

# 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](http://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.

When completed please print the Questionnaire and return by mail or fax to 1-866-239-7495. If you prefer to return the completed Questionnaire by email please click on the "submit by email" button located at the top right of the first page.

**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. *Ontario*

### 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 Marriage

Place of Marriage: 201 City/Town: \_\_\_\_\_ Province/State: \_\_\_\_\_ Country: \_\_\_\_\_

Date of Marriage: 202 Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

Date you and your spouse commenced residing together: 203 Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

Date of Separation: 204 Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

After separation, did you resume residing together for a period of 90 days or more? 205 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? 206 Yes No

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

Do you have a written agreement regarding the marriage?: 207 Yes No

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

### Section 3 - Information About the Spouses

#### Spouse 1

First Name: 301 \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

Also Known as: 302 \_\_\_\_\_

Civic Address: 303 \_\_\_\_\_

Apt./Suite Number: \_\_\_\_\_

Apt. Buzzer Code: \_\_\_\_\_

City/Town: \_\_\_\_\_

Province/State: \_\_\_\_\_

Country (if other than Canada or U.S.A.): \_\_\_\_\_

Postal/Zip Code: \_\_\_\_\_

Mailing Address: 304 \_\_\_\_\_

Apt./Suite Number: \_\_\_\_\_

Apt. Buzzer Code: \_\_\_\_\_

City/Town: \_\_\_\_\_

#### Spouse 2

First Name: 301 \_\_\_\_\_

Middle Name(s): \_\_\_\_\_

Last Name: \_\_\_\_\_

Also Known as: 302 \_\_\_\_\_

Civic Address: 303 \_\_\_\_\_

Apt./Suite Number: \_\_\_\_\_

Apt. Buzzer Code: \_\_\_\_\_

City/Town: \_\_\_\_\_

Province/State: \_\_\_\_\_

Country (if other than Canada or U.S.A.): \_\_\_\_\_

Postal/Zip Code: \_\_\_\_\_

Mailing Address: 304 \_\_\_\_\_

Apt./Suite Number: \_\_\_\_\_

Apt. Buzzer Code: \_\_\_\_\_

City/Town: \_\_\_\_\_

## Section 3 - Information About the Spouses - Continued

Province/State: \_\_\_\_\_  
 Country (if other than Canada or U.S.A.): \_\_\_\_\_  
 Postal/Zip Code: \_\_\_\_\_  
 Phone Number: 305 \_\_\_\_\_  
 Alternate Phone Number: \_\_\_\_\_  
 Email Address: 306 \_\_\_\_\_  
 Month of Birth: 307 \_\_\_\_\_  
 Day of Birth: \_\_\_\_\_  
 Year of Birth: \_\_\_\_\_  
 City/Town of Birth: 308 \_\_\_\_\_  
 Province/State of Birth: \_\_\_\_\_  
 Country of Birth: \_\_\_\_\_  
 Ontario Resident Since: 309 \_\_\_\_\_  
 Last Name Before Marriage: 310 \_\_\_\_\_  
 Last Name at Birth: 311 \_\_\_\_\_  
 Marital Status Before Marriage: 312  
     Never Married      Divorced      Widowed  
 If Previously Divorced, Date of Divorce:  
     Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_  
 If Previously Divorced, Place of Divorce:  
     City/Town : \_\_\_\_\_  
     Province/State: \_\_\_\_\_  
     Country: \_\_\_\_\_

Province/State: \_\_\_\_\_  
 Country (if other than Canada or U.S.A.): \_\_\_\_\_  
 Postal/Zip Code: \_\_\_\_\_  
 Phone Number: 305 \_\_\_\_\_  
 Alternate Phone Number: \_\_\_\_\_  
 Email Address: 306 \_\_\_\_\_  
 Month of Birth: 307 \_\_\_\_\_  
 Day of Birth: \_\_\_\_\_  
 Year of Birth: \_\_\_\_\_  
 City/Town of Birth: 308 \_\_\_\_\_  
 Province/State of Birth: \_\_\_\_\_  
 Country of Birth: \_\_\_\_\_  
 Ontario Resident Since: 309 \_\_\_\_\_  
 Last Name Before Marriage: 310 \_\_\_\_\_  
 Last Name at Birth: 311 \_\_\_\_\_  
 Marital Status Before Marriage: 312  
     Never Married      Divorced      Widowed  
 If Previously Divorced, Date of Divorce:  
     Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_  
 If Previously Divorced, Place of Divorce:  
     City/Town : \_\_\_\_\_  
     Province/State: \_\_\_\_\_  
     Country: \_\_\_\_\_

