

Law Commission of Ontario Launches Public Consultation on Family Law Project Options

FOR IMMEDIATE RELEASE

TORONTO, January 30, 2009 – In an ongoing effort to contribute to family law reform in Ontario, the Law Commission of Ontario (LCO) today issued a Consultation Paper inviting public input on a possible new family law reform project for the LCO. The LCO will take responses into account in selecting one of two potential projects.

The first proposed project deals with an overarching process issue within the family justice system – the need to clarify the roles of system users (children, parents and spouses, for example) and workers (social workers, mediators and lawyers, for example) in order for the system to work effectively.

The second proposed project deals with Ontario's law related to the matrimonial home. The project would analyze how different pieces of legislation regulate ownership and use of matrimonial homes in Ontario and also look at the impact of this legislation on specific groups such as common-law couples and Aboriginal women.

Written submissions from the public are welcome until Friday, March 13, 2009.

The Consultation Paper summarizes key issues that were raised during previous LCO consultations about family law, especially during the Family Law Roundtable held by the LCO on September 13, 2008. It describes two options for reform, which are intended as focal points for discussion and consultation. Based on responses to the Consultation Paper and its own research, the LCO will develop a family law project proposal to be submitted to its Board of Governors for approval.

Previous LCO consultations made clear that there are widespread concerns in the area of family law in Ontario. Issues range from specific substantive issues such as the non-deductibility of the matrimonial home at the date of marriage in the *Family Law Act* to overarching process issues such as the interaction between public and private dispute mechanisms.

The LCO has already completed one project about pension division upon marriage breakdown, an area of particular urgency. It is aware that much more work must be done to increase access to justice in this area. "It has been obvious from the beginning that family law is in need of considerable reform," said Dr. Patricia Hughes, Executive Director of the LCO. The task for the LCO is to determine where it can make the greatest contribution in helping bring about reform.

Dr. Hughes said the LCO hopes to hear from diverse groups of Ontarians who are active in family law. "We want to be sure our work is informed by different perspectives on and experiences with family law," she added.

Launched last September, the LCO operates independently of government to recommend law reforms to enhance access to justice.

Aussi disponible en français

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