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Community Legal Education Ontario
Éducation juridique communautaire Ontario

Dealing with separation or divorce: A Guided Pathway to help couples resolve disputes

CLEO (Community Legal Education Ontario /
Éducation juridique communautaire Ontario)

January 25th, 2024



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Agenda

- Introduction
- Guided Pathway to help couples resolve disputes
- Family dispute resolution
 - Considerations
 - Dispute resolution processes
 - Family law courts in Ontario
- Questions and answers

Lisa Eisen, LL.B., is the founder of Family Law: A La Carte. Lisa is a practicing family law lawyer, having been called to the Bar in 1995. Her practice focuses on assisting people resolve issues in the most practical and cost-efficient way. She started her legal career teaching people about negotiation and mediation. Lisa has been assisting CLEO with the Family Law Guided Pathways since their inception.

Erik Bornmann is the Director, Guided Pathways at CLEO (www.cleo.on.ca) where he leads the Guided Pathways team. CLEO's Guided Pathways are free direct-to-public legal applications that help people fill out legal forms, draft letters, and identify next steps. Previously, Erik was a Staff Lawyer at the Community Legal Clinic - Simcoe, Haliburton, Kawartha Lakes. At the Simcoe clinic, Erik also maintained a civil litigation practice.

Allison Leadley, PhD, is the Guided Pathways Manager at CLEO. Before becoming Guided Pathways Manager, she was responsible for the development and maintenance of the Family Law Guided Pathways as part of CLEO's Guided Pathways team. Allison holds an MA from the University of British Columbia and a PhD from the University of Toronto's Centre for Drama, Theatre, and Performance Studies.



Land Acknowledgement

We acknowledge that since time immemorial the land on which we live and work has been the home and traditional territory of Indigenous Peoples, including the Mississaugas of the Credit, Haudenosaunee and Wyandot, and is now home to many diverse First Nations, Inuit, and Métis relatives. CLEO's work is also carried out across the many traditional territories of this land that is also known as Ontario. We acknowledge our privilege as well as our role in the systems of colonization.

CLEO staff are learning to be better allies by participating in training about the systemic nature of anti-Indigenous racism in Canada. We are strengthening ties to Indigenous-serving organizations in order to produce information and resources that reflect the experience of Indigenous Peoples, and develop training that is more relevant for and accessible to Indigenous Peoples.



CLEO produces **clear, accurate, and practical** legal information to help people understand and exercise their legal rights.



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Nonprofit Law Ontario

Free legal information to help you start or run a nonprofit organization, or to get ready for the ONCA.



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Activity



True or False?

The most important consideration for choosing a dispute resolution process is budget.



True or False?

If I have children, they will decide which parent to live with.



True or False?

Emotions play no role in dispute resolution processes.



Considerations



Considerations

This step of the pathway provides information on [considerations](#) or issues that often come up when people are [separating](#) or [divorcing](#).

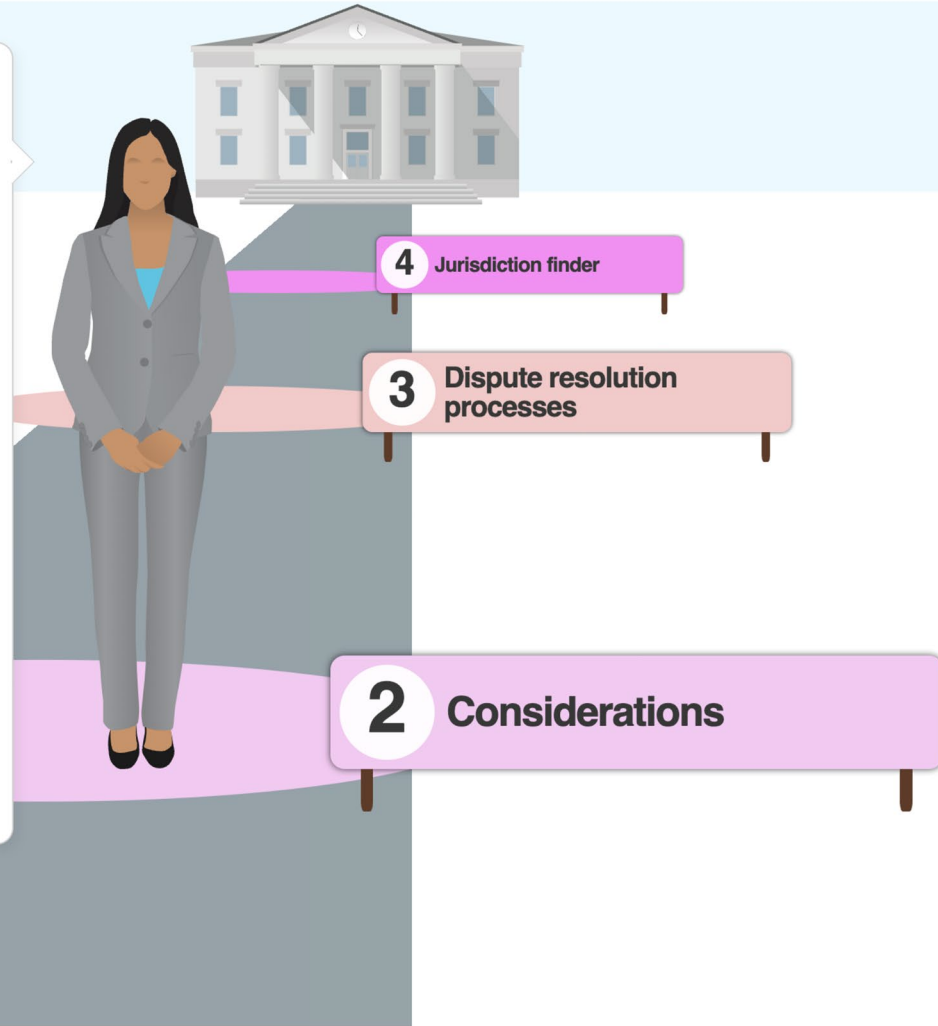
These can help you decide what [dispute resolution process](#) (or processes) may work best for your particular situation:

- [Safety](#)
- [Urgency](#)
- [Balance of power](#)
- [Communication and cooperation](#)
- [Compromise](#)
- [Emotions](#)
- [Control of process](#)
- [Budget](#)
- [Privacy and disclosure](#)

The next screens give you an introduction to each consideration, and then allow you to select the ones you want to learn more about.

At the end of this step, you'll have a chance to write down any other considerations that are important to you. The pathway will add them to your [personalized checklist](#).

Continue





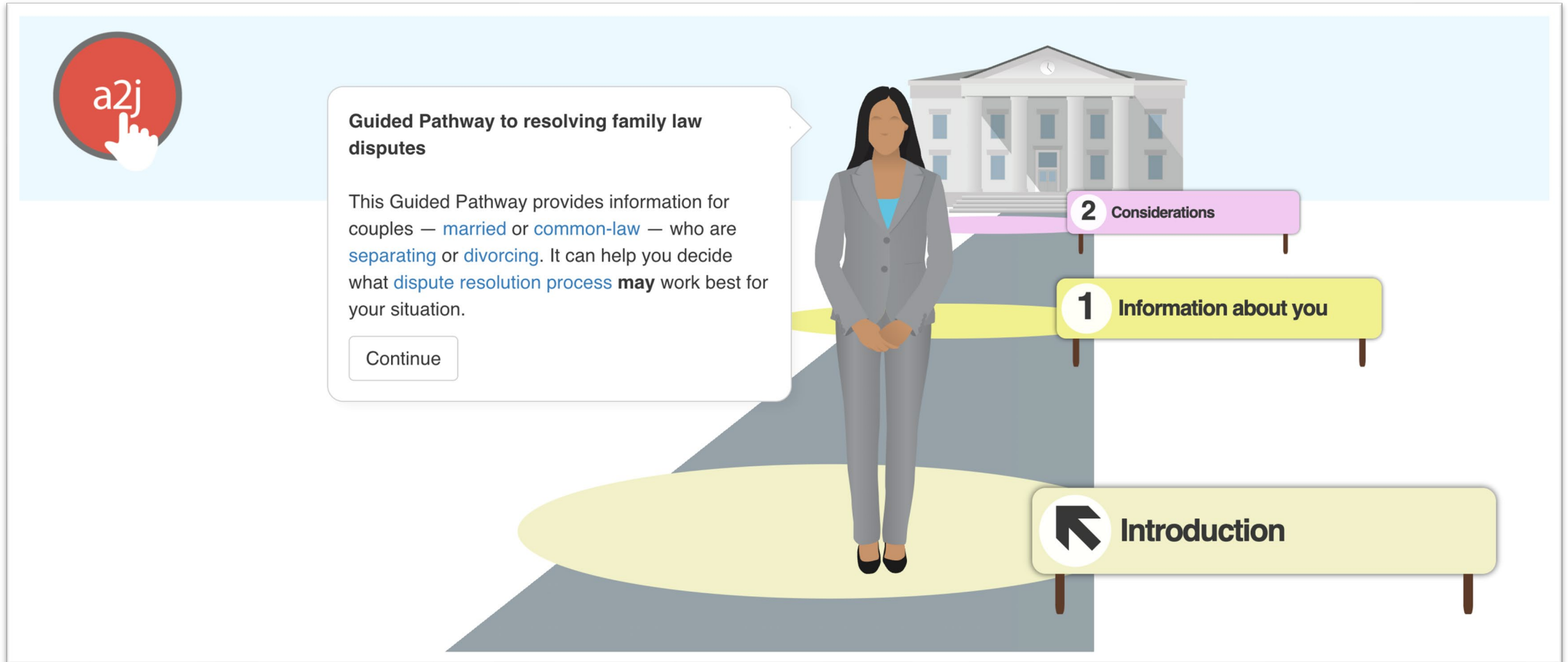
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Family Law Guided Pathways: Tools to help resolve disputes



Pathway overview





Pathway overview

Quick exit

< Back Next > MY PROGRESS: What legal issues do you need to... SAVE AND EXIT

a2j

What legal issues do you need to think about?

The next few screens provide information on some of the common legal issues that come up when people are separating. They can help you think about whether or not you and your partner agree on these issues.

Select which ones you would like to learn more about. If you're not interested in learning about these issues, press continue without selecting any of the checkboxes.

- Children
- Dividing property
- Spousal support
- Divorce
- Safety

Continue

2 Considerations

1 Information about you

Introduction

anon://separation

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Pathway overview

Quick exit

< Back Next > MY PROGRESS: The previous screens discussed some... → RESUME

a2j

The previous screens discussed some of the common issues people have when they're **separating**. You and your partner may also have other issues you need to work out.

Are there some issues you and your partner agree on?

Yes

No

Continue

3 Dispute resolution processes

2 Considerations

1 Information about you

Introduction



Pathway overview

Quick exit

< Back Next > MY PROGRESS: Dispute resolution process Are you... → RESUME

a2j

Dispute resolution process

Are you or your partner already involved in a [dispute resolution process](#)?

