SECTION TABLE OF CONTENTS

|  |  |  |
| --- | --- | --- |
| **Ch.** | **Topic** | **Pages** |
| **49** | Procedure and the Family Law Rules | 437-453 |
| **50** | The Law of Divorce | 455-458 |
| **51** | Custody and Access | 459-463 |
| **52** | Matrimonial Property | 465-471 |
| **53** | Child Support [Including *FLA* Child Support Guidelines] | 473-477 |
| **54** | Spousal Support | 479-482 |
| **55** | Cohabitation | 483-484 |
| **56** | Financial Disclosure in Family Law Matters | 485-491 |
| **57** | Enforcement of Support Orders | 493-495 |
| **58** | The Tax Principles of Family Law [Including Appendices] | 497-515 |
| **59** | Alternative Dispute Resolution | 517-532 |
| **60** | Domestic Contracts | 533-535 |
| **61** | Representing a Victim of Domestic Abuse | 537-540 |
| **62** | Child Protection Law in Ontario | 541-547 |
| **63** | Aboriginal Law in a Family Law Context | 549-551 |
| **64** | The Change of Names Act | 553-555 |

ABBREVIATIONS

|  |  |
| --- | --- |
| **Abbreviation** | **Description** |
| **BIC** | Best Interests of the Child |
| **C & A** | Custody & Access |
| **CAS** | Children’s Aid Society |
| **CC** | Case Conference |
| **CFL** | Collaborative Family Law |
| **CL** | Common Law (Relationships) |
| **CAN** | Change of Name Act |
| **CFSA** | Child and Family Services Act |
| **CP** | Child Protection |
| **CRLA** | Children’s Law Reform Act |
| **CS** | Child Support |
| **CSG** | Child Support Guidelines |
| **DA** | Divorce Act |
| **FLA** | Family Law Act |
| **FLR** | Family Law Rules |
| **FRO** | Family Responsibility Office |
| **FS** | Financial Statement |
| **ILA** | Independent Legal Advice |
| **NFP** | Net Family Property |
| **RCP** | Rules of Civil Procedure |
| **SDO** | Support Deduction Order |
| **SS** | Spousal Support |

SUMMARY

Application for Spousal Support

|  |  |  |
| --- | --- | --- |
| Act | Who May Apply | Reference |
| Divorce Act | Married or divorced spouse may apply. | **SEE:** SS  **SEE ALSO:**  FS (required)  **SEE ALSO:** DISCLOSURE - FINANCIAL STATEMENTS |
| Family Law Act | Spouse may apply.  Unmarried persons who have cohabitated for three years may apply.  Unmarried persons in relation of some permanence with child (natural or adoptive) may apply. | **SEE:** FLA - SPOUSAL SUPPORT  **SEE:** SS  **SEE ALSO:**  FS (required)  **SEE ALSO:** DISCLOSURE - FINANCIAL STATEMENTS  **NOTE:**   * Once parties are DIVORCED, neither can apply for support under FLA (go to DA) * If proceedings already started under FLA, proceedings automatically stayed under FLA. |

Application for Child Support

|  |  |  |
| --- | --- | --- |
| Act | Applies To | Reference |
| Divorce Act | Parents are divorcing or have divorced | **SEE:** CS  **SEE:** CSG  **SEE ALSO:** FS (required)  **SEE ALSO:** DISCLOSURE - FINANCIAL STATEMENTS |
| Family Law Act | Parents not divorcing or not married | **SEE:** CS  **SEE:** CSG  **SEE:** FLA - CHILD SUPPORT  **SEE ALSO:** FS (required)  **SEE ALSO:** DISCLOSURE - FINANCIAL STATEMENTS |

Child Protection Proceedings

|  |  |
| --- | --- |
| Topic | Reference |
| Child and Family Services Act (substantive law) | SEE CP |
| Family Law Rules (procedural law) | SEE FLR |

Custody and Access Proceedings

|  |  |
| --- | --- |
| Act | Who Can Apply |
| Divorce Act | Married and seeking divorce or divorced  **SEE**: DA - C & A  **SEE ALSO:**  C & A |
| Children’s Law Reform Act | Unmarried or those not seeking a divorce -  **SEE:** CLRA - C & A |

Divorce Proceeding

|  |  |  |
| --- | --- | --- |
| Act | Applies To | Reference |
| Divorce Act | Parents are divorcing or have divorced | **SEE:** Divorce |

SECTION INDEX

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
| 150k Income Rule - Child Support | 475(R) | 3.7 |
| 65+ Tax Credit | 510(R) | 19.7 |
| **A** | | |
| Abbreviated procedure - change of name | 554(LR) | 2 |
| **Abduction** - Custody & Access | 463(R) | 4.8.2 |
| Abduction - Custody & Access - information banks - tracing child | 463(R) | 4.8.2 |
| Abduction - Custody & Access - international | 463(R) | 4.8.2 |
| Abduction - Custody & Access - other province | 463(R) | 4.8.2 |
| Abduction - Extradition Act | 463(R) | 4.8.2 |
| Abduction - offence - Criminal Code | 463(R) | 4.8.2 |
| Abduction - police locating/delivering child | 463(R) | 4.8.2 |
| Abduction - when court will order child returned - Hague Convention | 460(L) | 2.3 |
| **Aboriginal** - agreements with Minister of Community and Social Services - CFSA - s. 211 | 550(R)-441(L) | 8 |
| Aboriginal - assets - division of | 549(L)-550(L) | 3 |
| Aboriginal - Best interests of child - Aboriginal heritage | 550(R) | 7 |
| Aboriginal - Best interests of child - welfare services | 550(R)-551(R) | 8 |
| Aboriginal - Best interests of child - welfare services - provincial jurisdiction | 550(R) | 8 |
| Aboriginal - Best interests of child - welfare/family services | 550(R)-551(R) | 8 |
| Aboriginal - Child and Family Services Act (*CFSA) -* best interests | 550(R)-551(R) | 8 |
| Aboriginal - child apprehension | 551(LR) | 8 |
| Aboriginal - child apprehension - CFSA - s. 57(5) | 551(LR) | 8 |
| Aboriginal - child custody and protection | 550(R) | 7 |
| Aboriginal - child protection - consultation | 551(LR) | 8 |
| Aboriginal - Child Support | 550(L) | 4 |
| Aboriginal - child support - income tax | 550(L) | 4 |
| Aboriginal - Child Support Guidelines - s. 19 | 550(L) | 4 |
| Aboriginal - child welfare | 550(R)-551(R) | 8 |
| Aboriginal - Children aid societies - CFSA - s. 213 | 551(L) | 8 |
| Aboriginal - children’s aid societies | 550(R)-551(R) | 8 |
| Aboriginal - compensation in lieu of division of property | 549(LR) | 3 |
| Aboriginal - customary adoption | 550(R) | 6 |
| Aboriginal - customary adoption - criteria | 550(R) | 6 |
| Aboriginal - customary adoption - *Re Tagornak* | 550(R) | 6 |
| Aboriginal - customary law - adoption | 550(R) | 6 |
| Aboriginal - divorce | 549(L)-550(L) | 3 |
| Aboriginal - exclusive poss’n - matrimonial home | 549(R) | 3 |
| Aboriginal - Family Homes on Reserves and Matrimonial interests or Rights Act | 549(R)-550(L) | 3 |
| Aboriginal - *Family Homes on Reserves and Matrimonial Interests or Rights Act* | 549(LR) | 3 |
| Aboriginal - Family Law Act | 549(R) | 3 |
| Aboriginal - garnishment - support | 550(LR) | 5 |
| Aboriginal - garnishment & seizure | 550(LR) | 5 |
| Aboriginal - marriage | 549(L) | 2 |
| Aboriginal - matrimonial home - division and occupation | 549(L)-550(L) | 3 |
| Aboriginal - matrimonial real property - on-reserve | 549(R) | 3 |
| Aboriginal - obligation to determine child - CFSA - s. 47 | 550(R) | 7 |
| Aboriginal - paramountcy in Indian Act | 549(L) | 1 |
| Aboriginal - property - division of - not reserve land | 549(R) | 3 |
| Aboriginal - property - division of - reserve land | 549(L)-550(L) | 3 |
| Aboriginal - remedies - division of property | 549(R) | 3 |
| Aboriginal - representative party to proceedings - child protection | 551(LR) | 8 |
| Aboriginal - residence on reserves - rights of spouses | 549(R) | 3 |
| Aboriginal - Spousal Support | 550(L) | 4 |
| Aboriginal - Spousal Support - effect of taxation exemption | 550(L) | 4 |
| Aboriginal - Spousal Support - enforcement | 550(LR) | 5 |
| Aboriginal - Support - Enforcement | 550(LR) | 5 |
| Aboriginal child - child protection order - best interests | 542(R) | 2.3 |
| Aboriginal customary law - marriage | 549(L) | 2 |
| Aboriginal Heritage - Best interests of child | 550(R) | 7 |
| Aboriginal law - family law context | 549(L) | 1 |
| Aboriginal marriage - validity | 549(L) | 2 |
| Aboriginal peoples - customary law - marriage | 549(L) | 2 |
| Aboriginal peoples - family law | 549(L) | 1 |
| Aboriginal peoples - marriage | 549(L) | 2 |
| Aboriginal peoples - self-governance - family law context | 549(L) | 1 |
| Aboriginal- best interest of child- disposition- section 57 | 542(R) | 2.3 |
| Aboriginal- family property- common law | 549(R)-550(L) | 3 |
| **Abuse** -   SEE ALSO: VIOLENCE | 537(LR)-540(LR) | 1-5 |
| Abuse - Children | 537(L) | 2 |
| Abuse - domestic - custody and access | 539(L) | 4.1.3 |
| Abuse - domestic abuse - litigation or mediation | 537(R)-538(L) | 3 |
| Access - Appropriate Order - joint vs. sole custody | 460(R) | 3.4 |
| Access - child protection proceedings - parents | 544(LR) | 2.9 |
| **Access** - claim - jurisdiction | 459(LR) | 2 |
| Access - definition (custody & access) | 459(L) | 1 |
| Access - entitlements of | 459(L) | 1 |
| Access - Hague convention | 460(L) | 2.3 |
| Access - joint vs. sole custody vs. access, definitions | 459(L) | 1 |
| Access - parental conduct - relevance of | 460(R) | 3.3 |
| Access - person who may seek | 460(L) | 2.4 |
| Access - supervised | 460(R) | 3.5 |
| Access parent - child - change of name | 553(R)-554(L) | 3 |
| Accountants - when needed | 487(L) | 2 |
| Additional financial disclosure | 443(R) – 444(L) | 3.6 |
| Adjudicated - definition | 458(R) | 9 |
| Adjudicated - stay of proceedings | 458(R) | 9 |
| Adjudication - Spousal support - jurisdiction | 481(L) | 8 |
| Administrative calculation - child support | 477(L) | 7 |
| Adoption - Aboriginal - customary | 550(R) | 6 |
| Adoption - Children Aid’s Society - Obligation to child at risk | 542(L) | 2.3 |
| **ADR** | 517(L) | 1 |
| ADR - Child Protection Application | 544(R) | 2.10 |
| **Adultery** - adulterer as party | 456(LR) | 3 |
| Adultery - adulterer as party - service | 456(LR) | 3 |
| Adultery - bar to divorce | 456(R)-457(L) | 4 |
| Adultery - divorce - grounds for divorce | 456(L) | 3 |
| Advantages & Disadvantages - Arbitration/Mediation | 527(R) | 3.9 |
| Advantages and Disadvantages - Collaborative Family Law | 531(LR) | 4.6 |
| Advisory Guidelines - Spousal Support | 481(R)-482(L) | 10 |
| Affidavit - motion | 446(L) | 3.8 |
| Affidavit of Documents - consequences of not including document | 450(L) | 3.9.1 |
| **Affidavit of documents** - Rule (19(1)) | 450(L) | 3.9.1 |
| Affidavit of documents - when should be exchanged | 449(R) | 3.9.1 |
| Affidavit of documents - when used | 449(R)-450(L) | 3.9.1 |
| Age 65 and over credit - Tax | 510(R) | 19.7 |
| Age of child - Child Support | 474(R) | 3.4 |
| Agreements - Spousal Support | 481(R) | 9 |
| Agreements - Spousal Support - Divorce Act | 481(R) | 9.1 |
| Agreements - Spousal Support - FLA | 481(R) | 9.2 |
| Air Miles - financial disclosure | 490(R) | 2.4.7 |
| Alternative Dispute Resolution | 517(L) | 1 |
| Alternative Dispute Resolution - Child Protection Application | 544(R) | 2.10 |
| Alternative Dispute resolution - types in family law | 517(L) | 1 |
| Amending - application | 443(R) | 3.5 |
| Amendment to Arbitration Act - *Family Law Statute Amendment Act, 2006* | 522(R)-523(LR) | 3.3 |
| **Amendments to pleadings** | 443(R) | 3.5 |
| Amounts Paid prior to an order or written agreement | 501(L) | 8.1 |
| Ancillary terms - spousal support | 481(L) | 7 |
| Answer | 443(LR) | 3.3 |
| Answer - consequences for not filing | 443(R) | 3.3 |
| Answer - Family Law Rules | 443(LR) | 3.3 |
| Answer - service | 443(L) | 3.3 |
| Any other grounds - challenging domestic contracts - Family Law Act - s. 56 | 534(LR) | 3 |
| **Appeal** - appeal record | 453(L) | 3.13 |
| Appeal - appeal record - service | 453(L) | 3.13 |
| Appeal - Child Protection hearing | 546(L) | 2.14 |
| Appeal - child protection hearing - CFSA - s. 69 | 546(L) | 2.14 |
| Appeal - child protection hearing - FLR - 38 | 546(L) | 2.14 |
| Appeal - Child Protection hearing - jurisdiction & rules | 546(L) | 2.14 |
| Appeal - Child Protection hearing - where not allowed | 546(L) | 2.14 |
| Appeal - Court of Appeal - Must be heard expeditiously | 453(R) | 3.13 |
| Appeal - factum | 453(L) | 3.13 |
| Appeal - From Superior Court | 452(R)- 453(L) | 3.13 |
| Appeal - From Superior Court - When leave is required | 452(R)- 453(L) | 3.13 |
| Appeal - order not stayed by notice of appeal | 453(R) | 3.13 |
| Appeal - Perfecting Appeals | 453(L) | 3.13 |
| Appeal - stay | 453(R) | 3.13 |
| Appeal - Support order - Stay | 453(R) | 3.13 |
| Appeal - timeline for filing documents | 452(R)- 453(L) | 3.13 |
| Appeal - transcript | 453(R) | 3.13 |
| Appeal - which court | 452(R)- 453(L) | 3.13 |
| Appeal record | 453(L) | 3.13 |
| Appeal record - service | 453(L) | 3.13 |
| **Appeals** - general, Rule 38 | 452(R)- 453(L) | 3.13 |
| Applicant - legal aid | 441(R) | 3.2 |
| Applicant - under a disability | 441(R) | 3.2 |
| **Application** - \*definition | 440(R) | 3.2 |
| Application - amending | 443(R) | 3.5 |
| Application - and service requirements - Family Law Rules | 440(R) | 3.2 |
| Application - commencing by | 440(R) | 3.2 |
| Application - Exclusive possession - matrimonial home - when made | 471(L) | 3 |
| Application - Protection of child at risk | 542(L) | 2.3 |
| Application – who can seek change of name - CNA - s. 4 | 553(L) | 1 |
| Application for urgent relief - domestic violence | 538(L) | 4.1 |
| Applying for Custody & Access | 459(R)-460(L) | 2.2 |
| **Apprehension** - child - Child Protection | 541(R) | 2.1 |
| Apprehension - child - Child Protection - who may apply for order of | 541(R) | 2.1 |
| Apprehension - child - Child Protection - who may apprehend | 541(R) | 2.1 |
| Apprehension of child - without warrant | 541(R) | 2.1 |
| Arbitral Award - Conditions for Enforceability | 527(R) | 3.8 |
| Arbitral Award - Enforcement - Codified Procedure | 527(LR) | 3.8 |
| Arbitral Award - Enforcement - Family Law Rules - new R. 32.1 | 527(LR) | 3.8 |
| Arbitral award - request to enforce - form 32.1 | 527(L) | 3.8 |
| **Arbitration** - \*definition | 521(R) | 3.1 |
| Arbitration - advantages | 521(R) | 3.1 |
| Arbitration - agreement - marriage contract - Family Law Act - s. 59.4 | 533(L) | 1.2 |
| **Arbitration - Arbitration Act** - s. 35 - conciliation process prohibited | 525(L) | 3.6 |
| Arbitration - Arbitration Act - s. 45 - family arbitration agreement | 525(LR)-526(L) | 3.7 |
| Arbitration - Arbitration Act - s. 46 - judicial review | 526(L) | 3.7 |
| Arbitration - Arbitration Act, 1991 - legislative basis for arbitration | 521(R)-522(R) | 3.2 |
| **Arbitration - arbitrator** - judicial review - impartiality | 526(R) | 3.7 |
| Arbitration - arbitrator - mediation - domestic violence issues training | 520(L) | 2.4 |
| Arbitration - arbitrator - overturning decision | 525(R) | 3.7 |
| Arbitration - arbitrator - powers | 522(L) | 3.2 |
| Arbitration - arbitrator - role | 521(R) | 3.1 |
| Arbitration - arbitrator’s powers | 522(L) | 3.2 |
| **Arbitration - award** - enforceability | 523(L) | 3.3 |
| Arbitration - award - finality | 526(R) | 3.7 |
| Arbitration - award - loss of impartiality - *Duguay v Thompson-Duguay* | 526(LR) | 3.7 |
| Arbitration - award - report on - required | 523(LR) | 3.3 |
| Arbitration - award - request to enforce - form 32.1 | 527(L) | 3.8 |
| Arbitration - award - set aside under Arbitration Act - s. 46 | 526(LR)-527(L) | 3.7 |
| Arbitration - Award Enforcement | 527(LR) | 3.8 |
| Arbitration - benefits | 521(R) | 3.1 |
| Arbitration - conference calls | 524(L) | 3.5 |
| Arbitration - costs | 524(R) | 3.5 |
| Arbitration - defining issues | 524(L) | 3.5 |
| Arbitration - disclosure | 524(L) | 3.5 |
| Arbitration - Enforcement - Codified Procedure | 527(LR) | 3.8 |
| Arbitration - expert evidence | 524(R) | 3.5 |
| Arbitration - faith-based | 522(R) | 3.3 |
| Arbitration - family arbitration agreement - Arbitration Act - s. 45 | 525(LR)-526(L) | 3.7 |
| Arbitration - financial statements | 524(L) | 3.5 |
| Arbitration - format of evidence | 524(R) | 3.5 |
| Arbitration - ground for judicial review - Arbitration Act - s. 46 | 526(L) | 3.7 |
| Arbitration - hearing - details | 524(L) | 3.5 |
| Arbitration - impartiality - judicial review | 526(R) | 3.7 |
| Arbitration - judicial review | 525(LR)-527(L) | 3.7 |
| **Arbitration - legislative basis** - Arbitration Act, 1991 | 521(R)-522(R) | 3.2 |
| Arbitration - legislative basis - *Family Statute Law Amendment Act, 2006* | 522(R)-523(LR) | 3.3 |
| Arbitration - legislative basis - *Family Statute Law Amendment Act, 2006* - Regulation | 523(L) | 3.3 |
| Arbitration - limited court intervention | 525(L) | 3.7 |
| Arbitration - mediation - Advantages & Disadvantages | 527(R) | 3.9 |
| Arbitration - mediation - reasonable apprehension of bias from arbitrator/mediator - *McClintock v Karam* | 427(L) | 3.7 |
| Arbitration - memorandum of understanding | 523(R) | 3.4 |
| Arbitration - nature of award | 524(R) | 3.5 |
| Arbitration - non-compliance | 524(L) | 3.5 |
| Arbitration - overturning decision | 525(R) | 3.7 |
| Arbitration - parties | 524(L) | 3.5 |
| Arbitration - pleadings | 524(L) | 3.5 |
| Arbitration - preparation for arbitration hearing | 524(LR) | 3.5 |
| Arbitration - primacy over judicial proceedings - *Grosman v Cookson* | 524(R) | 3.7 |
| Arbitration - process | 523(R)-524(L) | 3.4 |
| Arbitration - record of arbitration | 523(LR) | 3.3 |
| Arbitration - rights of appeal | 525(LR)-526(L) | 3.7 |
| Arbitration - rules of procedure and evidence | 524(R) | 3.5 |
| Arbitration - secondary arbitrations - FLSA 59.7(2) | 532(L) | 5 |
| Arbitration - settlement meeting | 524(R) | 3.5 |
| **Arbitration - standard of review** - error of law | 525(R) | 3.7 |
| Arbitration - standard of review - finding of fact - palpable and overriding error | 525(R) | 3.7 |
| Arbitration - standard of review - *Patton-Casse v Casse* - error of law | 525(R) | 3.7 |
| Arbitration - standard of review - question of law - correctness | 525(R) | 3.7 |
| Arbitration - standard of review - question of mixed fact/law | 525(R) | 3.7 |
| Arbitration - temporary proceedings | 524(L) | 3.5 |
| Arbitration - waiver of right of appeal - invalidation | 525(R)-526(L) | 3.7 |
| Arbitration - witnesses | 524(LR) | 3.5 |
| Arbitration – arbitral award - set aside | 526(LR)-527(L) | 3.7 |
| **Arrears** - financial statements - Director & | 493(L) | 2.1 |
| Arrears - lump sum payment - tax treatment | 499(R) | 5.2 |
| Arrears - support - enforcement | 493(L) | 2.1 |
| Arrears - support - lien | 494(LR) | 3.5 |
| Arrears - support - suspension of driver’s license | 494(R)-495(L) | 3.11 |
| Arrears - Support Deduction Order | 493(R) | 2.2 |
| Arrears - tax - lump sum - income averaging | 500(L) | 5.3 |
| Arrears - tax treatment | 500(LR) | 6.1; 6.2 |
| Arrears - tax treatment - when deductible | 500(LR) | 6.1; 6.2 |
| Arrears - Variation - Support Deduction Order & Suspension | 493(R)-494(L) | 2.4 |
| Arrest - support payor absconding - enforcement | 494(R) | 3.9 |
| **Assessment** - Child Protection - Hearing | 545(L) | 2.11 |
| Assessment - Child Protection - no appeal on | 532(L) | 2.14 |
| Assessment - custody - violence - evidence | 539(L) | 4.1.3 |
| Assessment - Custody & Access - Assessor not to usurp role of judge | 462(R) | 4.6.2 |
| Assessment - Custody & Access - clinical issues | 462(R) | 4.6.2 |
| Assessment - Custody & Access - evidence issue | 462(R) | 4.6.2 |
| Assessment - Custody & Access - when ordered | 462(R) | 4.6.2 |
| Assets - at date of marriage - Financial statements | 491(L) | 2.6 |
| Assets - division of - aboriginal | 549(L)-550(L) | 3 |
| Assets - Financial statements | 489(L) | 2.4 |
| Assets in and out of Ontario | 489(LR) | 2.4 |
| Assignment - FRO Director powers - Support - enforcement - stop an order & | 493(L) | 2.1 |
| Assignment - FRO Director powers - support - enforcement (to another person, agency or body) | 494(L) | 3.1 |
| Assignment - Spousal Support | 480(R) | 6 |
| Assignment - support order - service | 477(L) | 5 |
| Attendance - case conference - penalty for failure | 445(L) | 3.7 |
| Attendance - order - attendance not required | 447(L) | 3.8.3 |
| Attribution - tax - example  SEE: Tax - attribution | 505(R)- 506(LR) | 12.5 |
| Attribution - tax & | 504(L)-505 | 12 |
| Attribution rules - *ITA -* income attribution | 504(LR) | 12.1 |
| Attribution rules - tax - inter-spousal transfers | 504(R) | 12.3.2 |
| Attribution rules - transferred property - separated parties | 504(R) | 12.3.1 |
| Attribution rules - two types | 504(R) | 12.2 |
| Average cost for Children's Expenses Table Amount | 475(R) | 3.8 |
| **B** | | |
| Bad faith - Costs | 452(L) | 3.12 |
| Bad faith behaviour - Collaborative Family Law - termination | 529(L) | 4.2.1 |
| Balance of convenience - *CLRA* | 459(R) | 2.1.2 |
| Bank Account - Financial statements | 490(L) | 2.4.3 |
| Bargaining power - unequal - marriage contract | 534(LR) | 3 |
| Barriers to Religious Marriage | 457(R) | 7 |
| **Bars to Divorce** | 456(R)-457(L) | 4 |
| Bars to Divorce - adultery | 456(R)-457(L) | 4 |
| Bars to Divorce - Collusion | 456(R) | 4 |
| Bars to Divorce - Condonation | 456(R)-457(L) | 4 |
| Bars to Divorce - Connivance | 456(R)-457(L) | 4 |
| Bars to Divorce - lack of reasonable arrangements for support of children | 456(R) | 4 |
| Bars to Divorce - Support of Children | 456(R) | 4 |
| Behavior of party - Costs | 452(L) | 3.12 |
| Benefits (Other) - Financial statements | 488(R) | 2.1.1 |
| Best interest of child- Aboriginal- disposition- section 57 | 542(R) | 2.3 |
| **Best interests of child** | 460(LR)-461(L) | 3 |
| Best interests of child - Aboriginal - heritage | 550(R) | 7 |
| Best interests of child - Aboriginal - welfare | 550(R)-551(R) | 8 |
| Best interests of child - change of name | 554(R)-555(R) | 3 |
| Best interests of child - child protection order - CFSA - s. 57.1 | 542(R) | 2.3 |
| Best interests of child - considered when - Child Protection orders | 542(L) | 2.3 |
| Best interests of child - DA & CLRA | 460(L) | 3.1 |
| Best interests of child - definition - CFSA - s. 37(3) | 542(L) | 2.3 |
| Best interests of child - factors in deciding - Custody & Access | 460(LR)-461(L) | 3 |
| Best interests of child - Factors to help court in deciding | 460(LR) | 3.1 |
| Best interests of child - parental factors / conduct | 460(R) | 3.3 |
| Best interests of children - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| Biological children- parents unmarried- paternity agreement | 533(R) | 1.4 |
| Birth certificate - change of name | 554(LR) | 2 |
| Breakdown of Marriage - divorce | 456(LR) | 3 |
| Breakdown of Marriage - grounds for divorce | 456(L) | 3 |
| Business documents - cross-examine author | 450(L) | 3.9.2 |
| Business expenses - Financial statements | 488(L) | 2.1 |
| Business Interests - Financial statements | 490(R) | 2.4.5 |
| Business records - Family Law Rules | 450(L) | 3.9.2 |
| **C** | | |
| *C.A.M. v D.M. -* failed mediation - evidence | 518(R) | 2.2 |
| Calculation - Net Family Property | 465(LR)-466(LR) | 2 |
| Canada Child Tax Benefit | 511(LR) | 19.9 |
| Capital gain - between married parties - tax implications | 503(L) | 10.5 |
| **Capital Gains** - exemption - tax & | 508(LR) | 15.5 |
| Capital Gains - tax - income attribution - sold to 3rd party | 504(R)-505(R) | 12.4 |
| Capital Gains Exemption - tax | 508(LR) | 15.5 |
| Capital loss - between married parties - tax implications | 503(L) | 10.5 |
| Capital property - inter-spousal transfers - tax | 502(LR) | 10.2 |
| Capital property - transfers - marital breakdown | 502(L) | 10 |
| Capital property transfer - tax - transferee position | 502(R)-503(L) | 10.3 |
| Capital property transfers - common types | 502(L) | 10.1 |
| Capital property transfers - depreciable property - tax | 502(LR) | 10.2 |
| Capital property transfers - separating spouses - tax | 502(LR) | 10.2 |
| Capital Transfers (common) - tax | 502(L) | 10.1 |
| Care and custody orders - appeal | 546(L) | 2.14 |
| CAS - Aboriginal CAS | 550(R)-551(R) | 8 |
| CAS - child protection - plan of care - CFSA - s. 56 | 547(LR) | 2.17 |
| **CAS** - Children’s Aid Society - definition | 541(L) | 1 |
| CAS - custodial rights - Crown wardship | 545(R)-546(L) | 2.13 |
| CAS - disposition orders - child protection | 542(LR) | 2.3 |
| CAS - duties of - CFSA - s. 15(3) | 541(LR) | 1 |
| CAS - obligation to put child up for adoption | 542(LR) | 2.3 |
| CAS - orders CAS seeks | 542(LR) | 2.3 |
| CAS - orders sought - child at risk | 542(LR) | 2.3 |
| CAS - production of file - FLR 19(11) | 547(R) | 2.18 |
| CAS - release of CAS file - consent of parties | 547(R) | 2.18 |
| CAS - temporary custody hearing | 544(L) | 2.8 |
| CAS permanent custody - child protection orders | 542(LR) | 2.3 |
| CAS plan - child protection - plan of care | 547(LR) | 2.17 |
| CAS supervision - child protection orders | 542(LR) | 2.3 |
| Case conference - Agreement - Minutes of settlement | 445(R) | 3.7 |
| Case Conference - Agreement - Minutes of settlement - Part of continuing record | 445(R) | 3.7 |
| CaseConference - attendance | 445(L) | 3.7 |
| Case Conference - Briefs - Circumstance when not returned to parties | 445(R) | 3.7 |
| Case Conference - Briefs - Must be returned to parties or destroyed | 445(R) | 3.7 |
| Case Conference - child protection case | 444(R)- 445(L) | 3.7 |
| Case Conference - combining settlement conference with trial management conference | 449(L) | 3.9 |
| Case Conference - completed (Rule 14(4)) | 444(L) | 3.7 |
| Case conference - motion to change an order or agreement | 445(L) | 3.7 |
| Case Conference - Motions, no motions heard or notice of motion served until CC | 444(L) | 3.7 |
| Case conference - must be held before motion brought | 445(R) | 3.8 |
| Case conference - must be held before motion brought - exception | 446(LR) | 3.8 |
| Case Conference - Order for disclosure | 445(L) | 3.7 |
| Case Conference - orders that can be made | 445(LR) | 3.7 |
| Case Conference - purposes of | 444(LR) | 3.7 |
| Case Conference - service | 444(R) | 3.7 |
| Case conference - Timeline for filing briefs | 445(L) | 3.7 |
| Case Conference - when can be heard | 444(R) | 3.7 |
| Case Conference - when motion or notice of motion before CC allowed | 444(L) | 3.7 |
| Case conference - when must be conducted | 444(R)-445(L) | 3.7 |
| Case conference - who must serve and file notice of | 444(R) | 3.7 |
| CaseConference – attendance - penalty for failure | 445(L) | 3.7 |
| **Case Conference (CC)** | 444(L)-445(R) | 3.7 |
| Case Conference Brief - Continuing record, not part of | 445(R) | 3.7 |
| Case Conference notice - service | 444(R) | 3.7 |
| CC = Case Conference |  |  |
| Central authority - Hague & | 463(R) | 4.8.2 |
| Certificate - change of name | 553(L) | 1 |
| Certificate of Divorce | 458(L) | 8 |
| Certificate of financial disclosure | 444(L) | 3.6 |
| Certificate of financial disclosure | 485(R) | 1.1 |
| Certificate of marriage - divorce petition | 458(L) | 8 |
| Certificate of pending litigation | 471(R) | 4 |
| **CFSA** | 541(L) | Preamble |
| CFSA - s. 141.1 - crown wardship - time limit | 545(R)-546(L) | 2.13 |
| CFSA - s. 15(3) - duties of CAS | 541(LR) | 1 |
| CFSA - s. 20.2(1) - ADR in child protection cases | 544(R) | 2.10 |
| CFSA - s. 211 - aboriginal - agreements with Minister of Community and Social Services | 550(R)-451(L) | 8 |
| CFSA - s. 213 | 551(L) | 8 |
| CFSA - s. 213.1 | 551(R) | 8 |
| CFSA - s. 37 - Child Protection - “place of safety” | 541(R) | 1 |
| CFSA - s. 37(2)(a)-(l) - child in need of protection - definition | 542(L) | 2.2 |
| CFSA - s. 37(2)(a)-(l) - child in need of protection - finding | 542(L) | 2.2 |
| CFSA - s. 37(3) - best interests of child | 542(L) | 2.3 |
| CFSA - s. 38 - child representation | 543(L) | 2.4 |
| CFSA - s. 39 - child’s right to presence at hearing | 547(R)-543(L) | 2.4 |
| CFSA - s. 46 - child apprehension - hearing | 543(R) | 2.7 |
| CFSA - s. 47 - obligation to determine if child is aboriginal | 550(R) | 7 |
| CFSA - s. 50 - child protection applications - exceptions to rules of evidence | 543(R) | 2.7 |
| CFSA - s. 50(2) - prohibition against hearing - child in need of protection | 545(L) | 2.12 |
| CFSA - s. 51 - child apprehension - hearing - adjournment | 543(R) | 2.7 |
| CFSA - s. 51 - child protection application - adjournment | 543(L) | 2.5 |
| CFSA - s. 51.1 - ADR - adjournment of hearing for ADR | 544(R) | 2.10 |
| CFSA - s. 51(3) - test for CAS to keep child | 544(L) | 2.8 |
| CFSA - s. 51(7) - child protection applications - evidence | 543(R) | 2.6 |
| CFSA - s. 54 - parenting capacity assessment | 545(L) | 2.11 |
| CFSA - s. 56 - child protection - plan of care | 547(LR) | 2.17 |
| CFSA - s. 57 - best interests of child - determination | 542(R) | 2.3 |
| CFSA - s. 57- status review - crown wardship | 546(LR) | 2.15 |
| CFSA - s. 57.1 - child protection order | 542(R) | 2.3 |
| CFSA - s. 57.2 - priority of child protection over child custody | 547(R) | 2.18 |
| CFSA - s. 57(5) - aboriginal child apprehension | 551(LR) | 8 |
| CFSA - s. 64 - Child Protection - status review | 546(LR) | 2.15 |
| CFSA - s. 69 - child protection hearing - appeal | 546(L) | 2.14 |
| CFSA - s. 70 - child protection application - restriction in time | 543(LR) | 2.5 |
| CFSA - s. 72 - child in need of protection - obligation to report | 541(R) | 1 |
| CFSA - s. 72 - child in need of protection - obligation to report - privilege | 541(R) | 1 |
| CFSA orders a court may make | 542(LR) | 2.3 |
| CFSA- Child Protection - status review - early - s. 64(7) | 547(R) | 2.17 |
| Challenging Domestic Contracts | 534(LR) | 3 |
| Change of circumstances - Child Support - Variation | 477(L) | 5 |
| Change of circumstances - definition - Spousal Support variation | 480(R) | 5 |
| **Change of name** - abbreviated procedure - marriage/dissolution of marriage | 554(L) | 2 |
| Change of name - appeals - CNA - s. 11 | 555(R) | 3 |
| Change of name - application - issuance - CNA - s. 7 | 553(R) | 1 |
| change of name - application varying existing custody order - *Felix v. Fratpietro* | 555(R) | 3 |
| Change of name - child - notice of | 554(R) | 3 |
| Change of name - child - set aside / object | 555(LR) | 3 |
| Change of name - child prohibition in separation agreement - *Zho v. Chen* | 555(L) | 3 |
| Change of name - children | 554(R)-555(R) | 3 |
| Change of name - children - CNA | 554(R) | 3 |
| Change of name - children - revoke - improper purpose - CNA - s. 10 | 555(R) | 3 |
| Change of name - conjugal relationship | 554(R) | 2 |
| Change of name - fraud or misrepresentation | 553(R)-554(L) | 1 |
| Change of name - general provisions | 533(L)-534(R) | 1 |
| Change of name - improper purpose - revoke | 553(R)-554(L) | 1 |
| Change of name - marriage and cohabitation | 554(LR) | 2 |
| Change of name - notice of | 553(R) | 1 |
| Change of name - notice to correctional services - CNA - s. 8 | 553(R) | 1 |
| Change of name - Ontario | 533(L)-534(R) | 1 |
| Change of name - order revoking | 553(R)-554(L) | 1 |
| Change of name - Registrar General | 553(R) | 1 |
| Change of name - requirements - CNA - s. 6 | 553(L) | 1 |
| Change of name - revocation - CNA - s. 10 | 553(R)-554(L) | 1 |
| Change of name - setting aside - *Vanbuskirk v. Osborne* | 555(R) | 3 |
| Change of name - spouse name change - CNA - s. 3 | 554(LR) | 2 |
| Change of name - transgendered person | 553(R) | 1 |
| *Change of Name Act* (*CNA*) | 553(L) | Preamble |
| Change of name certificate | 553(L) | 1 |
| Change of Name Index - *Vital Statistics Act* | 553(R) | 1 |
| Changing a final order on parenting or finances (DRO) | 443(L) | 3.2.3 |
| Charge against land - support - enforcement | 494(L) | 3.4 |
| Charter - common law spouses - property rights | 483(LR) | 2 |
| Charter - Definition of Marriage - same-sex | 455(L) | 1 |
| Charter - definition of spouse | 455(L) | 1 |
| Charter - same-sex | 455(L) | 1 |
| Charter - spouse - definition | 455(L) | 1 |
| **Child** - apprehending - Custody & Access - who is allowed to | 463(R) | 4.8.2 |
| Child - apprehension - Aboriginal | 551(LR) | 8 |
| Child - apprehension - hearing - five days | 543(R) | 2.7 |
| Child - change living arrangements | 451(L) | 3.6 |
| Child - change of name | 554(R)-555(R) | 3 |
| Child - Child Care Expense - tax | 511(R) | 20 |
| Child - Child care expenses (special or extraordinary) - Child Support | 475(R)-476(L) | 3.9 |
| Child - Child Support - # of children | 474(R) | 3.3 |
| Child - Child Support - age | 474(R) | 3.4 |
| Child - Child Support - definition - DA | 473(R) | 3.1.2 |
| Child - Child Support - definition - FLA | 473(R)-474(L) | 3.1.2 |
| Child - Child Support - making a claim | 473(R) | 3.1.1 |
| Child - Crown ward - status review application | 546(LR) | 2.15 |
| Child - custody - temporary - hearing | 544(L) | 2.8 |
| Child - Custody and Protection - Aboriginal - best interests | 550(R) | 7 |
| Child - definition - Child Support | 473(R)-474(L) | 3.1.2 |
| Child - Disability Benefit (CDB) | 511(LR) | 19.9 |
| Child - family services - Aboriginal | 550(R)-551(R) | 8 |
| Child - Family Services Act | 541(L) | Preamble |
| Child - in need of protection - ADR | 544(R) | 2.10 |
| Child - in need of protection - court order | 542(LR) | 2.3 |
| Child - native - child protection order - best interests | 542(R) | 2.3 |
| Child - party - Child Protection - legal counsel | 542(R)-543(L) | 2.4 |
| Child - party, as - Child Protection | 542(R)-543(L) | 2.4 |
| Child - removal from home - CFSA - s. 57.1 - orders | 542(R) | 2.3 |
| Child - representation of | 462(R)-463(L) | 4.7 |
| Child - wishes of | 460(R) | 3.1 |
| Child - witness, as | 462(R) | 4.6.1 |
| Child abuse - child protection | 541(LR) | 1 |
| Child amount - tax credit - eliminated | 510(L) | 19.4 |
| **Child Protection** | 541(LR) | 1 |
| Child Protection - aboriginal - where to place child | 542(R) | 2.3 |
| Child protection - access - parents & - importance of | 544(LR) | 2.9 |
| Child Protection - ADR | 544(R) | 2.10 |
| Child Protection - ADR required to consider - CFSA - s. 20.2(1) | 544(R) | 2.10 |
| Child Protection - age - 16 years | 541(R) | 1 |
| **Child Protection - appeal** | 546(L) | 2.14 |
| Child Protection - appeal - no extension where adoption | 546(L) | 2.14 |
| Child Protection - appeal - stay of execution | 546(L) | 2.14 |
| Child protection - appeals - evidence after order | 546(L) | 2.14 |
| **Child Protection - Application** | 541(R)-547(R) | 2 |
| Child protection - application - adjournment for ADR | 544(R) | 2.10 |
| child protection - application - evidence - CFSA - s. 51(7) | 543(R) | 2.6 |
| Child protection - application - exceptions to rules of evidence - CFSA - s. 50 | 543(R) | 2.6 |
| Child Protection - application - first appearance | 543(R)-544(L) | 2.7 |
| Child protection - application - permanent placement | 545(R)-546(L) | 2.13 |
| Child Protection - application - plan of care - CFSA - s. 56 | 547(LR) | 2.17 |
| Child Protection - application - priority of child protection over child custody - CFSA - s. 57.2 | 547(R) | 2.18 |
| Child Protection - application - production of CAS file - FLR - 19(11) | 547(R) | 2.18 |
| Child protection - application - psychological attachment to caregivers - timeline | 543(LR) | 2.5 |
| Child protection - application - right of child to notice & presence | 542(R)-543(L) | 2.4 |
| Child protection - application - rights of child - appeal | 542(R)-543(L) | 2.4 |
