

Index

ACCESS

- Appeals
 - parenting time, § 6:26
 - practice and procedure, § 6:22
- Change in circumstances, § 5:253 to § 5:264
- Contempt, APP D § D:18
- COVID-19 concerns, APP A § A:2
- Enforcement, APP D § D:17
- Mobility, § 5:250
- Parenting order, definition, § 1:5
- Parenting time definition, § 5:247
- Variation of orders
 - generally, § 5:247, § 5:253
 - interim, § 5:251, § 5:252
 - parenting time, § 5:265
 - relocation, § 5:255 to § 5:259

ADULTERY

- Generally, § 4:30 to § 4:40

AGE OF MAJORITY, DEFINITION

- Generally, § 1:5

ALBERTA PRACTICE

- Generally, APP F1 § F:1
- Adjournment, APP F1 § F:8
- Appeals, APP F1 § F:16
- Commencement of proceedings, APP F1 § F:4
- Corollary relief, APP F1 § F:13
- Costs, APP F1 § F:13
- Divorce without an appearance, APP F1 § F:10
- Joinder of Claims, APP F1 § F:2
- Notice to disclose, APP F1 § F:5
- Parenting after separation seminar, APP F1 § F:6
- Participation by Her Majesty's Proctor, APP F1 § F:7
- Parties to proceedings, APP F1 § F:3
- Pre-trial conferences, APP F1 § F:9
- Security for costs, APP F1 § F:15
- Summary judgment, APP F1 § F:11
- Trials, APP F1 § F:12

ALIMONY

- See income tax aspects of income and property sharing

APPEALS

- Generally, § 6:1 to § 6:3
- Costs, § 6:23
- Effective date of order, § 6:21
- Failure to make full financial disclosure, § 6:24
- Fresh evidence, § 6:14
- Interim custody, § 6:18
- Interim orders, from, § 6:16
- Interim support, § 6:17
- Jurisdiction, § 6:4
- Lack of procedural fairness, § 6:13
- Parenting (previously Custody), § 6:25
- Parenting time, § 6:26
- Practice and procedure, § 6:22
- Standard of review for errors of law, § 6:5 to § 6:12
- Stay of appeal, § 6:20
- Stay pending appeal, § 6:19
- Support, § 6:27
- Timeframe for appeal, § 6:15

APPELLATE COURT

- Generally, § 1:6

APPLICABLE GUIDELINES, DEFINITION

- Generally, § 1:5

APPLICATION OF STATUTES

- Spousal support, to, § 9:2, § 9:4

ATTRIBUTION

- See income tax aspects of income and property sharing

AWARDS

- Fluctuating, § 15:7
- Indexed, § 15:8
- Interest on support awards, § 15:13
- Maintaining benefits, § 15:14
- Matrimonial home, § 15:9
- Nominal, § 17:12

AWARDS—Cont'd

- Other, § 15:16
- Provisional, § 15:15
- Remarriage or common-law marriage, § 15:10
- Support orders binding against estates, § 15:11

BEST INTERESTS OF CHILD

- Generally, § 5:101
- COVID-19 concerns, APPA § A:2
- Determining using assessors and assessments, § 5:102
- Orders, parenting or contact, § 5:89
- Parenting time, as much as is consistent, § 5:99
- Past Conduct of Parent, § 5:98

BRITISH COLUMBIA PRACTICE

- Generally, APP F2 § F:1
- Commencement of proceedings, APP F2 § F:5
- Costs, APP F2 § F:11
- Financial information, APP F2 § F:6
- Joinder of claims, APP F2 § F:2
- Jurisdiction, APP F2 § F:3
- Parties to proceedings, APP F2 § F:4
- Provisional orders, APP F2 § F:10
- Summary judgment, APP F2 § F:8
- Undefended divorce, APP F2 § F:7

CAPITAL PROPERTY, CAPITAL GAINS EXEMPTION

- See income tax aspects of income and property sharing

CHANGE IN CIRCUMSTANCES

- Child support
 - generally, § 5:222 to § 5:227
 - amount based on Table, § 5:220
 - amount not based on Table, § 5:221
 - children, related to, § 5:226
 - payee, related to, § 5:233 to § 5:235
 - payor, related to, § 5:228 to § 5:232
 - retroactive variation of order, § 5:236 to § 5:238
- Custody
 - generally, § 5:247, § 5:253, § 5:256
 - children moving, § 5:255, § 5:258 to § 5:259
 - child's wishes, § 5:254
 - conduct affecting children, § 5:262, § 5:266

CHANGE IN CIRCUMSTANCES

—Cont'd

- Custody—Cont'd
 - denial of access, § 5:263
 - parents' health affecting children, § 5:265
 - practice, § 5:264
 - remarriage of non-custodial parent, § 5:260
- Spousal support, see variation and review

