeding within 30 days of service of this Notice, the court may make an order accepting or refusing the transfer of the proceeding in the absence of the parties. *(Include this paragraph where the court had been considering the request for transfer in the absence of an application by a party.)*

Dated, etc.

\_\_\_\_\_  
(Local) Registrar



**No. 202C****ORDER ACCEPTING OR REFUSING TRANSFER**

Before \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

A request was made by \_\_\_\_\_  
*(name of court)*

at \_\_\_\_\_  
*(address in full)*

for the transfer of a proceeding to the Court of Queen's Bench for Saskatchewan. A Notice of Request for Transfer of Proceeding was served on the parties to the proceeding in the transferring court.

Upon the application of \_\_\_\_\_  
*(name of party)*

that this court accept (or refuse) the transfer of the proceeding (*Or* Upon the motion of the court);

IT IS ORDERED that the transfer *(select appropriate phrase)*

be accepted

*or* be refused for the following reasons:

neither the Court of Queen's Bench for Saskatchewan nor \_\_\_\_\_  
*(the name of the court requesting transfer)*

has territorial competence in the proceeding

*or* the Court of Queen's Bench for Saskatchewan lacks subject-matter competence in the proceeding

*or* although the Court of Queen's Bench for Saskatchewan (*or* the transferring court) has territorial competence and the Court of Queen's Bench for Saskatchewan has subject matter competence in the proceeding, the transfer is refused for the following reasons:

*(set out reasons)*

*or* the following condition precedent to the transfer of the proceeding imposed by

\_\_\_\_\_  
*(the name of the court requesting transfer)*  
 has not been fulfilled: *(set out condition) (Where transfer refused)*

AND IT IS FURTHER ORDERED

that the proceeding be returned to \_\_\_\_\_  
*(the name of the court requesting transfer)*

ISSUED, *etc.*

(L.S.)

\_\_\_\_\_  
 (Local) Registrar

(The next form is Form 484)

## No. 484

## AFFIDAVIT OF DOCUMENTS AND WITNESSES

I, \_\_\_\_\_, of the (City, Town, etc.) of \_\_\_\_\_, Saskatchewan,  
*(full name of deponent)*

the plaintiff *(or as may be)* in this action, MAKE OATH AND SAY:

1. I have conducted a diligent search of my records and have made appropriate enquiries of others to inform myself in order to make this affidavit. This affidavit discloses, to the full extent of my knowledge, information and belief, all documents relating to any matter in issue in this action that are or have been in my possession, control or power.
2. I have listed in Schedule A those documents that are in my possession, control or power and that I do not object to producing for inspection.
3. I have listed in Schedule B those documents that are or were in my possession, control or power and that I object to producing because I claim they are privileged, and I have stated in Schedule B the grounds for each such claim.
4. I have listed in Schedule C those documents that were formerly in my possession, control or power but are no longer in my possession, control or power, and I have stated in Schedule C when and how I lost possession or control of or power over them and their present location.
5. I have never had in my possession, control or power any document relating to any matter in issue in this action other than those listed in Schedules A, B and C.
6. I have listed in Schedule D the names and addresses of persons who might reasonably be expected to have knowledge of transactions or occurrences in issue.

SWORN, *etc.*

\_\_\_\_\_  
*(Signature of Deponent)*

## CERTIFICATE OF LAWYER

I CERTIFY that I have explained to the deponent the necessity of making full disclosure of all relevant documents and of providing the list required under Rule 484.

*Date*

\_\_\_\_\_  
*(Signature of Lawyer)*

## SCHEDULE A

Documents in my possession, control or power that I do not object to producing for inspection.

*(Number each document consecutively. Set out the nature and date of the document and other particulars sufficient to identify it.)*

## SCHEDULE B

Documents that are or were in my possession, control or power that I object to producing on the grounds of privilege.

*(Number each document consecutively. Set out the nature and date of the document and other particulars sufficient to identify it. State the grounds for claiming privilege for each document.)*

## SCHEDULE C

Documents that were formerly in my possession, control or power but are no longer in my possession, control or power.

*(Number each document consecutively. Set out the nature and date of the document and other particulars sufficient to identify it. State when and how possession or control of or power over each document was lost, and give the present location of each document.)*

## SCHEDULE D

Names and addresses of persons who might reasonably be expected to have knowledge of transactions or occurrences in issue.

## ENDORSEMENT ON COPY OF AFFIDAVIT SERVED

TAKE NOTICE that the several documents referred to in Schedule A hereof may be inspected at \_\_\_\_\_  
on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, between the hours of \_\_\_\_\_ and \_\_\_\_\_.

\_\_\_\_\_  
Lawyer for ( )

Gaz. Jan 11/2008 New.

## No. 489

## JOINT REQUEST FOR PRE-TRIAL CONFERENCE

This action is a simplified proceeding being brought under Part Forty of *The Queen's Bench Rules*.

The lawyers [or parties] by their signatures hereto:

- (a) Certify that they are ready for pre-trial conference, and thereafter for trial.
- (b) Confirm that settlement efforts have been made.
- (c) Confirm that the applicable mediation requirements of s. 42 of *The Queen's Bench Act, 1998* have been complied with.
- (d) Confirm that both [or all] parties to the action consent to a pre-trial conference.

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Lawyer for the plaintiff

Phone Number: \_\_\_\_\_

DATED at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Lawyer for the defendant

Phone Number: \_\_\_\_\_

Gaz. Jan 11/2008 New.

## No. 490

## REQUEST FOR DATE FOR SIMPLIFIED TRIAL

TO THE REGISTRAR AT

This action is a simplified proceeding being brought under Part Forty of *The Queen's Bench Rules*.

The plaintiff/defendant [*select one*] hereby applies for a date for the simplified trial of the action.

It is estimated that the trial of this action will take approximately \_\_\_\_\_.

DATED etc.

---

Party or Party's Lawyer

This is to advise that \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, at 10:00 a.m. has been reserved for the trial of the above action at \_\_\_\_\_, Saskatchewan.

---

Local Registrar

Gaz. Jan 11/2008 New.

(The next form is Form 542)



**No. 558**

## NOTICE OF APPOINTMENT FOR ASSESSMENT OF COSTS

TO THE PARTIES

I HAVE MADE AN APPOINTMENT to assess the costs of \_\_\_\_\_  
*(identify party)*

on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_,  
*(day) (date) (time)*

at \_\_\_\_\_.  
*(address)*

The applicant is entitled to costs pursuant to *(specify order, judgment, rule or statutory provision entitling the applicant to costs)*

Attached to this notice is a copy of the bill of costs to be assessed and *(where applicable)* an affidavit of disbursements.

If you have been served with this notice and fail to attend, the assessment officer may proceed with the assessment in your absence.

Date \_\_\_\_\_

\_\_\_\_\_  
 Assessment officer.

TO \_\_\_\_\_  
*(Name and address of lawyer or party on whom notice is served)*

**No. 559**

## NOTICE TO DELIVER A BILL OF COSTS FOR ASSESSMENT

TO THE PARTIES

I HAVE MADE AN APPOINTMENT, at the request of \_\_\_\_\_  
*(identify party who obtained appointment)*

to assess the costs of \_\_\_\_\_  
*(identify party)*

on \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_,  
*(day) (date) (time)*

at \_\_\_\_\_.  
*(address)*

TO \_\_\_\_\_  
*(identify party entitled to costs)*

You are entitled to costs pursuant to \_\_\_\_\_  
*(specify order, judgment, rule or statutory provision entitling the party to costs)*

YOU ARE REQUIRED to file your bill of costs, and any affidavit of disbursements, with the court and to serve your bill of costs on every party interested in the assessment at least 14 days before the above date.

If you fail to file and serve a bill of costs as provided above, your costs may be assessed in your absence, or any or all of your costs may be disallowed, or the assessment of your costs may be deferred.

Date \_\_\_\_\_

\_\_\_\_\_  
 Assessment officer.

TO \_\_\_\_\_.  
*(Name and address of lawyer or party on whom notice is served)*

(The next form is Form 561)



**No. 561**

**CERTIFICATE OF ASSESSMENT OF COSTS**

I CERTIFY that I have assessed the party and party costs of \_\_\_\_\_  
*(identify party entitled to costs)*

in this proceeding *(or as may be)* under the authority of \_\_\_\_\_,  
*(specify order, judgment, rule or statutory provision)*

and I ALLOW THE SUM OF \$ \_\_\_\_\_

to be paid by \_\_\_\_\_.  
*(identify party liable to pay costs)*

*(Note here any items to which a party has specifically objected, identifying the party and the objection made.)*

*(Where the assessment officer has provided written reasons, they may be included here.)*

Date \_\_\_\_\_

\_\_\_\_\_  
Assessment officer.

(The next form is Form 589)

**No. 589**

No. \_\_\_\_\_ 2 \_\_\_\_\_

**PETITION**

CANADA

PROVINCE OF SASKATCHEWAN

IN THE QUEEN'S BENCH (FAMILY LAW DIVISION) JUDICIAL CENTRE OF

\_\_\_\_\_

*Petitioner (or) Co-Petitioners*

- and -

\_\_\_\_\_

*Respondent*

NOTICE TO RESPONDENT

A LEGAL PROCEEDING HAS BEEN STARTED AGAINST YOU IN THIS COURT. The details of the claim made against you are set out in the following pages.

IF YOU WISH TO DISPUTE ANY OF THE CLAIMS, OR IF YOU WISH TO MAKE ANY CLAIM YOURSELF, either you or a lawyer must prepare an Answer in Form 597A or an Answer and Counterpetition in Form 598, serve a copy on the petitioner or the petitioner's lawyer at the address for service given in the Petition, and file it, with proof of service, in this court office WITHIN 30 DAYS after this Petition is served on you, where you are served in Canada or in the United States. Where you are served elsewhere, the period for serving and filing your answer is WITHIN 60 DAYS after this Petition is served on you. Before serving and filing an answer, you may serve and file a Notice of Intent to Answer in Form 597B. This will entitle you to ten more days within which to serve and file your answer.

If this Petition contains a claim for support YOU MUST SERVE AND FILE A FINANCIAL STATEMENT in Form 609A within the time set out above for serving and filing your answer, whether or not you wish to file an answer. If you have been served with a claim for child support, and you do not comply with this notice or the Notice to File Income Information, also served on you, THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with a claim for child support or if you intend to make a claim for child support in your answer, please consult the Federal Child Support Guidelines.

If this Petition contains a property claim YOU MUST SERVE AND FILE A PROPERTY STATEMENT in Form 609B within the time set out above for serving and filing your answer, whether or not you wish to file an answer.

If you have also been served with a Notice of Motion, YOU OR YOUR LAWYER SHOULD SERVE AND FILE YOUR AFFIDAVITS IN RESPONSE TO THE MOTION 7 DAYS BEFORE THE DATE SET FOR HEARING THE MOTION, and come to court for the motion on the date set.

If you do not oppose or dispute the Petition, but wish to be informed of subsequent steps in the proceeding, you may serve and file a Demand for Notice in Form 599 and thereafter notice of all subsequent pleadings or proceedings shall be served on you.

IF YOU FAIL TO SERVE AND FILE AN ANSWER A JUDGMENT MAY BE GRANTED IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU ON ANY CLAIM IN THIS PETITION, INCLUDING DISSOLUTION OF YOUR MARRIAGE AND DIVISION OF YOUR PROPERTY.

IF THE PETITION SEEKS A DIVORCE, NEITHER SPOUSE IS FREE TO REMARRY until a judgment of divorce takes effect.

This Petition is to be served within 6 months from the date on which it is issued, unless ordered otherwise.

This Petition is issued at \_\_\_\_\_, Saskatchewan, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

(L.S.)

\_\_\_\_\_  
(Local) Registrar

(In a divorce proceeding, where a joint petition is filed, the above Notice to Respondent is to be deleted.)

If this Petition contains a claim for support YOU MUST SERVE AND FILE A FINANCIAL STATEMENT in Form 609A within the time set out above for serving and filing your answer, whether or not you wish to file an answer. If you have been served with a claim for child support, and you do not comply with this notice or the Notice to File Income Information, also served on you, THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with a claim for child support or if you intend to make a claim for child support in your answer, please consult the Federal Child Support Guidelines.

If this Petition contains a property claim YOU MUST SERVE AND FILE A PROPERTY STATEMENT in Form 609B within the time set out above for serving and filing your answer, whether or not you wish to file an answer.

If you have also been served with a Notice of Motion, YOU OR YOUR LAWYER SHOULD SERVE AND FILE YOUR AFFIDAVITS IN RESPONSE TO THE MOTION 7 DAYS BEFORE THE DATE SET FOR HEARING THE MOTION, and come to court for the motion on the date set.

If you do not oppose or dispute the Petition, but wish to be informed of subsequent steps in the proceeding, you may serve and file a Demand for Notice in Form 599 and thereafter notice of all subsequent pleadings or proceedings shall be served on you.

IF YOU FAIL TO SERVE AND FILE AN ANSWER A JUDGMENT MAY BE GRANTED IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU ON ANY CLAIM IN THIS PETITION, INCLUDING DISSOLUTION OF YOUR MARRIAGE AND DIVISION OF YOUR PROPERTY.

IF THE PETITION SEEKS A DIVORCE, NEITHER SPOUSE IS FREE TO REMARRY until a judgment of divorce takes effect.

This Petition is to be served within 6 months from the date on which it is issued, unless ordered otherwise.

This Petition is issued at \_\_\_\_\_, Saskatchewan, the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

(L.S.)

