



**LAW COMMISSION OF ONTARIO  
COMMISSION DU DROIT DE L'ONTARIO**

**BACKGROUND**

**Family Law Project Options**

Previous Law Commission of Ontario (LCO) consultations and research made clear that there are widespread concerns in the area of family law in Ontario. Even before its official launch, the LCO's long-term consultation process regarding project possibilities involved family law issues. Proposals for family law reform came from a wide variety of sources, including academics, family law, estates and trusts practitioners, the courts and the government.

A 2007 report prepared by Professor Lorne Sossin of the University of Toronto Faculty of Law for the LCO indicated that reform proposals covered a wide range of areas including, for example, the legal definition of the family, discrimination against same-sex couples, division of pensions upon family dissolution, estates issues, a study of the establishment of a mandatory registry that records the genetic parents of all children born in Ontario, alternatives to self-represented litigants in family law, and enforcement of custody and access orders and issues relating to the structure of the courts.

As a result of this consultation process, the LCO learned that pension division was of particular urgency. The LCO's first report on "Pension Division on Marital Breakdown" and its recommendations formed the basis for a government bill on the issue introduced in November 2008.

The LCO subsequently continued the consultation process in order to identify other pressing concerns in the family law area, and hosted a Family Law Roundtable in 2008.

The LCO has developed a Consultation Paper to discuss ideas that emerged from the Family Law Roundtable and to lay out two new project possibilities for the LCO in the area of family law.

The first project, entitled "Defining the Roles of Ontario Family Justice System Actors", would look at the roles of those who are involved in the family justice system, including both system users and workers. From children to social workers and lawyers, this project would attempt to answer the simple question: "Who should do what?" for the system to work effectively.

The second project, "The Matrimonial Home's Legislative Framework in Ontario", would examine all existing law regulating ownership and use of matrimonial

homes in Ontario. This project would analyze a range of issues related to matrimonial homes, including the impact of current legislation on common-law spouses and the difficulties Aboriginal women face in accessing matrimonial homes.

The LCO is inviting public input on these family law reform project options. All interested parties are invited to provide submissions, by **Friday, March 13, 2009**. You can mail, fax, e-mail your submissions or comments, **or use the LCO website comments form:**

**Law Commission of Ontario  
“Family Law Project Options Consultation”  
Physical Resources Building  
4700 Keele St.  
Suite 1093,  
Toronto, ON, M3J 1P3**

**Fax: (416) 650-8418**

**E-mail: [LawCommission@lco-cdo.org](mailto:LawCommission@lco-cdo.org)**

**Website Family Law Project Link and Comments Form: (ADD HERE).**

If you have questions regarding this consultation, please contact us at (416) 650-8406.

Based on responses to the Consultation Paper and its own research, the Law Commission will develop a family law project proposal to be submitted to its Board of Governors for approval.