CHARTER ISSUES IN SUPPORT ENFORCEMENT

- Generally, APP D § D:20

CHILD OF THE MARRIAGE

- Generally, § 1:7
- Adoption, § 1:7
- Age of child
 - over the age of majority, § 1:9
 - under the age of majority, § 1:8
- Case Law, § 1:7
- Definition, § 1:4, § 1:5
- “Divorce proceeding,” § 1:34
- “In the place of a parent,” standing
 - determination of whether or not spouse, § 1:26 to § 1:29
 - support beyond termination date, § 1:31
 - termination of parent-child relationship, § 1:30
- Parent-child relationship, § 1:23
 - child is not a “child of the relationship,” § 1:24
- “Spouse” definition, § 1:35
- Support for transitional period, § 1:25
- “Variation order,” definition, § 1:32
- Withdrawal from parental charge factors
 - assessed
 - generally, § 1:10
 - unable to withdraw education
 - generally, § 1:13, § 1:14
 - child not a “child of the marriage,” § 1:15
 - child's obligation to contribute to education, § 1:16
 - continuing education after interruption, § 1:19
 - full-time education and earning income, § 1:17

INDEX

CHILD OF THE MARRIAGE—Cont'd

- Withdrawal from parental charge factors assessed—Cont'd
 - unable to withdraw education—Cont'd illness or disability, § 1:11
 - child not a child of the marriage, § 1:12
 - lack of available employment, § 1:21
 - miscellaneous, § 1:22
 - part-time education, § 1:18
 - proof of continuing education, § 1:20

CHILD SUPPORT

- Generally, § 5:6 to § 5:7
- Adoption orders, § 5:60
- Calculation, provincial child support service, § 7:43 to § 7:44
- Child is age of majority or over, § 5:65
- Child's own income, § 5:55
- Child's receipt of social assistance, § 5:56
- Commencement date for retroactive, § 5:36
- Constitutional issues, § 5:13 to § 5:15
- Costs, § 5:61
- Duty to disclose financial circumstances, § 5:59
- Enforcement
 - generally, APP D § D:1
 - arrears, suspension of support, APP D § D:9
 - bankruptcy of payor spouse, APP D § D:7
 - Charter issues, APP D § D:20
 - child support orders, APP D § D:8
 - committal, APP D § D:19
 - contempt
 - access orders, APP D § D:18
 - support orders, APP D § D:11
 - custody and access orders, APP D § D:16
 - execution, stay of, APP D § D:15
 - execution and charging orders, APP D § D:14
 - Family Order and Agreements Enforcement Assistance Act, APP D § D:2, APP D § D:21
 - garnishment, APP D § D:13
 - interest on support awards, APP D § D:10
 - jurisdictional issues, APP D § D:3
 - reciprocal, APP D § D:12

CHILD SUPPORT—Cont'd

- Enforcement—Cont'd
 - registration against land, APP D § D:15
 - regulations, APP E § E:1 to APP E § E:3
 - spousal support orders
 - generally, APP D § D:4
 - one year rule, APP D § D:5
- Entitlement, § 5:18
- Evidentiary issues, § 5:17
- Financial issues, APP A § A:2
- Income adjustment Schedule, APP B § B:18
- Interim support
 - generally, § 5:20
 - in accordance with the Guidelines, § 5:21
- Jurisdiction
 - Charter of Rights and Freedoms, § 5:14
 - child support orders, § 5:11
 - child support proceedings, § 5:9
 - provincial legislation and Divorce Act, § 5:12
 - provincial statutes, § 5:15
 - variation proceedings, § 5:10
- No support due to child's rejection of parent, § 5:53
- Paramourcy, § 5:13
- Parties must be "former" married spouses, § 5:16
- Payment
 - death of payor or payee, § 5:57
 - duration of orders, § 5:48
 - lump sum, § 5:39 to § 5:46
 - orders to secure payment, § 5:47
 - set-off, § 5:51
 - third-party payments, § 5:50
 - to child, § 5:49
- Priority over other obligations, § 5:19
- Prior orders, judgements and written agreements, § 5:52
- Recalculation, provincial child support service, § 7:45
- Reconciliation attempt, effect of, § 5:58
- Retroactive payments, see retroactive child support
- Shared parenting time, § 5:75
- Special or extraordinary expenses, § 5:69
- Split parenting time, § 5:74
- Spousal support, relationship with, § 17:6

CHILD SUPPORT—Cont'd

- Table amount, § 5:66
- Tax consequences of agreement or order agreements or orders made before May 1997, § 5:80
- commencement date, § 5:81
- deduction/inclusion rules, § 5:76, § 5:77
- elimination of rule for child support, § 5:78
- determining amount to be included in income, § 5:79
- effect of formula, § 5:85
- prior payments where no variation, § 5:82
- prior payments with variation, § 5:83
- spouse exempt from paying federal or provincial income tax, § 5:86
- third-party payments, § 5:84
- Variation of order or calculation of amount, § 7:64
- Where guidelines provide otherwise, § 5:70
- Without formula
 - crossover between the two formulas, § 20:4
 - duration, § 20:3

