

G3: Order for infant settlement (over \$50,000)

No action commenced

This sample order is based on prescribed Form 34 of the Supreme Court Civil Rules. **Please note that for orders to be signed by the Deputy PGT, at minimum a small portion of text from the order must appear on the signature page.**

Form 34 (Rules 8-4(1), 13-1(3) and 17-1(2))

[style of proceeding]

Consent order

[Rule 22-3 of the Supreme Court Civil Rules applies to all forms.]

BEFORE))
) A JUDGE OF THE COURT)
) [or])
) A MASTER OF THE COURT) [month, day, year]
) [or])
) A REGISTRAR)
))

ON THE APPLICATION of [party(ies)], without a hearing and on an infant settlement of \$ [amount] inclusive of general damages and taxable costs and disbursements (the “Infant Settlement”) being reached by the plaintiff and the defendant, and BY CONSENT, and upon reading the Public Guardian and Trustee’s written comments and other material filed;

THIS COURT ORDERS that:

1. the proposed infant settlement of \$ [amount] inclusive of general damages, court order interest, and taxable costs and disbursements relating to a motor vehicle accident which occurred in [location], British Columbia on [month, day, year] is approved;
2. the aforesaid sum be paid by the respondent [name] as follows:
 - a. \$ [amount] to the Public Guardian and Trustee to be held in trust for the infant until the infant attains the age of 19 years, subject to s. 14(1) of the Infants Act; and
 - b. \$ [amount] to [name of solicitors] for legal fees and disbursements;
3. [name of guardian], as guardian of the infant [name of infant], is hereby authorized to enter into an agreement of settlement and release of the claim in this action in such form as counsel may approve under s. 40(5) of the Infants Act;

4. the agreement of settlement and release when executed by [name of guardian], as guardian on behalf of the infant, shall be good and effectual for all intents and purposes as if the infant was of full age, and had [themselves] entered into an agreement of settlement and release.:

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS NOTED ABOVE:

[A signature line in the following form must be completed and signed by or for each consenting party.]

Signature of

- party
- lawyer for [name of party(ies)]
[type or print name]

Signature of

- party
- lawyer for [name of party(ies)]
[type or print name]

BY THE COURT

Registrar