For example, you may be:

- trying to [negotiate](#) on your own
- meeting with a [mediator](#)
- in the middle of a [court process](#)

Yes

No

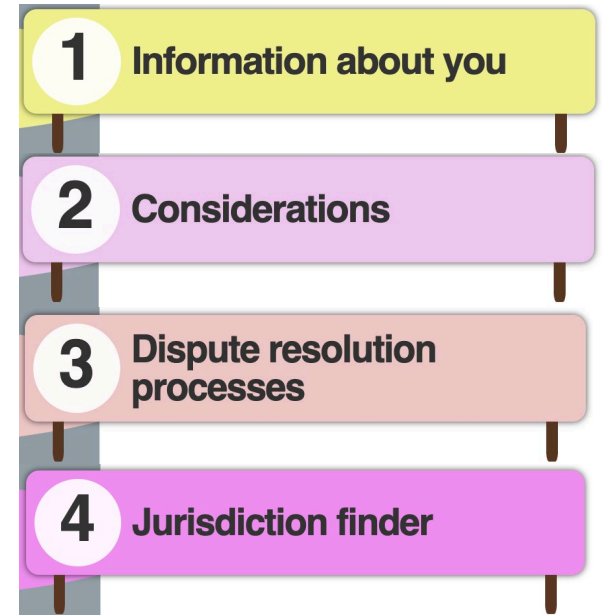
Continue

1 Information about you

2 Considerations

3 Dispute resolution processes

4 Jurisdiction finder





Pathway overview

Considerations

This step of the pathway provides information on [considerations](#) or issues that often come up when people are [separating](#) or [divorcing](#).

These can help you decide what [dispute resolution process](#) (or [processes](#)) may work best for your particular situation:

- **Safety**
- Urgency
- Balance of power
- Communication and cooperation
- Compromise
- Emotions
- Control of process
- Budget
- Privacy and disclosure

The next screens give you an introduction to each consideration, and then allow you to select the ones you want to learn more about.

At the end of this step, you'll have a chance to write down any other considerations that are important to you. The pathway will add them to your [personalized checklist](#).

Continue

2 Considerations

Dispute resolution processes for your situation

This step of the pathway provides more information about the different [types of dispute resolution processes](#):

1. **Negotiation**
2. Mediation
3. Collaborative Family Law
4. Mediation-arbitration
5. Arbitration
6. Litigation (going to court)

The pathway will guide you to think about the pros and cons of these dispute resolution process, based on whether you're already involved in a process, and what [considerations](#) are important for your situation.

Continue

3 Dispute resolution processes

Negotiation and safety

If you're concerned about your safety, negotiating face-to-face with your partner may not be appropriate. If you're concerned about [physical abuse](#), meeting in person could be dangerous.

You could email, talk over the phone, or meet in a public place to reduce your risk. You could also bring a trusted friend or someone else to your negotiations.

[Having a lawyer](#) can also help deal with safety concerns.

Add to my checklist

Notes:

Continue

3 Dispute resolution processes



Pathway overview

The screenshot shows a web application interface. At the top left, there is a red button labeled "Quick exit". Below it, navigation links include "< Back", "Next >", and "MY PROGRESS: Finding the right court This step of..." with a dropdown arrow. On the right, there is a "RESUME" button with a right-pointing arrow. The main content area features a background illustration of a woman in a grey suit standing in front of a classical building with columns. A white callout box on the left contains the text: "Finding the right court", "This step of the pathway will help you find the right court for your family law issue.", and "Do you want to learn more about selecting a court?". Below this text are two buttons: "Learn more" and "Skip". In the bottom right corner, a pink banner displays the number "4" and the text "Jurisdiction finder". A red circular icon with "a2j" and a hand cursor is visible on the left side of the main content area.



Pathway overview

What are you going to court for?

Select what applies to you:

- To start (or respond to) an application
- To change an existing court order
- To enforce an order for child support or spousal support in my separation agreement

Continue

What claim do you want to make?

The courthouse you go to depends on where you live, the types of **claims** you want to make, and the type of relationship you have with the other **party**.

Check off which claims you want to make:

- Divorce
- Property claims
- Decision-making responsibility or parenting time
- Child support
- Spousal support
- Adoption
- Child protection
- Matrimonial home
- Restraining orders

Continue



Pathway overview

Quick exit

< Back Next > MY PROGRESS: You need to go to the Superior Court... → RESUME

a2j

You need to go to the Superior Court of Justice

You need to go to the [Superior Court of Justice](#) because you're asking for a [divorce](#) or [claims](#) related to [property](#).

You can also go to the [Family Court Branch of the Superior Court of Justice \(United Family Court\)](#). This court hears all types of family law cases. This court is only available in certain areas of Ontario.

In a few screens, you will get a list of courthouses to choose from.

Continue

Responding to an application with new claims

Learn More

4 Jurisdiction finder



Dispute Resolution

There are many options available to help you resolve the legal issues you can have when your relationship ends. Choosing the best dispute resolution process for your situation can help reduce the emotional impact of separation or divorce on you and your children.

You don't have to choose just one process. You may want to use different processes for different issues, or at different times.

Considerations

These considerations can help you decide what dispute resolution process (or processes) may work best for your particular situation. Listed below are the considerations that you selected in the pathway.

Other factors to consider when choosing a dispute resolution process:

Dispute Resolution Processes

The 6 types of dispute resolution processes covered in the pathway are:

1. Negotiation
2. Mediation
3. Collaborative Family Law
4. Mediation-arbitration
5. Arbitration
6. Litigation (going to court)

Negotiation

When you have a family law issue, the first step is often to try to talk or negotiate with your partner. You can negotiate with them directly, or hire a lawyer to negotiate for you.

Even if you're negotiating with your partner on your own, you may want to hire a lawyer before or during negotiations to find out what your legal rights and responsibilities are. It's always a good idea to get legal advice before you sign any agreement.

If you have lawyers, negotiations may involve meetings with your lawyers. When both parties and their

lawyers meet, it's called a "4-way meeting." Instead of meeting, your lawyers may exchange emails or letters with different proposals until they reach a settlement.

If they reach a settlement, the lawyers will document the terms of the settlement in a written agreement, called a separation agreement. To be a proper legal document, a separation agreement has to be:

- in writing
- dated
- signed by you and your partner
- witnessed by someone over the age of 18 who is not your partner

Notes:

Considerations for a negotiation

In the pathway, you selected which considerations are beneficial for negotiation and which considerations might make negotiation more difficult. Here is a table of what you selected:

Could work	Could work later	Would never work	Unsure/skip
<ul style="list-style-type: none"> • Safety 	<ul style="list-style-type: none"> • Balance of Power 	<ul style="list-style-type: none"> • Urgency 	<ul style="list-style-type: none"> • Communication and Cooperation • Compromise • Emotions • Control of Process • Budget • Privacy and disclosure

Notes:

Mediation

In mediation, you and your partner choose one neutral person (a mediator) to help you resolve your

Glossary

Applicant	<p>The applicant is the party who starts a court case. Applicants can be people or agencies, like the Family Responsibility Office. In a family law case, the applicant is the person who first files the court form that asks the court for something. They could be asking for a divorce, a decision on parenting time, or any other family law decision.</p> <p>You usually start the court process by filing a Form 8 or Form 8A. These applications tell your partner and the court the issues you're asking the court to decide and the orders you want the court to make.</p> <p>The person the applicant is making a claim against is called the respondent.</p>
Arbitration	<p>Arbitration is an alternative dispute resolution process where partners hire a neutral person, called an arbitrator, to decide their issues without going to court. Arbitration is a private process and less formal than court.</p> <p>You and your partner both give evidence at the arbitration. The arbitrator makes a decision, in writing, based on the evidence.</p>
Arbitration award	<p>An arbitration award is the decision an arbitrator makes after hearing from both parties about their family law issues.</p> <p>An arbitrator has to follow the law and certain rules. For example, they have to keep a record of any notes they make during arbitration. If the process is legal, an arbitration award can be enforced. This means that the court can order both parties to follow the arbitration award.</p>
Arbitrator	<p>An arbitrator is a neutral person who guides an arbitration process. An arbitrator is usually a lawyer, but a non-lawyer can also be an arbitrator if they have special family law training.</p>
Assets	<p>Assets are things that you own. Assets include cars, real estate, registered retirement savings plans (RRSPs), and any savings you have. Assets are different from income, which is money you earn from employment or receive from investments.</p>
Beneficiary	<p>A beneficiary is a person (or organization) who receives money or other benefits from someone else. For example, if you are the beneficiary of a life insurance policy, you would get a payment if the person who is insured dies.</p>
Binding agreement	<p>A binding agreement can be enforced. This means that the court can order you or your partner to do what the agreement says, if either of you stop following it.</p>
Budget	<p>A budget is a plan that shows how you'll spend the money you receive within a certain period of time. Often, people create a monthly budget</p>



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Legal Topics v

Guided Pathways ^

Latest Updates



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- About Guided Pathways
- Abuse and Family Violence
- Family Law
- Housing Law
- Immigration Law
- Nonprofit Bylaws
- Wills and Powers of Attorney

Tell us what you are looking for

Announcements



New information about ODSP and Long COVID

Use CLEO's Guided Pathways in Family Law to ask for an order in family court

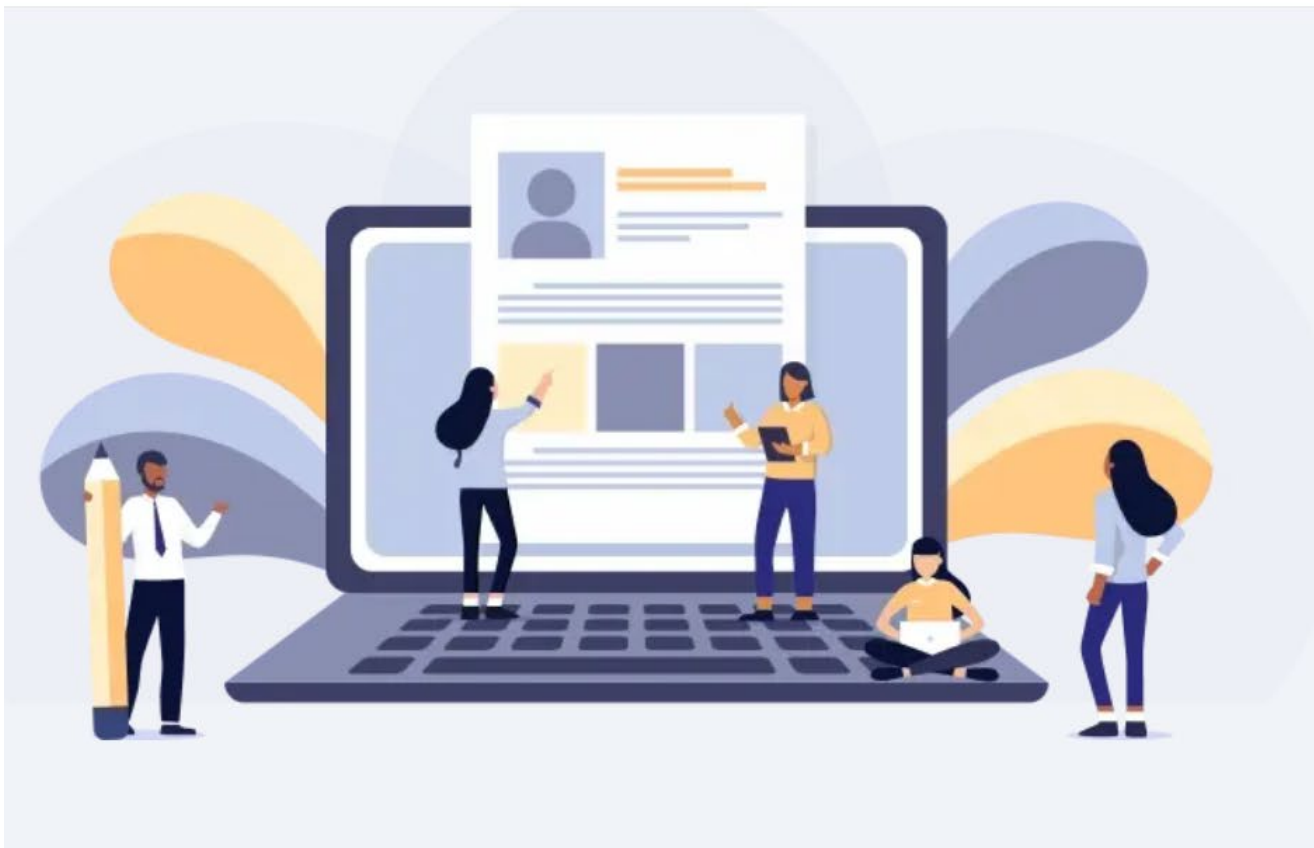
CLEO's On the Radar: Changes to EI sickness benefits