CHILD SUPPORT FORMULA, DETERMINE SPOUSAL SUPPORT WITHOUT

- Crossover between two formulas, § 20:4
- Duration, § 20:3
- Quantum, § 20:2

CHILD SUPPORT FORMULA, DETERMINING SPOUSAL SUPPORT WITH

- Generally, § 21:1
- Adult children, § 21:8
- Basic Formula
 - duration, § 21:3
 - quantum, § 21:2
- Crossover between two formulas, § 21:9
- Custodial payor, § 21:7
- Shared parenting time, § 21:4
- Split parenting time, § 21:5
- Stepchildren, § 21:6

CHILD SUPPORT GUIDELINES, EXCEPTIONS UNDER FEDERAL AND PROVINCIAL

- Albert, APP K § K:1 to APP K § K:7

CHILD SUPPORT GUIDELINES, EXCEPTIONS UNDER FEDERAL AND PROVINCIAL—Cont'd

- British Columbia, APP K § K:8 to APP K § K:16
- Manitoba, APP K § K:17 to APP K § K:23
- New Brunswick, APP K § K:24 to APP K § K:30
- Newfoundland and Labrador, APP K § K:31 to APP K § K:37
- Northwest Territories, APP K § K:38 to APP K § K:44
- Nova Scotia, APP K § K:45 to APP K § K:51
- Nunavut, APP K § K:52 to APP K § K:58
- Ontario, APP K § K:59 to APP K § K:67
- Prince Edward Island, APP K § K:68 to APP K § K:74
- Quebec, APP K § K:75 to APP K § K:81
- Saskatchewan, APP K § K:82 to APP K § K:88
- Yukon, APP K § K:89 to APP K § K:95

CHILD TAX BENEFITS

- See income tax aspects of income and property sharing

COLLUSION

- Generally, § 4:70
- Definition, § 4:75

COMPARISON OF HOUSEHOLD STANDARDS OF LIVING TEST

- Generally, APP B § B:17

COMPETENT AUTHORITY, DEFINITION

- Generally, § 1:5

CONDONATION

- Generally, § 4:73

CONDUCT

- Generally, § 17:10

CONNIVANCE

- Generally, § 4:74

CONSTITUTIONAL ISSUES

- Federal power to grant maintenance under Divorce Act, § 10:4
- Paramountcy
 - federal legislation, § 10:4

INDEX

CONSTITUTIONAL ISSUES—Cont'd

- Paramourncy—Cont'd
 - operational conflict theory, § 10:4
- Support
 - discretion to proceed under Divorce Act or provincial legislation, § 10:4
 - under provincial statutes, § 10:4

CONTACT ORDER

- Generally, § 5:121
- Best interests of the child, § 5:100
- Definition, § 1:5

CONTEMPT

- Access orders, APP D § D:18
- Spousal and child support, APP D § D:11

COROLLARY RELIEF

- See also child support, custody, access
- Generally, § 5:294, § 9:3
- Application of statutes, § 9:4
- Confirmation proceedings, § 5:282
- Corollary relief proceeding, definition, § 1:5
- Grounds for entitlement to spousal support, § 9:5
- Jurisdiction, § 10:1
- Legal effect throughout Canada
 - Right to, § 9:3
 - Severing from divorce, § 9:3
 - time limits, § 9:3
- Parenting orders, § 5:107
- Section 15 of Divorce Act, § 9:1
- Variation of order, § 5:292

COROLLARY RELIEF PROCEEDINGS

- Application of statutes, § 9:4
- Definition, § 1:5
- Jurisdiction, § 10:1

COSTS

- Generally, APP A § A:2
- Appeals, § 6:23
- Corollary relief, § 5:61
- Disclosure, § 17:4
- Parenting time and relocation, relating to, § 5:210

COURT

- Duties
 - conflicting orders and civil protection orders, § 3:16

COURT—Cont'd

- Duties—Cont'd
 - reconciliation, § 4:61 to § 4:67

COVID-19

- Case index
 - generally, APP A § A:2
 - exclusive possession of matrimonial home, APP A § A:2
 - parenting, APP A § A:2
 - parenting time and wrongful removal/retention, APP A § A:2
- Court processes, APP A § A:1

CRUELTY

- Generally, § 4:41, § 4:43 to § 4:57
- Continued cohabitation, § 4:46
- Definition, § 4:42
- Examples, § 4:47
- Intolerability, § 4:45
- Mental cruelty: humiliation, harassment, criticism, § 4:48
- Mental illness, § 4:49
- Mutual cruelty, § 4:50
- Neglect and taciturnity, § 4:51
- Philandering, § 4:52
- Physical violence, § 4:53
- Provocation, § 4:54
- Refusal to have children, § 4:55
- Relevant time, § 4:44
- Religious intolerance, § 4:56
- Sexual practices/issues, § 4:57
- Subjective test for, § 4:43

CUSTODY

- See also custody and access
- Term repealed 2021, § 1:5

CUSTODY AND ACCESS

- See also best interests of child
- Appeals
 - parenting (previously custody), § 6:25
 - parenting time, § 6:26
- Child's physical, emotional and psychological safety and well-being, § 5:95
- COVID-19 concerns, APP A § A:2
- Family violence
 - impact of, § 5:94, § 5:96
- Orders
 - enforcement, APP D § D:17
 - variation, § 5:242 to § 5:266

