

FORM C
[Clause 4(c)]
IN THE PROVINCIAL COURT
OF SASKATCHEWAN

BETWEEN:

CLAIMANT

AND

RESPONDENT

Answer/Counterclaim

1. I/We ask this Honourable Court for the following relief: *(leave blank any parts of this form that are not applicable to your claim)*

_____ An Order for maintenance for a child or a person mentioned in section 4 of *The Family Maintenance Act, 1997* in accordance with the table;

_____ An Order for special or extraordinary expenses, as described in the *Child Support Guidelines*, for a child or a person mentioned in section 4 of *The Family Maintenance Act, 1997* respecting the following expenses and in the following amounts: _____ ;

_____ An Order for maintenance for a child or a person mentioned in section 4 of *The Family Maintenance Act, 1997* not in accordance with the table, in the amount of \$_____ per _____ (*week, month, etc., either for an indefinite or limited period, or until a specified event occurs, or a lump sum*) because:

_____ maintenance is sought for a son or daughter over the age of 18 years and the amount in accordance with the table would be inappropriate;

_____ an order for child maintenance in an amount in accordance with the table would cause undue hardship, as described in the *Child Support Guidelines*;

_____ an order for child maintenance in an amount in accordance with the table would be inequitable given special provisions that have been made for the benefit of the child;

_____ the respondent/claimant exercises a right of access to, or has physical custody of, the child/person for not less than 40% of the time over the course of a year;

_____ the income of the claimant is less than the minimum income incorporated in the table;

_____ other: (*Specify*) _____ ;

_____ An Order imputing income to the respondent in accordance with section 19 of the *Child Support Guidelines*, in the following amount and for the following reasons: _____

_____ An Order for spousal maintenance in the amount of \$_____ per _____ (*week, month, etc., either for an indefinite or limited period, or until a specified event occurs, or a lump sum*);

_____ An order that maintenance be paid for a specified period before the date of the order as follows:

Amount	Name of Dependant	Time Period
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____
\$ _____ per _____	_____	_____

_____ An order that the claimant designate his or her dependant, _____, as beneficiary of the claimant's life insurance policy either:

_____ irrevocably; or

_____ until _____, (*a specific date*)

and that the claimant pay all premiums on that life insurance policy;

_____ An order that the claimant, who has an interest in a pension plan or other benefit plan, designate his or her dependant, _____, as a beneficiary under the plan: _____ (*describe plan*)

_____ Where this counterclaim requests maintenance for a child, an order that the father pay in addition:

_____ (a) expenses of the mother of the child with respect to prenatal care and birth of the child, in the amount of \$ _____ ;

_____ (b) maintenance for the mother of the child in the amount of \$ _____ per _____ for _____ ;
(a period not exceeding three months immediately preceding the birth of the child)

_____ (c) maintenance for the mother of the child in the amount of \$ _____ per _____ for _____ ;
(period after the birth of the child, not exceeding six months)

_____ Costs of the counterclaim;

_____ That payment pursuant to the order be secured as follows: _____
_____ .

2. The Financial Statement of the respondent is attached to this Answer/Counterclaim.

(A Financial Statement need not be filed if maintenance is sought only for a spouse and the parties consent to waive this requirement, in which case the Waiver of Financial Statements must be signed by you and your spouse and filed with the court. If an application is made for maintenance pursuant to section 3 or 4 of The Family Maintenance Act, 1997, the Child Support Guidelines require the following information to be filed:

Part I of the Financial Statement: by the respondent on all applications; by the claimant on all applications where the claimant's income information is required by the court.

Parts II and III of the Financial Statements: by the claimant and respondent in all applications where undue hardship or other exceptions to the table are claimed.)

3. *(Set out in separate, consecutively numbered paragraphs a statement of the material facts relied on for contesting the Application or for making the Counterclaim.)*

(Signature of Respondent or Respondent's Lawyer)

STATEMENT OF LAWYER

I, _____, lawyer for the respondent, _____,
(name of lawyer) (name of respondent)

certify to this Court that I have complied with the requirements of subsection 16(1) of *The Family Maintenance Act, 1997* with respect to mediation. (Where the circumstances of the case are of such a nature that it would clearly not be appropriate to so comply, set out the circumstances.)

Dated at _____ this _____ day of _____, ____ .

(Signature of Lawyer)

This document was delivered by _____, _____,
(firm name) (business address)

and the address for service is:

Lawyer in charge of file:

Telephone:

(Or, where respondent is not represented by a lawyer:)

This document was delivered by _____ of _____,
(respondent) (business or residence address)

(telephone number)

and the address for service is: