

## **Financial Documents for Family Court**

Judges must make decisions based only on the evidence (what you say in the witness box, documents, photographs, etc.) presented during a trial, so be sure to **bring ALL the documents that you want the judge to see with you to court on the day of your hearing or trial.**

As a general rule, when you are required to provide any documents to Court bring the **original documents plus three copies (FOUR sets in total)**. When you talk about the document during the trial or hearing you'll hand two copies to the court clerk (one to be marked as an Exhibit and one for the judge), keep one copy for yourself, and give one to the other party.

### **If your matter includes issues of child support or spousal support:**

You will likely need to fill out a financial statement using **Form 4**. You can obtain it from a Court Registry or online at: <http://www.ag.gov.bc.ca/courts/forms/pfa/pfa022.pdf>

Form 4 gives the Court details about your income and financial circumstances. Please note that the Form asks you to provide financial information for **each of the three most recent taxation years**. Be sure to include full copies of all of the attachments required by the Form.

The Legal Services Society has created a useful, step-by-step guide to filling out the form. Find it at: [http://www.familylaw.lss.bc.ca/guides/mini/howToFillFinanState\\_PC.php](http://www.familylaw.lss.bc.ca/guides/mini/howToFillFinanState_PC.php)

### **If you want to establish need or ability to pay:**

If you are trying to establish your financial situation in a matter where Form 4 is not required, or where additional information is needed, it may be helpful to give the Court the following types of documents:

#### Income:

- personal income tax returns for the last 3 years
- income statements
- T4 slips
- a list of all the expenses you deduct from your income for tax purposes if you are self-employed
- employment insurance benefit information
- Workers Compensation Benefit information
- Social Assistance benefit information
- any other statements or documents relating to income you receive

#### Expenses and Debt:

- proof of daily living expenses such as bill payments and bank statements
- mortgage statement or rental agreement or rent cheques or receipts

- credit card statements
- car payment and other loan statements
- proof of any other debt (such as student loan or line of credit statements)
- any court orders requiring you to pay (such as existing child support or spousal support orders)

## If you are required to attend a Family Maintenance Enforcement Program (FMEP) hearing because you are behind on child or spousal support payments:

The Legal Service Society offers a self-help guide to dealing with a committal hearing (where FMEP is asking a judge to jail you or make other court orders because you have not paid support). Find it online at:

<http://www.familylaw.lss.bc.ca/guides/mini/committalHearings/index.php>

You will need to provide a **Statement of Finances (Form 73)** to the Court if you are enrolled in the FMEP. You can get this from the Court Registry or online at:

<http://www.ag.gov.bc.ca/courts/forms/pfa/pfa073.pdf>

Note: If you are the person required to pay support and FMEP has asked for a Committal Hearing you may be able to get a legal aid lawyer to represent you in the hearing. To learn how to apply for legal aid see: [http://www.lss.bc.ca/legal\\_aid/howToApply.php](http://www.lss.bc.ca/legal_aid/howToApply.php)

## Other Useful Links:

Parenting after Separation Finances - A Handbook for Parents	<a href="http://pas-finances.familieschange.ca/sites/default/files/PAS-Finances-Handbook.pdf">http://pas-finances.familieschange.ca/sites/default/files/PAS-Finances-Handbook.pdf</a>
Child Support Estimator	<a href="http://www.justice.gc.ca/eng/fl-df/child-enfant/look-rech.asp">http://www.justice.gc.ca/eng/fl-df/child-enfant/look-rech.asp</a>
Legal Services Society Self Help Guides - Family Law	<a href="http://www.familylaw.lss.bc.ca/guides/">http://www.familylaw.lss.bc.ca/guides/</a>
Legal Services Society Family Law advice from Family Duty Counsel or Family LawLINE	<a href="http://www.lss.bc.ca/legal_aid/">http://www.lss.bc.ca/legal_aid/</a> under "Advice from" click on "get more information"