CUSTODY AND ACCESS—Cont'd

- Parenting time, best interests of child, § 5:99
- Past conduct, § 5:98
- Variation of orders
 - change in circumstances, § 5:253 to § 5:263
 - interim parenting order, § 5:251
 - interim variation of final parenting order, § 5:252
 - joint decision-making, § 5:249
 - parenting and consent orders, § 5:247 to § 5:248
 - parenting time, § 5:265
 - practice, § 5:264
 - review of parenting orders, § 5:266
 - sole to joint decision-making, from, § 5:250

CUSTODY ORDER

- Term repealed 2021, § 1:5

DECISION-MAKING RESPONSIBILITY

- Allocation, § 5:118
- Definition, § 1:5
- Entitlement to information, § 5:119

DEFINITE PERIOD, SUPPORT FOR

- Generally, § 15:3

DELAY IN BRINGING APPLICATION

- See also spousal support-interim
- Generally, § 15:6

DESIGNATING BENEFICIARY

- Generally, § 15:12

DESK DIVORCES

- Generally, § 7:38

DETERMINATION OF INCOME

- Generally, § 16:1
- Miscellaneous, § 16:6
- Self-employment income and various forms of non-employment income, § 16:4
- Use of CSG in SSAG calculations, § 16:3
- Without child support and with child support formulas, § 16:5

DISCLOSURE

- Generally, § 17:1, § 17:2
- Practice and procedure, § 17:5
- Sanctions, penalties and costs, § 17:4

DISCLOSURE—Cont'd

- Third parties, § 17:3

DIVORCE, BARS TO

- Collusion, § 4:70, § 4:75
- Condonation, § 4:73
- Connivance, § 4:72
- Doctrine of revival, § 4:74
- Duty of court, § 4:68
- Reasonable arrangements for support of children, § 4:71

DIVORCE, EFFECTIVE DATE

- Generally, § 4:76 to § 4:79
- Conclusive proof, § 4:84
- Earlier date
 - notice of appeal, § 4:82, § 4:83
 - special circumstances, § 4:80
 - undertaking not to appeal, § 4:81
- Reconciliation, § 4:85

DIVORCE, GROUNDS FOR

- Capacity to divorce, § 4:13
- Counter-petitions, § 4:14
- Marriages of convenience, § 4:12
- Marriage validity, § 4:8 to § 4:11

DIVORCE, RECOGNITION OF FOREIGN, 7

- Generally, § 7:5 to § 7:7
- Common law rules, § 7:11, § 7:12
- Fraud, § 7:14
- Presumption of validity, § 7:8, § 7:9
- Public policy, contrary to, § 7:15
- Validity, preclusion from, § 7:16
- Violation of natural justice, § 7:13
- Wife's domicile, § 7:10

DIVORCE PROCEEDING, DEFINITION

- Generally, § 1:5

DIVORCE—SECTION 25 RULES

- Generally, § 7:35 to § 7:37
- Desk divorces, § 7:38
- Discovery, § 7:41
- Publication bans, § 7:42
- Representation at proceedings, § 7:39
- Summary judgment, § 7:40

DOMESTIC CONTRACTS

- Interim orders and, see spousal support
- Jurisdiction to override, see variation and review