| Child Protection - application - statement of agreed fact - FLR - 33 | 546(R) | 2.16 |
| Child protection - application - statement of agreed fact - form 33C | 546(R) | 2.16 |
| Child protection - application - timeline | 543(L) | 2.5 |
| Child protection - application - timeline - adjournment - CFSA - s. 51 | 543(L) | 2.5 |
| Child protection - application - timeline - FLR - 33 | 543(L) | 2.5 |
| Child Protection - application - Timetable | 543(L) | 2.5 |
| Child Protection - apprehension - aboriginal - CFSA - s. 57(5) | 551(LR) | 8 |
| **Child Protection - apprehension of child** | 541(R) | 2.1 |
| Child Protection - apprehension of child - time limitation - FLR - 33 | 541(R) | 2.1 |
| Child Protection - apprehension of child - who may apply for order of | 541(R) | 2.1 |
| Child Protection - apprehension of child - who may apprehend | 541(R) | 2.1 |
| Child Protection - assessment | 545(L) | 2.11 |
| **Child Protection - best interest of child -** determination - CFSA - s. 57 | 542(R) | 2.3 |
| Child Protection - Best interests of child | 542(L) | 2.3 |
| Child Protection - CAS - definition | 541(L) | 1 |
| Child Protection - CAS - duties of - CFSA - s. 15(3) | 541(LR) | 1 |
| Child protection - Case conference | 445(L) | 3.7 |
| Child protection - child apprehension hearing - adjournment - CFSA - s. 51 | 544(L) | 2.8 |
| Child protection - child apprehension hearing - CFSA - s. 46 | 543(R) | 2.7 |
| Child protection - Child in need of protection - definition - CFSA - s. 37(2)(a)-(l) | 542(L) | 2.2 |
| Child protection - Child in need of protection - finding - CFSA - s. 37(2)(a)-(l) | 542(L) | 2.2 |
| Child Protection - child placed with relative | 542(R) | 2.3 |
| Child protection - Child protection application - restriction on length of time - CFSA - s. 70 | 543(LR) | 2.5 |
| Child protection - child protection applications - exceptions to rules of evidence - CFSA - s. 50 | 543(R) | 2.6 |
| Child Protection - child’s representation at hearing - CFSA - s. 38 | 543(L) | 2.4 |
| **Child Protection - Crown Wardship** | 545(R)-546(L) | 2.13 |
| Child Protection - Crown Wardship - Definition | 545(R) | 2.13 |
| Child Protection - Crown Wardship - time limit - CFSA - s. 141.1 & 145.1 | 545(R)-546(L) | 2.13 |
| Child protection - disposition orders | 542(LR) | 2.3 |
| Child Protection - evidence | 543(R) | 2.6 |
| **Child Protection - Hearing** | 544(L) | 2.8 |
| Child Protection - hearing - adjournment for ADR - CFSA - s. 51.1 | 544(R) | 2.10 |
| Child Protection - Hearing - appeals on - Adoption & | 546(L) | 2.14 |
| Child Protection - Hearing - assessment - no appeal by right | 545(L) | 2.11 |
| Child Protection - hearing - child’s right to - CFSA - s. 39 | 543(L) | 2.4 |
| Child Protection - hearing - evidence on | 543(R) | 2.6 |
| Child Protection - hearing - first appearance | 543(R) | 2.7 |
| Child Protection - hearing - first appearance - FLR - 33 | 543(R) | 2.7 |
| Child Protection - hearing - hearsay | 543(R) | 2.6 |
| Child Protection - hearing - legal counsel for child | 542(R)-543(L) | 2.4 |
| Child Protection - hearing - notice, child’s right to | 542(R)-543(L) | 2.4 |
| Child protection - hearing - order at first appearance - without prejudice | 543(R) | 2.7 |
| Child Protection - hearing - stale application - deadline | 528(R)-529(L) | 2.3 |
| Child protection - hearing - temporary care and custody | 544(L) | 2.8 |
| Child Protection - hearing - temporary/interim custody order & | 544(L) | 2.8 |
| Child protection - hearing - timing | 543(L) | 2.5 |
| Child Protection - hearing - when | 543(L) | 2.5 |
| Child Protection - hearing & Custody Disputes - status review hearing | 546(LR) | 2.15 |
| Child Protection - in need of protection - definition - CFSA - s. 37(2)(a)-(l) | 542(L) | 2.2 |
| Child Protection - in need of protection - finding - CFSA - s. 37(2)(a)-(l) | 542(L) | 2.2 |
| Child Protection - in need of protection - obligation to report - CFSA - s. 72 | 541(R) | 1 |
| Child Protection - in need of protection - trial - final hearing | 545(L) | 2.12 |
| **Child Protection - jurisdiction** | 541(L) | 1 |
| Child Protection - jurisdiction - priority | 546(LR) | 2.15 |
| Child Protection - law | 541(LR) | 1 |
| Child Protection - obligation to report - CFSA - s. 72 | 541(R) | 1 |
| Child Protection - obligation to report - CFSA - s. 72 - privilege | 541(R) | 1 |
| **Child Protection - onus** | 541(L) | 1 |
| Child Protection - onus - state trying to remove child from home | 544(L) | 2.8 |
| **Child protection - order** - CAS permanent custody | 545(R)-546(L) | 2.13 |
| Child protection - order - CAS supervision | 542(LR) | 2.3 |
| Child protection - order - crown wardship | 542(LR) | 2.3 |
| Child protection - order - statement of agreed fact | 546(R)-547(L) | 2.16 |
| Child protection - parental visitation | 544(LR) | 2.9 |
| Child protection - parenting capacity assessment | 545(L) | 2.11 |
| Child protection - parenting capacity assessment - CFSA - s .54 | 545(L) | 2.11 |
| Child protection - parents’ interests - plan of care | 547(LR) | 2.17 |
| Child Protection - parties to hearing - child | 542(R)-543(L) | 2.4 |
| Child Protection - parties to hearing - Child - legal counsel | 542(R)-543(L) | 2.4 |
| Child Protection - place of safety - CFSA - s. 37 | 542(L) | 2.2 |
| **Child protection - proceedings** - child’s safety - rules of evidence | 543(R) | 2.6 |
| Child protection - proceedings - Crown wardship | 545(R)-546(L) | 2.13 |
| Child protection - proceedings - evidence - oral and written statements | 543(R) | 2.6 |
| Child protection - proceedings - evidence - past conduct of persons | 543(R) | 2.6 |
| Child Protection - proceedings - Final trial | 545(L) | 2.12 |
| Child protection - proceedings - legal representation for child | 542(R)-543(L) | 2.4 |
| Child protection - proceedings - plans of care | 547(LR) | 2.17 |
| Child protection - proceedings - resolution by consent of parties | 546(R)-547(L) | 2.16 |
| Child protection - proceedings - restriction on length of time - CFSA - s. 70 | 543(LR) | 2.5 |
| Child protection - proceedings - right to participation of child | 542(R)-543(L) | 2.4 |
| Child protection - proceedings - statement of agreed facts | 546(R)-547(L) | 2.16 |
| Child Protection - proceedings - Trial | 545(R) | 2.12.2 |
| Child Protection - risk of harm | 541(LR) | 1 |
| Child Protection - Rule 16 of FLR - Summary Judgment | 545(LR) | 2.12.1 |
| Child Protection - Society - definition | 541(L) | 1 |
| **Child Protection - status review** - CFSA - s. 64 | 546(LR) | 2.15 |
| Child Protection - status review - crown wardship - CFSA - s. 57 | 546(LR) | 2.15 |
| Child Protection - status review - early - CFSA - s. 64(7) | 547(R) | 2.17 |
| Child Protection - status review hearing - waiting period | 546(LR) | 2.15 |
| Child Protection - Status review hearings | 546(LR) | 2.15 |
| Child Protection - statutory authority for | 541(L) | Preamble |
| Child Protection - substantive law | 541(L) | Preamble |
| Child Protection - Summary judgment - Rule 16 of FLR | 545(LR) | 2.12.1 |
| Child Protection - Temporary Care and Custody hearing | 544(L) | 2.8 |
| Child Protection - test for CAS to keep child, preliminary requirements of *CFSA -* s. 51(3) | 544(L)) | 2.8 |
| **Child Protection - Trial** | 545(R) | 2.12.2 |
| Child Protection - Trial - when child in need of protection - CFSA - s. 37(2) | 542(L) | 2.2 |
| Child Protection - Trial - when child in need of protection - CFSA - s. 50(2) | 545(L) | 2.12 |
| Child Protection - Ward - definition | 545(R)-546(L) | 2.13 |
| Child Protection - whether genuine issue to be tried - Rule 16 of FLR | 545(LR) | 2.12.1 |
| Child protection -proceeding - paramount over custody dispute | 547(R) | 2.18 |
| Child protection order - custody other than foster parent - CFSA - s. 57.1 order | 542(R) | 2.3 |
| Child Protection- procedural orders- trial- rule 1(7.2) | 545(R) | 2.12.2 |
| **Child Support** |  |  |
| Child Support - ("Child Support") |  |  |
| Child Support - # of children | 474(R) | 3.3 |
| Child Support - 150K rule | 475(R) | 3.7 |
| Child Support - Aboriginal | 550(L) | 4 |
| Child support - Aboriginal - *Indian Act* | 550(L) | 4 |
| Child support - administrative calculation | 477(L) | 7 |
| Child Support - adoption | 474(L) | 3.1.2 |
| Child Support - Adoption & non-biological parents | 473(R)-474(L) | 3.1.2 |
| Child Support - age of child | 474(R) | 3.4 |
| Child support - assignment - service | 477(L) | 5 |
| Child Support - award different from guidelines - custody, age, income, hardship | 474(LR) 474(R) 475(R) 476(L)  476(LR) | 3.2.2  3.4 3.7  3.10  3.11 |
| Child Support - award lower than table | 474(LR) 474(R)  476(L) | 3.2.2  3.4 3.10 |
| Child Support - change of circumstances - variation | 477(L) | 5 |
| Child Support - child - definition - DA | 473(R) | 3.1.2 |
| Child Support - child - definition - disabled adult child, DA | 473(R) | 3.1.2 |
| Child Support - child - definition - FLA | 473(R)-474(L) | 3.1.2 |
| Child Support - child (adult) withdrawal from parental control | 473(R) | 3.1.2 |
| Child Support - child care expenses | 475(R)-476(L) | 3.9 |
| Child Support - claimant | 473(R) | 3.1.1 |
| Child support - collection - Family Responsibility Office (FRO) | 493(L) | 1 |
| Child Support - consent & reasonable arrangements | 476(R) | 3.12 |
| Child support - contents of order | 476(R) | 3.13 |
| Child Support - **court discretion** - child over age of majority | 474(R) | 3.4 |
| Child Support - Custody and Access, shared custody (at least 40%) | 474(LR) | 3.2.2 |
| Child Support - definition for tax purposes | 498(L) | 4.1 |
| Child Support - Definition of Child - DA | 473(R) | 3.1.2 |
| Child Support - Definition of Child - FLA | 473(R)-474(L) | 3.1.2 |
| Child Support - departure from table - shared custody | 474(LR) | 3.2.2 |
| Child Support - deviation from table - contract | 476(LR) | 3.11 |
| Child support - deviation from table - past orders or agreements | 476(LR) | 3.11 |
| Child Support - disclosure - ongoing financial disclosure obligation | 477(L) | 6 |
| Child Support - Discretion | 474(LR) 474(R) 475(R) 476(L)  476(LR) | 3.2.2 3.4 3.7 3.10 3.11 |
| Child Support - discretion - imputing income | 474(R)-475(L) | 3.5 |
| Child Support - discretion - undue hardship | 476(L) | 3.10 |
| Child Support - discretion - when allowed | 474(LR) 474(R) 475(R) 476(L)  476(LR) | 3.2.2  3.4 3.7  3.10  3.11 |
| Child Support - extracurricular activities | 475(R)-476(L) | 3.9 |
| Child Support - failure to pay - retroactive payments | 467(R) | 4 |
| Child Support - federal guidelines | 473(L) | 2.1 |
| Child Support - federal vs. provincial, identical | 473(L) | 1 |
| Child Support - Financial Disclosure | 475(LR) | 3.6 |
| Child Support - Foreign jurisdiction - parent in | 477(R) | 8 |
| Child Support - Guidelines - ("Child Support Guidelines") |  |  |
| Child support - guidelines - spousal support - used to determine support | 479(R)- 480(L) | 3.1 |
| Child Support - Guidelines - Varying Orders | 477(L) | 5 |
| Child Support - health related expenses - illness | 475(R)-476(L) | 3.9 |
| Child Support - imputing income | 474(R)-475(L) | 3.5 |
| **Child Support - income** - $150K plus | 475(R) | 3.7 |
| Child Support - Income - determining | 474(R)-475(L) | 3.5 |
| Child Support - income - determining - corporations (parents involved in) | 474(R)-475(L) | 3.5 |
| Child Support - income - determining - intentionally under-employed, unemployed | 474(R)-475(L) | 3.5 |
| Child Support - income - determining - non-recurring income or losses | 474(R)-475(L) | 3.5 |
| Child Support - income - determining - non-resident | 475(R) | 3.8 |
| Child Support - Income - Financial Disclosure - Order to Compel | 475(LR) | 3.6 |
| Child Support - income - Financial disclosure - self-employed | 475(L) | 3.6 |
| Child Support - income - imputing | 474(R)-475(L) | 3.5 |
| Child Support - Interjurisdictional Support Order Act | 477(R) | 8 |
| Child Support - jurisdiction | 473(L) | 2 |
| Child support - legal fees - tax deductibility | 507(LR) | 14 |
| Child Support - legislation | 473(L) | 2 |
| Child Support - objectives | 473(L) | 1 |
| Child Support - Ongoing Financial Disclosure | 477(L) | 6 |
| *Child Support - Ontario Disability Support Program Act* | 477(R) | 9 |
| **Child Support - onus -** inappropriate income | 475(R) | 3.7 |
| Child Support - order - contents of | 476(R) | 3.13 |
| Child Support - order - existing order | 476(LR) | 3.11 |
| Child Support - order - form of | 476(R) | 3.13 |
| Child Support - order - variation of | 477(L) | 5 |
| **Child Support - parent** - 40% rule, determining | 474(LR) | 3.2.2 |
| Child Support - parent - assuming role of | 474(L) | 3.1.2 |
| Child Support - parent - domestic contract | 476(LR) | 3.11 |
| Child Support - parent - non-resident | 475(R) | 3.8 |
| Child Support - parent - step parent | 473(R)-474(L) | 3.1.2 |
| Child Support - past agreement | 476(LR) | 3.11 |
| Child Support - past order | 476(LR) | 3.11 |
| Child Support - payments - lump sum | 476(R) | 3.13 |
| Child Support - payments - periodic | 476(R) | 3.13 |
| Child Support - payments - security for | 476(R) | 3.13 |
| Child Support - Payor - reducing tax withheld at source (income from employment) | 509(L) | 15.10 |
| Child Support - Payor’s Income | 474(R)-475(L) | 3.5 |
| Child Support - Payor’s Income - Imputed | 474(R)-475(L) | 3.5 |
| Child Support - Payor’s Income - Varying | 474(R)-475(L) | 3.5 |
| Child Support - Periodic vs. Lump Sum | 476(R) | 3.13 |
| Child Support - pre-existing Orders | 476(LR) | 3.11 |
| Child Support - primary residence - 60% | 474(L) | 3.2.1 |
| Child Support - primary residence - who pays | 474(L) | 3.2.1 |
| Child Support - Provincial Guidelines | 473(L) | 2.2 |
| Child Support - Residence - Primary - 60% | 474(L) | 3.2.1 |
| Child Support - residential arrangement | 474(LR) | 3.2 |
| Child Support - retroactivity | 476(R)-477(L) | 4 |
| Child Support - separation agreement | 476(LR) | 3.11 |
| Child Support - Shared Custody | 474(LR) | 3.2.2 |
| Child Support - special expenses | 475(R)-476(L) | 3.9 |
| Child Support - Split Custody | 474(R) | 3.2.3 |
| Child Support - Split Custody - off-setting Child Support payments | 474(R) | 3.2.3 |
| Child Support - Table amount | 475(R) | 3.8 |
| **Child Support - tax** - amounts paid prior order | 498(R)-499(LR) | 4.5 |
| Child Support - tax - Arrears | 500(LR) | 6.1; 6.2 |
| Child Support - tax - commencement day - definition | 498(LR) | 4.3 |
| Child Support - tax - definition of Child Support | 498(L) | 4.1 |
| Child Support - tax - Income Averaging | 500(L) | 5.3 |
| Child Support - tax - no commencement day deductible - when not … | 499(LR) | 4.5.2 |
| Child Support - tax - no commencement day deductible - when… | 499(L) | 4.5.1 |
| Child Support - tax - payment - after commencement day | 498(R) | 4.4 |
| Child Support - tax - payment - before commencement day | 498(R)-499(LR) | 4.5 |
| Child support - tax - payments prior to commencement day | 498(R)-499(LR) | 4.5 |
| Child Support - tax - residency | 501(R)-502(L) | 9.4 (SEE TABLE on 502) |
| Child Support - tax & - grandfather clause, May 1, 1997 | 498(L) | 4.2 |
| Child Support - tax treatment | 498(L) | 4.2 |
| Child Support - third party payments - tax implications | 498(R) | 4.4 |
| Child Support - undue hardship | 476(L) | 3.10 |
| Child Support - undue hardship - discretion | 476(L) | 3.10 |
| Child Support - Undue Hardship - reduction of support | 476(L) | 3.10 |
| Child Support - university | 473(R) | 3.1.2 |
| Child Support - variation of order | 477(L) | 5 |
| Child Support - which court to go to | 473(L) | 2 |
| Child Support - who can apply | 473(R) | 3.1.1 |
| Child Support - who can make a claim | 473(R) | 3.1.1 |
| Child Support - withdrawal - child from parent | 459(R) | 3.1.2 |
| Child Support - written agreements | 476(LR) | 3.11 |
| Child Support – presumed to be a parent | 474(L) | 3.1.2 |
| **Child support calculation service** | 477(L) | 7 |
| Child Support Guidelines -  SEE: Child Support - Guidelines | 473(L) | 1 |
| Child Support Guidelines - s. 19 - aboriginal | 550(L) | 4 |
| Child Tax Benefit | 512(LR) | Appendix 1 |
| Child Tax Benefit - tax | 511(LR) | 19.9 |
| Child Welfare - Aboriginal | 550(R)-551(R) | 8 |
| Child Witness - Custody & Access - evidence issues | 462(R) | 4.6.1 |
| Child-care - tax credits & | 511(R) | 20 |
| Child’s best interests - change of name | 555(L) | 3 |
| Child’s best interests - child protection order - CFSA - s. 57.1 | 542(R) | 2.3 |
| Child’s best interests - protection order - custody other than foster parent | 542(R) | 2.3 |
| Children - 12 years and older - rights - protection application | 542(R)-543(L) | 2.4 |
| Children - Aboriginal - adoption | 550(R) | 6 |
| Children - Aboriginal - custody - heritage | 550(R) | 7 |
| Children - Aboriginal - positive obligation to determine status | 550(R) | 7 |
| Children - access to parents - during child protection | 544(LR) | 2.9 |
| Children - change of name | 554(R)-555(R) | 3 |
| Children - Child protection | 541(LR) | 1 |
| Children - child protection - parental visitation | 544(LR) | 2.9 |
| Children - child protection - plan of care | 547(LR) | 2.17 |
| Children - child protection - proceedings - statement of agreed fact | 546(R)-547(L) | 2.16 |
| Children - child protection - status review application | 546(LR) | 2.15 |
| Children - child protection orders - appeals | 546(L) | 2.14 |
| Children - child protection orders - timeline | 543(L) | 2.5 |
| Children - child protection proceedings - evidence | 543(R) | 2.6 |
| Children - Child Support - tax treatment | 498(L) | 4.2 |
| Children - crown wardship | 545(R)-546(L) | 2.13 |
| Children - custody dispute & child protection orders | 547(R) | 2.18 |
| Children - domestic abuse - custody and access | 539(L) | 4.1.3 |
| Children - domestic abuse - emergency relief | 539(R) | 4.2 |
| Children - domestic violence - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| Children - domestic violence - limiting orders | 539(L) | 4.1.2 |
| Children - domestic violence - restraining order | 538(R)-539(L) | 4.1.2 |
| Children - interim custody order - domestic abuse | 539(R) | 4.2 |
| Children - marriage contract - jurisdiction over | 533(L) | 1.2 |
| Children - name change - consent | 554(R) | 3 |
| Children - permanent placement - child protection application | 545(R)-546(L) | 2.13 |
| Children - protection - first appearance for hearing | 543(R)-544(L) | 2.7 |
| Children - protection applications - attachment to caregivers | 543(L) | 2.5 |
| Children - protection proceedings - parenting capacity assessment | 545(L) | 2.11 |
| Children - Risk of Abuse - Domestic Abuse | 537(LR) | 2 |
| Children - risk of harm - protection | 541(LR) | 1 |
| Children - tax credit - eligible dependant | 510(L) | 19.2 |
| Children - temporary care and custody - hearing | 544(L) | 2.8 |
| Children aid societies - aboriginal - CFSA - s. 213 | 551(L) | 8 |
| Children's Lawyer - involvement | 462(R)-463(L) | 4.7 |
| Children’s Aid Society  SEE: CAS | 541(LR) | 1 |
| Children’s Aid Society - temporary custody hearing | 544(L) | 2.8 |
| Children’s Law Reform Act - s. 28(1)(c) - limiting orders | 538(R)-539(L) | 4.1.2 |
| Children’s Law Reform Act - s. 35(1) - restraining order | 538(R) | 4.1.2 |
| Children’s Law Reform Act- who may apply for Custody & Access | 460(L) | 2.4.2 |
| Children’s Lawyer - appointment - Courts of Justice Act - s. 112 | 539(L) | 4.1.3 |
| **Children’s Lawyer** - as investigator | 463(L) | 4.7 |
| Children’s Lawyer - forms of intervention | 462(R)-463(L) | 4.7 |
| Children’s Lawyer - process of obtaining | 462(R)-463(L) | 4.7 |
| Children’s Lawyer - role of | 462(R)-463(L) | 4.7 |
| Children’s lawyer - when involved | 462(R)-463(L) | 4.7 |
| Circumstances of child - Custody & Access | 460(LR) | 3.1 |
| ***Civil Marriage Act*** | 455(R) | 1.1 |
| Civil Marriage Act - definition of Marriage | 455(R) | 1.1 |
| Civil Marriage Act - divorce | 455(R) | 1.1 |
| Civil Marriage Act - S.2 | 455(R) | 1.1 |
| Civil Marriage Act - same-sex | 455(R) | 1.1 |
| CL - Matrimonial home - exclusive possession | 471(L) | 3 |
| **CL - Spouse** - definition  **CL = Common Law** | 455(L) | 1 |
| CL couples - no statutory prop rights | 483(L) | 2 |
| CL Definition of Spouse - Charter & | 455(L) | 1 |
| CL Spouse - cohabitation agreements | 484(L) | 4 |
| CL Spouse - constructive trust | 483(LR) | 2 |
| CL Spouse - definition of cohabit - FLA | 483(L) | 1 |
| CL Spouse - entitlement - permanence to relationship | 484(L) | 3 |
| CL Spouse - Exclusive possession of MH as incident of support | 483(R) | 2 |
| CL Spouse - factors determining | 483(L) | 1 |
| CL spouse - joint family venture | 483(R) | 2 |
| CL Spouse - length of cohabitation | 484(L) | 3 |
| CL Spouse - matrimonial home - exclusive possession | 46483(R) | 2 |
| CL Spouse *- Ontario Disability Support Program Act* | 484(LR) | 5 |
| CL Spouse - property rights | 483(LR) | 2 |
| CL Spouse - resulting trust | 483(LR) | 2 |
| CL Spouse - same-sex | 483(L) | 1 |
| CL Spouse - support obligations | 483(R)-484(L) | 3 |
| CL Spouse - trust - Net Family Property | 483(LR) | 2 |
| CL Spouse - unjust enrichment | 483(R) | 2 |
| CL Spouse - vs. married - constructive trust | 483(L) | 2 |
| Claimant - Child Support | 473(R) | 3.1.1 |
| Clean Break - Spousal Support - Lump Sum | 480(LR) | 3.4 |
| Closed mediation - definition | 518(L) | 2.2 |
| Closed mediation - *Rudd v Trossacs Investments Inc*. - mediator - testimony - compulsion | 518(R) | 2.2 |
| CLRA - s. 15.2(5) - spousal support - spousal misconduct | 539(LR) | 4.1.4 |
| CLRA - s. 28(1)(c) - limiting orders | 538(R)-539(L) | 4.1.2 |
| CLRA - s. 30 - custody & access assessment | 539(L) | 4.1.3 |
| CLRA - s. 35(1) - restraining order | 538(R) | 4.1.2 |
| CLRA - who may apply for Custody & Access | 460(L) | 2.4.2 |
| CNA - change of name - children | 554(R) | 3 |
| CNA - s. 10 - change of name - revoke - improper purpose | 555(R) | 3 |
| CNA - s. 10 - revoke change of name | 553(R)-554(L) | 1 |
| CNA - s. 11 - change of name - appeals | 555(R) | 3 |
| CNA - s. 3 - change of name - spouse | 554(LR) | 2 |
| CNA - s. 4(1) - change of name application | 553(LR) | 1 |
| CNA - s. 6 - change of name application - requirements | 553(L) | 1 |
| CNA - s. 7 - change of name - issuance | 553(R) | 1 |
| CNA - s. 8 - notice of name change | 553(R) | 1 |
| Code of Professional Conduct - Family Mediation Canada | 517(LR) | 2.1 |
| **Cohabit** - \*definition | 483(L) | 1 |
| Cohabit - definition - FLA | 483(L) | 1 |
| Cohabitant - indicia | 483(L) | 1 |
| **Cohabitation** -  SEE ALSO: CL (Common Law) | 483(L)-484(R) |  |
| Cohabitation - Common Law Couples - Property Rights - Charter | 483(L) | 2 |
| Cohabitation - constructive trust | 483(LR) | 2 |
| Cohabitation - entitlement - permanence to relationship | 484(L) | 3 |
| Cohabitation - factors determining | 483(L) | 1 |
| Cohabitation - matrimonial home - exclusive possession | 483(R) | 2 |
| Cohabitation - resumption | 456(R) | 3 |
| **Cohabitation Agreement** - can become marriage agreement | 533(L) | 1.1 |
| Cohabitation Agreement - CL spouse | 484(L) | 4 |
| Cohabitation Agreement - definition -domestic contract | 533(L) | 1.1 |
| Cohabitation Agreement - what cannot contain - custody or access | 533(L) | 1.1 |
| Cohabitation Agreements - CL | 484(L) | 4 |
| Cohabitation Before Marriage - Net Family Property - Unconscionability - short marriage (<5y) | 470(L) | 2.5 |
| **Collaborative Family Law** | 528(L)-531(R) | 4 |
| Collaborative Family Law - advantages | 531(R) | 4.6 |
| Collaborative Family Law - advantages and disadvantages | 531(LR) | 4.6 |
| Collaborative Family Law - Children - participation agreement | 529(L) | 4.3 |
| Collaborative Family Law - cooperative resolution | 528(LR) | 4.2 |
| Collaborative Family Law - definition | 528(L) | 4.1 |
| Collaborative Family Law - four-way meetings | 529(R) | 4.4 |
| Collaborative Family Law - four-way meetings - CFL vs. traditional | 529(R)-530(L) | 4.4 |
| Collaborative Family Law - four-way meetings - dominant role of clients | 529(R) | 4.4 |
| Collaborative Family Law - goals and principles | 528(LR) | 4.2 |
| Collaborative Family Law - Good faith negotiations | 528(R)-529(L) | 4.2.1 |
| Collaborative Family Law - interest-based negotiation | 529(L) | 4.3 |
| Collaborative Family Law - interest-based understanding | 528(L) | 4.2 |
| Collaborative Family Law - lawyer - non-neutrality | 528(L) | 4.1 |
| Collaborative Family Law - lawyers - retooling | 530(R) | 4.5 |
| Collaborative Family Law - lawyers’ role and responsibilities | 530(R)-531(L) | 4.5 |
| Collaborative Family Law - mutli-disciplinary team effort | 528(R) | 4.2 |
| Collaborative Family Law - Negotiation - Good faith | 528(R)-529(L) | 4.2.1 |
| Collaborative Family Law - Participation agreement - definition | 529(L) | 4.3 |
| Collaborative Family Law - proactive participation | 528(L) | 4.2 |
| Collaborative Family Law - process | 529(R)-530(R) | 4.4 |
| Collaborative Family Law - Prospective client | 531(LR) | 4.6 |
| Collaborative Family Law - role of lawyer - limited to settlement negotiations | 528(R) | 4.2 |
| Collaborative Family Law - steps to finalizing separation agreement | 530(LR) | 4.4 |
| Collaborative Family Law - when inappropriate | 531(LR) | 4.6 |
| Collaborative Family Law vs mediation | 528(L) | 4.1 |
| Collections (wine, stamps, etc.) - financial statements | 490(L) | 2.4.2 |
| Collusion - bar to divorce | 456(R) | 4 |
| **Commencement Day** | 498(LR) | 4.3 |
| Commencement day - child support, determination of before and after May 1, 1997 | 498(LR) | 4.3 |
| Commencement day - tax treatment of Child Support payments made after | 498(R) | 4.4 |
| Commencement day - tax treatment of Child Support payments prior to, when deductible, when not deductible | 498(R)-499(LR) | 4.5-4.5.2 |
| Common Capital Transfers - tax | 502(L) | 10.1 |
| Common Law -  SEE: CL |  |  |
| Common Law (Relationships)  SEE: CL |  |  |
| **Common law partner** - tax - \*definition | 509(R) | 18.2 |
| Common law spouse - tax definition | 509(R) | 18.2 |
| Compensation order - Aboriginal - division of reserve property | 549(R) | 3 |
| Compensatory support - taxation of | 508(R) | 15.9 |
| Complete and honest disclosure - challenging domestic contracts - Family Law Act - s. 56 | 534(L) | 3 |
| Conditions for Enforceability - Arbitral Award | 527(R) | 3.8 |
| Condonation - bar to divorce | 456(R)-457(L) | 4 |
| Condonation or Condoned - adultery | 456(R)-457(L) | 4 |
| Conduct - Spousal Support | 479(R) | 2.2 |
| Conduct of litigation - domestic violence | 538(LR)-539(LR) | 4 |
| Conference calls - preparation - arbitration | 524(LR) | 3.5 |
| Confidentiality - settlement - ADR | 518(R) | 2.2 |
| Confirmation hearing - orders court can make | 448(R) | 3.8.5 |
| Conjugal relationship - name change | 554(R) | 2 |
| Conjugal Relationship outside of marriage - change of name | 554(R) | 2 |
| Connivance - bar to divorce | 456(R)-457(L) | 4 |
| Connivance - definition | 457(L) | 4 |
| Consent - change of name - children | 540(R) | 3 |
| Consent - to child protection order - statement of agreed fact | 546(R)-547(L) | 2.16 |
| Consent & Reasonable Arrangement - Child Support | 476(R) | 3.12 |
| Constraints of court - time | 439(L) | 2.1 |
| **Constructive Trust** - CL Spouse | 483(LR) | 2 |
| Constructive trust - FLA | 469(R) | 2.3 |
| Constructive trust - married vs. CL - entitlement | 483(L) | 2 |
| Constructive Trust - Net Family Property | 469(R)- 470(L) | 2.3 |
| Constructive Trust - resulting trust - definition | 483(LR) | 2 |
| Constructive Trust - Unjust enrichment - remedy | 469(R)- 470(L) | 2.3 |
| Constructive Trust - when imposed | 469(R)- 470(L) | 2.3 |
| Constructive Trust & Resulting Trusts - general | 455(R)- 469(R)- 470(L) | 2.3 |
| Constructive Trust & Resulting Trusts - unjust enrichment | 469(R)- 470(L) | 2.3 |
| Consultation - guide (no set formula) | 437(L)-438(L) | 1 |
| Consumer Price Index (CPI) - Indexing support to | 481(L) | 7.1 |
| Contempt - Custody & Access | 463(L) | 4.8.1 |
| Contempt - financial disclosure | 486(R) | 1.5 |
| Contempt - financial statements | 486(R) | 1.5 |
| Contempt order - \*definition, R. 31 | 447(L) | 3.8.3 |
| Content of Order - Child Support | 476(R) | 3.13 |
| Contingent liabilities - financial statements | 490(R)-491(L) | 2.5 |
| **Continuing Record** | 441(R)- 442(L) | 3.2.2 |
| Continuing Record - adding to the record | 442(L) | 3.2.2 |
| Continuing Record - CC briefs are generally not part of | 445(R) | 3.7 |
| Continuing Record - endorsement volume & documents volume | 441(R) | 3.2.2 |
| Continuing Record - Family Law Rules | 442(L) | 3.2.2 |
| Continuing Record - removing docs (Rule 9(16)) | 442(L) | 3.2.2 |
| Continuing Record - rules for “separating” or “combining” | 442(L) | 3.2.2 |
| Continuing record - who starts | 441(R)- 442(L) | 3.2.2 |
| Contracts - Cohabitation Agreements | 533(L) | 1.1 |
| Contracts - Domestic Contracts - Challenging | 534(LR) | 3 |
| Contracts - Marriage Contracts | 533(L) | 1.2 |
| Contractual obligations - mediation/arbitration - *Thomson v Thomson* | 523(R) | 3.3 |
| Corollary relief proceedings - Child Support | 441(R) | 2 |
| Corollary relief proceedings - divorce | 441(R) | 2 |
| Corporate assets - tax | 509(LR) | 17.1 |
| Corporate Entities - Rollover - Property Transfer btw corporate entities of spouses | 509(R) | 17.2 |
| Corporate interests - Child Support | 474(R)-475(L) | 3.5 |
| Corporate shares - capital gains exemption | 508(LR) | 15.5 |
| **Corporate Tax Issues** | 509(LR) | 17 |
| Corporate Tax issues - at distribution of assets | 509(LR) | 17.1 |
| Cost of disposition - matrimonial property | 469(LR) | 2.2.4 |
| Cost of living clause - Spousal Support | 481(L) | 7.1 |
| cost-of-living clause - support - enforcement | 493(L) | 2.1 |
| Costs - Bad Faith | 452(L) | 3.12 |
| Costs - Behavior of party | 452(L) | 3.12 |
| **Costs** - court - considerations in setting | 452(R) | 3.12 |
| Costs - court - factors taken into account by judge | 452(R) | 3.12 |
| Costs - effect on children | 452(R) | 3.12 |
| Costs - entitlement - presumption | 452(L) | 3.12 |
| Costs - offer to settle | 450(R)-451(L) | 3.10 |
| Costs - party does not appear | 452(L) | 3.12 |
| Costs - party is not prepared | 452(L) | 3.12 |
| Costs - party withdraws all or part of application, answer or reply | 452(R) | 3.12 |
| Costs - party’s ability to pay | 452(R) | 3.12 |
| Costs - summary determination | 452(L) | 3.12 |
| Costs - Tax - Legal Fees | 507(LR)es | 14 |
| Cottage - Matrimonial home | 470(R)-471(L) | 3 |
| Court - constraints of - time | 439(L) | 2.1 |
| Court - OCJ not in definition of “court” for Parts I and II of FLA (no jurisdiction to deal with property) | 465(L) | 1 |
| Court Order - domestic violence | 539(R)-540(R) | 5 |
| Court order - restraining order - violence | 538(R)-539(L) | 4.1.2 |
| Courts of Justice Act - s. 112 - appointment of Children’s lawyer | 539(L) | 4.1.3 |
| Courts that deal with family law matters | 440(L) | 3 |
| CPI - Indexing support to | 481(L) | 7.1 |
| Credit Bureau Report - support - enforcement | 494(R) | 3.10 |
| Credits - personal tax | 510(L) | 19.1 |
| Criminal code - Custody & Access & | 463(R) | 4.8.2 |
| Cross-border Payments - Support - Tax - Chart | 514(LR) | Appendix 3 |
| Cross-examination - author of business document | 450(L) | 3.9.2 |
