

# **NOTICE TO THE PROFESSION**

## **RE: Requirement that Maintenance Enforcement Forms be filed with Support Orders**

The requirement to provide a completed maintenance enforcement information form (or an enforcement opt-out form) whenever support is granted in an order, came into force November 1, 2002. Rules 70.31 (15) and (16) state:

### **Enforcement forms**

70.31(15) A completed enforcement information form (Form 70W) shall be provided to the court with the proposed order if a proposed order (a) grants support under *The Family Maintenance Act* or *The Child and Family Services Act*, unless an enforcement opt-out form (Form 70X) in duplicate, is provided to the court with the proposed order signed by the person, or the child and family services agency, as the case may be, who is entitled to receive the payments; or (b) grants support under any other legislation and orders payments be enforced through the designated officer under Part VI of *The Family Maintenance Act*.

### **Form 70W or Form 70X given to designated officer**

70.31(16) The registrar shall give the designated officer under Part VI of *The Family Maintenance Act* (a) a copy of the order; and (b) the completed enforcement information form (Form 70W) or two copies of the enforcement opt-out form (Form 70X), as the case may be.

Since the coming into force of these rules, several support orders received in the Queen's Bench Registry have not had the required maintenance enforcement forms attached. If the proper documentation is not provided when the order is filed the order will be rejected and returned to counsel. Re-filed materials will be subject to a rejection fee.

Edward A. Haluschak  
Provincial Registrar  
Court of Queen's Bench of Manitoba

December 4, 2003