INDEX

DRINKING

Generally, § 4:47

DRUG ADDICTION

Generally, § 4:47

**ECONOMIC IMPACT OF MARRIAGE
OR ITS BREAKDOWN**

Advantages or disadvantages arising from
the marriage or its breakdown,
§ 14:2

Hardship of the spouses arising from the
breakdown of the marriage, § 14:4

ECONOMIC SELF-SUFFICIENCY

Objective of spousal support, § 14:2

Promotion of, § 14:5

ENFORCEMENT

Generally, APP D § D:1

Arrears, suspension of support, APP D
§ D:9

Bankruptcy of payor spouse, APP D
§ D:7

Charter issues, APP D § D:20

Child support orders, APP D § D:8

Committal, APP D § D:19

Contempt

access orders, APP D § D:18

support orders, APP D § D:11

Custody and access orders, APP D § D:16

Execution, stay of, APP D § D:15

Execution and charging orders, APP D
§ D:14

Family Order and Agreements

Enforcement Assistance Act, APP D
§ D:2, APP D § D:21

Garnishment, APP D § D:13

Interest on support awards, APP D § D:10

Jurisdictional issues, APP D § D:3

Reciprocal, APP D § D:12

Registration against land, APP D § D:15

Regulations, APP E § E:1 to APP E
§ E:3

Spousal support orders

generally, APP D § D:4

inter-spousal agreements

jurisdiction of court to enforce, APP
D § D:6

one year rule, APP D § D:5

ENTITLEMENT

Generally, § 19:1

ENTITLEMENT—Cont'd

Application of spousal support advisory
guidelines

challenged agreements, role of SSAG
in, § 19:6

effect of prior agreement on SSAG,
§ 19:5

income sharing, § 19:3

interim orders, § 19:7

SSAG—advisory only, used to
determine quantum and duration,
§ 19:2

without and with child formula, § 19:4

Income, § 19:8

**ESTATES, SPOUSAL SUPPORT
ORDER BINDING AGAINST**

Generally, § 15:11

EVIDENCE, PROVINCIAL LAWS OF

Generally, § 7:20 to § 7:22

Admissibility, § 7:23

Expert, § 7:25

Hearsay, § 7:24

Proof of marriage, § 7:29

Res judicata, § 7:27

Solicitor-client privilege, § 7:26

Striking pleadings, § 7:28

**FACTORS IN MAKING SPOUSAL
SUPPORT ORDER**

See spousal support

**FAMILY DISPUTE RESOLUTION
PROCESS, DEFINITION**

Generally, § 1:5

**FAMILY INFORMATION SESSION
(FIS) IN TORONTO**

Generally, APP F5 § F5:4

**FAMILY JUSTICE SERVICES,
DEFINITION**

Generally, § 1:5

FAMILY MEMBER, DEFINITION

Generally, § 1:5

**FAMILY ORDER AND AGREEMENTS
ENFORCEMENT AND
ASSISTANCE ACT**

Generally, APP D § D:2

FAMILY VIOLENCE, DEFINITION

Generally, § 1:5

FEDERAL CHILD SUPPORT GUIDELINES

- Generally, **APP 16A, § 5:63**
- Guidelines, **APP B § B:2**
- “Provide otherwise,” where guidelines, **§ 5:70**
- Section 3—presumptive rule, **§ 5:65**
- Section 4—payor income more than \$150,000, **§ 5:71**
- Section 5—payor standing in place of parent, **§ 5:72**
- Section 8—split parenting time, **§ 5:74**
- Section 9—shared parenting time, **§ 5:75**
- Special or extraordinary expenses, **§ 5:69, § 5:73**
- Table amount, **§ 5:66**
- 2017 update, **§ 5:67**

FEDERAL CHILD SUPPORT TABLES

- Generally, **APP B § B:3 to B:16**

FLUCTUATING AWARDS OF SPOUSAL SUPPORT

- Generally, **§ 15:7**

FOREIGN DIVORCE

- See divorce, recognition of foreign

FOREIGN ORDER THAT VARIES PARENTING OR CONTACT ORDER, RECOGNITION OF

- Generally, **§ 7:19**

FORMER SPOUSES

- Generally, **§ 11:1**

FORMS

- Alberta, **APP H1**
- British Columbia, **APP H2**
- Manitoba, **APP H3**
- New Brunswick, **APP H4**
- Newfoundland and Labrador, **APP H5**
- Northwest Territories, **APP H6**
- Nova Scotia Civil Procedure Rules, 2009, **APP H7**
- Nunavut, **APP H8**
- Ontario, **APP H9**
- Prince Edward Island, **APP H10**
- Quebec, **APP H11**
- Saskatchewan, **APP H12**
- Yukon, **APP H13**

FUNCTIONS PERFORMED BY EACH SPOUSE DURING COHABITATION

- Generally, **§ 13:8**

GENERIC OFFER TO SETTLE

- Generally, **APP A § A:3**

“HABITUALLY RESIDENT,” DEFINITION

- Generally, **§ 2:4**

INCOME TAX ACT

- Amounts to be included in income, **APP C**

INCOME TAX ASPECTS OF INCOME AND PROPERTY SHARING

- Generally, **APP J § J:1, APP J § J:19**
- Alimony and maintenance, **APP J § J:2**
- Attribution, **APP J § J:9**
- Case study, **APP J § J:25 to APP J § J:30**
- Commencement day of agreement, **§ 8:1**
- Domestic contract or shareholders’ agreement, **APP J § J:15**
- Federal budget
 - February 25, 1992, **APP J § J:20**
 - implications to family law
 - capital gains exemption, **APP J § J:24**
 - child care deduction, **APP J § J:23**
 - child tax benefits, **APP J § J:22**
 - common-law spouse, **APP J § J:21**
- Legal fees, deductibility of, **APP J § J:17**
- Money borrowed to finance lump sum or maintenance payments, interest on, **APP J § J:18**
- Payments made prior to an order or written agreement, **APP J § J:4**
- Principal residence consideration
 - exemption, **APP J § J:12**
 - family unit, **APP J § J:13**
 - qualifying property, **APP J § J:11**
- R.R.S.P.’s, **APP J § J:10**
- Taxation of dividends, **APP J § J:16**
- Third party payments, **APP J § J:3**
- Transfer of property
 - generally, **APP J § J:5**
 - capital gains exemption, **APP J § J:7**
 - capital property, **APP J § J:6**
 - noncapital property, **APP J § J:8**

