

Alberta Divorce Questionnaire & Completion Guide



UntieTheKnot.ca

Quick, Simple and Affordable Divorces

*Our divorce service is perfect for couples
whose divorce is uncontested and where
there are no disputes over financial matters
or issues regarding children of the marriage.*

Untie the Knot Divorce Service

a division of 0707073 BC Ltd.

78 - 622 Front Street, Nelson, B.C. V1L 4B7

Toll Free: 1.866.788.7510 • Toll Free Fax: 1.866.239.7495 • www.untietheknot.ca





Your completion guide can be found at the end of this questionnaire and contains valuable information to help you complete your questionnaire.

Each question or group of questions in each section of the questionnaire contains line numbers. The information needed at each line number is explained in the completion guide. Using the completion guide to complete your questionnaire will make the process that much easier for you and will eliminate the need for us to contact you with questions.

Although you can fill out the questionnaire on your computer, you cannot save or email it unless you possess special software. Please type and print out the application, then fax, scan and email or mail the application to us.

Important Note: Questionnaires are reviewed and your divorce documents are prepared shortly after we receive it. If we have started to prepare your divorce documents, we cannot cancel your request and issue a refund.

Alberta

Section 1 - Contact Information

Primary Contact Name: 101 _____

Can we leave a message for you at your telephone number?: 102 Yes No

Can we leave a message for you at your alternate telephone number?: Yes No

Do we have permission to discuss the details of the divorce with your spouse?: 103 Yes No

Section 2 - Information About the Marriage

Place of Marriage: 201 City/Town: _____ Province/State: _____ Country: _____

If you were married outside of Canada please provide: 202

Name of Officiator: _____

Name of Witness: _____ Name of Second Witness: _____

Date of Marriage: 203 Month: _____ Day: _____ Year: _____

Date you and your spouse commenced residing together: 204 Month: _____ Date: _____ Year: _____

Date of Separation: 205 Month: _____ Day: _____ Year: _____

Place of Separation: 206 City/Town: _____ Province/State: _____ Country: _____

Have there been any attempts at reconciliation?: 207 Yes No

If yes, provide a brief description:

Have there been any agreements regarding any children of the marriage?: 208 Yes No If yes, Written Verbal

If yes, provide a brief description:

Have there been any court orders regarding the marriage or any children of the marriage?: 209 Yes No

If yes, name of court: _____

Location: City/Town: _____ Country: _____

Please provide a brief description:

Have there been any agreements regarding spousal support?: 210 Yes No

If yes, who is the one making the payments?: _____

If yes, provide a brief description:

Section 3 - Information About the Spouses

Spouse 1

First Name: 301 _____

Middle Name(s): _____

Last Name: _____

Also Known as: 302 _____

Civic Address: 303 _____

Apt./Suite Number: _____

Apt. Buzzer Code: _____

City/Town: _____

Province/State: _____

Country (if other than
Canada or U.S.A.): _____

Postal/Zip Code: _____

Mailing Address: 304 _____

Apt./Suite Number: _____

Apt. Buzzer Code: _____

City/Town: _____

Province/State: _____

Country (if other than
Canada or U.S.A.): _____

Postal/Zip Code: _____

Phone Number: 305 _____

Alternate Phone
Number: _____

Email Address: 306 _____

Month of Birth: 307 _____

Day of Birth: _____

Year of Birth: _____

City/Town of Birth: 308 _____

Province/State of Birth: _____

Country of Birth: _____

Last Name Before
Marriage: 309 _____

Last Name at Birth: 310 _____

Occupation: 311 _____

Has spouse one resided in Alberta for the past one year?: 312

Yes No

Marital Status Before Marriage: 313

Never Married Divorced Widowed

Spouse 2

First Name: 301 _____

Middle Name(s): _____

Last Name: _____

Also Known as: 302 _____

Civic Address: 303 _____

Apt./Suite Number: _____

Apt. Buzzer Code: _____

City/Town: _____

Province/State: _____

Country (if other than
Canada or U.S.A.): _____

Postal/Zip Code: _____

Mailing Address: 304 _____

Apt./Suite Number: _____

Apt. Buzzer Code: _____

City/Town: _____

Province/State: _____

Country (if other than
Canada or U.S.A.): _____

Postal/Zip Code: _____

Phone Number: 305 _____

Alternate Phone
Number: _____

Email Address: 306 _____

Month of Birth: 307 _____

Day of Birth: _____

Year of Birth: _____

City/Town of Birth: 308 _____

Province/State of Birth: _____

Country of Birth: _____

Last Name Before
Marriage: 309 _____

Last Name at Birth: 310 _____

Occupation: 311 _____

Has spouse two resided in Alberta for the past one year?: 312

Yes No

Marital Status Before Marriage: 313

Never Married Divorced Widowed

Section 4 - Information About the Children (if applicable)

Spouse 1

Gross Annual Income: 401 _____
 *This is your exact Line 150 on your most recent tax return.
 *Please include a copy of your most recent tax return and your Notice of Assessment with this application.

