

PRACTICE DIRECTION
COURT OF KING'S BENCH OF MANITOBA
RE: TABLE OF FAMILY PROCEEDINGS

Attached to this memorandum is a detailed list of pleadings and their procedural treatment in the court process.

The attached Table of Family Proceedings applies in all Court of King's Bench judicial centres.

Coming into effect

This Practice Direction comes into effect immediately.

ISSUED BY:

"Original signed by Associate Chief Justice Hatch"

The Honourable Associate Chief Justice Gwen B. Hatch
Court of King's Bench of Manitoba

DATE: June 30, 2026

Proceedings that Enter the FD Case Flow Model

	Rule	Form
Petition for Divorce Claim for divorce <u>alone</u> or <u>in conjunction</u> with other relief	70.03(1)	70A Petition for Divorce
Petition Claim relief <u>alone</u> under any of the following statutes or agreements, or <u>in conjunction</u> with <u>other relief</u> : <i>The Family Law Act</i> (exceptions pp.5, 7-9 eg, guardianship, contact, <i>loco parentis</i>) <i>The Family Property Act</i> s. 15 of the <i>Divorce Act</i> (child/spousal support) (divorce previously granted) s.16.1(1)(a) of the <i>Divorce Act</i> (parenting order) (divorce previously granted) <i>Divorce and Matrimonial Causes Act</i> <i>The Homesteads Act</i> <i>The Law of Property Act</i> – partition or sale s. 7 of <i>The Married Women’s Property Act</i> Agreement re: separation, common-law, marital property, family property <i>Civil Marriage Act</i>	70.03(2) 70.03(2)(b.1)	70B Petition
Notice of Motion to Vary (exceptions pp. 5, 9 variation of order for guardianship, contact, <i>loco parentis</i>)	70.37(1)(a)	70H Notice of Motion to Vary
Notice of Motion to Vary a Family Arbitration Award	70.03(7.3) 70.37(1)(c)	70H.2 Notice of Motion to Vary a Family Arbitration Award
Statement of Claim - depends on relief claimed	70.03(8)(b)	14A Statement of claim
Notice of Application to Vary , rescind or suspend <i>Divorce Act</i> Order by court in another province	70.37(1)(b)	70G Notice of Application to Vary

Proceedings that do not Enter the FD Case Flow Model

	Rule	Form	Returnable
Part III (Child Protection) Petition and Notice of Hearing Petition and Notice of Further Hearing Application for access (child in care) Child Abuse Registry <i>The Child and Family Services Act</i>	70.24(4)(a) 70.03(5) 70.03(8)(a)	CFS-19 Petition and Notice of Hearing CFS-20 Petition and Notice of Further Hearing 70E Notice of Application 70E Notice of Application	Associate Judge's CP docket; Intake Court Associate Judge's CP docket; Intake Court Associate Judge's Uncontested List; Judge
Private guardianship (child in care) (child not in care) Application of guardian for parenting time by parent or contact by non-parent Variation of guardianship order (including removing guardian or varying parenting/contact terms in guardianship order) <i>The Family Law Act</i>	70.24(4)(a.1) 70.03(3) 70.03(8)(a) 70.24(4)(a.1),(f.7)	70F Notice of Application for Guardianship 70E Notice of Application 70H Notice of Motion to Vary and Requisition for date before Associate Judge	Associate Judge's CP docket; Intake Court Associate Judge's Uncontested List; Judge Associate Judge's Uncontested List; Judge Associate Judge's Uncontested List; Judge