\_\_\_\_\_  
(Local) Registrar

*(In a divorce proceeding, where a joint petition is filed, the above Notice to Respondent is to be deleted.)*

TO THIS HONOURABLE COURT:

CLAIM

1 I (We) ask this Honourable Court for the following relief:

- (a) \_\_\_\_\_ *Divorce Act*
- \_\_\_\_\_ Divorce
- \_\_\_\_\_ Custody
- \_\_\_\_\_ Access
- \_\_\_\_\_ Support for myself in the amount of \$ \_\_\_\_\_ per month.
- \_\_\_\_\_ Support for children in an amount determined in accordance with the Federal Child Support Guidelines
- \_\_\_\_\_ Support for children in the amount of \$ \_\_\_\_\_ per month  
(if different from table amount under the guidelines).
- \_\_\_\_\_ Other (specify)
- (b) \_\_\_\_\_ *The Family Property Act*
- \_\_\_\_\_ Exclusive possession of family home
- \_\_\_\_\_ Division of family home: \_\_\_\_\_ equal \_\_\_\_\_ unequal
- \_\_\_\_\_ Division of family property: \_\_\_\_\_ equal \_\_\_\_\_ unequal
- (c) \_\_\_\_\_ *The Children's Law Act, 1997*
- \_\_\_\_\_ Custody
- \_\_\_\_\_ Access
- \_\_\_\_\_ Guardianship over children's property
- \_\_\_\_\_ Declaration of parentage
- \_\_\_\_\_ Other (specify)
- (d) \_\_\_\_\_ *The Family Maintenance Act, 1997*
- \_\_\_\_\_ Maintenance for myself in the amount of \$ \_\_\_\_\_ per month
- \_\_\_\_\_ Maintenance for children in an amount determined in accordance with the Federal Child Support Guidelines
- \_\_\_\_\_ Maintenance for children in the amount of \$ \_\_\_\_\_ per month  
(if different from table amount under the guidelines)
- \_\_\_\_\_ Other (specify)

- (e) \_\_\_\_\_ Judicial separation under *The Queen's Bench Act, 1998*
- (f) \_\_\_\_\_ Nullity of marriage
- (g) \_\_\_\_\_ Relief under *The Dependents' Relief Act, 1996*
- (h) \_\_\_\_\_ Relief between the persons who have lived together as spouses
  - \_\_\_\_\_ Interest in property
  - \_\_\_\_\_ Monetary compensation
  - \_\_\_\_\_ Other (*specify*)
- (i) \_\_\_\_\_ Other (*Specify Act if any*)
- (j) \_\_\_\_\_ Costs (*Specify particulars of the amount and basis for the claim.*)

IN THE CIRCUMSTANCES set out below:

PARTICULARS OF MARRIAGE BREAKDOWN:

**2** A certificate of the marriage or of registration of the marriage has been filed with the court.

*Or*

**2** An undertaking to file the certificate of marriage or of registration of the marriage with the court by \_\_\_\_\_ has been filed with the court.  
(date)

*Or*

**2** It is impossible or impractical to obtain a certificate of the marriage or of registration of the marriage and application has been made for an order dispensing with production of the certificate.

**3** There has been a breakdown of the marriage by reason of: (*Refer to separation, adultery or cruelty by reference to appropriate sections of the Divorce Act (Canada) or The Queen's Bench Act, 1998.*)

**4** The facts on which my petition for divorce (*or* judicial separation *or* nullity) is based are:  
(*Set out fully but concisely all the material facts relied on, but not the evidence by which the facts are to be proved.*)

**5** The following efforts to reconcile have been made:

**6** It is no longer possible for me to reconcile or resume cohabitation with my spouse.

## COLLUSION, CONDONATION AND CONNIVANCE:

**7** (a) I have truthfully set out the facts establishing the breakdown of my marriage and I have not entered into any agreement, understanding or arrangement to makeup or hide evidence or to deceive the court.

(b) *(Where adultery or cruelty is the basis of the marriage breakdown.)* I have not encouraged my spouse to act in the manner that I have outlined, nor to commit or continue the alleged acts. I am unable to forgive my spouse and resume marital cohabitation as a result of his/her acts and conduct toward me.

## MEDIATION:

**8** The mediation facilities utilized to negotiate matters pertaining to support or custody are as follows:

## PARTICULARS OF PROPERTY CLAIM:

**9** At the date of issue of this petition the respondent and I owned or held an interest in real and personal property either separately or jointly. The particulars of that property are set out in my Property Statement in Form 609B filed in this proceeding *(or which will be filed within 10 days of the issue of this petition). (A Property Statement need not be filed if the parties have agreed on the relief and a Waiver of Financial and Property Statements in Form 611A has been filed.)*

**10** I am entitled to an equal distribution of the family home *and/or* the family property.

*Or*

**10** My grounds for claiming that an equal distribution of the family home *and/or* the family property would be unfair and inequitable are as follows: *(Refer to specific sections of The Matrimonial Property Act, 1997.)*

*Or*

**10** The facts on which my claim for an interest in property or monetary compensation as persons who have lived together as spouses is based are:

## PARTICULARS OF RELATIONSHIP:

**11** The respondent and I were married on \_\_\_\_\_ at \_\_\_\_\_  
*(date) (place)*

*Or*

11 The respondent and I are spouses as defined by *The Family Maintenance Act, 1997* and commenced cohabitation on \_\_\_\_\_ at \_\_\_\_\_  
*(date)* *(place)*

*And/Or*

11 The respondent and I are parents as defined by *The Children's Law Act, 1997*.

12 I ceased to cohabit with the respondent on or about \_\_\_\_\_  
*(date)*

*Or*

12 I have never cohabited with the respondent.

*Or as the case may be.*

**PARTICULARS OF PARTIES:**

13 My surname at birth: \_\_\_\_\_

14 My surname immediately before marriage: \_\_\_\_\_

15 My marital status at time of marriage: \_\_\_\_\_  
*(never married, divorced or widowed)*

16 I was born: \_\_\_\_\_  
*(date)*

17 The respondent's surname at birth: \_\_\_\_\_

18 The respondent's surname immediately before marriage: \_\_\_\_\_

19 The marital status of respondent at time of marriage: \_\_\_\_\_  
*(never married, divorced or widowed)*

20 The respondent was born: \_\_\_\_\_  
*(date)*

**RESIDENCE:**

21 My address is: \_\_\_\_\_

22 The respondent's address is: \_\_\_\_\_

23 I have (*or* The respondent has) been ordinarily resident in Saskatchewan since: \_\_\_\_\_  
*(date)*

**CHILDREN:**

24 There are no children of the respondent or myself who are in the custody or care of either of us.

*Or*

24 The names, dates of birth and place of residence of all children of the respondent and I who are in the custody or care of either of us are:

24A The children in respect of whom relief is claimed are:

*And/Or*

I am claiming no relief in respect of the following children:

Because:

**24B** The particulars of the current custody and access arrangements of the children are as follows:

which is satisfactory (*or* unsatisfactory) for the following reasons:

**24C** I claim custody (*or* joint custody) of the following children on the following terms:

*And/Or*

I agree that the Respondent have an order for custody (*or* joint custody) of the following children:

**24D** I propose to permit access to the following children on the following terms: (*Specify times and length of access*)

*And/Or*

I claim access to the following children: (*Specify times and length of access*)



**24E** The proposed arrangement for custody and access is in the best interest of the children for the following reasons:

**24F** The following changes of circumstances of myself or the respondent are expected to affect the children, their custody and access, in the future:

**24G** The nature of my relationship to and interest in the children is as follows:

**24H** The nature of the respondent's relationship to and interest in the children is as follows:

**24I** Other than the respondent and myself, the following persons may have an interest in the custody of or access to, or may have an obligation to support, the children: *(State name, address and relationship to children)*

**24J** The existing financial arrangements for the support of the children are as follows:

**24K** I propose that the financial arrangements for the support of the children, having regard to the relief claimed, should be as follows:

A Child Support Information Sheet in Form 640A is filed in this proceeding.

**24L** (Where the amount claimed is different than the table amount under the guidelines.) I am claiming child support in an amount different from the table amount determined under the Federal Child Support Guidelines due to:

- Child 18 or over
- Income over \$150,000
- Split custody
- Shared custody
- Payor standing in place of a parent
- Undue hardship, particulars of which are set out in Part 4 of my Financial Statement;
- Special or extraordinary expenses, particulars of which are set out in Part 3 of my Financial Statement.

The facts to substantiate the proposed terms of child support are as follows:

**SPOUSAL SUPPORT:**

**25** The facts to substantiate the proposed support for myself are as follows: *(Make reference to your conditions, means, needs, and other circumstances.)*

**PROCEEDINGS AND AGREEMENTS:**

**26** The particulars and status of all other legal proceedings instituted between myself and the respondent with reference to the marriage, cohabitation, custody, support, maintenance or division of property are:

**27** The dates of any written or oral separation or financial or custody agreements between myself and the respondent are:

The agreement pertains to:

- |  |   |
|--|---|
| <input type="checkbox"/> custody of the children | <input type="checkbox"/> spousal support        |
| <input type="checkbox"/> access to the children  | <input type="checkbox"/> division of property   |
| <input type="checkbox"/> child support           | <input type="checkbox"/> other <i>(specify)</i> |

*(Where it is sought to incorporate provisions of a separation agreement in the judgment, refer to the specific provisions to be incorporated.)*

**28** The particulars of any other orders or agreements relating to any child in the custody or care of either the respondent or I are:

**FINANCIAL INFORMATION:**

**29** My Financial Statement in Form 609A is filed in this proceeding (or will be filed within 10 days of the issue of this petition). *(File if the petition contains a claim for support. However, a financial statement need not be filed if the only financial claim is for child support in the table amount, or if one of the following alternatives applies.)*

*Or*

The respondent and I have agreed on the amount to be paid for child support and on the annual income of each of us who would be required to provide income information under the Federal Child Support Guidelines, and an Agreement as to Child Support in Form 611B is filed in this proceeding.

*Or*

*(Where there is no claim for child support.)* The respondent and I have agreed on the amount to be paid for spousal support, and a Waiver of Financial and Property Statements in Form 611A is filed in this proceeding.

**30(a)** My occupation is: \_\_\_\_\_

(b) My place of employment is: \_\_\_\_\_

(c) My current annual income from all sources is estimated to be \$ \_\_\_\_\_.

**31(a)** The respondent's occupation is: \_\_\_\_\_

(b) The respondent's place of employment is: \_\_\_\_\_

(c) The respondent's current annual income from all sources is estimated to be \$ \_\_\_\_\_

**JOINT PETITION:** *(Include in a divorce proceeding, where a joint petition is filed)*

**32** We state that we are presenting this joint petition for divorce with full knowledge that:

- (a) each of us is entitled to obtain legal advice independently of the other;
- (b) each of us is entitled to be separately represented by a lawyer of our own choice; and
- (c) neither of us can legally be forced or required by the other to seek a divorce or to sign this petition for divorce.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature of petitioner or co-petitioners)*

*(In a divorce proceeding, where a joint petition is filed, include:*

NEITHER SPOUSE IS FREE TO REMARRY until a judgment of divorce takes effect.

This Petition is issued at \_\_\_\_\_, Saskatchewan, the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

(L.S.)

\_\_\_\_\_  
(Local) Registrar

### STATEMENT OF LAWYER

*(In a divorce proceeding or a proceeding under The Family Maintenance Act, 1997 or The Children's Law Act, 1997 where petitioner is represented by a lawyer)*

I, \_\_\_\_\_,  
the lawyer for \_\_\_\_\_, the Petitioner  
in this proceeding certify to this Court that I have complied with the requirements of  
subsection 9(1) of the *Divorce Act* with respect to reconciliation and subsection 9(2) of the  
*Divorce Act* (or subsection 16(1) of *The Family Maintenance Act, 1997* or subsection 11(1) of  
*The Children's Law Act, 1997*) with respect to negotiation and mediation. *(Where the  
circumstances of the case are of such a nature that it would clearly not be appropriate to so  
comply, set out the circumstances.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Signature of lawyer)

This document was delivered by \_\_\_\_\_,  
(firm name)

\_\_\_\_\_  
(business address)

and the address for service is \_\_\_\_\_

Lawyer in charge of file: \_\_\_\_\_

Telephone: \_\_\_\_\_

*Or, where petitioner is not represented by a lawyer:*

This document was delivered by \_\_\_\_\_  
(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

(The next form is Form 595A)

**No. 595A****AFFIDAVIT OF PERSONAL SERVICE**

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_,  
in the \_\_\_\_\_ of \_\_\_\_\_,

Make Oath and Say/Affirm as follows:

**1** On the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_,  
I personally served the respondent, \_\_\_\_\_,  
with a true copy of the \_\_\_\_\_,

*(name of document)*

an original being part of the court file, by leaving a true copy with him (or her) at \_\_\_\_\_.

**2** My means of knowledge as to the identity of the respondent are as follows:

(a)

(b)

**3** The postal address of the respondent is \_\_\_\_\_

**4** The basis of my information and belief as to the postal address of the respondent is:  
\_\_\_\_\_

**5** To effect service I necessarily travelled \_\_\_\_\_ kilometres.

Sworn/Affirmed, *etc.*

**No. 595B**

## AFFIDAVIT OF SERVICE BY ORDINARY MAIL

I, \_\_\_\_\_, of the \_\_\_\_\_ of \_\_\_\_\_,  
in the \_\_\_\_\_ of \_\_\_\_\_,

Make Oath and Say/Affirm as follows:

**1** I served the respondent, \_\_\_\_\_, with a true copy of  
the \_\_\_\_\_

*(name of document)*

which is attached as exhibit “ \_\_\_\_\_ ” (or an original being part of the court file),  
by enclosing it in an envelope addressed as follows: \_\_\_\_\_

and by posting it by ordinary mail, postage prepaid, at the post office at \_\_\_\_\_,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_.

**2** The postal address used is the address for service provided by the respondent on the most recent document filed in court by the respondent and the envelope has not been returned to me.

*Or*

**2** The basis of my information and belief as to the postal address of the respondent is:

*And/Or*

**3** Also enclosed in the envelope together with the true copy of the \_\_\_\_\_  
was a prepaid return postcard in Form 595C.

**3A** The postcard, in which receipt of the document(s) is acknowledged, was returned to me  
and is attached to this affidavit as exhibit “ \_\_\_\_\_ ”.

Sworn/Affirmed, *etc.*

**No. 595C**

Repealed. Gaz. May 27, 2005.

