

Nova Scotia 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

• novascotia@untietheknot.ca • 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 much easier for you and will eliminate the need for us to contact you with questions.

When completed simply return the Questionnaire by fax, scan and email or regular mail.

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.

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

Section 2 - Information About the Marriage

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

Date of Marriage: 202 Month: _____ Day: _____ Year: _____

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

After separation, did you resume residing together for a period of 90 days or more? 204 Yes No

If yes, please provide the date in which you resumed living together and the date you separated again:

From: Month: _____ Day: _____ Year: _____ To: Month: _____ Day: _____ Year: _____

Have there been any court proceedings between you? 205 Yes No

If yes, please provide a copy of the order.

Do you have a written agreement regarding the marriage?: 206 Yes No

If yes, please provide a copy of the agreement - **required with all types of divorce proceeding**

Have there been any agreements regarding spousal support?: 207

If yes, who is the one making the payments? Spouse 1 Spouse 2

If yes, please provide amount of spousal support per month: \$ _____

If yes, please provide date spousal support payments started: Month: _____ Day: _____ Year: _____

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: _____

 Postal/Zip Code: _____

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: _____

 Postal/Zip Code: _____

Section 3 - Information About the Spouses - Continued

Mailing Address: 304 _____
 Apt./Suite Number: _____
 Apt. Buzzer Code: _____
 City/Town: _____
 Province/State: _____
 Country: _____
 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: _____
 Nova Scotia Resident
 Since: 309 _____
 Last Name Before
 Marriage: 310 _____
 Last Name at Birth: 311 _____
 Marital Status Before Marriage: 312
 Never Married Divorced Widowed

Mailing Address: 304 _____
 Apt./Suite Number: _____
 Apt. Buzzer Code: _____
 City/Town: _____
 Province/State: _____
 Country: _____
 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: _____
 Nova Scotia Resident
 Since: 309 _____
 Last Name Before
 Marriage: 310 _____
 Last Name at Birth: 311 _____
 Marital Status Before Marriage: 312
 Never Married Divorced Widowed

Section 4 - Information About the Children (if applicable)

Spouse 1

Name of Employer: 401 _____
 Gross Annual Income: 402 My Line 150 is \$ _____

Spouse 2

Name of Employer: 401 _____
 Gross Annual Income: 402 My Line 150 is \$ _____

Child 1

First Name: 403 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 404 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 405
 Spouse 1 Spouse 2 Both
 Custody Type: 406
 Spouse 1 Spouse 2 Both
 Who has Medical and/or Dental Coverage?: 407
 Spouse 1 Spouse 2 Both

Child 2

First Name: 403 _____
 Middle Name(s): _____
 Last Name: _____
 Month of Birth: 404 _____
 Day of Birth: _____
 Year of Birth: _____
 Resides With: 405
 Spouse 1 Spouse 2 Both
 Custody Type: 406
 Spouse 1 Spouse 2 Both
 Who has Medical and/or Dental Coverage?: 407
 Spouse 1 Spouse 2 Both

Section 7 - Schedule of Fees

Divorce Documents Package - \$249.00 plus H.S.T. (\$286.35)

Deliver Documents to: 701 Spouse 1 Spouse 2 By: Email Mail Courier

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

Change Documents from Joint/Simple Divorce to Simple/Joint Divorce	\$100.00 plus H.S.T. (\$115.00)
Additional Form or Document	\$30.00 plus H.S.T. (\$34.50)
Certificate of Marriage (Applications available on our website)	varies (please visit our website for fees)
Per Courier - Courier within Canada	\$30.00 plus H.S.T. (\$34.50)
Per Courier - Courier within U.S.A.	\$40.00 plus H.S.T. (\$46.00)
Per Courier - International	please contact us for quote

Section 8 - 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 Package - \$286.35 is payable with the completed questionnaire.

Per Courier Fees - Add \$34.50 within Canada or \$46.00 within USA, if you require documents to be sent 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 9 - How Did You Hear About Us?

