

## Publisher's Note

An Update has Arrived in Your Library for:

<b>Please circulate this notice to anyone in your office who may be interested in this publication.</b> <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

### ONTARIO FAMILY LAW ACT MANUAL

**Terry W. Hainsworth**  
**Release No. 2, April 2024**

The Ontario Family Law Act Manual, Second Edition is a comprehensive and efficient working tool to help keep up with the changes in the law and the body of case law that follows. With this resource, you can have access to immediate answers to day-to-day issues that arise in your practice. Divided into clearly defined sections, you can get all the support you need to handle your case with confidence and the substantial case law provides backup whenever and wherever you need it.

#### What's New in this Update:

This release features updates to Chapter 2 (Part I Family Property), Chapter 3 (Part II Matrimonial Home), Chapter 4 (Part III Support Obligations), Chapter 5 (Part IV Domestic Contracts) and Chapter 9 (Child Support Guidelines).

---

**THOMSON REUTERS®**

**Customer Support**

1-416-609-3800 (Toronto & International)

1-800-387-5164 (Toll Free Canada & U.S.)

E-mail [CustomerSupport.LegalTaxCanada@TR.com](mailto:CustomerSupport.LegalTaxCanada@TR.com)

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

### Highlights

- In *Tan v. Tan*, 2023 ONSC 4885 (Ont. S.C.J.), additional reasons 2023 CarswellOnt 17797 (Ont. S.C.J.), the court was faced with the dilemma of whether or not to impute income to a person who could no longer earn such income as a result of his misconduct. After surveying the cases, pro and con, the court concluded that it was unreasonable to make a support order that the payor would have no means of paying. The court opined that such a result would not serve the interests of justice and would not provide a fair and just result for the parties. See § 4:109 Need and Ability of Payor”.
- In *Malone v. Cappon*, 2023 ONSC 5365 (Ont. S.C.J.), the court held that the wife was otherwise self-sufficient. She chose to work only 4 days weekly because she liked her civil service job and did not want to change employers. Thus, her need was primarily driven by her own choices. See § 4:111 Recipient’s Need.
- Long-standing abusive conduct intending to intimidate and control the other party can furnish grounds for a non-harassment order: *Gill v. Gill*, 2023 ONSC 5882 (Ont. S.C.J.). See § 4:248 The Test.

### ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages