

Sample B.3.8. Affidavit - Supporting Joint Petition

Court File Number 1301-00000

IN THE COURT OF KING'S BENCH OF NEW BRUNSWICK, FAMILY DIVISION
JUDICIAL DISTRICT OF FREDERICTON

BETWEEN:

Claire Jane Cook, Petitioner
-and-
Roger John Cook, Joint Petitioner

AFFIDAVIT

WE, **Claire Jane Cook** of the city of **Fredericton** in the County of **York** and Province of New Brunswick, **caterer**, and **Roger John Cook**, of the city of **Fredericton** in the County of **York** and Province of New Brunswick, **plumber**, MAKE OATH AND SAY AS FOLLOWS:

1. We are the Petitioners named in the Petition for Divorce dated the _____ day of _____, 20____.
2. Both Petitioners have been ordinarily resident in New Brunswick for at least one year immediately before the date on which the Petition for Divorce was filed.²³
3. There is no possibility of reconciliation of the Petitioners. The Petitioners have been living separate and apart since the _____ day of _____, 20____. There has been little contact between the Petitioners since the date of separation.
4. The Petitioners confirm that all the information in the Petition for Divorce is correct.
5. A certificate of marriage is attached to the Petition for Divorce.
6. The Petitioners separated on the _____ day of _____, 20__ and have remained separate and apart since that day. This has resulted in a permanent breakdown of the marriage. On the date of separation and continuously since then it has been the intention of the Petitioners to remain separate and apart.
7. **There are no children of the marriage.**
8. Neither Petitioner is directly or indirectly a party to any agreement or conspiracy for the purpose of subverting the administration of justice, including any agreement, understanding or arrangement to make up or hide evidence or to deceive the Court.
9. **The Petitioners do not wish to claim a division of property at this time. Both Petitioners are aware that no application for a division of property under the *Marital Property Act* can be made more than 60 days after the divorce takes effect except in the circumstances in subsection 3(4) of the *Marital Property Act*.**

SWORN before me at²⁴

_____,
in the County of **York**, the Province of New Brunswick,
this _____ day of _____, 20____.

Roger Cook

Roger Cook

SWORN before me at²⁴

_____,
in the County of **York**, the Province of New Brunswick,
this _____ day of _____, 20____.

Claire Cook

Claire Cook

A Commissioner of Oaths²⁵

Being a solicitor or My appointment expires

(Month....Day....Year)

²³ If you live in different cities, state which one of you is living in the judicial district that you are applying in.

²⁴ If the Affidavit is sworn on different dates/different places, you will need two sets of Commissioners to swear to this Affidavit. ²⁵ Print the name of the Commissioner of Oaths under the line.