Google

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:** novascotia@untietheknot.ca
or Regular Mail: Untie the Knot Divorce Service, 78 - 622 Front Street, Nelson, BC V1L 4B7





This Guide has been designed to assist you in the completion of our Nova Scotia Questionnaire. We trust this Guide will answer any questions you may have, however, should you have any questions, please do not hesitate to contact us.

Divorce documents in Nova Scotia are gender neutral. Our questionnaire can be used by both traditional and same sex couples.

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 your permission to discuss the details of your divorce with your spouse?

Often times, the other spouse in your divorce proceeding may contact us with questions or to provide us with information. Your confidentiality is important to us. Do we have your permission to discuss this proceeding or correspond with the other involved party?

Please note, that if you indicate “no” here, then all correspondence and documents will automatically be sent only 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: 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 203: 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 in the additional notes section (Section 6).

Line 204: After Separation, did you resume residing together for a period of 90 days or more?

Did you resume living together as a “married couple” by resuming all duties of a married couple and representing yourselves to the public as a couple? If yes, please insert the date you resumed living together and insert the date you stopped living together.

Line 205: Have there been any court proceedings between you?

If there have been court proceedings between you and your spouse please provide our office with copies of all orders that were granted.

Line 206: Do you have a written agreement or court order regarding the marriage?

If there are any written agreements or court orders settling issues including, but not limited to, custody, access, child support, division of assets and debts, property, or other financial matters, please note this here and provide us with a copy.

Line 207: Have there been any agreements regarding spousal support?

If there are any written or verbal agreements regarding spousal support, please let us know which spouse is making the payments, the amount of the payments and the date spousal support payments began.

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 305: 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 306: Email Address

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

Line 307: Date of Birth

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

Line 308: Place of Birth

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

Line 309: Nova Scotia Resident Since

Please state the date, or approximate date, you became a resident of Nova Scotia.

If you have resided in Nova Scotia since you were born and have never resided elsewhere, simply state “birth”.

If you were born in Nova Scotia but resided elsewhere for a period of time, or if you moved to Nova Scotia from another place,

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

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

Line 310: Last Name Before Marriage

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

Line 311: Last Name at Birth

Please tell us what your surname at birth was.

Line 312: Marital Status Before Marriage

Please indicate what your marital status was immediately prior to this marriage. If you were divorced previously, insert the date and location of the previous 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*
www.justice.gc.ca/eng/pi/fcy-fea/lib-bib/pub/guide/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 Nova Scotia is 19 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: Name of Employer

Please tell us the full name of your employer. This information is required in the divorce documents. We do not need to know an address or telephone number.

Line 402: Gross Annual Income

Child support payable is generally calculated pursuant to the *Federal Child Support Guidelines* using the income as stated in Line 150 of your most recent income tax return. Gross annual income includes income generated as a result of employment insurance benefits, social assistance benefits and disability benefits, among others.

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

The Federal Child Support Guidelines

www.justice.gc.ca/eng/pi/fcy-fea/lib-bib/pub/guide/index.html

Please insert your gross annual income here on Line 402.

Line 403: 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 404: Date of Birth

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

Line 405: 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 parent.

Line 406: 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 407: Who has Medical and/or Dental Coverage?

Please check the box which indicates which parent has medical and/or dental insurance coverage for each child(ren) of the marriage.

Line 409: Have there been any agreements or court orders regarding any children of the marriage?

If there are any written agreements or court orders settling issues including, but not limited to, custody, access and child support, please note this here and provide us with a copy.

Line 410: 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.

Line 411: Amount of agreed monthly 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 412: Child support is paid by...

Please let us know which spouse is paying child support.

Please insert the date or dates child support is paid (ex. 1st of the month) and the frequency of payments (ex. weekly, monthly etc...).

Line 413: If child support is not paid or if the amount differs significantly from the Guidelines...

If child support payments do not meet or exceed *Federal Child Support Guidelines*, an explanation will be required for the divorce to be granted.

Line 414: Details of childcare, school, activities etc....

