|  |  |  |  |
| --- | --- | --- | --- |
|  |  *ONTARIO* |  | Court File Number |
| Superior Court of Justice, Family Court |  |
| *(Name of Court)* |  |
| **At** |  | **Notice of Approaching Dismissal** |
| *(Court office location)* | **Assignment Court Form**  |
|  |  |
| Applicant(s) |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e‑mail address (if any). | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e‑mail address (if any). |
|   |  |
| Respondent(s) |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e‑mail address (if any). | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e‑mail address (if any). |
|   |  |

**Children’s Lawyer**

|  |
| --- |
| Name & address of Children’s Lawyer’s agent for service (street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)) and name of person represented. |
|  |

**IF YOU HAVE RECEIVED A FORM 39: NOTICE OF APPROACHING DISMISSAL, AND DO NOT WANT YOUR CASE DISMISSED, YOU MUST COMPLETE THIS FORM AND ATTACH A COPY OF ANY TEMPORARY OR FINAL ORDERS OR AGREEMENTS/MINUTES OF SETTLEMENT, (IF APPLICABLE). THIS FORM MUST BE SERVED ON THE OTHER PARTY(IES) AND FILED WITH THE COURT AND A COPY TO THE TRIAL COORDINATOR WITH PROOF OF SERVICE.**

**YOU WILL THEN BE CONTACTED BY THE COURT’S TRIAL COORDINATOR, WHO WILL PROVIDE YOU WITH A SET DATE FOR NOTICE OF APPROCHING DISMISSAL ASSIGNMENT COURT FOR A BRIEF COURT ATTENDANCE BY ZOOM FOR THE PRESIDING JUDGE TO DETERMINE WHAT TYPE OF EVENT SHOULD BE SCHEDULED AND WHEN.**

***NOTE: IF YOU DO NOT ATTEND YOUR NOTICE OF APPROACHING DISMISSAL ASSIGNMENT COURT DATE, YOUR CASE WILL BE DISMISSED UNLESS THE COURT ORDERS OTHERWISE.***

|  |  |  |
| --- | --- | --- |
| **1.** | **My name is *(full legal name)*** |  |
|  |
|  | **and I am** |  |  | **the lawyer for *(name)*** |  |
|  |
|  |  |  | **the applicant in this case** |  |  | **the respondent in this case** |
|  |
|  |  |  | **other *(specify)*** |
|  |  |
|  |  |
| 2. | **Is this form being submitted on behalf of all parties?** |
|  |
|  |  |  | **Yes** |
|  |
|  |  |  | **No** |
|  |  |
|  |  |
|  |  |
| 3. | **Date and Type of last event [Case Conference, Settlement Conference, Motion], if applicable:**  |
| 4. | **Name of Case Management Judge (if known):**  |
|  |  |

**5.** **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**

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

|  |  |  |  |
| --- | --- | --- | --- |
| **Legal Name** | **Birthdate** | **School/Grade** | **Now living with** |
|  |       |       |       |
|  |       |       |       |
|       |       |       |       |
|       |       |       |       |

**7. The following issues have resolved on a final basis:**
**☐ decision-making ☐ parenting time ☐ child support**

**☐ spousal support ☐ section 7 ☐ equalization**

**☐ date of separation ☐ exclusive possession ☐ restraining order**

**☐ contempt ☐ trust claims ☐ ownership of property**

**☐ preservation ☐ sale of home ☐ disclosure**

**☐ other:**

**8. List and attach any relevant written agreements, minutes of settlement and court orders:**

**9. The following issues remain outstanding:**

**☐ decision-making ☐ parenting time ☐ child support**

**☐ spousal support ☐ section 7 ☐ equalization**

**☐ date of separation ☐ exclusive possession ☐ restraining order**

**☐ contempt ☐ trust claims ☐ ownership of property**

**☐ preservation ☐ sale of home ☐ disclosure**

**☐ other:**

**10. I am I am asking that the outstanding issues proceed as follows:**

**☐ mediation**

**☐ arbitration**

**☐ binding judicial dispute resolution**

**☐ summary judgment motion**

**☐ settlement conference**

**☐ case conference**

**☐ DRO conference**

**☐ trial scheduling conference or trial management conference**

**☐ trial:**

**☐ other:**

**11. This matter has not been finalized because: (*explain why this matter has been dormant or any other issues you would like to bring to the judge’s attention – DO NOT ADD MORE PAGES)***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Date Applicant / Respondent / Counsel’s Signature**