

APPENDIX C

<h1 style="margin: 0;">ANCILLARY RELIEF</h1> <h1 style="margin: 0;">CHECKLIST</h1>	In the District Court		
	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 30%; padding: 5px;">Case No. Always quote this</td><td style="width: 70%; height: 40px;"></td></tr></table>	Case No. Always quote this	
Case No. Always quote this			

Filed by: [Petitioner / 1st Applicant / Respondent / 2nd Applicant]*

Between	Petitioner / 1st Applicant* Solicitor's Reference:	and	Respondent / 2nd Applicant* Solicitor's Reference:
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Instructions:

1. *This Checklist is to be lodged with the court by the parties to the proceedings, not less than 7 days prior to the Directions Hearing/ PTR before the Listing Judge/ Trial Judge.*
2. *Please make a tick in the box if you confirm the statements and make a cross in it if you are unable to confirm the statement.*
3. *Please delete the inappropriate in the square brackets denoted by *.*

A. Main Suit

<input type="checkbox"/>		Divorce*	
<input type="checkbox"/>	1.		The Decree Nisi was granted on _____.
<input type="checkbox"/>	2.		A Section 18 Declaration [has /has not]* been made.
<input type="checkbox"/>	3.		The Decree Absolute was granted on _____.

<input type="checkbox"/>		Nullity*
<input type="checkbox"/>	4.	The Nullity Hearing was held on _____.
<input type="checkbox"/>	5.	It was ordered that _____.
<input type="checkbox"/>		Judicial Separation*
<input type="checkbox"/>	6.	The Judicial Separation Hearing was held on _____.
<input type="checkbox"/>	7.	It was ordered that _____.

B. Children

<input type="checkbox"/>	8.	I confirm that there are no children involved in these proceedings.				
<input type="checkbox"/>	9.	The children involved in these proceedings are:				
		Name	Date of Birth	Age	Sex	Relationship
		Child 1:				
		Child 2:				
		Child 3:				
		Child 4:				
<input type="checkbox"/>	10.	There [has not been / has been]* a Children's Dispute Resolution ("CDR"), which was held on _____ before _____.				
<input type="checkbox"/>	11.	There [has not been / has been]* a trial in respect of issues relating to the children which was held on _____ before _____.				

<input type="checkbox"/>	12.	<p>The Order(s) relating to the children were made by [consent / after CDR / Trial]* and are as follows:</p> <table border="1"> <tr> <td>Custody</td> <td></td> </tr> <tr> <td>Care & Control</td> <td></td> </tr> <tr> <td>Access</td> <td></td> </tr> <tr> <td>Other</td> <td></td> </tr> </table>	Custody		Care & Control		Access		Other	
Custody										
Care & Control										
Access										
Other										
<input type="checkbox"/>	13.	I confirm that there are no remaining issues as regards the children.								
<input type="checkbox"/>	14.	<p>The remaining issues as regards the children are:</p> <p>_____</p> <p>_____</p>								

C. Ancillary Relief

Application under section 17 of the Matrimonial Proceedings and Property Ordinance, Cap 192 (Avoidance of transactions intended to defeat certain claims) / Third Party Interest		
<input type="checkbox"/>	15.	<p>I confirm that the s. 17 Application / Third Party Interest relating to the issues on ancillary relief [have been / have not been]* disposed of, the relevant issues of which are:</p> <p>_____</p> <p>_____</p> <p>_____</p>
<input type="checkbox"/>	16.	I confirm that there is no s. 17 Application / Third Party Interest relating to the issues on ancillary relief.

Factual Evidence		
		Form E
<input type="checkbox"/>	17.	<p>The parties have filed the following Form E:</p> <p>[The Petitioner / the 1st Applicant]*'s Form E dated _____, _____;</p> <p>[The Respondent / the 2nd Applicant]*'s Form E dated _____, _____.</p>
<input type="checkbox"/>	18.	I confirm that my Form E is in order and requires no amendment.
<input type="checkbox"/>	19.	<p>I seek leave to file and exchange a further / updated Form E and will do so on or before _____ / within _____ days because:</p> <p>_____</p> <p>_____</p>
<input type="checkbox"/>	20.	I [object / do not object]* to an order that the other party file and serve / exchange a further / updated Form E on or before _____ / within _____ days.
Discovery		
<input type="checkbox"/>	21.	<p><input type="checkbox"/> I confirm that there are no outstanding Questionnaires or other requests for discovery that have not been answered.</p> <p><input type="checkbox"/> The Questionnaire or other request for discovery as set out in the following [letter of request / Questionnaire / Summons]* is / are outstanding.</p> <p>_____</p> <p>_____</p> <p>and I intend to [provide an Answer / take out an application]* within ____ days.</p>
<input type="checkbox"/>	22.	I confirm that I do not intend to file any further Questionnaires or other request / summons for discovery.