Please provide the details of the childcare situation, school and activities.

SECTION 5: TYPE OF DIVORCE**Line 501: What type of divorce do you wish to commence?**

Joint Application - When both you and your spouse are in agreement and you both are willing to sign the divorce documents, then you are able to proceed with a joint divorce. This eliminates the need for service of the documents upon your spouse and can save you time and money.

Please keep in mind that you both must be willing to sign the divorce documents and you will need a written agreement that covers all outstanding issues between you both.

Petition for Divorce and Divorce by Agreement – This is where one spouse is the Petitioner (or Applicant) and the other spouse is the Respondent. The documents are signed and filed by the Petitioner and served upon the Respondent. The Respondent has a period of time to respond to, or defend, the divorce action. If the Respondent does not respond to the divorce action, then the divorce is considered to be uncontested.

With the **Divorce by Agreement** you are required to have a written agreement regarding outstanding issues between you and your spouse and it needs to be said in the agreement that this matter can proceed by application without an opportunity for a hearing or consent is required. If you do not have this then you can simply write your own agreement using templates found on the Internet or you can have a lawyer write one for you.

Please note that if your divorce action becomes contested, then we cannot assist you and will recommend that you seek the advice of a family lawyer.

It is important that you clearly know which route you are wanting to take prior to proceeding. To switch from a joint divorce to a divorce by agreement after the initial documents have been filed with the Court is both time consuming and costly. Additionally, we would not be able to assist you any further.

SECTION 6: ADDITIONAL NOTES

Please use this section to tell us anything that may not be covered in any of the previous sections, but that may be relevant to your divorce proceeding.

SECTION 7: SCHEDULE OF FEES

Divorce Documents Package – by selecting this service, 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. If you are proceeding with a sole divorce, you will be responsible to arrange the service of the documents on your spouse. Our staff will be available at any time 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 for a Joint Divorce and a Divorce by Agreement are \$218.05. And the filing fees for a Petition for Divorce are \$320.30. You will have one or more affidavits which will need to be signed in front of a lawyer, notary public or a court clerk (prothonotary). The average cost is approximately \$30.00 to \$50.00 per affidavit. If you are proceeding with a Divorce By Agreement or Petition for Divorce you will need to have your documents personally delivered (served) on 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.

Other Fees

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

Line 701: Deliver Documents to...

Please let us know to whom and how you would like your documents delivered.

Registry Locations

Below is a list of the Nova Scotia Supreme Court locations where divorces may be filed.

Amherst	Bridgewater	Cape Breton	Kentville	New Glasgow	Halifax	Truro
Yarmouth	Antigonish	Digby	Pictou	Sydney	Port Hawkesbury	

SECTION 8: 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 Interac Email Money Transfer, we will contact you with further instructions upon review of your completed questionnaire.

SECTION 9: 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 simply clicking on the "Submit by Email" button, fax, scan and email, or regular mail. Be sure to include a copy of your certificate of marriage and a copy of any separation agreement or court order.

To submit the Questionnaire by email simply click on the "Submit by Email" button and a box will pop up wanting you to select an option for saving the Questionnaire. Your options are desktop email application and Internet email. Once you have chosen click the "OK" button.

DESKTOP EMAIL APPLICATION – Choose this option if you currently use an email application such as Microsoft Outlook Express, Microsoft Outlook, Eudora, or Mail.

INTERNET EMAIL – Choose this option if you currently use an Internet email service such as Yahoo or Microsoft Hotmail. You will then need to save your form and return it manually to novascotia@untietheknot.ca using your Internet email service.

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 usually within two (2) business days.

THANK YOU

We take pride in the quality of our documents and the personal attention we give to each client. We are always available to answer your questions.

Untie The Knot Divorce Service Inc. fully guarantees the accuracy of our work. If any document is rejected due to any inaccuracies made by

Untie The Knot Divorce Service Inc., we will either correct the document or fully refund our fees. Please note, we cannot guarantee that a divorce will be granted based on the information you provide.

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