(The next form is Form 597A)

**No. 597A****ANSWER**

**1** I do not oppose the granting of the following relief sought in the Petition:

*(Set out claims that are not opposed.)*

**2** I oppose the following claims for relief: *(Set out claims that are opposed.)*

**3** I admit the particulars contained in paragraphs \_\_\_\_\_ of the Petition.

**4** I deny the particulars contained in paragraphs \_\_\_\_\_ of the Petition.

**5** I have no knowledge of the particulars contained in paragraphs \_\_\_\_\_ of the Petition.

**6** My Financial Statement in Form 609A is filed in this proceeding. *(Include if the petition or counter-petition contains a claim for support. A financial statement need not be filed if the only financial claim is made by the respondent and is for child support in the table amount, or if one of the following alternatives applies.)*

*Or*

The petitioner and I have agreed on the amount to be paid for child support and on the annual income of each of us who would be required to provide income information under the Federal Child Support Guidelines, and an Agreement as to Child Support in Form 611B is filed in this proceeding.

*Or*

*(Where there is no claim for child support.)* The petitioner and I have agreed on the amount to be paid for spousal support, and a Waiver of Financial and Property Statements in Form 611A is filed in this proceeding.

**7** The particulars of the property which the petitioner and I own or hold an interest in are set out in my Property Statement in Form 609B filed in this proceeding. *(Include if the petition or counter-petition contains a property claim. A Property Statement need not be filed if the parties have agreed on the relief and a Waiver of Financial and Property Statements in Form 611A has been filed.)*

**8** *(Set out in separate, consecutively numbered paragraphs a statement of the material facts relied on for contesting Petition, but not the evidence by which those facts might be proved.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature of respondent or respondent's lawyer)*



## STATEMENT OF LAWYER

*(In a proceeding under The Family Maintenance Act, 1997 or The Children's Law Act, 1997 where the respondent is represented by a lawyer)*

I, \_\_\_\_\_, the lawyer for \_\_\_\_\_, the Respondent in this proceeding certify to this Court that I have complied with the requirements of subsection 16(1) of *The Family Maintenance Act, 1997* (or subsection 11(1) of *The Children's Law Act, 1997*) with respect to negotiation and mediation. *(Where the circumstances of the case are of such a nature that it would clearly not be appropriate to so comply, set out the circumstances.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
(Signature of lawyer)

This document was delivered by \_\_\_\_\_  
(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

**No. 597B**

## NOTICE OF INTENT TO ANSWER

TO: The Petitioner, \_\_\_\_\_  
(name)

TAKE NOTICE that I, \_\_\_\_\_, intend to contest this proceeding.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
(Signature)

This document was delivered by \_\_\_\_\_  
(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

**No. 598****ANSWER AND COUNTER-PETITION****ANSWER**

*(Set out the answer as in Form 597A. The counter-petition is to follow the last paragraph of the answer. Number the paragraphs in sequence commencing with the number following the number of the last paragraph of the answer.)*

**COUNTER-PETITION**

I, \_\_\_\_\_, claim the following relief:

*(State here the precise relief claimed. Insert the applicable relief clauses from paragraph 1 of Form 589.)*  
on the grounds and in the circumstances set out below:

*(Set out in separate, consecutively numbered paragraphs each allegation of material fact relied on to substantiate the counter-petition. Complete the applicable numbered paragraphs of Form 589, the facts of which have not been admitted in paragraph 3 of the answer. Where you seek to incorporate provisions of a separation agreement in the judgment, refer to the specific provisions to be incorporated)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature of respondent)*

## STATEMENT OF LAWYER

*(In a divorce proceeding or a proceeding under The Family Maintenance Act, 1997 or The Children's Law Act, 1997 where respondent is represented by a lawyer.)*

I, \_\_\_\_\_, the lawyer for \_\_\_\_\_, the Respondent in this proceeding certify to this Court that I have complied with the requirements of subsection 9(1) of the *Divorce Act* with respect to reconciliation and subsection 9(2) of the *Divorce Act* (or subsection 16(1) of *The Family Maintenance Act, 1997* or subsection 11(1) of *The Children's Law Act, 1997*) with respect to negotiation and mediation. *(Where the circumstances of the case are of such a nature that it would clearly not be appropriate to so comply, set out the circumstances.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature of lawyer)*

This document was delivered by \_\_\_\_\_  
*(Petitioner)*

of \_\_\_\_\_, telephone \_\_\_\_\_,  
*(business or residence address) (number)*

and the address for service is: \_\_\_\_\_

**No. 599**

## DEMAND FOR NOTICE

**TO:** The Petitioner, \_\_\_\_\_  
*(name)*

I, \_\_\_\_\_, demand that notice of all further pleadings and proceedings be served on me.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Respondent or respondent's lawyer)*

This document was delivered by \_\_\_\_\_  
*(Petitioner)*

of \_\_\_\_\_, telephone \_\_\_\_\_,  
*(business or residence address) (number)*

and the address for service is: \_\_\_\_\_

**No. 600****REPLY**

**1** I admit the particulars contained in paragraphs \_\_\_\_\_ of the Answer.

**2** I deny the particulars contained in paragraphs \_\_\_\_\_ of the Answer.

**3** *(Set out in separate, consecutively numbered paragraphs a statement of the material facts relied on by way of reply to the answer.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Petitioner or petitioner's lawyer)*

This document was delivered by \_\_\_\_\_  
*(Petitioner)*

of \_\_\_\_\_, telephone \_\_\_\_\_,  
*(business or residence address)* *(number)*

and the address for service is: \_\_\_\_\_

(The next form is Form 602)

**No. 602**

**NOTICE OF MOTION  
(FAMILY LAW PROCEEDING)**

TAKE NOTICE that an application will be made to the presiding judge in chambers at the court house in \_\_\_\_\_, Saskatchewan, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ or so soon thereafter as the matter may be heard on behalf of the petitioner *(or respondent, as the case may be)* for an order that:

(a) *(state the precise relief sought);*

(b)

## ON THE FOLLOWING GROUNDS:

(a) *(set out the statutory provision, Queen's Bench rule, order or other legal basis which the party bringing the motion relies upon to justify the relief sought)*

(b)

AND FURTHER TAKE NOTICE that in support of this application will be read the Affidavit of \_\_\_\_\_ .  
*(name of person bringing motion)*

*(Also set out here any other material to be used, including the financial disclosure required of you under Division III, and the Child Support Information Sheet, where child support is sought.)*

AND FURTHER TAKE NOTICE if you wish to oppose the motion, you or your lawyer must prepare an affidavit in response, serve a copy at the address for service given at the end of this document, and file it in the court office, with proof of service, at least 7 days before the date set for hearing the motion. You or your lawyer must also come to court for the hearing of the motion on the date set.

*(Include this paragraph where a support order is sought)* AND FURTHER TAKE NOTICE that whether or not you oppose this motion, you must serve and file a Financial Statement in Form 609A at least 7 days before the date set for hearing the motion. If this motion includes a claim for child support, and you do not comply with this notice or the Notice to File Income Information which has also been served on you, THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with a motion for child support, please consult the Federal Child Support Guidelines.

AND FURTHER TAKE NOTICE that if you do not appear at the hearing [or fail to provide the required financial information *(where a support order is sought)*] an order may be made in your absence and enforced against you. YOU WILL NOT RECEIVE FURTHER NOTICE OF THIS MOTION.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*(Signature)*

To:

This document was delivered by \_\_\_\_\_  
*(Petitioner)*

of \_\_\_\_\_, telephone \_\_\_\_\_,  
*(business or residence address)* *(number)*

and the address for service is: \_\_\_\_\_

(The next form is Form 606A)

**No. 606A**

## NOTICE OF APPLICATION FOR JUDGMENT

TO The Respondent (*or* the Petitioner):

TAKE NOTICE that an application for judgment in this proceeding will be made to the presiding judge at the Court House in \_\_\_\_\_, Saskatchewan, on \_\_\_\_\_ day, the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon or so soon thereafter as the matter may be heard.

AND FURTHER TAKE NOTICE that in support of the application will be read the pleadings in this proceeding, the affidavit of service of the Petition, and the affidavit of the petitioner (*or* respondent) (*also set out here any other material filed*).

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
(*Signature*)

This document was delivered by \_\_\_\_\_

(*Petitioner*)

of \_\_\_\_\_, telephone \_\_\_\_\_,

(*business or residence address*)

(*number*)

and the address for service is: \_\_\_\_\_

**No. 606B**

## APPLICATION FOR JUDGMENT

TO THE LOCAL REGISTRAR AT \_\_\_\_\_

**1** The petitioner (*or* The co-petitioners *or* The respondent) request(s) that this proceeding be set down for determination as an uncontested proceeding to be heard under Rule 606 on the basis of affidavit evidence.

**2** The petitioner(s) claim(s) the following relief:

- \_\_\_\_\_ Divorce            \_\_\_\_\_ early date of effect of judgment  
 \_\_\_\_\_ Custody  
 \_\_\_\_\_ Access  
 \_\_\_\_\_ Support for petitioner in the amount of \$ \_\_\_\_\_ per month  
 \_\_\_\_\_ Support for children in the amount of \$ \_\_\_\_\_ per month  
 \_\_\_\_\_ Relief under *The Family Property Act*  
 \_\_\_\_\_ Costs  
 \_\_\_\_\_ Other (*specify*)

**3** The following pleadings, proceedings and documents are on file:

- \_\_\_\_\_ Petition  
 \_\_\_\_\_ Answer or Answer and Counter-petition  
 \_\_\_\_\_ Reply  
 \_\_\_\_\_ Demand for Notice, *and*  
 \_\_\_\_\_ Notice of Application for Judgment  
 \_\_\_\_\_ Marriage registration, *or*  
 \_\_\_\_\_ Order dispensing with production of marriage registration  
 \_\_\_\_\_ Child Support Information Sheet  
 \_\_\_\_\_ Financial Statements    \_\_\_\_\_ petitioner            \_\_\_\_\_ respondent  
 \_\_\_\_\_ Property Statements    \_\_\_\_\_ petitioner            \_\_\_\_\_ respondent  
 \_\_\_\_\_ Waiver of Financial and Property Statements  
 \_\_\_\_\_ Central Registry notification  
 \_\_\_\_\_ Other (*specify*)

4 Service of the petition upon the respondent was effected in \_\_\_\_\_  
(province or country)

on \_\_\_\_\_ by:  
(date)

\_\_\_\_\_ Personal service. See affidavit of personal service.

\_\_\_\_\_ Leaving a copy with the respondent's lawyer (*other than in a divorce proceeding*). See acceptance of service in writing on a copy of the petition.

\_\_\_\_\_ Substitutional service. See copy of order and affidavit of compliance attached to petition.

5 The respondent was noted for default of answer on \_\_\_\_\_  
(date)

*Or*

The respondent filed an answer but the answer was withdrawn (*or struck out*) on \_\_\_\_\_

*Or*

The respondent has consented to this application by consent endorsed on the draft judgment *and/or* draft order.

*(Delete paragraphs 4 and 5 where it is a joint petition or where it is a motion for judgment by respondent.)*

6 The petitioner's (*or respondent's*) affidavits required by Subrule 606(5) and Rule 624 (*or as the case may be*) accompany this application.

Exhibited to the affidavit(s) are the following documents:

\_\_\_\_\_ Agreement as to Child Support, *or*

\_\_\_\_\_ Income information \_\_\_\_\_ petitioner \_\_\_\_\_ respondent

\_\_\_\_\_ Separation or financial or custody agreement

\_\_\_\_\_ Previous court order(s)

\_\_\_\_\_ Undertaking that no appeal from judgment will be taken

\_\_\_\_\_ Other (*specify*)

7 The following documents also accompany this application:

\_\_\_\_\_ Affidavit of respondent admitting adultery, *or*

\_\_\_\_\_ Certified transcript of the examination for discovery of the respondent

\_\_\_\_\_ Child Support Calculation

\_\_\_\_\_ Draft judgment

\_\_\_\_\_ Draft child support order

\_\_\_\_\_ Draft certificate

\_\_\_\_\_ Addressed envelopes 2 to respondent 2 to petitioner

\_\_\_\_\_ Other (*specify*)



8 The respondent's address is:

The address of the respondent's lawyer is:

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
(Signature)

### No. 606C

#### AFFIDAVIT OF PETITIONER

I, \_\_\_\_\_ of \_\_\_\_\_,  
in the \_\_\_\_\_ of \_\_\_\_\_,

Make Oath and Say/Affirm as follows:

#### GENERAL

1 I am the Petitioner in this proceeding and I have personal knowledge of the matters and facts deposed to in this affidavit, except where stated to be on information learned from someone else and where that is stated, I believe the information to be true.

2 All of the facts and information contained in the Petition continue to remain true and accurate, except for the following: *(note here corrections or subsequent changes)*:

3 *(Where there is a support claim, and Division III requires a Financial Statement of the Petitioner)* All of the facts and information contained in my Financial Statement sworn/affirmed *(date of most recent statement)* \_\_\_\_\_, continue to remain true and accurate [except for the following: *(note here corrections or subsequent changes)*]

4 *(Where there is a property claim)* All of the facts and information contained in my Property Statement sworn/affirmed *(date of most recent statement)* \_\_\_\_\_, continue to remain true and accurate [except for the following: *(note here corrections or subsequent changes)*]

5 I have *(or* The respondent has) been ordinarily resident in Saskatchewan since the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_ [ *(include where it is a divorce proceeding)* which is a period of at least one year immediately preceding the date of issue of the petition in this proceeding].

## RECONCILIATION

**6** The following efforts to reconcile have been made:

(a) I resumed cohabitation with the respondent on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, for the purpose of achieving a reconciliation, and continued cohabitation for that purpose until on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, but a reconciliation was not achieved;

*And/Or*

(b) The respondent and I consulted several individuals and agencies for counselling for the purpose of rehabilitating our marriage, including the following:

(i)

(ii) *etc.*

but a reconciliation was not achieved;

*Or*

(c) No efforts to reconcile have been made.