| Crown ward - child - status review application | 546(LR) | 2.15 |
| Crown Wardship - Child Protection | 545(R)-546(L) | 2.13 |
| Crown Wardship - Child Protection - time limit - CFSA - s. 141.1 & 145.1 | 545(R)-546(L) | 2.13 |
| Crown wardship - child protection orders | 545(R)-546(L) | 2.13 |
| Crown wardship - child protection orders - CFSA - s. 57.1 order | 542(R) | 2.3 |
| Cruelty - Ground for Divorce | 456(L) | 3 |
| Culture - Aboriginal - children | 550(R) | 7 |
| Custodial Parent - Spousal Support | 482(R) | 10.3 |
| Custodial rights - Crown wardship | 545(R)-546(L) | 2.13 |
| Custody - Aboriginal child - heritage | 550(R) | 7 |
| Custody - Aboriginal child - heritage | 550(R) | 7 |
| Custody - child - temporary | 544(L) | 2.8 |
| Custody - child protection order - priority over custody dispute | 547(R) | 2.18 |
| Custody - children - temporary - risk of harm | 544(L) | 2.8 |
| **Custody** - claim - jurisdiction | 459(LR) | 2 |
| Custody - De Facto | 459(L) | 1 |
| Custody - definition | 459(L) | 1 |
| Custody - relationship to access | 459(L) | 1 |
| Custody - shared - child tax benefits | 511(LR) | 19.9 |
| Custody - temporary custody order - parental access provisions | 544(LR) | 2.9 |
| **Custody & Access** -   SEE ALSO: Access | 445(L)-  449(LR) | 1-4.8.2 |
| Custody & Access - \*definition | 459(L) | 1 |
| Custody & Access - abduction | 463(R) | 4.8.2 |
| **Custody & Access -** **abduction** - information banks - FOAEA | 463(R) | 4.8.2 |
| Custody & Access - abduction - information banks - FOAEA - access to | 463(R) | 4.8.2 |
| Custody & Access - abduction - international | 463(R) | 4.8.2 |
| Custody & Access - abduction - tracing child | 463(R) | 4.8.2 |
| Custody & Access - assessment - CLRA - s. 30 | 539(L) | 4.1.3 |
| Custody & Access - assessment - evidence of abuse | 460(R) | 3.3 |
| Custody & Access - assessments - evidence issues | 462(R) | 4.6.2 |
| Custody & Access - Best interests of child - aids to help court in deciding | 460(LR) | 3.1 |
| Custody & Access - change of name | 554(R)-555(R) | 3 |
| Custody & Access - change of name of child | 554(R)-555(R) | 3 |
| Custody & Access - child as witness, rare | 462(R) | 4.6.1 |
| Custody & Access - Child Witness - evidence issues | 462(R) | 4.6.1 |
| Custody & Access - CLRA & jurisdiction | 459(R) | 2 |
| **Custody & Access -** **contempt** | 463(L) | 4.8.1 |
| Custody & Access - contempt - dispositions of court - fine & jail | 463(L) | 4.8.1 |
| Custody & Access - contempt - preconditions / test | 463(L) | 4.8.1 |
| Custody & Access - contempt - quasi-criminal | 463(L) | 4.8.1 |
| Custody & Access - contempt - standard of proof | 463(L) | 4.8.1 |
| Custody & Access - criminal code & | 463(R) | 4.8.2 |
| Custody & Access - decision making (custody) vs. care & control (access) | 459(L) | 1 |
| Custody & Access - enforcement | 463(LR) | 4.8 |
| **Custody & Access - evidence** Issues | 462(L) | 4.6 |
| Custody & Access - evidence on - assessments | 462(R) | 4.6.2 |
| Custody & Access - evidence on - assessments - clinical issues & | 462(R) | 4.6.2 |
| Custody & Access - evidence on - assessments - process | 462(R) | 4.6.2 |
| Custody & Access - evidence on - assessments - when ordered | 462(R) | 4.6.2 |
| Custody & Access - evidence on - child as witness | 462(R)) | 4.6.1 |
| Custody & Access - evidence on - interview in chambers | 462(R) | 4.6.1 |
| Custody & Access - evidence on - interview in chambers - drawbacks | 462(R) | 4.6.1 |
| **Custody & Access -** **factors in deciding** | 460(LR)-461(L) | 3 |
| Custody & Access - factors in deciding - age of child | 460(R) | 3.1 |
| Custody & Access - factors in deciding - Best interests of child - parental factors | 460(LR) | 3.1; 3.3 |
| Custody & Access - factors in deciding - Best interests of child | 460(LR)-461(L) | 3 |
| Custody & Access - factors in deciding - bonding to third parties | 460(R) | 3.1 |
| Custody & Access - factors in deciding - circumstances of child | 460(LR) | 3.1 |
| Custody & Access - factors in deciding - keeping siblings together | 460(R) | 3.1 |
| Custody & Access - factors in deciding - wishes of child | 460(R) | 3.1 |
| Custody & Access - governing legislation | 459(L) | 2.1 |
| Custody & Access - Hague convention | 460(L) | 2.3 |
| **Custody & Access -** **joint custody** | 460(R) | 3.4 |
| Custody & Access - joint custody - consent of parents | 460(R) | 3.4 |
| Custody & Access - joint custody - cooperation of parents | 460(R) | 3.4 |
| Custody & Access - joint custody - definition | 459(L) | 1 |
| Custody & Access - joint custody - different arrangements | 459(L) | 1 |
| Custody & Access - joint custody - when is JT appropriate | 460(R) | 3.4 |
| Custody & Access - joint vs. sole custody - appropriate order | 460(R) | 3.4 |
| Custody & Access - **jurisdiction** | 459(LR) | 2 |
| Custody & Access - jurisdiction - CLRA | 459(R) | 2.1.2 |
| Custody & Access - jurisdiction - Divorce Act | 459(LR) | 2.1.1 |
| Custody & Access - jurisdiction - Governing legislation | 459(LR) | 2.1 |
| Custody & Access - jurisdiction - habitually resident | 459(R) | 2.1.2 |
| Custody & Access - jurisdiction - Substantial Connection test | 459(R) | 2.1.2 |
| Custody & Access - jurisdiction - transfer of proceedings | 459(R) | 2.1.1 |
| Custody & Access - jurisdiction - where to apply | 459(R)-460(L) | 2.2 |
| Custody & Access - litigation | 462(L) | 4.4 |
| Custody & Access - **locating child** | 463(R) | 4.8.2 |
| Custody & Access - locating child - apprehending child - who is allowed to | 463(R) | 4.8.2 |
| Custody & Access - locating child - court order | 463(R) | 4.8.2 |
| Custody & Access - locating child - police & | 463(R) | 4.8.2 |
| Custody & Access - major decisions/education/religion of child | 459(L) | 1 |
| Custody & Access - maximum contact principle | 460(R) | 3.2 |
| Custody & Access - mediation | 461(R)-462(L) | 4.3 |
| Custody & Access - **mobility** | 451(L) | 3.6 |
| Custody & Access - mobility - best interests of child - factors for court to consider | 451(L) | 3.6 |
| Custody & Access - mobility - custodial parent | 451(L) | 3.6 |
| Custody & Access - mobility - effect of moving on | 451(L) | 3.6 |
| Custody & Access - mobility - general guidelines for court | 451(L) | 3.6 |
| Custody & Access - mobility - maximum contact principle | 451(L) | 3.6 |
| Custody & Access - mobility - variation application & | 451(L) | 3.6 |
| Custody & Access - negotiation of parenting plan | 461(R) | 4.2 |
| Custody & Access - non-parents requesting | 460(L) | 2.4 |
| Custody & Access - parental conduct - relevance of | 460(R) | 3.3 |
| Custody & Access - parenting plan | 461(R) | 4.2 |
| Custody & Access - person who may seek | 460(L) | 2.4 |
| Custody & Access - representation of child,  SEE: CHILDREN’S LAWYER | 462(R)-463(L) | 4.7 |
| Custody & Access - resolutions | 461(LR)- 463(R) | 4 |
| Custody & Access - sole custody | 459(L) | 1 |
| Custody & Access - supervised access | 460(R) | 3.5 |
| Custody & Access - tests for - s. 24 CLRA | 460(L) | 3.1 |
| Custody & Access - third party requests for | 460(L) | 2.4 |
| Custody & Access - variation - material change of circumstances | 462(L) | 4.5 |
| Custody & Access - variation - onus on applicant | 462(L) | 4.5 |
| Custody & Access - variation of Custody & Access Order | 462(L) | 4.5 |
| Custody & Access - violence | 539(L) | 4.1.3 |
| Custody & Access - vs. Hague proceeding | 460(L) | 2.3 |
| Custody & Access - where to apply for | 459(R)-460(L)) | 2.2 |
| Custody & Access - who may apply | 460(L) | 2.4 |
| Custody & Access - withheld child | 463(R) | 4.8.2 |
| Custody & Access Rights - Marriage contract | 533(L) | 1.2 |
| Custody & Access- Divorce Act & jurisdiction | 459(LR) | 2 |
| Custody and access - Aboriginal - parties to proceedings | 551(LR) | 8 |
| Custody and Access - change of name - children | 554(R)-555(R) | 3 |
| Custody dispute - child protection order | 547(R) | 2.18 |
| Custody order - private order - CFSA order inconsistent with | 547(R) | 2.18 |
| Custody orders - appeal | 546(L) | 2.14 |
| Customary adoption - Aboriginal | 550(R) | 6 |
| Customary law - Aboriginal - adoption | 550(R) | 6 |
| Customary marriage - Aboriginal peoples | 549(L) | 2 |
| **D** | | |
| DA - Spousal Support Agreement - (Divorce Act - Spousal Support)  SEE: *Divorce Act* | 481(R) | 9.1 |
| Damages - Net Family Property - exclusions | 466(L) | 2 |
| Date of marriage assets - Financial statements | 491(L) | 2.6 |
| *De Facto Custody* | 459(L) | 1 |
| Death - equalization (limitation period) | 470(R) | 2.6 |
| Debts - family and friends | 491(L) | 2.5 |
| Debts - financial statements | 490(R)-491(L) | 2.5 |
| Debts - friends and family | 491(L) | 2.5 |
| Debts - Net Family Property - equalization | 465(R) | 2 |
| Debts & Liabilities - Financial statements | 490(R)-491(L) | 2.5 |
| **Deductible** - tax - Child Support | 498(R)-499(LR) | 4.5-4.5.2 |
| Deductible - tax - third party payments - when not... | 501(L) | 7.4 |
| Deductible - third party payments - tax | 500(R) | 7.3 |
| Deduction - Spousal Support - Tax - requirements for | 497(R)-498(L) | 3.2 |
| Deduction - tax - Spousal Support | 497(R)-498(L) | 3.2 |
| Deductions - child care | 511(R) | 20 |
| Deductions - legal fees | 507(LR) | 14 |
| Deductions - lump sums - support | 499(R) | 5.2 |
| Deductions - prior-period payments | 501(LR) | 8.3 |
| Deductions - tax - support - residence | 501(R)-502(L) | 9.4 (SEE TABLE on 502) |
| Deductions - third-party payments - tax | 500(R)-501(L) | 7 |
| Default hearing - support - enforcement | 494(R) | 3.7 |
| Default hearing - support - enforcement | 494(R) | 3.7 |
| Deference - domestic contracts - *Hartshorne v Hartshorne* | 534(LR) | 3 |
| **Definition** - access & custody | 459(L) | 1 |
| Definition - cohabit - FLA | 483(L) | 1 |
| Definition - constructive trust - matrimonial property | 469(R) | 2.3 |
| Definition - custody & access | 459(L) | 1 |
| Definition - Matrimonial Home | 470(R)-471(L) | 3 |
| Definition - property - matrimonial property | 465(L) | 1 |
| Definition - Spouse - CL & Charter | 455(L) | 1 |
| Definition - Spouse - same-sex | 455(L) | 1 |
| Definition - valuation date | 465(L) | 2 |
| Dependant(s) - tax - infirm over 17 | 510(R) | 19.6 |
| Determining value of assets | 489(LR) | 2.4 |
| Directions- child’s best interest- disposition | 542(R) | 2.3 |
| Director -  SEE: Support - Enforcement |  |  |
| Director Powers - Family Responsibility Office - Support Enforcement Options | 494(LR)-495(L) | 3 |
| Disability - applicant | 441(R) | 3.2 |
| Disability - CL spouse | 484(LR) | 5 |
| Disability - *Ontario Disability Support Program Act - Child Support* | 477(R) | 9 |
| Disability - Spousal support | 481(L) | 6.1 |
| Disability - tax credits & | 510(R)-511(L) | 19.8 |
| Disability Credit - tax | 510(R)-511(L) | 19.8 |
| Disability Insurance - Financial statements | 490(LR) | 2.4.4 |
| ***Disability Support Program Act*** *- Child Support* | 477(R) | 9 |
| *Disability Support Program Act -* CL spouse | 484(LR) | 5 |
| *Disability Support Program Act -* Spousal Support | 481(L) | 6.1 |
| **Disclosure** - Affidavit of Documents | 449(R)-450(L) | 3.9.1 |
| Disclosure - Child Support - financial disclosure obligation | 475(L) | 3.6 |
| Disclosure - cohabitation agreement/domestic contracts | 534(LR) | 3 |
| Disclosure - Domestic Abuse | 537(LR) | 2 |
| Disclosure - domestic contracts | 534(LR) | 3 |
| **Disclosure - financial** -  SEE ALSO: FINANCIAL DISCLOSURE |  |  |
| Disclosure - financial - income | 488(LR) | 2.1 |
| Disclosure - financial - insurance | 490(LR) | 2.4.4 |
| Disclosure - financial - investments | 490(L) | 2.4.3 |
| Disclosure - financial - land | 489(R) | 2.4.1 |
| Disclosure - financial - motion to disclose | 486(L) | 1.2 |
| Disclosure - financial - obligation to keep current | 486(L) | 1.3 |
| Disclosure - financial - request for information | 486(L) | 1.2 |
| Disclosure - financial - Self Employment | 488(L) | 2.1 |
| Disclosure - financial - valuation date | 489(L) | 2.4 |
| Disclosure - financial - Valuations (Appraisal) | 487(LR) | 2 |
| Disclosure - Financial statements - land - market value | 489(R) | 2.4.1 |
| Disclosure - income - Child Support | 475(L) | 3.6 |
| Disclosure - Rule 13 - Family Law Rules | 485(LR)-486(L) | 1.1 |
| Disclosure - support enforcement | 494(L) | 3.2 |
| Disclosure of Abuse - Domestic Abuse | 537(LR) | 2 |
| Disclosure order | 486(R) | 1.5 |
| Discretion - Child Support | 474(LR) 474(R) 475(R) 476(L)  476(LR) | 3.2.2 3.4 3.7 3.10 3.11 |
| Discretion - depart from Child Support | 474(LR) 474(R) 475(R) 476(L)  476(LR) | 3.2.2 3.4 3.7 3.10 3.11 |
| Discretion - Undue Hardship - Child Support | 476(L) | 3.10 |
| Disposal or wasting of assets - restraining order | 494(R) | 3.8 |
| Disposed - property - Financial statements | 491(R) | 2.8 |
| Disposed - Property (part 8) | 491(R) | 2.8 |
| Disposition considerations- section 57 | 542(R) | 2.3 |
| Disposition of shares - tax - specific capital gains exemption | 508(LR) | 15.5 |
| Disposition orders - child protection | 542(LR) | 2.3 |
| Dispute resolution officer hearing (DRO) | 443(L) | 3.2.3 |
| Dissolution of marriage - change of name | 554(L) | 2 |
| Distribution of corporate assets | 509(LR) | 17.1 |
| Division of Powers - same-sex | 455(L) | 1 |
| Division of Property - Aboriginal | 549(R) | 3 |
| **Divorce** - adultery | 456(LR) | 3 |
| Divorce - adultery - other party | 456(LR) | 3 |
| **Divorce -** **bars to** | 456(R)-457(L) | 4 |
| Divorce - bars to - adultery | 456(R)-457(L) | 4 |
| Divorce - bars to - collusion | 456(R) | 4 |
| Divorce - bars to - condonation | 456(R)-457(L) | 4 |
| Divorce - bars to - connivance | 456(R)-457(L) | 4 |
| Divorce - bars to - support of children | 456(R) | 4 |
| Divorce - breakdown of marriage | 456(L) | 3 |
| Divorce - certificate of | 458(L) | 8 |
| Divorce - change of name - abbreviated procedure | 554(L) | 2 |
| Divorce - Civil Marriage Act | 455(R) | 1.1 |
| Divorce - corollary relief | 455(R)-456(L) | 2 |
| Divorce - cruelty as a ground | 456(L) | 3 |
| Divorce - draft divorce | 457(R)-458(L) | 8 |
| Divorce - duplicate proceedings | 458(LR) | 9 |
| Divorce - effective from (31st day after order granting divorce) | 458(L) | 8 |
| Divorce - interplay between “spouse” and “former spouse” | 456(L) | 2 |
| Divorce - jurisdiction | 456(L) | 2 |
| Divorce - lawyer duty - reconciliation & mediation | 457(L) | 5 |
| Divorce - living separately and apart | 456(L) | 3 |
| Divorce - mediation - duty of solicitor | 457(L) | 5 |
| Divorce - motion for order | 457(R)-458(L) | 8 |
| **Divorce - order** - affidavit evidence | 457(R)-458(L) | 8 |
| Divorce - order - draft order | 457(R)-458(L) | 8 |
| Divorce - order - filing material | 457(R)-458(L) | 8 |
| Divorce - order - obtaining divorce order | 457(R)-458(L) | 8 |
| Divorce - paramountcy (Fed vs. Prov) | 458(R) | 9 |
| Divorce - parties to - adulterer | 456(LR) | 3 |
| Divorce - proceedings - corollary relief | 455(R)-456(L) | 2 |
| Divorce - proceedings - divorce | 455(R)-456(L) | 2 |
| Divorce - Proceedings - Types of proceedings available | 455(R) | 2 |
| Divorce - proceedings - variation | 455(R)-456(L) | 2 |
| Divorce - reconciliation | 456(R) | 3 |
| Divorce - reconciliation - duty of Solicitor | 457(L) | 5 |
| Divorce - religious marriage - barriers | 457(R) | 7 |
| Divorce - removal of religious barriers | 457(R) | 7 |
| Divorce - resume cohabitation | 456(R) | 3 |
| Divorce - Same sex | 455(R) | 1.1 |
| Divorce - Splitting divorce claim | 457(L) | 6 |
| Divorce - stay of proceedings | 458(LR) | 9 |
| Divorce - variation | 455(R)-456(L) | 2 |
| Divorce - waiting period | 456(L) | 3 |
| Divorce Act   SEE: DA, Spousal Support |  |  |
| Divorce Act - Spousal Support - spouse definition | 479(L) | 1.1 |
| ***Divorce Act*** *- Spousal Support Agreement* | 481(R) | 9.1 |
| *Divorce Act - Spouse - definition* | 455(R) | 1.1 |
| *Divorce Act -* who may apply for Custody & Access | 460(L) | 2.4.1 |
| Divorce Certificate | 458(L) | 8 |
| Divorce Certificate - remarriage | 458(L) | 8 |
| Divorce Claim - splitting | 457(L) | 6 |
| Divorces - foreign jurisdictions | 456(L) | 2 |
| Doctrine of express contradiction - definition | 458(R) | 9 |
| Document - cross-examine author, business | 450(L) | 3.9.2 |
| **Document disclosure, request to admit, and questioning** | 449(L)-450(L) | 3.9.1 |
| Documents - Financial disclosure - what is required | 485(LR)-486(L) | 1.1 |
| **Domestic Abuse** - Application for urgent relief | 538(L) | 4.1 |
| Domestic Abuse - Children | 537(L) | 2 |
| Domestic abuse - court orders - enforcement | 539(R)-540(R) | 5 |
| Domestic abuse - custody and access | 539(L) | 4.1.3 |
| Domestic abuse - drafting orders | 539(R)-540(R) | 5 |
| Domestic abuse - emergency motions - relief | 539(R) | 4.2 |
| Domestic abuse - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| Domestic Abuse - litigation or mediation | 537(R)-538(L) | 3 |
| Domestic Abuse - Spousal Support | 539(LR) | 4.1.4 |
| Domestic Abuse Victim -  SEE: "VIOLENCE" | 537(L) | 1 |
| Domestic contract - challenging validity | 534(LR) | 3 |
| Domestic Contract - Clauses - setting aside - Spousal Support - heavy onus | 534(R) | 4 |
| Domestic Contract - Clauses - setting aside - Support provisions | 534(R) | 4 |
| **Domestic contract** - cohabitation agreements - definition | 533(L) | 1.1 |
| Domestic contract - enforceability | 534(LR) | 3 |
| Domestic contract - enforcement - Family Responsibility Office (FRO) | 493(L) | 1 |
| Domestic contract - fairness - discretionary - set aside - *LeVan v LeVan* | 534(R) | 3 |
| Domestic contract - Family Law Act - Part IV | 533(LR) | 1 |
| Domestic contract - formal validity | 534(L) | 2 |
| Domestic contract - formal validity - independent legal advice | 534(L) | 2 |
| Domestic contract - formal validity - residence in Ontario | 534(L) | 2 |
| Domestic contract - Independent legal advice | 534(R)-535(LR) | 5 |
| Domestic contract - independent legal advice - formal validity | 534(L) | 2 |
| Domestic Contract - Independent Legal Advice Certificate | 535(R) | 5 |
| Domestic contract - marriage contracts | 533(L) | 1.2 |
| Domestic Contract - override - mere unfairness - insufficient | 534(R) | 4 |
| Domestic contract - overriding terms of | 534(R) | 4 |
| Domestic contract - parenting plan | 461(R) | 4.2 |
| Domestic contract - separation agreement | 533(LR) | 1.3 |
| Domestic contract - set aside - FLA | 534(LR) | 3 |
| Domestic Contract - Spousal support | 481(R) | 9 |
| Domestic Contract - Spousal Support - DA | 481(R) | 9.1 |
| Domestic Contract - Spousal Support - FLA | 481(R) | 9.2 |
| Domestic Contract - validity | 534(L) | 2 |
| Domestic contract- family arbitration agreements | 533(R) | 1.5 |
| Domestic contracts- paternity agreements | 533(R) | 1.4 |
| Domestic Violence | 537(L) | 1 |
| Domestic Violence - Application for urgent relief | 538(L) | 4.1 |
| Domestic Violence - conduct of litigation | 538(LR)-539(LR) | 4 |
| Domestic violence - court orders - enforcement | 539(R)-540(R) | 5 |
| Domestic violence - drafting orders | 539(R)-540(R) | 5 |
| Domestic violence - emergency motions - relief | 539(R) | 4.2 |
| Domestic violence - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| Domestic violence - mediation - training of arbitrators | 520(L) | 2.4 |
| Domestic violence - mediation inappropriate | 519(R)-520(L) | 2.4 |
| Domestic Violence - Spousal Support | 539(LR) | 4.1.4 |
| Domestic violence -custody and access | 539(L) | 4.1.3 |
| Double dipping - pension | 467(R) | 2.2.1 |
| Draft Divorce Order - motion for divorce | 457(R)-458(L) | 8 |
| Drafting Application - Domestic Violence | 538(L) | 4.1 |
| Drafting court orders - domestic violence | 539(R)-540(R) | 5 |
| Drafting orders - domestic violence | 539(R)-540(R) | 5 |
| Driver's License suspension - enforcement - support | 494(R)-495(L) | 3.11 |
| Driver's License suspension - support - enforcement | 494(R)-495(L) | 3.11 |
| Driver’s licence - suspension - support payor | 494(R)-495(L) | 3.11 |
| *Duguay v Thompson-Duguay* - arbitrator award - set aside - loss of impartiality | 526(LR) | 3.7 |
| Duplicate Proceedings - divorce | 458(LR) | 9 |
| Duress - domestic contract | 534(L) | 3 |
| Duress - domestic contract - set side | 534(L) | 3 |
| Duties - Domestic Contract - Lawyer | 534(R)-535(LR) | 5 |
| Duties - Lawyer - Domestic Contract | 534(R)-535(LR) | 5 |
| Duty of solicitor - duty to promote - reconciliation | 457(L) | 5 |
| **E** | | |
| Earned income - support payments - tax - RRSP | 508(R) | 15.6 |
| Education tax credit | 510(LR) | 19.5 |
| Election - tax - Capital gains - Joint election | 504(R)-505(LR) | 12.4.1 |
| Eligible dependent credit - tax | 510(L) | 19.2 |
| Emergency motions - domestic violence | 539(R) | 4.2 |
| Emergency Motions - motion prior to case conference - FLR - 14 | 539(R) | 4.2 |
| Emergency Motions - victims of abuse | 539(R) | 4.2 |
| Emergency relief - victims of abuse | 539(R) | 4.2 |
| Employment benefits - Financial statements | 488(R) | 2.1.1 |
| Enforcement - Arbitral Award | 527(LR) | 3.8 |
| Enforcement - Arbitration - Codified Procedure | 527(LR) | 3.8 |
| Enforcement - Arbitration - Family Law Rules - new R. 32.1 | 527(LR) | 3.8 |
| Enforcement - Custody & Access | 463(LR) | 4.8 |
| Enforcement - Family Responsibility Office (FRO) | 493(L) | 1 |
| Enforcement - Family Responsibility Office (FRO) - child support | 493(L) | 1 |
| Enforcement - Family Responsibility Office (FRO) - domestic contract | 493(L) | 1 |
| Enforcement - Family Responsibility Office (FRO) - spousal support | 493(L) | 1 |
| Enforcement - financial disclosure | 486(R) | 1.5 |
| Enforcement - orders - domestic abuse | 539(R)-540(R) | 5 |
| Enforcement - spousal support - Aboriginal | 550(LR) | 5 |
| Enforcement - support -  SEE: SUPPORT - ENFORCEMENT |  |  |
| Enforcement - support - arrest | 494(R) | 3.9 |
| Enforcement - support - charge against land | 494(L) | 3.4 |
| Enforcement - support - credit bureau report | 494(R) | 3.10 |
| Enforcement - support - interjurisdictional support order | 495(LR) | 4 |
| Enforcement - support - suspension of driver’s licence | 494(R)-495(L) | 3.11 |
| Enforcement - support orders - writ of seizure and sale | 494(L) | 3.3 |
| Enforcement options - FRO Director Powers | 494(LR)-495(L) | 3 |
| Enforcing support - legislation | 493(L) | 2.1 |
| **Equalization** -  SEE: Net Family Property |  |  |
| Equalization - CL couples | 471(R) | 5 |
| Equalization - court adjustment of - unconscionable results | 470(R) | 2.5 |
| Equalization - limitations period | 470(R) | 2.6 |
| Equalization - meaning | 465(R) | 2 |
| Equalization - Unconscionability | 470(LR) | 2.5 |
| Equalization - unconscionability - unequal | 470(LR) | 2.5 |
| Equalization - unequal equalization - unconscionability | 470(LR) | 2.5 |
| Equalization Calculation example - net family property | 466(R)-467(L) | 2.1 |
| Equalization Payment - Interest | 470(L) | 2.4 |
| Equalization Payment - payment terms | 470(L) | 2.4 |
| Equalization payment - unconscionability | 470(LR) | 2.5 |
| Equalization unconscionable- martin v Sansome | 470(L) | 2.3 |
| **Estate** - Spousal Support - binding on estate | 481(L) | 7.3 |
| Estate - support payment - tax | 508(R) | 15.7 |
| Estate - tax - support payment | 508(R) | 15.7 |
| Evidence - child protection appeal | 546(L) | 2.14 |
| Evidence - child protection applications - CFSA - s. 51(7) | 543(R) | 2.6 |
| **Evidence** - Child Protection hearing | 543(R) | 2.6 |
| Evidence - child protection proceedings - oral and written statements | 543(R) | 2.6 |
| Evidence - child protection proceedings - past conduct | 543(R) | 2.6 |
| Evidence - mediation - admissibility | 518(R) | 2.2 |
| Evidence - Spousal Support - variation | 480(R) | 5 |
| Evidence - Violence - police reports | 537(R) | 2 |
| Evidence - Violence (physical risk) | 537(LR) | 2 |
| Evidence - violence & - witness reports | 537(R) | 2 |
| Evidence Issues - Custody & Access | 462(L) | 4.6 |
| Examination - financial disclosure | 449(R) | 3.9.1 |
| Exception to division of assets - aboriginal | 549(L)-550(L) | 3 |
| **Excluded Property** - Damages for personal injury | 466(L) | 2 |
| Excluded Property - Financial statements | 491(LR) | 2.7 |
| Excluded Property - insurance proceeds | 466(L) | 2 |
| Excluded Property - matrimonial property | 465(LR) | 2 |
| Excluded Property - Net Family Property | 465(R)-466(R) | 2 |
| Excluded property - Tracing | 466(L) | 2 |
| Excluded Property - tracing | 491(R) | 2.7 |
| Exclusive possession - FLA - s. 19 | 538(L) | 4.1.1 |
| **Exclusive possession** - matrimonial home | 471(L) | 3 |
| Exclusive possession - matrimonial home - Aboriginal | 549(LR) | 3 |
| Exclusive possession - matrimonial home - abuse | 538(LR) | 4.1.1 |
| Exclusive possession - matrimonial home - application | 538(LR) | 4.1.1 |
| Exclusive possession - matrimonial home - Best Interest of Child & | 538(LR) | 4.1.1 |
| Exclusive possession - matrimonial home - violence | 538(LR) | 4.1.1 |
| Exclusive possession - temporary | 471(L) | 3 |
| Expenses - Financial statements | 488(R) | 2.2 |
| Expenses - living - financial disclosure | 488(R) | 2.2 |
| Expenses - s. 7 - financial disclosure | 488(R) | 2.2 |
| Expert Evidence | 450(L) | 3.9.2 |
| Expert evidence - Family Law Rules | 450(L) | 3.9.2 |
| Expert reports - medical, business, expert | 450(L) | 3.9.2 |
| Expert reports - respond to expert of other party | 437(L) | 3.9.2 |
| Expert reports - supplementary | 450(L) | 3.9.2 |
| Expert witness - report | 437(L) | 3.9.2 |
| Expert witness - respond to expert of other party | 437(L) | 3.9.2 |
| Express contradiction - doctrine of - definition | 458(R) | 9 |
| Extension of Time - Reply | 443(R) | 3.4 |
| Extraordinary Expenses - Child Support | 475(R)-476(L) | 3.9 |
| **F** | | |
| Failure to disclose - challenging domestic contracts - Family Law Act - s. 56 | 534(L) | 3 |
| Failure to treat fairly and equally - Arbitration Act - violation of s. 6 - *Hercus v Hercus* | 526(R) | 3.7 |
| Failure to treat fairly and equally - arbitrator award - set aside - *Kainz v Potter* | 526(R)-527(L) | 3.7 |
| Failure to understand - challenging domestic contracts - Family Law Act - s. 56 | 534(L) | 3 |
| Fair market value -   SEE: FMV |  |  |
| Faith-based - Arbitration | 522(R) | 3.3 |
| Family arbitration | 521(R) | 3.1 |
| *Family Arbitration* - O. Reg. 134/07 | 523(L) | 3.3 |
| Family arbitration agreement - marriage contract | 533(L) | 1.2 |
| Family arbitration agreement- consent | 533(R) | 1.5 |
| Family Arbitration Agreements | 522(R)-523(L) | 3.3 |
| Family Arbitration Agreements - domestic contracts | 523(L) | 3.3 |
| Family Arbitration Agreements - secondary arbitration - definition | 523(L) | 3.3 |
| Family arbitration agreements- domestic contract | 533(R) | 1.5 |
| Family Arbitration Award - Conditions for Enforceability - Family Law Act - s. 59.6(1) | 527(R) | 3.8 |
| Family Arbitration Award - Enforcement | 527(LR) | 3.8 |
| Family Court branch of the Superior Court of Justice - \*definition | 442(LR) | 3.2.3 |
| Family Court branch of the Superior Court of Justice - jurisdiction | 442(LR) | 3.2.3 |
| Family Court branch of the Superior Court of Justice - jurisdiction if does not exist | 442(LR) | 3.2.3 |
| Family courts - mediation - process | 520(LR)-521(L) | 2.5 |
| Family Homes on Reserves and Matrimonial interests or Rights Act - Aboriginal | 549(R)-550(L) | 3 |
| *Family Homes on Reserves and Matrimonial Interests or Rights Act -* Aboriginal | 549(R) | 3 |
| *Family Homes on Reserves and Matrimonial Interests or Rights Act* – spouse and common law partners | 549(R)-550(L) | 3 |
| Family Information Session (FIS) | 442(R)- 443(L) | 3.2.3 |
| Family law - application of - Aboriginal peoples | 549(L) | 1 |
| **Family Law Act**   SEE: FLA |  |  |
| Family Law Act - Part IV - Domestic contracts | 533(LR) | 1 |
| Family Law Act - s. 56 - Challenging Domestic Contracts | 534(LR) | 3 |
| Family Law Act - s. 56 - challenging domestic contracts - any other grounds | 534(L) | 3 |
| Family Law Act - s. 56 - challenging domestic contracts - complete and honest disclosure | 534(L) | 3 |
| Family Law Act - s. 56 - challenging domestic contracts - failure to disclose | 534(L) | 3 |
| Family Law Act - s. 56 - challenging domestic contracts - failure to understand | 534(L) | 3 |
| Family Law Act - s. 59.4 - marriage contract - arbitration agreement | 533(L) | 1.2 |
| Family Law Act - s. 59.6(1) - conditions for enforceability | 527(R) | 3.8 |
| Family Law Act s. 33(4)(a) - Set aside - vary - domestic contract - support provisions | 534(R) | 4 |
| Family Law Appeals Pilot Project - Pre-Hearing Settlement Conferences | 518(R) | 2.2 |
| **Family Law Rules** | 541(L) | Preamble |
| Family Law Rules - Additional financial disclosure | 443(R)-444(L)) | 3.6 |
| Family Law Rules - Affidavit of documents | 449(R)-450(L) | 3.9.1 |
| Family Law Rules - amendments to pleadings | 443(R) | 3.5 |
| Family Law Rules - answer | 443(LR) | 3.3 |
| Family Law Rules - Appeal, Rule 38 | 452(R)- 453(L) | 3.13 |
| Family Law Rules - application and service requirements | 440(R) | 3.2 |
| Family Law Rules - Business records | 450(L) | 3.9.2 |
| Family Law Rules - Child Protection Cases - Timetable | 543(L) | 2.5 |
| Family Law Rules - Continuing Record | 442(L) | 3.2.2 |
| Family Law Rules - costs | 452(LR) | 3.12 |
| Family Law Rules - Custody & Access - Where to apply | 459(R)-460(L) | 2.2 |
| Family Law Rules - Document Disclosure | 449(R)-450(L) | 3.9.1 |
| Family Law Rules - Expert Evidence | 450(L) | 3.9.2 |
| Family Law Rules - Family Information Session (FIS) | 442(R)- 443(L) | 3.2.3 |
| Family Law Rules - Financial Disclosure - Rule 1(8) - revokes R. 13(7) | 486(R) | 1.5 |
| Family Law Rules - Financial Disclosure - Rule 13 | 485(LR)-486(L) | 1.1 |
| Family Law Rules - First Appearance Court | 442(L) | 3.2.3 |
| Family Law Rules - litigation process | 440(L) | 3 |
| Family Law Rules - Medical Reports | 450(L) | 3.9.2 |
| Family Law Rules - motion - urgency or hardship | 446(LR) | 3.8 |
| Family Law Rules - motion - without notice | 446(R) | 3.8.1 |
| Family Law Rules - motions | 445(R)- 446(R) | 3.8 |
| Family Law Rules - new R. 32.1 - enforcement - arbitral award | 527(LR) | 3.8 |
| Family Law Rules - primary objective | 440(R) | 3.1 |
| Family Law Rules - provisional orders and confirmation hearings | 448(L) | 3.8.5 |
| Family Law Rules - Questioning - financial disclosure | 449(R) | 3.9.1 |
| Family Law Rules - Request to Admit | 449(R) | 3.9.1 |
| Family Law Rules - Request to Admit - Response to | 449(R) | 3.9.1 |
| Family Law Rules - Rule 28 - Writ of seizure and sale | 494(L) | 3.3 |
| Family Law Rules - Rule 29 - garnishment - support enforcement | 494(L) | 3.1 |
| Family Law Rules - Settlement Conference | 448(R)-449(L) | 3.9 |
| Family Law Rules - splitting of divorce claim (Rule 16) | 457(LR) | 6 |
| Family Law Rules - trial | 451(L)-452(L) | 3.11 |
| Family Law Rules - trial management conference | 449(L) | 3.9 |
| Family Law Rules- Summary Judgment | 447(R) | 3.8.4 |
| *Family Law Statute Amendment Act, 2006* - new regime | 522(R)-523(LR) | 3.3 |
| Family Mediation Canada - Code of Professional Conduct | 517(LR) | 2.1 |
| Family Mediation Canada - goals - mediation | 517(LR) | 2.1 |
