

Ontario 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 much easier for you and will eliminate the need for us to contact you with questions.

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 Spouses

Spouse 1

First Name: 201 _____

Middle Name(s): _____

Last Name: _____

Also Known As: 202 _____

Civic Address: 203 _____

Apt/Suite Number: _____

Apt Buzzer Code: _____

City/Town: _____

Province/State: _____

Country: _____

Postal/ZIP Code: _____

Mailing Address: 204 _____

Apt/Suite Number: _____

Apt Buzzer Code: _____

City/Town: _____

Province/State: _____

Country: _____

Postal/ZIP Code: _____

Phone Number: 205 _____

Alternative Phone Number: _____

Email Address: 206 _____

Month of Birth: 207 _____

Day of Birth: _____

Year of Birth: _____

Ontario Resident Since: 208 _____

Last Name Before Marriage: 209 _____

Last Name at Birth: 210 _____

Marital Status Before Marriage: 211

Never Married Divorced Widowed

If Previously Divorced, Date of Divorce:

Month: _____ Day: _____ Year: _____

If Previously Divorced, Place of Divorce:

City: _____ Province: _____ Country: _____

Spouse 2

First Name: 201 _____

Middle Name(s): _____

Last Name: _____

Also Known As: 202 _____

Civic Address: 203 _____

Apt/Suite Number: _____

Apt Buzzer Code: _____

City/Town: _____

Province/State: _____

Country: _____

Postal/ZIP Code: _____

Mailing Address: 204 _____

Apt/Suite Number: _____

Apt Buzzer Code: _____

City/Town: _____

Province/State: _____

Country: _____

Postal/ZIP Code: _____

Phone Number: 205 _____

Alternative Phone Number: _____

Email Address: 206 _____

Month of Birth: 207 _____

Day of Birth: _____

Year of Birth: _____

Ontario Resident Since: 208 _____

Last Name Before Marriage: 209 _____

Last Name at Birth: 210 _____

Marital Status Before Marriage: 211

Never Married Divorced Widowed

If Previously Divorced, Date of Divorce:

Month: _____ Day: _____ Year: _____

If Previously Divorced, Place of Divorce:

City: _____ Province: _____ Country: _____

Section 3 - Information About the Children (If Applicable)

Spouse 1

Name of Employer: 301 _____

Gross Annual Income: 302 _____

* 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

Name of Employer: 301 _____

Gross Annual Income: 302 _____

* 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: 303 _____

Middle Name(s): _____

Last Name: _____

Month of Birth: 304 _____

Day of Birth: _____

Year of Birth: _____

Resides With: 305 Spouse 1 Spouse 2 Both

Custody Type: 306 Spouse 1 Spouse 2 Both

Child 2

First Name: 303 _____

Middle Name(s): _____

Last Name: _____

Month of Birth: 304 _____

Day of Birth: _____

Year of Birth: _____

Resides With: 305 Spouse 1 Spouse 2 Both

Custody Type: 306 Spouse 1 Spouse 2 Both

Child 3

First Name: 303 _____

Middle Name(s): _____

Last Name: _____

Month of Birth: 304 _____

Day of Birth: _____

Year of Birth: _____

Resides With: 305 Spouse 1 Spouse 2 Both

Custody Type: 306 Spouse 1 Spouse 2 Both

Child 4

First Name: 303 _____

Middle Name(s): _____

Last Name: _____

Month of Birth: 304 _____

Day of Birth: _____

Year of Birth: _____

Resides With: 305 Spouse 1 Spouse 2 Both

Custody Type: 306 Spouse 1 Spouse 2 Both

Describe access arrangements: 307 _____

Amount of agreed upon child support being paid: 308 \$ _____ Child support paid by: 309 Spouse 1 Spouse 2

Section 4 - Type of Divorce

401

Joint Divorce

Simple Divorce

Section 5 - Information About the Marriage

Place of Marriage: 501 City/Town: _____ Province/State: _____ Country: _____

Date of Marriage: 502 Month: _____ Day: _____ Year: _____

Date you and your spouse commenced residing together: 503 Month: _____ Day: _____ Year: _____

Date of Separation: 504 Month: _____ Day: _____ Year: _____

After separation, did you resume residing together for a period of 90 days or more? 505 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? 506 Yes No

If yes, please provide a copy of the order that was granted.

Do you have a written agreement regarding the marriage? 507 Yes No

If yes, please provide the date of the agreement: Month: _____ Day: _____ Year: _____

Section 6 - Additional Comments

Attach additional sheet if required

Section 7 - Schedule of Fees

Platinum Divorce Service: (Our best, most popular and worry free service available)
\$597.00 plus H.S.T. (\$674.61) and court filing fees of \$447.00

Deliver Initial Documents to: 702	Spouse 1	Spouse 2	By:	Email	Mail	Courier
Deliver Final Documents to: 703	Spouse 1 only		By:	Email	Mail	Courier
	Spouse 2 only		By:	Email	Mail	Courier
	Separately to Spouse 1 & Spouse 2		By:	Email	Mail	Courier

You will be required to pay any notary fees directly. If proceeding with a sole divorce, additional process serving fees will apply.

Gold Divorce Service: (Our completed divorce document service)
\$247.00 plus H.S.T. (279.11)

Deliver Initial Documents to: 704	Spouse 1	Spouse 2	By:	Email	Mail	Courier
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You will be required to pay court filing fees, notary fees and, if proceeding with a sole divorce, all process serving fees will apply.

