**AFFIDAVIT**

**Form 7**

Court File Number: [number]  
Court Location: [location]

In the Provincial Court of British Columbia

Under the *Child, Family and Community Service Act*

In the matter of the child(ren):

|  |  |
| --- | --- |
| **Name(s)** | **Date(s) of Birth** |
|  |  |
|  |  |

The parent(s)/guardian(s) of the child(ren) is/are:

|  |
| --- |
| **Name(s)** |
|  |
|  |

I, [name], care of [counsel’s address], affirm that:

1. I know or firmly believe the following facts to be true. Where these facts are based on information from others, I have stated the source of that information and I firmly believe that information to be true.
2. I make this affidavit in support of my application for costs under s. 24(1) of the *Canadian Charter of Rights and Freedoms*, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11 (“the *Charter*”).

**Family Background**

1. Relevant information may include:

* Names and birthdates of the child(ren)
* Name(s) of other parent(s).
* The relationship status(es) of the parents.
* The applicant’s cultural, racial, linguistic, and religious heritage. If applicable, the Indigenous Nations or communities to which the applicant belongs.
* The cultural, racial, linguistic, and religious heritage of each child. If applicable, the Indigenous Nations or communities to which each child belongs.
* Other relevant personal characteristics of each parent and child, such as: disability status, sexual orientation, and/or gender identity.
* If applicable, the physical, emotional and developmental needs of an infant child.
* The community and cultural connections of the applicant and each child.

**The History of the Children’s Care Prior to Removal**

1. Relevant information may include:

* A chronological account of the history of the child(ren)’s care.
* The quality of the applicant’s relationship(s) to the child(ren).

**The Children’s Removal**

1. Relevant information may include:

* The circumstances of the removal.
* Any events leading up to the removal.
* What happened during the removal.
* The reasons given for the removal/ the alleged protection concerns.
* Optional: the applicant’s response to each alleged reason/concern.
* Optional: the impacts of the removal on the applicant.

**The Procedural History Since Removal**

1. Relevant information may include:

* A chronological account of the procedural history.
* The current status of the proceeding.
* Orders attached as exhibits.
* Agreements attached as exhibits.

**History of Access Arrangements Since Removal**

1. Relevant information may include:

* A chronological account of access arrangements since removal, including how the access is going.
* Any challenges associated with the access arrangements, such as logistical difficulties.
* Professional supervision reports attached as exhibits.

**History of Non-Compliance with Access Order of [date]**

1. Relevant information may include:

* A chronological account of non-compliance.

**Efforts by the Parties to Resolve Issues of Non-Compliance**

1. Relevant information may include:

* A chronological account of communications/negotiations in relation to non-compliance.
* Written correspondence attached as exhibits.
* Be mindful of any confidentiality requirements (such as those in relation to discussions taking place during a mediation).

**Harms to the Applicant**

1. Relevant information may include:

* Impacts on the applicant.
* Impacts on the parent-child relationship.

SWORN BEFORE ME )

on *[mm/dd/yyyy]* )

at *[location]*, British Columbia )

)

)

)

A Commissioner for taking ) *[Signature]*

Affidavits for British Columbia )