Spouse 2

Gross Annual Income: 401 _____
 *This is your exact Line 150 on your most recent tax return.
 *Please include a copy of your most recent tax return and your Notice of Assessment with this application.

Child 1

First Name: 402 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 403 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 406 Spouse 1 Spouse 2 Both
 Custody Type: 407 Sole Spouse 1 Sole Spouse 2 Joint
 Who pays the medical and dental insurance coverage?: 409
 Spouse 1 Spouse 2 Both

Child 2

First Name: 402 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 403 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 406 Spouse 1 Spouse 2 Both
 Custody Type: 407 Sole Spouse 1 Sole Spouse 2 Joint
 Who pays the medical and dental insurance coverage?: 409
 Spouse 1 Spouse 2 Both

Child 3

First Name: 404 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 405 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 406 Spouse 1 Spouse 2 Both
 Custody Type: 407 Sole Spouse 1 Sole Spouse 2 Joint
 Who pays the medical and dental insurance coverage?: 409
 Spouse 1 Spouse 2 Both

Child 4

First Name: 404 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 405 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 406 Spouse 1 Spouse 2 Both
 Custody Type: 407 Sole Spouse 1 Sole Spouse 2 Joint
 Who pays the medical and dental insurance coverage?: 409
 Spouse 1 Spouse 2 Both

Child Support Being Paid: 409 \$ _____ per month

Paid by: 410 Spouse 1 Spouse 2

Special or Extraordinary Expenses: 411

- \$ _____ per year babysitting/daycare costs (net of subsidies and tax deductions)
- \$ _____ per year medical/dental insurance premiums related to the children
- \$ _____ per year health-related expenses in excess of \$100.00
- \$ _____ extraordinary school expenses
- \$ _____ post-secondary school expenses (net of tax deductions)
- \$ _____ extraordinary extra expenses (ie. Sports and extracurricular activities and lessons)

Percentage paid by: 412 Spouse 1 _____% Spouse 2 _____%

Describe Access Arrangements: 413

If any of the children listed above are not your own children, list their names and relationship to you and your spouse. 415

Section 5 - Type of Divorce

501 Sole Divorce

Section 6 - Schedule of Fees

Divorce Documents Only Package - \$249.00 plus G.S.T. (\$261.45)

Deliver Divorce Documents by: 601 Email Mail Courier

*You will be required to pay court filing fees, commissioner fees and any process serving fees directly.***Other Fees (only if requested)**

Additional Form or Document	\$20.00 plus G.S.T. (21.00)
Additional Application	\$150.00 plus G.S.T. (\$157.50)
Certificate of Divorce	\$75.00 plus G.S.T. and court filing fees (\$88.75 each)
Certificate of Marriage (Applications available on our website)	varies (please visit our website for fees)
Courier - Xpresspost within Canada	\$30.00 plus G.S.T. (\$31.50)
Courier - Xpresspost within U.S.A.	\$40.00 plus G.S.T. (\$42.00)
Courier - International	plase contact us for quote
Handling fee for arranging certificate of marriage translation	\$20.00 plus G.S.T. (\$21.00)

Section 7- Payment Options

Telephone me for
credit card detailsMoney order or certified cheque
(Sorry, no personal cheques)

Name of Cardholder: _____

Credit Card Number: _____ Expiry Date: _____ Security Code: _____

Divorce Documents Only Package - \$261.45 is payable with the completed questionnaire.

Courier Fees - Add \$31.50 within Canada or \$42.00 within U.S.A., if you require documents to be forwarded to you by courier.

We will email you a PayPal invoice if you choose PayPal. We will telephone you with instructions if you choose Email Transfer.

Section 8 - How Did You Hear About Us?

Google

MSN/Bing

Facebook Advertising

Telephone Directory: _____

Radio: _____

Television: _____

Yahoo

Other Search Engine: _____

Referral: _____

Online Phone Directory: _____

Newspaper/Magazine: _____

Other: _____

Please return your completed questionnaire, a photocopy of your certificate of marriage and a photocopy of any separation agreement or court order to us by one of the following methods:

Toll-Free Fax: 1.866.239.7495, **Scan & Email:** info@untietheknot.ca
or Regular Mail: Untie the Knot Divorce Service, 78 - 622 Front Street, Nelson, BC V1L 4B7

SECTION 1: CONTACT INFORMATION

Line 101: Primary Contact Name

This is the individual who we primarily contact with questions and updates.

