

SUPREME COURT OF YUKON

Between

Plaintiff

and

Defendant

NOTICE TO FILE A FINANCIAL STATEMENT

To [*party's name*]

You are required to complete and deliver to the (plaintiff/defendant) or to the lawyer for the (plaintiff/ defendant) the following documents: [check applicable boxes]

- Part 1 (Income) of the Financial Statement along with copies of applicable income documents.
- Part 2 (Expenses) of the Financial Statement.
- Part 3 (Property) of the Financial Statement along with a copy of the most recent assessment notice issued from an assessment authority for any real property that you own or have an interest in.
- Part 4 (Special or Extraordinary Expenses) of the Financial Statement
- Part 5 (Undue Hardship) of the Financial Statement.
- Part 6 (Income of Other Persons In Household) of the Financial Statement.

Unless the court orders otherwise, you must deliver the requested documents

- (a) within 30 days after receiving this notice if you reside in Canada or the United States, or
- (b) within 60 days after receiving this notice if you reside elsewhere.

[If child support is claimed, include the following]

TAKE NOTICE THAT a child support order is being sought. Therefore, if you do not comply with this Notice, the court may impute income to you and may determine the amount of support that will be payable under that Order on the basis of that imputed income.

[If child support is claimed, include the following if desired]

TAKE NOTICE THAT if you do not comply with this Notice, the (plaintiff/defendant) intends to ask the court to impute income to you of \$ _____ annually for the purpose of determining child support.

Dated _____

Party [or party's lawyer]

Applicable Income Documents

For the purposes of this form, a person's "applicable income documents" are:

- (a) a copy of every personal income tax return filed by the person for each of the 3 most recent taxation years,
- (b) a copy of every notice of income tax assessment or reassessment issued to the person for each of the 3 most recent taxation years,
- (c) if the person is receiving Employment Insurance benefits, a copy of the 3 most recent Employment Insurance benefit statements,
- (d) if the person is receiving Workers' Compensation benefits, a copy of the 3 most recent Workers' Compensation benefit statements,
- (e) if the person is receiving social assistance, current documentary evidence of the social assistance that is being received by that person,
- (f) if the person owns or has an interest in real property, a copy of the most recent assessment notice issued from an assessment authority for the property;
- (g) if the person is an employee,
 - (i) the most recent statement of earnings indicating the total earnings paid to the person in the year to date, including overtime, or
 - (ii) if that statement is not provided by the employer, a letter from the person's employer setting out the information referred to in subparagraph (i) and including the person's rate of annual salary or remuneration,
- (h) if the person is self-employed, the following information for the 3 most recent taxation years:
 - (i) the financial statements of the person's business or professional practice, other than a partnership; and

- (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the person does not deal at arm's length,
- (i) if the person is a partner in a partnership, confirmation of the person's income and draw from, and capital in, the partnership for each of its 3 most recent taxation years,
- (j) if the person controls a corporation, the following information for the corporation's 3 most recent taxation years:
 - (i) the financial statements of the corporation and its subsidiaries; and
 - (ii) a statement showing a breakdown of all salaries, wages, management fees or other payments or benefits paid to, or on behalf of, persons or corporations with whom the corporation and every related corporation does not deal at arm's length, and
- (k) if the person is a beneficiary under a trust, a copy of the trust settlement agreement and copies of the trust's 3 most recent financial statements.