

Family Law Committee
Sample Clauses for ancillary relief for Form 21

***Select amend and adapt the appropriate sample clause**

4.* I ask the Court to grant a decree dissolving my marriage with the Respondent on the grounds stated in my petition.

I ask the Court to make an order that there be no order as to costs for this suit, save that my own costs be taxed in accordance with the Legal Aid Regulations.

or

4.* I ask the Court to grant a decree dissolving my marriage with the Respondent on the grounds stated in my petition and to make the following orders in relation to my application for ancillary relief and costs:-

(a) the Respondent to pay me nominal maintenance at the rate of \$1.00 per annum, the first payment upon the making of the Decree Absolute, as I have been relying on Comprehensive Social Security Assistance to support myself and the *child(ren) since [insert date]; and

(b) custody of the children of the family namely [insert name(s)]*, be granted to me with reasonable access to the Respondent;

(c) there be no order as to costs save that my own costs be taxed in accordance with the Legal Aid Regulations.

or

4.* I ask the Court to grant a decree dissolving my marriage with the Respondent on the grounds stated in my petition and to make the following orders in relation to my

application for ancillary relief and costs:-

- (a) custody of the children of the family namely [insert name(s)]*, who are living with me in the former matrimonial home at [insert address], be granted to me with reasonable access to the Respondent;
- (b) the Respondent to pay me periodical payments in the sum of \$* per month for the maintenance of the children of the family (being \$* per child) commencing on the [insert date] * and thereafter, in respect of each child, payable on the 1st day of each and every succeeding month until such child attains the age of 18 or finish(es) his/her full time education, whichever is the later or until further order of the Court, the said payments be paid into my saving account no. [insert account number] * with the * Bank;
- (c) order the Respondent to pay me the costs of and incidental to this suit assessed and fixed in the sum of \$*. I ask the Court to grant an order that my own costs be taxed in accordance with the Legal Aid Regulations.
- (d) [there be no order as to costs save that my own costs be taxed in accordance with the Legal Aid Regulations].

Orders involving substituted service

5. The children now live with me at the former matrimonial home, at the address stated above. The Respondent has not returned home since [insert date]*. His present whereabouts are unknown to me. I ask the Court to refer to the facts deposed to in my affidavit/affirmation filed on [insert date] * in support of my application for an order for substituted service.

6. I am a full-time housewife. I have been relying on Comprehensive Social Security Assistance to support myself and the child(ren) since [insert date *.]

7. Since the Respondent cannot be located, I ask the Court to grant me the following orders in relation to my application for custody and maintenance:

- (a). Custody of the child(ren) of the family, namely: [insert name(s)]
be granted to me with reasonable access to the Respondent,
- (b). The Respondent do pay me nominal periodical payments at the rate of \$1.00 per annum, first payment upon the making of the Decree Absolute.
- (c). [There be no order as to costs save that my own costs be taxed in accordance with the Legal Aid Regulations].

8. **Automatic Directions to be dispensed with**

Where automatic directions are not required because for example affidavits/affirmations have already been filed, there should be an application that "further directions be dispensed with" otherwise "automatic directions" will be ordered which will result in delay to the case.

9. **No agreement on ancillary matters**

If there is no agreement on ancillary matters, there should be an application to "adjourn the matter to Chambers with a request for the usual directions".