

UNDERSTANDING A PLEADING

1. HEADING

Shows the **district** (region) and **court** where the file was opened.

2. IDENTIFICATION OF THE "PARTIES"

- › Name, address, district and role of each spouse.
- › The lowercase "v." means "versus."

3. TITLE

- › Each type of document filed in court has a different name.
- › It gives a general idea of what the document is about.

4. STATEMENTS

- › This section has all the information supporting what the applicant is asking for.
- › These are also called the "**allegations**" or "alleged facts."

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL
NO:

SUPERIOR COURT
FAMILY DIVISION

Claudia Sbarra, residing at 1234 Sunshine Street, Montreal, H2X 1N1, judicial district of Montreal,

Applicant

v.

Sue Brown, residing at 6789 Moonbeam Avenue, Montreal, H2Y 9W9, judicial district of Montreal,

Defendant

Divorce Application

It is declared that:

Matrimonial Status

1.

- › The paragraphs are numbered to make the document easy to follow.

- › One paragraph = One statement = One idea

2.

3.

4.

5.

- › The paragraphs are grouped into sections.
- › Each section deals with a different subject.

Residence of the Spouses

6.

7.

Parenting Time and Child Support

8. The parties do not have an agreement on corollary measures regarding the children. The applicant is requesting parenting time with the children from Monday to Friday and child support for these reasons :
 1. The applicant is in the better position to care for the two minor children, Omar Brown, 8, and Rima Brown, 4.
 2. To meet the needs of the two children, Omar and Rima, the applicant needs support payments based on the child support determination rules.

The court can only decide on things you ask for in the conclusions.

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For example, in order for the applicant to get what she wants she must do the following:

› In her statements (above), **explain why** the court must give her parenting time from Monday to Friday and award child support.

AND

› In her conclusions (below), **officially ask** the court to GRANT her parenting time with the children Omar and Rima from Monday to Friday, and to ORDER the defendant to make support payments based on the rules that apply in her situation.

CONCLUSIONS

The Applicant therefore asks the court to

PRONOUNCE the divorce of the parties;

(...)

GRANT to the applicant parenting time with the children Omar and Rima from Monday to Friday;

ORDER the defendant to make support payments in accordance with the *Act to facilitate the payment of support*;

(...)

Without costs.

5. CONCLUSIONS

- › This is a **list of decisions** the applicant wants the court to make.
- › Each conclusion must **begin with a verb** and provide enough **detail** for the court to make a decision.
- › The conclusions are not numbered.

Applicant's signature

Signed at on

6. SIGNATURE, PLACE AND DATE