**7** I do not wish to reconcile or to resume cohabitation with my spouse.

## MARRIAGE BREAKDOWN

**8** (*Where no certificate of the marriage or of registration of the marriage has been filed*) It is impossible or impractical to obtain a certificate of marriage or of registration of the marriage. The particulars of the marriage are: (*state sufficient particulars to prove the marriage*)

**9** There has been a breakdown of my marriage to the respondent by reason of the fact that:

(a) I separated from the respondent on or about the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and have lived separate and apart from the respondent since that date, which is a period in excess of one year.

*And/Or*

(b) The respondent has committed adultery as evidenced by his (*or her*) affidavit filed in this proceeding (*or by the certified transcript of the examination for discovery of the respondent filed in this proceeding, or as the case may be.*). I separated from the respondent on or about the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and I have lived separate and apart from the respondent since that date.

*And/Or*

(c) Since the celebration of the marriage the respondent has treated me with physical and mental cruelty of such a kind as to render our continued cohabitation intolerable, particulars of which are as follows:

(i)

(ii) *etc.*

I separated from the respondent on or about the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, and I have lived separate and apart from the respondent since that date.

## COLLUSION, CONDONATION AND CONNIVANCE

**10** I have truthfully set out the facts establishing the breakdown of my marriage and I have not entered into any agreement, understanding or arrangement to makeup or hide evidence or to deceive the court.

**11** *(Where adultery or cruelty is the basis of the marriage breakdown)* I have not encouraged my spouse to act in the manner that I have outlined, nor to commit or continue the complained of acts. I am unable to forgive my spouse and resume cohabitation as a result of his/her acts or conduct toward me.

## CHILDREN

**12** There are no children of the respondent or myself who are in the custody or care of either of us.

*Or*

The names, dates of birth and place of residence of all children of the respondent and I who are in the custody or care of either of us are:

**13** The children in respect of whom relief is claimed are:

*And/Or*

I am claiming no relief in respect of the following children because:

**14** The present and proposed arrangements with respect to custody and access of any or all children are as follows:

*(If this is a joint or shared parenting arrangement, specify the particulars of the residency of the children.)*

**15** An order giving me (*or* the respondent) custody (*or* joint custody) of the children is in the best interests of the children because:

**16** An order giving the respondent (*or me*) access to the children is (*or is not*) in the best interests of the children because:

**17** I seek support for the following children \_\_\_\_\_

\_\_\_\_\_ in the amount \$ \_\_\_\_\_ per month to commence \_\_\_\_\_.

**18** The condition, means, needs and other circumstances of the children are as follows:  
(*Include any special conditions of a child and any special needs as well as general requirements*)

**19** (*In a divorce proceeding where there are children but no claim is made for child support*) The arrangements that have been made for the support of any children are as follows:

My income information required by the Federal Child Support Guidelines is attached as exhibit “ \_\_\_\_\_ ”, and the income information of the respondent required by the Federal Child Support Guidelines is attached as exhibit “ \_\_\_\_\_ ”.

*Or*

The respondent and I have entered into an Agreement as to Child Support in Form 611B a copy of which is attached as exhibit “ \_\_\_\_\_ ”.

#### SPOUSAL SUPPORT

**20** I do not seek a support order for myself.

*Or*

I seek support for myself in the sum of \$ \_\_\_\_\_ per month.

**21** My conditions, means, needs and other circumstances are as follows:

#### PROCEEDINGS AND AGREEMENTS

**22** A previous court order with reference to (the marriage, cohabitation, custody, support, maintenance, *or* division of property, *as the case may be*) was granted the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, in a proceeding under (*state statute under which relief granted*), a copy of which is attached as exhibit “ \_\_\_\_\_ ”.

*And/Or*

**23** No other legal proceedings have been instituted between myself and the respondent with reference to the marriage, cohabitation, custody, support, maintenance *or* division of property.

**24** The dates of any written or oral separation or financial or custody agreements between myself and the respondent are: \_\_\_\_\_

The agreement pertains to:

- custody of the children
- access to the children
- child support
- spousal support
- division of property
- other (*specify*)

A copy of the agreement(s) is attached as exhibit “ \_\_\_\_\_ ”. (*Attach where it is relevant to the relief claimed or where it pertains to any child in the custody or care of either the petitioner or the respondent.*)

*Or*

**24** There have been no written or oral separation or financial or custody agreements between myself and the respondent.

**25** Copies of other orders or agreements relating to any children who are in the custody or care of either the respondent or I are attached as exhibit “ \_\_\_\_\_ ”.

#### FINANCIAL INFORMATION

**26** My occupation is: \_\_\_\_\_

My place of employment is: \_\_\_\_\_

My current annual income from all sources is \$ \_\_\_\_\_ .

Further particulars of my financial position are set out in my Financial Statement sworn/affirmed \_\_\_\_\_ .

(*date*)

(*Or, where a Financial Statement is not required of the petitioner, set out any necessary details here.*)

**27** The Respondent’s occupation is: \_\_\_\_\_

The Respondent’s place of employment is: \_\_\_\_\_

The Respondent’s current annual income from all sources is \$ \_\_\_\_\_ .

The basis of my information and belief as to the occupation, employment and annual income of the respondent is as follows (*eg. The Financial Statement of the Respondent sworn/affirmed ... ; the Affidavit of the Respondent sworn/affirmed ... ; or as the case may be.*):

## PROPERTY

**28** The respondent and I divided our property following our separation. I am satisfied with the current division of property.

*Or*

*(Include only where seeking an order incorporating a settlement or agreement.)* The respondent and I have settled, by consent, the division of our family property by way of Minutes of Settlement, filed with the court [*or* an Interspousal Contract and Separation Agreement, a copy of which is attached to this affidavit as exhibit “\_\_\_\_\_”]. I am seeking an order incorporating this division of property.

## JUDGMENT

**29** The present address of the respondent where service of the judgment may be made is:

*And*

**29A** The basis of my information and belief as to the address of the respondent is as follows:

*Or*

**29** Service of the judgment on the respondent should be dispensed with for the following reasons:

**30** *(Where an earlier date of effect of divorce judgment is sought)* The divorce judgment should take effect on the day judgment is rendered (*or* on the \_\_\_\_\_ day following the day judgment is rendered) by reason of the following special circumstances:

*And*

**30A** An undertaking by myself and the respondent that no appeal from the judgment will be taken is attached as exhibit “\_\_\_\_\_”.

**31** I claim the following relief: *(Set out in list form the relief being requested.)*

**32** Costs are claimed in the amount of \$ \_\_\_\_\_ for the following reasons:

SWORN/AFFIRMED, *etc.*

THIS AFFIDAVIT IS FILED ON BEHALF OF THE PETITIONER.

(The next form is Form 609A)

**No. 609A**

**FINANCIAL STATEMENT OF** \_\_\_\_\_  
*name*

I, \_\_\_\_\_  
*name* *Address*

\_\_\_\_\_  
*City* *Province* *Postal Code* *Phone* *Fax*

swear (or affirm) that:

- 1 The information set out in this financial statement is true and complete to the best of my knowledge and belief, and sets out my financial situation as of: *(give date for which information is accurate)*
- 2  I do not anticipate any significant changes in the information set out in this financial statement.

**Or**

- I anticipate the following significant changes in the information set out in this financial statement:

**3** Attached are the following:

- Part 1: Income
- Part 2: Annual Expenses
- Part 3: Special or Extraordinary Expenses
- Part 4: Undue Hardship;
- Part 5: Income of Other Persons in Household
- Part 6: Property

SWORN/AFFIRMED BEFORE ME

at \_\_\_\_\_, Saskatchewan  
*city*

on \_\_\_\_\_  
*date*

\_\_\_\_\_ )  
*Signature*

\_\_\_\_\_ )  
 A Commissioner, etc.

**DECLARATION:**

*This declaration is to be filled out if your income is tax exempt because of your Indian status.*

My name is _____ <i>full legal name</i>	
I live in _____ <i>municipality and province</i>	
AND I DECLARE THAT THE FOLLOWING IS TRUE:	
<b>1</b> I am an Indian within the meaning of the <i>Indian Act</i> of Canada.	
<b>2</b> Because of my status, my income is tax exempt and I am not required to file an income tax return.	
<b>3</b> I have therefore not filed an income tax return for the last three years.	
Declared before me at _____ <i>municipality</i>	
in _____ <i>province, state or country</i>	
on _____ <i>date</i>	_____ <i>Signature</i>
_____ ) A Commissioner, etc.	



## INSTRUCTIONS

*Please read the instructions (in italics) carefully. You may not have to complete the financial statement at all or, you may only have to complete parts of it. The instructions tell you what parts of the form you must complete, according to the type of claim involved. When you complete those parts of the form, leave blank any lines that do not apply to you.*

*If there is more than one claim in the proceeding (for example, a claim for spousal support and a claim for child support), you must complete each of the Parts of the financial statement that apply to you. If you are required to complete a Part in relation to one claim, you need not redo that Part if the same Part is required in relation to a different claim.*

**IMPORTANT NOTE:** *If during the course of the proceeding you find out that the information in this financial statement is incorrect or incomplete, or there is a material change in your circumstances that affects the information in this financial statement, you MUST serve on every other party to this case and file with the court the correct or complete information, or a new financial statement with updated information, together with any documents that back up that information.*

## PART 1 – INCOME

*Complete this Part if*

- *you are making a claim for child support, or are seeking to vary an order for child support, and the amount claimed differs from the table amount in the Federal Child Support Guidelines (a claim for add-ons, a child is 18 years of age or more, a claim for undue hardship, a case of split or shared custody, the payor's annual income is over \$150,000, the payor stands in the place of the parent);*
- *there is a claim against you for child support; or*
- *there is a claim, either by you or against you, for spousal or parental support or you or another party are seeking to vary an order for spousal or parental support.*

1 I am

employed as \_\_\_\_\_  
*describe occupation*

by \_\_\_\_\_  
*name and address of employer*

and I am paid  weekly  every 2 weeks  twice a month  monthly  other (*specify*)

self-employed, carrying on business (or a professional practice) under the name of \_\_\_\_\_, or a partner in the partnership known  
*name and address of business or practice*

as \_\_\_\_\_, or a farmer (or as may be applicable)  
*name and address of partnership*

unemployed since \_\_\_\_\_  
*date when last employed*

a shareholder, director or officer of a corporation, in which I have an interest (or a controlling interest): \_\_\_\_\_

*name and address of corporation*

a beneficiary under a trust: \_\_\_\_\_

*identify trust settlement agreement*

**2** The total income declared on my last income tax return in \_\_\_\_\_ was \$ \_\_\_\_\_

*year*

and my net taxable income was \$ \_\_\_\_\_ .

**3** I have attached to or served with this form: *(check applicable boxes)*

a copy of every personal income tax return filed by me for each of the 3 most recent taxation years, together with a copy of all material filed with the returns and a copy of every notice of assessment or re-assessment issued to me for each of those years. *(Identify any required copies already in the court file, as those copies do not need to be attached to this form.)*

\_\_\_\_\_

\_\_\_\_\_

a statement from the Canada Customs and Revenue Agency that I have not filed any income tax returns for the past 3 years.

a declaration that I am not required to file an income tax return because of the *Indian Act* (Canada). *(Use the declaration at the bottom of the first page.)*

a Canada Customs and Revenue Agency Consent in Form 640C signed by me, for the disclosure of my tax returns and assessments for the past 3 years.

**IMPORTANT NOTE: *If you are a party to a claim for child support and you are required to fill out Part 1 of this form, the clerk of the court will NOT allow you to file this financial statement unless you have checked one of the boxes in paragraph 3 above and have attached the required document(s).***

**ANNUAL INCOME**

***Include all income and other money received from all sources for the 12 - month period ending on the date of this statement whether taxable or not. Show gross annual amounts here (to get an annual figure, multiply any weekly amount by 52, or any monthly amount by 12). Give current actual amount where known. Give your best estimate where you cannot find out the actual amount.***

*If your most recent federal income tax return (attached to this statement) sets out what you expect your income to be for this year, simply record those amounts here. Otherwise, record what you expect your income for this year to be from each source of income that applies to you. This will be necessary if your salary has increased, you have become unemployed, you have bought or sold rental properties, any source of your income is not taxable, etc.*

- 1 Employment income: wages, salaries, commissions, bonuses and overtime (before deductions) ..... + \$ \_\_\_\_\_
- 2 Commissions (If already included on line 1: indicate amount, but do not add in) ..... \$ \_\_\_\_\_
- 3 Other employment income (Include tips, foreign employment income, net research grants, etc.) ..... + \$ \_\_\_\_\_
- 4 Pension income (Include Old Age Security, CPP, disability, superannuation and other pensions) ..... + \$ \_\_\_\_\_
- 5 Employment insurance benefits (before deductions) ..... + \$ \_\_\_\_\_
- 6 Taxable amount of dividends from taxable Canadian corporations ..... + \$ \_\_\_\_\_
- 7 Interest and other investment income ..... + \$ \_\_\_\_\_
- 8 Partnership income: limited or non-active partners only ..... Net + \$ \_\_\_\_\_
- 9 Rental income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_
- 10 Taxable capital gains ..... + \$ \_\_\_\_\_
- 11 Child support received .....
- Total amount \$ \_\_\_\_\_ Taxable amount + \$ \_\_\_\_\_
- 12 Spousal support: From this relationship \$ \_\_\_\_\_ ;
- From another relationship \$ \_\_\_\_\_ + \$ \_\_\_\_\_
- 13 Registered retirement savings plan income ..... + \$ \_\_\_\_\_
- 14 Self employment income:
  - a. Business income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_
  - b. Professional income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_
  - c. Commission income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_
  - d. Farming income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_
  - e. Fishing income ..... Gross \$ \_\_\_\_\_ Net + \$ \_\_\_\_\_