**INCOME TAX ASPECTS OF INCOME
AND PROPERTY SHARING
—Cont'd**

Unanticipated joint and several tax liability, **APP J § J:14**

**INCOME TAX CONSIDERATIONS,
CHILD SUPPORT**

See child support

INCOME TAX ISSUES

Generally, § 17:11

INDEFINITE PERIOD, SUPPORT FOR

Generally, § 15:4

INDEXED AWARDS

Generally, § 15:8

INTEREST ON SUPPORT AWARD

Generally, § 15:13

INTERIM CHILD SUPPORT

Generally, § 5:20

In accordance with the Guidelines, § 5:21

Variation of order, § 5:20, § 5:21, § 5:251

INTERIM ORDERS AND VARIATION

See variation and review

INTERIM SUPPORT

Generally, § 12:1, § 12:3

Delay in application as a defence, § 12:7

Evidence and disclosure, § 12:5

Indefinite support, § 12:9

Jurisdiction to grant relief, § 12:2

Relationship to permanent support, § 12:6

JURISDICTION

Application for contact order, § 2:20, § 2:21

Child habitually resident outside of Canada, § 2:24

determine parenting orders or consent orders, § 2:27

Constitutional issues, § 10:4

Conversion of applications, § 5:278

Corollary relief proceedings, § 10:1

generally, § 2:8, § 2:10

jurisdiction to grant relief, § 2:9, § 2:11

severance of corollary relief, § 2:12

Divorce proceedings

generally, § 2:1, § 2:3

concurrent applications, § 2:5

counter-petitions, § 2:6

JURISDICTION—Cont'd

Divorce proceedings—Cont'd
other issues, § 2:7

Exercise of jurisdiction by judge, § 2:29

General, § 5:272

“Habitual resident,” § 2:4

Proceedings between provinces/
designated jurisdictions, § 10:5

Removal or retention of child of marriage
wrongful, § 2:23

Respondent, no action by, § 5:280

Support orders, to make, § 10:3

Transfer of proceedings where application
for parenting order made, § 2:17 to
§ 2:18

Variation proceedings, § 2:12 to § 2:15,
§ 10:2

LEGAL ADVISOR

Definition, § 1:5

Duties, § 3:14, § 4:58 to § 4:60

**LEGAL EFFECT OF DIVORCE
THROUGHOUT CANADA**

Generally, § 4:86

LEGAL FEES, DEDUCTIBILITY OF

See income tax aspects of income and
property sharing

LENGTH OF RELATIONSHIP

Spousal support under Divorce Act and
provincial statutes

Alberta, **APP L § L:1 to APP L § L:7**

British Columbia, **APP L § L:8 to APP
L § L:32**

Manitoba, **APP L § L:33 to APP L
§ L:39**

New Brunswick, **APP L § L:40 to APP
L § L:46**

Newfoundland and Labrador, **APP L
§ L:47 to APP L § L:53**

Northwest Territories, **APP L § L:54 to
APP L § L:60**

Nova Scotia, **APP L § L:61 to APP L
§ L:67**

Nunavut, **APP L § L:68 to APP L
§ L:74**

Ontario, **APP L § L:75 to APP L
§ L:90**

Prince Edward Island, **APP L § L:91 to
APP L § L:97**

LENGTH OF RELATIONSHIP—Cont'd

- Spousal support under Divorce Act and provincial statutes—Cont'd
- Quebec, **APP L § L:98 to APP L § L:104**
- Saskatchewan, **APP L § L:105 to APP L § L:111**
- Yukon, **APP L § L:112 to APP L § L:118**

LUMP SUM OR PERIODIC SPOUSAL SUPPORT

- See spousal support—method of payment

LUMP SUM SPOUSAL SUPPORT

- See spousal support—method of payment

MAINTAINING BENEFITS

- Generally, § 15:14

MARRIAGE BREAKDOWN

- Generally, § 4:3
- Adultery and cruelty, § 4:5
- Living separate and apart, § 4:4
- Reconciliation, § 4:6

MARRIAGE DISSOLVED BY DEATH

- Generally, § 4:90

MARRIAGE OF CONVENIENCE

- Generally, § 4:12

MATRIMONIAL HOME AWARD FOR SPOUSAL SUPPORT

- Generally, § 15:9

MEANS AND NEEDS

- Party from whom support is sought, of, § 13:1
- Party seeking support, of, § 13:6

METHOD OF PAYMENT OF SPOUSAL SUPPORT

- See spousal support

MOBILITY OF PARENTS

- See custody and access

NEGLECT

- Generally, § 4:51

NESTING AWARDS FOR SPOUSAL SUPPORT

- Generally, § 17:12

NORTHWEST TERRITORIES PRACTICE

- Generally, **App F3 § F3:1**

NOVA SCOTIA PRACTICE

- Generally, **App F4 § F4:1**
- Answer and counter-petition, **App F4 § F4:6**
- Application to vary, rescind or suspend, **App F4 § F4:11**
- Commencement of Proceedings, **App F4 § F4:5**
- Corollary relief orders, enforcing, **App F4 § F4:12**
- Costs and suit money, **App F4 § F4:15**
- Failure to proceed, **App F4 § F4:10**
- Financial statements, **App F4 § F4:7**
- Joinder of Causes, **App F4 § F4:2**
- Jurisdiction, **App F4 § F4:3**
- Notice of hearing, **App F4 § F4:9**
- Parties to proceedings, **App F4 § F4:4**
- Pre-trial conference, **App F4 § F4:6**
- Provisional orders, **App F4 § F4:13**
- Undefended proceeding, **App F4 § F4:6**

