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Legal Brief*

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Applying for a Canadian Passport for a Child — What if One Parent Cannot be Located?

Sarah has sole custody of her daughter Rosalie, who is 8 years old. At the time of their separation, Rosalie’s parents had gone before the Superior Court to obtain a judgment granting Sarah custody of Rosalie, and the father had been granted access rights.

Rosalie has not seen her father for the past four years. Since her father is rather nomadic and doesn’t even have a social media profile, Rosalie’s mother has no idea how to find him.

Sarah wants to go to Walt Disney World with her daughter. As the applicant and as Rosalie’s parent, Sarah must therefore complete and sign the Child General Passport Application. However, there is a problem: the signature of the “other parent” is required in order to obtain the child’s passport.

What steps can Sarah take in such a case?

There are a few options:

- She can apply to the court to have one of the attributes of the father’s parental authority withdrawn.
- She could also go to court to ask that she be allowed to sign the passport application alone and be able to travel alone with her daughter Rosalie, without the father’s permission.
- Given the particular circumstances of this case, she could also apply to have the father be deprived of his parental authority.

Prior to taking such steps in court, Sarah will require the authorization of the clerk in order to be able to use a special mode for serving her legal proceedings, given that she does not know where the father is.

To find out more about such applications and the criteria for initiating proceedings for the partial withdrawal of the attributes of parental authority or for the deprivation of parental authority, don’t hesitate to contact one of the lawyers practising family law at a legal aid office in your area.

Don’t hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you.

To find the contact information for your legal aid office, please visit our website at

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* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.