- 15 Workers' compensation benefits ..... + \$ \_\_\_\_\_
  - 16 Total social assistance payments ..... + \$ \_\_\_\_\_
  - 17 Net federal supplements ..... + \$ \_\_\_\_\_
  - 18 Other income *(Include any taxable income that is not already included above, such as scholarships, bursaries, study grants, certain lump sum payments or death benefits, severance pay, etc. Specify.)* ..... + \$ \_\_\_\_\_
- A Total annual income:** **A = \$** \_\_\_\_\_

**BENEFITS**

**Monetary benefits:** Income that is exempt from federal or provincial tax: *List all allowances and amounts received from all sources, that are not taxable: such as, amounts exempt because of status under Indian Act; band assistance payments; exempt portion of otherwise taxable amounts; certain disability benefits; etc. Specify.*

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Non-monetary benefits:** *List all non-monetary benefits from all sources, that are not included in total income (line A). Include such items as use of a company car, or board and room provided for you, and other expenses paid on your behalf. Give your best estimate of the value of the benefit where you cannot find out the actual value.*

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

\_\_\_\_\_ \$ \_\_\_\_\_

**Medical or dental insurance coverage:** Is medical or dental insurance coverage for your children available to you through your employer or otherwise at a reasonable rate? Yes  No

Do you have medical or dental insurance coverage for your children? Yes  No

**ADJUSTMENTS TO ANNUAL INCOME**

*Give the current actual amount if you know it or can find it out. If you can't find out, give your best estimate.*

- *Refer to Schedule III of the Federal Child Support Guidelines. Section numbers included below are references to Schedule III of the Federal Child Support Guidelines.*
- *If necessary attach an extra sheet to show calculations.*

**Replacements in income:**

(Where applicable) Recalculate the annual income shown as amount A on page 3, after making the following replacements:

- Replace taxable amount of dividends from Canadian corporations (line 6) with the actual amount of dividends: \$ \_\_\_\_\_ (See s.5)
- Replace taxable capital gains (line 10) with the actual amount of capital gains realized in excess of the actual capital losses:

Gains \$ \_\_\_\_\_ – losses \$ \_\_\_\_\_ = excess \$ \_\_\_\_\_ (See s.6)

**Recalculated annual income: A<sup>1</sup> = \$ \_\_\_\_\_**

**Deductions from income:**

- |   |      |  |
|---|------|--|
| <b>1</b> Union, professional association or like dues (if you are an employee): s.1 .....                             | + \$ |  |
| <b>2</b> Other employment expenses: s.1 (Specify) .....   | + \$ |  |
| <b>3</b> Taxable amount of child support I receive: s.2 .....   | + \$ |  |
| <b>4</b> Spousal support I receive from the other party: s.3(1) .....   | + \$ |  |
| <b>5</b> Social assistance I receive for other members of my household: s.4 .....                                     | + \$ |  |
| <b>6</b> Actual amount of business investment losses suffered during the year: s.7 .....                              | + \$ |  |
| <b>7</b> Carrying charges and interest expenses paid by me and deductible under the <i>Income Tax Act</i> : s.8 ..... | + \$ |  |
| <b>8</b> Prior period earnings included in self-employment income, net of reserves: s.10 .....                        | + \$ |  |
| <b>9</b> Portion of partnership or sole proprietorship income properly required for capitalization: s.12 .....        | + \$ |  |

**Total deductions from income: B = \$ \_\_\_\_\_**

**Additions to income:**

<b>10</b> Payments to non-arm's length persons: s.9 .....	+ \$ _____
<b>11</b> Allowable capital cost allowance with respect to real property: s.11 .....	+ \$ _____
<b>12</b> Value of exercised employee stock options in Canadian-controlled private corporations: s.13 .....	+ \$ _____
<b>Total additions to income: C</b>	<b>= \$ _____</b>

Annual Income or Recalculated  
annual income: **(A) or (A<sup>1</sup>):** \$ \_\_\_\_\_

**Subtract**

Total deductions from income **(B):** - \$ \_\_\_\_\_

**Add**

Total additions to income **(C):** + \$ \_\_\_\_\_

**ADJUSTED ANNUAL INCOME: D = \$ \_\_\_\_\_**

**CHILD SUPPORT:**

*The Adjusted Annual Income (D) is to be used to calculate child support in accordance with the applicable child support table set out in the Federal Child Support Guidelines.*

*The Annual Income to be used where special or extraordinary expenses are claimed:*

Adjusted Annual Income **(D)** \$ \_\_\_\_\_

**Add**

Spousal support received from the  
other party (if any) + \$ \_\_\_\_\_

**Subtract**

Spousal support paid to the other  
party (if any) - \$ \_\_\_\_\_

**ADJUSTED ANNUAL  
INCOME (SPECIAL): E = \$ \_\_\_\_\_**

**SPOUSAL OR PARENTAL SUPPORT:***The Annual Income to be used where spousal or parental support is claimed:*

	Adjusted Annual Income <b>D</b>	= \$ _____
<b>Add</b>	Total child support I receive	+ \$ _____
<b>Add</b>	Social assistance I receive for other household members	+ \$ _____
<b>Add</b>	Child tax benefits or credits	+ \$ _____
<b>Add</b>	GST/HST credit	+ \$ _____
<b>ADJUSTED ANNUAL INCOME (SPOUSAL):</b>	<b>F</b>	= \$ _____

**PART 2 – ANNUAL EXPENSES**

- *Do not complete this Part if the only support claimed is child support in the table amount set out in the Federal Child Support Guidelines and all children for whom support is claimed are under the age of 18.*
- *Complete this Part in all other claims for child support or a change in child support, where the amount claimed differs from the table amount in the Guidelines (a claim for add-ons for special or extraordinary expenses, a child is 18 years of age or more, a claim for undue hardship, a case of split or shared custody, a case where the payor’s annual income is over \$150,000, a case where the payor stands in the place of the child’s natural parent).*
- *Complete this Part if there is a claim, either by you or against you, for spousal or parental support or a change in that support.*

*You must set out your TOTAL living expenses. If you cannot find out the actual amount, give your best estimate.*

**Source Deductions**

- 1 Canada Pension Plan contributions \$ \_\_\_\_\_
- 2 Employment Insurance premiums \$ \_\_\_\_\_
- 3 Employee pension contributions to a registered pension plan \$ \_\_\_\_\_
- 4 Medical and dental insurance premiums (Deducted at source) \$ \_\_\_\_\_
- 5 **Income tax** ..... \$ \_\_\_\_\_

**Housing**

- 6 Rent or mortgage \$ \_\_\_\_\_
- 7 Property taxes \$ \_\_\_\_\_
- 8 Homeowner’s/Tenant’s insurance \$ \_\_\_\_\_
- 9 Condominium fees \$ \_\_\_\_\_
- 10 Water, sewer and garbage \$ \_\_\_\_\_
- 11 House repairs, maintenance, yard care \$ \_\_\_\_\_
- 12 Heat \$ \_\_\_\_\_

- 13 Electricity \$ \_\_\_\_\_
- 14 Telephone \$ \_\_\_\_\_
- 15 Other (Specify) ..... \$ \_\_\_\_\_

**Household expenses**

- 16 Food \$ \_\_\_\_\_
- 17 Meals outside the home \$ \_\_\_\_\_
- 18 General household supplies \$ \_\_\_\_\_
- 19 Hair care, toiletries and sundries \$ \_\_\_\_\_
- 20 Dry cleaning and laundry \$ \_\_\_\_\_
- 21 Furnishings and equipment \$ \_\_\_\_\_
- 22 Other (Specify) ..... \$ \_\_\_\_\_

**Transportation**

- 23 Public transit, taxis \$ \_\_\_\_\_
- 24 Car insurance, registration and licence \$ \_\_\_\_\_
- 25 Gas and oil \$ \_\_\_\_\_
- 26 Parking \$ \_\_\_\_\_
- 27 Car repairs and maintenance \$ \_\_\_\_\_
- 28 Other (Specify) ..... \$ \_\_\_\_\_



**Health**

- 29 Medical and dental insurance premiums  
(Not deducted at source) \$ \_\_\_\_\_
- 30 Health care (physiotherapy, etc.) \$ \_\_\_\_\_
- 31 Drugs, prescriptions \$ \_\_\_\_\_
- 32 Dental care (including orthodontist) \$ \_\_\_\_\_
- 33 Optical care (eyeglasses, contact lenses) \$ \_\_\_\_\_
- 34 Other (specify) ..... \$ \_\_\_\_\_

(Amounts in 30 - 34 net of coverage)

**Personal**

- 35 Clothing, footwear \$ \_\_\_\_\_
- 36 Educational expenses (self) (Specify) \$ \_\_\_\_\_
- 37 Other (Specify) ..... \$ \_\_\_\_\_

**Children**

- 38 Clothing, footwear \$ \_\_\_\_\_
- 39 Children's allowance, gifts \$ \_\_\_\_\_
- 40 School fees, books and supplies \$ \_\_\_\_\_
- 41 School activities (field trips, etc.) \$ \_\_\_\_\_
- 42 Activities, lessons and supplies (music lessons, clubs, sports, bicycles) \$ \_\_\_\_\_
- 43 Child care, babysitting \$ \_\_\_\_\_
- 44 Other (Specify) ..... \$ \_\_\_\_\_

**Savings for the future**

- 45 RRSP \$ \_\_\_\_\_
- 46 RESP \$ \_\_\_\_\_
- 47 Other (Specify) ..... \$ \_\_\_\_\_

**Support payments** (Specify for whom, whether tax deductible, whether voluntary or pursuant to order)

- 48 Support being paid in this case \$ \_\_\_\_\_
- 49 Support being paid in any other case \$ \_\_\_\_\_

**Debt payments (other than mortgage)**  
(Specify)

- 50 ..... \$ \_\_\_\_\_
- ..... \$ \_\_\_\_\_

**Other**

- 51 Life or term insurance premiums \$ \_\_\_\_\_
- 52 Banking, legal, accounting \$ \_\_\_\_\_
- 53 Church, charitable donations \$ \_\_\_\_\_
- 54 Entertainment and recreation \$ \_\_\_\_\_
- 55 Vacation \$ \_\_\_\_\_
- 56 Alcohol/tobacco \$ \_\_\_\_\_
- 56 Other (Specify) ..... \$ \_\_\_\_\_

**G Total annual expenses** G = \$ \_\_\_\_\_

Adjusted annual income (D, E or F) \$ \_\_\_\_\_

**Subtract**

Total annual expenses (G) - \$ \_\_\_\_\_

**ANNUAL SURPLUS/DEFICIT** = \$ \_\_\_\_\_

APPENDIX TO RULES OF PRACTICE AND PROCEDURE  
**PART 3 – SPECIAL OR EXTRAORDINARY EXPENSES**

- **Complete this Part only if you claim special or extraordinary expenses as part of a child support claim.** Refer to Section 7 of the Federal Child Support Guidelines.

I am claiming an amount to cover special or extraordinary expenses for one or more of the following reasons: *(Indicate which of the following you are claiming.)*

- child care expenses incurred as a result of my employment, illness, disability, education or training for employment;
  - that portion of the medical and dental insurance premiums attributable to child;
  - health related expenses that exceed insurance reimbursement by at least \$100 annually per illness or event, 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 or for any educational programs that meet the child’s particular needs;
  - expenses for post-secondary education;
  - extraordinary expenses for extracurricular activities.
- *State the child’s name that each expense relates to, the details of each type of expense you are claiming, and the total annual amount of each expense.*
  - *If the child contributes to payment of the expense, please indicate that contribution and its amount.*
  - *If you are claiming for a health related expense, please indicate the amount of insurance reimbursement.*

CHILD’S NAME	DETAILS OF EXPENSE	TOTAL AMOUNT	CONTRIBUTION/ REIMBURSEMENT

- Receipts or other documentation which shows the amount of the expenses I am claiming for each child are attached to this financial statement.

**Or**

- I cannot obtain receipts or other documentation to show the amount of the expense I am claiming because: *(please explain why)*

- I am eligible to claim or I receive the following subsidies, benefits or income tax deductions or credits relating to the above expenses: *(provide details)*

**PART 4 – UNDUE HARDSHIP**

- **Complete this Part only if you claim a different amount of child support on the basis of undue hardship.**
- *Refer to Section 10 of the Federal Child Support Guidelines. (Indicate which of the following you are claiming.)*
- Responsibility for unusually high level of debts reasonably incurred to support the family prior to the separation or to earn a living:

Owed to	Purpose	Date incurred	Terms of debt	Annual amount

- Unusually high expenses for exercising access to a child:

Details of expense	Annual amount

- Legal duty under a judgment, order or written separation agreement to support another person:
- Legal duty to support a child, other than a child for whom support is claimed in this application, who is under the age of 18, or at or above the age of 18 but unable to support himself or herself because of illness, disability or other cause:
- Legal duty to support a person who is unable to support himself or herself because of illness or disability:
- *Attach a copy of any judgment, order or written agreement under which the legal duty arises.*

Name of person	Relationship	Nature of duty	Annual amount

Other undue hardship circumstances:

Details	Annual amount

#### PART 5 – INCOME OF OTHER PERSONS IN HOUSEHOLD

- *Complete this Part if either party is making a claim for a different amount of child support on the basis of undue hardship.*

The following are the names, occupations or sources of income, annual incomes and amount of federal and provincial taxes payable thereon, of:

- any person who has a legal duty to support me or whom I have a legal duty to support;
- any person who shares living expenses with me or from whom I otherwise receive an economic benefit as a result of living with that person; and
- any child whom I or the person described in paragraph (a) or (b) has a legal duty to support.

Other person's name	Occupation or Source of Income	Annual income*	Taxes payable

\* Where the information on which to base the income determination is not provided, the court may impute income in the amount it considers appropriate.

**PART 6 – PROPERTY**

- **Only complete this Part where ordered to do so by the court.**
- List all property in which you have an interest as of the date of this financial statement.
- Record the value or amount as of the date of this financial statement.
- If there is a property claim in addition to a claim for support, complete Form 609B: Property Statement, and do not complete this Part of the Financial Statement.

