

How to Make an Interim Application for a Procedural Order Instructions

You can make an **Interim Application for a Procedural Order (Form 16.03A)** in your family law proceeding if you need an order that does not directly deal with your family law issues (for divorce, parenting, support, etc.).

For example, if you cannot serve the other person with court documents, you can make an application for substituted service.

When You Can Make an Interim Application for a Procedural Order

You can make an Interim Application for a Procedural Order at any time. You can make an Interim Application for a Procedural Order for a number of reasons. For example:

- 1) You are seeking access to a court file;
- 2) You cannot obtain your marriage certificate (or registration of marriage);
- 3) You are seeking an extension of time to file financial information;
- 4) You are seeking an order to dispense with the requirement to include the respondent's contact information in your Originating Application or Originating Application to Vary;
- 5) You are seeking a renewal of an Application;
- 6) You are seeking an order relating to the manner or timing of service of a document;
- 7) A rule in the *Supreme Court Family Rules* allows you to make an Interim Application for a Procedural Order;
- 8) A judge has given you permission to make an Interim Application for a Procedural Order.

Completing Your Application

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 file it with the Court). You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing Your Application

To file your Interim Application, you can either bring it to a Supreme Court location near you or you can mail it to a Supreme Court location near you (with the filing fee attached). You can look up the fees online: <https://www.court.nl.ca/supreme/schedule-of-fees/>. You do not need to give a copy of this Application to the other person unless a judge orders you to do so.

You must also file: 1) a draft **Order** along with 1 extra copy of that Order. You can get an Order form from any Supreme Court location or online: <https://www.court.nl.ca/supreme/rules-practice-notes-and-forms/family/general/>

The Order form for this application is titled **Order (Family Law)**, and on Page 1, you can select **Procedural Order**.

The Court will contact you to let you know if your procedural order is granted or not. Sometimes a judge will ask that you attend a court hearing to hear your application. If you need to attend a hearing, the Court will contact you with a date and time. If your procedural order is granted, you will need to give a copy of the order to the other person immediately.

More Information

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

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

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 or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING THIS APPLICATION ---

Form F16.03A: Interim Application for a Procedural Order (Family Law)



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

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

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

FOR COURT USE ONLY
HEARING DATE (if applicable)
The hearing for this application is scheduled to be heard in the Supreme Court of Newfoundland and Labrador:
Location: Supreme Court in _____, Newfoundland and Labrador
Address: _____
Date: _____
Time: _____ am / pm

I, _____, the Applicant Respondent Other:
 (Print your name)

am seeking an procedural order without providing notice to any other party.

Part A Basis of application

Check the box that applies to you:

<input type="checkbox"/>	I am an officer of the Court and I am seeking access to a Court file. (If you are not an officer of the Court and you are seeking access to a Court file, you must file an Interim Application (Form F18.03A))
<input type="checkbox"/>	I cannot obtain my original marriage certificate (or registration of marriage).
<input type="checkbox"/>	I am seeking an extension of time to file financial information which must accompany an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I cannot obtain the Respondent’s contact information, despite having made reasonable attempts.
<input type="checkbox"/>	I am seeking an order to renew an Originating Application or Originating Application for Variation.
<input type="checkbox"/>	I am seeking an order relating to the manner or timing of service of a document. (eg. substituted service, dispensing with service, etc.)
<input type="checkbox"/>	Rule (specify rule number) _____ permits this application to be made.
<input type="checkbox"/>	Other: _____

Part B Procedural order(s) sought

Fill in what you are seeking:

Part C **Reasons for seeking procedural order(s) (Affidavit)**

Fill in the reasons why you are seeking the procedural order(s):

Statement of Truth

You must swear or affirm that the facts and information that you have written in this Interim Application for a Procedural Order and any attachments is the truth. You must swear or affirm and sign this Statement of Truth in front of a commissioner of oaths, notary public, justice of the peace, or lawyer. Court Registry staff are commissioners of oaths and you may sign this application at the Court when you file it.

I declare the facts and information in this Interim Application for a Procedural Order are true to the best of my knowledge and belief.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths

Lawyer's Signature for Fee Waiver

I am employed by the Newfoundland and Labrador Legal Aid Commission or a Newfoundland and Labrador government department under the *Executive Council Act* and I am the lawyer of record in this matter.

Signature of Lawyer (if any)

Print Name of Lawyer (if any)