<input type="checkbox"/>	23.	<input type="checkbox"/> I seek leave to file a Questionnaire [as per the attached draft]* within ____ days. <input type="checkbox"/> I intend to [request / apply for]* _____ within ____ days.
<input type="checkbox"/>	24.	I seek an Order that the other party provides an Answer within ____ days.
The Parties' Affidavits		
<input type="checkbox"/>	25.	I have filed the following affidavits on the issue of Ancillary Relief: (a) _____, dated ____; (b) _____, dated _____.
<input type="checkbox"/>	26.	I confirm that I do not seek to file any (further) affidavit.
<input type="checkbox"/>	27.	I seek leave to file and exchange an affidavit on the background and issues relevant to the matters set out in section 7 of Cap 192, Laws of HK ("narrative affidavit"), on or before ____ / within ____ days because: _____ _____
<input type="checkbox"/>	28.	I [object / do not object]* to an order that the other party file and serve / exchange a narrative affidavit on or before ____ / within ____ days.
<input type="checkbox"/>	29.	I seek an order that the other party files a narrative affidavit because: _____ _____

Witnesses		
<input type="checkbox"/>	30.	<input type="checkbox"/> I confirm that [save for myself]*, I do not intend to call any witnesses. <input type="checkbox"/> There will be ____ witness(es) at the trial [including myself]* whose full name(s) are as follows: <hr/> <hr/>
<input type="checkbox"/>	31.	I have filed and served the following affidavits relating to Ancillary Relief from my witnesses: (a) _____ dated _____; (b) _____ dated _____.
<input type="checkbox"/>	32.	I confirm that I do not seek leave to file any further affidavit(s) from my witness(es).
<input type="checkbox"/>	33.	I seek leave to file and serve an affidavit(s) from my witness(es) whose full name(s) is /are _____ on or before _____ / within _____ days, and the nature of his/her evidence is: <hr/> <hr/>
<input type="checkbox"/>	34.	I will be applying for a subpoena in respect of _____ on or before _____ / within ____ days.
<input type="checkbox"/>	35.	I [object / do not object]* to an order that the other party file and serve / exchange an (further) affidavit from his/her witness(es) _____ on or before _____ / within ____ days.

Expert Evidence				
<input type="checkbox"/>	36.	I confirm that I do not intend to adduce expert evidence at the trial.		
<input type="checkbox"/>	37.	I seek leave to adduce expert evidence at trial as follows:		
		Expert's Name	SJE / Instructed by	Field of Expertise
				Report Date
				Oral Evidence Required / Not Required
<input type="checkbox"/>	38.	The issues that will be addressed by the experts are:		

<input type="checkbox"/>	39.	<input type="checkbox"/> I confirm that I am agreeable to the appointment of a single joint expert. <input type="checkbox"/> I am not agreeable to the appointment of a single joint expert for the following reasons: _____ _____ <input type="checkbox"/> The parties have appointed a single joint expert, namely: _____. <input type="checkbox"/> I intend to adduce the expert report(s) as evidence at trial without calling the maker thereof.		

<input type="checkbox"/>	40.	<p>I seek an order that:</p> <p><input type="checkbox"/> The parties do within ____ days attempt to agree on the valuation of the following assets:</p> <p>_____</p> <p>_____</p> <p><input type="checkbox"/> Failing agreement, the parties do within ____ [days / weeks]* nominate a single joint expert to value the same, such report to be available to the court not less than ____ [days / weeks]* prior to ____.</p> <p><input type="checkbox"/> In the event that the parties are unable to agree on the identity of the single joint expert, the parties shall inform the court by way of a joint letter, each party nominating ____ options for the single joint expert, and shall seek [written]* directions from the court as to the appointment of the single joint expert.</p>
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Interlocutory Applications

<input type="checkbox"/>	41.	<p><input type="checkbox"/> I confirm that there has been no application for Maintenance Pending Suit (“MPS”) / Interim Maintenance/ Variation of MPS or Interim Maintenance.</p> <p><input type="checkbox"/> There has been an application for MPS /Interim Maintenance by _____ dated _____.</p> <p><input type="checkbox"/> The application for MPS / Interim Maintenance was heard before _____ on _____.</p>
<input type="checkbox"/>	42.	<p>[MPS / Interim Maintenance / Legal Costs Allowance]* [was ordered / is being paid by consent]* by _____ to _____ in the sum of</p> <p><input type="checkbox"/> (a) HK\$_____ in respect of _____;</p> <p><input type="checkbox"/> (b) HK\$_____ in respect of _____;</p> <p><input type="checkbox"/> (c) HK\$_____ in respect of _____.</p>