**I. ASSETS IN AND OUT OF SASKATCHEWAN****1 Real Estate**

- List any interest in land, including leasehold interests and mortgages, whether or not you are registered as owner. Record the estimated market value of your interest, without deducting encumbrances. These encumbrances should be shown under Debts and Liabilities.
- Example: under nature and type of ownership, put “joint tenant”; under nature, address and estimated total market value today, put “home, 123 Pleasant St., Small Town, Saskatchewan, \$100,000”, under estimated market value of your share, put “\$50,000”. The amount left to pay on the mortgage would be shown under Debts and Liabilities, later in this statement.

Nature and Type of Ownership	Nature, address and estimated total market value today	Estimated Market Value of Your Share
	<b>Total 1</b>	<b>\$</b>

## 2 General Household Goods and Vehicles

- Show estimated market value, not the cost of replacement for these items owned. Do not deduct encumbrances (e.g. car loan) here; these encumbrances should be shown under Debts and Liabilities.

Item	Description	If Not in your possession, state location	Estimated Market Value of Your Interest
<i>Household goods, appliances and furniture</i>			
<i>Cars, boats, trailers, motorhomes, snowmobiles, other vehicles</i>	<i>(describe by make, model, year)</i>		
<i>Jewellery, works of art, collections, electronics, tools, sports &amp; hobby equipment</i>			
<i>Other special items</i>			
<b>Total 2</b>			<b>\$</b>

## 3 Bank Accounts and Savings

- Show the items owned by category; include cash, savings and chequing accounts in financial institutions, term deposits, guaranteed investment certificates, and any other savings.

Category	Institution Where Account Held	Account Number	Amount
<b>Total 3</b>			<b>\$</b>

- The location of any safety deposit box[es] I have is \_\_\_\_\_  
*name and address of institution(s)*

**4 Pensions and Retirement Savings Plans**

- *Indicate the name and address of the institution where your Registered Retirement Savings Plan is held.*
- *Include name and address of pension plan and pension details.*

<b>Category</b>	<b>Institution Where Account Held</b>	<b>Account Number</b>	<b>Amount</b>
<b>Total 4</b>			<b>\$</b>

**5 Securities**

- *Show the items owned by category: shares, bonds, mutual funds, warrants, options, debentures, notes and any other securities. Give your best estimate of market value if the items were to be sold on the open market.*

<b>Category</b>	<b>Number</b>	<b>Description</b>	<b>Estimated Market Value</b>
<b>Total 5</b>			<b>\$</b>

**6 Life and Disability Insurance**

- *List all whole life, term life, disability or other such insurance policies. Set out cash surrender value, if any.*

<b>Company and Policy Number</b>	<b>Kind of Policy</b>	<b>Owner</b>	<b>Beneficiary</b>	<b>Face Amount</b>	<b>Cash Surrender Value</b>
<b>Total 6</b>					<b>\$</b>

**7 Business Interests**

- *List any interest you hold, directly or indirectly, in any unincorporated business, including partnerships, trusts and joint ventures. Give your best estimate of market value if business were to be sold on an open market.*
- *A controlling interest you hold in an incorporated business may be shown here or under item 5: Securities. An interest that is not a controlling interest should be shown under item 5: Securities.*

<b>Name and Address of Firm or Company</b>	<b>Interest</b>	<b>Estimated Market Value of Your Share</b>
<b>Total 7</b>		<b>\$</b>



**8 Accounts receivable**

- Give details of all money owed to you, whether because of business or from personal dealings; including amounts loaned by you to family members, any court judgments in your favour, any estate money owed to you.

Details	Amount Owed to You
<b>Total 8</b>	<b>\$</b>

**9 Other property**

- Show other property or assets owned by categories. Include property of any kind not listed in items 1 to 8 (for example, patents or copyright claims). Give your best estimate of market value.

Category	Details	Estimated Market Value
<b>Total 9</b>		<b>\$</b>

<b>VALUE OF ALL ASSETS (Add totals 1 to 9 together)</b> I. = \$ _____
---

**II. DEBTS AND OTHER LIABILITIES**

- *Show your debts and other liabilities, whether arising from personal or business dealings. List by category, such as mortgages, charges, loans, liens, notes, credit cards, accounts payable and tax arrears. Indicate if any other person may be responsible for this debt with you, and give their name. Include contingent liabilities such as guarantees given by you, and indicate that they are contingent. Indicate if any debt payments are in arrears.*

<b>Debt</b>	<b>Particulars</b> <i>(interest rate, term or number of payments remaining, any property affected)</i>	<b>Amount Owing</b>
		<b>Total II. = \$ _____</b>

**III. SUMMARY OF ASSETS AND LIABILITIES**

<b>Total Value of all Assets (I.)</b>	\$ .....
<i>Subtract</i> <b>Total Debts and Other Liabilities (II.)</b>	- \$ ..... <hr style="width: 100px; margin-left: auto; margin-right: 0;"/>
<b>III. NET WORTH</b>	<b>\$ .....</b>

**Part 6 Attachments:**

Attached to the copy of this financial statement delivered to the other party are:

- A copy of the most recent assessment notice issued from an assessment authority for the real property I own.
- A copy of the most recent statement I have received for each bank account, deposit, certificate or other savings.
- A copy of the most recent R.R.S.P. statement I have received.
- A copy of the most recent statement I have received regarding my brokerage account, my mutual fund, and any other securities I own.
- A copy of the most recent credit card statement for each credit card in my name.
- A copy of the most recent statement for each of the other debts listed.
- A copy of the most recent annual pension statement I have received, and any further information I have explaining my pension plan; **or**

A letter addressed to the administrator of my pension plan, authorizing release of information relating to my pension plan.

**No. 609B**

## PROPERTY STATEMENT OF

\_\_\_\_\_

*Name*

I, \_\_\_\_\_

*name* *Address*

\_\_\_\_\_

*City*

\_\_\_\_\_

*Province*

\_\_\_\_\_

*Postal Code*

\_\_\_\_\_ swear (or affirm) that:

\_\_\_\_\_

*Phone*

\_\_\_\_\_

*Fax*

1. The information set out in this property statement is true and complete to the best of my knowledge and belief, and sets out all matrimonial property as of (*give date for which information is accurate*)
2.  I do not anticipate any significant changes in the information set out in this property statement.

**Or**

I anticipate the following significant changes in the information set out in this property statement:

SWORN/AFFIRMED BEFORE ME

at \_\_\_\_\_, Saskatchewan

*city*

on \_\_\_\_\_

*date*

\_\_\_\_\_

*Signature*

\_\_\_\_\_

A Commissioner, etc.

**I. ASSETS IN AND OUT OF SASKATCHEWAN**

The date of application is: \_\_\_\_\_  
 (give date)

<b>1. REAL PROPERTY</b>					
<p><i>Include any interest in land owned on the date of application or as of the date of this statement, including leasehold interests and mortgages. Show estimated market value of the interest, but do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part II, "Debts and Liabilities".</i></p> <p><i>For example, if you were including the family home, you might insert both spouses names in the first column and "Joint tenancy" in the second column; in the next column, you might write "Family home, 123 Main Street", in the third column, "\$100,000", which in the case of such a joint tenancy would also be the value to be placed in the final column. The amount left to pay on the mortgage would be shown under Part II: "Debts and Liabilities".</i></p>					
Owner	Name and Type of Ownership	Nature of property, and address	Estimated TOTAL Value	Estimated Market Value of the Interest	
				on date of application	current date
<b>1. TOTAL VALUE OF REAL PROPERTY</b>				\$	

<b>2. GENERAL HOUSEHOLD GOODS AND VEHICLES</b>				
<i>Show estimated market value, not the cost of replacement for these items owned on date of application or as of the date of this statement. Do not deduct encumbrances or costs of disposition; these encumbrances and costs should be shown under Part II, "Debts and Liabilities".</i>				
ITEM	DESCRIPTION	In the Possession of	Estimated Market Value	
			on date of application	current date
<i>Household goods, appliances and furniture</i>				
<i>Cars, boats, trailers, motorhomes, snowmobiles, other vehicles</i>	<i>(describe by make, model, year)</i>			
<i>Jewellery, works of art, collections, electronics, tools, sports &amp; hobby equipment</i>				
<i>Other special items</i>				
<b>2. TOTAL VALUE OF GENERAL HOUSEHOLD GOODS AND VEHICLES</b>			\$	

<b>3. BANK ACCOUNTS AND SAVINGS</b>					
<i>Show the items owned on the date of application by category. Include cash, savings and chequing accounts in financial institutions, term deposits, guaranteed investment certificates, and any other savings.</i>					
OWNER	CATEGORY	INSTITUTION	ACCOUNT NUMBER	AMOUNT	
				on date of application	current date
<b>3. TOTAL VALUE OF BANK ACCOUNTS AND SAVINGS</b>				\$	

The location of any safety deposit box[es] is \_\_\_\_\_

<b>4. PENSIONS AND RETIREMENT SAVINGS PLANS</b>					
<i>Show the items owned by category. Indicate the name and address of the institution where a Registered Retirement Savings Plan is held; include name and address of pension plan and pension details.</i>					
OWNER	CATEGORY	INSTITUTION	ACCOUNT NUMBER	AMOUNT	
				on date of application	current date
<b>4. TOTAL VALUE OF PENSIONS AND RETIREMENT SAVINGS PLANS</b>				\$	

<b>5. SECURITIES</b>					
<i>Show the items owned by category. Include shares, bonds, mutual funds, warrants, options, debentures, notes and any other securities. Give your best estimate of their market value if the items were to be sold on the open market.</i>					
OWNER	CATEGORY	NUMBER	DESCRIPTION	Estimated Market Value	
				on date of application	current date
<b>5. TOTAL VALUE OF SECURITIES</b>				\$	

<b>6. LIFE &amp; DISABILITY INSURANCE</b>						
<i>List all whole life, term life, disability or other similar insurance policies. Set out cash surrender value, if any.</i>						
COMPANY AND POLICY NO.	Kind of Policy	Owner	Beneficiary	Face Amount	Cash Surrender Value	
					on date of application	current date
<b>6. TOTAL CASH SURRENDER VALUE OF INSURANCE POLICIES</b>					\$	

<b>7. BUSINESS INTERESTS</b>				
<i>List any interest either spouse holds, directly or indirectly, in any unincorporated business, including partnerships, trusts and joint ventures. Give your best estimate of market value if business were to be sold on an open market. An interest in an incorporated business may be shown here or under item 5: Securities.</i>				
INTEREST HELD BY	NAME OF FIRM OR COMPANY	INTEREST	Estimated Market Value of Interest	
			on date of application	current date
<b>7. TOTAL VALUE OF BUSINESS INTERESTS</b>			\$	



<b>8. ACCOUNTS RECEIVABLE</b>			
<i>Give details of all money owed to either spouse, whether because of business or from personal dealings; including amounts loaned to family members, any court judgments in a spouse's favour, any estate money owed.</i>			
OWED TO	DETAILS	Amount Owed	
		on date of application	current date
<b>8. TOTAL OF ACCOUNTS RECEIVABLE</b>		\$	

<b>9. OTHER PROPERTY</b>				
<i>Show other property or assets owned by categories. Include property of any kind not listed in items 1 to 8 (for example, patents or copyright claims). Give your best estimate of market value.</i>				
OWNER	CATEGORY	DETAILS	Estimated Market Value of Interest	
			on date of application	current date
<b>9. TOTAL VALUE OF OTHER PROPERTY</b>			\$	

<b>I. VALUE OF ALL ASSETS (Add totals 1 to 9 together)</b> I. = \$ _____
--

**II: DEBTS AND OTHER LIABILITIES**

*Show all debts and other liabilities, whether arising from personal or business dealings. List by category, such as mortgages, charges, loans, liens, notes, credit cards, accounts payable, tax arrears and costs of disposition. Indicate if any other person may be responsible for this debt with a spouse, and give their name. Include contingent liabilities such as guarantees given by either spouse, and indicate that they are contingent. Indicate if any debt payments are in arrears.*

DEBTOR	CATEGORY	DETAILS <i>(interest rate, term or number of payments remaining, any property affected)</i>	Amount Owning	
			on date of application	current date
<b>II. TOTAL OF DEBTS AND OTHER LIABILITIES</b>			\$	

**III: PROPERTY, DEBTS AND OTHER LIABILITIES ON DATE OF MARRIAGE**

Show by category the value of each spouse's property and debts and other liabilities calculated as of the date of marriage. Where possible, include the price paid for asset, year purchased, and value added of repairs and improvements during marriage, as well as value on date of marriage.

CATEGORY AND DETAILS	Value on date of marriage			
	Assets		Liabilities	
	Petitioner	Respondent	Petitioner	Respondent
<b>Real property</b> (exclude family home owned on date of marriage, unless sold before date of separation.)				
<b>Vehicles</b> (exclude family use vehicles)				
<b>Bank accounts and savings</b>				
<b>Pensions and Retirement Savings Plans</b>				
<b>Securities</b>				
<b>Life &amp; disability insurance</b>				
<b>Business interests</b>				
<b>Accounts receivable</b>				
<b>Other property</b> (Specify.)				
<b>Debts and other liabilities</b> (Specify.)				
<b>TOTALS</b>	\$	\$	\$	\$
<b>III. NET VALUE OF PROPERTY OWNED ON DATE OF MARRIAGE</b>	\$	\$		

**IV: PROPERTY EXEMPT FROM DISTRIBUTION**

Show the value by category of property reported in this statement which was owned on the date of application that you claim is exempt from distribution pursuant to sections 23 and 24 of The Family Property Act, other than that property shown in Table III above.

CATEGORY	ITEM AND REASONS FOR EXEMPTION	Value on date of application
<b>IV. TOTAL VALUE OF EXEMPT PROPERTY</b>		\$

**V: PROPERTY DISPOSED OF WITHIN 2 YEARS**

List by category all property disposed of within 2 years before the beginning of this proceeding. Indicate the date of disposition of each item.