Updated information about court fees



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Legal Topics



Guided Pathways Fill Out Your Legal Forms

Use CLEO's free online interviews to fill out legal forms, draft letters, and identify your next steps. [Learn More](#)



Abuse
Violence



Family Law



Housing Law




Immigration Law



Nonprofit Bylaws



Wills and Powers of
Attorney

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[Home](#) / Family Law Rules Forms

[Home](#)
[Family Law Rules Forms](#)
[Trial Scheduling](#)
[Endorsement Forms](#)
[Restraining Orders with Auto-Complete Macros](#)
[CYFSA Endorsement Sheets](#)
[Family Law Rules Forms Archive \(Obsolete\)](#)
[Documents Related to Non-Parent Applications for Decision-Making](#)

Family Law Rules Forms

[Notice to Profession: Changes to the Family Law Rules in force August 1 and September 1, 2020](#)

Electronic versions of forms under the [Family Law Rules, O. Reg. 114/99](#), are available in the table below, in a viewable (Adobe PDF) and fillable (Microsoft Word) format. Both formats are printable. The fillable format can be completed on-line and saved to your computer for future reference.

You can file most family court forms online using the Ministry of the Attorney General's Justice Services Online. For more information about online filing, go to the [Government of Ontario website](#).

If you cannot file online, file your documents in person at the courthouse or by email in accordance with the [Family Law Rules](#) and any orders, Notices, and Practice Directions issued by the [Ontario Court of Justice](#) and the [Superior Court of Justice](#).

If you need help completing your family court forms, you can use the [Guided Pathways to Family Court Forms](#), a free online tool developed by Community Legal Education Ontario (CLEO) and the Ministry of the Attorney General. The tool asks you questions and puts your answers into the required court forms. When you're finished, you can save or print your completed forms before filing them with the court.

You can also find more helpful information about family law on the Ministry's [Family Law](#) website and CLEO's [Steps to Justice](#) website.

To view PDF files, you will require Adobe Acrobat® Reader version 5.0 (or higher). You can download this free software from [Adobe's web site](#).



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Legal Topics ▾

Guided Pathways ▾

Latest Updates



Home > Guided Pathways > About Family Law Guided Pathways

About Family Law Guided Pathways

CLEO's Family Law Guided Pathways are a series of online interviews that help you fill out the court forms you need for your family law matter. The pathways ask you questions and then put your answers into the required forms. Each question includes information that explains what is needed. The pathways are free to use.

If you already have an account, you can access your saved work here:



The pathway you use depends on what you're asking the court for. You can use one or more of the following pathways:

Family dispute resolution options



Use to decide what processes may work best to help you and your partner resolve conflict and agree on issues, when you're separating or divorcing. If you have to go to court, this pathway can help you find the right court and location.

Family Law Guided Pathways

- [Family Law Guided Pathways](#)
- [Family dispute resolution options](#)
- [Separation with other issues](#)
- [Simple or joint divorce](#)
- [Filing your support agreement](#)
- [Answering a family law application](#)
- [Replying to an answer](#)
- [Case conference](#)
- [Settlement conference](#)
- [Making or responding to a motion](#)
- [Net family property forms](#)
- [Requesting a motion to change](#)



Print



Share





Welcome to the Guided Pathways

New Users

It takes between **15 minutes and 4 hours** to answer all of the questions on a divorce form.

So it's best to **create an account** and then log in and get started. With an account, you can save your answers, log out, and come back and continue at any time.

If you don't create an account, you can still use the pathway as a **guest**. But you must answer all of the questions without stopping, until you come to the end.

Create an Account

Continue as Guest

Sign into your account

Email

test@example.ca

Password

.....

Log In



Remember Me

[Forgot Password](#)

For help setting up an account and other technical support, contact support@cleo.on.ca

We can't give legal advice or help you answer questions. If you need legal help or advice, talk to a lawyer.



Register

Please complete the following form to create an account.

Login Information

Email*	<input type="text"/>
Password*	<input type="password"/>
	Password must be between 8 and 15 characters long with at least one upper case, lower case, numeric and special character (like !, @, #, \$, %).
Confirm Password*	<input type="password"/>
Security Question*	<input type="text"/>
Security Answer*	<input type="text"/>

Contact Information

First Name *	<input type="text"/>
Last Name *	<input type="text"/>
Organization	<input type="text"/>
Title	<input type="text"/>
Phone Number *	<input type="text"/> Ext <input type="text"/>
Address Lookup	<input type="text" value="Enter a location"/> <input type="button" value="Clear"/>
Address	<input type="text"/> <input type="text"/> P.O. Box / RR <input type="text"/>
Apt/Suite	<input type="text"/> City <input type="text"/>
Postal	<input type="text"/>



Terms of Use

Thank you for using our website.

Please make sure that you read the Terms of Use very carefully before you start using this website. Your "sign-in" to this website constitutes consent and acceptance of the Terms of Use.

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- Use reasonable efforts to provide access to this service seven days a week and 18 hours a day, subject to maintenance, repair, support and system updates;
- Maintain privacy of personal information as set out below.

By accessing and using this website, you consent to share your personal information with CLEO.

Using our website requires CLEO to collect, use and disclose your personal information. You must consent to CLEO's collection, use and disclosure of your personal information in order to access and use this website.

CLEO will use the personal information that you share through this website to fill out your forms and documents. The website only collects the information necessary to fill out the forms or documents that you have selected for completion. Your personal information will only be used to fill out the forms or documents that you have selected and to help CLEO

agree to the above Terms of Use

Security Check

Enter Code*

AYETCH

Refresh

Register

Cancel



Part 1

What device are you using to access our site?

What is your main purpose for visiting this site today?

Is someone helping you to use this site today?

Age group (years)

What region of Ontario do you live in?

Education

How many people are in your household? **?**

What is your main source of household income? **?**

What is your total yearly household income before taxes?





Part 2

We collect this data to ensure that we are serving Ontario's diverse communities. People who are racialized (Indigenous Peoples and people of colour) are more likely to experience higher levels of poverty, and to have related problems like poor health, lower education, and fewer job opportunities than non-racialized people.

For more information, see colourofpoverty.ca.


How do you describe yourself? Select as many as you want:

- | | | |
|--|--|---|
| <input type="checkbox"/> Indigenous/Aboriginal/First Peoples from outside Canada | <input type="checkbox"/> Latin American | <input type="checkbox"/> East Asian |
| <input type="checkbox"/> First Nations (or Indian as defined by the Indian Act) | <input type="checkbox"/> West Asian | <input type="checkbox"/> Southeast Asian |
| <input type="checkbox"/> Inuit | <input type="checkbox"/> Black | <input type="checkbox"/> Bi-racial / Mixed race |
| <input type="checkbox"/> Metis | <input type="checkbox"/> South Asian | <input type="checkbox"/> Do not know |
| <input type="checkbox"/> Non-Status Indian | <input type="checkbox"/> White / Caucasian | <input type="checkbox"/> Prefer not to answer |
| <input type="checkbox"/> Arab | | |

Other (please specify)



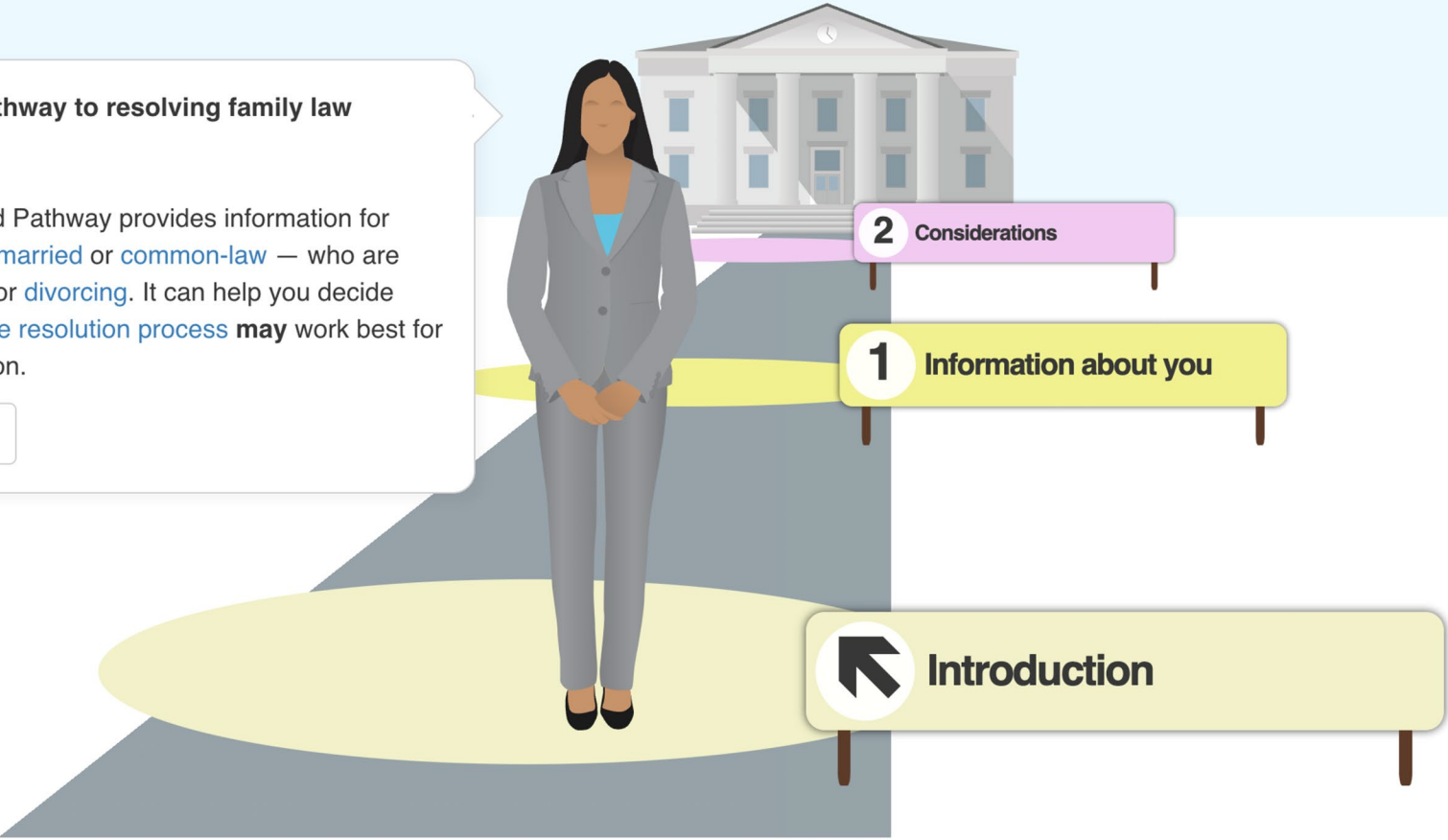
Guided Pathway



Guided Pathway to resolving family law disputes

This Guided Pathway provides information for couples — **married** or **common-law** — who are **separating** or **divorcing**. It can help you decide what **dispute resolution process** **may** work best for your situation.

