

Court File Number

.....
(Name of court)

Form 36A: Certificate of Clerk (Divorce)

at
Court office address

Applicant's last name **Respondent's last name**

If the appropriate box on the left cannot be checked, check the box on the right margin and describe the deficiency by that box. If the divorce application was filed electronically, write "N/A" in the blank spaces relating to the Continuing Record.

The clerk of the court certifies as follows:

Check if applicable and complete the rest of the certificate as if the divorce had been claimed by the applicant. Divorce claimed only by the respondent.

Deficiency

1. PRELIMINARY

- (a) Jurisdiction – Application filed in correct municipality 1(a)
 No answer filed
 Answer was withdrawn – Continuing record tab/page number
 Order dated, under subrule 12(6), splitting divorce from rest of the case – continuing record tab/page number
 Answer struck out by order dated 1(b)
 - Continuing record tab/page number
 Joint application – no respondent
- (b) Clearance certificate from Central Divorce Registry 2

2. PROOF OF SERVICE

- Affidavit of service
- Person's lawyer accepted service
- Joint application – no service necessary

3. METHOD OF SERVICE

- Left copy with person to be served
- Left copy with person's lawyer
- Mailed copy to person and received acknowledgement signed by person
- Left copy at person's residence with adult resident and mailed another copy
- Signed acknowledgement of service filed
- Other (specify.)
- Service took place in (province or country)
- Service was carried out on (date)

4. GROUNDS FOR DIVORCE

- Separation since (date), affidavit sworn more than one year after separation
- Adultery
- Cruelty

5. ONTARIO RESIDENCE

Application should indicate that at least one spouse must have been Ontario resident for at least a year.

- Applicant resident in Ontario since (date)
- Respondent resident in Ontario since (date)

6. CLAIMS

- Only claim for divorce
- Claim for child support [details in part 9 below]
- Claim for decision-making responsibility/parenting time – details in application
- Claim for spousal support – details in application
- Claim for property – details in application
- Claim to include provisions of consent, agreement or previous court order – details in application
- Costs

7.	PROOF OF MARRIAGE	<i>Deficiency</i>
	Marriage took place _____ in Canada _____ outside Canada	7
	Marriage certificate or registration of marriage filed – details agree with those in application	
	- Continuing record tab/page number _____	
	No certificate – details of marriage set out in affidavit – Continuing record	
	tab/page number _____	
	Previous divorce or death certificate filed – Continuing record tab/page number _____	
8.	AFFIDAVITS	8
	Applicant’s affidavit – Continuing record tab/page number _____	
	Respondent’s affidavit – Continuing record tab/page number _____	
	Affidavit of (<i>name</i>) _____	
	- Continuing record tab/page number _____	
	Affidavit complies with Form 36 and is properly completed – Continuing record tab/page	
	number _____	
9.	CHILDREN	9
	No children of the marriage _____ There are children of the marriage	
	Child support guidelines information supplied – Continuing record	
	tab/page number _____	
	Payor’s income _____ table amount	
	recipient’s income <i>[REQUIRED for special expenses (add-ons), split and shared parenting time,</i>	
	<i>payor is stepparent, child over 18, payor’s income more than \$150,000, claim of undue hardship]</i>	
	details of special expenses (add-ons)	
	agreement/consent with explanation for claim less than table amount	
10.	DRAFT ORDER	10
	The following material has been filed:	
	Draft Order - no support claimed.	
	3 copies – filed in paper format _____ Filed electronically	
	Draft order and draft support deduction order – support claimed	
	4 copies of draft order + 2 copies of draft support deduction order – filed in paper format	
	Filed electronically	
	Service of order on parties	
	Stamped envelope for each party – application filed in paper format	
	Email address of at least one party – application filed electronically	
	Address for service of order on respondent is same as	
	on application _____ on documents filed by respondent _____ in applicant’s affidavit	
	Draft order in same terms as application	
	Draft order in same terms as consent, minutes of settlement, or agreement filed	
	- Continuing record tab/page number _____	
	Request for early effective date for divorce; agreements and undertakings filed not to appeal	
	- Continuing record tab/page number _____	
11.	NOTICE TO APPLICANT	11
	Applicant notified of deficiencies but requests to submit papers to judge despite them.	

Date of signature

Signature of clerk of the court