| Family Mediation Canada - mediation definition | 517(L) | 2.1 |
| Family property - division - Aboriginal | 549(L)-550(L) | 3 |
| *Family Responsibility and Support Arrears Act* | 493(L) | 2.1 |
| *Family Responsibility and Support Arrears Act -* enforcement of support | 493(L) | 2.1 |
| Family Responsibility Office -   SEE: SUPPORT - ENFORCEMENT | 493(L)-495(R) | 1-4 |
| Family Responsibility Office - director - support powers | 493(L) | 2.1 |
| Family Responsibility Office - enforcement | 493(L) | 1 |
| Family Responsibility Office - support enforcement | 493(L) | 2.1 |
| Family Responsibility Office (FRO) | 493(L) | 1 |
| *Family Statute Law Amendment Act, 2006* (FLSA, Bill 27) | 522(R)-523(LR) | 3.3 |
| Fast Track Case | 442(R) | 3.2.3 |
| Federal Child Support Guidelines - Federal vs. Provincial | 473(L) | 2 |
| Federal data banks - tracing abducted child or abducting access parent | 463(R) | 4.8.2 |
| Federal Guidelines - Child Support | 473(L) | 2.1 |
| Federal jurisdiction - exclusive - lands reserved for Indians | 549(LR) | 3 |
| Federal licenses - suspension - support enforcement | 495(L) | 3.12 |
| Federal Paramountcy - divorce | 458(R) | 9 |
| Federalism - Aboriginal division of property | 549(LR) | 3 |
| Fees - legal - tax | 507(LR) | 14 |
| *Felix v. Fratpietro* - change of name - application varying existing custody order | 555(R) | 3 |
| Final order - \*definition (“judgment”) | 447(L) | 3.8.3 |
| Final restraining order - domestic violence | 538(R) | 4.1.2 |
| **Financial disclosure** -   SEE: DISCLOSURE - FINANCIAL |  |  |
| Financial disclosure - certificate of | 485(R) | 1.1 |
| Financial Disclosure - Child Support | 475(L) | 3.6 |
| Financial Disclosure - Child Support - Order to Compel | 475(LR) | 3.6 |
| Financial Disclosure - claim for child support - no financial statement | 485(L) | 1 |
| Financial disclosure - clerk prohibited from excepting without | 485(R)-486(L) | 1.1 |
| Financial disclosure - contempt | 486(R) | 1.5 |
| Financial Disclosure - continuous disclosure | 485(L) |  |
| Financial disclosure - court clerk prohibited from excepting without | 485(R)-486(L) | 1.1 |
| Financial Disclosure - Documents required | 485(LR)-486(L) | 1.1 |
| Financial disclosure - enforcement | 486(R) | 1.5 |
| Financial disclosure - examination | 449(R) | 3.9.1 |
| Financial disclosure - expenses | 488(R) | 2.2 |
| Financial Disclosure - failure to disclose - agreement may be set aside | 485(L) |  |
| Financial disclosure - fluctuations in income | 488(L) | 2.1 |
| Financial disclosure - income | 488(LR) | 2.1 |
| Financial disclosure - income - fluctuations | 488(L) | 2.1 |
| Financial disclosure - Indian Act | 485(R)-486(L) | 1.1 |
| Financial disclosure - insufficient information | 486(L) | 1.2 |
| Financial disclosure - lawyer - duty | 486(R)-488(L) | 2 |
| Financial disclosure - Net property statement | 485(R) | 1.1 |
| Financial disclosure - not required | 486(L) | 1.1 |
| Financial disclosure - ongoing - Child Support | 477(L) | 6 |
| Financial disclosure - other benefits | 488(R) | 2.1.1 |
| Financial disclosure - Other income earners in home - Part 3 Form 13.1 - | 488(R)-489(L) | 2.3 |
| Financial disclosure - part 4 assets in and out of Ontario | 489(LR) | 2.4 |
| Financial disclosure - part 4(a) land | 489(R) | 2.4.1 |
| Financial disclosure - part 4(c) bank accounts, savings, and securities | 490(L) | 2.4.3 |
| Financial disclosure - part 4(d) life and disability insurance | 490(LR) | 2.4.4 |
| Financial disclosure - part 4(e) business interests | 490(R) | 2.4.5 |
| Financial disclosure - part 4(f) money owed to you | 490(R) | 2.4.6 |
| Financial disclosure - part 4(g) other property | 490(R) | 2.4.7 |
| Financial disclosure - part 4b) general household items and vehicles | 489(R)-490(L) | 2.4.2 |
| Financial disclosure - part 5 debts and liabilities | 490(R)-491(L) | 2.5 |
| Financial disclosure - part 6 date of marriage property and debts | 491(L) | 2.6 |
| Financial disclosure - part 7 excluded property | 491(LR) | 2.7 |
| Financial disclosure - part 8 disposed of property | 491(R) | 2.8 |
| Financial Disclosure - prompt & accurate | 485(L) |  |
| Financial disclosure - Rule 13 - Family Law Rules | 485(LR)-486(L) | 1.1 |
| Financial Disclosure - Self-employed | 485(R) | 1.1 |
| Financial disclosure - service | 485(LR) | 1.1 |
| Financial disclosure - settlement conference - documents to be brought | 486(L) | 1.4 |
| Financial disclosure - valuation date | 489(L) | 2.4 |
| Financial disclosure - when not required | 486(L) | 1.1 |
| Financial information inadequate - request for additional information (Form 20) | 449(R) | 3.9.1 |
| Financial statement - information to be served with | 443(R) – 444(L) | 3.6 |
| **Financial Statements** |  |  |
| Financial statements - air miles | 490(R) | 2.4.7 |
| Financial statements - Assets | 489(L) | 2.4 |
| Financial statements - assets - 3 values | 489(L) | 2.4 |
| Financial statements - assets at date of marriage | 491(L) | 2.6 |
| Financial statements - bank account | 490(L) | 2.4.3 |
| Financial statements - business interests | 490(R) | 2.4.5 |
| Financial statements - car - valuation | 489(R)-490(L) | 2.4.2 |
| Financial statements - case conference - updating statements | 486(L) | 1.3 |
| Financial statements - Certificate of financial disclosure | 485(R) | 1.1 |
| Financial statements - clerk prohibited from excepting without | 485(R)-486(L) | 1.1 |
| Financial statements - collections (wine, stamps, etc.) | 490(L) | 2.4.2 |
| Financial statements - contempt | 486(R) | 1.5 |
| Financial statements - court clerk prohibited from excepting without | 485(R)-486(L) | 1.1 |
| Financial statements - currency | 486(L) | 1.3 |
| Financial statements - debts & liabilities | 490(R)-491(L) | 2.5 |
| Financial statements - disability insurance | 490(LR) | 2.4.4 |
| Financial statements - disposed of property | 491(R) | 2.8 |
| Financial statements - Disposed of property (part 8) | 491(R) | 2.8 |
| Financial statements - Document required | 485(LR)-486(L) | 1.1 |
| Financial statements - employment benefits | 488(R) | 2.1.1 |
| Financial statements - enforcement | 486(R) | 1.5 |
| Financial statements - excluded property | 491(LR) | 2.7 |
| Financial statements - expenses | 488(R) | 2.2 |
| Financial statements - fluctuations in income | 488(L) | 2.1 |
| Financial statements - furniture | 489(R) | 2.4.2 |
| Financial statements - general comments | 486(R)-488(L) | 2 |
| Financial statements - general household items | 489(R) | 2.4.2 |
| Financial statements - household items | 489(R) | 2.4.2 |
| Financial statements - how to complete | 486(R)-488(L) | 2 |
| **Financial statements - income** | 488(LR) | 2.1 |
| Financial statements - income - fluctuations | 488(L) | 2.1 |
| Financial statements - income - proof of | 488(LR) | 2.1 |
| Financial statements - income - sources of | 488(L) | 2.1 |
| Financial statements - incomplete - what to do | 486(L) | 1.3 |
| Financial statements - incomplete/erroneous/undelivered | 486(L) | 1.3 |
| Financial statements - Indian Act | 485(R)-486(L) | 1.1 |
| Financial statements - insufficient information | 486(L) | 1.2 |
| Financial statements - insurance & (disability, Life) | 490(LR) | 2.4.4 |
| Financial statements - investments | 490(L) | 2.4.3 |
| Financial statements - jewelry | 490(L) | 2.4.2 |
| Financial statements - land | 489(R) | 2.4.1 |
| Financial statements - lawyer - duty | 486(R)-488(L) | 2 |
| Financial statements - liabilities & debts | 490(R)-491(L) | 2.5 |
| Financial statements - life insurance | 490(LR) | 2.4.4 |
| Financial statements - market value | 489(L) | 2.4 |
| Financial statements - money owed to you | 490(R) | 2.4.6 |
| Financial statements - motion - updating statements | 486(L) | 1.3 |
| Financial statements - must be filed - Family Law Rules (Rule 13) | 485(L) | 1 |
| Financial statements - must be updated when | 486(L) | 1.3 |
| Financial statements - Net property statement | 485(R) | 1.1 |
| Financial statements - not required | 486(L) | 1.1 |
| Financial statements - obligation to keep current | 486(L) | 1.3 |
| Financial statements - other benefits | 488(R) | 2.1.1 |
| Financial statements - Other income earners in home | 488(R)-489(L) | 2.3 |
| Financial statements - other property | 490(R) | 2.4.7 |
| Financial statements - owed money | 490(R) | 2.4.6 |
| Financial statements - professional valuators | 487(LR) | 2 |
| Financial statements - property - land | 489(R) | 2.4.1 |
| Financial statements - property - market value | 489(L) | 2.4 |
| Financial statements - property - valuation date | 489(L) | 2.4 |
| Financial statements - property at date of marriage | 491(L) | 2.6 |
| Financial statements - savings | 490(L) | 2.4.3 |
| Financial statements - securities | 490(L) | 2.4.3 |
| Financial statements - self-employed | 485(R)  488(L) | 1.1  2.1 |
| Financial statements - service | 485(LR) | 1.1 |
| Financial statements - settlement conference - documents to be brought | 486(L) | 1.4 |
| Financial statements - settlement conference - updating statements | 486(L) | 1.3 |
| Financial statements - sick leave | 490(R) | 2.4.7 |
| Financial statements - tracing - excluded property | 491(R) | 2.7 |
| Financial statements - trial - updating statements | 486(L) | 1.3 |
| Financial statements - unknown income - estimates | 488(L) | 2.1 |
| Financial statements - valuation | 487(LR) | 2 |
| Financial statements - valuation date | 489(L) | 2.4 |
| Financial statements - vehicles | 489(R)-490(L) | 2.4.2 |
| Financial statements - when not required | 486(L) | 1.1 |
| Financial statements - when updated | 486(L) | 1.3 |
| Financial statements vacation pay | 490(R) | 2.4.7 |
| Fine - Custody & Access - contempt | 463(L) | 4.8.1 |
| First Appearance - Child Protection application | 543(R)-544(L) | 2.7 |
| First Appearance - Court | 442(L) | 3.2.3 |
| First Appearance Court - clerk’s role | 442(R) | 3.2.3 |
| First Nation laws - property - on-reserve | 549(R) | 3 |
| **FLA - "Family Law Act"** |  |  |
| FLA - aboriginal - child support | 550(L) | 4 |
| FLA - Aboriginal - property regime | 549(L)-550(L) | 3 |
| FLA - child support guidelines | 473(L) | 2.2 |
| FLA - Definition of “Child of the Marriage” - Child Support | 473(R) | 3.1.2 |
| FLA - Definition of Cohabit | 483(L) | 1 |
| FLA - jurisdiction of court for FLA Parts I and II | 465(L) | 1 |
| FLA - matrimonial home | 470(R)-471(L) | 3 |
| FLA - matrimonial property rights | 465(L) | 1 |
| FLA - net family property | 465(LR)-466(LR) | 2 |
| FLA - Ontario Court of Justice is not a court for Parts I and II | 465(L) | 1 |
| FLA - parenting plan | 461(R) | 4.2 |
| FLA - s. 19 - equal right to matrimonial home | 538(L) | 4.1.1 |
| FLA - s. 19 - possession of matrimonial home | 538(L) | 4.1.1 |
| FLA - s. 24 - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| FLA - s. 46 - restraining order | 538(R) | 4.1.2 |
| FLA - spousal support - limitation period (none) | 479(R) | 2.4 |
| FLA - Spousal Support - spouse definition | 479(L) | 1.2 |
| FLA - Spousal Support agreement | 481(R) | 9.2 |
| FLA - Unconscionability - Unequal Equalization | 470(LR) | 2.5 |
| FLA - variation of final Child Support order | 477(L) | 5 |
| FLA s. 51- family arbitration agreement | 533(R) | 1.5 |
| FLA s. 59.6(1)- family arbitration agreement- conditions for arbitration enforceability | 533(R) | 1.5 |
| FLR | 541(L) | Preamble |
| FLR - 14 - Emergency Motions - motion prior to case conference | 539(R) | 4.2 |
| FLR - 19(11) - CAS - production of CAS file | 547(R) | 2.18 |
| FLR - 33 - apprehension of child - time limitation | 541(R) | 2 |
| FLR - 33 - Child protection application - timeline | 543(L) | 2.5 |
| FLR - 33 - child protection hearing - first appearance | 543(R) | 2.7 |
| FLR - 33 - statement of agreed fact | 546(R) | 2.16 |
| FLR - 38 - child protection hearing - appeal | 546(L) | 2.14 |
| Fluctuations - income | 488(L) | 2.1 |
| Foreign jurisdiction - parent in - child support | 477(R) | 8 |
| Foreign jurisdictions - divorce | 456(L) | 2 |
| Forename - change of - application | 554(L) | 2 |
| Forfeited income - RESP income | 509(L) | 16 |
| Form 13.1 - Financial disclosure | 488(LR)-491(LR) | 2 |
| Form 13.1 - Part 1 - Income | 488(LR) | 2.1 |
| Form 13.1 - Part 2 - Expenses | 488(R) | 2.2 |
| Form 13.1 - Part 3 - Other income earners in home | 488(R)-489(L) | 2.3 |
| Form 13.1 - Part 4 - Assets in and out of Ontario | 489(LR) | 2.4 |
| Form 14B - motions - procedural, uncomplicated matters | 446(R) | 3.8.2 |
| Form 20 - Compliance | 449(R) | 3.9.1 |
| Form 20 - request for additional financial information | 449(R) | 3.9.1 |
| Formal Validity - Domestic Contract | 534(L) | 2 |
| Former spouse - interplay between “spouse” and “former spouse” | 456(L) | 2 |
| Foster Parents - status review hearings | 546(LR) | 2.15 |
| Four-way meeting - Custody & Access | 461(R) | 4.2 |
| Four-way meetings - collaborative family law | 529(R) | 4.4 |
| Fraud - change of name | 553(R)-554(L) | 1 |
| Fraud - domestic contract | 534(L) | 3 |
| Fraud - domestic contract - set aside | 534(L) | 3 |
| FRO -   SEE: SUPPORT - ENFORCEMENT | 493(L) | 1, 2.1 |
| FRO Director - powers - register arrears - under PPSA | 494(LR) | 3.5 |
| FRO Director - Support Enforcement Options | 494(LR)-495(L) | 3 |
| *FSLAA, 2006* Amendments - Arbitration Act - s. 45 - arbitration - rights of appeal | 525(LR)-526(L) | 3.7 |
| *FSLAA, 2006* Amendments - Arbitration Act - s. 45 - where not applicable - arbitration - rights of appeal | 525(R) | 3.7 |
| Furniture - financial statements | 489(R) | 2.4.2 |
| Further Court Documents - Service | 441(R) | 3.2.1 |
| Future liabilities - financial statements | 491(L) | 2.5 |
| **G** | | |
| Garnishment - Aboriginal - registered Indians | 550(LR) | 5 |
| Garnishment - Aboriginal - support | 550(LR) | 5 |
| Garnishment - support - enforcement | 494(L) | 3.1 |
| Garnishment - support - joint accounts | 494(L) | 3.1 |
| General Household Items - Financial statements | 489(R) | 2.4.2 |
| Gift - excluded matrimonial property | 466(L) | 2 |
| Gift from third party - Net Family Property | 465(R)-466(L) | 2 |
| Goals and Principles - Collaborative Family Law | 528(LR) | 4.2 |
| Good faith - Collaborative Family Law | 528(R)-529(L) | 4.2.1 |
| Good faith negotiations - Collaborative Family Law | 528(R)-529(L) | 4.2.1 |
| *Grosman v Cookson* - arbitration - limited court intervention | 524(R) | 3.7 |
| Ground for divorce - \*only ground is breakdown of marriage | 456(L) | 3 |
| **Ground for divorce** - cruelty | 456(L) | 3 |
| Ground for divorce - cruelty - mental | 456(L) | 3 |
| Ground for divorce - cruelty - physical | 456(L) | 3 |
| Ground for divorce - mental cruelty | 456(L) | 3 |
| Ground for divorce - physical cruelty | 456(L) | 3 |
| Grounds to Set Aside Domestic Contract | 534(L) | 3 |
| Guidelines - Child Support -  SEE: Child Support - Guidelines |  |  |
| **H** | | |
| Hague Convention - Custody & Access | 460(L) | 2.3 |
| Hague Convention - exception if grave risk of harm | 460(L) | 2.3 |
| *Hartshorne v Hartshorne* - domestic contracts - deference | 534(R) | 3 |
| *Hartshorne v Hartshorne* - unconscionability - elements | 534(LR) | 3 |
| Health related expenses - Child Support | 475(R)-476(L) | 3.9 |
| Hearing - Child representation - CFSA - s. 38 | 542(R)-543(L) | 2.4 |
| *Hercus v Hercus* - arbitrator award - set aside - Arbitration Act - violation of s. 6 - failure to treat fairly and equally | 526(R) | 3.7 |
| Heritage - Aboriginal - children - custody | 550(R) | 7 |
| Hindsight - matrimonial property - contingent liabilities | 469(R) | 2.2.4 |
| Household Items - Financial statements | 489(R) | 2.4.2 |
| *Hryniak v Maudlin -* Rule 16 of FLR - summary judgment | 545(LR) | 2.12.1 |
| Hryniak v Mauldin- R.16 (6.1) and R. 16(6.2) | 447(R) | 3.8.4 |
| **I** | | |
| **ILA** - domestic contract | 534(R)-535(LR) | 5 |
| ILA - domestic contract - complete financial disclosure | 535(R) | 5 |
| ILA - lawyer’s responsibility to provide | 535(L) | 5 |
| ILA – fear and threats | 535(L) | 5 |
| ILA Certificate | 535(R) | 5 |
| Immediate physical risk - Domestic Abuse | 537(LR) | 2 |
| Imprisonment - Custody & Access and - contempt | 463(L) | 4.8.1 |
| Imputing income | 479(R)- 480(L) | 3.1 |
| Imputing Income - Aboriginal - Child Support | 550(L) | 4 |
| Imputing income - child support | 474(R)-475(L) | 3.5 |
| In need of protection - Child Protection  SEE: Child Protection |  |  |
| Inappropriate amount - Child Support | 475(R) | 3.7 |
| Income - Financial disclosure | 488(LR) | 2.1 |
| Income - Financial statements | 488(LR) | 2.1 |
| Income - fluctuations | 488(L) | 2.1 |
| Income - imputing | 479(R)- 480(L) | 3.1 |
| Income - imputing - Child Support & Aboriginal | 550(L) | 4 |
| **Income attribution** - [transferred property] - **non**-separated parties | 504(R) | 12.3.2 |
| Income attribution - [transferred property] - separated parties | 504(R) | 12.3.1 |
| Income Attribution - Example | 505(R)- 506(LR) | 12.5 |
| Income attribution - tax | 504(L)-505 | 12 |
| Income attribution - transferred property - inter-spousal | 504(R) | 12.3.2 |
| Income attribution - transferred property - separated parties | 504(R) | 12.3.1 |
| Income attribution - two types | 504(R) | 12.2 |
| Income averaging arrears - tax - lump sum & | 500(L) | 5.3 |
| Income earners - other earners in home | 488(R)-489(L) | 2.3 |
| Income from Gift or Inheritance from third party - NFP Exclusions | 465(R)-466(L) | 2 |
| Income over 150k - Child Support | 475(R) | 3.7 |
| Income tax - Deductions & Credits | 510(L)-511(R) | 19-20 |
| *Income Tax Act* - joint and several tax liabilities rules | 506(LR)-507(L) | 13 |
| Indemnity clause - tax - inter-spousal property transfers | 506(R)-507(L) | 13.3 |
| Independent evidence - Abuse | 537(R) | 2 |
| Independent legal advice - domestic contracts | 534(R)-535(LR) | 5 |
| Independent legal advice - mediation | 521(L) | 2.6 |
| Independent Legal Advice Certificate | 535(R) | 5 |
| Indexing support to CPI - Spousal Support - DA | 481(L)) | 7.1 |
| Indexing support to CPI - Spousal Support - FLA | 481(L) | 7.1 |
| *Indian Act -* child support orders | 550(L) | 4 |
| *Indian Act -* marriage | 549(L) | 2 |
| *Indian Act* - property - division | 549(L)-550(L) | 3 |
| *Indian Act* - residence on reserve | 549(R) | 3 |
| *Indian Act* - s. 89 - garnishment - aboriginals, exempt from | 550(LR) | 5 |
| Indian Act- family property- common law | 549(R)-550(L) | 3 |
| Indians - registered under *Indian Act -* child support | 550(L) | 4 |
| Infirm dependant over 17 - dependants - tax | 510(R) | 19.6 |
| Information disclosure - support enforcement | 494(L) | 3.2 |
| Information to be served along with financial statement | 443(R) – 444(L) | 3.6 |
| Inheritance - excluded matrimonial property | 466(L) | 2 |
| Initial disclosure of abuse | 537(LR) | 2 |
| **Instalments - tax** | 507(R) | 15.2 |
| Instalments - tax - definition | 507(R) | 15.2 |
| Instalments - tax - penalties & interest | 507(R) | 15.2.3 |
| Instalments - tax - timing - when made | 507(R) | 15.2.2 |
| Instalments - tax - who must make | 507(R) | 15.2.1 |
| Insurance - Disability, Life - Financial statements | 490(LR) | 2.4.4 |
| Insurance - Financial statements | 490(LR) | 2.4.4 |
| Insurance - Life - Spousal Support - Court order to maintain insurance | 481(L) | 7.2 |
| Insurance - Proceeds - Net Family Property - exclusions | 466(L) | 2 |
| Intact Relationship - Custody & Access | 459(L) | 1 |
| Inter-spousal transfers - capital property - tax impact | 502(LR) | 10.2 |
| Inter-spousal transfers - tax - attribution rules | 504(R) | 12.3.2 |
| Interest - equalization payment - presumption of | 470(L) | 2.4 |
| **Interim** - Custody & Access determination | 462(L) | 4.4 |
| Interim custody order - emergency relief - domestic abuse | 539(R) | 4.2 |
| Interim order - custody order - domestic abuse | 539(R) | 4.2 |
| Interim order - restraining order - domestic abuse | 538(R)-539(L) | 4.1.2 |
| Interjurisdictional orders - Spousal Support | 481(L) | 8 |
| ***Interjurisdictional Support Order Act*** *- Child Support* | 477(R) | 8 |
| *Interjurisdictional Support Orders Act* - enforcement - support | 495(LR) | 4 |
| *Interjurisdictional Support Orders Act* - support - enforcement | 495(LR) | 4 |
| Investments - Financial statements | 490(L) | 2.4.3 |
| ***ITA -*** attribution rules - income | 504(LR) | 12.1 |
| *ITA -* prohibitive rules - income attribution | 504(LR) | 12.1 |
| ITA - same-sex partners | 509(R) | 18.1 |
| **J** | | |
| Jail - Custody & Access - contempt | 463(L) | 4.8.1 |
| Jewelry - financial statements | 490(L) | 2.4.2 |
| Joint & Several Liabilities - Tax | 506(LR)-507(L) | 13 |
| Joint custody - \*definition & rights | 459(L) | 1 |
| **Joint Custody** - best interests of the child | 460(R) | 3.4 |
| Joint custody - child tax benefit | 511(LR) | 19.9 |
| Joint custody - conflict between parents | 460(R) | 3.4 |
| Joint custody - consent of parents (agreements) | 460(R) | 3.4 |
| Joint custody - cooperation of parents | 461(R) | 4.2 |
| Joint custody - Custody & Access | 460(R) | 3.4 |
| Joint custody - domestic abuse | 539(L) | 4.1.3 |
| Joint custody - eligible dependent credit | 510(L) | 19.2 |
| Joint custody - jurisdiction of the court | 459(LR) | 2.1.1 |
| Joint custody - sole custody (vs.) | 459(L) | 1 |
| Joint Custody - when is JT appropriate | 460(R) | 3.4 |
| Joint election - Sample form - Income Tax Act - S. 74.5(3)(b) | 515 | Appendix 5 |
| Joint election - tax - Capital gains - | 504(R)-505(R) | 12.4.1-12.4.2 |
| Joint family venture - CL spouse | 483(R) | 2 |
| Joint Family Venture - definition | 469(R) | 2.3 |
| Joint ownership - matrimonial home | 471(L) | 3 |
| Judge - at settlement conference | 448(R)-449(L) | 3.9 |
| Judge interview w/ child - Custody & Access - evidence on | 462(R) | 4.6.1 |
| Judicial Review - arbitration | 525(LR)-527(L) | 3.7 |
| **Jurisdiction** - \*general | 456(L) | 2 |
| Jurisdiction - Child Support | 473(L) | 2 |
| Jurisdiction - corollary relief | 456(L) | 2 |
| Jurisdiction - Custody & Access | 459(LR) | 2 |
| Jurisdiction - divorce | 456(L) | 2 |
| Jurisdiction - Family Court branch of the Superior Court of Justice exists | 442(LR) | 3.2.3 |
| Jurisdiction - Family Court branch of the Superior Court of Justice does not exist | 442(LR) | 3.2.3 |
| Jurisdiction - foreign divorce | 456(L) | 2 |
| Jurisdiction - Spousal Support | 479(L) | 1 |
| Jurisdiction - variation | 456(L) | 2 |
| **K** | | |
| *Kainz v Potter* - arbitrator award - set aside - failure to treat fairly and equally | 526(R)-527(L) | 3.7 |
| Kidnapping   SEE: ABDUCTION | 463(R) | 4.8.2 |
| **L** | | |
| Land - charge against - support order- enforcement | 494(L) | 3.4 |
| Land - Financial statements | 489(R) | 2.4.1 |
| Lawyer - duty - ADR - tell client about ADR | 437(R) | 1 |
| Lawyer - Duty - Assessing client goals - Custody & Access | 461(LR) | 4.1 |
| Lawyer - duty - consultation - how to conduct | 437(L)-438(L) | 1 |
| **Lawyer** - duty - Domestic Contract | 534(R)-535(LR) | 5 |
| Lawyer - duty - financial disclosure - professional valuations | 487(LR) | 2 |
| Lawyer - duty - financial disclosure by client | 486(R)-488(L) | 2 |
| Lawyer - duty - mediation - independent legal advice | 521(L) | 2.6 |
| Lawyer - duty - negotiation - damage to case of failing to negotiate | 439(L) | 2.1 |
| Lawyer - duty - negotiation - inform clients of consequences for failing to negotiate | 438(R) | 2.1 |
| Lawyer - duty - negotiation - inform clients of importance of | 439(L) | 2.1 |
| Lawyer - duty - professional valuations | 487(LR) | 2 |
| Lawyer - Duty - reconciliation & mediation | 457(L) | 5 |
| Lawyer - duty - valuation - should not attempt to value assets themselves | 490(L) | 2.4.3 |
| Lawyer - mediation - violence - evidence of | 519(R)-520(L) | 2.4 |
| Lawyer - role - advice - selecting mediator | 521(R) | 2.6 |
| Lawyer - role - avoiding interference | 521(R) | 2.6 |
| Lawyer - role - independent legal advice | 521(L) | 2.6 |
| Lawyer - role - mediation | 521(LR) | 2.6 |
| Lawyer - role - mediation structure | 521(LR) | 2.6 |
| Lawyer - role - preparing client | 521(L) | 2.6 |
| Lawyer - role - selecting mediator | 521(L) | 2.6 |
| Lawyer - role - services to offer | 521(R) | 2.6 |
| Lawyer - Role and Responsibilities - Collaborative Family Law | 530(R)-531(L) | 4.5 |
| Lawyer - Withdrawal from Collaborative Lawyering | 529(L) | 4.2.1 |
| Leave - Appealing decision of Superior Court - test for | 453(L) | 3.13 |
| Leave - Appealing decision of Superior Court - when leave required | 453(L) | 3.13 |
| Leave - Custody & Access - non-parents requesting | 460(L) | 2.4.1 |
| Leave - status review hearing - Child Protection | 546(LR) | 2.15 |
| Legal advice - domestic contract | 534(R)-535(LR) | 5 |
| Legal advice - secondary arbitrations - not required - FLSA 59.7(1)2 | 532(L) | 5 |
| Legal aid | 441(R) | 3.2 |
| **Legal Fees** - tax | 507(LR) | 14 |
| Legal Fees - tax - support order - legal fees paid by payor spouse | 507(L) | 14.2 |
| Legal Fees - tax (family law) | 507(LR) | 14 |
| Legislation - *Family Responsibility and Support Arrears Act (FRSAEA)* - enforcing support | 493(L) | 2.1 |
| Legislative Basis - Arbitration - *Arbitration Act, 1991* | 521(R)-522(R) | 3.2 |
| *LeVan v LeVan* - domestic contract - set aside - discretionary - fairness | 534(R) | 3 |
| Liabilities & Debts - Financial statements | 490(R)-491(L) | 2.5 |
| Lien - support arrears | 494(LR) | 3.5 |
| Lien and charge - support order - arrears | 494(LR) | 3.5 |
| Life Insurance - Financial statements | 476(L) | 2.4.4 |
| Life Insurance - Spousal Support | 481(L) | 7.2 |
| **Limitation period** - equalization claim | 470(R) | 2.6 |
| Limitation period - Net Family Property | 470(R) | 2.6 |
| Limitation period - Spousal Support | 479(R) | 2.4 |
| **Litigation** - Custody & Access | 462(L) | 4.4 |
| Litigation - victim of domestic abuse | 537(R)-538(L) | 3 |
| Litigation Process - Family Law Rules - Scope of application | 440(L) | 3 |
| Living expenses | 488(R) | 2.2 |
| Loss Carryforward Rules - Tax | 508(L) | 15.3 |
| Losses - tax - non-capital and net-capital | 508(L) | 15.3.1 |
| Lottery winnings - financial disclosure | 488(L) | 2.1 |
| Lottery winnings - support - enforcement & | 494(R) | 3.6 |
| Lump sum - Spousal Support | 480(LR) | 3.4 |
| **Lump Sum** - Tax | 499(R)-500(L) | 5 |
| Lump sum - tax - definition | 499(R) | 5.1 |
| Lump sum - tax - income averaging arrears & | 500(L) | 5.3 |
| Lump sum - tax - support | 499(R) | 5.2 |
| Lump-Sum Arrears Payments - Tax Treatment - Chart of Decisions | 513(LR) | Appendix 2 |
| Lump-sum payment - spousal support - RRSP transfer | 504(L) | 10.6.2 |
| **M** | | |
| *M v. H. -* same-sex | 455(L) | 1 |
| Marital breakdown - distribution of corporate assets -objectives | 509(R) | 17.2 |
| Marital breakdown - legal fees - deductions | 507(LR) | 14 |
| Marital breakdown - property transfer - tax liability | 506(LR) | 13.1.2 |
| Marital breakdown - transfers of capital property - tax | 502(L) | 10 |
| Marital dissolution - corporate assets - distribution of | 509(R) | 17.2 |
| Marital property - transfers of capital property - tax | 502(L) | 10 |
| Market value - financial statements | 489(L) | 2.4 |
| Marriage - \*definition - Civil Marriage Act | 455(R) | 1.1 |
| **Marriage** - Aboriginal peoples | 549(L) | 2 |
| Marriage - change of name - abbreviated procedure | 554(L) | 2 |
| Marriage - customary law - Aboriginal | 549(L) | 2 |
| Marriage - Indian Act | 549(L) | 1 |
| Marriage - joint and several tax liabilities | 506(LR)-507(L) | 13 |
| Marriage - religious - barrier to marriage | 457(R) | 7 |
| Marriage and Cohabitation - Change of Name | 554(LR) | 2 |
| Marriage breakdown - death - matrimonial property | 465(L) | 1 |
| Marriage breakdown - transferred property - tax attribution rules | 504(R) | 12.3.1 |
| **Marriage contract** - arbitration agreement - Family Law Act - s. 59.4 | 533(L) | 1.2 |
| Marriage contract - Custody & Access rights - cannot contract for | 533(L) | 1.2 |
| Marriage contract - definition - domestic contract | 533(L) | 1.2 |
| Marriage contract - Spousal Support | 533(L) | 1.2 |
| Marriage contract - what cannot contain | 533(L) | 1.2 |
| Married - tax liability - spouse’s unpaid taxes | 506(L) | 13.1.1 |
| Martin v Sansome- equalization unconscionable | 470(L) | 2.3 |
| **Material Change in Circumstances** - Child Support - variation | 477(L) | 5 |
| Material Change in Circumstances - definition - Spousal Support - variation | 480(R) | 5 |
| Material Change in circumstances - Financial statements - obligation to disclose | 486(L) | 1.3 |
| Material Change of circumstances - Custody & Access | 462(L) | 4.5 |
| **Matrimonial Home** - \*definition | 470(R)-471(L) | 3 |
| Matrimonial home - Aboriginal | 549(L)-550(L) | 3 |
| Matrimonial home - chalet as | 470(R)-471(L) | 3 |
| Matrimonial home - constructive trust | 469(R)- 470(L) | 2.3 |
| Matrimonial home - cottage as | 470(R)-471(L) | 3 |
| Matrimonial home - designation of | 471(L) | 3 |
| Matrimonial home - disposition of  (SEE: sale of) | 471(L) | 3 |
| Matrimonial home - domestic violence | 538(LR) | 4.1.1 |
| Matrimonial home - equal right to possession | 471(L) | 3 |
| Matrimonial home - **exclusive possession** | 471(L) | 3 |
| Matrimonial home - exclusive possession - Best Interests of Child | 471(L) | 3 |
| Matrimonial home - exclusive possession - violence | 538(LR) | 4.1.1 |
| Matrimonial home - exclusive possession - violence - FLA - s. 24 | 538(LR) | 4.1.1 |
| Matrimonial home - joint owned - used by one party - occupation rent | 471(L) | 3 |
| Matrimonial home - more than one | 471(L) | 3 |
| Matrimonial home - ordinarily occupied | 470(R)-471(L) | 3 |
| Matrimonial home - outside Ontario | 471(L) | 3 |
| Matrimonial home - sale of | 471(L) | 3 |
| Matrimonial home - tracing | 466(L) | 2 |
| Matrimonial home - transfer of - tax | 503(LR) | 10.6.1 |
| Matrimonial Property - constructive trust | 469(R)- 470(L) | 2.3 |
| Matrimonial Property - cost of disposition | 469(LR) | 2.2.4 |
| Matrimonial Property - FLA | 465(L) | 1 |
| Matrimonial Property - preservation of property | 471(R) | 4 |
| Matrimonial Property - same-sex | 465(L) | 1 |
| Matrimonial Property - trust interests in property | 469(L) | 2.2.3 |
| Matrimonial real property - Aboriginal - on-reserve | 549(R) | 3 |
| Maximum contact principle - Custody & Access | 460(R) | 3.2 |
| *McClintock* - parenting coordination | 531(R)-532(L) | 5 |
| *McClintock v Karam -* reasonable apprehension of bias - arbitrator/mediator | 427(L) | 3.7 |
| **Mediation** | 517(L) | 2 |
| Mediation - agreement | 520(R)-521(L) | 2.5 |
| Mediation - appropriateness - Custody & Access | 448(L) | 4.3 |
| Mediation - arbitration - two-step process | 524(R)-523(L) | 3.6 |
| Mediation - arbitrators - domestic violence training | 520(L) | 2.4 |
| Mediation - catharsis | 517(R) | 2.1 |
| Mediation - choice of mediator | 520(R) | 2.5 |
| Mediation - closed mediation | 518(L) | 2.2 |
| Mediation - Custody & Access | 461(R)-462(L) | 4.3 |
| Mediation - definition | 517(L) | 2.1 |
| Mediation - divorce - lawyer has to promote | 457(L) | 5 |
| Mediation - domestic abuse | 537(R)-538(L) | 3 |
| Mediation - domestic violence | 519(R)-520(L) | 2.4 |
| Mediation - domestic violence - power imbalance | 519(R)-520(L) | 2.4 |
| Mediation - evidence from - *C.A.M. v D.M.* | 518(R) | 2.2 |
