

Notice of Intention to Proceed

Form 2

Provincial Court Family Rules
Rules 15 and 42

Registry location:

Court file number:

Document number:

For registry use only

COURT STAMP

This Notice of Intention to Proceed provides notice that a party is seeking to proceed with a family law matter that has already been initiated but no step in the case has been taken for over one year and no final order has been made.

Please read before completing the form:

- This form is only to be used to proceed with a family law matter when the last step completed in the case by any party was more than one year ago and no final order has been made.
- For guidance filling in this form, please read the guidebook. The guide is available online at www.gov.bc.ca/court-forms or from your local court registry.



For more information about how to proceed with your family law matter if less than a year has passed since your last step or a final order was made, see the guidebook.

Part 1 | About the parties

1. My **full name** is:

Full name of party

My **date of birth** is:

(dd/mmm/yyyy)

2. The **other party's full name** is:

Their **date of birth** (dd/mmm/yyyy) is:



Copy the party information from a filed document in your case. It should match.

Part 2 | Intention to proceed

3. ☐ More than one year has passed since the parties have taken any step in my case and **I want to proceed with the family law matter(s) as set out in the following document** filed with the court:

☐ Notice to Resolve a Family Law Matter

☐ Application About a Family Law Matter

☐ Other (specify):



If you have already filed an Application About a Family Law Matter, you do not need to also select the Notice to Resolve.

IMPORTANT NOTE:

Before proceeding any further with your case, you must participate in a needs assessment or attend a family management conference depending on the last step taken in your case, as described in the rules and **set out in Part 6 of this Notice**.

Part 3 | Notice

4. ☐ I understand **I must give notice** of my intention to proceed to each other party.

To give notice, each other party must be:

- **provided with a copy of this document**, if I am proceeding on a filed Notice to Resolve a Family Law Matter (an Application About a Family Law Matter has not been filed)
- **served with a copy of this document**, if I am proceeding on a filed Application About a Family Law Matter



For more information about how to give notice to the other party, see the guidebook.

Part 4 | Latest step taken in case

5. The last step completed in my case, by any party, on _____ was:

Date (dd/mmm/yyyy)

Select only one of the options below and complete the required information

- ☐ Filing of the **Notice to Resolve a Family Law Matter**
- ☐ Filing of the **Application About a Family Law Matter**
- ☐ Participation in a **needs assessment**
- ☐ Completion of a **parenting education program**
- ☐ Participation in **consensual dispute resolution**
- ☐ Other (specify):



Different registry types have different steps that may be required for a family law matter. A step listed here may not apply to you. The timing when a step is required is also different for different registry types.

Part 5 | Current address for service

6. My current **address for service** of court documents and contact information is:
You must provide an address for service and contact number, but it does not have to be your own if you don't want to

Address:

City:

Province:

Postal Code:

Email:

Telephone:

Lawyer's name and firm name (if applicable):



For more information about how this information will be used and who will have access to it, see the guidebook.

NOTE TO THE OTHER PARTY:

If your address for service and/or contact information filed with the court is not current, you must file a Notice of Address Change in Form 46 and serve a copy of the notice on each other party. Your address must be current to receive notice of any court appearance.

Part 6 | What you must do to proceed with your family law matter

You **do not** need to **complete this Part** to file the form. It provides you with a checklist of the next steps you must take to proceed with your family law matter.

Step 1:

- ☐ Give **notice** of the Notice of Intention to Proceed to **each other party**

Note: If the Notice to Resolve or Application About a Family Law Matter has not been given to the other party, you must include a copy of it along with the Notice of Intention to Proceed.

Step 2:

If your case is in an **early resolution registry and no Application About a Family Law Matter has been filed**, you must participate in a **needs assessment**.

- ☐ **Contact** Family Justice Services Division to **schedule** your individual **needs assessment**

FJSD
contact information

- ☐ **Participate in a needs assessment**

If your case is in an **early resolution registry and an Application About a Family Law Matter has been filed or** your case is in **any other registry**, you must attend a **family management conference**.

- ☐ **File** proof of service of the Notice of Intention to Proceed on each other party
- ☐ **Schedule** a family management conference

The court registry will provide you with information about how to schedule the family management conference after you have filed a Certificate of Service to prove service of the Notice of Intention to Proceed on each other party.

To schedule a family management conference, you must also have met any other requirements for scheduling including any of the following as applicable:

- filing proof of service of the Application About a Family Law Matter, **or** a reply was filed by the other party
- participating in a needs assessment and filing a Referral Request Form 21
- completing a parenting education program and filing a certificate of completion

- ☐ **Attend** the family management conference



For more information about how to serve or provide notice to the other party, including proof of service, see the guidebook.



At the needs assessment, you will receive to help identify the next steps for you.

You may be required to meet the other early resolution requirements, if applicable, including:

- Completion of a parenting education program
- Participation in a consensual dispute resolution session



The requirements for scheduling a family management conference are set out in Rules 37 to 40, as applicable.



At the family management conference, the judge will help to determine the next steps that are right for your case.