

## How to draft an Order

## Instructions

An **Order** is a document that sets out the decision made by a judge. Sometimes, a judge or Registry staff may ask that you or your lawyer write out an order for the Court.

This **Order template** is for orders made under the *Family Orders and Agreements Enforcement Assistance Act*, RSC 1985, c. 4 (2<sup>nd</sup> Supp) (“FOAEAA”) in relation to the enforcement of a parenting, contact, custody or access provision. If the Court asks you to provide a draft Order, you can use this **Order template** to help you draft the Order.

### Completing Your Draft Order

You can fill out this form by hand or you can download and fill out this form electronically at <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/> (If you fill out the form electronically, you must still print the form and provide it to the Court).

Check off “*Inter Partes*” (on the first page) if the application was made with notice to the other party. Check off “*Ex Parte*” (on the first page) if the application was made without notice to the other party.

If you need more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Under clause 1 on Page 2 of the Draft Order, you do not need to insert the **Name/Title of the Court Official**. The Court will write in the appropriate Court Official.

### More Information

Questions? Go to <https://www.court.nl.ca/supreme/family-division/> or contact a Court near you:

Corner Brook: (709) 637-2227  
Gander: (709) 256-1115  
Grand Bank: (709) 832-1720

Grand Falls-Windsor: (709) 292-4260  
Happy Valley-Goose Bay: (709) 896-7892  
St. John's: (709) 729-2258

**--- It is highly recommended that you get advice from a lawyer ---**

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): [www.publiclegalinfo.com](http://www.publiclegalinfo.com) or 1 (888) 660-7788  
Legal Aid: [www.legalaid.nl.ca](http://www.legalaid.nl.ca) or 1(800) 563-9911

**--- REMOVE THIS PAGE BEFORE FILING THE ORDER ---**

# Order (FOAEAA) – Enforce Parenting, Contact, Custody or Access Provision (Family Law)



**In the Supreme Court of  
Newfoundland and Labrador  
(General/Family)**

|   |
|---|
| <b>FOR COURT USE ONLY</b>   |
| COURT FILE NO: _____  |
| CENTRAL DIVORCE REGISTRY NO: _____  |
| Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____. |
| _____<br>Registry Clerk of the Supreme Court of Newfoundland and Labrador   |

|          |                   |   |
|----------|-------------------|---|
| BETWEEN: | (Print full name) | <input type="checkbox"/> APPLICANT<br><input type="checkbox"/> CO-APPLICANT   |
| AND:     | (Print full name) | <input type="checkbox"/> RESPONDENT<br><input type="checkbox"/> CO-APPLICANT  |
| AND:     | (Print full name) | <input type="checkbox"/> NOT APPLICABLE<br><input type="checkbox"/> SECOND APPLICANT<br><input type="checkbox"/> SECOND RESPONDENT<br><input type="checkbox"/> CO-APPLICANT |

**Court order made under section 10 of the *Family Orders and Agreements Enforcement Assistance Act***

BEFORE the Honourable Justice \_\_\_\_\_, on \_\_\_\_\_.

(Print Name) (Date: month/day/year)

On the application of \_\_\_\_\_ made pursuant to section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C., 1985, c.4 (2<sup>nd</sup> Supp.) (FOAEAA) in relation to the enforcement of a provision related to **(parenting, contact, custody, or access)**.

This application was made *ex parte*:

- yes
- no

# FOAEAA

**THIS COURT IS SATISFIED THAT:**

Pursuant to section 10 of the *FOAEAA*,

- The sole purpose of the application is to obtain information to enforce a provision related to **(parenting, contact, custody, or access)**;
- The order is not likely to jeopardize the safety or security of any person; and
- IN THE CASE OF AN *EX PARTE* APPLICATION, THE COURT IS ALSO SATISFIED THAT:**

In relation to the enforcement of a provision about **(parenting, contact, custody, or access)**, reasonable steps have been taken to locate the person on whom the applicant is seeking to enforce the provision, and/or the child(ren) named in the order, and they have not been located.

**IT IS ORDERED THAT:**

Pursuant to section 10 of the *FOAEAA*, in response to an application made pursuant to section 7 of that Act requesting this court to authorize one of its officials to apply to the Minister of Justice Canada for information to assist with the enforcement of a provision related to **(parenting, contact, custody, or access)**:

1. 1. \_\_\_\_\_  
*(Name/Title of the court official)*

is authorized to make an application to the Minister of Justice Canada pursuant to section 12 of the *FOAEAA* to search for and release to the court official only the information checked below relating to:

- \_\_\_\_\_ *(Name of person whose information is being sought)*
- \_\_\_\_\_ *(Name of the child)*

that can be found in federal information banks designated under section 2 of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations*, SOR/2023-125:

- their address.

the name and address of their employer.

**(Where appropriate)**

2. Pursuant to section 13(3) of the FOAEAA, the information shall be disclosed to

\_\_\_\_\_

*(Name of person, service, body or official of the court)*

subject to the following provisions regarding the protection of the confidentiality of the information:

**(Where appropriate, and where the application is made ex parte – without notice)**

3. The Minister of Justice Canada

shall

shall not

under section 12.1 of the FOAEAA, send the person whose information is being sought a copy of this order and a notice informing them that information will be released.

**FOR COURT USE ONLY**

**Order Issued at:**

**Location:** Supreme Court in \_\_\_\_\_, Newfoundland and Labrador

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Justice or Registry Clerk of the Supreme Court of Newfoundland and Labrador**