Continue



2 Considerations

1 Information about you

Introduction



Pathway introduction

a2j

About this Guided Pathway

The pathway gives you information about different **considerations** that could affect whether a **dispute resolution process** is likely to work for you or not. You can decide which of these considerations and processes you want to learn more about.

The pathway can be useful to you, whether or not you have a lawyer, and whether or not you're involved in legal proceedings.

Continue

2 Considerations

1 Information about you

Introduction



Other things that can help you:

- Save and exit
- Learn More pop-ups
- Pop-up definitions
- Hyperlinks
- Progress bar & navigation



Save and Exit

Quick exit

< Back Next > MY PROGRESS: Create a safety plan People are most... ▾

Create a safety plan

People are most at risk of **family violence** when they first **separate**, at the start of a legal **process**, or when they **go to court** or other family law meetings.

You may want to create a **safety plan** to help protect you now or in the future.

Your safety plan might include:

- having an **emergency escape plan**
- picking a **code word** to use with your children or friends so they know when to go somewhere safe and call for help
- packing an **emergency bag** you could take if you had to leave home quickly
- making a list of important documents and putting them in a safe place or making copies of them
- asking neighbours or friends to call the police if they hear fighting or loud noises, or if they see anything that worries them

To learn more about safety plans, [click here](#) to visit CLEO's website.

Add to my checklist

Continue

2 Considerations

1 Information about you


Introduction

SAVE AND EXIT

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< Back Next > MY PROGRESS: Language, literacy, and balance of... SAVE AND EXIT



Language, literacy, and balance of power

You may feel that you have more or less power, depending on who can communicate in English more easily.


Below are some questions to help you think about how language and literacy may affect the balance of power between you and your partner:

- Do you both speak English fluently?
- Are you both able to read and write in English?
- If English is not your first language, how important is it to have people involved in your [dispute resolution process](#) who also speak your first language?

Add to my checklist

Notes:

Continue



If you need help with this section, click the **Learn More** button.

2 Considerations



The screenshot shows a web application interface. At the top, there are navigation buttons for '< Back' and 'Next >', a progress indicator 'MY PROGRESS:' with a dropdown menu showing 'Language, literacy, and balance of...', and a 'SAVE AND EXIT' button. On the left, there is a red circular icon with 'a2j' and a hand cursor. The main content area has a light blue header with the title 'Language, literacy, and balance of power'. Below this, there is a blue pop-up message box with a close button (X) that reads: 'If you need help with English. If you're not confident that you can understand English well, you may be able to access an interpreter in your language through Legal Aid Ontario. For more information, click here to visit the Legal Aid Ontario website.' The background content includes a list of questions: 'Do you both speak English fluently?', 'Are you both able to read and write in English?', and 'If English is not your first language, how important is it to have people involved in your dispute resolution process who also speak your first language?'. There is an 'Add to my checklist' checkbox, a 'Notes:' section with a text input field, and a 'Continue' button. On the right side, there is a vertical navigation menu with three items: '1' (partially visible), '2 Considerations', and '3 Dispute resolution processes'. The background features an illustration of a person standing in front of a classical building.



Pop-up definitions

The screenshot shows a user interface for a legal education program. At the top left, there is a red "Quick exit" button. Below it, navigation links for "< Back" and "Next >" are visible, along with a "MY PROGRESS:" dropdown menu currently set to "What legal issues do you need to...". A "SAVE AND EXIT" button is located at the top right. The main content area features a large magnifying glass over the word "separating" in the text "common legal... separating...". To the left of the magnifying glass is a red circular icon with "a2j" and a hand cursor. A white callout box with a speech bubble tail contains the text "What legal issues do you need to think about?" and provides information on how to use the program, including a "Continue" button. On the right, a woman in a grey suit stands on a path leading to a classical building. Three numbered steps are shown: "2 Considerations" (purple), "1 Information about you" (yellow), and "Introduction" (yellow with a back arrow icon). A copyright notice at the bottom right reads "© 2000-2024 IIT Chicago-Kent College of Law and CALI A2J 6.0-2019-02-11".



Pop-up definitions

The screenshot shows a user interface for legal education. A pop-up window is overlaid on the main content. The pop-up has a blue header with a camera icon on the left and a close 'X' icon on the right. The main text of the pop-up explains that there is no such thing as "legally separated" and defines what it means to be separated. It also states that only one spouse needs to want to separate and that one must be separated for one year before getting a divorce. The background content is partially obscured but includes a heading "What legal", a paragraph about "The next few common legal separating", and a section titled "Select which you're not in continue with" with a checked checkbox for "Children".

What legal

The next few common legal **separating**. you and you

Select which you're not in continue with

Children

There's no such thing as "legally separated." To be **separated**, you have to want to live "separate and apart." This means that you decide that you want to end your relationship or marriage and you're acting in a way that shows this.

Only one spouse has to want this for you to separate. You have to be separated for one year before you can get a **divorce**.



Hyperlinks

The screenshot shows a user interface for a legal education program. At the top, there are navigation buttons: '< Back', 'Next >', and 'MY PROGRESS: Urgency Emergencies are situations...'. A 'SAVE AND EXIT' button is in the top right. On the left, a red circular icon with 'a2j' and a hand cursor is visible. The main content area features a magnifying glass over the text 'Talk to a lawyer', which is underlined in blue. To the right, a vertical path leads to a building illustration, with four numbered callout boxes: '4 Jurisdiction finder', '3 Dispute resolution processes', '2 Considerations', and '1' (partially obscured). A 'Continue' button is at the bottom left of the main content area.



The screenshot shows a web browser window with the URL stepstojustice.ca/questions/family-law/where-can-i-find-lawyer-help-my-family-law-issue/. The page header includes the CLEO logo, a "HIDE THIS WEBSITE" button, and navigation links for "Legal Topics", "Guided Pathways", and "Latest Updates". The main content area is titled "Where can I find a lawyer to help with my family law issue?". It features a "NEXT STEPS" section with five numbered items, each with a right-pointing arrow: 1. Think about what you need, 2. Find a lawyer, 3. Talk to the lawyer, 4. Meet with your lawyer, and 5. Sign your retainer agreement and pay a deposit. Below this, there is a paragraph explaining that hiring a lawyer is not mandatory but helpful, followed by a definition of "Responsibilities" and "Rights" in the context of divorce. A "Tools & Resources" section is partially visible at the bottom, including a "LIVE CHAT" button. On the right side, there are sections for "Find Services", "Related Questions" (with three questions listed), and "Guided Pathways" (with a link to "Family Law Guided Pathways"). A vertical sidebar on the far right contains "Print" and "Share" icons.



Progress bar & navigation

Quick exit

< Back Next > MY PROGRESS → RESUME

a2j

- Safety If you or your children have...
- Divorce If you're married, you may...
- Spousal support You and your partner...
- Dividing property You may have to...
- Children You and your partner may...
- ✓ What legal issues do you need to...
- Create a safety plan People are most...
- If you're concerned about your...
- Create your own personalized...
- How does the guided pathway work? As...
- This pathway is confidential The...
- This is not legal advice The pathwa...
- choose more than one

Continue

3 Dispute resolution processes

2 Considerations

1 Information about you

Introduction



Your interview is now complete.


Interview Details

Interview Title	Dispute resolution	Date Created	Jan 16, 2024 04:21 PM
Answer Set Number	ITV-087746	Interview ID (Version)	INT-001424(12156)

Downloads

Documents

File #	Downloads	Select
0	Personalized checklist	 <input type="checkbox"/>

[Download All](#) 
[Download Selected](#) 

Follow-up interviews

Invitations to complete interviews are displayed below. Click the button to start the interview.

Interviews

Action	Interview Name	Date Created	Status
Start	Guided pathway for divorce, separation, decision-making responsibility, and parenting time	Jan 16, 2024 04:21 PM	Pending
Start	Guided pathway for filing your support agreement for enforcement (Form 26B)	Jan 16, 2024 04:21 PM	Pending



Your interview is now complete.

Interview Details

Interview Title	Dispute resolution	Date Created	Jan 16, 2024 04:21 PM
Answer Set Number	ITV-087746	Interview ID (Version)	INT-001424(12156)

Downloads

Documents

File #	Downloads	Select
0	Personalized checklist	 <input type="checkbox"/>

[Click to Open](#) 
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Name	Size	Kind	Date Added
 INT-001424_20240116_720510.zip	29 KB	ZIP archive	Today, 4:22 PM



Name	Size	Kind	Date Added
 __DisputeResolutionOutput_20240116_238541 3.rtf	532 KB	RTF Document	Today, 4:31 PM

Other Family Law Pathways

- Children, support, and property issues in separation and divorce
- Simple of joint divorce
- Answering a family law application
- Filing your support agreement for enforcement
- Replying to an answer
- Case conference
- Trial management
- Requesting a motion to change on consent
- Responding to a motion to change
- Requesting a motion to change
- Making or responding to a motion
- Completing net family property forms
- Settlement conference
- Requesting a court fee waiver
- Drafting an order



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Family law dispute resolution



Pathway introduction

a2j

This pathway can help you:

- understand the **dispute resolution** options available to you
- choose the best option or combination of options for your situation
- access services in your community
- if you have to **go to court**, find the right court and location where your court matter should be heard

Continue

2 Considerations

1 Information about you

Introduction

The graphic shows a woman in a grey suit standing on a path that leads towards a classical building with columns. To the left is a red circular button with 'a2j' and a hand cursor. A white callout box contains the text 'This pathway can help you:' followed by a bulleted list of four points. Below the list is a 'Continue' button. To the right of the woman are three horizontal navigation buttons: a yellow one labeled '1 Information about you', a pink one labeled '2 Considerations', and a light green one labeled 'Introduction' with a back arrow icon.



Options

The screenshot shows a user interface for a legal education program. In the top left corner, there is a red circular icon with the text 'a2j' and a white hand cursor pointing at it. The main content area features a central illustration of a woman in a grey business suit standing on a grey path that leads towards a white classical building with columns. To the left of the woman is a white text box with a speech bubble tail pointing to her. To the right is a white text box with a speech bubble tail pointing to her. Below these are three yellow rectangular buttons with rounded corners, each on a small brown stand. The top button is labeled '1 Information about you'. The middle button is partially obscured but appears to have a '2' and the word 'Considerations'. The bottom button is labeled 'Introduction' and has a black arrow icon pointing up and to the left. A 'Continue' button is located at the bottom of the left text box. A 'Learn More' button is located at the bottom of the right text box.

a2j

Dispute resolution options

There are many options available to help you resolve the legal issues you can have when your relationship ends. Choosing the best **dispute resolution process** for your situation can help reduce the emotional impact of **separation** or **divorce** on you and your children.

Continue

Families with children or without children

Learn More

2 Considerations

1 Information about you

Introduction



Settlement agreement

a2j

Making a separation agreement

If you and your [partner](#) agree on some of your issues, you may be able to make an [agreement](#) and avoid going to court. Going through the family court [process](#) can take a lot of time and cost a lot of money. It can also be a very emotional and stressful experience for you and your children.

You need to discuss things with your partner before you can reach an agreement. You can discuss things in person, over the phone, or by email or text. You can talk to your partner on your own, with the help of someone you both trust, or with the [help of a lawyer](#) or [mediator](#).

If you agree on some of your legal issues, you can put what you agree on in a [separation agreement](#).

Would you like to learn more about separation agreements?

