

**MAKING A SUPPORT OR SUPPORT VARIATION APPLICATION OUTSIDE MANITOBA
- CHOOSING WHICH FORMS TO USE -**

Introduction

Manitoba has reciprocal agreements with all the Canadian provinces and territories, and with several foreign countries. These are 'reciprocating jurisdictions'. This means that Manitoba and each of the 'reciprocating jurisdictions' have agreed to recognize each other's family support (maintenance) laws.

The Manitoba law about reciprocity is *The Inter-jurisdictional Support Orders Act*, which is called 'ISO' as a short form. Each of the reciprocating jurisdictions has similar ISO laws.

Using ISO, you can apply for a support order in one of the reciprocating jurisdictions without having to go there. You can also apply to change an existing support order. A person in one of the reciprocating jurisdictions can do the same thing. The person making the application does not usually have to go to court – the respondent (the person in the reciprocating jurisdiction) goes to court to *respond* to the application.

There are several forms available for applications using the ISO laws. Not all of the forms are needed for every application. By answering a few questions, you can pick the forms that you need.

1. **Where does the other person (the respondent) live?** _____

2. **Is this a 'reciprocating jurisdiction'?**

Look at the list in the box below. If the respondent lives in one of the reciprocating jurisdictions, go on to the next question. If your answer is 'no', you cannot use ISO laws.

Reciprocating Jurisdictions (see the <i>Inter-jurisdictional Support Orders Regulation</i> for the official list of Reciprocating Jurisdictions and included territories)	
<p>In Canada All Canadian Provinces and Territories</p> <p>In the United States of America All US States, the District of Columbia, Puerto Rico, Guam, American Samoa, and the US Virgin Islands</p> <p>In the United Kingdom England, Scotland, Northern Ireland, Wales Guernsey, Alderney and Sark; Jersey; Isle of Man</p> <p>In Europe Austria Czech Republic Germany Malta Norway Poland Slovak Republic Switzerland</p>	<p>In Africa Ghana South Africa Zimbabwe</p> <p>In Asia Hong Kong Singapore</p> <p>Others Australia New Zealand Fiji Papua New Guinea Barbados</p>
<p>Note: Many places outside of Canada require special forms for applications. These special forms are <i>not</i> available on the Manitoba Justice web site. If your application is to another country, including the US, contact the Designated Authority in Manitoba: In Winnipeg 945-0268/Toll Free outside Winnipeg, in Manitoba 1-800-282-8069 (Ext. 0268)</p>	

3. **What are you applying for?** Which of these statements applies to you?

- I want to get an order for support for children, and/or myself. I *do not* have an order or written agreement which deals with support. Fill out Section **A** on the other side of this page.
- I want to change an order or agreement that deals with support for children and/or myself. I am the person who **receives** support in the order or agreement I have now. Fill out Section **B** on the other side of this page.
- I want to change or cancel the support in an order or agreement I have now. I am the person who is required to **pay** support in the order of agreement I have now. Fill out Section **C** on the other side of this page.
- I want to change or cancel the support in my Divorce order. (*If this statement applies to you, you cannot use ISO laws for your application. The Divorce Act is a federal law and it has its own rules. Please get legal advice on how to change or cancel the support in your Divorce order.*)

Section A

Support Application – if you do not have a support order now	✓if yes	Use Form(s)
I am applying for a support order		A and B
I am asking for support for 1 or more children under age 18		E
I am asking for support for 1 or more children age 18 or older, or		G, K and L
- the other parent and I have split custody of the children, or		G and K
- the other parent and I have shared custody of a child, or		G and K
- I am asking for a different amount than in the child support guidelines tables, or		G and K
- I believe the respondent makes more than \$150,000 per year		G
I am asking for additional child support, to cover special expenses		H and K
I am asking that the respondent (the other person) be declared a parent of a child or children (separate form required for each child)		C
I believe the respondent may say he/she is not the parent of a child or children (separate form required for each child)		D
I want the court to make an order even if the respondent does not come to court, or give financial information (recommended)		F
I am asking for support for myself		J and K

Section B

Support Variation Application – if you receive support	✓if yes	Use Form(s)
I am applying to change a support order I have now		A, B, M
I want to change the amount of child support for 1 or more children under age 18		E, F
I want child support for 1 or more children age 18 or older		G, K, and L
I am asking that the amount of support change because: - the respondent and I have split, or shared, custody, or - the child support guidelines table amount would cause hardship, or - I believe the respondent makes more than \$150,000 per year		G and K
I want to change, or add, an amount for special expenses		H and K
I want to change the amount of support for myself		F, J, and K

Section C

Support Variation Application – if you pay support	✓if yes	Use Form(s)
I am applying to change or cancel a support order I have now		A, B, K, M
I want the court to make an order even if the respondent does not come to court, or give financial information (recommended)		F
I want to change, or end, support for a child age 18 or older		I
I am asking that the amount of support change. - the respondent and I have split, or shared, custody, or - the child support guidelines table amount would cause hardship.		I

You have now identified that you can use the ISO process and which forms you need to make your application to a court in a 'reciprocating jurisdiction'. Each of the forms has a matching FormSupport guide which will help you fill in the forms. There are two ways to get the forms and guides:

1. Go to the Manitoba Justice web site at <http://www.gov.mb.ca/justice/family/iso/index.html> and print the forms and guides you need.
2. For paper copy contact **Statutory Publications Office** 200 Vaughan Street, Winnipeg MB R3C 1T5 Telephone: 204-945-3101 in Winnipeg or toll free outside Winnipeg (in Manitoba) at 1-800-321-1203 Fax: 204-945-7172 or E-mail: statpub@gov.mb.ca Statutory Publications Office will charge a fee for each Form and Guide.

If you want the Forms and Guides mailed to you, fax or mail this request to Statutory Publications Office. They will contact you to tell you the amount of the fee and required method of payment.

Your name:
Your mailing address:
Postal code:
Your daytime telephone number: ()