Please note that this person must be one of the spouses in the divorce proceeding.

Line 102: Can we leave messages for you?

We will be asking you for your primary and alternate telephone numbers. If we attempt to contact you by telephone, do we have your permission to leave a message for you either on a voice mail system or with another person? We will never leave messages with details of your divorce proceeding, however, we would identify ourselves as well as the company name and telephone number.

Line 103: Do we have permission to discuss the details of the divorce with your spouse?

Your spouse may wish to contact us with questions or to provide additional information regarding your divorce proceeding. Do we have permission to discuss this proceeding and/or correspond with the other party?

Your confidentiality is important to us. If you indicate “No” here, all correspondence will automatically be sent to you.

SECTION 2: INFORMATION ABOUT THE MARRIAGE

Line 201: Place of Marriage

Insert the City, Province/State and Country you were married in. This must exactly match the certificate of marriage. If you are unsure of the place you were married, you will need to contact the Vital Statistics office in the Province where you were married. They will assist you with a search.

Line 202: Marriage Outside of Canada

If you were married outside of Canada, please provide the name of the officiator and the witnesses to the marriage.

Line 203: Date of Marriage

Insert the date you were married. This must exactly match the certificate of marriage.

If you are unsure of the date you were married, you will need to contact the Vital Statistics office in the province where you were married. They will assist you with a search.

Line 204: Date you and your spouse commenced residing together

Insert the date, or approximate date, that you and your spouse began living together in the same residence.

Line 205: Date of Separation

Insert the date, or approximate date that you and the other spouse stopped living together. If you are still residing in the household together for financial or other reasons, please let us know.

Line 206: Place of Separation

Please indicate the City or Town, the Province or State and the Country where you and your spouse resided when you separated.

Line 207: Have there been any attempts at reconciliation?

Have you and your spouse resided together again following separation in an attempt to reconcile? If yes, please let us know the date you began living together again and the date you separated again.

The *Divorce Act (Canada)* allows for a couple to attempt a reconciliation for not more than 90 days. If you reconciled for a period of more than 90 days then your separation is deemed to have begun at the time you separated for the second time.

Line 208: Have there been any agreements regarding any children of the marriage?

If there are any written or verbal agreements settling issues between you which include, but are not limited to custody, access and child support, then please provide a brief description of the agreement. If your agreement is written, please also provide us with a copy.

Line 209: Have there been any court orders regarding the marriage or any children of the marriage?

If there are any court orders settling issues including, but not limited to custody, access, child support, division of assets and debts, property, or other financial matters, please indicate the name of the court (e.g. Court of Queen's Bench), the location of the court and a brief description. Please provide us with a copy.

Line 210: Have there been any agreement regarding spousal support?

If there are any written or verbal agreements regarding spousal support, please let us know which spouse is making the payments and a brief description of the terms of the agreement.

SECTION 3: INFORMATION ABOUT THE SPOUSES

This section must be completed in its entirety for BOTH spouses.

If any of the information in this section changes at any time throughout the divorce process, please ensure that you let us know.

Line 301: Name

This is the name that you are currently legally using. Your first and middle name(s) listed here must exactly match the certificate of marriage.

Line 302: Also Known As

This is any other name or alias that you are also currently using, other than nicknames.

It is not necessary to list your maiden name or surname before marriage here, unless you are using it as an alias.

If you have legally changed your name through Vital Statistics since the time of your marriage, then you must list your new name here and provide us with a copy of your Change of Name Certificate.

Line 303: Civic Address

This is the address which will appear on your documents. It must be a street address and be an address where you can be found. The Registry will not accept PO Box or mailbox numbers. Please provide your apartment buzzer code if a delivery person requires this to contact you.

Line 304: Mailing Address

If your mailing address is different than your civic address, please let us know here. This is the address where we will mail your documents and final divorce order. This address can be a PO Box or mailbox number.

Line 304: Telephone Numbers

Phone number: Please provide us with a day time telephone number, with area code, where we can reach you if necessary.

Alternative phone number: Please provide us an alternate phone number, with area code, where we can reach you if necessary and we are unable to reach you on the primary phone number.

Line 305: Email Address

Please provide us with an email address at which you can be contacted.

Line 306: Date of Birth

Please let us know your month, day and year of birth.

Line 307: Place of Birth

Please let us know the City, Province/State and Country where you were born

Line 308: Last Name Before Marriage

Please tell us what your surname was immediately prior to this marriage.

