

STEPS TO JUSTICE

FAMILY LAW

An OJEN workshop demonstrating a CLEO
public legal information resource.



CLEO

Community Legal Education Ontario
Éducation juridique communautaire Ontario



True or false?

1. I got legally married to an Elvis impersonator in Las Vegas, but it doesn't count because I live in Canada, right?

TRUE OR FALSE: Marriages that take place outside of Canada don't count in Canada



True or false?

2. My parents are getting a divorce. I want to live with my mom because she is a way better cook. Luckily, I am 10 years old so I can make that decision for myself.

TRUE OR FALSE: 10-year-old children can make decisions about which parent they live with after a divorce



True or false?

3. My partner and I are splitting up, and she wants sole decision-making responsibility for our children. If she has this, there's a chance I would never get to see my children again.

TRUE OR FALSE: Not having decision-making responsibility carries with it the possibility of losing visitation rights and/or custody



True or false?

4. I pay spousal support to my ex-husband. That means I send the cheques directly to his house.

TRUE OR FALSE: Spousal support cheques get sent directly to the home of the payee



True or false?

5. My husband recommended we both go see Lyndsey the Lawyer to discuss our separation and divorce. But I decided to go see Louis the Lawyer by myself, because it's better for us to have our own separate lawyers.

TRUE OR FALSE: It is better to have separate lawyers when undergoing separation/divorce proceedings

Family Law in Ontario: *What is covered?*

Birth and adoption

- Adoption
- Paternity tests
- Getting a health card
- Registering a birth

Marriage, common-law relationships and dividing property and debts

- Getting married
- Marriage contracts/cohabitation agreements
- Dividing assets (e.g. pensions, family home)

Separation and Divorce

- Legal separation procedures
- Divorce (application and procedures)
- Dispute Resolution
- Creating and changing separation agreements
- Annulments

Decision-Making and Time with Children

- Decision-making responsibility/Custody
- Parenting time or access
- Moving/travelling
- Changing orders and agreements

Child and Spousal Support

- Child/Spousal support regulations
- Calculating child/spousal support
- Receiving child/spousal support
- Changing child/spousal support
- Solving problems with child/spousal support
- Family Responsibility Office






Real Life Legal Problems

Demonstration Scenario

I have decided that my marriage is over and I want a divorce. My husband travels a lot for work and he seems to think everything is fine, so I don't think he will agree to it. Can I apply for a divorce on my own? And if so, how?





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Some questions:

- Do you and your partner need to agree to get a divorce?
- What other legal issues should you consider before applying for a divorce?
- What is the difference between a “contested” and “uncontested” divorce?
- How do you know which form to fill out when you apply to the court for a divorce?
- Which court has the power to make a divorce order?



**Using the
Steps to Justice
Website**

Steps to Justice



**Steps to Justice**
Your guide to law in Ontario

HIDE THIS SITE

Français



 Legal Topics ▾ About Steps to Justice ▾ Latest Updates ▾ Embed & Share ▾



Steps to Justice

Step-by-step information about legal problems.
Reliable, practical, and easy to understand.

 Tell us what you are looking for...

Legal Topics

Abuse and Family Violence

Criminal Law

Debt and Consumer Rights

Employment and Work

Family Law

Health and Disability

Housing Law

Human Rights

Income Assistance

Tribunals and Court

 Live chat
Mon-Fri 11am-1pm





Group Work

1. Navigate to the Steps to Justice website:
<http://stepstojustice.ca>
2. Read your scenario with your group.
3. Try to identify the main legal issues.
4. Imagine that you are the person in the scenario. Use the Steps to Justice website to answer the questions on your handout.
5. As you browse, try to find out more about how the law would affect the person in your scenario. What does it say? What are their options?
6. Record your answers on the handout.

If you get stuck, ask for help!



Large Group Scenario

FOCUS AREAS:

- 1) adoption
- 2) division of the
matrimonial home
- 3) spousal support

My husband and I have been married for five years. My husband bought us a house in our first year of marriage and we have lived there ever since. It is my dream home. It has a light-filled studio for me (I'm an artist) and a perfect room for a cozy little nursery. All I could think about was raising a family there.

We are a same-sex couple, so over the last year we have been looking into the process of adoption. I did most of the research because my schedule is more flexible. My husband is a computer programmer and he works non-stop. We had talked a lot about whether we should do a public or a private adoption, but we didn't make a decision.

About six months ago, our relationship changed dramatically and we decided that we should split up. We have agreed to apply for a divorce order together. Since then, my husband keeps talking about how much money he will have after the divorce, since he can sell the house and he won't have to support me.

After my divorce I would still like to adopt a child, but I'm worried that the divorce will affect that process. I would also like to stay in the house, because I love it so much and I still want to have my family there, but my husband is the legal owner. I am worried about my financial situation as well; for the past five years, he earned most of our family's income. Should I be worried? What should I do?