

Court Filing Instruction Guide

Thank you for purchasing our divorce application kit. The most difficult part of the process is now behind you and now, all that is left is to print, sign and file at the Courthouse.

Let's do this now!

1 – Verify Your Information

Please read the content of the divorce application documents we have delivered to ensure their accuracy based on your answers.

2 – Gather Your Supporting Document

Your divorce application must be submitted with your supporting documents. Look at the list below and include the supporting documents that are applicable to you.

Number	Document	Additional details
1	Birth Certificate (First Party) Required document for all divorce applications	Submit a copy of your birth certificate to the Court. Provide an official translation of your birth certificate if it is not in English or French.
2	Birth Certificate (Second Party) Required document for all divorce applications	Submit a copy of your birth certificate to the Court. Provide an official translation of your birth certificate if it is not in English or French.
3	Birth Certificate (Child/Children) Applicable if you have a child or children in this divorce application	Submit a copy of your child or children's birth certificate(s) to the Court. Provide an official translation if the certificates are not in English or French.

4	<p>Marriage certificate Required document for all divorce applications</p>	<ul style="list-style-type: none"> You will need to provide the original marriage certificate to the Court. Provide an official translation of your marriage certificate if it is not in English or French. <p>How to get a duplicate marriage certificate?</p> <ul style="list-style-type: none"> For marriages registered in the Province of Quebec, you may request a duplicate from the Civil Status Registrar at the following link: https://services.etatcivil.gouv.qc.ca/declic2/index.aspx?lang=en. For marriages registered outside of the Province of Quebec, you will need to contact the civil status registrar in the State, Province or Country where you were married.
5	<p>Marriage Contract Applicable if you have signed a marriage contract for this marriage</p>	<ul style="list-style-type: none"> You will need to provide the original marriage contract to the Court. Provide an official translation of your marriage contract if it is not in English or French.
6	<p>Prior Court Judgments Applicable if you have referred to a prior judgment in your divorce application</p>	<ul style="list-style-type: none"> You must provide a certified copy of any prior judgments you have referred to in your divorce application. Examples: Separation as to bed and board judgment, child custody and child support judgment. If you do not have a certified copy of your prior judgment, you may order a duplicate from the Courthouse that had rendered the judgment originally.
7	<p>Income Documents (First Party) Required document for all divorce applications</p>	<ul style="list-style-type: none"> Employees: Provide a copy of your last three pay stubs. Self-employed: Provide a copy of your financial statements showing your gross income less expenses (net income) for the last year.

- Unemployed: Provide a copy of your last three unemployment benefit payment stubs, if you get any.
 - Rental Income: Provide a copy of your statement of income and expenses for all your properties (net rental income).
 - Other Income: If you earn any other sources of income, please provide the copy of a document to show the nature of income you are earning and amount.
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8 **Income Documents (Second Party)**
Required document for all divorce applications

- Employees: Provide a copy of your last three pay stubs.
 - Self-employed: Provide a copy of your financial statements showing your gross income less expenses (net income) for the last year.
 - Unemployed: Provide a copy of your last three unemployment benefit payment stubs, if you get any.
 - Rental Income: Provide a copy of your statement of income and expenses for all your properties (net rental income).
 - Other Income: If you earn any other sources of income, please provide the copy of a document to show the nature of income you are earning and amount.
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9 **Income Tax Declarations (First Party)**
Required document for all divorce applications

- Provincial: Provide a copy of your latest Provincial income tax declaration you filed with Revenu Quebec.
 - Federal: Provide a copy of your latest Federal income tax declaration you filed with the Canada Revenue Agency.
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| 10 | <p>Income Tax Declarations (Second Party)
Required document for all divorce applications</p> | <ul style="list-style-type: none"> • Provincial: Provide a copy of your latest Provincial income tax declaration you filed with Revenu Quebec. • Federal: Provide a copy of your latest Federal income tax declaration you filed with the Canada Revenue Agency. |
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| 11 | <p>Notices of Assessments (First Party)
Required document for all divorce applications</p> | <ul style="list-style-type: none"> • Provincial: Provide a copy of your latest notice of assessment you received from Revenu Quebec. • Federal: Provide a copy of your latest notice of assessment you received from the Canada Revenue Agency. |
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How to get a duplicate marriage certificate?

- If you do not have your latest Notice of Assessments, you can contact either Revenu Quebec or the Canada Revenue Agency at the following links:

<https://www.revenuquebec.ca/en/online-services/online-services/view-notices-of-assessment-and-confirmations-of-accelerated-refunds/>

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/a-copy-your-notice-assessment-reassessment.html>

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| 12 | <p>Notices of Assessments (Second Party)
Required document for all divorce applications</p> | <ul style="list-style-type: none"> • Provincial: Provide a copy of your latest notice of assessment you received from Revenu Quebec. • Federal: Provide a copy of your latest notice of assessment you received from the Canada Revenue Agency. |
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How to get a duplicate marriage certificate?

- If you do not have your latest Notice of Assessments, you can contact either Revenu Quebec or the Canada Revenue Agency at the following links:

<https://www.revenuquebec.ca/en/online-services/online-services/view-notices-of-assessment-and-confirmations-of-accelerated-refunds/>

<https://www.canada.ca/en/revenue-agency/services/tax/individuals/topics/about-your-tax-return/a-copy-your-notice-assessment-reassessment.html>

3 – Print And Prepare Your Documents

Print four (4) copies of all the documents we submitted to you on letter size paper (8.5 inches by 11 inches) on one side of the page.