Set aside/vary/revoke Protection Order <i>The Domestic Violence and Stalking Act</i>	70.24(4)(b) 70.03(8)(a)	70E Notice of Application	Protection Order List
Adoption Application <i>The Adoption Act</i>	70.24(4)(c)	Forms prescribed under Adoption Regulation	Adoption Coordinator; then family duty judge
Inter-jurisdictional Support Orders Act Application (ISO) MB applicant MB respondent	70.24(4)(d)	ISO A.1 or A.2 Support (Variation) Application	ISO Coordinator
Enforcement of Maintenance Orders <i>The Family Support Enforcement Act</i>	70.24(4)(e) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Application by former spouse in different province or territory to obtain, vary, rescind or suspend a support order (incoming) Application by former spouse in a designated jurisdiction (outside Canada) to obtain, vary, rescind or suspend a support order (incoming) s.18.1 and s.19 <i>Divorce Act</i>	70.24(4)(f)(i) 70.39.2	ISO A.3 or A.4 Support (Variation) Application (incoming) (applications from outside Canada may be received on forms other than A.3 or A.4)	ISO Coordinator
Application by former spouse in Manitoba to obtain, vary, rescind or suspend a support order (outgoing) s.18.1 <i>Divorce Act</i>	70.39.1	Requisition	Requisition for registration by MEP
Registration by former spouse in a designated jurisdiction (outside Canada) for recognition and enforcement if applicable of a decision of the designated jurisdiction that has the effect of varying a support order in the province where the respondent habitually resides support order s. 19.1 <i>Divorce Act</i>	70.24(4)(f)(ii)	70E Notice of Application to set aside registration by MEP by MB party	Serve set aside application on Designated Authority (Family Law Section) MB Justice; proceeds under <i>ISO Act</i>

Request to convert variation support application to an inter-jurisdictional support proceeding between provinces into an application under s. 18.1(3) by respondent who resides in a different province or territory s. 18.2(1) <i>Divorce Act</i>	70.37(6.1.1)(b)(i)	Request to convert application form	If only <u>support</u> variation sought-registry to send to ACJ Hatch or her designate for direction and mandatory conversion and sent to ISO If <u>support and parenting</u> variation sought, registry to send to ACJ Hatch or her designate to determine if support variation should be sent to ISO
Motion for exemption to give notice of intention to change place of residence or relocate (existing Manitoba court pocket) Application for exemption to give notice of intention to change place of residence or relocate (no existing Manitoba court pocket) s.16.8(3), s.16.9(3) s.16.96(3) <i>Divorce Act</i> Motion for exemption to give notice of intention to change place of residence or relocate (no existing Manitoba court pocket) Application for exemption to give notice of intention to change place of residence or relocate (no existing Manitoba court pocket) s. 50(5), s. 55(5) <i>The Family Law Act</i>	70.24(4)(f.2)	70Q Notice of Motion 70E Notice of Application 70Q Notice of Motion 70E Notice of Application	Associate Judge's Uncontested List; Judge

Motion for <u>Leave</u> by a non-spouse parent/or who stands/intends to stand in place of a parent to file application for a <u>parenting order</u> or to <u>vary</u>, rescind or suspend a parenting order that does not relate to him/her s. 16.1(3), s. 17(2) <i>Divorce Act</i> Motion for <u>Leave</u> by a non-spouse who is <u>not the parent</u> to file application for <u>contact</u> order s. 16.5(3) <i>Divorce Act</i> Motion for <u>Leave</u> by a non-parent who stands/intends to stand in place of a parent to file application for a <u>parenting order</u> or to <u>vary</u>, rescind or suspend a parenting order that does not relate to him/her s. 37(1)(b), s. 39(1)(c) <i>The Family Law Act</i> Motion for <u>Leave</u> by a non-family member to file application for <u>contact</u> order s. 40(4) <i>The Family Law Act</i>	70.24(4)(f.3)	70Q Notice of Motion	Associate Judge's Uncontested List; Judge
Application by a non-spouse parent/or who stands/intends to stand in place of a parent <u>for</u> a parenting order <u>or</u> to <u>vary</u>, rescind or suspend a parenting order s. 16.1(1)(b), s. 17(1)(b)(ii) <i>Divorce Act</i> Application by a non-spouse who is not the parent for a <u>contact</u> order or to <u>vary</u>, rescind or suspend a contact order that relates to him/her s. 16.5(1), s. 17(1)(c) <i>Divorce Act</i>	70.24(4)(f.4) 70.24(4)(f.5) 70.03(2.1) 70.24(4)(f.6) 70.24(4)(f.7)	70E.3 Notice of Application for special relief	Associate Judge's Uncontested List; Judge