Line 309: Last Name at Birth

Please tell us what your surname at birth was.

Line 310: Occupation

Please state your occupation, not your employer. For example, “student”, “homemaker”, “CEO”, “doctor” or “teacher”. If you are unemployed, please indicate this.

Line 311: Have you resided in Alberta for the past one year?

Please indicate whether or not you have been ordinarily resident in Alberta for the past one year.

If you do not reside in Alberta, state “not resident”.

**It is important to note that the Divorce Act (Canada) requires that at least one spouse must have resided in Alberta for a minimum of one year prior to starting a divorce proceeding. That spouse must also maintain residency in Alberta throughout the divorce proceeding.*

Line 312: Marital Status Before Marriage

Please indicate what your marital status was immediately prior to this marriage.

Line 313: Certificate of Divorce

A certificate of divorce is an optional document which can be issued only after your divorce takes effect. If you are planning to remarry, you may require one in order to obtain a marriage licence. Also, some government agencies may require one to prove that your divorce is final. Please let us know if you would like us to obtain one for you.

Please see our Schedule of Fees on page 4 of the questionnaire for our fees to obtain a certificate of divorce

SECTION 4: INFORMATION ABOUT THE CHILDREN (IF APPLICABLE)

If there are children of the marriage, please complete Section 4 in its entirety.

If there are no children of the marriage, please skip to Section 5.

If you are unsure, you may visit any of the following websites to obtain more information. You can also link to these sites directly from our resources page.

The *Divorce Act (Canada)*
<http://laws.justice.gc.ca/en/showdoc/cs/D-3.4//en?page=1>

The *Federal Child Support Guidelines*
<http://laws.justice.gc.ca/eng/SOR-97-175/index.html>

The *Divorce Act (Canada)* provides the following definitions:

Child of the Marriage...

"child of the marriage" means a child of two spouses or former spouses who, at the material time,

(a) is under the age of majority and who has not withdrawn from their charge, or

(b) is the age of majority or over and under their charge but unable, by reason of illness, disability or other cause, to withdraw from their charge or to obtain the necessaries of life;

Section (b) would typically refer to a child who is over the age of majority but still attending school full time.

Age of Majority...

"age of majority", in respect of a child, means the age of majority as determined by the laws of the province where the child ordinarily resides, or, if the child ordinarily resides outside of Canada, eighteen years of age;

The age of majority in Alberta is 18 years.

Regarding Step-parents...

For the purposes of the definition "child of the marriage" in subsection (1), a child of two spouses or former spouses includes

(a) any child for whom they both stand in the place of parents; and

(b) any child of whom one is the parent and for whom the other stands in the place of a parent.

Line 401: Gross Annual Income

Gross annual income includes income generated as a result of employment insurance benefits, social assistance benefits and disability benefits, among others. Please let us know what your current gross annual income is from all sources.

Further information regarding the calculation of income can be found on the Guidelines website.

Line 402: Name

Please complete the full legal name of each child of the marriage. If you have more than four children, please attach an additional sheet.

Line 403: Date of Birth

Please complete the date of birth of each child of the marriage.

Line 404: Resides With

Please check the box which indicates which parent each child of the marriage primarily resides with.

Check “both” if the child resides a minimum of 40% of the time with each parents.

Line 405: Custody Type

The term custody is vague and generally refers to who has the primary day to day care and decision making responsibilities for a child. However, there are several possible custody scenarios.

The following information is an excerpt from a legal website. If you are unsure as to what your particular custody scenario in your unique circumstance, you may wish to speak with a family lawyer.

“Sole custody occurs when a child lives primarily with one parent.

Joint custody occurs when a child either lives with both parents equally or lives mostly with one parent (the child's primary residence) but the parents have agreed to share equally the rights and responsibilities for that child. This involves a high level of communication and shared decision-making between the parents.

Custody can also be described in other terms but sole custody and joint custody are the terms used most often.

Note: Because custody arrangements are as flexible as the parents who make them, you need to define for yourself what you want if you are seeking joint custody. Be sure you and the other parent agree on what joint custody means.

Line 406: Who has Medical and Dental Coverage?

Please check the box which indicates which parent has medical insurance coverage for each child of the marriage.

Line 407: Child Support Being Paid

Pursuant to S. 11(1)(b) of the *Divorce Act (Canada)*, in order to grant a divorce, the court must be satisfied that reasonable arrangements have been made for the financial support of the children of the marriage, giving regard to the applicable guidelines.

What this means is that in order for us to be able to type your divorce documents, child support must be paid in accordance with the *Federal Child Support Guidelines*.

