

# How to Make an Offer to Settle

# Instructions

You can use this **Offer to Settle (Form F23.01A)** form to settle your family law issues outside of court.

## Completing Your Offer to Settle

You can fill out this form by hand or you can download and fill out this form electronically at [www.court.nl.ca/supreme/family/forms.html](http://www.court.nl.ca/supreme/family/forms.html) (If you fill out the form electronically, you must still print the form and give a copy to the other person).

Make sure to fill out the first page of this form and attach any Schedules that apply to you. If you need more space to fill out any section of this Offer to Settle, attach an extra page and indicate which section is continued on the extra page.

## After You Have Completed Your Offer to Settle

**DO NOT file your Offer to Settle with the Court.**  
**DO NOT disclose any information about the Offer to Settle to the Court.**

You can only tell the Court that you made an Offer to Settle AFTER the judge has made a decision on all the issues in dispute (except costs).

## Delivering Your Offer to Settle

You will need to give the completed and signed Offer to Settle to the other person. You do not have to formally serve the Offer to Settle. Remember to make a copy of the Offer to Settle for yourself.

## Acceptance or Refusal of Offer to Settle

Once you have made your Offer to Settle, the other person may respond to your offer with an **Acceptance of Offer (Form F23.05A)**. If the other person accepts your offer, you and other person may draft and sign an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. You can then file the agreement or Consent Order with the Court.

If you change your mind before the other person responds, you can withdraw your offer with a **Withdrawal of Offer to Settle (Form F23.02A)**.

## More Information

Questions? Go to [www.court.nl.ca/supreme/family](http://www.court.nl.ca/supreme/family) or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

**--- It is highly recommended that you get advice from a lawyer ---**

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): [www.publiclegalinfo.com](http://www.publiclegalinfo.com) or 1 (888) 660-7788

Legal Aid: [www.legalaid.nl.ca](http://www.legalaid.nl.ca) or 1(800) 563-9911

**--- REMOVE THIS PAGE BEFORE SENDING THE OFFER TO SETTLE ---**

**How to Respond to an Offer to Settle****Instructions**

You have received an Offer to Settle from the other person in your current family law proceeding.

**DO NOT file any forms related to the Offer to Settle with the Court.  
DO NOT disclose any information about the Offer to Settle to the Court.**

Read the attached **Offer to Settle (Form F23.01A)** carefully.

To respond to the offer, you can send the other person an **Acceptance of Offer to Settle (Form F23.05A)**. You can find the Acceptance of Offer to Settle form at any Supreme Court location or online:

[www.court.nl.ca/supreme/family/forms.html](http://www.court.nl.ca/supreme/family/forms.html)

On page 1 of the Offer to Settle, you may find that there is a time limit to accept the offer. If you plan to accept the offer, be sure to send the other person a written and signed acceptance by that deadline. If you do not accept the offer by the deadline, the offer will be deemed to be rejected.

If the other person has indicated on page 1 that the offer may be accepted in part, you do not have to accept all of the terms of the offer. You may be able to negotiate some of the terms of the offer.

If you accept the offer or come up with terms that both you agree to, you and other person can draft and sign an agreement or a **Consent Order (Form F34.02A and/or F34.02B)**. You can then file the agreement or Consent Order with the Court.

You can also make your own Offer to Settle, using the Offer to Settle form (**Form F23.01A**). Please see the instructions on the form for more information on how to make an Offer to Settle.

**More Information**

Questions? Go to [www.court.nl.ca/supreme/family](http://www.court.nl.ca/supreme/family) or contact a Court near you:

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# Form F23.01A: Offer to Settle (Family Law)



**In the Supreme Court of  
Newfoundland and Labrador  
(General/Family)**

<b>FOR COURT USE ONLY</b>
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: \_\_\_\_\_ APPLICANT  
*(Print full name)*

AND: \_\_\_\_\_ RESPONDENT  
*(Print full name)*

AND: \_\_\_\_\_  NOT APPLICABLE  
*(Print full name)*  SECOND APPLICANT  
 SECOND RESPONDENT

*Check the issues that are in your Offer to Settle and fill out the corresponding Schedules. Remember to sign and date this page of the Offer to Settle:*

<input type="checkbox"/> Parenting (Decision-making and/or Parenting time)	Schedule 1
<input type="checkbox"/> Contact Order/ Third Party Time with Child	Schedule 2
<input type="checkbox"/> Child Support	Schedule 3
<input type="checkbox"/> Spousal, Partner, Parental, or Dependent Support	Schedule 4
<input type="checkbox"/> Division of (Matrimonial or Common Law) Property	Schedule 5
<input type="checkbox"/> Other offers	Schedule 6

*Check whether this offer may be accepted in part:*

<input type="checkbox"/> This offer can be accepted in part.
<input type="checkbox"/> This offer cannot be accepted in part; all terms of this offer must be accepted.