<input type="checkbox"/>	43.	<input type="checkbox"/> I confirm that there is no outstanding application for MPS / Interim Maintenance. <input type="checkbox"/> I seek payment of MPS / Interim Maintenance in the sum of HK\$_____ and [have taken out a summons / will apply on or before _____]*.
<input type="checkbox"/>	44.	<input type="checkbox"/> I confirm that the Order(s) for MPS / Interim Maintenance will continue to be paid [by me]* until the resolution of the claim for ancillary relief. <input type="checkbox"/> The following Orders for MPS / Interim Maintenance are [due to expire / have already expired]* namely: _____ _____
<input type="checkbox"/>	45.	<input type="checkbox"/> I confirm that there is no other outstanding direction to be complied with. <input type="checkbox"/> The following direction(s) has / have not been complied with: _____ _____
<input type="checkbox"/>	46.	<input type="checkbox"/> I confirm that I do not intend to take out any other interlocutory applications. <input type="checkbox"/> I intend to apply within ____ days for: _____ _____

Pre-Trial Review		
<input type="checkbox"/>	47.	<input type="checkbox"/> I confirm that I do not ask for a Pre-Trial Review. <input type="checkbox"/> I request a Pre-Trial Review because: <hr/> <hr/>
Trial		
<input type="checkbox"/>	48.	<input type="checkbox"/> I confirm that it is appropriate to set the case down for trial. <input type="checkbox"/> It is inappropriate to set the case down for trial at this stage because: <hr/> <hr/>
<input type="checkbox"/>	49.	I confirm that application [has / has not]* been made to have the matter assigned to a trial judge, namely _____ because: <hr/> <hr/>
<input type="checkbox"/>	50.	<input type="checkbox"/> I confirm that I do not request the case to be tried by a bilingual judge. <input type="checkbox"/> I request the case to be tried by a bilingual judge because: <hr/> <hr/>
<input type="checkbox"/>	51.	I confirm that my preferred language for trial is [Chinese / English]* _____ (please fill in the language / dialect) interpreter is required.
<input type="checkbox"/>	52.	I confirm that the earliest date I believe I can be ready for trial is _____.

<input type="checkbox"/>	53.	[I / my solicitors / my trial counsel]* estimate that the trial is likely to last for _____ days.
<input type="checkbox"/>	54.	I have attached hereto a certificate giving time estimates for the trial prepared by [myself/ solicitor/ trial counsel]*.
<input type="checkbox"/>	55.	I confirm that I have attached my proposed directions.
<input type="checkbox"/>	56.	<input type="checkbox"/> I confirm that I have attached <ul style="list-style-type: none"> <input type="checkbox"/> (a) an agreed Chronology; <input type="checkbox"/> (b) a joint and agreed Statement of Issues in Dispute; <input type="checkbox"/> (c) a joint table / Scott's Schedule of Assets and Liabilities, stating which are agreed or disputed, and which of the valuations are agreed or not agreed. <input type="checkbox"/> Agreement has not been reached because: <hr/> <hr/> and I therefore attach: <ul style="list-style-type: none"> <input type="checkbox"/> (a) my own Chronology; <input type="checkbox"/> (b) my own Statement of Issues in Dispute; <input type="checkbox"/> (c) my List of the Parties' Assets and Liabilities.

D. Dispute Resolution

	57.	<input type="checkbox"/> I confirm that the parties have attended mediation. <input type="checkbox"/> I confirm that the parties have not attended mediation because: _____ _____ <input type="checkbox"/> I confirm that I am willing to attend mediation. <input type="checkbox"/> I confirm that I am not willing to attend mediation because: _____ _____
	58.	<input type="checkbox"/> I confirm that the parties [have / have not]* attempted to settle by engaging in collaborative practice. <input type="checkbox"/> I confirm that I [am / am not]*willing to engage in collaborative practice.
	59.	<input type="checkbox"/> I confirm that the parties [have / have not]* attempted to settle by private adjudication of financial disputes. <input type="checkbox"/> I confirm that I [am / am not]* willing to engage in private adjudication of financial disputes.

E. Other Matters

<input type="checkbox"/>	60.	I set out below other information that will help the Court in case management (for examples, please provide the particulars if there is an injunction against a party or an undertaking given by a party relevant to ancillary relief): _____ _____
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Dated this day of , 20

I, _____, the [*Petitioner / 1st Applicant / Respondent / 2nd Applicant* _____]* declare that the above answers are true and accurate to the best of my information and belief.

Signed:

Date:

and

I, _____, solicitor for the [*Petitioner / 1st Applicant/ Respondent / 2nd Applicant* _____]*, having the conduct of this case declare that the above answers are true and accurate to the best of my information and belief.

Signed:

Date:

Address all communications to the Chief Judicial Clerk and quote the case number from page 1.
If you do not quote this number, your correspondence may be returned.

Chief Judicial Clerk
Wanchai Law Courts
M2 Floor Family Court Registry
Wanchai Tower
12 Harbour Road, Hong Kong