Please let us know what the exact amount of basic monthly child support being paid is. This amount should not include any special or extraordinary expenses.

Line 408: Child Support is Paid by...

Please let us know which spouse is paying the monthly child support.

Line 409: Special or Extraordinary Expenses

Basic child support being paid is not intended to cover the items listed here. If any expenses are being incurred for any of the se items, please indicate what the annual expense is.

Line 410: Percentage Paid by

Of the expenses listed above, what is the percentage of the expense that each parent contributes.

Line 411: Describe Access Arrangements

Please set out what the access arrangements are for the children of the marriage. Ensure that the information you provide here is as detailed as possible, keeping in mind that your exact words will be used in your documents.

Please do not simply refer us to the terms of a separation agreement or court order. You must be specific here.

SECTION 5: TYPE OF DIVORCE

Line 501: What Type of Divorce do you Wish to Commence?

In a sole divorce, only the Applicant signs the court documents. The court documents are then served on the Defendant.

Although joint divorces are available to Alberta residents, we have chosen to not offer this option to our clients due to inconsistencies in registry practices.

Please Note: It is important that you clearly know which type of divorce you want prior to proceeding. To switch from a joint divorce to a sole divorce after initial documents have been filed with the Court is time consuming and costly. In this situation Untie The Knot will be unable to assist further.

SECTION 6: SCHEDULE OF FEES

Divorce Documents Only Package – We will type your divorce documents and send them to you along with comprehensive and easy to follow instructions. You will be responsible for the two or more trips to the Court Registry to file your documents. You will also be responsible for arranging the service (personal delivery) of the documents on your spouse. Our staff is available to answer any questions you may have.

There are some additional third party fees payable. You will be required to pay the Court Registry filing fees at the time you submit your documents. The filing fees are \$260.00 (\$280.00 if you request a Certificate of Divorce). You will have one or more affidavits which will need to be signed in front of a commissioner for taking affidavits. The average cost is approximately \$30.00 to \$50.00 per affidavit. There will also be the cost of utilizing a process server to personally deliver the divorce documents to your spouse. The average cost of a process server is approximately \$50.00 to \$150.00. This cost can vary greatly depending upon where your spouse resides and how many attempts are required in order to serve the documents.

Important Note: If the documents need to be served on your spouse outside of Canada, you will need to obtain a court order allowing this. You can obtain this order yourself or by utilizing the services of a lawyer. We cannot assist you with this. Please contact us for further details.

Other Fees

Should you have any questions regarding any of our fees, please free to contact us.

Line 601: Delivery of Divorce Documents

Please indicate how you would like your divorce documents forwarded to you for signing. If you choose email, your documents will be emailed to you as a PDF. If you prefer to have your documents sent to you by courier, please see below for the additional fees that will apply.

SECTION 7: PAYMENT OPTIONS

Please indicate your preferred method of payment.

If paying by Visa, MasterCard or American Express, we will require all information requested below to be completed. The security code, or CVV code, is also required. CVV stands for Credit Card Verification Value. The CVV is a 3 or 4 digit code embossed or imprinted on the signature panel on the reverse side of Visa, MasterCard and Discover cards and on the front of American Express cards. This code is used as an extra security measure to ensure that you have access and/or physical possession of the credit card itself.

If you wish to pay using the PayPal service, you must provide us with an email address (see Line 306). Upon review of your completed questionnaire, we will email you an invoice which you can then pay directly using PayPal.

If you wish to pay by Interact Email Money Transfer, we will contact you with further instructions upon review of your completed questionnaire.

SECTION 8: HOW DID YOU HEAR ABOUT US?

Your input helps us to share this valuable service with others. Please let us know how you heard about us by checking the appropriate box.

YOU'RE DONE!

Please return your completed questionnaire to our office by mail, fax, or email. Be sure to include a copy of your certificate of marriage and a copy of any separation agreement or court order.

Do not return this guide with the questionnaire. Keep it as a reference for yourself, or recycle it.

WHAT HAPPENS NEXT?

Once we have received your questionnaire, we will review it to make sure that all required information is completed and process your payment.

If we have any questions or require clarification on any point, we will contact you to discuss.

As soon as we have all required information, documents and payment, we will type your documents and send them to you.

Please feel free to contact us via email, snail mail or call our toll free number with any comments or questions you may have.

Untie the Knot Divorce Service

a division of 0707073 BC Ltd.

78 - 622 Front Street, Nelson, B.C. V1L 4B7

Toll Free: 1.866.788.7510 • Toll Free Fax: 1.866.239.7495 • www.untietheknot.ca

