

PART I - DIVORCE, SUPPORT AND PARENTING

01 Marriage Breakdown, Reconciliation & Dispute Resolution

Reconciliation, negotiation, mediation and arbitration

Statute: Divorce Act, ss. 7-7.7(3) and 10

Statute: Children's Law Reform Act, ss. 30-31

Statute: Family Law Act, s. 3

Case: *Association de médiation familiale du Québec v. Bouvier*, 2021 SCC 54

02 Jurisdiction

Jurisdiction in divorce and corollary proceedings

Statute: Divorce Act, ss. 3-6.3

Case: *Office of the Children's Lawyer v. Balev*, 2018 SCC 16, [2018] 1 S.C.R. 398

Case: *Dunmore v. Mehralian*, 2025 SCC 20

Case: *Droit de la famille - 21910*, 2021 QCCS 2081

03 Effective Date and Effect of Divorce

When a divorce takes effect and its legal consequences

Statute: Divorce Act, ss. 12-14

04 Recognition of Foreign Divorces

Recognition of divorces granted outside Canada

Statute: Divorce Act, s. 22

Case: *Sonia v. Ratan*, 2024 ONCA 152

Case: *Vyazemskaya v. Safin*, 2024 ONCA 156

05 Recognition of Foreign Parenting or Contact Orders

Recognition of foreign orders varying parenting or contact orders

Statute: Divorce Act, s. 22.1

06 Marriage Breakdown as a Ground for Divorce

Grounds for divorce

Statute: Divorce Act, s. 8

07 Bars to Divorce

Statutory bars and court scrutiny before granting divorce

Statute: Divorce Act, s. 11

Case: *Bruker v. Marcovitz*, [2007] 3 S.C.R. 607

08 Interim Support Orders

Interim child and spousal support

Statute: Divorce Act, ss. 15.1(2), 15.2(2)

Case: *Enyedy-Goldner v. Goldner*, 2024 ONSC 1755

09 Spousal Support Orders

Entitlement, quantum, duration and priority of support

Statute: Divorce Act, ss. 15.2-15.3

Guideline: Spousal Support Advisory Guidelines

Guideline: Spousal Support Advisory Guidelines: The Revised User's Guide

Case: *Moge v. Moge*, [1992] 3 S.C.R. 813

Case: *Bracklow v. Bracklow*, [1999] 1 S.C.R. 420

Case: *Miglin v. Miglin*, [2003] 1 S.C.R. 303

Case: *Boston v. Boston*, [2001] 2 S.C.R. 413

Case: *Leskun v. Leskun*, [2006] 1 S.C.R. 920

Case: *Chutter v. Chutter*, 2008 BCCA 507

Case: *Fisher v. Fisher*, 2008 ONCA 11

Case: *Davis v. Crawford*, 2011 ONCA 294

Case: *R.L. v. M.F.*, 2025 ONCA 595

10 Retroactive Spousal Support Orders

Retroactive support principles

Case: *Kerr v. Baranow*, 2011 SCC 10

11 Spousal Support Advisory Guidelines

Application of the advisory framework

Guideline: Spousal Support Advisory Guidelines

Guideline: Spousal Support Advisory Guidelines: The Revised User's Guide

12 Variation, Rescission or Suspension of Support Orders

Variation of corollary support orders

Statute: Divorce Act, s. 17

Statute: Federal Child Support Guidelines, s. 14

Case: *L.M.P. v. L.S.*, [2011] 3 S.C.R. 775

13 Child Support Orders

Child support entitlement and calculation

Statute: Divorce Act, ss. 15.1 and 15.3

Guideline: Federal Child Support Guidelines, SOR/97-175

Case: *Auer v. Auer*, 2024 SCC 36

Case: *Chartier v. Chartier*, [1999] 1 S.C.R. 242

Case: *H. (U.V.) v. H. (M.W.)*, [2008] B.C.J. No. 717

Case: *Wright v. Zaver*, 2002 CanLII 41409 (ONCA)

Case: *Francis v. Baker*, [1999] 3 S.C.R. 250

Case: *Contino v. Leonelli-Contino*, [2005] 3 S.C.R. 217

Case: *Drygala v. Pauli*, 2002 CanLII 41868 (ONCA)

Case: *Peters v. Atchooay*, 2022 ABCA 347

Case: *Kowalewich v. Kowalewich*, 2001 BCCA 450

14 Retroactive Child Support Orders

Retroactive increases, decreases and rescission

Case: *Michel v. Graydon*, 2020 SCC 24

Case: *Colucci v. Colucci*, 2021 SCC 24

15 Parentage

Parentage under Ontario legislation

Statute: Children's Law Reform Act, Part I

Key reading: Robert Leckey, 'One Parent, Three Parents: Judges and Ontario's All Families Are Equal Act, 2016' (2019) 33(3) International Journal of Law, Policy and the Family 298-315