| Mediation - facilities - divorce - lawyer has to promote | 457(L) | 5 |
| Mediation - goal | 517(LR) | 2.1 |
| Mediation - inappropriate where | 519(L) | 2.3 |
| Mediation - inappropriate where - violence | 519(R)-520(L) | 2.4 |
| Mediation - independent legal advice | 521(L) | 2.6 |
| Mediation - lawyer responsibilities | 521(LR) | 2.6 |
| Mediation - memorandum of understanding | 520(R) | 2.5 |
| Mediation - negotiation - mediator’s role | 517(R)-518(L) | 2.1 |
| Mediation - not advisable | 519(L) | 2.3 |
| Mediation - open mediation | 518(LR) | 2.2 |
| Mediation - open v closed | 518(LR) | 2.2 |
| Mediation - optimal conditions | 518(R)-519(LR) | 2.3 |
| Mediation - parenting coordinator | 461(R)-462(L) | 4.3 |
| Mediation - parenting plan | 461(R) | 4.2 |
| Mediation - presence of lawyers | 517(R)-518(L) | 2.1 |
| Mediation - process | 520(LR)-521(L) | 2.5 |
| Mediation - process - family courts | 521(L) | 2.5 |
| Mediation - providing legal advice | 517(R) | 2.1 |
| Mediation - purpose | 517(L) | 2.1 |
| Mediation - role of lawyers | 517(R)-518(L);  518(R)-519(L);  521(LR) | 2.1  2.3  2.6 |
| Mediation - role of mediator | 517(R)-518(L) | 2.1 |
| Mediation - steps | 520(LR)-521(L) | 2.5 |
| Mediation - victim of domestic abuse | 537(R)-538(L) | 3 |
| Mediation - without prejudice | 518(R) | 2.2 |
| Mediation and Reconciliation - lawyer advise | 457(L) | 5 |
| Mediation/Arbitration - Advantages & Disadvantages | 527(R) | 3.9 |
| Mediation/arbitration - advantages and disadvantages | 524(R)-523(L) | 3.6 |
| Mediation/arbitration - award based solely on evidence | 525(L) | 3.6 |
| Mediation/arbitration - conciliation process - prohibited - Arbitration Act - s. 35 | 525(L) | 3.6 |
| Mediation/arbitration - criticism | 525(L) | 3.6 |
| Mediation/arbitration - definition | 524(R)-523(L) | 3.6 |
| Mediator - providing legal advice | 517(R) | 2.1 |
| Mediator - testimony - compulsion | 518(R) | 2.2 |
| Medical reports - Family Law Rules | 450(L) | 3.9.2 |
| **Medical reports, business records, and expert evidence** | 450(LR) | 3.9.2 |
| Memorandum of understanding - arbitration | 523(R) | 3.4 |
| Memorandum of understanding - mediation | 520(R) | 2.5 |
| Mental infirm - tax credit | 510(R) | 19.6 |
| *Miglin v Miglin -* Divorce Act - overriding support terms - domestic contract | 534(R) | 4 |
| Minutes of settlement - agreement arising out of case conference | 445(R) | 3.7 |
| Misrepresentation - change of name | 553(R)-554(L) | 1 |
| **Mobility** - custody & access  SEE: Custody & Access - mobility | 451(L) | 3.6 |
| Money owed to you - Financial statements | 490(R) | 2.4.6 |
| Mortgage - matrimonial home - Net Family Property - deductions | 469(LR) | 2.2.4 |
| **Motion** | 445(R)-446(R) | 3.8 |
| Motion - affidavit | 446(L) | 3.8 |
| Motion - barriers to religious marriage | 457(R) | 7 |
| Motion - case conference must be held before | 445(R) | 3.8 |
| Motion - case conference must be held before - exception | 446(LR) | 3.8 |
| Motion - Contempt | 463(L) | 4.8.1 |
| Motion - Custody & Access - emergency motion | 539(R) | 4.2 |
| Motion - Custody & Access - interim order | 539(R) | 4.2 |
| Motion - divorce order | 457(R)-458(L) | 8 |
| Motion - document production from non-party | 450(R) | 3.9.2 |
| Motion - documents required | 446(L) | 3.8 |
| Motion - Emergency - Prior to case conference - FLR - 14 | 539(R) | 4.2 |
| Motion - financial disclosure | 486(L) | 1.2 |
| Motion - notice of motion | 446(L) | 3.8 |
| Motion - service - general requirements | 446(L) | 3.8 |
| Motion - summary judgment - divorce | 457(LR) | 6 |
| Motion - Support Deduction Order - arrears | 493(R) | 2.2 |
| Motion - urgency or hardship | 446(LR) | 3.8 |
| Motion - without notice | 446(L) | 3.8 |
| Motion for urgent relief - domestic violence | 538(L) | 4.1 |
| Motions - Form 14B - procedural, uncomplicated matters | 446(R) | 3.8.2 |
| Motions - long motions | 446(L) | 3.8 |
| **N** | | |
| Name - legal name change | 553(L) | 1 |
| Name certificate - change | 554(L) | 2 |
| **Name change** - abbreviated procedure - marriage/dissolution of marriage | 554(LR) | 2 |
| Name change - child - notice of | 554(R)-555(L) | 3 |
| Name change - child - set aside / object | 555(LR) | 3 |
| Name change - conjugal relationship | 554(R) | 2 |
| Name change - fraud or misrepresentation | 553(R)-554(L) | 1 |
| Name change - marriage and cohabitation | 554(LR) | 2 |
| Name change - notice of | 553(R) | 1 |
| Name change - Ontario | 533(L)-534(R) | 1 |
| Name change - Registrar General | 553(R) | 1 |
| Name change - transgendered person | 553(R) | 1 |
| Name change certificate | 553(L) | 1 |
| National Child Benefit Supplement | 511(LR) | 19.9 |
| Native child - child protection order - best interests | 542(R) | 2.3 |
| Native culture - Aboriginal child - custody | 536(R) | 7 |
| Negligence - Lawyer - Independent Legal Advice | 535(R) | 5 |
| Negotiation - benefits of | 439(L) | 2.1 |
| **Negotiation** - divorce - lawyer has to promote | 457(L) | 5 |
| Negotiation - settlement - options for settlement | 438(R) | 2.1 |
| Negotiation - steps to effective | 438(L)-440(L) | 2.2 |
| Negotiation - without prejudice - Family law | 439(R) | 2.2 |
| Negotiation – introduction | 438(R)-439(L) | 2.1 |
| **Net Family Property** - "Net Family Property" |  |  |
| Net Family Property - Aboriginal | 549(L)-550(L) | 3 |
| Net Family Property - calculation | 465(LR)-466(LR) | 2 |
| Net Family Property - CL couples | 471(R) | 5 |
| Net Family Property - constructive trusts | 469(R)- 470(L) | 2.3 |
| Net Family Property - contingent liabilities | 469(LR) | 2.2.4 |
| Net Family Property - costs of disposition | 469(LR) | 2.2.4 |
| Net Family Property - debt & liabilities - deductions from | 465(L) | 2 |
| Net Family Property - discretion to adjust - factors when (unconscionability) | 470(LR) | 2.5 |
| Net Family Property - equalization - payment terms | 470(L) | 2.4 |
| Net family property - Equalization calculation example | 466(R)-467(L) | 2.1 |
| Net Family Property - excluded property | 465(R)-466(LR) | 2 |
| Net Family Property - gift from third party | 465(R)-466(R) | 2 |
| Net Family Property - if and when - pensions | 467(R) | 2.2.1 |
| Net Family Property - insurance - exclusions | 466(L) | 2 |
| Net Family Property - limitation period | 470(R)) | 2.6 |
| Net Family Property - limitation period - extension of time | 470(R) | 2.6 |
| Net Family Property - matrimonial home -  SEE ALSO: MATRIMONIAL HOME | 470(R)-471(L) | 3 |
| Net Family Property - payment - time limit (10y) | 470(L) | 2.4 |
| Net Family Property - pensions - property (but not WSIB pensions) | 466(LR) | 2 |
| Net Family Property - personal injury settlement - exclusions | 466(L) | 2 |
| Net Family Property - preservation of property | 471(R) | 4 |
| Net Family Property - stock options - property | 468(R) | 2.2.2 |
| Net Family Property - tracing (matrimonial home) | 466(L) | 2 |
| Net Family Property - trusts - property | 469(L) | 2.2.3 |
| Net Family Property - unconscionability | 470(LR) | 2.5 |
| Net Family Property - unequal equalization | 470(LR) | 2.5 |
| Net Family Property - valuation - costs of disposition | 469(LR) | 2.2.4 |
| Net Family Property - valuation - pension | 467(L)- 468(R) | 2.2.1 |
| Net Family Property - valuation date | 465(L) | 2 |
| Net Family Property - when can one apply - limitation period | 470(R) | 2.6 |
| Net Family Property - when can one apply for Net Family Property | 465(L) | 1 |
| Net property statement | 485(R) | 1.1 |
| Net Worth | 465(L) | 2 |
| Net-capital losses - tax | 508(L) | 15.3.1 |
| New Relationship - Spousal Support | 479(R) | 2.3 |
| Non-capital losses - tax | 508(L) | 15.3.1 |
| Non-Capital Property Transfer - tax | 503(L) | 10.4 |
| Non-party - document in possession of | 450(R) | 3.9.2 |
| Non-resident payment - tax | 501(R) | 9.1 |
| Non-resident spouse - tax | 501(R) | 9.1-9.4 (SEE TABLE on 502) |
| Non-Resident Spouses - Payments to | 501(R) | 9.1 |
| Notice - change of name | 553(R) | 1 |
| Notice of Appeal - Service | 452(R)- 453(L) | 3.13 |
| Notice of Garnishment - support enforcement - Family Law Rules - Rule 29 | 494(L) | 3.1 |
| Notice of Support Deduction Order | 493(R) | 2.2 |
| Notice of Withdrawal - divorce | 457(R)-458(L) | 8 |
| Notice of Withdrawal (Rule 18(5)) | 450(R) | 3.10 |
| Number of children - Child Support | 474(R) | 3.3 |
| **O** | | |
| Objectives - Child support guidelines | 473(L) | 1 |
| Offer - \*definition | 450(R) | 3.10 |
| **Offers to settle** | 450(R)-451(L) | 3.10 |
| Offers to settle | 450(R)-451(L) | 3.10 |
| Offers to settle - acceptance | 450(R)-451(L) | 3.10 |
| Offers to settle - acceptance if previous rejection or counter-offer | 450(R) | 3.10 |
| Offers to settle - accepted right before trial | 452(L) | 3.10 |
| Offers to settle - consent | 451(L) | 3.10 |
| Offers to settle - costs | 450(R)-451(L) | 3.10 |
| Office of children’s lawyer -  SEE: CHILDREN’S LAWYER |  |  |
| Ongoing Financial Disclosure - Child support | 477(L) | 6 |
| Ontario Court of Justice - Not a Court as per FLA | 465(L) | 1 |
| *Ontario Disability Support Program Act* |  |  |
| ***Ontario Disability Support Program Act*** *- Child Support* | 477(R) | 9 |
| Ontario Disability Support Program Act - Spousal Support | 481(L) | 6.1 |
| **Onus** - Child Support - income - parent has onus to show different income | 474(R)-475(L) | 3.5 |
| Onus - Child Support - variation | 477(L) | 5 |
| Onus - Custody & Access - variation | 462(L) | 4.5 |
| Onus - Spousal Support - variation | 480(R) | 5 |
| Onus - table amount of income over $150,000 | 475(R) | 3.7 |
| Open mediation - critics | 518(L) | 2.2 |
| Open mediation - definition | 518(L) | 2.2 |
| Open mediation - proponents | 518(L) | 2.2 |
| Opening statement - trial | 451(R) | 3.11 |
| Optimal Conditions - mediation | 518(R)-519(LR) | 2.3 |
| Opting in/out - Support Deduction Order | 493(R) | 2.3 |
| **Order** |  |  |
| Order - “settling” the wording | 447(L) | 3.8.3 |
| Order - aboriginal - possession or ownership of matrimonial home | 549(R) | 3 |
| Order - Aboriginal - support enforcement | 550(LR) | 5 |
| Order - aboriginal - support, Spousal Support, Child Support | 550(L) | 4 |
| Order - appeal from an order | 452(R)- 453(L) | 3.13 |
| **Order - Change of name** - granting application | 553(R) | 1 |
| Order - Change of name - refusal of change | 553(R) | 1 |
| Order - Change of name - revoking change of name | 553(R)-554(L) | 1 |
| Order - Change of name of child - no change without consent of custodial parents | 554(R)-555(R) | 3 |
| **Order - Child Protection** - appeals | 546(L) | 2.14 |
| Order - Child Protection - crown wardship | 545(R)-546(L) | 2.13 |
| Order - Child Protection - Paramountcy | 547(R) | 2.18 |
| Order - child protection - statement of agreed fact | 546(R)-547(L) | 2.16 |
| Order - Child Protection - status review application | 546(LR) | 2.15 |
| Order - Child Protection - temporary - interim | 544(L) | 2.8 |
| Order - Child Protection - type of orders available | 542(LR) | 2.3 |
| **Order - Child Support** - content of order | 476(R) | 3.13 |
| Order - Child Support - deviate from table amount | 475(R) | 3.7 |
| Order - Child Support - eligible person who can apply | 473(R) | 3.1.1 |
| Order - child support - no order - administrative calculation | 477(L) | 7 |
| Order - child support - payments paid prior to commencement - tax treatment | 498(R)-499(LR) | 4.5 |
| Order - Child Support - retroactive payments | 476(R)-477(L) | 4 |
| Order - Child Support - variation | 477(L) | 5 |
| Order - commencement date for tax purposes | 498(LR) | 4.3 |
| Order - compel financial disclosure | 475(LR) | 3.6 |
| Order - conference brief included in continuing record only if court orders | 445(R) | 3.7 |
| Order - confirmation hearing | 448(L) | 3.8.5 |
| Order - consent (attendance not required) | 447(L) | 3.8.3 |
| Order - contempt- \*definition, R. 31 | 447(L) | 3.8.3 |
| **Order - Custody & Access** - abduction contrary to order | 463(R) | 4.8.2 |
| Order - Custody & Access - appointment of child lawyer | 462(R)-463(L) | 4.7 |
| Order - Custody & Access - assessment of needs the child | 462(R) | 4.6.2 |
| Order - Custody & Access - by person other than spouse or former spouse | 460(L) | 2.4 |
| Order - Custody & Access - Change of name | 554(R)-555(R) | 3 |
| Order - Custody & Access - Contempt | 463(L) | 4.8.1 |
| Order - Custody & Access - eligible applicants for order | 460(L) | 2.4 |
| Order - Custody & Access - Family Orders and Agreement Enforcement Act | 463(R) | 4.8.2 |
| Order - Custody & Access - locating children - CLRA | 463(R) | 4.8.2 |
| Order - Custody & Access - supervised access | 460(R) | 3.5 |
| Order - Custody & Access - variation Custody & Access | 462(L) | 4.5 |
| Order - Custody & Access - variation due to mobility change | 451(L) | 3.6 |
| Order - Custody & Access - violence | 539(L) | 4.1.3 |
| Order - date it is effective | 447(L) | 3.8.3 |
| Order - disclosure | 486(R) | 1.5 |
| Order - dismissing barriers to religious marriage | 457(R | 7 |
| Order - dispensing of service | 441(L) | 3.2 |
| Order - divorce order | 457(R)-458(L) | 8 |
| Order - drafting order - domestic violence | 539(R)-540(R) | 5 |
| Order - emergency motion, violence | 539(R) | 4.2 |
| **Order - enforcement** - Spousal Support - 3rd party shelter | 494(R) | 3.7 |
| Order - enforcement - Spousal Support - default hearing | 494(R) | 3.7 |
| Order - enforcement - Spousal Support - FRO authority | 493(L) | 1 |
| Order - enforcement - Spousal Support - interjurisdictional | 495(LR) | 4 |
| Order - enforcement - Spousal Support - postpone charge on land | 494(L) | 3.4 |
| Order - enforcement - Spousal Support - refraining order | 494(R)-495(L) | 3.11 |
| Order - enforcement - Spousal Support - restraining from disposing or wasting assets | 494(R) | 3.8 |
| Order - exclusive possession | 457(L) | 6 |
| Order - exclusive possession - violence | 538(LR) | 4.1.1 |
| Order - execution | 447(L) | 3.8.3 |
| Order - final - \*definition (“judgment”) | 447(L) | 3.8.3 |
| Order - financial disclosure | 475(LR) | 3.6 |
| Order - motions for temporary orders, R. 14 | 445(R) | 3.8 |
| Order - no order - child support - administrative calculation | 477(L) | 7 |
| Order - paramountcy between FLA and DA orders | 479(L) | 1.2 |
| Order - payment -\*definition | 447(L) | 3.8.3 |
| Order - preservation of property | 471(R) | 4 |
| Order - removing docs from continuing record | 442(L) | 3.2.2 |
| Order - request for financial information - Form 20 | 449(R) | 3.9.1 |
| Order - restraining, violence | 538(R)-539(L) | 4.1.2 |
| Order - service - dispensing of | 441(L) | 3.2 |
| Order - signature by court | 447(L) | 3.8.3 |
| Order - splitting of divorce claim | 457(LR) | 6 |
| **Order -** **Spousal Support** - assign order to gov agency | 480(R) | 6 |
| Order - Spousal Support - binding payor’s estate | 481(L) | 7.3 |
| Order - Spousal Support - Consumer Price Index | 481(L) | 7.1 |
| Order - Spousal Support - domestic abuse | 539(LR) | 4.1.4 |
| Order - Spousal Support - Indefinite | 480(L) | 3.2 |
| Order - Spousal Support - maintain insurance | 481(L) | 7.2 |
| Order - Spousal Support - retroactive | 480(R) | 4 |
| Order - Spousal Support - spousal misconduct not considered | 479(R) | 2.2 |
| Order - Spousal Support - structure | 480(L) | 3.2 |
| Order - Spousal Support - subject to review | 480(L) | 3.2 |
| Order - Spousal Support - temporary | 480(L) | 3.3 |
| Order - Spousal Support - time limit for support | 480(L) | 3.3 |
| Order - Spousal Support - variation | 480(R) | 5 |
| Order - staying a temporary or final order | 453(R) | 3.13 |
| Order - substitute service | 441(L) | 3.2 |
| Order - supervised access - violence | 460(R) | 3.5 |
| Order - Support - lien and charge | 494(LR) | 3.5 |
| Order - support - termination dispute | 493(L) | 2.1 |
| Order - support deduction order - \*definition | 493(R) | 2.2 |
| Order - temporary - \*definition (“interim” order) | 447(L) | 3.8.3 |
| Order - unequal equalization, unconscionable | 470(LR) | 2.5 |
| Order - validating service (“irregular service”) | 441(L) | 3.2 |
| Order - variation Custody & Access due to mobility change | 451(L) | 3.6 |
| Order - without notice motion | 446(R) | 3.8.1 |
| Orders - Aboriginal - reserve property | 549(R) | 3 |
| Orders - child protection - appeals under CFSA and FLR | 546(L) | 2.14 |
| Orders - children - child protection order paramount over custody dispute | 547(R) | 2.18 |
| Orders - limiting orders - violence - CLRA - s. 28(1)(c) | 538(L) | 4.1.2 |
| Orders - made at a case conference | 445(LR) | 3.7 |
| Orders – section 57- crown wardship | 542(R) | 2.3 |
| Other Benefits - Financial statements | 488(R) | 2.1.1 |
| Other income earners in home - Financial statements | 488(R)-489(L) | 2.3 |
| Other property - Financial statements | 490(R) | 2.4.7 |
| Override - support terms - mere unfairness - insufficient | 534(R) | 4 |
| Overriding Domestic Contract - unconscionable | 534(R) | 4 |
| Overriding support terms - domestic contract - Divorce Act - *Miglin v Miglin* | 534(R) | 4 |
| Owed (money) - Financial statements | 490(R) | 2.4.6 |
| **P** | | |
| Paramountcy - fed jurisdiction - Spousal Support | 479(L) | 1.1 |
| Paramountcy (Fed vs. Prov) - divorce | 458(LR) | 9 |
| **Parent** |  |  |
| Parent - application for Custody & Access, DA or CLRA | 469(LR) | 2.1.1-2.1.2 |
| Parent - assessing parent-child relationship - Child Support eligibility | 473(R)-474(L) | 3.1.2 |
| Parent - changing name of child | 554(R)-555(R) | 3 |
| Parent - claimant for Child Support | 473(R) | 3.1.1 |
| Parent - conduct and Custody & Access | 460(R) | 3.3 |
| Parent - foreign jurisdiction - living in | 477(R) | 8 |
| Parent - foster parent affecting status review | 546(LR) | 2.15 |
| Parent - maximum contact principle - Custody & Access | 460(R) | 3.2 |
| Parent - mobility - Custody & Access | 451(L) | 3.6 |
| Parent - non-biological - determining if responsibility to pay Child Support | 473(R)-474(L) | 3.1.2 |
| Parental access - children - child protection | 544(LR) | 2.9 |
| Parental Conduct (relevant of) - Custody & Access | 460(R) | 3.3 |
| Parental rights - change of name - children | 554(R)-555(R) | 3 |
| Parental rights - permanent transfer to Crown - wardship | 545(R)-546(L) | 2.13 |
| Parental visitation - child protection | 544(LR) | 2.9 |
| Parenting Agreement - binding, Custody & Access | 461(R)) | 4.2 |
| Parenting Agreement - breach, Custody & Access | 461(R) | 4.2 |
| Parenting capacity assessment - CFSA - s. 54 | 545(L) | 2.11 |
| Parenting capacity assessment - child protection proceedings | 545(L) | 2.11 |
| Parenting Coordination - after separation agreement or court order - delegation | 531(R)-532(L) | 5 |
| Parenting Coordination Agreements | 532(LR) | 5 |
| Parenting Coordinator - awards - enforceable - FLSA 59.6(1) | 532(R) | 5 |
| Parenting Coordinator - jurisdiction - Parenting Coordination Agreements | 532(R) | 5 |
| Parenting coordinator - mediation | 461(R)-462(L) | 4.3 |
| **Parenting Plan** - contents | 461(R) | 4.2 |
| Parenting Plan - hiring a parent coordinator | 461(R)-462(L) | 4.3 |
| Parenting Plan - mediation - Custody & Access | 461(R)-462(L) | 4.3 |
| Parenting Plan - negotiation of - Custody & Access | 461(R) | 4.2 |
| Parents - child protection - access to child | 544(LR) | 2.9 |
| Participation Agreement - Collaborative Family Law - provisions | 529(LR) | 4.3 |
| Partition Act - matrimonial home - sale of - CL spouses | 483(R) | 2 |
| Party - adulterer as | 456(LR) | 3 |
| Passport - suspension - support enforcement | 495(L) | 3.12 |
| Past Agreement - Child Support | 476(LR) | 3.11 |
| Past Order - Child Support | 476(LR) | 3.11 |
| Paternity agreements- domestic contracts | 533(R) | 1.4 |
| *Patton-Casse v Casse* - arbitration - standard of review - error of law | 525(R) | 3.7 |
| Payment made prior to an order or written agreement - support | 501(L) | 8.1 |
| Payment Order - \*definition | 447(L) | 3.8.3 |
| **Payments before order** - tax | 501(LR) | 8 |
| Payments to non-residents - tax | 501(R) | 9.1 |
| **Payor’s Income** - Child Support - courts' ability to impute | 474(R)-475(L) | 3.5 |
| Payor’s Income - Child Support - determining | 474(R)-475(L) | 3.5 |
| Payor’s Income - Child Support - parent rebutting has onus of proof | 474(R)-475(L) | 3.5 |
| Payor’s Income - Spousal Support - courts' ability to impute | 479(R)- 480(L) | 3.1 |
| Penalties - tax - insufficient instalment payments | 507(R) | 15.2.3 |
| Pending amendments - child support | 477(L) | 7 |
| **Pensions** - "if and when" approach | 467(R) | 2.2.1 |
| Pensions - after-tax value included | 467(L) | 2.2.1 |
| Pensions - defined as property - FLA - WSIB Pension exception | 466(LR) | 2 |
| Pensions - double-dipping | 467(R) | 2.2.1 |
| Pensions - garnishment & seizure - support - enforcement | 494(L) | 3.1 |
| Pensions - included in Net Family Property | 467(L) | 2.2.1 |
| Pensions - Net Family Property - valuation | 467(L)- 468(R) | 2.2.1 |
| Pensions - Net Family Property - valuation calculated pro rata | 467(R) | 2.2.1 |
| Pensions - Spousal Support - portion acquired after separation/portion already equalized | 467(R) | 2.2.1 |
| Pensions - trade off equity in home - double dipping | 467(R) | 2.2.1 |
| Pensions - valuing - pro-rata approach | 467(R) | 2.2.1 |
| Pensions - valuing - variables to consider - retirement date | 467(R)-468(L) | 2.2.1 |
| Pensions - valuing - variables to consider - tax rates for future payments | 467(R)-468(L) | 2.2.1 |
| Pensions - valuing - who does it | 467(L) | 2.2.1 |
| Pensions- biggest changes to old system | 468(LR) | 2.2.1 |
| Pensions- problems with the old system | 468(LR) | 2.2.1 |
| Perfecting Appeals | 453(L) | 3.13 |
| Permanent Exclusive possession - matrimonial home | 471(L) | 3 |
| Person Who May Seek - Custody & Access | 460(L) | 2.4 |
| Personal Credit - tax | 510(L) | 19.1 |
| Personal injury damages - not property for Net Family Property | 466(L) | 2 |
| Personal marginal income tax rates (by province) \*chart\* - Appendix I | 512(LR) | Appendix 1 |
| Personal Property Security Act | 553(R) | 1 |
| *Personal Property Security Act* - support - enforcement | 494(LR) | 3.5 |
| Personal Tax Credits - Federal & Provincial Values - Table - 2014 | 512(LR) | Appendix 1 |
| **Personal tax credits** - general | 510(L) | 19.1 |
| Personal Tax Credits and Deductions - tax | 510(L)-511(R) | 19 |
| Physical & psychological harm - Custody & Access - Hague Convention exception | 460(L) | 2.3 |
| Physical infirm - tax credit | 510(R) | 19.6 |
| Placement - Aboriginal children - Best interests of child considerations | 550(R) | 7 |
| Plan of care - Child protection - status review | 547(R) | 2.17 |
| Plan of care - child protection proceedings | 547(LR) | 2.17 |
| Planning (for tax) - property transfer) | 503(L) | 10.5 |
| Planning Opportunities (for tax) - property transfer) | 503(L) | 10.5 |
| Pleadings - amendments to | 443(R) | 3.5 |
| **Police** - careful drafting in orders for abuse victims - to allow enforcement by | 539(R)-540(R) | 5 |
| Police - court orders - domestic violence | 539(R)-540(R) | 5 |
| Police - locating child - Custody & Access | 463(R) | 4.8.2 |
| Possession - equal right to matrimonial home - FLA - s. 19 | 538(L) | 4.1.1 |
| Post-Secondary Degree - Child Support - obligation to pay | 473(R) | 3.1.2 |
| Post-secondary education - RESP - tax | 509(L) | 16 |
| Potential Clients - setting up consultation | 437(L) | 1 |
| Power Imbalances - Mediation - Custody & Access (med. inappropriate) | 462(L) | 4.3 |
| PPSA - support - enforcement | 494(LR) | 3.5 |
| Pre-existing order - Child Support - departure from Table amount | 476(LR) | 3.11 |
| Pre-existing separation agreement - Child Support - departure from Table amount | 476(LR) | 3.11 |
| Pre-Hearing Conference (voluntary) | 453(R) | 3.13 |
| Pre-Hearing Settlement Conferences - Family Law Appeals Pilot Project | 518(R) | 2.2 |
| Pre-judgment interest - tax | 507(R) | 15.1 |
| Preparation - arbitration | 524(LR) | 3.5 |
| Preparing for Arbitration Hearing | 524(LR) | 3.5 |
| **Preservation of Property** | 471(R) | 4 |
| Preservation of Property - 3 meanings | 471(R) | 4 |
| Preservation of Property - Certificate of pending litigation | 471(R) | 4 |
| Preservation of Property - for specific property | 471(R) | 4 |
| Preservation of Property - for value | 471(R) | 4 |
| Preservation of Property - freezing assets | 471(R) | 4 |
| Preservation of Property - matrimonial property | 471(R) | 4 |
| Preservation of Property - the request and reasons | 471(R) | 4 |
| **Presumption** - Child Support - no presumption for Table amount when shared custody | 474(LR) | 3.2.2 |
| Presumption - equalization payment is interest bearing | 470(L) | 2.4 |
| **Primary Objective** - Family Law Rules | 440(R) | 3.1 |
| Primary objective - litigation - deal with cases “justly” | 440(R) | 3.1 |
| Primary objective - litigation - how the courts promote it | 440(R) | 3.1 |
| Primary residence - Child Support | 474(L) | 3.2.1 |
| Principal residence - tax | 503(L) | 10.6.1 |
| Principles - Rules of Natural Justice - applied in arbitration | 522(LR) | 3.2 |
| Principles and Goals - Collaborative Family Law | 528(LR) | 4.2 |
| **Prior period payments** - definition | 501(L) | 8.1 |
| Prior period payments - requirements to be deductible | 501(LR) | 8.3 |
| Prior period payments - tax implications | 501(L) | 8.2 |
| Priority of child protection proceedings over custody disputes | 547(R) | 2.18 |
| Private interview w/ judge - Custody & Access, child as witness | 462(R) | 4.6.1 |
| Pro rata apportioning of special expenses - Child Support | 475(R)-476(L) | 3.9 |
| Proceedings - arbitration - primacy over judicial proceedings - *Grosman v Cookson* | 525(L) | 3.7 |
| Proceedings - custody and access - Aboriginal children | 551(LR) | 8 |
| Proceeds from insurance - not property for Net Family Property | 466(L) | 2 |
| **Process** - Arbitration | 523(R)-524(L) | 3.4 |
| Process - Arbitration - step by step | 523(R)-524(L) | 3.4 |
| Process - Collaborative Family Law | 529(R)-530(R) | 4.4 |
| Process - Collaborative Family Law - step by step | 529(R)-530(R) | 4.4 |
| Process - mediation | 520(LR)-521(L) | 2.5 |
| Process - mediation - family courts | 520(LR)-521(L) | 2.5 |
| Process - Mediation - step by step | 520(LR)-521(L) | 2.5 |
| Professional valuation - Financial statements | 487(LR) | 2 |
| Professional valuators | 487(LR) | 2 |
| Proof of Income - disclosure obligations - Child Support | 475(L) | 3.6 |
| **Proof of income** - evidence attached with Financial statements | 485(L) | 1 |
| Proof of income - evidence attached with Financial statements - request for more | 486(L) | 1.2 |
| Proof of values - Financial statements | 487(R) | 2 |
| **Property** - at date of marriage - Financial statements | 491(L) | 2.6 |
| Property - capital property transfers - common types | 502(L) | 10.1 |
| Property - charge against land - support enforcement | 494(L) | 3.4 |
| Property - CL spouses - no statutory rights to - constitutional (NS(AG) v Walsh) | 483(L) | 2 |
| Property - CL spouses - no statutory rights to - use trust remedies instead | 483(LR) | 2 |
| Property - CL spouses - no statutory rights to division | 483(LR) | 2 |
| Property - compensation in lieu of - for aboriginal | 549(R) | 3 |
| Property - constructive trusts - remedy for CL spouses | 483(LR) | 2 |
| Property - contingent interests - included in Net Family Property | 465(R) | 2 |
| Property - contingent liabilities & assets - value | 469(LR) | 2.2.4 |
| Property - costs of disposition | 469(LR) | 2.2.4 |
| Property - disposed of - financial statements | 491(R) | 2.8 |
| Property - disposed of property (part 8) | 491(R) | 2.8 |
| Property - division - aboriginal | 549(L)-550(L) | 3 |
| Property - equalization payment terms | 465(R) | 2 |
| Property - excluded from Net Family Property | 465(R)-466(R) | 2 |
| Property - excluded, part 7 Financial statements | 491(LR) | 2.7 |
| Property - exclusions/exceptions - Net Family Property calculation | 465(R)-466(R) | 2 |
| Property - First Nation laws - on-reserve | 549(R) | 3 |
| Property - included in Net Family Property calculation | 465(R) | 2 |
| Property - limitation period for equalization claim | 470(R) | 2.6 |
| Property - limitations on definition for NFP | 465(R) | 2 |
| Property - marriage - Net Family Property - exclusions | 465(R)-466(R) | 2 |
| Property - matrimonial - general | 465(L) | 1 |
| Property - matrimonial equalization, Part I, FLA | 465(R)-466(R) | 2 |
| Property - **matrimonial home** - definition | 470(R)-471(L) | 3 |
| Property - matrimonial home - exclusive possession order | 471(L) | 3 |
| Property - matrimonial home - joint ownership | 471(L) | 3 |
| Property - matrimonial home - occupation rent | 471(L)) | 3 |
| Property - matrimonial home - sale of, prohibited | 471(L)) | 3 |
| Property - matrimonial property - constructive trust | 469(R)- 470(L) | 2.3 |
| Property - Net Family Property - \*definition | 465(L) | 2 |
| Property - **Net Family Property** - calculation of | 465(LR)-466(LR) | 2 |
| Property - Net Family Property - inclusions and exclusions | 465(LR)-466(LR) | 2 |
| Property - Net Family Property - tracing of excluded property | 466(L) | 2 |
| Property - on aboriginal reserves | 549(L)-550(L) | 3 |
| Property - owned before marriage - Net Family Property calculation | 465(LR) | 2 |
| Property - ownership - determination of | 465(R) | 2 |
| Property - Part 7 of Financial statements, land, household goods, vehicles, bank accounts, securities, other | 489(R)-490(L) | 2.4.1-2.4.3 |
| Property - preserving - court ordered  SEE: Preservation of Property | 471(R) | 4 |
| Property - principal residence - tax | 503(L) | 10.6.1 |
| Property - remedies - Aboriginal | 549(R) | 3 |
| Property - reserve lands (aboriginal) - exceptions to division | 549(L)-550(L) | 3 |
| Property - Rights - CL spouse | 483(LR) | 2 |
| Property - rights - CL spouses - cohabitation agreements | 484(L) | 4 |
| Property - Rights - not extended to CL couples | 471(R) | 5 |
| Property - rights to equalization for CL spouses - none | 483(R) | 2 |
| Property - sale of matrimonial home | 471(L) | 3 |
| Property - seeking exclusion of, Financial statements requirement | 491(LR) | 2.7 |
| Property - stock options  SEE: Stock Options | 468(R) | 2.2.2 |
| Property - tracing - excluded property | 491(R) | 2.7 |
| **Property - transfer** - depreciable capital property - tax | 502(LR) | 10.2 |
| Property - transfer - election | 504(R)-505(R) | 12.4 |
| Property - transfer - inter-spousal - indemnity clause | 506(R)-507(L) | 13.3 |
| Property - transfer - planning opportunities | 503(L) | 10.5 |
| Property - Transfer - Rollover - Transfer btw corporate entities of spouses | 509(R) | 17.2 |
| Property - transfer - spouses - tax - between resident & Non-resident | 501(R) | 9.3 |
| Property - **transfer** - **tax** | 502(L) | 10 |
| Property - transfer - tax - capital property | 502(LR) | 10.2 |
| Property - transfer - tax - matrimonial home | 503(LR) | 10.6.1 |
| Property - transfer - tax - non-capital property | 503(L) | 10.4 |
| Property - transfer - tax - non-residents | 501(R) | 9.3 |
| Property - transfer - tax - non-residents & residents | 501(R) | 9.3 |
| Property - Transfer - tax - RRSP | 503(R)-504(L) | 10.6.2 |