OBJECTIVES OF SPOUSAL SUPPORT ORDER

- See spousal support

OFFER TO SETTLE, GENERIC FORM

- Generally, **APP A § A:3**

ONTARIO PRACTICE

- Generally, **App F5 § F4:1**
- Costs, **App F5 § F5:6**
- Divorce Procedure in Superior Court of Justice, **App F5 § F5:2**
- Divorce Procedure under Family Law Rules, **App F5 § F5:3**
- Family Information Session (FIS) in Toronto, **App F5 § F5:4**
- Uncontested divorces in Superior Court of Justice, Toronto, **App F5 § F5:5**

ORDER ASSIGNEE, DEFINITION

- Generally, § 1:5

PARAMOUNTCY

- Generally, § 10:4

PARENTING ORDER

- See also custody and access; variation of custody and access orders

INDEX

PARENTING ORDER—Cont'd

- Application by person other than spouse, § 5:110
- Contents, § 5:111
- Corollary relief, § 5:107
- Definition, § 1:5
- Family dispute resolution process, § 5:113
- General, § 5:108
- Interim orders, § 5:109
- Prohibition on removal of child, § 5:116
- Relocation, § 5:114
- Schedule, § 5:117
- Supervision, § 5:115
- Terms and conditions, § 5:112

PARENTING PLANS

- See also best interests of child; custody and access
- Generally, § 5:123

PARENTING TIME

- Definition, § 1:5
- Person deemed to have, § 8:20
- Schedule, § 5:117

PARTIES

- Spouses or former spouses, § 11:1

PARTIES TO A PROCEEDING

- Duties
 - best interests of child, § 3:2
 - certification, § 3:12
 - complete, accurate and up-to-date information, § 3:8
 - comply with orders, § 3:10
 - family dispute resolution process, § 3:6
 - protection of children from conflict, § 3:4

PAYMENT TO THIRD PARTIES, REQUIRED UNDER ORDER FOR SPOUSAL SUPPORT

- Generally, § 15:10

PAYOR'S INCOME, POST-SEPARATION INCREASES IN

- Generally, § 13:3 to § 13:5

PERIODIC SUPPORT

- Awards in addition to, § 15:22

PHILANDERING

- Generally, § 4:52

PHYSICAL VIOLENCE

- Generally, § 4:53

POST-SEPARATION INCREASES IN PAYOR'S INCOME

- Generally, § 13:3 to § 13:5

PRACTICE

Alberta

- generally, APP F1 § F1:1
- adjournments, APP F1 § F1:8
- appeals, APP F1 § F1:16
- commencement of proceedings, APP F1 § F1:4
- corollary relief, APP F1 § F1:13
- costs, APP F1 § F1:14
- divorce without an appearance, APP F1 § F1:10
- Her Majesty's Proctor, participation of, APP F1 § F1:7
- joinder of claims, APP F1 § F1:2
- notice to disclose, APP F1 § F1:5
- parenting after separation seminar, APP F1 § F1:6
- parties to proceedings, APP F1 § F1:3
- pre-trial conferences, APP F1 § F1:9
- security for costs, APP F1 § F1:15
- summary judgment, APP F1 § F1:11
- trials, APP F1 § F1:12

British Columbia

- generally, APP F2 § F2:1
- commencement of proceedings, APP F2 § F2:5
- costs, APP F2 § F2:11
- enforcement of orders, APP F2 § F2:9
- Financial Information, APP F2 § F2:6
- joinder of claims, APP F2 § F2:2
- jurisdiction, APP F2 § F2:3
- parties to proceedings, APP F2 § F2:4
- provisional orders, APP F2 § F2:10
- summary judgment, APP F2 § F2:8
- undefended divorce, APP F2 § F2:7

Nova Scotia

- generally, APP F4 § F4:1
- answer and counter-petition, APP F4 § F4:6
- application to vary, rescind or suspend, APP F4 § F4:12
- commencement of proceedings, APP F4 § F4:5
- costs and suit money, APP F4 § F4:15

