

## REFERENCE GUIDE FOR COUNSEL

### WHEN FILING COURT OF QUEEN'S BENCH ORDERS GRANTED WITH PROHIBITION/PREVENTION RELIEF <sup>1</sup> UNDER *THE DOMESTIC VIOLENCE AND STALKING PREVENTION, PROTECTION AND COMPENSATION ACT* or s. 10(1)(j) of *The Family Maintenance Act*

Based on the urgency of the protection requested, please provide the Court with the following documentation:

#### **A. When Setting Aside or Varying a Provincial Court Protection Order (already on CPIC)**

- Queen's Bench Order for signing (with sufficient copies for truing, including one additional copy for CPIC Update)  
(The "Personal Information" document was provided to police at the Provincial Court level)

#### **B. For first-time prohibition/prevention relief**

- Queen's Bench Order for signing (with sufficient copies for truing, including one additional copy for CPIC Entry)
- "Personal Information" <sup>2</sup>

#### **C. When varying previously granted Queen's Bench prohibition/prevention relief**

- Queen's Bench (Variation) Order for signing (with sufficient copies for truing, including one additional copy for CPIC Entry and/or Update)
- Two (2) copies each of any referenced previously-trueed Queen's Bench Order containing prohibition/prevention relief
- "Personal Information" (to be provided only if this is a first time registration)

#### **D. "CPIC Registration Request" for Queen's Bench Orders containing prohibition/prevention/old protective relief granted prior to July 1<sup>st</sup>, 2002, OR Queen's Bench Orders containing prohibition/prevention relief not registered with CPIC at the time of signing after July 1<sup>st</sup>, 2002**

- "CPIC Registration Request" (in triplicate)
- One (1) copy of the previously-trueed Queen's Bench Order containing prohibition/prevention relief to be registered [and, if applicable, one (1) copy each of any variation to the prohibition/prevention relief since pronouncement]

#### **PLUS**

- If the above is a variation order, one (1) copy of any referenced previously-trueed Queen's Bench Order(s) containing prohibition/prevention/old protective relief
- "Personal Information"

**Important Note:** Orders under old legislation must contain the "no contact or communication" relief before it can be registered on CPIC

#### **E. Renewal of CPIC Registration of Queen's Bench Orders containing prohibition/prevention relief**

- "CPIC Registration Renewal" (in triplicate)
- Letter marked "Confidential" (provided only if the information provided five years previous is no longer accurate)

Court Staff will forward the required documentation to the Police for CPIC registration within 24 hours of the complete filing and official signing in A, B & C or the complete filing in D & E.

<sup>1</sup> Using standard clauses for relief granted by the Court will ensure the enforceability of the order

<sup>2</sup> Only one "Personal Information" document is required on a Queen's Bench Family Division file. Following the above procedure, it is provided at the first registration only. First registration can occur in Situation B, C or D.