CATEGORY	DETAILS	VALUE
<b>V. TOTAL VALUE OF DISPOSED PROPERTY</b>		<b>\$</b>

**VI: CALCULATION OF NET FAMILY PROPERTY**

	Deductions	BALANCE
Value of all assets owned on date of application (item I)		\$
<i>Subtract</i>	Value of all debts and liabilities (item II)	\$
<i>Subtract</i>	Net value of property owned on date of marriage (item III)	\$
<i>Subtract</i>	Value of exempt property (item IV)	\$
<b>VI. NET FAMILY PROPERTY</b>		<b>\$</b>

**VII. SCHEDULES**

- Where applicable, attach a statement as to the income tax consequences of an ordered disposition or realization of particular assets.
- Where a pre-marital asset claimed exempt is no longer held, but has been traded for another asset, attach a statement tracing the asset to the asset currently held. Attach copies of transaction documents.

**IMPORTANT NOTE:** If during the course of the proceeding you find out that the information in this property statement is incorrect or incomplete, or there is a material change in the information provided, you **MUST** serve on every other party to this claim and file with the court the correct information, or a new property statement containing the correct information, together with any documents that back up that information.

(The next form is Form 611A)

**No. 611A****WAIVER OF FINANCIAL AND PROPERTY STATEMENTS**

- 1 The parties have agreed on the relief to be granted in this proceeding.
- 2 *(Where there is a claim for spousal support)* The parties waive Financial Statements with respect to the claim for spousal support made in this proceeding.
- 3 *(Where there is a property claim)* The parties waive Property Statements with respect to property claims made in this proceeding.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*Signature of petitioner's lawyer or petitioner*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*Signature of respondent's lawyer or respondent*

**No. 611B****AGREEMENT AS TO CHILD SUPPORT****THE PARTIES AGREE AS FOLLOWS:**

- 1 The income of the payor \_\_\_\_\_ is \$ \_\_\_\_\_.  
*(name)*
- 2 The payor currently resides in \_\_\_\_\_.  
*(province or, if resident outside of Canada, country)*
- 3 The income of the recipient \_\_\_\_\_ is \$ \_\_\_\_\_.  
*(name)*
- 4 The recipient currently resides in \_\_\_\_\_.  
*(province or, if resident outside of Canada, country)*

*(Paragraphs 3 and 4 must be included where special or extraordinary expenses are to be shared or where the amount agreed to differs from the table amount set out in the Federal Child Support Guidelines.)*

5 Child support is to be provided for \_\_\_\_\_

\_\_\_\_\_

(state names and dates of birth of children for whom child support is to be provided)

and according to the applicable child support table set out in the Federal Child Support Guidelines, the amount of child support payable for that number of children (the "child support table amount") is \$ \_\_\_\_\_.

6 The payor will pay to the recipient, \_\_\_\_\_,  
(name)

child support of \$ \_\_\_\_\_ per month for the children referred to in section 5.

7 (If applicable) The amount of child support agreed upon by this agreement differs from the child support table amount because: (state reasons)

8 (If there are expenses pursuant to section 7 of the Federal Child Support Guidelines to be shared) There are special or extraordinary expenses, being \_\_\_\_\_  
(state type of expense)

on behalf of \_\_\_\_\_  
(name child)

in the amount of \$ \_\_\_\_\_ per month, and the payor's share of this expense is \$ \_\_\_\_\_ per month.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Signature of petitioner's lawyer

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Signature of respondent's lawyer

**Or**

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of petitioner

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signature of respondent

(The next form is Form 616)

**No. 616**

**NOTICE TO DISCLOSE**

**TO:** The Respondent (*or* Petitioner), \_\_\_\_\_  
(*name*)

**YOU ARE REQUIRED** to provide to the Petitioner (*or* Respondent) and file with the Court within 30 days of service of this Notice:

- a Financial Statement in Form 609A of the Queen's Bench Rules for Saskatchewan;
- a Property Statement in Form 609B of the Queen's Bench Rules for Saskatchewan;
- a copy of each of your 3 most recent pay remittance stubs;
- a copy of each of your 3 most recent employment insurance benefit statements;
- a copy of each of your 3 most recent worker's compensation benefit statements;
- a copy of your most recent pension plan statement;
- current documentary evidence confirming the amount of social assistance that you receive;
- a copy of the most recent assessment notice issued for real property you own;
- particulars or copies of every cheque issued to you during the last 6 weeks from any business or corporation in which you have an interest or to which you have rendered a service;
- copies of all bank account statements in your name for the past 3 months;
- copies of the most recent statement for all R.R.S.P.'s, term deposit certificates, guaranteed investment certificates, stock accounts and other investments in your name or in which you have an interest;
- copies of credit card statements for all credit cards in your name for the last 3 months;
- an authorization to the appropriate person or institution to obtain any of the above information that you have not provided; and
- (*a copy of any other item being specifically requested*)

(*The party seeking disclosure may request one or more of the above depending on the nature of the proceeding*)

**IF YOU OBJECT** to disclosing any of these documents, you must make an objection in writing setting out the reasons for your objection, and serve it with the information which you do not object to disclosing in response to this notice, within 30 days of service of this Notice.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*Party or Party's Lawyer*

The requested documents are to be: (a) served on the party seeking disclosure at the address for service set out at the end of this document; and (b) filed on the court file.

**NOTE:** *If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.*

### NOTICE

**IF YOU FAIL TO PROVIDE THE REQUESTED DOCUMENTS WITHIN THE TIME GIVEN**, the party seeking disclosure may apply on notice to the Court for any or all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the documents requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking disclosure for all costs incurred in the proceeding;
- (f) an Order granting the party seeking disclosure any other remedy requested.

### *Or*

*Where the party seeking disclosure wishes an immediate order in the event of non-compliance with this Notice to Disclose, include a Notice of Motion in Form 47 for the desired order.*

This document was delivered by \_\_\_\_\_  
 (Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
 (business or residence address) (number)

and the address for service is: \_\_\_\_\_



## No. 617

## NOTICE TO REPLY TO WRITTEN QUESTIONS

**TO:** The Respondent (or Petitioner), \_\_\_\_\_  
(name)

**YOU ARE REQUIRED** to provide to the Petitioner (or Respondent) and file with the Court within 30 days of service of this Notice, answers, in the form of an affidavit, to the following questions: ( here set out a maximum of 15 questions relating to financial or property information)

1

2

**IF YOU OBJECT** to answering any of these questions, you must make an objection in writing setting out the reasons for your objection, and serve it with the affidavit answering those questions which you do not object to answering, within 30 days of service of this Notice.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*Party or Party's Lawyer*

The requested documents are to be:

- (a) served on the party seeking answers to these questions at the address for service set out at the end of this document; and
- (b) filed on the court file.

**NOTE:** *If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.*

**NOTICE**

**IF YOU FAIL TO PROVIDE THE REQUESTED ANSWERS WITHIN THE TIME GIVEN**, the party seeking answers to these questions may apply on notice to the Court for any or all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the answers requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking answers to these questions for all costs incurred in the proceeding;
- (f) an Order granting the party seeking answers to these questions any other remedy requested.

**Or**

*Where the party seeking answers to these questions wishes an immediate order in the event of non-compliance with this Notice to Reply to Written Questions, include a Notice of Motion in Form 47 for the desired order.*

This document was delivered by \_\_\_\_\_  
(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

(The next form is Form 624)

## No. 624

## AFFIDAVIT OF RESPONDENT

I, \_\_\_\_\_, of \_\_\_\_\_ in the Province of \_\_\_\_\_,

Make Oath and Say/ affirm as follows:

1 I am the respondent in this proceeding and I have personal knowledge of the matters and facts deposed to in this affidavit.

2 My address is:

3 *(Where there is a support claim)* All of the facts and information contained in my Financial Statement sworn/affirmed \_\_\_\_\_, continue to remain true and accurate,  
(date)

except for the following: *(note here corrections or subsequent changes)*

4 *(Where there is a property claim)* All of the facts and information contained in my Property Statement sworn/affirmed \_\_\_\_\_, continue to remain true and accurate,  
(date)

except for the following: *(note here corrections or subsequent changes)*

5 My occupation is: \_\_\_\_\_

My place of employment is: \_\_\_\_\_

My current annual income from all sources is \$ \_\_\_\_\_.

6 On or about the \_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_, I had sexual intercourse with a *(female or male)* person at \_\_\_\_\_, in the City of \_\_\_\_\_, in the  
(address)

Province of \_\_\_\_\_,  
*(Include here further particulars respecting the other person and the relationship, for example, frequency of association, duration of relationship, a child has been born of the relationship, etc.)*

7 Since on or about the \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, I have been living separate and apart from the petitioner *(or other facts to indicate the adultery has not been condoned)*.

8 I do not wish to reconcile or resume cohabitation with my spouse.

9 I have truthfully set out the facts and I have not entered into any agreement, understanding or arrangement to makeup or hide evidence or to deceive the court.

SWORN/AFFIRMED, *etc.*

THIS AFFIDAVIT IS FILED ON BEHALF OF THE RESPONDENT.



## No. 626

JUDGMENT

No. \_\_\_\_\_ 2 \_\_\_\_\_

BEFORE THE HONOURABLE

\_\_\_\_\_

\_\_\_\_\_  
(day and date of judgment)

## JUDGMENT

This proceeding coming on before the court this day at \_\_\_\_\_ ,  
(in the presence of the lawyer(s) for \_\_\_\_\_ , and the  
petitioner, the respondent, or the co-petitioners, as the case may be OR in the absence of the  
parties and their lawyers), upon proof of service being established (except in the case of a joint  
petition or an application for judgment by the respondent), and upon considering the  
pleadings and the evidence presented (where the divorce is effective earlier than 31 days after  
judgment add: and the Court being of the opinion that by reason of special circumstances the  
divorce should take effect earlier than the 31st day after this date, and the parties having  
agreed and undertaken that no appeal will be taken from this judgment):

1 IT IS ORDERED THAT \_\_\_\_\_ and \_\_\_\_\_  
who were married on the \_\_\_\_\_ day of \_\_\_\_\_ , \_\_\_\_\_ ,  
are divorced and, unless appealed, this judgment takes effect and the marriage is dissolved  
on the 31st day after the date of this judgment (or immediately or on the \_\_\_\_\_ day  
of \_\_\_\_\_ , 2 \_\_\_\_\_ ).

2 AND THIS COURT FURTHER ORDERS (Here include orders as to costs, or orders as to custody,  
access or spousal support under the Divorce Act and/or other relief under provincial statutes, if such relief has not  
been set out in a separate order. An order for child support must be set out in a separate order.)

\_\_\_\_\_  
(Local) Registrar

## NOTICE TO PARTIES

THE SPOUSES ARE NOT FREE TO REMARRY UNTIL THIS JUDGMENT TAKES  
EFFECT, AT WHICH TIME ANY PERSON MAY OBTAIN A CERTIFICATE OF DIVORCE  
FROM THIS COURT. IF AN APPEAL IS TAKEN FROM THIS JUDGMENT IT MAY  
DELAY THIS JUDGMENT TAKING EFFECT.

No. 627

## CERTIFICATE OF DIVORCE

No. \_\_\_\_\_ 2 \_\_\_\_\_

CANADA  
PROVINCE OF SASKATCHEWAN

IN THE QUEEN'S BENCH

JUDICIAL CENTRE OF

*(Omit Style of Cause)*

## CERTIFICATE OF DIVORCE

This is to certify that the marriage of \_\_\_\_\_ and \_\_\_\_\_  
 which was solemnized on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, was  
 dissolved by a judgment of this Court, which became effective on the \_\_\_\_\_ day  
 of \_\_\_\_\_, 2 \_\_\_\_\_.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

(L.S.)

\_\_\_\_\_  
(Local) Registrar

(The next form is Form 632)

## No. 632

## APPLICATION FOR VARIATION

TO:

1 TAKE NOTICE that an application will be made to the presiding judge in chambers at the court house in \_\_\_\_\_, Saskatchewan, at \_\_\_\_\_ o'clock  
 \_\_\_\_\_  
 (Address)  
 in the \_\_\_\_\_ noon on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, or so soon thereafter as the matter may be heard, for an order varying:

(a) The support order granted by \_\_\_\_\_, of \_\_\_\_\_  
 \_\_\_\_\_  
 (Judge) (Court)

of \_\_\_\_\_ pronounced on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
 \_\_\_\_\_  
 (Province)

(b) The custody order granted by \_\_\_\_\_, of \_\_\_\_\_  
 \_\_\_\_\_  
 (Judge) (Court)

of \_\_\_\_\_ pronounced on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
 \_\_\_\_\_  
 (Province)

(c) The access order granted by \_\_\_\_\_, of \_\_\_\_\_  
 \_\_\_\_\_  
 (Judge) (Court)

of \_\_\_\_\_ pronounced on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
 \_\_\_\_\_  
 (Province)

(d) Other (specify)

PARTICULARS of the relief sought are as follows:

(a) (state here the precise order sought)

ON THE FOLLOWING GROUNDS:

(a) (set out a brief description of the change in circumstances, including the identity of the person whose circumstances have changed, which are relied on to justify the relief claimed)

2 In support of this application will be read the Affidavit of (name of person applying for variation) \_\_\_\_\_. (Also set out here any other material to be used, including the financial disclosure required of you under Division III, and the Child Support Information Sheet, where variation of child support is sought.)

3 AND FURTHER TAKE NOTICE if you wish to oppose the application, you or your lawyer must prepare an affidavit in response, serve a copy at the address for service given at the end of this document, and file it in the court office, with proof of service, at least 7 days before the date set for hearing the application. You or your lawyer must also come to court for the hearing of the application on the date set.