16 Parenting Arrangements After Divorce

a. Definitions

Statute: Divorce Act, ss. 16(1)-17(11) (parenting framework)

b. Interim Parenting and Contact Orders

c. Parenting Orders; Decision-Making Responsibility; Parenting Time; Shared Parenting

Statute: Divorce Act, ss. 16.1-16.4

Case: *Barendregt v. Grebliunas*, 2022 SCC 22

Case: *C.N.L. v. G.A.M.*, 2023 ONSC 3397

Case: *L.L. v. A.I.*, 2023 BCSC 1503

d. Contact Orders

Statute: Divorce Act, s. 16.5

e. Terms and Conditions; Review Orders; Supervision Orders

f. Intended Change in Place of Residence; Relocation Rights

Statute: Divorce Act, ss. 16.7-16.96

Case: *Barendregt v. Grebliunas*, 2022 SCC 22

g. Variation of Orders

Statute: Divorce Act, ss. 17(1)-17(11)

h. Best Interests of the Child

Statute: Divorce Act, ss. 16(1)-16(7)

i. Voice of the Child

Case: *S.K. v. D.G.*, 2022 ABQB 425

j. Religious Upbringing

k. Effect of Agreement; Parenting Plan

Statute: Divorce Act, s. 16.6

l. Conduct; Family Violence

m. Parental Conflict Resolution

n. High Conflict; Parental Alienation

17 Child and Spousal Support under Ontario Legislation

a. General

Guideline: Ontario Child Support Guidelines, O. Reg. 391/97

b. Definitions of Child, Parent, Spouse and Dependant

Statute: Family Law Act, ss. 1 and 29

c. Statutory Support Obligations

Statute: Family Law Act, ss. 30-32

d. Status of Applicant

Statute: Family Law Act, ss. 33(2)-(3)

e. Statutory Criteria

Statute: Family Law Act, s. 33

18 Parenting Orders under Ontario's Children's Law Reform Act

Provincial parenting framework

Statute: Children's Law Reform Act, ss. 24, 30, 31 and 46

Choice of School

Case: *Tolushe v. Tolushe*, 2024 ONSC 4868, para. 26

Case: *J.B. v. B.F.*, 2025 NBKB 14, paras. 64-67

19 Ownership and Equalization of Family Property - Part I of the Family Law Act

a. Introduction

b. Definition of Court

Statute: Family Law Act, s. 1(1)

c. Definition of Spouse

Statute: Family Law Act, ss. 1(1)-(2)

d. First Nations Property; Foreign Immovable Property

e. Domestic Contracts

Statute: Family Law Act, s. 2(10); s. 4(2), paras. 6-7

f. Conflict of Laws

Statute: Family Law Act, s. 15

g. Ownership of Property; Resulting and Constructive Trusts

Statute: Family Law Act, ss. 10 and 14

Case: *Kassabian v. Marcarian*, 2025 ONCA 239

h. Effect of Bankruptcy on Equalization of Net Family Properties

Case: *Schreyer v. Schreyer*, 2011 SCC 35

i. Triggering Events for Equalization; Limitation Periods

Statute: Family Law Act, ss. 5, 7 and 2(8)

j. Equalization of Net Family Properties; Ownership; Property; Pensions; Valuation; Pre-Marital Deductions; Excluded Property

Statute: Family Law Act, s. 4

k. Unequal Division of Net Family Properties

Statute: Family Law Act, s. 5(6)

l. Entitlement on Death

Statute: Family Law Act, ss. 5(2) and 6

m. Financial Disclosure; Mandatory Property and Financial Statements

Statute: Family Law Act, s. 8

n. Powers of Court; Interest; Restraining and Preservation Orders; Retrospective Operation

Statute: Family Law Act, ss. 9, 11, 12 and 13

o. Occupation Rent and Accountancy Claims

20 Possession and Disposition of the Matrimonial Home - Part II of the Family Law Act

a. Jurisdiction

Statute: Family Law Act, s. 1(1) and Part II jurisdiction provisions

b. Definition and Designation of Matrimonial Home

Statute: Family Law Act, ss. 18 and 20

c. Disposition of Matrimonial Home

Statute: Family Law Act, ss. 21-23

d. Possession; Variation; Effect of Death; Registration Against Land; Situs

Statute: Family Law Act, ss. 19 and 24-28

21 Domestic Contracts

a. Marriage Contracts, Cohabitation Agreements and Separation Agreements

Statute: Family Law Act, ss. 51-54

b. Formal Requirements; Capacity to Contract

Statute: Family Law Act, s. 55

c. Setting Aside Domestic Contracts

Statute: Family Law Act, s. 56 and s. 33(4)

d. Incorporation of Terms of Domestic Contracts in Judgments

e. Filing, Enforcement, Variation and Termination of Support Provisions

Statute: Family Law Act, ss. 35, 37 and 38