Yes

No

Add to my checklist

Continue

3 Dispute resolution processes

2 Considerations

1 Information about you

Introduction



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Considerations:

Factors that may
influence successful
resolution



Considerations

Quick exit

< Back Next > MY PROGRESS: Considerations This step of the... → RESUME

Considerations

This step of the pathway provides information on **considerations** or issues that often come up when people are **separating** or **divorcing**.

These can help you decide what **dispute resolution process** (or processes) may work best for your particular situation:

- Safety
- Urgency
- Balance of power
- Communication and cooperation
- Compromise
- Emotions
- Control of process
- Budget
- Privacy and disclosure

The next screens give you an introduction to each consideration, and then allow you to select the ones you want to learn more about.

At the end of this step, you'll have a chance to write down any other considerations that are important to you. The pathway will add them to your **personalized checklist**.

Continue

- Safety
- Urgency
- Balance of power
- Communication and cooperation
- Compromise
- Emotions
- Control of process
- Budget
- Privacy and disclosure



Considerations

#1: Safety

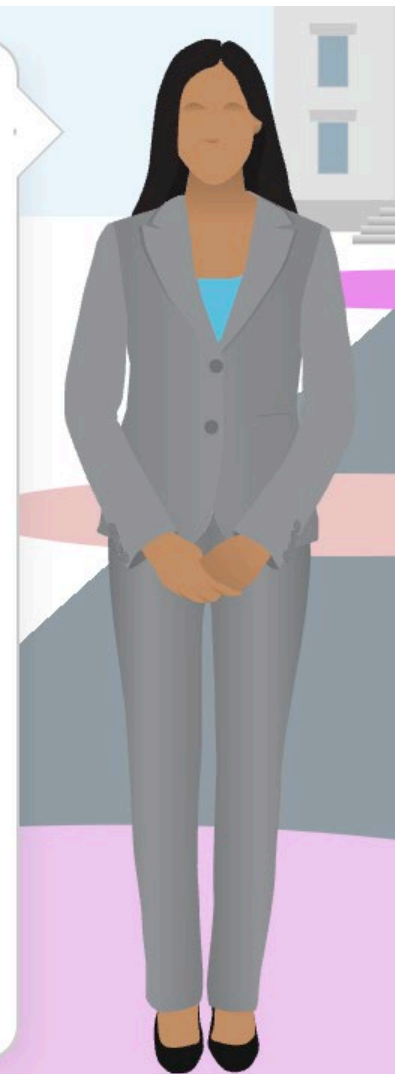
Safety

Safety is the most important **consideration** at all times. You and your children have a right to be **safe from abuse**. Depending on the situation, abuse may be a crime. To learn more about **family violence**, [click here](#) to visit the Steps to Justice website.

Add to my checklist

Notes:

Continue





Considerations

#1: Safety

Safety

Select the topics you want to learn more about:

- Physical abuse
- Mental abuse
- Sexual abuse
- Financial abuse
- Abuse of children
- Skip to the next consideration ([urgency](#))

Continue



#1: Safety

Safety and physical abuse

Physical abuse is the use of physical force that may result in bodily injury, physical pain, or impairment.

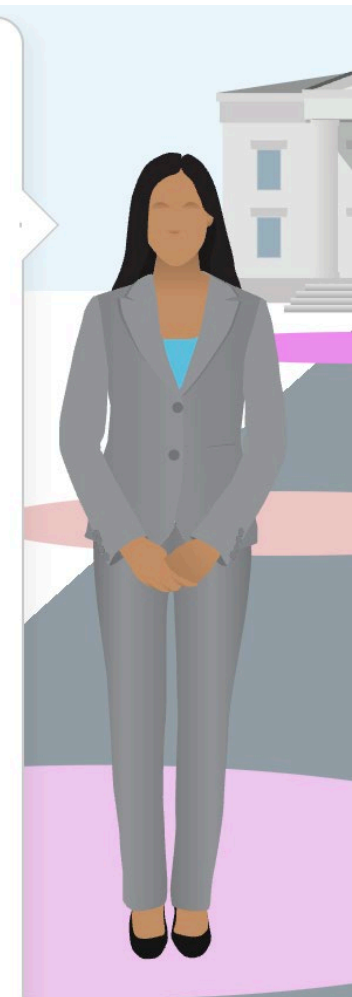
Examples of physical abuse include the following:

- slapping or hitting
- pushing or shoving
- shaking
- kicking
- burning
- restraining

Add to my checklist

Notes:

Continue





Considerations

#2: Urgency

Urgency

Emergencies are situations you have to deal with **right now**. For example:

- Your partner has booked airline tickets and is going to take your children to another country.
- Your partner is being released from prison and you believe they are coming to find you.
- Your partner has threatened to harm you or your children.

A court should deal with emergencies. [Talk to a lawyer](#) right away.

Urgent issues are things you need to deal with very soon but they're not emergencies.

Sometimes when you're [separating](#) or [divorcing](#), issues come up that you want to resolve quickly. For example, you may want to create a stable parenting routine for your children.

Add to my checklist

Notes:

Continue





Considerations

#2: Urgency

Urgency

Select which of the urgent issues below you would like to learn more about:

- Safety urgency
- Parenting urgency
- Financial urgency
- Skip to next consideration (*balance of power*)

Continue





Considerations

#2: Urgency

Parenting urgency

When you're [separating](#) or [divorcing](#), you may need to deal with some [parenting issues](#) quickly. Below are just a few examples:

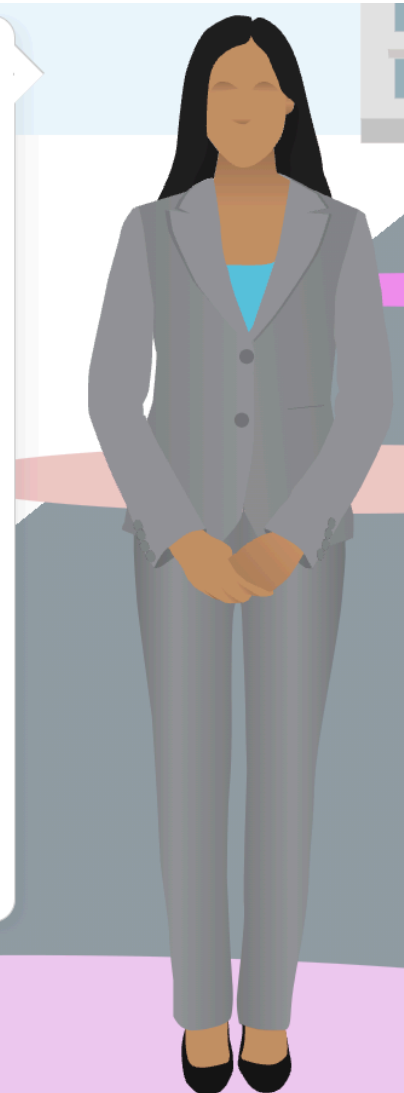
- It's early August and you still can't agree on which school your child should attend in September.
- A trip you planned is coming up and the other parent is refusing to sign the travel consent, or provide the child's passport.
- A medical professional recommends treatment for your child, but you and the other parent can't agree on it.
- A child is refusing to spend time with one parent.

Some parenting issues may be actual emergencies. For example, the other parent takes your child, and is planning to leave the country with them. For emergency issues, [contact a lawyer](#) immediately.

Add to my checklist

Notes:

Continue





Considerations

#3: Balance of Power

Balance of power

This section is about factors in your relationship that can influence the balance of power between you and your partner. When you're [separating](#) or [divorcing](#), you may have, or feel you have, more or less power for many different reasons.

The next screen lists some factors that could influence the balance of power between you and your partner.

For each of these factors, think about whether you have, or feel you have:

- equal power with your partner
- less power than your partner
- more power than your partner

Taking all these factors into account, and any others that are important to you, think about the power balance in your relationship overall.

Add to my checklist

Notes:

Continue





Considerations

#3: Balance of Power

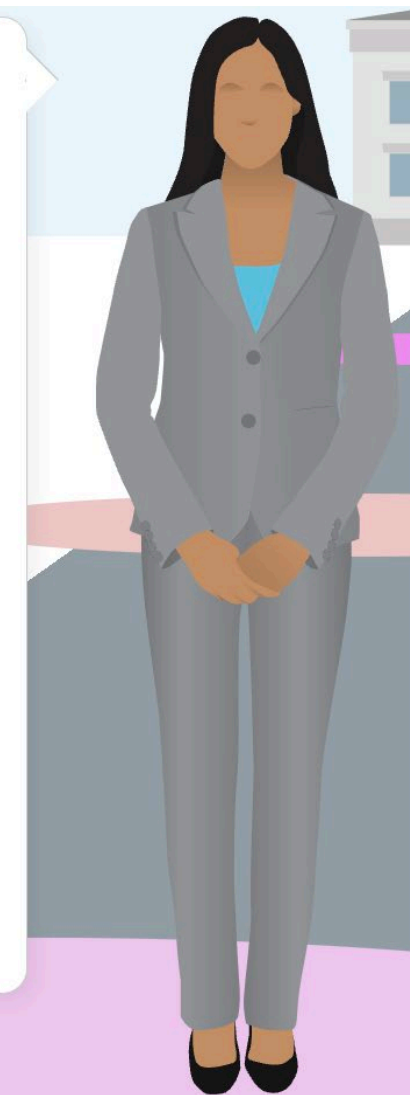
Factors that could influence the balance of power

There are different factors that can affect how much power you have, or feel that you have in a relationship, when you're [separating](#) or [divorcing](#).

Check off any of the topics below you would like to learn more about:

- Tolerance for conflict
- Reasons for separation or divorce
- Finances
- Education
- Language and literacy
- Race and culture
- Disability
- Parenting decisions
- Skip to the next consideration ([communication and cooperation](#))

Continue





#3: Balance of Power

Reasons for separation or divorce and balance of power

You may feel that you have more or less power, depending on why you're [separating](#) or [divorcing](#). For example, if the other person wanted to end the relationship, you may feel that they have all the control.

If the other person had an affair, they may feel guilty and want to give you more control.

Add to my checklist

Notes:

Continue





Considerations

#3: Balance of Power

Education and balance of power

You may feel that you have more or less power, depending on who has more education.

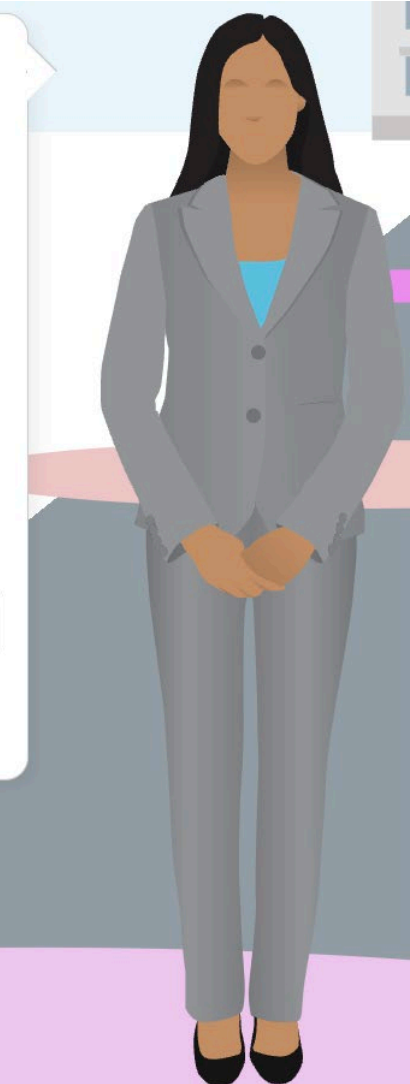
Below are some questions to help you think about how education may affect the balance of power between you and your partner:

- Who has the highest level of formal education?
- Are either of you **self-educated**?
- Does one of you have more knowledge about family law, or the specific issues in your case?