Section 8 - Checklist

- ✓ Completed Questionnaire;
- ✓ Photocopy of your Vital Statistics issued Marriage Certificate;
- ✓ Photocopy of any separation agreement or court order, if there are children of the marriage; and
- ✓ Payment Information

Section 9 - Payment Options



Telephone me for
credit card details

Money order or certified cheque
(sorry no personal cheques)



Name of Cardholder: _____

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

Platinum Divorce Service - \$674.61 is payable with the completed questionnaire. Remaining amount is billed as your divorce progresses.

Gold Divorce Service - \$279.11 is payable with the completed questionnaire.

Courier Fees - Add \$25.00 within Canada or \$40.00 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 email you with instructions if you choose Email Money Transfer.*

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, **Phone:** 1.866.828.9680
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 Ontario 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 Ontario 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 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 201: **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 202: **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 203: **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 204: **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 205: **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 206: **Email Address**
Please provide us with an email address at which you can be contacted.
- Line 207: **Date of Birth**
Please let us know your month, day and year of birth.
- Line 208: **Ontario Residence Since**
Please state the date, or approximate date, you became a resident of Ontario.

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

If you were born in Ontario but resided elsewhere for a period of time, or if you moved to Ontario from another place, state the date you returned or moved to Ontario.

If you do not reside in Ontario, state “not resident”

** It is important to note that the Divorce Act (Canada) requires that at least one spouse must have resided in Ontario for a minimum of one year prior to starting a divorce proceeding. That spouse must also maintain residency in Ontario throughout the divorce proceeding.*
- Line 209: **Last Name Before Marriage**
Please tell us what your surname was immediately prior to this marriage.
- Line 210: **Last Name At Birth**
Please tell us what your surname at birth was.
- Line 211: **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 3: 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 necessities 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 Ontario is 18 years.

Line 301: **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 302: **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 above.

Line 303: **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 304: **Date of Birth**

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

Line 305: **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 306: **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.”

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 307: **Describe Access Arrangements**

Please set out what the access arrangements are for the children of the marriage.

Line 308: **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 309: **Child support is paid by...**

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

SECTION 4: TYPE OF DIVORCE

Line 401: **What type of divorce do you wish to commence?**

The four main differences between a joint and simple divorce are time, cost, co-operation and agreement.

Time & Cost: Joint divorces tend to go a little quicker and are generally less expensive than simple divorces because there is no need for personal service (delivery) of documents and therefore, no waiting period following the service of documents. Also, there is no cost for serving the documents on your spouse.

Co-operation & Agreement: Joint divorces require the co-operation and agreement of both parties in all aspects throughout the entire process. Both parties are required to sign the documents as well as have affidavits notarized. In a simple divorce, only the Applicant signs the documents. They are served on the Defendant. There is no requirement for the other spouse to sign anything.

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 simple divorce 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 5: INFORMATION ABOUT THE MARRIAGE

Line 501: **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 502: **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 503: **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 504: **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 505: **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?

Line 506: **Have there been any court proceedings between you?**

If there have been court proceedings between you and your spouse and you do not know the details of your court proceeding, you can obtain this information from the lawyer that represented you or from the court registry where the order was entered.

Please provide our office with copies of all orders that were granted.

Line 507: **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.

SECTION 7: LIST OF FEES

We offer two document preparation packages for your convenience;

Platinum Divorce Service: our most popular option - by selecting this service, we will not only type your documents for you but we will also make arrangements for the two or more trips to the Court Registry to file your documents. If you are proceeding with a simple divorce, then we will also arrange to have the documents personally served on your spouse. We will manage your divorce proceeding from the beginning through its completion.

There are some additional third party fees payable. You will have one or more affidavits which will need to be signed in front of a lawyer, notary public or commissioner for taking affidavits. The average cost is approximately \$30.00 to \$50.00 per affidavit. If you are proceeding with a simple 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.

Line 701: **Initial Documents**

The initial documents in a joint divorce proceeding must be signed by both spouses, although you don't have to be in the same room when you sign them, nor do they have to be signed on the same day.

The initial documents in a simple divorce proceeding are signed only by the Applicant and will therefore be sent only to the applicant.

If you are proceeding with a joint divorce, please let us know to which spouse the initial documents are to be sent. Please also note that if you checked "no" at Line 103, we will automatically only send documents to the primary contact.

If you wish your documents to be sent to you by courier, please see below for the additional fees that will apply.

Line 702: **Final Documents**

The final documents in a joint divorce proceeding comprise of affidavit(s) for each of the spouses to have notarized.

The final documents in a simple divorce proceeding comprise of a(n) affidavit(s) which only the Applicant has notarized.

If you are proceeding with a joint divorce, please let us know to whom the final documents are to be sent.

If you wish your documents to be sent to you by courier, please see below for the additional fees that will apply.

Gold Divorce Service: 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 simple divorce, you will be responsible to arrange the service of the documents on your spouse. If you choose this option, 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 are \$447.00. You will have one or more affidavits which will need to be signed in front of a lawyer, notary public or commissioner for taking affidavits. The average cost is approximately \$30.00 to \$50.00 per affidavit. If you are proceeding with a simple 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.

Line 703: **Deliver Documents To**

Please let us know to whom and how you would like your documents delivered. If you wish your documents to be sent to you by courier, please see details in Section 9 for the additional fees that will apply.

WHAT HAPPENS NEXT?

Once we have received your questionnaire, we will review it to make sure that all of the 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 within two business days.

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

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 Canadian Divorce Services 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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