

**Court Action No:** \_\_\_\_\_

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL DISTRICT OF CALGARY**

**BETWEEN:**

\_\_\_\_\_

**PLAINTIFF**

**-and-**

\_\_\_\_\_

**DEFENDANT**

**NOTICE OF MOTION  
(FAMILY LAW CHAMBERS)**

**TAKE NOTICE THAT** an application will be made on behalf of the Plaintiff/Defendant for a child support variation application at the Calgary Courts Centre, 601 – 5 Street SW, Calgary, Alberta as follows:

1. The parties and (if represented) their lawyers shall attend a Dispute Resolution Officer session on the 7<sup>th</sup> floor, South Tower, Calgary Courts Centre on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, at \_\_\_\_\_ a.m./p.m. at which time the Dispute Resolution Officer shall assist the parties to negotiate a resolution, if possible, and shall give directions for the next step, if necessary.
2. The application shall also be scheduled before a Justice in Chambers on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ [must be after appointment set out in paragraph 1] at 10:00 a.m.

**AND FURTHER TAKE NOTICE THAT** the Plaintiff/Defendant seeks the following Order:

1. Directing that the Plaintiff/Defendant pay child support according to the *Federal Child Support Guidelines*.

**[or]**

Directing that the Order/Judgment of (Judge's name) \_\_\_\_\_  
dated the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, be varied to give effect to the  
following:

- (a) That the Plaintiff/Defendant pay to the Plaintiff/Defendant child support in accordance with the Federal Child Support Guidelines for the support of the Children of the marriage, such payments to be retroactive to \_\_\_\_\_, 19\_\_/20\_\_, and to continue on the first day of each month from now on until further Order.
  - (b) (Set out other relief sought)
2. Such further and other relief as the Honourable Court may allow.
  3. Granting the Plaintiff/Defendant costs of this application.

**AND FURTHER TAKE NOTICE THAT** the Plaintiff/Defendant will rely upon the provisions of Section 17 (varying corollary relief) of the *Divorce Act*, 1985, R.S.C. c. C-4, as amended, 578(4) (costs) of the *Alberta Rules of Court*, and the inherent jurisdiction of this Honourable Court.

**AND FURTHER TAKE NOTICE THAT** the grounds for seeking this Order are:

1. There are \_\_\_\_ infant children of the marriage (the "Children") namely:
  - (a)
  - (b)
  - (c)
2. The Children reside with the Plaintiff/Defendant on a full-time basis [or set out Children's living arrangements].
3. [Summarize the reasons you are seeking the Order]

**AND FURTHER TAKE NOTICE THAT** in support of this application, the filed Affidavit of the Plaintiff/Defendant will be read along with whatever other material counsel advises and this Honourable Court permits.

**AND FURTHER TAKE NOTICE THAT** if you do not appear an Order may be made in your absence.

**AND FURTHER TAKE NOTICE THAT** if you wish to present any evidence to the Justice, it must be in the form of a sworn Affidavit filed with the Clerk of the Court and provided to the other party at least 24 hours prior to the hearing.

**DATED AT** Calgary, Alberta, this \_\_\_\_\_ day of \_\_\_\_\_, 200\_.

**[LAW FIRM NAME]**

Per: \_\_\_\_\_

Solicitor for the Plaintiff/Defendant

**TO: Counsel for the Plaintiff/Defendant (or the other side if unrepresented by counsel)**

**AND TO: CLERK OF THE COURT**

**IMPORTANT NOTICE  
TO PLAINTIFF/DEFENDANT:**

If you want to present any evidence to the Judge hearing this application, you must:

- (a) Make an Affidavit, sworn or affirmed as true before a Commissioner for Oaths or Notary Public; **and**
- (b) File the Affidavit with the Clerk of the Court; **and**
- (c) Make sure the applicant's lawyer (or the Applicant, if he or she does not have a lawyer) receives the Affidavit **at least 24 hours before the hearing.**

**ACTION NO: 4801-**

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**IN THE COURT OF QUEEN'S BENCH  
OF ALBERTA  
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**BETWEEN:**

\_\_\_\_\_

**PLAINTIFF**

**- and -**

\_\_\_\_\_

**DEFENDANT**

\_\_\_\_\_

**NOTICE OF MOTION**

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**[Law Firm Name]**

Calgary, Alberta

**ATTENTION:**

Phone: (403)

Fax: (403)

Court Runner Box #