| Property - trust interest  SEE: Trust Interest | 469(L) | 2.2.3 |
| Prospective Client - Collaborative Family Law | 531(LR) | 4.6 |
| **Protection application** - ADR options | 544(R) | 2.10 |
| Protection application - appeal of | 546(L) | 2.14 |
| Protection application - child - rights | 542(LR) | 2.3 |
| Protection application - child protection | 542(LR) | 2.3 |
| Protection application - child protection - timeline | 543(L) | 2.5 |
| Protection application - evidence in | 543(R) | 2.6 |
| Protection application - orders that can be sought | 542(LR) | 2.3 |
| Protection application - rights of child in | 542(R)-543(L) | 2.4 |
| Protection application - temporary care & custody hearing | 544(L) | 2.8 |
| Protection application - timetable | 543(L) | 2.5 |
| Protection application - trial | 545(R) | 2.12.2 |
| Protection Proceedings - Child - Final trial | 545(L) | 2.12 |
| Protection proceedings - children - general | 541(LR) | 1 |
| Protection proceedings - priority over custody disputes | 547(R) | 2.18 |
| Provincial Guidelines - Child Support | 473(L) | 2.2 |
| Provisional order - service | 448(L) | 3.8.5 |
| **Provisional orders and confirmation hearings** | 448(L)-448(R) | 3.8.5 |
| Provisional orders and confirmation hearings - married families (s. 18 & 19 of Divorce Act) | 448(L) | 3.8.5 |
| Provisional orders and confirmation hearings - unmarried families (s. 44(1) of FLA) | 448(L) | 3.8.5 |
| Provisional support orders - *Interjurisdictional Support Orders Act, 2002 (ISOA)* | 495(LR) | 4 |
| Purchase price - do not use, use market value instead | 489(L) | 2.4 |
| Purpose - child support table amount | 475(R) | 3.8 |
| Purpose of Case Conference | 444(LR) | 3.7 |
| **Q** | | |
| Quantum of Support - Child Support | 473(L) | 1 |
| Quantum of Support - Spousal Support | 479(R)- 480(L) | 3.1 |
| Quarterly instalments - tax | 507(R) | 15.2.1 |
| Quasi-criminal - contempt proceedings for breach of temp or final order of custody | 463(L) | 4.8.1 |
| Questioning - compelled by court | 449(R) | 3.9.1 |
| **R** | | |
| *Re Tagornak* - customary adoption | 550(R) | 6 |
| Real & substantial connection to Ontario - Custody & Access - jurisdiction - CLRA | 459(R)) | 2.1.2 |
| Real property - Financial statements | 489(R) | 2.4.1 |
| Reasonable apprehension of bias - arbitrator/mediator - *McClintock v Karam* | 427(L) | 3.7 |
| Reasonable Arrangement - Child Support | 476(R) | 3.12 |
| Reasonable Arrangement for Child Support - if made - Table amounts may be ignored | 476(R) | 3.12 |
| Reasonable Arrangement for support of children - lack of - bar to granting a divorce | 456(R) | 4 |
| Recapture - sale of capital property by transferee spouse, effect on | 502(R)-503(L) | 10.3 |
| Reconciliation - divorce - lawyer has to promote | 457(L) | 5 |
| Reconciliation - living separately and apart | 456(R) | 3 |
| Reconciliation & Mediation - lawyer advise | 457(L) | 5 |
| Record of arbitration - required | 523(LR) | 3.3 |
| **Records** - adding to the records | 442(L) | 3.2.2 |
| Records - Continuing Records of case | 442(L) | 3.2.2 |
| Records - endorsement volume & documents volume | 442(L) | 3.2.2 |
| Records - filing existing docs | 442(L) | 3.2.2 |
| Records - removing docs (Rule 9(16)) | 442(L) | 3.2.2 |
| Records - rules for “separating” or “combining” | 442(L) | 3.2.2 |
| Records - Settlement Conference Briefs - not part of record | 449(L) | 3.9 |
| Records - Trial Management Conference brief - part of continuing record | 449(L) | 3.9 |
| Records - trial record - contents | 451(L) | 3.11 |
| Registered Education Savings Plan (RESPs) | 509(L) | 16 |
| Registered Education Savings Plans  SEE: RESPs | 509(L) | 16 |
| Registered Retirement Income Fund  SEE: RRIF | 504(L) | 11 |
| Registered Retirement Savings Plan  SEE: RRSP | 503(R)  508(R) | 10.6.2  15.6 |
| **Registration** - change of name - procedure | 533(L)-534(R) | 1 |
| **Registration** - domestic contract (for support enforcement) | 493(L) | 1 |
| Registration - interjurisdictional support order | 495(LR) | 4 |
| Registration - Personal Property Security Act - support enforcement | 494(LR) | 3.5 |
| **Regular Service** | 441(R) | 3.2.1 |
| Relationship Intact - Custody & Access | 459(L) | 1 |
| Release of marital and support rights - tax | 508(L) | 15.4 |
| Releases - domestic contract - may be unconscionable | 481(R) | 9.2 |
| Releases - marital and support rights - tax implications | 508(L) | 15.4 |
| **Relief** - Answer, sought in | 443(L) | 3.3 |
| Relief - Application, sought in | 428(R) | 3.2 |
| Relief - corollary relief proceedings - divorce | 455(R)-456(L) | 2 |
| Relief - **emergency -** domestic violence | 539(R) | 4.2 |
| Relief - emergency - interim custody | 539(R) | 4.2 |
| Relief - emergency - non-removal order | 539(R) | 4.2 |
| Relief - emergency - restraining order | 539(R) | 4.2 |
| Relief - emergency - Spousal Support | 539(R) | 4.2 |
| Relief - splitting a divorce claim from rest of claim | 457(LR) | 6 |
| Relief - temporary Spousal Support | 480(L) | 3.3 |
| Relief - urgent - Custody & Access - sole custody recommended | 539(L) | 4.1.3 |
| Relief - urgent - drafting the application | 538(L) | 4.1 |
| Relief - urgent - exclusive possession of home | 538(LR) | 4.1.1 |
| Religion - Freedom of - same sex | 455(R) | 1.1 |
| Religious marriage - barriers to | 457(R) | 7 |
| Relocation of parent - Custody & Access issues | 451(L) | 3.6 |
| Remarriage - effect on Spousal Support | 479(R) | 2.3 |
| Remarriage - need divorce certificate | 458(L) | 8 |
| Remedies - Aboriginal - division of property | 549(R) | 3 |
| Remedies - property - Aboriginal | 549(R) | 3 |
| Removal of Barriers to Religious Marriage | 457(R) | 7 |
| Removal of child from home - child protection order | 531(L) | 2.10.2 |
| Rental property - transfer of - tax implications | 502(LR) | 10.2 |
| Replacement value - do not use, use market value instead | 489(L) | 2.4 |
| Reply - by Applicant - general | 443(R) | 3.4 |
| Reply - Extension of time | 443(R) | 3.4 |
| Reports - expert - need to serve it to have expert testify | 450(L) | 3.9.2 |
| Reports - medical, business, expert | 450(L) | 3.9.2 |
| Representative party to proceedings - child protection- Aboriginal | 551(LR) | 8 |
| Request for Financial Information - Form 20 - Order | 449(R) | 3.9.1 |
| Request for Garnishment - support enforcement | 494(L) | 3.1 |
| Request for Information - Form 20 - Financial statements | 449(R) | 3.9.1 |
| Request to Admit - purpose | 449(R) | 3.9.1 |
| Request to Admit - Response | 449(R) | 3.9.1 |
| Request to enforce - arbitral award | 527(R) | 3.8 |
| Reserve land - Aboriginal - Indian Act | 549(R) | 3 |
| Reserve lands - property located on - aboriginal - special issues | 549(LR) | 3 |
| Reserve property - Aboriginal - orders | 549(R) | 3 |
| Reserve property - valuation | 549(R) | 3 |
| Residency - determination of for tax purposes - a question of fact | 501(R)-502(L) | 9.4 |
| Residency - tax | 501(R)-502(L) | 9.4 |
| Residency requirements - for claimants Seeking Child Support - under federal Guidelines | 473(L) | 2.1 |
| Residential arrangement - Child Support | 474(LR) | 3.2 |
| Residential Arrangement - primary residence - Child Support | 474(L) | 3.2.1 |
| Residential Arrangement - shared custody - effect on Child Support | 474(LR) | 3.2.2 |
| Residential Schedule - effect on Custody & Access | 459(L) | 1 |
| Residential Schedule - parenting plan | 461(R) | 4.2 |
| Resolutions - Custody & Access | 461(LR)- 463(R) | 4 |
| Resolutions - Custody & Access - assessing client’s goals | 461(LR) | 4.1 |
| **RESP** - \*definition - tax | 509(L) | 16 |
| RESP - contribution limit - tax | 509(L) | 16 |
| RESP - minimizing risk of forfeited income - tax | 509(L) | 16 |
| RESP - non-tax deductible - tax | 509(L) | 16 |
| RESP - tax | 509(L) | 16 |
| Response to M v. H. - same-sex Ontario | 455(L) | 1 |
| Restraining order - children - domestic violence | 538(R)-539(L) | 4.1.2 |
| Restraining order - CLRA - s. 35(1) | 538(R) | 4.1.2 |
| Restraining order - enforcement - support | 494(R) | 3.8 |
| Restraining order - prevent disposal of property - support enforcement | 494(R) | 3.8 |
| Restraining order - support - enforcement | 494(R) | 3.8 |
| Restraining order - victim of abuse | 538(R)-539(L) | 4.1.2 |
| Restraining order - violence | 538(R)-539(L) | 4.1.2 |
| Restraining orders - against (violent) person - considerations | 538(R)-539(L) | 4.1.2 |
| Restrictive Covenants - Custody & Access - not permitted in cohabitation agreements | 533(L) | 1.1 |
| Restrictive Covenants - Custody & Access - not permitted in marriage contracts | 533(L) | 1.2 |
| Resulting trust - CL spouses - property remedy for | 483(RL) | 2 |
| Resulting trust - definition - matrimonial property | 469(R)- 470(L) | 2.3 |
| Resuming cohabitation | 456(R) | 3 |
| Retirement date - variable to consider in valuing pensions | 467(R)-468(L) | 2.2.1 |
| Retroactive - Child Support | 476(R)-477(L) | 4 |
| Retroactive Child Support - considerations | 476(R) | 4 |
| Retroactive lump sum payments | 500(L) | 5.3 |
| Retroactive Spousal Support - considerations | 480(R) | 4 |
| Retroactivity - Spousal Support | 480(R) | 4 |
| Rights and responsibilities as parent - Custody & Access | 459(L) | 1 |
| Rights of appeal - arbitration | 525(LR)-526(R) | 3.7 |
| Rights of child - in protection proceeding | 542(R)-543(L) | 2.4 |
| **Risk** - Child Protection - supervised access by CAS | 544(LR) | 2.9 |
| Risk - Custody & Access - supervised access request | 460(R) | 3.5 |
| Risk - risk of default on Spousal Support: order lump sum | 480(LR) | 3.4 |
| Risk - victims of Domestic Abuse - assessment by lawyer | 537(LR) | 2 |
| Risk of Abuse - Children | 537(L) | 2 |
| Risk of Abuse - Domestic Abuse | 537(L) | 2 |
| Risk of harm - Child - Protection | 541(LR) | 1 |
| Role of lawyer - Collaborative Family Law | 528(LR) | 4.2 |
| Role of Lawyer - Collaborative Family Law  SEE: - Lawyer - role of | 530(R)-531(L) | 4.5 |
| Role of Lawyer - Custody & Access | 461(LR) | 4.1 |
| **Rollover** - \*definition - capital property transfer | 502(R) | 10.2 |
| Rollover - automatic - when capital property transferred by agreement/order | 502(R) | 10.2 |
| Rollover - corporate tax - separating spouses | 509(R) | 17.2 |
| Rollover provisions - property transfers between corporate entities of spouses | 509(R) | 17.2 |
| **RRIF** - \*definition | 504(L) | 11.1 |
| RRIF - distinguished from RRSP | 504(L) | 11.1 |
| RRIF - transfer - tax consequences | 504(L) | 11.2 |
| **RRSP** - distinguished from RRIF | 504(L) | 11.1 |
| RRSP - Financial statements part 4(c) | 490(L) | 2.4.3 |
| RRSP - investments rollover - RRIF plan | 504(L) | 11.1 |
| RRSP - pledging to secure Spousal Support payments | 503(R)-504(L) | 10.6.2 |
| RRSP - support payments and calculation of “earned income” for, | 508(R) | 15.6 |
| RRSP - transfer - as consideration for a lump sum Spousal Support payment | 503(R)-504(L) | 10.6.2 |
| RRSP - transfer - tax consequences | 503(R)-504(L) | 10.6.2 |
| RRSP Maximum Contribution Limits | 512(LR) | Appendix 1 |
| RRSP transfer - lump-sum spousal support -consideration for | 504(L) | 10.6.2 |
| *Rudd v Trossacs Investments Inc.* - closed mediation - mediator - testimony - compulsion | 518(R) | 2.2 |
| Rule 13 - financial disclosure | 485(LR)-486(L) | 1.1 |
| Rule 16 of FLR - Child Protection - summary judgment | 545(LR) | 2.12.1 |
| Rule1(7.2) – procedural orders | 545(R) | 2.12.2 |
| Rules of Natural Justice - principles of - to be applied in arbitration | 522(LR) | 3.2 |
| **S** | | |
| Safety Plan - Domestic Abuse | 537(R) | 2 |
| **Same-sex** - \*definition of "spouse" - Divorce Act | 455(R) | 1.1 |
| Same-sex - \*definition of "spouse" - Income Tax Act - tax purposes - Included | 497(LR) | 2.1 |
| Same-Sex - Charter & | 455(L) | 1 |
| Same-sex - Charter & definition of marriage | 455(L) | 1 |
| Same-sex - Civil Marriage Act | 455(R) | 1.1 |
| Same-sex - CL spouse | 483(L) | 1 |
| Same-sex - cohabitants | 483(L) | 1 |
| Same-sex - division of powers | 455(L) | 1 |
| Same-sex - ITA | 509(R) | 18 |
| Same-sex - M v. H - general | 455(L) | 1 |
| Same-sex - marriage - exclusion unconstitutional (Halpern v. Toronto) | 455(L) | 1 |
| Same-sex - matrimonial property | 465(L) | 1 |
| Same-Sex - response to M v. H, Ontario | 455(L) | 1 |
| Same-sex - spousal rights | 471(R) | 5 |
| Same-sex - tax | 509(R) | 18 |
| Savings - Financial statements | 490(L) | 2.4.3 |
| SDO - SEE  Support Deduction Order | 493(R) | 2.2 |
| Secondary arbitration - definition - family arbitration agreements | 522(R)-523(L) | 3.3 |
| Secondary arbitration - FLSA 59.7(2) | 532(L) | 5 |
| Section 57 CFSA- directions in determine which disposition is in child’s best interest | 542(R) | 2.3 |
| Securities - Financial statements | 490(L) | 2.4.3 |
| Securities - Financial statements part 4(c) | 490(L) | 2.4.3 |
| Seizure - Writ of - support enforcement | 494(L) | 3.3 |
| Self-employed payor - Financial statements - income | 488(L) | 2.1 |
| Self-employment - tax instalments | 507(R) | 15.2.1 |
| Self-government - aboriginal - may displace provincial family law | 549(L) | 1 |
| Self-government - aboriginal - residence laws - lawyer should inquire | 550(L) | 3 |
| Separation - inter-spousal property transfers - tax liability | 506(LR) | 13.1.2 |
| Separation - legal fees - deductions | 507(LR) | 14 |
| Separation - Rights and Obligations - Contract | 533(LR) | 1.3 |
| Separation - tax - transfers of capital property | 502(L) | 10 |
| Separation - transferred property - tax attribution rules | 504(R) | 12.3.1 |
| Separation agreement - arbitration/mediation clause | 523(R) | 3.3 |
| Separation agreement - challenging domestic contracts | 534(LR) | 3 |
| Separation agreement - change of name - children | 554(R)-555(R) | 3 |
| Separation agreement - children - prohibiting change of name | 554(R)-555(R) | 3 |
| Separation agreement - Collaborative Family Law - drafting/finalizing | 529(R)-530(R) | 4.4 |
| Separation agreement - deducting legal fees - tax purposes | 507(L) | 14.1 |
| **Separation agreement** - definition - domestic contract | 533(LR) | 1.3 |
| Separation agreement - domestic contract | 533(LR) | 1.3 |
| Separation agreement - formal validity | 534(L) | 2 |
| Separation agreement - mediation/arbitration clause | 523(R) | 3.3 |
| Separation agreement - negotiation - options for settlement | 438(R) | 2.1 |
| Separation agreement - parenting plan - incorporating it into | 461(R) | 4.2 |
| Separation agreement - participation agreement - attached to | 529(L) | 4.3 |
| Separation agreement - setting aside - Custody & Access | 534(LR) | 3 |
| Separation agreements - spousal support - sample clause - payment by Canadian to US Resident | 515 | Appendix 4 |
| **Service** - "dispensing" with it | 441(L) | 3.2 |
| Service - "substituted service" of application | 441(L) | 3.2 |
| Service - “irregular service” of application | 441(L) | 3.2 |
| Service - “special service” of application | 440(L) | 3.2 |
| Service - Additional financial disclosure | 444(L) | 3.6 |
| Service - After case has been commenced | 441(R) | 3.2.1 |
| Service - All documents other than an application | 441(R) | 3.2.1 |
| Service - Amendments to pleadings | 443(R) | 3.5 |
| Service - Answer - by respondent | 443(L) | 3.3 |
| Service - Answer - when jurisdiction outside Canada | 443(L) | 3.3 |
| Service - Answer & claim by respondent | 443(L) | 3.3 |
| Service - Appeal | 452(R)- 453(L) | 3.13 |
| Service - appeal record | 453(L) | 3.13 |
| Service - Application (Rule 8) - “special service” | 440(L) | 3.2 |
| Service - Case Conference - notice of motion can't be served until it is held | 444(L) | 3.7 |
| Service - Case Conference Brief | 445(L) | 3.7 |
| Service - Certificate of financial disclosure | 444(L) | 3.6 |
| Service - Child Support variation - when order assigned to agency - serve assignee | 477(L) | 5 |
| Service - Continuing record | 429(R) | 3.2.2 |
| Service - expert report | 450(L) | 3.9.2 |
| Service - Financial statements | 485(LR) | 1.1 |
| Service - Financial statements - corrected and updated | 486(L) | 1.3 |
| Service - Further Court Documents | 441(R) | 3.2.1 |
| Service - Information to be served with financial statement | 443(R) – 444(L) | 3.6 |
| Service - medical reports | 450(L) | 3.9.2 |
| Service - motion - document production from non-party | 450(R) | 3.9.2 |
| Service - Motion - evidence | 446(L) | 3.8 |
| Service - Motion - general requirements | 446(L) | 3.8 |
| Service - Motion for Contempt - Custody & Access | 463(L) | 4.8.1 |
| Service - Motion to examine documents | 450(L) | 3.9.2 |
| Service - not required - dispensing with | 441(L) | 3.2 |
| Service - Notice of Appeal | 452(R)- 453(L) | 3.13 |
| Service - Notice of Appeal - Final Order | 452(R)- 453(L) | 3.13 |
| Service - Notice of Appeal - Order under Child and Family Services Act | 452(R) | 3.13 |
| Service - Notice of Appeal - Temporary Order | 452(R)- 453(L) | 3.13 |
| Service - Notice of Withdrawal (Rule 18(5)) | 450(R) | 3.10 |
| Service - offers to settle | 450(R) | 3.10 |
| Service - order “validating” service | 441(L) | 3.2 |
| Service - order approving an “irregular” service | 441(L) | 3.2 |
| Service - order for “dispensing” | 441(L) | 3.2 |
| Service - proof of | 429(L) | 3.2 |
| Service - provisional order | 448(L) | 3.8.5 |
| Service - Regular | 441(R) | 3.2.1 |
| Service - Reply - applicant’s response to answer | 443(R) | 3.4 |
| Service - Starting a case- Rule 8 | 440(R) | 3.2 |
| Service - Without notice motions | 446(R) | 3.8.1 |
| Set aside - domestic contract - FLA | 534(LR) | 3 |
| Set Aside Domestic Contract - Family Law Act - s. 56 | 534(LR) | 3 |
| Settled Intention to treat one as child - FLA definition of "child" for Child Support | 474(L) | 3.1.2 |
| **Settlement** - lawyer's duty to encourage - negotiated settlements of all matters corollary | 457(L) | 5 |
| Settlement - Minutes of | 445(R) | 3.7 |
| Settlement - Minutes of - Signatories and Witnesses | 445(R) | 3.7 |
| Settlement - offer to settle - effect on costs | 450(R)-451(L) | 3.10 |
| Settlement - offers to settle | 450(R) | 3.10 |
| Settlement - options for | 438(R) | 2.1 |
| **Settlement Conference** | 448(R)-449(L) | 3.9 |
| Settlement Conference - Briefs not part of continuing record | 449(L) | 3.9 |
| Settlement Conference - combining with trial management conference | 449(L) | 3.9 |
| Settlement Conference - conference brief | 449(L) | 3.9 |
| Settlement Conference - disclosure | 448(R) | 3.9 |
| Settlement Conference - goals | 448(R) | 3.9 |
| Settlement Conference - goals - most important | 448(R)-449(L) | 3.9 |
| Settlement Conference - trial dates generally not provided until after | 448(R) | 3.9 |
| Settlement Conference - when held | 448(R) | 3.9 |
| Settlement Conference - who presides over | 448(R) | 3.9 |
| Severance pay - include as "income" | 488(L) | 2.1 |
| **Shared Custody** - Child Support | 474(LR) | 3.2.2 |
| Shared custody - child tax benefit | 511(LR) | 19.9 |
| Shared custody - definition | 474(LR) | 3.2.2 |
| Shared custody - effect on Child Support amount | 474(LR) | 3.2.2 |
| Shared custody - variation in standards of living between two homes | 374(LR) | 3.2.2 |
| Shares - business interests - Financial statements part 4(e) | 490(R) | 2.4.5 |
| Sheltering assets or income - third party - support enforcement | 494(R) | 3.7 |
| Short procedure - change of name | 554(LR) | 2 |
| Sick leave - financial disclosure | 490(R) | 2.4.7 |
| Sole custody - definition | 459(L) | 1 |
| Sole proprietorship - business interest, Financial statements part 4(e) | 490(R) | 2.4.5 |
| Sources of Income - financial statements Part I in Form 13.1 | 488(LR) | 2.1 |
| Sources of Income - for Support Deduction Order | 493(R) | 2.2 |
| Special expenses - Child Support | 475(R)-476(L) | 3.9 |
| Special provisions in past orders - Child Support | 476(LR) | 3.11 |
| Special Service - alternatives to | 441(LR) | 3.2 |
| Special Service - of Application | 440(R) | 3.2 |
| Specific property transfers - tax | 503(L)- 504(L) | 10.6 |
| Split custody - definition | 474(R) | 3.2.3 |
| Split custody - effect on Child Support | 474(R) | 3.2.3 |
| Splitting - divorce claim | 457(LR) | 6 |
| **Splitting of Divorce** | 457(LR) | 6 |
| Splitting of Divorce - \*definition | 457(L) | 6 |
| Splitting of Divorce - how to bring - Rule 16 | 457(LR) | 6 |
| Splitting of Divorce - when allowed | 457(L) | 6 |
| Spousal and Child Support Cross-Border Payments - Tax Treatment - Chart | 514(LR) | Appendix 3 |
| Spousal credit - tax | 510(L) | 19.3 |
| Spousal Rights - extended to CL couples | 471(R) | 5 |
| Spousal Rights - Extended to same-sex | 471(R) | 5 |
| **Spousal Support** |  |  |
| Spousal Support - aboriginal | 550(L) | 4 |
| Spousal support - Aboriginal - enforcement | 550(LR) | 5 |
| Spousal Support - agreement - FLA | 481(R) | 9.2 |
| Spousal Support - agreements (domestic contracts) | 481(R) | 9 |
| Spousal Support - ancillary terms | 481(L) | 7 |
| Spousal Support - assignment (to agency or ministry) | 480(R) | 6 |
| Spousal Support - assignment, DA s. 20.1(1) | 480(R) | 6 |
| Spousal Support - assignment, FLA s. 33(3) | 480(R) | 6 |
| Spousal Support - binding on estate, DA v. FLA | 481(L) | 7.3 |
| Spousal Support - *Bracklow v. Bracklow*, three conceptual models of claim (Contractual, Compensatory, Needs-Based) | 479(LR) | 2.1 |
| Spousal support - budgets | 479(R)- 480(L) | 3.1 |
| Spousal Support - CL spouse - FLA | 479(L) | 1.2 |
| Spousal Support - claim for support only, Form 13 (All other claims: Form 13.1) | 485(L) | 1 |
| Spousal Support - CLRA - s. 15.2(5) - spousal misconduct | 539(LR) | 4.1.4 |
| Spousal support - collection - Family Responsibility Office (FRO) | 493(L) | 1 |
| Spousal Support - consideration of conduct | 479(R) | 2.2 |
| Spousal Support - cost of living adjustment | 481(L) | 7.1 |
| Spousal Support - custodial parent as payor | 482(R) | 10.3 |
| Spousal Support - determination - CLRA - s. 15.2(5) | 539(LR) | 4.1.4 |
| Spousal Support - Disability Support Program Act | 481(L) | 6.1 |
| Spousal Support - domestic contract | 481(R) | 9 |
| Spousal Support - domestic contract - enforcement - FLA | 481(R) | 9.2 |
| Spousal Support - domestic contract - setting aside a waiver of support under the FLA | 481(R) | 9.2 |
| Spousal Support - domestic contract - setting aside under DA | 481(R) | 9.1 |
| Spousal Support - entitlement | 479(LR) | 2 |
| Spousal Support - estate - binding on - DA v. FLA | 481(L) | 7.3 |
| Spousal Support - estate (binding) | 481(L) | 7.3 |
| Spousal Support - Formulas (3) - Spousal Support Advisory Guidelines (SSAGs) | 481(R)-482(L) | 10 |
| Spousal Support - guiding principles - DA | 479(LR) | 2.1 |
| Spousal Support - imputing income to payor or recipient spouse | 479(R)- 480(L) | 3.1 |
| Spousal Support - income determination of payor - using CSG | 479(R)- 480(L) | 3.1 |
| Spousal Support - interjurisdictional orders | 481(L) | 8 |
| Spousal Support - Jurisdiction | 479(L) | 1 |
| Spousal Support - jurisdiction | 479(L) | 1.1 |
| Spousal Support - jurisdiction - before divorce | 479(L) | 1.2 |
| Spousal Support - jurisdiction - when divorce - FLA to DA | 479(L) | 1.2 |
| Spousal support - legal fees - tax deductibility | 507(LR) | 14 |
| Spousal Support - life insurance | 481(L) | 7.2 |
| Spousal Support - limitation period | 479(R) | 2.4 |
| Spousal Support - limitation period - DA, FLA | 479(R) | 2.4 |
| Spousal Support - lump sum | 480(LR) | 3.4 |
| Spousal Support - new relationship | 479(R) | 2.3 |
| Spousal Support - Ontario Disability Support Program Act | 481(L) | 6.1 |
| Spousal Support - order - structure of | 480(L) | 3.2 |
| Spousal Support - payable by custodial parent - formula | 482(R) | 10.3 |
| Spousal Support - Payments & Estates - tax | 508(R) | 15.7 |
| Spousal Support - Payor - reducing tax withheld at source (income from employment) | 509(L) | 15.10 |
| Spousal Support - quantum & duration | 479(R)- 480(L) | 3.1 |
| Spousal Support - Quantum of Support | 479(R)- 480(L) | 3.1 |
| Spousal Support - remarriage & repartnering | 479(R) | 2.3 |
| Spousal Support - retroactivity | 480(R) | 4 |
| Spousal Support - review order - under DA | 480(L) | 3.2 |
| Spousal Support - review order - under FLA | 480(L) | 3.2 |
| Spousal support - RRSP transfer | 504(L) | 10.6.2 |
| Spousal support - separation agreements - sample clause for payment by Canadian to US Resident | 515 | Appendix 4 |
| Spousal Support - setting aside agreements - DA | 481(R) | 9.1 |
| Spousal Support - setting aside agreements - FLA | 481(R) | 9.2 |
| Spousal Support - Spousal Support Advisory Guidelines | 481(R)-482(L) | 10 |
| Spousal Support - Spouse Definition | 479(L) | 1 |
| Spousal Support - structure of order | 480(L) | 3.2 |
| Spousal Support - support order - time (indefinite, time limited or subject to review) | 480(L) | 3.2 |
| Spousal Support - Support Principles | 479(LR) | 2.1 |
| Spousal Support - tax - residency | 501(R)-502(L) | 9.4  (SEE TABLE on 502) |
| Spousal Support - tax treatment | 497(R) | 3.1 |
| Spousal Support - tax treatment of,  SEE: Tax | 497(R) | 3.1 |
| Spousal Support - temporary agreements & orders | 480(L) | 3.3 |
| Spousal Support - temporary orders & agreements | 480(L) | 3.3 |
| Spousal Support - Temporary relief - standard | 480(L) | 3.3 |
| Spousal Support - Temporary relief - tax | 480(L) | 3.3 |
| Spousal Support - three models | 479(LR) | 2.1 |
| Spousal Support - variation | 480(R) | 5 |
| Spousal Support - variation - change in circumstance | 480(R) | 5 |
| Spousal Support - variation - DA s. 17 | 480(R) | 5 |
| Spousal Support - variation - FLA s. 37 | 480(R) | 5 |
| Spousal Support - variation - time limited order | 480(R) | 5 |
| Spousal Support - Violence | 539(LR) | 4.1.4 |
| Spousal Support - Violence - ability to work & damages | 539(LR) | 4.1.4 |
| Spousal Support - who can apply | 479(L) | 1 |
| Spousal Support - with child formula | 482(R) | 10.2 |
| Spousal Support - without child formula | 482(L) | 10.1 |
| Spousal Support Advisory Guidelines | 481(R)-482(L) | 10 |
| Spousal Support Advisory Guidelines- Fisher v Fisher | 481(R) | 10 |
| Spousal Support Advisory Guidelines- Gray v Gray | 481(L) | 10 |
| Spousal Support payment & Estates - tax | 508(R) | 15.7 |
| **Spouse** - \*definition - Charter | 455(L) | 1 |
| Spouse - \*definition - DA | 479(L) | 1.1 |
| Spouse - \*definition - Divorce Act | 455(R) | 1.1 |
| Spouse - \*definition - FLA - Spousal Support | 479(L) | 1.2 |
| Spouse - \*definition - Tax | 509(R) | 18 |
| Spouse - change of name | 554(LR) | 2 |
| Spouse - Charter - definition | 455(L) | 1 |
| Spouse - common-law - tax definition | 509(R) | 18.2 |
| Standard of Living - determination in Spousal Support | 479(R)- 480(L) | 3.1 |
| Standard of review - arbitration - question of facts vs. law | 525(R) | 3.7 |
| Standard of review - arbitration appeal | 525(R) | 3.7 |
| Standard Track Case | 442(R) | 3.2.3 |
| Standard Track Case - case conference date | 442(R) | 3.2.3 |
| Standing - claimant for Child Support | 473(R) | 3.1.1 |
| Statement of agreed fact - child protection proceedings | 546(R)-547(L) | 2.16 |
| Statement of Qualifying Retroactive Lump-Sum Payment | 500(L) | 5.3 |
| **Status quo** - can be changed by litigation | 440(L) | 3 |
| Status quo - can be changed by negotiation | 438(R) | 2.1 |
| Status quo - Custody & Access - temp arrangement for child | 462(L) | 4.4 |
| **Status Review Application** - Child Protection | 546(LR) | 2.15 |
| Status review application - definition | 546(LR) | 2.15 |
| Status review application - effect of wardship/foster home placement | 546(LR) | 2.15 |
| Status review application - statement of agreed fact - form 33D | 546(R)-547(L) | 2.16 |
| Status review application - waiting period | 546(LR) | 2.15 |
| Status review application - who can apply | 546(L) | 2.15 |
| **Stay** - final or temp order - expiration | 453(R) | 3.13 |
| Stay - final or temporary order | 453(R) | 3.13 |
| Stay - support order - appeal | 453(R) | 3.13 |
| **Stay of proceedings** - automatic, when | 479(L) | 1.2 |
| Stay of Proceedings - divorce | 458(LR) | 9 |
| Stay of Proceedings - fed. paramountcy | 458(R) | 9 |
| Step-parent - applying for Custody & Access | 460(L) | 2.4 |
| **Stock options** - calculation & valuation | 468(R) | 2.2.2 |
| Stock options - Financial statements Part 4(c) | 490(L) | 2.4.3 |
| Stock options - matrimonial property | 468(R) | 2.2.2 |
| Structure of Spousal Support | 480(L) | 3.2 |
| Substantial Connection - Custody & Access jurisdiction - CLRA | 459(R) | 2.1.2 |
| Substituted Service - of Application (rule 8) | 440(R)-441(R) | 3.2 |
| Summary Judgment - child protection | 545(LR) | 2.12.1 |
| Summary judgment - motion for - splitting of divorce | 457(LR) | 6 |
| Summary Judgment- family court can weigh evidence, evaluate credibility | 447(R) | 3.8.4 |
| Summary Judgment- Hryniak v Mauldin- interpretation of rule of summary judgment | 447(R) | 3.8.4 |
| Summary Judgment- motion to strike claim- R.16 | 447(R) | 3.8.4 |
| Summary judgment- not granted | 448(L) | 3.8.4 |
| Summary judgment- oral evidence | 448(L) | 3.8.4 |
| Supervised Access - Custody & Access | 460(R) | 3.5 |
| Supervised access - order when | 460(R) | 3.5 |
| Supervision orders - child - status review | 546(LR) | 2.15 |
| Supplementary expert reports | 450(L) | 3.9.2 |
| Support - amounts paid prior to order/ agreement - tax treatment | 501(LR) | 8 |
| **Support** - arrest - enforcement | 494(R) | 3.9 |
| Support - arrest of absconding debtor | 494(R) | 3.9 |
| Support - assigned to a ministry or agency | 480(R) | 6 |
| Support - cost award - legal fees deducted | 507(LR) | 14 |
| Support - deductions - third-party payments | 500(R)-501(L) | 7 |
| Support - default hearing - enforcement | 494(R) | 3.7 |
| Support - **enforcement -** Aboriginal | 550(LR) | 5 |
| Support - enforcement - Aboriginal - exceptions for | 550(LR) | 5 |
| Support - **enforcement** - charge against land | 494(L) | 3.4 |
| Support - enforcement - cost-of-living clause | 493(L) | 2.1 |
| Support - enforcement - credit bureau report | 494(R) | 3.10 |
| Support - enforcement - criminal | 494(R) | 3.9 |
| Support - enforcement - deduction orders (general) | 493(R)-494(L) | 2.4 |
| Support - enforcement - default hearing | 494(R) | 3.7 |
| Support - enforcement - director - refusal to enforce, where… | 493(L) | 2.1 |
| Support - enforcement - director - termination of enforcement, where… | 493(L) | 2.1 |
| Support - enforcement - disclosure | 494(L) | 3.2 |
| Support - enforcement - family responsibility office | 493(L) | 1 |
| Support - enforcement - FRO | 493(L) | 1 |
| Support - enforcement - FRO director options | 494(LR)-495(L) | 3 |
| Support - enforcement - FRSAEA | 493(L) | 2.1 |
| Support - enforcement - garnishment - aboriginals, exempt from | 550(LR) | 5 |
| Support - enforcement - garnishment - aboriginals, exempt from - Indian Act - s. 89 | 550(LR) | 5 |
| Support - enforcement - garnishment - Joint Accounts | 494(L) | 3.1 |
| Support - enforcement - garnishment & pension | 494(L) | 3.1 |
| Support - enforcement - garnishment & Support Deduction Order | 494(L) | 3.1 |
| Support - enforcement - garnishment, Rule 29 | 494(L) | 3.1 |
| Support - enforcement - information disclosure | 494(L) | 3.2 |
| Support - enforcement - interjurisdictional support orders | 495(LR) | 4 |
