

CANADA / JUDGMENT

Wallace v. Felts

2020 BCSC 950

COURT

Supreme Court of British Columbia

DECIDED

25 June 2020

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2020 BCSC 950 Wallace v. Felts IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: Wallace v. Felts, 2020 BCSC 950 Date: 20200625 Docket: E42941 Registry: Penticton Between: Christine Anne Rougeau Wallace Claimant And Kevin James Felts Respondent Before: The Honourable Mr. Justice G.P. Weatherill Reasons for Judgment - Application by Written Submissions The Claimant on her own behalf: C.A.R. Wallace Counsel for the Respondent: K.M. Robinson Place and Date of Written Submissions: Kelowna, B.C. June 9, 2020 Place and Date of Judgment: Kelowna, B.C. June 25, 2020

- [1] This application is brought pursuant to Supreme Court of British Columbia COVID-19 Notice #14, dated April 27, 2020, permitting applications by written submission.
- [2] The claimant and respondent were married on March 18, 1998, and separated on October 3, 2017.
- [3] Although the parties have two daughters, they are aged 19 and 20, respectively, and both live independently. Accordingly, there are no "children of the marriage" as defined by the Divorce Act.
- [4] All matters except for the divorce were settled at a judicial case conference on July 25, 2019. At that time both parties were represented by counsel.
- [5] The claimant's counsel filed a notice of withdrawal of counsel on October 18, 2019, and the claimant has been self-represented since that time. The claimant has taken no steps to finalize a divorce or withdraw her notice of family claim despite several requests by the respondent's counsel so that the parties could obtain an uncontested divorce.
- [6] Accordingly, the respondent seeks a divorce pursuant to his counterclaim filed August 22, 2019, and served on the claimant on December 10, 2019.
- [7] On June 9, 2020, the respondent's counsel served the claimant with a notice of application filed June 9, 2020, seeking a divorce order. Affidavits in support were also filed. The claimant has taken no position and has not filed a response.

Determination

- [8] The certificate of pleadings has been filed and the proceedings are in order. I am satisfied from a review of the material filed in support of this application that all requirements of the Divorce Act have been met.
- [9] There will therefore be an order that the claimant, Christine Anne Rougeau Wallace, and the respondent, Kevin James Felts, who were married to each other on March 18, 1998, at Edmonton Alberta, shall be divorced from one another, the divorce to take effect 31 days after the date of these reasons. "G.P. Weatherill J."
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