

[name of applicant] \_\_\_\_\_ # \_\_\_\_  
[date affidavit is sworn] \_\_\_\_\_

Form 97 (Rule 63 (30)(d) )          S.C. No. \_\_\_\_\_

## SUPREME COURT OF YUKON

Between

Plaintiff

and

Defendant

### AFFIDAVIT FOR DIVORCE ORDER

I, [name in full] \_\_\_\_\_, of [address] \_\_\_\_\_  
MAKE OATH (OR SOLEMNLY AFFIRM) AND SAY THAT:

1. I am the plaintiff [*or defendant*] and as such have direct knowledge of the information deposed to in this affidavit, except where stated to be on information and belief, which I believe to be true.
2. There is no possibility of reconciliation between my spouse and me.
3. I verily believe that the facts alleged in the Statement of Claim [*or Counterclaim*] are true.
4. The certificate or the registration of marriage filed in this family law proceeding fully and correctly describes the true particulars of my marriage.

OR

It is impossible to obtain a certificate or a registration of marriage because [*set out reasons*]:

5. (a) [*To be used if the grounds for divorce are separation for more than one year.*]

I was living separate and apart from the defendant spouse [*or plaintiff spouse*] at the commencement of this family law proceeding, and I have lived separate and apart from the defendant spouse [*or plaintiff spouse*] since [date] \_\_\_\_\_, except: \_\_\_\_\_.

(b) *[To be used if the grounds for divorce are the adultery of a spouse.]*  
The defendant spouse *[or plaintiff spouse]* has admitted to me that he/she committed the acts of adultery alleged in the Statement of Claim *[or counterclaim]* and as corroboration I will refer to the affidavit(s) of \_\_\_\_\_ duly sworn and filed in this family law proceeding *[or, I refer to the transcript of the Examination for Discovery of \_\_\_\_\_ marked Exhibit "A"]* *[or, I refer to the interrogatories of, etc.]* *[or, I refer to the depositions of, etc.].*

OR

I have no personal knowledge of the acts of adultery alleged in the Statement of Claim *[or counterclaim]* and in proof of the adultery committed by the defendant spouse *[or plaintiff spouse]* I refer to the affidavits of \_\_\_\_\_ and \_\_\_\_\_ duly sworn and filed in this proceeding *[or, I refer to the transcript of the Examination for Discovery of \_\_\_\_\_ marked Exhibit "A"]* *[or, I refer to the depositions of, etc.].*

(c) *[To be used if the grounds for divorce are physical or mental cruelty of a spouse.]*

The facts alleged in the Statement of Claim *[or counterclaim]* as particulars of the physical or mental cruelty with which I have been treated since the celebration of the marriage are true; and *[particularize any other evidence relied on]* \_\_\_\_\_.

6. (a) I am neither directly nor indirectly a party to an agreement or conspiracy for the purpose of subverting the administration of justice, or to any agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the court.

(b) *[To be used if the grounds for divorce are the adultery or physical or mental cruelty of a spouse.]*

I have not condoned the conduct of my spouse that is alleged as the grounds for divorce in that I have not forgiven my spouse for that conduct, nor have I encouraged or acquiesced in that conduct.

7. There are no children of the marriage as defined by the *Divorce Act* (Canada).

OR

The following are the children of the marriage:

Name	Age	Birth Date
_____	_____	_____
_____	_____	_____

8. [To be completed if there are children of the marriage.]

- (a) I have filed a Child Support Affidavit, and
- (b) the following arrangements have been made for custody of and access to the children: [provide particulars] \_\_\_\_\_.

SWORN (OR AFFIRMED) before  
me at \_\_\_\_\_, in  
\_\_\_\_\_ on this  
\_\_\_ day of \_\_\_\_\_, 20 \_\_\_

\_\_\_\_\_  
A Notary Public in and for the  
Yukon Territory

\_\_\_\_\_  
Signature