| Support - enforcement - jurisdictional issues | 495(LR) | 4 |
| Support - enforcement - legislation | 493(L)-494(L) | 2 |
| Support - enforcement - legislation (Family Responsibility and Support Arrears Enforcement Act) | 493(L) | 2.1 |
| Support - enforcement - lien and charge | 494(LR) | 3.5 |
| Support - enforcement - lottery winnings | 494(R) | 3.6 |
| Support - enforcement - options | 494(LR)-495(L) | 3 |
| Support - enforcement - options of director | 494(LR)-495(L) | 3 |
| Support - enforcement - PPSA registration | 494(LR) | 3.5 |
| Support - enforcement - restraining order against assets | 494(R) | 3.8 |
| Support - enforcement - suspension of driver’s licence | 494(R)-495(L) | 3.11 |
| Support - enforcement - suspension of passport | 495(L) | 3.12 |
| Support - enforcement - warrant for support payor’s arrest | 494(R) | 3.9 |
| Support - enforcement - writ of seizure & sale - Family Law Rules - Rule 28 | 494(L) | 3.3 |
| Support - garnishment - enforcement | 494(L) | 3.1 |
| Support - jurisdiction - enforcement | 495(LR) | 4 |
| Support - legal fees - tax deductions | 507(LR) | 14 |
| Support - lump sum payment - tax treatment | 499(R) | 5.2 |
| Support - payments - non-resident spouses - tax | 501(R)-502(L) | 9 |
| Support - payments - required features for tax | 497(R) | 2.2 |
| Support - payments as “earned income” - RRSP | 508(R) | 15.6 |
| Support - Payor - reducing tax withheld at source (income from employment) | 509(L) | 15.10 |
| Support - recipient - tax instalments | 507(R) | 15.2.1 |
| Support - residence - deductions summary table | 501(R)-502(L) | 9.4  (SEE TABLE on 502) |
| Support - retroactive award Child Support | 476(R)-477(L) | 4 |
| Support - retroactive award Spousal Support | 480(R) | 4 |
| Support - spousal - domestic violence | 539(LR) | 4.1.4 |
| Support - spousal - RRSP transfer | 504(L) | 10.6.2 |
| Support - spousal - tax - requirements for deduction | 497(R)-498(L) | 3.2 |
| Support - tax - lump sum | 499(R)-500(L) | 5 |
| Support - tax - residency | 501(R)-502(L) | 9.4 |
| Support - tax implications | 497(LR) | 2.1 |
| Support - third party sheltering | 494(R) | 3.7 |
| Support - third-party payments | 500(R)-501(L) | 7 |
| Support - writ of seizure & sale - enforcement | 494(L) | 3.3 |
| **Support Deduction Order** - charge against land | 494(L) | 3.4 |
| Support Deduction Order - default hearing ordered | 494(R) | 3.7 |
| Support Deduction Order - definition & purpose | 493(R) | 2.2 |
| Support Deduction Order - director as party in motion re: disputes | 493(R) | 2.2 |
| Support Deduction Order - enforcement | 493(R) | 2.2 |
| Support Deduction Order - enforcement options | 494(LR)-495(L) | 3 |
| Support Deduction Order - garnishment | 494(L) | 3.1 |
| Support Deduction Order - lottery winnings, collecting from | 494(R) | 3.6 |
| Support Deduction Order - maximum deduction from a source | 493(R) | 2.2 |
| Support Deduction Order - opting back in - by payee | 493(R) | 2.3 |
| Support Deduction Order - opting back in - effect on arrears | 493(R) | 2.3 |
| Support Deduction Order - opting out - by both parties | 493(R) | 2.3 |
| Support Deduction Order - opting out - unilaterally by payee, if payor is in default | 493(R) | 2.3 |
| Support Deduction Order - orders against 3rd party that sheltered assets | 494(R) | 3.7 |
| Support Deduction Order - registering by Personal Property & Security Act | 494(LR) | 3.5 |
| Support Deduction Order - sources that funds can be deducted from | 493(R) | 2.2 |
| Support Deduction Order - suspension | 493(R)-494(L) | 2.4 |
| Support Deduction Order - suspension of - when unconscionable | 493(R)-494(L) | 2.4 |
| Support Deduction Order - withdrawal period | 493(R) | 2.3 |
| Support Enforcement - disclosure of information  SEE ALSO: Support - enforcement | 494(L) | 3.2 |
| Support Obligation - charge against land | 494(L) | 3.4 |
| **Support Obligations** - CL spouse | 483(R)-484(L) | 3 |
| Support obligations - generally (Spousal Support) | 479(LR) | 2.1 |
| Support of children (inadequate) - bar to divorce | 456(R) | 4 |
| Support of Children (lack of) - bar to granting a divorce | 456(R) | 4 |
| **Support Order** - Aboriginal - child support | 550(L) | 4 |
| Support order - automatically registered with FRO | 493(L) | 1 |
| Support order - cost of living clauses | 493(L) | 2.1 |
| Support Order - final - definition and contents | 480(L) | 3.2 |
| Support Order - garnishment - enforcement | 494(L) | 3.1 |
| Support Order - lien - PPSA | 494(LR) | 3.5 |
| Support order - termination - dispute | 493(L) | 2.1 |
| Support payment - estate - tax | 508(R) | 15.7 |
| Support payments - tax treatment of,  SEE: Tax | 497(R) | 3.1 |
| Support Principles - Spousal Support | 479(LR) | 2.1 |
| Surname - change for marriage/dissolution of | 554(L) | 2 |
| Suspension - support deduction order | 493(R)-494(L) | 2.4 |
| Suspension of driver’s licence - support payor | 494(R)-495(L) | 3.11 |
| Suspension of passport - support - enforcement | 495(L) | 3.12 |
| Suspension of Support Deduction Order | 493(R)-494(L) | 2.4 |
| Sworn Financial Statements | 486(R)-487(L) | 2 |
| **T** | | |
| Table - applicable table - province of residence | 475(R) | 3.8 |
| **Table amount** - avg cost for children’s costs reflected in | 475(R) | 3.8 |
| Table amount - Child Support | 475(R) | 3.8 |
| Table amount - departure from when - “reasonable arrangements" made | 476(R) | 3.12 |
| Table amount - departure from when - high income ($150,000+) | 475(R) | 3.7 |
| Table amount - departure from when - pre-existing order | 476(R) | 3.12 |
| Table amount - departure from when - shared custody | 474(LR) | 3.2.2 |
| Table amount - departure from when - split custody | 474(R) | 3.2.3 |
| Table amount - departure from when - undue hardship for payor | 476(L) | 3.10 |
| **Table amount** - purpose - avg cost for children’s costs reflected in | 475(R) | 3.8 |
| Table amount - special/extraordinary expenses - added on top of | 475(R)-476(L) | 3.9 |
| *Tagornak, re* - customary adoption | 550(R) | 6 |
| **Tax** - "prior period payments" | 401(LR) | 8 |
| Tax - “child support amount” - \*definition | 498(L) | 4.1 |
| Tax - age 65 and over credit | 510(R) | 19.7 |
| **Tax - arrears** | 500(LR) | 6.1; 6.2 |
| Tax - arrears - features required for deduction | 500(LR) | 6.2 |
| Tax - arrears - lump sum | 499(R) | 5.2 |
| Tax - Attribution - example | 505(R)- 506(LR) | 12.5 |
| Tax - attribution - income | 504(LR) | 12 |
| Tax - attribution rules - income attribution | 504(LR) | 12.1 |
| Tax - attribution rules - two types | 504(R) | 12.2 |
| **Tax - capital gain** - between married parties | 503(L) | 10.5 |
| Tax - Capital Gains | 508(LR) | 15.5 |
| Tax - capital gains - third party sales | 504(R)-505(R) | 12.4 |
| Tax - capital gains - transferred property sold to 3rd party | 504(R)-505(R) | 12.4 |
| Tax - capital gains exemption | 508(LR) | 15.5 |
| Tax - capital loss - between married parties | 503(L) | 10.5 |
| Tax - capital property transfer - general | 502(LR) | 10 - 10.2 |
| Tax - capital property transfer - impact | 502(LR) | 10.2 |
| Tax - capital property transfer - rollover - automatic | 502(R) | 10.2 |
| Tax - capital property transfer - separating spouses | 502(LR) | 10.2 |
| Tax - capital property transfer - transferee | 502(R)-503(L) | 10.3 |
| Tax - child amount - credit - eliminated | 510(L) | 19.4 |
| Tax - child care expenses | 511(R) | 20 |
| Tax - child disability benefit (CDB) | 511(LR) | 19.9 |
| **Tax -** **Child Support** | 498(LR)-499(LR) | 4 |
| Tax - Child Support - commencement day: payments made after | 498(R) | 4.4 |
| Tax - Child Support - commencement day: payments made before | 498(R)-499(LR) | 4.5 |
| Tax - Child Support - no commencement day - deductible - when not... | 499(LR) | 4.5.2 |
| Tax - Child Support - no commencement day - deductible - when... | 499(L) | 4.5.1 |
| Tax - Child Support - no commencement day - features required to be deductible | 499(L) | 4.5.1 |
| Tax - Child Support - no commencement day - not deductible when... | 499(LR) | 4.5.2 |
| Tax - Child Support - treatment of | 498(L) | 4.2 |
| Tax - Child Support (brief) | 475(R) | 3.8 |
| Tax - Child Support- "commencement day" | 498(LR) | 4.3 |
| Tax - child tax benefit | 511(LR) | 19.9 |
| Tax - children - tax credit for dependants | 510(L) | 19.2 |
| Tax - CL partner - definition | 509(R) | 18 |
| Tax - Combined Personal Marginal Income Tax \*chart\* | 512(LR) | Appendix 1 |
| Tax - commencement day - Child Support | 498(LR) | 4.3 |
| Tax - common capital transfers | 502(L) | 10.1 |
| Tax - common-law partner - definition | 509(R) | 18 |
| Tax - compensatory support | 508(R) | 15.9 |
| Tax - corporate assets | 509(LR) | 17.1 |
| Tax - corporate tax issues | 509(LR) | 17 |
| Tax - corporate tax issues - at distribution of assets | 509(LR) | 17.1 |
| Tax - costs of disposition of capital assets | 469(LR) | 2.2.4 |
| **Tax - credit** - age 65+ | 510(R) | 19.7 |
| Tax - credit - child - eliminated | 510(L) | 19.4 |
| Tax - credit - child tax benefit | 511(LR) | 19.9 |
| Tax - credit - dependent(s) infirm over 17 | 510(R) | 19.6 |
| Tax - credit - disability | 510(R)-511(L) | 19.8 |
| Tax - credit - eligible dependant | 510(L) | 19.2 |
| Tax - credit - spousal | 510(L) | 19.3 |
| Tax - credit - tuition, education, textbook | 510(LR) | 19.5 |
| Tax - deduction - Spousal Support | 497(R)-498(L) | 3.2 |
| Tax - deductions - child care | 511(R) | 20 |
| Tax - deductions - prior-period payments | 401(LR) | 8 |
| Tax - deductions - support - residence | 501(R)-502(L) | 9.4 (SEE TABLE on 502) |
| Tax - deductions - third party payments | 500(R)-501(L) | 7 |
| Tax - depreciable capital property - transfers | 502(R) | 10.2 |
| Tax - disability credit | 510(R)-511(L) | 19.8 |
| Tax - disposition of shares - specific capital gains exemption | 508(LR) | 15.5 |
| Tax - distribution of corporate assets | 509(LR) | 17.1 |
| Tax - eligible dependant credit | 510(L) | 19.2 |
| Tax - family law - \*generally | 497(L) | 1 |
| Tax - features required to be support payments | 497(R) | 2.2 |
| Tax - forms - T2202 | 510(LR) | 19.5 |
| Tax - **income attribution** | 504(L)-505 | 12 |
| Tax - income attribution - election | 504(R)-505(LR) | 12.4.1 |
| Tax - income attribution - example | 505(R)- 506(LR) | 12.5 |
| Tax - income attribution - tax treatment | 504(R) | 12.2 |
| Tax - income attribution - two types | 504(R) | 12.2 |
| Tax - income attribution - what is it | 504(LR) | 12.1 |
| Tax - income attribution [capital gain] - non-separated parties | 505(R) | 12.4.2 |
| Tax - income attribution [capital gain] - separated parties | 504(R)-505(LR) | 12.4.1 |
| Tax - income attribution [transferred property] - non-separated parties | 504(R) | 12.3.2 |
| Tax - income attribution [transferred property] - separated parties | 504(R) | 12.3.1 |
| Tax - Income Tax Folio S1-F3-C3, “Support Payments” | 497(LR) | 2.1 |
| **Tax - instalments** - definition | 507(R) | 15.2 |
| Tax - instalments - penalties & interest | 507(R) | 15.2.3 |
| Tax - instalments - when made | 507(R) | 15.2.2 |
| Tax - instalments - who must make | 507(R) | 15.2.1 |
| Tax - inter-spousal transfers - attribution rules | 504(R) | 12.3.2 |
| Tax - joint and several liabilities | 506(LR)-507(L) | 13 |
| **Tax - legal fees** | 507(LR) | 14 |
| Tax - legal fees - deductibility of legal fees | 507(L) | 14.1 |
| Tax - legal fees - legal fees paid by payor spouse | 507(L) | 14.2 |
| Tax - legal fees - support order - legal fees paid by a recipient spouse | 507(LR) | 14.3 |
| **Tax -** **liability** - "joint and several" - general rules | 506(L) | 13.1 |
| Tax - liability (joint and several) - between married spouses | 506(L) | 13.1.1 |
| Tax - liability (joint and several) - between separated spouses | 506(LR) | 13.1.2 |
| Tax - liability (joint and several) - recommended steps for lawyer | 506(R)-507(L) | 13.3 |
| Tax - loss carry forward rules | 508(L) | 15.3 |
| Tax - losses - non-capital and net-capital | 508(L) | 15.3.1 |
| **Tax -** **lump sum** - definition | 499(R) | 5.1 |
| Tax - lump sum - income averaging of arrears | 500(L) | 5.3 |
| Tax - Lump Sum Arrears Payments \*chart\* | 513(LR) | Appendix 2 |
| Tax - lump sums | 499(R)-500(L) | 5 |
| Tax - lump sums - tax treatment | 499(R) | 5.2 |
| Tax - marriage - joint and several tax liabilities | 506(LR)-507(L) | 13 |
| Tax - married - liability for unpaid taxes | 506(L) | 13.1.1 |
| Tax - matrimonial home - tax on transfer of | 503(LR) | 10.6.1 |
| Tax - matrimonial home - transfer | 503(LR) | 10.6.1 |
| Tax - non-capital property transfer | 503(L) | 10.4 |
| **Tax -** **non-resident spouses** | 501(R)-502(L) | 9.1-9.4 (SEE TABLE on 502) |
| Tax - non-resident spouses - payments from | 501(R) | 9.2 |
| Tax - non-resident spouses - payments to | 501(R) | 9.1 |
| Tax - non-resident spouses - property transfers | 501(R) | 9.3 |
| Tax - non-resident spouses - residency | 501(R)-502(L) | 9.4 |
| Tax - payments before order -deductible when | 401(LR) | 8 |
| Tax - penalties - insufficient instalment payments | 507(R) | 15.2.3 |
| **Tax -** **personal tax credits and deductions** | 510(L)-511(R) | 19 |
| Tax - personal tax credits and deductions - child amount - eliminated | 510(L) | 19.4 |
| Tax - personal tax credits and deductions - child tax benefit | 511(LR) | 19.9 |
| Tax - personal tax credits and deductions - dependent infirm 17+ | 510(R) | 19.6 |
| Tax - personal tax credits and deductions - disability credit | 510(R)-511(L) | 19.8 |
| Tax - personal tax credits and deductions - eligible dependent credit | 510(L) | 19.2 |
| Tax - personal tax credits and deductions - personal credits | 510(L) | 19.1 |
| Tax - personal tax credits and deductions - spousal credit | 510(L) | 19.3 |
| Tax - personal tax credits and deductions - tuition, education, textbooks | 510(LR) | 19.5 |
| Tax - planning opportunities - for transferor of property | 503(L) | 10.5 |
| **Tax** - **pot pourri** | 507(R)-509(L) | 15 |
| Tax - potpourri - pre-judgment interest | 507(R) | 15.1 |
| Tax - potpourri - support payments and "earned income" (for RRSP) | 508(R) | 15.6 |
| Tax - potpourri - tax instalments | 507(R) | 15.2 |
| Tax - prejudgment interest | 507(R) | 15.1 |
| Tax - principal residence - matrimonial | 503(L) | 10.6.1 |
| Tax - prior period payments | 401(LR) | 8 |
| **Tax -** **property transfer** | 502(L) | 10 |
| Tax - property transfer - capital transfers tax impact | 502(LR) | 10.2 |
| Tax - property transfer - common capital transfers | 502(L) | 10.1 |
| Tax - property transfer - non-capital - tax impact | 503(L) | 10.4 |
| Tax - property transfer - social policy | 502(L) | 10 |
| Tax - property transfer - specific transfers (Matrimonial home, RRSP) | 489(LR)-490(L) | 10.6 |
| Tax - property transfer - transferee's position | 502(R)-503(L) | 10.3 |
| Tax - property transfer - transferor tax planning advantages | 503(L) | 10.5 |
| Tax - property transfers - election | 504(R)-505(R) | 12.4 |
| Tax - property transfers - non-residents | 501(R) | 9.3 |
| Tax - quarterly instalments | 507(R) | 15.2.1 |
| Tax - reducing personal income tax - support | 509(L) | 15.10 |
| Tax - reducing tax withheld at source - support payors | 509(L) | 15.10 |
| Tax - Registered Education Savings Plan | 509(L) | 16 |
| Tax - release of marital and support rights | 508(L) | 15.4 |
| Tax - residency - determining | 501(R)-502(L) | 9.4 |
| Tax - RESP | 509(L) | 16 |
| Tax - Rollover provisions - property transfers between corporate entities of spouses | 509(R) | 17.2 |
| **Tax -** **RRIF** | 504(L) | 11.1 |
| Tax - RRIF - \*definition | 504(L) | 11.1 |
| Tax - RRIF - transfer | 504(L) | 11.2 |
| Tax - RRSP - transfer | 503(R)-504(L) | 10.6.2 |
| Tax - RRSP - transfer | 503(R)-504(L) | 10.6.2 |
| Tax - same-sex (treated the same for ITA) | 509(R) | 18 |
| **Tax -** **same-sex couples** | 509(R) | 18.1 |
| Tax - self -employment - tax instalments | 507(R) | 15.2.1 |
| Tax - severe and prolonged mental or physical impairment - disability tax credit | 510(R)-511(L) | 19.8 |
| Tax - spousal credit | 510(L) | 19.3 |
| **Tax -** **Spousal Support -** \*definition | 497(R) | 2.2 |
| Tax - Spousal Support - requirements for deduction | 497(R)-498(L) | 3.2 |
| Tax - Spousal Support - treatment of | 497(R) | 3.1 |
| Tax - spouse - definition | 509(R) | 18, 18.1 |
| Tax - spouse and common-law partner | 509(R) | 18 |
| Tax - support - estates, paid by | 508(R) | 15.7 |
| Tax - support - RRSP - as lump sum consideration of | 503(R)-504(L) | 10.6.2 |
| Tax - support - RRSP purposes - effect on "earned income" for | 508(R) | 15.6 |
| Tax - support - spousal and **child support** cross-border payments \*chart\* | 514(LR) | Appendix 3 |
| Tax - support payment - lump sum | 499(R) | 5.2 |
| Tax - support payment by estate | 508(R) | 15.7 |
| Tax - support payments - non-resident spouses | 501(R)-502(L) | 9 |
| Tax - support payments and estates | 508(R) | 15.7 |
| Tax - support payments defined | 497(LR) | 2.1 |
| Tax - support recipient - tax instalments | 507(R) | 15.2.1 |
| **Tax -** **Tax Free Savings Account** | 508(R) | 15.8 |
| Tax - Tax Free Savings Account (Financial statements) | 508(R) | 15.8 |
| Tax - taxation of compensatory support | 508(R) | 15.9 |
| **Tax -** **third party payments** | 500(R) | 7.1 |
| Tax - third party payments - required features | 500(R) | 7.3 |
| Tax - third party payments - treatment of | 500(R) | 7.2 |
| Tax - third party payments - when not deductible | 501(L) | 7.4 |
| Tax - transfer - matrimonial home | 503(LR) | 10.6.1 |
| Tax - transfer - RRIF | 504(L) | 11.2 |
| Tax - transfer - RRSP | 503(R)-504(L) | 10.6.2 |
| Tax - transfer of property - general | 502(L) | 10 |
| Tax - tuition, education & textbook credit | 510(LR) | 19.5 |
| Tax - unanticipated Joint and Several tax liability | 506(LR)-507(L) | 13 |
| Tax - undepreciated capital costs | 502(R) | 10.2 |
| Tax -marital and support rights - release of | 508(L) | 15.4 |
| Tax credit - spouse over age 65 | 510(R) | 19.7 |
| Tax deferral - RRIF plan | 504(L) | 11.1 |
| Tax Free Savings Account | 508(R) | 15.8 |
| Tax Treatment - Spousal and Child Support - Cross-Border Payments | 514(LR) | Appendix 3 |
| Tax- common-law partner - definition | 509(R) | 18.2 |
| Tax-free accounts - RRIF | 504(L) | 11.1 |
| Telephone conference - Family Law Rules | 440(R) | 3.1 |
| Temporary Agreements - Spousal Support | 480(L) | 3.3 |
| Temporary Care and Custody - Child Protection | 544(L) | 2.8 |
| Temporary care and custody order - access for parents | 544(LR) | 2.9 |
| Temporary custody - order - access provisions | 544(LR) | 2.9 |
| Temporary Custody and Access - Custody & Access | 462(L) | 4.4 |
| Temporary Exclusive possession - matrimonial home | 471(L) | 3 |
| Temporary or Final Order - breach, contempt | 463(L) | 4.8.1 |
| Temporary order - \*definition (“interim” order) | 447(L) | 3.8.3 |
| Temporary Orders - Spousal Support | 480(L) | 3.3 |
| Temporary Relief - Spousal Support | 480(L) | 3.3 |
| Temporary restraining order - domestic violence | 538(R) | 4.1.2 |
| Termination - Collaborative Family Law - Participation Agreement outlines procedures for | 529(LR) | 4.3 |
| Termination of support - dispute | 493(L) | 2.1 |
| Testimony - mediator - compulsion | 518(R) | 2.2 |
| Textbook tax credit | 510(LR) | 19.5 |
| TFSA | 508(R) | 15.8 |
| The With Child Formula - Spousal Support | 482(R) | 10.2 |
| The Without Child Formula - Spousal Support | 482(L) | 10.1 |
| Third party - sheltering of assets, by - support enforcement | 494(R) | 3.7 |
| Third party - support enforcement - Sheltering assets or income | 494(R) | 3.7 |
| **Third party payments** - tax - definition | 500(R) | 7.1 |
| Third party payments - tax - features required to be deductible | 500(R) | 7.3 |
| Third party payments - tax - features that will make NOT deductible | 501(L) | 7.4 |
| Third party payments - tax - treatment | 500(R) | 7.2 |
| *Thomson v Thomson* - required to abide - mediation/arbitration - contractual obligations | 523(R) | 3.3 |
| **Time** - constraints inherent in the court system | 439(L) | 2.1 |
| Time - importance of time and negotiations | 439(L) | 2.1 |
| Time - payment terms - equalization payment | 470(L) | 2.4 |
| Time table - Child Protection application | 543(L) | 2.5 |
| Timing - Spousal Support payments | 480(L) | 3.2 |
| Total Expenses - Part 2 Form 13.1 - Financial statements | 488(R) | 2.2 |
| Tracing - abducted child | 463(R) | 4.8.2 |
| Tracing - matrimonial property | 466(L) | 2 |
| Transcript - appeal | 453(R) | 3.13 |
| Transfer - tax - RRSP | 503(R)-504(L) | 10.6.2 |
| **Transfer of Property** - tax | 502(L) | 10 |
| Transfer of property - tax - transferee position | 502(R)-503(L) | 10.3 |
| Transferee position - tax - transfer of property | 502(R)-503(L) | 10.3 |
| Transgendered person - change of name - notice | 553(R) | 1 |
| **Trial** |  |  |
| **Trial** | 451(L)-452(L) | 3.11 |
| Trial - Appeals - From Superior Court | 452(R)- 453(L) | 3.13 |
| Trial - Appeals - From Superior Court - When leave is required | 453(L) | 3.13 |
| Trial - Appeals - General, Rule 38 | 452(R)- 453(L) | 3.13 |
| Trial - applicant's witnesses | 451(R)-452(L) | 3.11 |
| Trial - Child Protection | 545(R) | 2.12.2 |
| Trial - closing arguments | 451(R) | 3.11 |
| Trial - Notice of Appeal - Service | 452(R)- 453(L) | 3.13 |
| Trial - opening statements | 451(R) | 3.11 |
| Trial - procedure - step by step | 451(R)-452(L) | 3.11 |
| Trial - reading into evidence | 451(R) | 3.11 |
| Trial - rebuttal evidence | 451(R) | 3.11 |
| Trial - respondent's case | 451(R) | 3.11 |
| Trial - Rule 23 - compelling witness testimony, other sanctions | 451(R) | 3.11 |
| Trial - service - Notice of Appeal | 452(R)- 453(L) | 3.13 |
| Trial - witness - sanctions | 451(R) | 3.11 |
| **Trial Management Conference** | 449(L) | 3.9 |
| Trial Management Conference - combining with settlement conference | 449(L) | 3.9 |
| Trial Management Conference - conference brief - part of continuing record | 449(L) | 3.9 |
| Trial Management Conference - evidence | 449(L) | 3.9 |
| Trial Management Conference - purpose | 449(L) | 3.9 |
| Trial Management Conference - who presides | 449(L) | 3.9 |
| Trial record - contents | 451(L) | 3.11 |
| Trial record - service | 451(L) | 3.11 |
| Trust - constructive and resulting - Net Family Property | 469(R)- 470(L) | 2.3 |
| Trust - constructive and resulting principles | 469(R)- 470(L) | 2.3 |
| Trust - resulting trust - matrimonial property | 469(R)- 470(L) | 2.3 |
| Trust - tax - RESP | 509(L) | 16 |
| Trust Interests - inter vivos or testamentary trust | 469(L) | 2.2.3 |
| Trust Interests - lawyer's role in assessing real purpose | 469(L) | 2.2.3 |
| Tuition, education and textbook credit - Tax | 510(LR) | 19.5 |
| **U** | | |
| Unanticipated joint and several tax liability | 506(LR)-507(L) | 13 |
| **Unconscionability** - “unequal” equalization order & conditions | 470(LR) | 2.5 |
| Unconscionability - elements - *Hartshorne v Hartshorne* | 534(LR) | 3 |
| Unconscionability - equalization payment | 470(LR) | 2.5 |
| Unconscionability - Family Law Act s. 33(4)(a) - set aside - domestic contract - support provisions | 534(R) | 4 |
| Unconscionability - independent legal advice - domestic contract | 535(R) | 5 |
| Unconscionability - separation agreement - setting aside | 534(LR) | 3 |
| Unconscionability - spousal misconduct | 470(L) | 2.5 |
| Unconscionability - Support Declaration Order (SDO), suspension | 493(R)-494(L) | 2.4 |
| **Undue Hardship** - Child Support | 476(L) | 3.10 |
| Undue hardship - Child Support - circumstances to consider | 476(L) | 3.10 |
| Undue hardship - Child Support - effect on amount | 476(L) | 3.10 |
| Undue hardship - Child Support - onus before the court | 476(L) | 3.10 |
| Undue influence - domestic contract - lawyer's duty re: | 535(L) | 5 |
| Undue influence - domestic contract - reason to set aside | 534(L) | 3 |
| Undue influence - domestic contract - set aside | 534(L) | 3 |
| Unequal equalization order - FLA s. 5(6) - if unconscionable | 470(LR) | 2.5 |
| Unified Family Court - \*definition | 434(LR) | 3.2.3 |
| Unincorporated business interests, part 4(e) | 490(R) | 2.4.5 |
| Universal Child Care Benefit | 511(LR) | 19.9 |
| **Unjust enrichment** - CL spouses | 483(RL) | 2 |
| Unjust enrichment - constructive and resulting trusts | 469(R)- 470(L) | 2.3 |
| Unjust enrichment - criteria | 483(R) | 2 |
| Unjust enrichment - value surviving principle | 483(L) | 2 |
| Unreasonable deduction of expenses - may be imputed back | 488(LR) | 2.1 |
| Urgent Relief - domestic violence | 538(L) | 4.1 |
| **V** | | |
| V-day - valuation date | 465(L) | 2 |
| Vacation pay - financial disclosure | 490(R) | 2.4.7 |
| Validating Service - order for  SEE also: “Service” | 441(L) | 3.2 |
| Validity - Domestic Contract | 534(L) | 2 |
| Validity - marriage - customary law - Aboriginal | 5549(L) | 2 |
| Valuation - determining value of assets | 489(LR) | 2.4 |
| Valuation - pensions | 467(L)- 468(R) | 2.2.1 |
| Valuation - Reserve property | 549(R) | 3 |
| Valuation - Stock Options | 468(R) | 2.2.2 |
| Valuation date - definition | 465(L) | 2 |
| Valuation date - Financial statements - determining | 489(LR) | 2.4 |
| Valuation date - purpose of equalization | 465(L) | 2 |
| Valuation date debt | 465(L) | 2 |
| Valuation Issues – pensions, stock options, trust interest, cost of disposition | 467(L)- 469(R) | 2 |
| Valuation report - opposing lawyer should retain own | 490(L) | 2.4.3 |
| Valuators - professional - Financial statements | 487(LR) | 2 |
| Value - bank accounts, savings, securities | 490(L) | 2.4.3 |
| Value - contingent liability | 490(R)-491(L)) | 2.5 |
| Value - debts | 490(R)-491(L) | 2.5 |
| Value - employment benefits (car, phone, memberships) | 488(R) | 2.1.1 |
| Value - future liabilities | 491(L) | 2.5 |
| Value - general household items and vehicles | 489(R)-490(L) | 2.4.2 |
| Value - insurance policies | 476(L) | 2.4.4 |
| Value - trust interests - matrimonial property | 469(L) | 2.2.3 |
| Value - unincorporated businesses | 490(R) | 2.4.5 |
| *Vanbuskirk v. Osborne* - change of name - setting aside | 555(R) | 3 |
| **Variation** - Child Support | 477(L) | 5 |
| Variation - Child Support order - threshold to meet | 477(L) | 5 |
| Variation - Custody & Access order - threshold to meet | 462(L) | 4.5 |
| Variation - Custody & Access order (DA s. 17, CLRA s. 29) | 462(L) | 4.5 |
| Variation - divorce proceedings | 455(R)-456(L) | 2 |
| Variation - Spousal Support | 480(R) | 5 |
| Variation in standards of living between homes - shared custody | 474(LR) | 3.2.2 |
| Vehicles - Financial statements | 489(R)-490(L) | 2.4.2 |
| Vehicles - value for Financial statements | 489(R)-490(L) | 2.4.2 |
| Victim - domestic abuse - initial disclosure | 537(LR) | 2 |
| Victim of Domestic Abuse - generally - SEE: "violence" | 537(L) | 1 |
| Victims of abuse - emergency relief | 539(R) | 4.2 |
| Video conference - Family Law Rules | 440(R) | 3.1 |
| **Violence** - conduct of litigation generally | 538(LR)-539(LR) | 4 |
| Violence - court orders | 539(R)-540(R) | 5 |
| Violence - court orders - enforcement | 539(R)-540(R) | 5 |
| Violence - Custody & Access - appointment of Children's Lawyer - Courts of Justice Act - s. 112 | 539(L) | 4.1.3 |
| Violence - Custody & Access - assessment - CLRA - s. 30 | 539(L) | 4.1.3 |
| Violence - Custody & Access - best interests of child in exclusive possession of home | 538(LR) | 4.1.1 |
| Violence - Custody & Access - considerations & effects | 539(L) | 4.1.3 |
| Violence - Custody & Access - sole custody should be sought | 539(L) | 4.1.3 |
| Violence - domestic abuse | 537(LR)-540(LR) | 1-5 |
| Violence - drafting applications | 538(L) | 4.1 |
| Violence - drafting orders - contents | 539(R)-540(R) | 5 |
| Violence - emergency motions | 539(R) | 4.2 |
| Violence - emergency relief from court | 539(R) | 4.2 |
| Violence - evidence | 537(R) | 2 |
| Violence - Exclusive possession - matrimonial home - Best Interest of Child & | 538(LR) | 4.1.1 |
| Violence - exclusive possession of home - criteria | 538(LR) | 4.1.1 |
| Violence - exclusive possession of home - FLA - s. 24 | 538(LR) | 4.1.1 |
| Violence - exclusive possession of matrimonial home | 538(LR) | 4.1.1 |
| Violence - initial disclosure of abuse | 537(LR) | 2 |
| Violence - interim custody order | 539(R) | 4.2 |
| Violence - interim support | 539(R) | 4.2 |
| Violence - limiting orders - CLRA - s. 28(1)(c) | 538(R)-539(L) | 4.1.2 |
| Violence - mediation inappropriate | 519(R)-520(L) | 2.4 |
| Violence - mediation or litigation - appropriateness | 537(R)-538(L) | 3 |
| Violence - restraining order | 538(R)-539(L) | 4.1.2 |
| Violence - restraining order - FLA - s. 46 | 538(R) | 4.1.2 |
| Violence - risks to consider at initial disclosure | 537(LR) | 2 |
| Violence - safety plan - generally | 537(R) | 2 |
| Violence - safety plan - where to go | 537(R) | 2 |
| Violence - spousal support - impact on | 539(LR) | 4.1.4 |
| *Vital Statistics Act -* change of name index | 553(R) | 1 |
| **Viva Voce evidence** - child as witness | 462(R) | 4.6.1 |
| Viva Voce evidence - determination of Custody & Access application in court | 462(L) | 4.4 |
| Viva Voce hearing - motion for contempt of Custody & Access order | 463(L) | 4.8.1 |
| Voluntary Parenting Plan - Custody & Access - preferable | 461(R) | 4.2 |
| Voluntary Pre-Hearing Conference | 453(R) | 3.13 |
| **W** | | |
| Waiver of right of appeal - arbitration - invalidation | 525(R)-526(L) | 3.7 |
| Waiver of right to appeal - arbitration - not allowed on a question of law | 525(LR) | 3.7 |
| Walsh v. Bona - no statutory property rights for CL spouses | 471(R) | 5 |
| Wardship - child protection - plan of care | 547(R) | 2.17 |
| Wardship - Crown | 545(R)-546(L) | 2.13 |
| Warrant for arrest - support payor | 494(R) | 3.9 |
| Wasting or disposal of assets - restraining order | 494(R) | 3.8 |
| Welfare services - Aboriginal children | 550(R)-551(R) | 8 |
| Where to Apply for Custody & Access | 459(R)-460(L) | 2.2 |
| *Whitton v. Whitton* - Child Support - obligation to pay through 1st post-secondary degree | 473(R) | 3.1.2 |
| Who May Apply - Custody & Access | 460(L) | 2.4 |
| *Willick v. Willick* - variation of Child Support order - material change in circumstances | 477(L) | 5 |
| With Child Formula - Spousal Support | 482(R) | 10.2 |
| Withdrawal from Collaborative Family Law process - outlined in Participation Agreement | 529(LR) | 4.3 |
| Withdrawal from parental control - effect on status as "child" | 473(R) | 3.1.2 |
| Withdrawal period - Support Deduction Order | 493(R) | 2.3 |
| Withheld Child - Custody & Access | 463(R) | 4.8.2 |
| Withheld child - enforcement options | 463(R) | 4.8.2 |
| Without Child Formula - Spousal Support | 482(L) | 10.1 |
| Without Notice Motions | 446(R) | 3.8.1 |
| Without Notice Motions - circumstances for | 446(R) | 3.8.1 |
| Without Notice Motions - service | 446(R) | 3.8.1 |
| Without Prejudice - mediation | 518(R) | 2.2 |
| Without prejudice - Negotiations | 439(R) | 2.2 |
| Witness - compelled by court | 451(R)) | 3.11 |
| Witness - sanctions, trial | 451(R) | 3.11 |
| Writ of seizure & sale - support - enforcement | 494(L) | 3.3 |
| **Z** | | |
| *Zho v. Chen* - change of name - child - prohibition in separation agreement | 555(L) | 3 |