4 *(Include where variation of a support order is sought)* AND FURTHER TAKE NOTICE that whether or not you oppose this application, you must serve and file a Financial Statement in Form 609A at least 7 days before the date set for hearing the application. If this application includes a claim for variation of child support, and you do not comply with this notice or the Notice to File Income Information which has also been served on you, THE COURT MAY IMPUTE INCOME TO YOU AND MAY DETERMINE THE AMOUNT OF CHILD SUPPORT PAYABLE ON THE BASIS OF THAT IMPUTED INCOME. If you have been served with an application for variation of child support, please consult the Federal Child Support Guidelines. *(This paragraph may be omitted where a variation of child support is sought by the payor in a situation where the guidelines do not require income information of the recipient.)*

5 AND FURTHER TAKE NOTICE that if you do not appear at the hearing [or fail to provide the required financial information *(where variation of a support order is sought)*] an order may be made in your absence and enforced against you. YOU WILL NOT RECEIVE FURTHER NOTICE OF THIS APPLICATION.

*(Delete appropriate paragraphs if order sought without notice.)*

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
(Signature)

This document was delivered by \_\_\_\_\_  
(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
(business or residence address) (number)

and the address for service is: \_\_\_\_\_

(The next form is Form 639A)



**No. 639A****JOINT REQUEST FOR CUSTODY AND ACCESS ASSESSMENT**

THE COURT IS REQUESTED TO ORDER A CUSTODY AND ACCESS ASSESSMENT BE CONDUCTED BY FAMILY LAW SUPPORT SERVICES.

1 The parties have taken the following steps to resolve the issues of custody and access: *(State whether parties have participated in counselling and/or mediation and whether efforts have been made to achieve settlement by agreement.)*

2 The parties agree the reasons for the request for a Custody and Access Assessment are as follows: *(State special circumstances requiring an expedited Assessment such as children are pre-school; allegations of parental alienation; children in care of Social Services; child has no access to one parent; custodial parent planning to leave the province; other special circumstances.)*

3 The additional material filed with the court in support of the application for a Custody and Access Assessment are as follows: *(State the specific material to be relied on in support of the application, i.e. affidavits, reports, etc., and the date on which the material had been filed or sworn.)*

PETITIONER:

RESPONDENT:

4 The parties agree the issues to be addressed by the Custody and Access Assessment are as follows: *(The Assessment is to be conducted by interviews with the parties and the children, with additional contacts as required by the special circumstances of each case.)*

**JOINT REQUEST:**

The parties jointly request the Court order that a Custody and Access Assessment be conducted by Family Law Support Services.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

Per: \_\_\_\_\_

*Lawyer for the Petitioner*

Phone Number: \_\_\_\_\_

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

Per: \_\_\_\_\_

*Lawyer for the Respondent*

Phone Number: \_\_\_\_\_

**No. 639B****REQUEST FOR EXPEDITED PRE-TRIAL**

**THIS IS A SOLE REQUEST OF ONE PARTY FOR AN ORDER DIRECTING AN EXPEDITED PRE-TRIAL CONFERENCE TO REQUEST A CUSTODY AND ACCESS ASSESSMENT**

1 The parties/party have taken the following steps to resolve the issues of custody and access: *(State whether parties have participated in counselling and/or mediation and whether efforts have been made to achieve settlement by agreement.)*

2 (a) A request was made to \_\_\_\_\_  
*(name of the opposing party)*

to consent to a custody/access assessment on \_\_\_\_\_  
*(date)*

(b) The response to the request for a custody/access assessment was as follows:

3 The reasons for the request for a Custody and Access Assessment are as follows: *(State special circumstances requiring an Assessment such as children are pre-school; allegations of parental alienation; children in care of Social Services; child had no access time to one parent; custodial parent planning to leave the province; other special circumstances.)*

4 The additional material filed with the court in support of the application for a Custody and Access Assessment are as follows: *(State the specific material to be relied on in support of the application, i.e. affidavits, reports, etc., and the date on which the material had been filed or sworn.)*

5 The issues to be addressed by the Custody and Access Assessment are as follows: *(The Assessment is to be conducted by interviews with the parties and the children, with additional contacts as required by the special circumstances of each case.)*

**SOLE REQUEST:**

The Petitioner (or Respondent) requests an Order directing an expedited pre-trial conference to deal with the request for a Custody and Access Assessment.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

Per: \_\_\_\_\_  
*Lawyer for the Petitioner (or Respondent)*

Phone Number: \_\_\_\_\_

NOTICE OF EXPEDITED PRE-TRIAL CONFERENCE  
FOR A CUSTODY AND ACCESS ASSESSMENT

**TO:** *(name of party or parties or lawyer(s))*

**AN EXPEDITED PRE-TRIAL CONFERENCE WILL BE HELD** at: \_\_\_\_\_

\_\_\_\_\_  
*(address where pre-trial conference will be held)*

at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_ .  
*(date)*

The conference has been arranged at the request of \_\_\_\_\_  
to determine if an order for a custody and access assessment is warranted.

You must participate at that time and date by coming to court at the address set out above. When you appear at the Court, you will meet with a pre-trial conference judge. You and the other party will be required to make full disclosure of parenting information to the other. If warranted, the pre-trial conference judge may order a custody and access assessment.

**If you do not participate as set out above, the proceeding may go on without you.**

\_\_\_\_\_  
*Signature of clerk of the court*

\_\_\_\_\_  
*Date of signature*

This document was delivered by \_\_\_\_\_  
*(Petitioner)*

of \_\_\_\_\_, telephone \_\_\_\_\_,  
*(business or residence address)* *(number)*

and the address for service is: \_\_\_\_\_

No. 639C

COURT OF QUEEN'S BENCH

CUSTODY AND ACCESS ASSESSMENT INSTRUCTIONS

\_\_\_\_\_

(Petitioner)

V.

\_\_\_\_\_

(Respondent)

Court File No: \_\_\_\_\_

Justice: \_\_\_\_\_ Judicial Centre: \_\_\_\_\_

Issues:  Custody  Access  Both

I require more information about:

\_\_\_\_\_  
\_\_\_\_\_

Specific references/sources of information to be contacted:

\_\_\_\_\_  
\_\_\_\_\_

Return Date: Yes  (date) \_\_\_\_\_ No

Attach Copy of Fiat/Order

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

cc: Family Law Support Services

**No. 640A****Repealed.** 11 Jan 2008 Gaz.**No. 640B**

## NOTICE TO FILE INCOME INFORMATION

**TO:** The Respondent (*or* Petitioner), \_\_\_\_\_  
*(name)*

**YOU ARE REQUIRED** to provide to the Petitioner (*or* the Respondent) and file with the Court within 30 days (*or* 60 days, *if other party lives outside Canada or the United States of America*) of service of this Notice: (*check applicable boxes*)

(*if not previously provided to the other party or his or her lawyer*) a financial statement in Form 609A of the Queen's Bench Rules for Saskatchewan, including the required income tax documents;

(*if you are an employee*) your most recent statement of earnings indicating the total earnings paid in the year to date, including overtime, or if such a statement is not provided by your employer, a letter from your employer setting out that information, including your rate of annual salary or remuneration;

(*if you are self-employed*) for the 3 most recent taxation years:

(i) the financial statements of your business or professional practice, other than a partnership; and

(ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom you do not deal at arm's length;

(*if you are a partner in a partnership*) confirmation of your income and draw from, and capital in, the partnership for its 3 most recent taxation years;

(*if you control a corporation*) for the corporation's 3 most recent taxation years:

(i) the financial statements of the corporation and its subsidiaries; and

(ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation and every related corporation does not deal at arm's length;

(*if you are a beneficiary under a trust*) a copy of the trust settlement agreement and copies of the trust's 3 most recent financial statements.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

\_\_\_\_\_  
*Party or Party's Lawyer*

The requested documents are to be: (a) served on the party seeking disclosure at the address for service set out at the end of this document; and (b) filed on the court file.

**NOTE:** *If during the course of the proceeding you find out that the information you provided in a response to this notice is incorrect or incomplete, or there is a material change in the information provided, you must serve on every other party to this claim and file with the court the correct information, together with any documents substantiating it.*

#### NOTICE

IF YOU FAIL TO PROVIDE THE REQUESTED DOCUMENTS WITHIN THE TIME GIVEN, the party seeking disclosure of your income information may apply on notice to the court for any or all of the following:

- (a) an Order drawing an adverse inference against you and imputing income to you in such amount as the court considers appropriate;
- (b) an Order for payment of support in such amount as the Court considers appropriate;
- (c) an Order that the documents requested be delivered within a specified time;
- (d) an Order directed to your employer or other person for disclosure of financial information;
- (e) an Order for costs, including costs up to an amount that fully compensates the party seeking disclosure for all costs incurred in the proceeding;
- (f) an Order granting the party seeking disclosure any other remedy requested.

#### ***Or***

*Where the party seeking disclosure of income information wishes an immediate order in the event of non-compliance with this Notice to File Income Information, include a Notice of Motion in Form 47 for the desired order.*

This document was delivered by \_\_\_\_\_

(Petitioner)

of \_\_\_\_\_, telephone \_\_\_\_\_,  
 (business or residence address) (number)

and the address for service is: \_\_\_\_\_

## No. 640C

## CANADA CUSTOMS AND REVENUE AGENCY CONSENT

**TO Canada Customs and Revenue Agency:**

This form authorizes Canada Customs and Revenue Agency to release taxpayer information to the designated persons.

My name is \_\_\_\_\_  
(full legal name)

I live at \_\_\_\_\_  
(latest address shown on tax records)

My social insurance number is: \_\_\_\_\_

**I ASK AND AUTHORIZE YOU** to send to:

1 (name, address and telephone number of requesting party or requesting party's lawyer)

2 (name, address and telephone number of other party or other party's lawyer)

a copy of: (a) my income tax returns for the years \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_ ; and  
(b) any material that was filed with each of the returns for those same years; and  
(c) any notice of assessment or re-assessment issued to me for those same years.

\_\_\_\_\_  
*Signature of taxpayer*

\_\_\_\_\_  
*Date of signature*

\_\_\_\_\_  
*Telephone number*

**Note:** Upon receipt of the information requested, the requesting party or the requesting party's lawyer shall file the information in court.



**No. 640D**

**Repealed.** 11 Jan 2008 Gaz.

(The next form is Form 650)



**No. 651A**

## NOTICE OF CONFIRMATION HEARING

**TO:**

A PROVISIONAL ORDER was made by \_\_\_\_\_  
*(name of court)*

at \_\_\_\_\_  
*(address in full)*

on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, against you for the payment of \$ \_\_\_\_\_  
 per \_\_\_\_\_ towards the support (or maintenance) of \_\_\_\_\_.

The provisional order has no legal effect until it is confirmed, but on confirmation by this court it has legal effect as an order of this court.

TAKE NOTICE that a hearing to consider confirmation of the provisional order will be held  
 at \_\_\_\_\_  
*(name and address of court)*

on the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon,  
 or so soon thereafter as the matter can be heard.

FURTHER TAKE NOTICE that in support will be read all material forwarded by the court that granted the provisional order, which material has been served on you together with this notice.

FURTHER TAKE NOTICE that, whether or not you wish to oppose this matter, you are required at least 7 days before the date set for the confirmation hearing to file with the court at the above address a completed financial statement. An uncompleted copy of Parts 1 to 5 of a Financial Statement in Form 609A is served on you together with this notice.

FURTHER TAKE NOTICE that if you wish to oppose the confirmation of the provisional order, or dispute the amount of support payable, you may file an affidavit in response at least 7 days before the date set for the confirmation hearing, and you or your lawyer must appear at the hearing.

FURTHER TAKE NOTICE that if you do not come to the hearing, an order confirming the provisional order may be made in your absence and enforced against you.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 (Local) Registrar (or the minister or his designate)

**No. 651B**

## NOTICE OF CONTINUATION OF HEARING

**TO:**

The proceeding before this court for confirmation of a provisional order made by the \_\_\_\_\_ was  
*(name of court that made the provisional order)*

adjourned in order to send the matter back to that court for further evidence. The further evidence has now been received by this court. A copy of the further evidence is attached to this notice.

TAKE NOTICE that the \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_, at \_\_\_\_\_ o'clock in the \_\_\_\_\_ noon at \_\_\_\_\_ is appointed  
*(court house address)*

as the time and place for further consideration of the application for confirmation of the provisional order.

FURTHER TAKE NOTICE that if you wish to oppose the confirmation of the provisional order, or dispute the amount of support payable, you must file an affidavit in response at least 7 days before the date set for the continuation of the confirmation hearing, and you or your lawyer must appear at the hearing.

FURTHER TAKE NOTICE that if you do not come to the hearing, an order confirming the provisional order may be made in your absence and enforced against you.

Dated at \_\_\_\_\_, Saskatchewan, this \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
 (Local) Registrar *(or the minister or his designate)*

## No. 651C

## ORDER AFTER CONFIRMATION HEARING

Before \_\_\_\_\_ the \_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_.

A provisional order was made by \_\_\_\_\_  
(name of court)

at \_\_\_\_\_  
(address in full)

for the payment of support (or maintenance) by the respondent to the applicant.

A notice was served on the respondent of a hearing to confirm the provisional order and the respondent has (or has not) appeared.

IT IS ORDERED that the provisional order be confirmed

(or be confirmed with the following variation \_\_\_\_\_ for the following reasons  
or not be confirmed for the following reasons \_\_\_\_\_  
or be remitted to \_\_\_\_\_ for the  
(name of court)

purpose of taking further evidence on the following points \_\_\_\_\_).

AND IT IS ORDERED that the respondent pay the sum of \$ \_\_\_\_\_ per month for the support of \_\_\_\_\_ commencing on the first day of \_\_\_\_\_, 2 \_\_\_\_\_, and payable on the first day of each and every month thereafter (pending the final disposition of this proceeding, *as the case may be*).

Payments under the order in the amount of \$ \_\_\_\_\_ per month are to commence on the first day of \_\_\_\_\_, 2 \_\_\_\_\_, and to continue on the first day of each and every month thereafter.

ISSUED at \_\_\_\_\_, in the Province of Saskatchewan,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

(L.S.)

\_\_\_\_\_  
(Local) Registrar

**Note:** In a proceeding under the Divorce Act, the order shall be in accordance with the Federal Child Support Guidelines.

