

Supreme Court of Nova Scotia  
(Family Division)

Between:

Applicant

and

Respondent

**Response to Variation Application**

**To:**

**The respondent requests an order or orders to be varied**

The respondent, \_\_\_\_\_, is applying to vary or change  
an order or orders which is permitted by the following:

section 17 of the *Divorce Act*

section 37 of the *Parenting and Support*

The changes would affect the following order or orders:

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The changes would affect the following child or children:

Child's Last Name	First and Middle Names	Date of Birth (d/m/y)

The requested changes are as a result of a change in circumstances which are described in the respondent's affidavit provided with this application.

The requested changes concern the following:

parenting / contact

decision-making responsibility/custody

parenting time [choose one]

primary care (time in excess of 60%)

shared parenting (time between 40-60%)

other

relocation of the child

preventing

authorizing

relocation of a parent

contact time or interaction

grandparent contact time or interaction

other

child support

table amount

special or extraordinary expenses

change in number of dependent children

retroactive variation

termination of child support

administrative recalculation of child support

other:

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spousal support

retroactive variation from \_\_\_\_\_ to \_\_\_\_\_

termination of spousal support

other:

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arrears of support:

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other:

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As part of the variation application, the respondent is applying:

under section 15 of the *Maintenance Enforcement Act* to address a dispute between the parties about the amount of arrears

under section 46(4) of the *Maintenance Enforcement Act* for relief from payment of arrears

The respondent requests that the changes take effect as of (date) \_\_\_\_\_  
and the respondent must present evidence in support of this date.

**Other relevant proceedings and orders**

The respondent confirms that:

There are, and there were, *no* other proceedings between the parties, or proceedings/ circumstances affecting the well-being or safety of the children/parties.

OR

There are, or there were, other proceedings between the parties or proceedings/circumstances affecting the well-being or safety of the children/parties, details of which are as follows:

Type of proceeding(s) & court file number:

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Order(s) or other measure:

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Circumstance(s):

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**Documents in support of application**

The respondent files the following documents in support of the response:

parenting statement

statement of contact time and interaction

statement of income

statement of special or extraordinary expenses

statement of undue hardship circumstances

statement of expenses

statement of property

pre-hearing brief

affidavit of \_\_\_\_\_  
which includes evidence establishing change in circumstances and  
evidence supporting the effective date

other affidavits and documents:

certified copy of each order that the applicant seeks to vary

A copy of each document is to be delivered to you with this notice.

**Designated address for service**

The respondent designates the following address for delivery of documents:

Documents delivered to this address will be considered to be received by the respondent on delivery.

**Signature & certificate of respondent**

By signing below, I confirm that this is my response and certify that I am aware of my duties, including:

1. I must exercise any decision-making responsibility or parenting time allotted to me, or contact time under a contact order, in a manner that is consistent with the best interests of the child/children;
2. To the best of my ability, I must protect the child/children of the marriage from conflict arising from this proceeding;
3. To the extent that it is appropriate to do so, I must try to resolve the issues in this proceeding through a family dispute resolution process;
4. I must provide complete, accurate and up-to-date information as required under law, as part of this proceeding and under a Court Order; and,
5. If I am subject to an order, I must follow and comply with the order until it is no longer in effect.

Signed \_\_\_\_\_

\_\_\_\_\_  
Signature of respondent  
Print name:

[complete additional signature if more than one respondent]

Signed \_\_\_\_\_

\_\_\_\_\_  
Signature of respondent  
Print name:

**Counsel’s certificate** [delete if not represented by counsel]

I, counsel for the respondent, certify that I have complied with the requirements of section 7.7 of the *Divorce Act*/section 54C(2) of the *Parenting and Support Act*.

\_\_\_\_\_  
Signature of counsel  
Print name:

For delivery with supporting documents to each applicant: