



## Stephanie Dobson Lawyer & Mediator

### *If I'm Divorced, Do I Need My Ex's Consent to Apply for My Kids' Passport?*

Once your kids are 16 years old, they may apply for their passport without requiring their parents' signatures. Until that age, though, both parents' consent are usually required – this consent comes in the form of a signature on the application form.

If you have a Separation Agreement or a Court Order for “joint custody”, this automatically requires both parents' signatures on the application. If one parent has “sole custody” and the other parent has “reasonable access”, then the non-custodial parent's signature may not be required. If the non-custodial parent has specified access, then their signature will be required.

Passport Canada will review your Agreement or Order carefully to determine the custody and access arrangements. In addition, the clerk will also look for whether there are restrictions on mobility – i.e. the parents may not remove the children from X location without the consent of the other parent. In these cases, both signatures are required.

You may need to apply to the Court for an Order if any of these situations apply to you:

- You don't have an Agreement or an Order, and you cannot locate the other parent
- You have joint custody, but the other parent will not sign the passport application
- You are afraid to contact the other parent due to the level of conflict
- You fear that the children will be abducted if a passport is issued

If you are on the other side of the coin, and are the parent who wants to ensure that the children do not obtain passports due to fear of abduction, once you have a Court Ordered mobility restriction on the children, you may advise Passport Canada that the children should be placed on the System Lookout to generate an alert if an application is received.

Feel free to contact Stephanie to answer your questions or to set up a consultation. Archives of all articles can be viewed at

[www.kindrachukdobson.com](http://www.kindrachukdobson.com).

**Kd**

kindrachukdobson  
LAWYER & MEDIATOR



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5014-48 Street, 2nd Floor, Lloydminster, AB

**T: 780 • 875 • 6600**

**F: 780 • 875 • 6601**

**E: [stephanie@kindrachukdobson.com](mailto:stephanie@kindrachukdobson.com)**

**W: [www.kindrachukdobson.com](http://www.kindrachukdobson.com)**