Add to my checklist

Notes:

Continue





#3: Balance of Power

Language, literacy, and balance of power

You may feel that you have more or less power, depending on who can communicate in English more easily.

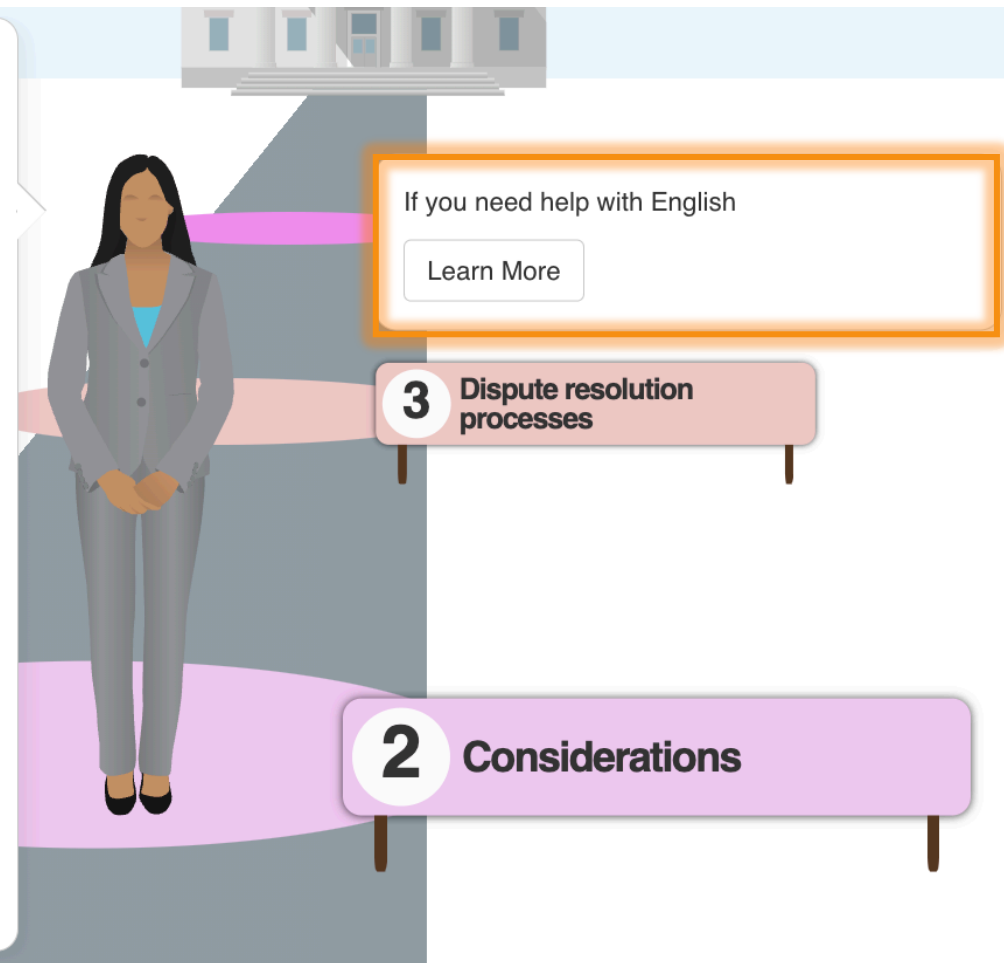
Below are some questions to help you think about how language and literacy may affect the balance of power between you and your partner:

- Do you both speak English fluently?
- Are you both able to read and write in English?
- If English is not your first language, how important is it to have people involved in your [dispute resolution process](#) who also speak your first language?

Add to my checklist

Notes:

Continue



If you need help with English

Learn More

3 Dispute resolution processes

2 Considerations



#3: Balance of Power

Race, culture, and balance of power

You may feel that you have more or less power because of your (or your partner's) race, ancestry, ethnicity, religion, or place of origin.

Below are some questions to help you think about how race or culture may affect the balance of power in your relationship:

- Are you or your partner from a group that faces racism and racial discrimination?
- Do either of you experience discrimination or harassment because of your race or culture?
- Do either of you face other barriers because of your race or culture?
- Is it important to you to have other people involved in your [dispute resolution process](#) who share your racial or cultural background?

Add to my checklist

Notes:

Continue



Race, culture, and discrimination

Learn More

3 Dispute resolution processes

2 Considerations



Considerations

#4: Communication & cooperation

Communication and cooperation

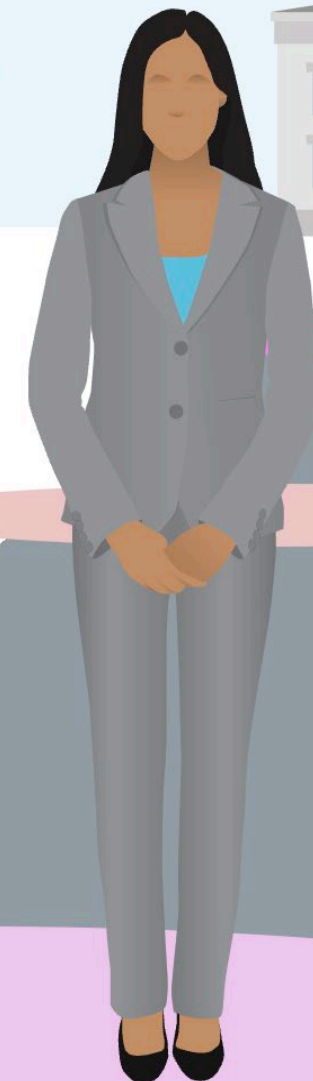
Communication—both talking and **actively listening**—is vital to all relationships. When couples can communicate well, it's usually easier for them to cooperate to solve problems.

The level of **communication and cooperation** between you and your partner can help you decide which **dispute resolution process** may work best for you.

Add to my checklist

Notes:

Continue





Considerations

#5: Willingness to compromise

Compromise

Like [communication](#), compromise is vital in relationships, especially when you're [separating](#) or [divorcing](#).

Compromise is an agreement when you're separating or divorcing to settle your disputes, rather than continuing them or [going to court](#). To reach a compromise, you have to find a middle ground between what you each want. You may have to reduce your demands or change your opinions. Compromise can be easier if you're clear about what's most important to you, and willing to give up things that are less important to you.

Add to my checklist

Notes:

Continue





Considerations

#5: Willingness to compromise

Compromise

Select the topics you want to learn more about:

- Compromising on parenting
- Compromising on finances
- Skip to next consideration ([emotions](#))

Continue





Considerations

#5: Willingness to compromise

Compromising on parenting

Compromising is most important when it comes to your children. Even if you're [separating](#) or [divorcing](#), your relationship as co-parents will continue. It's vital to work out how to parent together in a way that's as secure and stable as possible for your children.

Add to my checklist

Notes:

Continue





Considerations

#6: Emotions

Emotions

Separating or **divorcing** is usually a very difficult process for you and your children. You're likely to feel many different emotions at different times. There's no right timeline for working through them.

Identifying your emotions and getting the support you need can:

- help you feel more in control and confident in any **dispute resolution process** you choose
- help you support your children with what they're feeling
- help you act in ways that you want to, and prevent you from acting in ways that you don't want to
- make the process of separation easier and faster

Add to my checklist

Notes:

Continue





Considerations

Emotions

Select the topics you want to learn more about:

- Identifying what you're feeling
- Getting the support you need
- Skip to next consideration ([control of process](#))

Continue

#6: Emotions





Considerations

#6: Emotions

Getting the support you need

Getting support for yourself through this transition is very important. You could:

- call on trusted friends and family members to support you
- see if there's a support group in your community for people who are [separating](#) or [divorcing](#)
- reach out to a counsellor or family doctor if you want support from a professional

[Click here](#) for information on provincial mental health supports on the Canadian Mental Health Association website. Or call [211](#) to find out about services near you.

Add to my checklist

Notes:

Continue





#7: Control of process

Control of dispute resolution process

Some [dispute resolution processes](#) give you more control over the process and [outcome](#) than others. When you're choosing a process, it's important to think about how much control you want.

There are different reasons why you might want more control over the process. For example, you might:

- want to have more influence on decisions, such as [parenting](#) and [financial decisions](#)
- want to maintain a good relationship with your partner

Add to my checklist

Notes:

Continue





Considerations

#7: Control of process

Control of dispute resolution process

Select the topics you want to learn more about:

- Controlling parenting decisions
- Controlling financial decisions
- Interacting with your partner
- Skip to next consideration (budget)

Continue





Considerations

#7: Control of process

Interaction with your partner

If your relationship with your partner is friendly and you want to maintain it, you may want to choose a [dispute resolution process](#) that is more collaborative. [Negotiation](#), [mediation](#), and [Collaborative Family Law](#) all encourage discussion and [compromise](#).

If your relationship with your partner isn't good and you don't want to interact with them more than you need to, [arbitration](#) or [going to court](#) may be better options. In arbitration, an [arbitrator](#) makes the decisions for you. In court, a judge makes them for you.

The next step of the pathway explains more about controlling decisions in each type of [dispute resolution process](#).

Add to my checklist

Notes:

Continue





Considerations

#8: Budget

Budget

Each dispute resolution process has its own costs.

Add to my checklist

Notes:

Continue





Considerations

#8: Budget

Budget

Select which [dispute resolution process](#) costs you want to learn more about:

- Negotiation
- Mediation
- Mediation-arbitration
- Collaborative Family Law
- Arbitration
- Litigation (going to court)
- Skip to next consideration ([privacy](#) and [disclosure](#))

Continue





Considerations

Negotiation budget

In some cases, couples [negotiate](#) and reach an agreement on their own. If you consult lawyers before or during your negotiations, you have to pay legal fees.

Add to my checklist

Notes:

Continue

#8: Budget

Negotiation





Considerations

#8: Budget

Mediation

Mediation budget

In [mediation](#), the mediator charges for their time. Some charge by the hour, but many have set fees for half-day or full-day mediation.

Some mediation services are offered at lower rates, based on your income.

Add to my checklist

Notes:

Continue





Considerations

#8: Budget

Mediation-arbitration

Mediation-arbitration budget

In **mediation-arbitration**, the **mediator** or **arbitrator** charges for their time. Some charge by the hour, but many have set fees for a half day or for a full day.

Some mediation services are offered at lower rates, based on your income.

Add to my checklist

Notes:

Continue





Considerations

#8: Budget

Collaborative Family Law

Collaborative Family Law budget

In [Collaborative Family Law](#), you and your partner each pay your own lawyer. You also share the cost of any [family professionals](#) involved. While this process may cost more at the start, many people find it saves them money in the long run. Usually, family law professionals charge less than lawyers for similar work, such as preparing financial statements. There's also more sharing of information in Collaborative Family Law, which makes the process less expensive.

Some Collaborative Family Law groups offer their services at a flat rate, instead of hourly.

Add to my checklist

Notes:

Continue





Considerations

#8: Budget

Arbitration

Arbitration budget

In **arbitration**, the **arbitrator** charges for their time. Some charge by the hour, but many have set fees for half-day or full-day arbitration.

Add to my checklist

Notes:

Continue





Considerations

#9: Privacy and disclosure

Privacy and disclosure

Below are some factors that can help you decide if [privacy](#) and [disclosure](#) might impact what [dispute resolution process](#) you choose.

