
Respondent's Answer to Application

The package of documents you have received is an application to the Alberta court. This application is from a person in a “reciprocating jurisdiction” who is asking the Alberta court to make an order.

What's a “reciprocating jurisdiction”?

Alberta has arrangements with each of the Canadian provinces and territories, and many foreign countries, to deal with support orders. Each of these places is a “reciprocating jurisdiction”. There is a list in the regulations under the *Interjurisdictional Support Orders Act*. When two places reciprocate it means that they recognize each other's support orders, and support orders can be made, changed, and enforced using reciprocal laws. People involved in family support (also called ‘maintenance’) cases do not have to travel to another province, territory, or country to have a court deal with their orders.

The person who has made this application is in one of the “reciprocating jurisdictions”. The application will be dealt with by the Alberta court. The Alberta court will make an order.

In most cases, the person applying for an order will have filed a Form F. This is a request to the court to make an order ***even if you do not go to court, or file necessary documents***. The court ***can*** make an order if you do not go to court, and that order will be legal. If you want a say in the order the court will make, it is important that you read this ISO Guide, and the package of documents you received.

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Have you read the documents you received? Form A is the one that gives a summary of what the claimant or applicant is asking for.

The person applying for an order is the:
Claimant – if this is an application for a ‘first’ support order, or
Applicant – if this is an application to change an order you have now.
You are the **Respondent**. You are ‘responding’ to the application.

Let's go through Form N – Respondent's Answer to Application. You will need a “working” copy of Form N to write on, so make a copy. Keep a ‘good’ copy, and set it aside. As you go through this guide make a note of any other forms or documents you need. Write them down in the Worksheet section at the end of this guide.

Office Use Only box, top right

The court may have filled in the court file #, court location, and reciprocal #. If you need to contact the court, you should always quote the court file #. If this box has not been filled in, the numbers are on the Application you received. Copy them onto your “working” copy.

Identification

There are two check boxes on the left of Form N. You are the respondent, so you will check off the first one. The second box would be checked by an agency that has a right to be involved. For example: If you are a support recipient who has assigned maintenance rights to Alberta Human Resources and Employment (AHRE), AHRE may want to be in court, and receive any order that is made.

In the box, write your name, address, and telephone number. Include your home fax number and e-mail address if you have them. If you are not comfortable with the applicant knowing your home address, you can choose another address to receive documents. Check off whether the address you are using is your own address, in care of your lawyer, or in care of another person. This is the address and contact numbers the court will use to get in touch with you, and to send you any mail. This information will be on the court file.

Parties filing ISO documents with the courts have a legal duty to keep the court informed of any change of address. It is very important that you update the court if any of your contact information changes.

- **Agree, and Consent**
Go back to Form A, the application. At the bottom it describes the kind of order the court is being asked to make. Do you agree? If yes, check off the box on the left. Even if you agree with everything the claimant or applicant is asking for, you must still complete a Form K for the court. A blank Form K and a guide for completing it are enclosed with your package. The only situation in which a Form K is not required is if you are a support recipient agreeing to change an existing order.

Note: If you are a recipient and have assigned your maintenance (support) rights to Alberta Human Resources and Employment (AHRE) you **must** contact AHRE. You do not have the right to change the order without AHRE being involved.

- **Do Not Agree**
If you do not agree with the application, check this box on your working copy of Form N. In cases where the respondent (you) does not agree, the court needs more information. It needs other forms so the claims the claimant / applicant makes can be compared with your information. If you do not agree, you will need to decide which of the following forms you will need to fill out to support your claim.
 - **Financial Statement.** The financial statement – a blank copy is in the package you received – is almost always necessary. The only time it is *not* required is if you are a support recipient, and you have agreed to change an existing support order. You will have checked off “I agree” above.
 - **Request by recipient for a child support order, different than child support guidelines.** If you are a support recipient, and you want to receive a different amount than the child support guidelines table amount, check this box. You will need to fill out Form G. The ISO Guide for Form G gives you more information about the child support guidelines.
 - **Special Expense Claim.** Has the applicant/payor applied to change the special expense amounts listed in an order you have now? If yes, and you do not agree with the change, check this box, and fill out Form H.

- **Request by Payor to Pay, different than child support guidelines.** If you are a support payor, and you want to pay a different amount than the child support guidelines table amount, check this box. You will need to fill out Form I. The ISO Guide for Form I gives you more information about the child support guidelines.
- **Child Status and Financial Statement.** Do you agree with an application that asks for support for a child over the “age of majority” (age 18* in Alberta), **or** wants to end support for an “age of majority” child? If you do not agree, check this box. You will fill in a Form L for each ‘over majority’ child.

- ‡ **Lawyer**
If you choose to have a lawyer with you at court write your lawyer’s name, address, and telephone number on the lines at the end of Form N. With this information, the court can contact your lawyer directly.

When you have filled out your working copy of Form N you will know what other forms you need to file your Answer. You may obtain any forms and guides that you may be missing from the Alberta Court of Queen’s Bench Family Law Information Centres. The Family Law Information Centre’s website address is www.albertacourts.ab.ca/familylaw Their offices are located in Edmonton and in Calgary at:

1st Floor West, Law Courts Building
1A Winston Churchill Square
Edmonton, Alberta T5J 0R2
Telephone: (780) 415-0404

Ground Floor, Court House Annex
603 - 6th Avenue SW
Calgary, Alberta T2P 0T3
Telephone: (403) 297-6600

You can dial 310-0000 for toll-free access to both Centres from anywhere in Alberta. Forms will also be available at all Court of Queen’s Bench locations across Alberta. Check the blue pages in your telephone directory under “Courts” to find the location nearest you.

* Although the age of majority is 18, you may need to complete this form to prove dependence of children over the age of 16 if your application is under the *Alberta Domestic Relations Act*.