Do not print on both sides of the page or on page size different than 8.5 X 11 inches as the Court will refuse your documents.

Label all your supporting documents based on the numbering found in your List of Exhibits. For example, label First Party’s birth certificate as “P-1”, label Second Party’s birth certificate as “P-2” etc. Make sure that all your supporting documents are labelled in accordance with the List of Exhibits. You don’t need to label each page of your supporting documents but only the first page of each category.

Make sure that your divorce application and supporting documents are adequately clipped together or stapled. Your documents should not be filed loosely.

4 – Sign Your Documents At the Courthouse

Bring your divorce documents to the Court with your spouse so you both sign there. Some of your documents must be signed and witnessed by a Commissioner for oaths.

At the Courthouse, a Commissioner for oaths can witness and sign the required documents for you free of charge.

The following table guides you as to what document must be signed and by whom:

Number	Document	Who Must Sign?
1	Joint Divorce Application (Art. 8 D.A.)	<ul style="list-style-type: none"> • First Party • Second Party • Court Clerk <p>First Party and Second Party to sign the signature pages on top their name. The Court clerk must sign the “Certificate of the Clerk”.</p>
2	Agreement as to Accessory Measures and Consent to Judgment	<ul style="list-style-type: none"> • First Party • Second Party <p>First Party and Second Party to sign the signature pages on top their name.</p>
3	First Party’s Sworn Declaration For Judgment	<ul style="list-style-type: none"> • First Party • Commissioner for Oaths <p>First Party must sign this document in front of a Commissioner for Oaths who will witness your signature. Then, the Commissioner for Oaths will sign at the designated area on the document.</p>
4	Second Party’s Sworn Declaration For Judgment	<ul style="list-style-type: none"> • Second Party • Commissioner for Oaths <p>First Party must sign this document in front of a Commissioner for Oaths who will witness your signature. Then, the Commissioner for Oaths will sign at the designated area on the document.</p>
5	First Party’s Statement Required Under Article 444	<ul style="list-style-type: none"> • First Party <p>Sign on top of your name.</p>
6	Second Party’s Statement Required Under Article 444	<ul style="list-style-type: none"> • Second Party <p>Sign on top of your name.</p>
7	Child Support Determination Form (Schedule 1)	<ul style="list-style-type: none"> • First Party • Second Party • Commissioner for Oaths

First Party and Second Party must sign this document in front of a Commissioner for Oaths who will witness your signatures. Then, the Commissioner for Oaths will sign at the designated area on the document.

8	Attestation In Respect Of The Registration Of Birth	<ul style="list-style-type: none"> • First Party • Second Party
Sign on top of each of your names.		
9	List of Exhibits	<ul style="list-style-type: none"> • First Party • Second Party
Sign on top of each of your names.		
10	Notice of Presentation This document is only required by certain Courthouses	<ul style="list-style-type: none"> • First Party • Second Party
Sign on top of each of your names.		

5 – Get Court File Number

Once all your documents have been signed, you are ready to open your Court file by seeing the Court Clerk.

The Court Clerk will examine all your documents and if they satisfy the filing requirements of the Court. If all the documents are in good order and, the Court Clerk will sign the “Certificate of the Clerk” found in your divorce application and will provide you with a Court file number.

Once you get your Court file number, write that number on all your Court documents at the top left of the page.

6 – Pay Court Fees

The Court Clerk will specify how much you must pay in Court filing fees.

Go to the Court cash and pay the required Court filing fees.

You may refer to Justice Canada’s website for additional details on the applicable fees at the

following link: <https://www.justice.gouv.qc.ca/en/documentation-center/tariff-of-court-costs/divorce-and-separation/>.

7 – File Your Divorce Application

Upon payment, the Court will stamp your divorce application showing that you have paid for it.

You are now able to deposit your divorce application, forms and supporting documents in the record of the Court. You can ask the Court Clerk exactly where to deposit your papers and they will assist you.

Congratulations, you have successfully filed your divorce documents at Court!!!

What happens next?

COURT REVIEWS YOUR DIVORCE APPLICATION

Each divorce application filed at Court is analyzed individually by the Superior Court of Quebec staff and the judge.

During the review process, it is possible that the Superior Court judge or reviewer requires that you provide additional documents, explanations, clarifications or other supporting documents. In this case, they will send you a notice called (“Avis de dossier incomplet”) where they outlined exactly what they need.

Typically this notice is sent when:

1. There are missing supporting documents or they are not accepted by the Court
2. The Court has a specific question about the content of your divorce application or documents

If you receive such a notice, please send us a copy by email at support@divorce.zone and we will analyze it and determine if you are eligible for our guarantee.

Considering that LZQC does not represent you in Court, if you receive a notice from the Court or any correspondence, you are responsible to respond to it directly. LZQC does not communicate with the Court on your behalf.

COURT REVIEW DELAYS

You can expect varying delays for the review and processing of your divorce application depending on the volume of work that your local Courthouse is dealing with.

As a general rule, it may take from 3 to 4 months for you to receive your divorce judgment as of your filing date. You can contact your local Courthouse for more accurate delays that you can expect for receiving your divorce judgment.

DIVORCE JUDGMENT AND DIVORCE CERTIFICATE

Once the Court has reviewed your divorce application and it is satisfied with everything, they will issue your divorce judgment and mail you a certified copy by mail.

About 35 to 45 days after your divorce judgment is issued by the Court, the Court will also issue to you your divorce certificate. The divorce certificate will officially evidence your divorce. Please make sure you keep it in a safe place.