|  |
| --- |
| ONTARIO |
|       |  | Court File Number**FC-** |
| (Name of court) |  | Notice of Approaching Dismissal Scheduling Court Form |
| **at** |       |  |  |
|  | (Court office address) |  |  |

If you have received a Form 39: Notice of Approaching Dismissal and do not want your case to be dismissed, you must complete this form within the timeline set out in the Notice of Approaching Dismissal, serve it on the other party(ies) and file it with the Court with proof of service or an explanation as to why you could not serve the other party.

You will then be contacted by the court’s trial coordinator, who will provide you with a set date for Notice of Approaching Dismissal Scheduling Court. At this short, virtual attendance the presiding judge will determine what type of event should be scheduled and when.

**NOTE:** If you do not attend your Notice of Approaching Dismissal Scheduling Court date, your case will be dismissed unless the court orders otherwise.

|  |
| --- |
| **Applicant(s)** |
| Name(s) |
|       |
| Email | Address |
|       |       |
| Counsel | Email |
|       |       |

|  |
| --- |
| **Respondent(s)** |
| Name(s) |
|       |
| Email | Address |
|       |       |
| Counsel | Email |
|       |       |

1. The other party and I: *(check applicable boxes and provide applicable dates)*

[ ]  started living together on

[ ]  married on

[ ]  separated on

[ ]  divorced on

[ ]  never lived together but were in a relationship from  to

1. There is/are *(number)*  child(ren) from our relationship, namely:

|  |  |  |  |
| --- | --- | --- | --- |
| **Legal Name** | **Birthdate *(yyyy/mm/dd)*** | **School/Grade** | **Now living with** |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |
|       |       |       |       |

1. The following issues have resolved:

|  |  |  |
| --- | --- | --- |
| [ ]  decision-making | [ ]  parenting time | [ ]  spousal support |
| [ ]  child support (table amount) | [ ]  child support (other than table amount) | [ ]  disclosure |
| [ ]  date of separation | [ ]  exclusive possession | [ ]  restraining order |
| [ ]  contempt | [ ]  equalization | [ ]  ownership of property |
| [ ]  preservation | [ ]  sale of property | [ ]  trust claims |
| [ ]  other  |

1. List and attach any relevantwritten **agreements**, **minutes of settlement** and **court orders**:

1. The following issues are still in dispute:

|  |  |  |
| --- | --- | --- |
| [ ]  decision-making | [ ]  parenting time | [ ]  spousal support |
| [ ]  child support (table amount) | [ ]  child support (other than table amount) | [ ]  disclosure |
| [ ]  date of separation | [ ]  exclusive possession | [ ]  restraining order |
| [ ]  contempt | [ ]  equalization | [ ]  ownership of property |
| [ ]  preservation | [ ]  sale of property | [ ]  trust claims |
| [ ]  other  |

1. I am asking that the disputed issues proceed as follows:

[ ]  mediation

[ ]  arbitration

[ ]  binding judicial dispute resolution

[ ]  summary judgment motion

[ ]  case conference

[ ]  settlement conference

[ ]  trial management or trial scheduling conference

[ ]  trial

[ ]  other:

1. This case has not been finalized because: *(explain why this case has been inactive)*

1. *(If applicable)* I have not been able to serve the other party with this form because: *(explain what efforts you have made to serve the other party(ies))*

1. [ ]  Select this box if you require a French interpreter.

**Note:** If you require an interpreter for any other language, you must make arrangements to have one present.

1. [ ]  Select this box if you require an Order for Prisoners Attendance and provide the name of the Correctional Institution and the name of the party who is incarcerated:

1. Any other issues you would like to bring to the Scheduling Court judge’s attention:

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Date |  | Applicant/Respondent/Counsel’s signature |