Select the factors you want to learn more about:

- Privacy concerns
- Getting information from your partner
- Hidden assets or income
- Skip to Step 3 (types of [dispute resolution processes](#))

Continue





Considerations

#9: Privacy and disclosure

Privacy concerns

All the professionals involved in helping you must keep your information private. (The only exceptions are if they believe a child is in danger and needs protection, or if they believe you will harm yourself or another person). No one else has access to your discussions or decisions.

Think about whether you have issues in your case that are sensitive and you want to keep private. For example, they could be about:

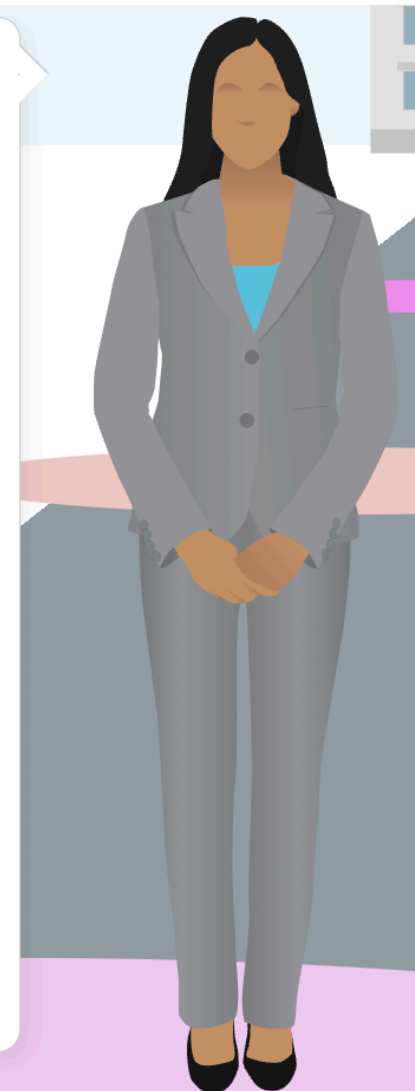
- [your children](#)
- health conditions
- substance abuse issues
- criminal records or outstanding criminal charges
- extended family and their financial situation
- business finances

It may be better to choose a private [dispute resolution process](#) if you're concerned about any information becoming public. [Going to court](#) is a public process. The documents filed in court are available to the public.

Add to my checklist

Notes:

Continue





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Questions?



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Process options: Family dispute resolution



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Activity



True or False?

If I have children with my partner, I should choose to go to court.



Arbitration is similar to litigation (going to court) in that a decision will be made for us by a judge.



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If I go to court, I will have an opportunity to meet with the judge before the case proceeds.



Available processes

- 1. Negotiation
- 2. Mediation
- 3. Collaborative Family Law
- 4. Mediation-arbitration
- 5. Arbitration
- 6. Litigation (going to court)

Quick exit

< Back Next > MY PROGRESS: Dispute resolution processes for your... → RESUME

Dispute resolution processes for your situation

This step of the pathway provides more information about the different types of dispute resolution processes:

1. Negotiation
2. Mediation
3. Collaborative Family Law
4. Mediation-arbitration
5. Arbitration
6. Litigation (going to court)

The pathway will guide you to think about the pros and cons of these dispute resolution process, based on whether you're already involved in a process, and what considerations are important for your situation.

Continue

3 Dispute resolution processes

4 Jurisdiction finder



Negotiation

Negotiation

When you have a family law issue, the first step is often to try to talk or [negotiate](#) with your partner. You can negotiate with them directly, or [hire a lawyer](#) to negotiate for you.

Even if you're negotiating with your partner on your own, you may want to [hire a lawyer](#) before or during negotiations to find out what your legal rights and responsibilities are. It's always a good idea to get legal advice before you sign any [agreement](#).

If you have lawyers, negotiations may involve meetings with your lawyers. When both [parties](#) and their lawyers meet, it's called a "4-way meeting." Instead of meeting, your lawyers may exchange emails or letters with different proposals until they reach a settlement.

If they reach a settlement, your lawyers will document the terms of the settlement in a written agreement, called a [separation agreement](#). To be a proper legal document, a separation agreement has to be:

- in writing
- dated
- signed by you and your partner
- witnessed by someone over the age of 18 who is not your partner.

Add to my checklist

Notes:

Continue





Available processes

Negotiation

*Consider your safety
in the context of
negotiations.*

Negotiation and safety

If you're concerned about your safety, negotiating face-to-face with your partner may not be appropriate. If you're concerned about **physical abuse**, meeting in person could be dangerous.

You could email, talk over the phone, or meet in a public place to reduce your risk. You could also bring a trusted friend or someone else to your negotiations.

Having a lawyer can also help deal with safety concerns.

Add to my checklist

Notes:

Continue





Available processes

Negotiation

*Consider your safety
in the context of
negotiations.*

*Do you think it will
work for you?*

Thinking about negotiation and safety

When you think about **negotiation** and any **safety** concerns you may have, would the negotiation process work for your situation? Select one of the options below:

- I think it would work.
- I don't think it would work now, but maybe **in the future**.
- I don't think it would ever work for us.
- I'm not sure.

Continue





Negotiation

*What you can expect
at the end of the
process.*

Results of negotiation

At the end of negotiation, you'll end up with a verbal agreement with your partner. In order to make a [binding agreement](#), you have to:

- write it down
- date it
- both sign it
- have someone witness your signatures

One of the benefits of having lawyers is that they can do the [written agreement](#) for you.

If your partner doesn't follow your agreement, you should [talk to a lawyer](#).

If the agreement requires your partner to pay [child support](#) or [spousal support](#) and they do not, you can file the agreement with the court. [The Family Responsibility Office](#) will then [enforce](#) the support terms of your agreement.

If your agreement deals with other financial issues (outside of support) and your partner doesn't follow the agreement, you can [start a court case](#) and ask the judge to make an order to enforce it.

If the agreement deals with [parenting](#) decisions and your partner doesn't follow it, you can start a court case. While the court will want to know what your agreement says, the judge will make their own decision, based on what they believe is in the best interests of the children.

Add to my checklist

Notes:

Continue





Negotiation

Your assessment of how the process might work for you.

Negotiation and your situation

You said negotiation **could work now** because of these factors:

- Urgency
- Emotions
- Privacy

You said negotiation **could work later on** because of these factors:

- Balance of power
- Control of the process

You said negotiation **would never work** because of these factors:

- Safety
- Communication and cooperation
- Compromise

You said you **weren't sure** about these factors:

- Budget

Your assessment of how the [negotiation](#) process might work for your situation will be added to your [personalized checklist](#).

Notes:

Continue





Available processes

Family mediation

Mediation

In [mediation](#), you and your partner choose one neutral person (a [mediator](#)) to help you resolve your family law issues. Mediators have special training to facilitate communication and problem solving. Often, mediation provides greater opportunity for couples to think creatively and come up with solutions to meet their unique needs.

Mediators create a safe environment where each person can express their concerns and wishes. Mediators do not take sides, make decisions, or give legal advice. Effective mediation can help reduce the emotional and financial cost of resolving issues that come up when you're [separating](#) or [divorcing](#).

Mediators can be lawyers who help you deal with [financial decisions](#) and sometimes [parenting issues](#). They can also be social workers, psychologists, or other professionals who help with parenting issues only.

Add to my checklist

Continue





Collaborative Family Law

Collaborative Family law

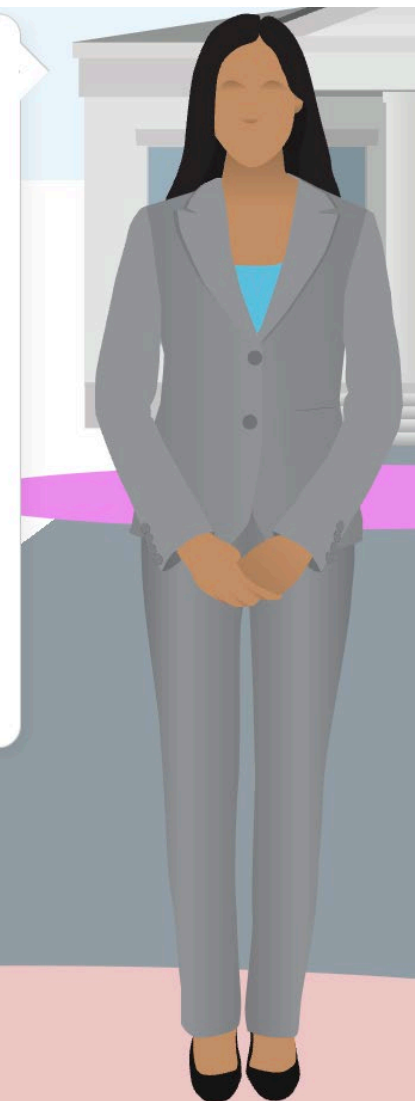
Collaborative Family Law is a team approach. You and your partner each hire a specially trained lawyer to help you negotiate. You may also decide to involve other neutral professionals, such as a financial advisor or social worker, in your meetings.

You and your lawyers sign an agreement that says you won't go to **court**. The agreement includes guidelines for negotiating in a respectful and cooperative way.

Collaborative lawyers don't believe the court system is productive or necessary for many couples who are **separating** or **divorcing**. This is because the legal system is usually based on conflict, resulting in winners and losers.

Add to my checklist

Continue





Arbitration

Arbitration

In [arbitration](#), you and your partner hire an [arbitrator](#) together to decide your case. Arbitrators are usually experienced family law lawyers or [family law professionals](#).

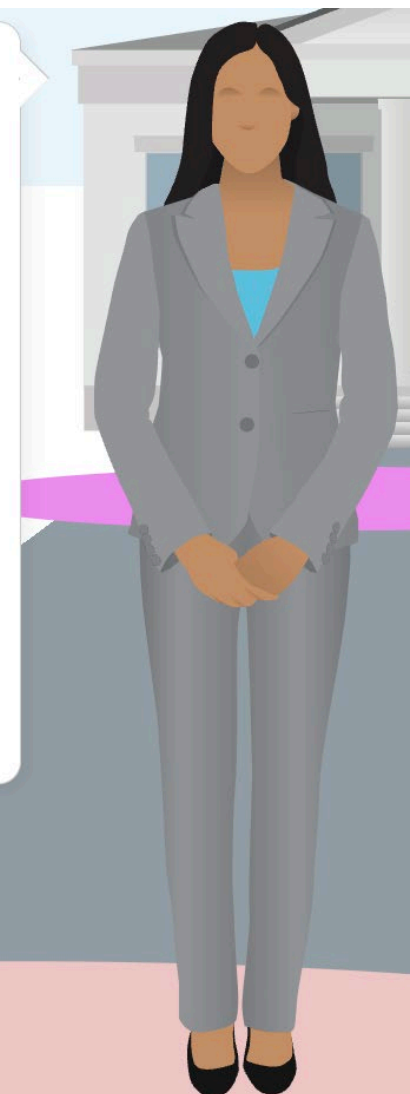
The arbitrator reviews the evidence and arguments from each of you and makes a binding decision called an [arbitration award](#). The process is similar to [going to court](#), but less formal, [private](#), and faster.

Unlike when a judge decides your case in court, the arbitrator charges you a fee. But arbitration can be less expensive than going to court because the process is faster and involves less paperwork.

You must get [independent legal advice](#) before signing an arbitration agreement.

Add to my checklist

Continue





Mediation-arbitration

Mediation-arbitration

Mediation-arbitration combines the benefits of 2 processes. First, a **mediator** tries to help you reach an agreement with your partner. Second, if you can't reach an agreement, an **arbitrator** decides your case. The arbitrator is usually an experienced family law lawyer. They could be a **family law professional**, if you have **parenting issues** only.