## Section 4 - Information About the Children (if applicable)

**Spouse 1**

Name of Employer: 401 \_\_\_\_\_  
 Gross Annual Income: 402 \_\_\_\_\_

**Child 1**

First Name: 403 \_\_\_\_\_  
 Middle Name(s): \_\_\_\_\_  
 Last Name: \_\_\_\_\_  
 Month of Birth: 404 \_\_\_\_\_  
 Day of Birth: \_\_\_\_\_  
 Year of Birth: \_\_\_\_\_

Resides With: 405

Spouse 1      Spouse 2      Both

**Spouse 2**

Name of Employer: 401 \_\_\_\_\_  
 Gross Annual Income: 402 \_\_\_\_\_

**Child 2**

First Name: 403 \_\_\_\_\_  
 Middle Name(s): \_\_\_\_\_  
 Last Name: \_\_\_\_\_  
 Month of Birth: 404 \_\_\_\_\_  
 Day of Birth: \_\_\_\_\_  
 Year of Birth: \_\_\_\_\_

Resides With: 405

Spouse 1      Spouse 2      Both







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 MARRIAGE

### Line 201: 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 202: 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 203: 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 204: 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 205: 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 206: 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 207: 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 3: 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 301: 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 302: 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 303: 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 304: 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 305: 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 306: Email Address**

Please provide us with an email address at which you can be contacted.

**Line 307: Date of Birth**

Please let us know your month, day and year of birth.

**Line 308: Place of Birth**

Please let us know the City, Province/State and Country where you were born

**Line 309: Ontario Resident 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 310: Last Name Before Marriage**

Please tell us what your surname was immediately prior to this marriage.

**Line 311: Last Name at Birth**

Please tell us what your surname at birth was.

**Line 312: 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 4: 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](http://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.

Regarding Step-parents...

*For the purposes of the definition "child of the marriage" in subsection (1), a child of two spouses or former spouses includes:*

*(a) any child for whom they both stand in the place of parents; and*

*(b) any child of whom one is the parent and for whom the other stands in the place of a parent.*

**Line 401: 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 402: 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.

Please insert your gross annual income here.

**Line 403: 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 404: Date of Birth**

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

**Line 405: 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 406: 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."*

*Custody can also be described in other terms but sole custody and joint custody are the terms used most often.*

*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 407: Describe access arrangements**

Please set out what the access arrangements are for the children of the marriage. Ensure that the information you provide here is as detailed as possible, keeping in mind that your exact words will be used in your documents.

Please do not simply refer us to the terms of a separation agreement or court order. You must be specific here.

**Line 408: 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 409: Child support is paid by...**

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

**SECTION 5: TYPE OF DIVORCE**

**Line 501: 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 6: ADDITIONAL NOTES**

Please use this section to tell us anything that may not be covered in any of the previous sections, but that may be relevant to your divorce proceeding.

**SECTION 7: SCHEDULE OF FEES**

**Divorce Documents Package** – 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.

**Other Fees**

Should you have any questions regarding any of our fees, please free to contact us.

**Line 701: 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 below for the additional fees that will apply.

**SECTION 8: PAYMENT OPTIONS**

Please indicate your preferred method of payment.

If paying by Visa, MasterCard or American Express, we will require all information requested below to be completed. The security code, or CVV code, is also required. CVV stands for Credit Card Verification Value. The CVV is a 3 or 4 digit code embossed or imprinted on the signature panel on the reverse side of Visa, MasterCard and Discover cards and on the front of American Express cards. This code is used as an extra security measure to ensure that you have access and/or physical possession of the credit card itself.

If you wish to pay using the PayPal service, you must provide us with an email address (see Line 306). Upon review of your completed questionnaire, we will email you an invoice which you can then pay directly using PayPal.

If you wish to pay by Interac Email Money Transfer, we will contact you with further instructions upon review of your completed questionnaire.

#### **SECTION 9: HOW DID YOU HEAR ABOUT US?**

Your input helps us to share this valuable service with others. Please let us know how you heard about us by checking the appropriate box.

#### **YOU'RE DONE!**

Please return your completed questionnaire to our office by mail, fax, or email. Be sure to include a copy of your certificate of marriage and a copy of any separation agreement or court order.

Do not return this guide with the questionnaire. Keep it as a reference for yourself, or recycle it.

#### **WHAT HAPPENS NEXT?**

Once we have received your questionnaire, we will review it to make sure that all 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.

#### **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 Untie The Knot Divorce Service 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.

#### **Untie the Knot Divorce Service**

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