

Example 10. Affidavit

Court File Number **FDF-00-0000**

In The Court of King's Bench of New Brunswick
Family Division
Judicial District of **Fredericton**

Between:¹

Jane Mary Doe

Applicant

- and -

John Richard Smith

Respondent

AFFIDAVIT²

I, **Jane Mary Doe** of **Hometown**, in the County of **York** and Province of New Brunswick, make oath and say that:³

1. I am the applicant in the Notice of Motion dated the **10th** day of **July**, 2026⁴ and the Applicant named in the Notice of Application dated the **8th** day of **June**, 2025.
2. **John Richard Smith** is the Respondent in the Notice of Motion dated the **10th** day of **July**, 2026 and the Respondent named in the Notice of Application dated the **8th** day of **June**, 2025.
3. The respondent resides at **789 Queen Street** in the town of **Hometown** in the province of New Brunswick. I know this address, as it is where I contact the Respondent to discuss matters relating to the children.
4. The Respondent **John Richard Smith** and I were married on **June 11, 2019**.
5. The Respondent moved out of the marital home on **February 23, 2024** when we separated.
6. The Respondent and I have **two children, Kimberly Ann Smith and David Scott Smith**.
7. Our daughter **Kimberly Ann Smith** was born on **March 15, 2020** and she is now **5** years old.
8. Our son **David Scott Smith** was born on **January 23, 2023** and he is now **2** years old.
9. The children live with me at **456 Main Street** in the town of **Hometown** in the province of New Brunswick.
10. The children spend every **second weekend** with the Respondent, and every **Tuesday night**.

This is not a form. You must prepare the affidavit yourself.

This example affidavit goes with the request being made in form 72U. However, you might need to file an affidavit for many reasons, including other Notice of Motion forms like 37A. Make sure the information in your Affidavit is accurate, and that it relates to the order you are asking the court for.

In the Affidavit, you explain why you are asking for the order, and why the court should give it to you. The Affidavit should focus on facts.

1. Always include the full style of proceeding at the top of court documents. See example 1 for a style of proceeding.

2. See section 3.3 for information on what to include in an Affidavit.

3. In this first line, include your name, the place you live, and the county it is in.

4. Include the date (day, month, and year) when you signed the Notice of Application and/or Notice of Motion.

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5. Include information that will help the court make a decision. For example, income information the court needs to calculate child support.

6. Leave the place and date blank. The Commissioner of Oaths will fill this in when they sign, after witnessing your signature.

7. You will sign here when you bring the affidavit to a Commissioner of Oaths.

11. The Respondent's yearly income when we separated was \$40,000.
12. I have been informed by Michael Kramer, contractor, of 231 Pleasant Lane in the city of Smalltown in county of York and Province of New Brunswick that he has employed⁵ the Respondent as an accountant since October 13, 2025 at a yearly salary of \$52,000, and I believe the information of Mr. Kramer.
13. I work full time at Quick Stop. I work from 8am to 4pm from Monday to Friday. My annual salary is \$32,000.
14. The Respondent and I have been unable to reach an agreement to change the amount of child support.
15. I confirm that all of the information in the Notice of Motion is correct. I read the Notice of Application when I signed it and I have just reread it. I confirm that all of the information in the Notice of Application is correct.

AFFIRMED before me at
Fredericton, in the County of York,⁶
in the Province of New Brunswick,
this 8th day of July, 2026.

Commissioner of Oaths
Being a solicitor
or
My appointment expires
(Month. . . Day. . . Year)

Jane Mary Doe

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