*Provide the details on any time limits for this offer:*

<input type="checkbox"/> Acceptance of this offer must be made on or before (date: month/day/year): _____ at (time) _____
<input type="checkbox"/> Other:

DATED at _____, this _____ day of _____, 20____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>

**--- THIS OFFER SHALL NOT BE FILED WITH OR DISCLOSED TO THE COURT UNTIL ALL ISSUES  
IN THIS OFFER (other than costs) HAVE BEEN DETERMINED ---**

## Schedule 1 Parenting Order

*If you are making an offer to settle outstanding parenting issues (relating to decision-making and/or parenting time), fill in the terms of your proposal below:*

Your proposed parenting arrangements for:

Decision-making about the child(ren):

Regular parenting schedule (daily, weekly, monthly, or other):

Parenting schedule for holidays and special occasions:

Schedule for other communication (eg. phone, internet, etc.):

Other important issues in relation to parenting the child(ren):

## **Schedule 2**   **Contact Order/ Third Party Time with Child**

*If you are making an offer to settle outstanding issues relating to contact or time with a child, fill in the terms of your proposal below:*

**Your proposed arrangements for:**

Regular contact/time (weekly, bi-weekly, monthly, or other):

Contact/time on holidays and special occasions:

Contact/time over the phone, internet, etc.:

## Schedule 3 Child Support

If you are making an offer to settle outstanding child support issues, fill in the terms of your proposal below:

The basic Child Support Guidelines table amount of \$ \_\_\_\_\_ per month,  
 paid by the payor, \_\_\_\_\_, to the recipient, \_\_\_\_\_,  
(Name of payor) (Name of recipient)  
 commencing \_\_\_\_\_.  
(Date: month/day/year)

Contribution to special and extraordinary expenses:

<input type="checkbox"/> Child care	\$	per month	or	% of expense
<input type="checkbox"/> Medical and dental insurance premiums for the child(ren)	\$	per month	or	% of expense
<input type="checkbox"/> Health related expenses (that exceed insurance reimbursement by at least \$100 annually)	\$	per month	or	% of expense
<input type="checkbox"/> Extra-ordinary expenses for primary or secondary school education or for any other educational programs that meet the child(ren)'s particular needs	\$	per month	or	% of expense
<input type="checkbox"/> Expenses for post-secondary education	\$	per month	or	% of expense
<input type="checkbox"/> Extraordinary expenses for extracurricular activities	\$	per month	or	% of expense
<input type="checkbox"/> Other:	\$	per month	or	% of expense

paid by the payor, \_\_\_\_\_, to the recipient, \_\_\_\_\_,  
(Name of payor) (Name of recipient)  
 , commencing \_\_\_\_\_.  
(Date: month/day/year)

Child support not in accordance with the Child Support Guidelines table amount of \$ \_\_\_\_\_,  
 paid by the payor, \_\_\_\_\_, to the recipient, \_\_\_\_\_,  
(Name of payor) (Name of recipient)  
 , commencing \_\_\_\_\_.  
(Date: month/day/year)

Other child support amount of \$ \_\_\_\_\_ per month (eg. arrears or retroactive support),  
 paid by the payor, \_\_\_\_\_, to the recipient, \_\_\_\_\_,  
(Name of payor) (Name of recipient)  
 , commencing \_\_\_\_\_.  
(Date: month/day/year)

## Schedule 4

## Spousal, Partner, Parental, or Dependent Support

If you are making an offer to settle outstanding spousal, partner, parental, or dependent support issues, fill in the terms of your proposal below:

### Your proposed support arrangements are for:

- Spousal support
- Partner support
- Parental support
- Dependent support

### Your proposed support arrangements:

<input type="checkbox"/> Support amount of \$ _____ to be paid <b>monthly</b> (or <input type="checkbox"/> other: _____), by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Name of payor)</span> <span style="margin-left: 200px;">(Name of recipient)</span> </div> <input type="checkbox"/> for a duration of _____ months, commencing _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Number of months)</span> <span style="margin-left: 100px;">(Date: month/day/year)</span> </div> <input type="checkbox"/> for an indefinite period.
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<input type="checkbox"/> Support amount of \$ _____ to be paid in <b>lump sum</b> , by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Name of payor)</span> <span style="margin-left: 200px;">(Name of recipient)</span> </div> , on or before _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Date: month/day/year)</span> </div>
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<input type="checkbox"/> Other support (eg. arrears/retroactive) amount of \$ _____ to be paid <b>monthly</b> (or <input type="checkbox"/> other: _____), by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Name of payor)</span> <span style="margin-left: 200px;">(Name of recipient)</span> </div> , for a duration of _____ months, commencing _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Number of months)</span> <span style="margin-left: 100px;">(Date: month/day/year)</span> </div>
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<input type="checkbox"/> Other support (eg. arrears/retroactive) amount of \$ _____ to be paid in <b>lump sum</b> , paid by the payor, _____, to the recipient, _____, <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Name of payor)</span> <span style="margin-left: 200px;">(Name of recipient)</span> </div> , on or before _____ . <div style="text-align: center; font-size: small; margin-top: -10px;"> <span>(Date: month/day/year)</span> </div>
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## **Schedule 5**   **Division of Property**

*If you are making an offer to settle outstanding issues relating to division of property, fill in the terms of your proposal below:*

*Check all of the boxes that apply and fill in any information required:*

**What type of property are you making an offer for:**

- Matrimonial property (where the parties are/were married)
- Common law property (where the parties were never married, but cohabitated in a conjugal relationship)

**Your proposed division of property arrangement for:**

Assets (eg. houses, land, cabins, vehicles, pensions, investments, RRSPs, etc.):

Debts (eg. mortgages, credit card debt, loans, lines of credit, etc.):

Other (eg. business assets, etc.):

## **Schedule 6** Other Offers

*If you are making an offer to settle other issues, provide the terms of your proposal below:*