

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 (Family Law – Divorce) *[or Counterclaim (Family Law – Divorce and Common Law)]* 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 they committed the acts of adultery alleged in the Statement of Claim (Family Law – Divorce) or Counterclaim (Family Law – Divorce and Common Law) 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 (Family Law – Divorce) or Counterclaim (Family Law – Divorce and Common Law) 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 (Family Law – Divorce) or Counterclaim (Family Law – Divorce and Common Law) 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 [<i>first/middle/last</i>]	Age	Birthdate [<i>month/day/year</i>]
[<i>add more as needed</i>]		

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

I have filed a Child Support Affidavit in Form 98, or Agreement as to Annual Income and Amount of Child Support in Form 96 and

the following arrangements have been made for decision making responsibility and parenting time: [*provide particulars*]

 _____; **and/or**

I have filed a Separation Agreement.

Sworn/Affirmed before me at _____
 _____, in Yukon,
 on this ___ day of _____, 20 ___

 A Notary Public In and For the Yukon

 Signature [*Party*]

Notary's Name: _____
 Office (position): _____
 Expiry date: _____