Application by a non-parent who stands/intends to stand in place of a parent <u>for</u> a parenting order <u>or</u> to <u>vary</u>, rescind or suspend a parenting order s. 37(1)(b), s.39(1)(b), s.39(1)(c) <i>The Family Law Act</i> Application by a non-parent for a <u>contact</u> order or to <u>vary</u>, rescind or suspend a contact order that relates to him/her s. 40(3), s.40(4), s.43 <i>The Family Law Act</i>	70.24(4)(f.4) 70.24(4)(f.5) 70.03(2.1) 70.03(7)(a) 70.24(4)(f.6) 70.24(4)(f.7)	70E Notice of Application 70H Notice of Motion to Vary and Requisition for date before Associate Judge	Associate Judge's Uncontested List; Judge
Hague Convention Application for return of a child	70.03(7.1) 70.24(4)(i)	70E Notice of Application	Trial coordinator to schedule date
Enforce Custody Order <i>The Child Custody Enforcement Act</i>	70.24(4)(j) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
<u>Proceedings</u> under: ss. 2(4) or 6(1) of <i>The Change of Name Act</i> <i>The Marriage Act</i> (minor) <i>The Parents' Maintenance Act</i> s. 155(4) of <i>The Insurance Act</i> ss. 12.1 & 13 to 14.3 of <i>The Garnishment Act</i>	70.24(4)(k) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
<i>The Arbitration Act</i> respecting a family arbitration, (except notice of motion to vary a family arbitration award)	70.24(4)(l) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List: Judge (unless s. 44(3.1) appeal or s. 49(2.1) enforcement - directly to a Judge via trial coordinator to provide a date)

Set Aside Decision of the Child Support Service <i>The Child Support Service Act</i>	70.24(4)(m) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Determination of whether an adult child is entitled to support by party who disagrees with decision of Maintenance Enforcement Program <i>The Family Support Enforcement Act, s. 31(7)</i>	70.24(4)(n) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Objection to Maintenance Enforcement Program administrative suspension (except notice of motion by debtor for objection to Maintenance Enforcement Program's refusal to suspend enforcement; request suspension order under s. 23(2) of <i>The Family Support Enforcement Act</i>)	70.24(4)(o) 70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Notice of Motion to amend, set aside, vary or suspend order (R. 70.34(1) and (2))	70.24(4)(p)	70Q Notice of Motion	Contact Trial coordinator to schedule date prior to filing motion (except for amendment for accidental slip – directly to Deputy Registrar)
Application or statement of claim to enforce a spousal agreement under <i>The Family Property Act</i>	70.24(4)(q) 70.03(8)(a)(b)	70E Notice of Application or Statement of Claim	Associate Judge's Uncontested List; Judge Contact Trial coordinator to schedule date prior to filing motion

Motion to <u>enforce</u> a Final Order or Variation Order	70.24(4)(q)	70Q Notice of Motion	Contact Trial coordinator to schedule date prior to filing motion
Contempt motion for a Final order or Variation order	70.24(4)(r)	70Q Notice of Motion	Contact Trial coordinator to schedule date prior to filing motion
Exclusive Occupation Order <i>Family Homes on Reserves and Matrimonial Interests or Rights Act</i>	70.24(11)(a) 70.03(7.2)	70E.1 Notice of Application for Exclusive Occupation order	Contact Trial coordinator to schedule date Duty judge
Notice of Application for Prevention Order <i>s. 14(1) The Domestic Violence and Stalking Act</i>	70.03(8)(a)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Application by interested person to recognize a foreign decision that has the effect of varying, rescinding or suspending a parenting order or a contact order <i>s. 22.1(1) Divorce Act</i>	70.24(4)(f.1)	70E Notice of Application	Associate Judge's Uncontested List; Judge
Motion to dismiss, strike or stay a proceeding	70.24(4)(p.1)	70Q Notice of Motion	Associate Judge's Uncontested List

June 30, 2026