There is a difference between the mediation-arbitration process and engaging in **mediation** and only after it fails, deciding to engage in **arbitration**.

Add to my checklist

Continue





Litigation

Litigation (going to court)

Litigation is using the court system to resolve your dispute. Resolving your conflict in court is usually the most expensive and stressful **dispute resolution process**.

You usually have to pay court fees and lawyer fees, and litigation (going to court) can take a long time. Hearing your conflict discussed in a public forum can trigger strong emotions.

Depending on your situation, you may have to go to court, for example, if:

- your partner starts a lawsuit
- your partner is not **negotiating** in good faith
- you want to **enforce** or change an **arbitration award** or **separation agreement**

Even if you have to start litigation (going to court), you can continue to work out your issues through **alternative dispute processes**, such as **negotiation**, or **mediation**.

Legal advisors now have a duty to encourage you, as their client, to try to resolve issues through an alternative dispute resolution process, unless it would be clearly inappropriate to do so.

Add to my checklist

Continue





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Jurisdiction:

Family law courts in Ontario



Courts & jurisdiction

Quick exit

< Back Next > MY PROGRESS: Family courts in Ontario It's... → RESUME

a2j

Family courts in Ontario

It's important to go to the right court for your family law issue.

You have to go to one of the three courts below:

- Superior Court of Justice
- Ontario Court of Justice
- Family Court Branch of the Superior Court of Justice (Unified Family Court)

Different courts have authority to deal with different issues.

Add to my checklist

Continue

If you're asking for a divorce

Learn More

4 Jurisdiction finder

- Superior Court of Justice
- Ontario Court of Justice
- Family Court Branch of the Superior Court of Justice (Unified Family Court)



What kinds of cases do these courts deal with?

Only the [Superior Court of Justice](#) deals with cases about [divorce](#) and [dividing property](#).

Only the [Ontario Court of Justice](#) deals with cases about child protection and adoption.

Both courts can hear cases about [child support](#), [spousal support](#), [decision-making responsibility](#) for children, [parenting time](#), and [restraining orders](#).

The [Family Court Branch of the Superior Court of Justice \(Unified Family Court\)](#) can hear all types of family law cases. This court is only available in certain areas of Ontario. In places without a Family Court Branch, family cases are heard in either the Superior Court of Justice or the Ontario Court of Justice.

Add to my checklist

Continue





Superior Court of Justice

Family courts in Ontario

It's important to go to the right court.

You have to go to one of the three courts:

- Superior Court of Justice
- Ontario Court of Justice
- Family Court Branch of the Ontario Court of Justice

Different courts have authority to hear different types of cases.

Add to my checklist

Continue

The **Superior Court of Justice (SCJ)** court hears family law cases that deal with:

- Divorce
- Dividing property
- Matrimonial home
- Child support
- Spousal support
- Decision-making responsibility and parenting time (custody and access)
- Restraining orders
- Appeals on adoption and child protection



Ontario Court of Justice

Family courts in Ontario

It's important to go to the right court.

You have to go to one of the three:

- Superior Court of Justice
- Ontario Court of Justice
- Family Court Branch of the Court

Different courts have authority to:

Add to my checklist

Continue

The **Ontario Court of Justice (OCJ)** hears family law cases that deal with:

- Child support
- Spousal support
- Decision-making responsibility and parenting time (custody and access)
- Restraining orders
- Enforcing support in a separation agreement
- Adoption
- Child protection

The OCJ does not hear cases about divorce or dividing property.



Unified Family Court

Family courts in Ontario

It's important to go to the right court.

You have to go to one of the three:

- Superior Court of Justice
- Ontario Court of Justice
- Family Court Branch of the (Superior Court)

Different courts have authority to deal with different issues.

Add to my checklist

The **Family Court Branch** is the only court that can hear all types of family law cases. In places without a Family Court Branch, family law cases are heard in either the Superior Court of Justice or the Ontario Court of Justice.



Courts & jurisdiction

**Superior Court
of Justice**

**Ontario Court
of Justice**

Divorce
Dividing property
Matrimonial home
Appeals on adoption & child protection
Child & spousal support
Decision making responsibility & parenting time
Restraining orders
Enforcing support in a separation agreement
Adoption & child protection

**Unified Family
Court**



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Guided Pathway output and support:

What you can get



Personalized Checklist

Dispute Resolution

There are many options available to help you resolve the legal issues you can have when your relationship ends. Choosing the best dispute resolution process for your situation can help reduce the emotional impact of separation or divorce on you and your children.

You don't have to choose just one process. You may want to use different processes for different issues, or at different times.

Considerations

These considerations can help you decide what dispute resolution process (or processes) may work best for your particular situation. Listed below are the considerations that you selected in the pathway.

Other factors to consider when choosing a dispute resolution process:

Dispute Resolution Processes

The 6 types of dispute resolution processes covered in the pathway are:

1. Negotiation
2. Mediation
3. Collaborative Family Law
4. Mediation-arbitration
5. Arbitration
6. Litigation (going to court)

Negotiation

When you have a family law issue, the first step is often to try to talk or negotiate with your partner. You can negotiate with them directly, or hire a lawyer to negotiate for you.

Even if you're negotiating with your partner on your own, you may want to hire a lawyer before or during negotiations to find out what your legal rights and responsibilities are. It's always a good idea to get legal advice before you sign any agreement.

If you have lawyers, negotiations may involve meetings with your lawyers. When both parties and their

Follow-up pathways

Follow-up interviews

Invitations to complete interviews are displayed below. Click the button to start the interview.


Interviews

Action	Interview Name	Date Created	Status
Start	Guided pathway for divorce, separation, decision-making responsibility, and parenting time	Jan 16, 2024 04:21 PM	Pending
Start	Guided pathway for filing your support agreement for enforcement (Form 26B)	Jan 16, 2024 04:21 PM	Pending



Feedback and support

Need help?

If you need help using the Guided Pathways, or have questions contact support@cleo.on.ca .



Available Resources

A partnership led by CLEO

Steps to Justice
Your guide to law in Ontario

Legal Topics ▾ Guided Pathways ▾ Latest Updates 🔍

Franglais

About Family Law Guided Pathways

CLEO's Family Law Guided Pathways are a series of online interviews that help you fill out the court forms you need for your family law matter. The pathways ask you questions and then put your answers into the required forms. Each question includes information that explains what is needed. The pathways are free to use.

A Video Introduction

Family Law Guided Pathways

- [Family Law Guided Pathways](#)
- [Family dispute resolution options](#)
- [Separation with other issues](#)
- [Simple or joint divorce](#)
- [Filing your support agreement](#)
- [Answering a family law application](#)
- [Replying to an answer](#)
- [Case conference](#)
- [Settlement conference](#)
- [Making or responding to a motion](#)
- [Net family property forms](#)

Print

Share

LIVE CHAT

[Link: A Video Introduction](#)

Available Resources



Forms for family law and responding to violence



Use CLEO's Guided Pathways to fill out your court & tribunal forms
→ stepstojustice.ca/guided-pathways

NEW

Private prosecution
Application Form | Personalized Tip Sheet

Making a family law emergency motion COMING SOON
Form 14 | Form 14A | Form 14D | Safety Plan

Peace bonds COMING SOON
Application Form | Safety Plan

Responding to elder abuse | Safety Plan | Personalized Tip Sheet

- Finding a dispute resolution process** | Personalized Tip Sheet
- Simple or joint divorce** | Form 8A | Form 6B | Form 13.1 | Form 25A | Form 35.1 | Form 36 | Reg. Divorce Proceedings | Support Deduction Order
- Children, support, and property issues in separation and divorce**
Form 8 | Form 6 | Form 6B | Form 13 | Form 13A | Form 13.1 | Form 35.1 | Table of Contents | Continuing Record Cover | Endorsements Volume
- Answering a family law Application**
Form 10 | Form 6B | Form 13 | Form 13.1 | Form 35.1
- Responding to an Answer** | Form 10A | Form 6B | Form 13 | Form 13.1 | Form 35.1
- Making or responding to a Motion**
Form 14 | Form 14A | Form 14B | Form 14C | Form 14D | Form 6B | Form 25 | Form 13 | Form 13.1 | Form 13A | Form 35.1 | Offer to Settle
- Attending a case conference** | Form 17 | Form 17A | Form 17F | Form 6B | Form 25
- Attending a settlement conference**
Form 17 | Form 17A | Form 17F | Form 6B | Form 13B | Form 13C | Form 25
- Attending a trial management conference** | Form 17 | Form 17E | Form 17F | Trial Scheduling Endorsement Form | Form 6B | Form 13B | Form 13C | Form 25
- Requesting a Motion to Change** | Form 15 | Form 26B | Form 35.1 | Form 13 | Confirmation of Assignment | Request for Director's Statement of Arrears
- Responding to a Motion to Change** | Form 15B | Form 26B | Form 35.1 | Form 13 | Confirmation of Assignment | Request for Director's Statement of Arrears
- Requesting a Motion to Change on Consent** | Form 15C | Form 15D | Form 14B
- Filing your agreement with the court** | Form 26B
- Calculating the equalization of net family property** | Form 13B | Form 13C
- Requesting a Fee Waiver** | Request to Court | Request to Registrar, Clerk, or Sheriff



Forms for Small Claims, Wills, Powers of Attorney & more



Use CLEO's Guided Pathways to fill out your court & tribunal forms
→ stepstojustice.ca/guided-pathways

- SMALL CLAIMS COURT**
- Plaintiff's claim** | Form 7A | Form 1A | Personalized Tip Sheet
- Enforcement** | Form 20A | Form 20C | Form 20D | Form 20E | Form 20E.1 | Form 20H | Form 20L | Form 20M | Form 20N | Form 20P | Form 20Q | Form 1A
- Defence and counterclaim** | Form 9A | Form 10A | Form 8A | Form 1A
- WILLS AND POWERS OF ATTORNEY**
- Simple Will** | Simple Will | Letter
- Powers of Attorney** | Personal Care | Property | Notice of Revocation | Instructions
- INCOME ASSISTANCE**
- Appealing the denial of CPP-Disability** | Request for Reconsideration | Social Security Tribunal Appeal Form General Division | Letter to Employer
- HOUSING LAW**
- Eviction solution explorer** | Budget | Repayment Plans | Payment Plan Proposal | Landlord & Tenant Board Speaking Hearing Notes | Letters | Personalized tip Sheets
- Tenant Application for repair and maintenance problems**
Form T6 | Schedule of Parties | Fee Waiver Request
- Tenant Application for return of money owed by landlord**
Form T1 | Schedule of Parties | Fee Waiver Request
- IMMIGRATION LAW**
- Open work permit application** | Form IMM5710 | Form IMM5710e | Form IMM5475e | Form IMM5409e | Personalized Tip Sheet
- NON-PROFIT CORPORATE LAW**
- Bylaw builder** | Draft Bylaws and Instructions

Use CLEO's Guided Pathways to fill out your court & tribunal forms

Court forms and safety plans for abuse and family violence

COMING SOON **Making a family law emergency motion**
Form 14 | Form 14A | Form 14D | Safety Plan

Private prosecution | Application Form | Personalized Tip Sheet

COMING SOON **Peace bond** | Application Form | Safety Plan

Responding to elder abuse | Safety Plan | Personalized Tip Sheet

→ stepstojustice.ca/guided-pathways

Need help with your separation or divorce?



Find practical, reliable information for your family law problems
→ stepstojustice.ca/familylaw

Learn about the family law court process
→ stepstojustice.ca/familyflowcharts

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Questions and Answers



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