PRACTICE—Cont'd

Nova Scotia—Cont'd

enforcing corollary relief orders, **APP F4 § F4:13**

failure to proceed, **APP F4 § F4:11**

financial statements, **APP F4 § F4:7**

joinder of causes, **APP F4 § F4:2**

jurisdiction, **APP F4 § F4:3**

notice of hearing, **APP F4 § F4:9**

parties to proceedings, **APP F4 § F4:4**

pre-trial conference, **APP F4 § F4:8**

provisional orders, **APP F4 § F4:14**

undefended proceeding, **APP F4 § F4:10**

Ontario

generally, **APP F5 § F5:1**

costs, **APP F5 § F5:6**

Family Information Session (FIS),
Toronto, **APP F5 § F5:4**

procedure

Family Law Rules, **APP F5 § F5:3**

Superior Court of Justice, **APP F5 § F5:2**

uncontested divorces, **APP F5 § F5:5**

Quebec

costs, **APP F6 § F6:1**

PRECEDENTS

General, **APP I § I:1 to I:11**

Federal child support guidelines checklist,
APP I § I:32

Uncontested divorce, **APP I § I:12 to I:31**

PRINCIPAL RESIDENCE

See income tax aspects of income and
property sharing

**PRIOR ORDERS, JUDGEMENTS AND
WRITTEN AGREEMENTS,
EFFECT OF**

Child's receipt of income or
benefits⁸²¹³child's own income,
§ 5:55

Child's receipt of social assistance/
income from other sources, **§ 5:56**

Child's repudiation of parent-child rela-
tionship

child's rejection of parent—no support,
§ 5:53

child's rejection of parent—support
granted, **§ 5:54**

Child support, effect on, **§ 5:52**

**PRIVILEGE, SELF-INCRIMINATION
IN ADULTERY CASES**

Generally, **§ 4:39**

PROCEDURAL ISSUES

Generally, **APP A § A:2**

PROPERTY AWARDS

Effects of, **§ 17:8**

pensions and spousal support, **§ 17:9**

**PROVINCIAL CHILD SUPPORT
SERVICE, DEFINITION**

Generally, **§ 1:5**

PROVISIONAL AWARDS

Generally, **§ 15:15**

**PROVISIONAL AWARDS OF SPOUSAL
SUPPORT**

Generally, **§ 15:15**

PROVOCATION

Generally, **§ 4:54**

QUEBEC PRACTICE

Costs, **APP F6 § F6:1**

RECONCILIATION

Communication, **§ 4:67**

Duties of court, **§ 4:61 to § 4:63**

One spouse seeking, **§ 4:64**

Procedure for determining possibility,
§ 4:65

Resumption of proceedings, **§ 4:67**

RELIGIOUS INTOLERANCE

Generally, **§ 4:56**

RELOCATION

Generally, **§ 5:204.50**

Definition, **§ 1:5**

Motion, **§ 5:211.50**

Orders, **§ 5:214**

**REMARRIAGE, REMOVAL OF
BARRIERS TO RELIGIOUS**

Generally, **§ 7:1 to § 7:3**

**REMARRIAGE AND ORDER FOR
SPOUSAL SUPPORT**

Generally, **§ 15:10**

**REMARRIAGE OR COMMON-LAW
MARRIAGE, AWARDS**

Generally, **§ 15:10**

INDEX

RETROACTIVE CHILD SUPPORT

- Generally, § 5:38
- Commencement date, § 5:31
- Factors considered
 - circumstances of children, § 5:26, § 5:29
 - conduct of parent, § 5:26, § 5:28
 - delay, § 5:26, § 5:27
 - hardship award might cause, § 5:26, § 5:30
- Guideline formulas or court's discretion, § 5:35
- Jurisdiction under Divorce Act and provincial legislation, § 5:33
- Limitation period, § 5:32
- Meaning of retroactive, § 5:23
- No order made, § 5:36
- Objectives, § 5:25
- Order made, § 5:36
- Orders, availability of, § 5:24
- Supreme Court of Canada, § 5:22

RETROACTIVE SPOUSAL SUPPORT

- Generally, § 15:2, § 28:1
- Interim period, for, § 28:2
- Lump sum—other, § 28:5
- Separation agreement set aside, § 28:4
- Support considered but not ordered, § 28:5, § 28:6
- Tax issues and lump sum, § 28:5, § 28:6
- Variation applications, § 28:3

RETROACTIVE VARIATION OF CHILD SUPPORT

- Generally, § 5:236
- See also retroactive child support

R.R.S.P.S

- See income tax aspects of income and property sharing

RULES

- Alberta, **APP G1**
- British Columbia, **APP G2**
- Manitoba, **APP G3**
- New Brunswick, **APP G4**
- Newfoundland and Labrador, **APP G5**
- Northwest Territories, **APP G6**
- Nova Scotia, **APP G7**
- Nunavut, **APP G8**
- Ontario, **APP G9**
- Prince Edward Island, **APP G10**

RULES—Cont'd

- Quebec, **APP G11**
- Saskatchewan, **APP G12**
- Yukon, **APP G13**

SALE OF MATRIMONIAL HOME

- Generally, **APP A § A:2**

SEPARATE AND APART

- Circumstances not amounting to marriage breakdown, § 4:27
- Date of separation, § 4:18, § 4:19
- Guidelines for determining, § 4:16
- Intention, § 4:17
- Reconciliation attempt, § 4:29
- Separation
 - compassionate hospital visits, § 4:22
 - mental health or long-term hospitalization, § 4:21
 - sexual intercourse during, § 4:28
 - temporary physical separations, § 4:20
- Under same roof, § 4:23 to § 4:26

SEPARATION AGREEMENT

- Cases decided before enactment of Federal Child Support Guidelines, § 5:245
- Child support, § 5:244
- Enforcement, jurisdiction of court in, **APP D § D:6**
- Parenting or contact order, § 5:246

SEXUAL PRACTICES

- Generally, § 4:57

SPECIAL PROVISIONS IN S. 17(6.2) OF DIVORCE ACT

- See variation of child support

SPECIFIED EVENT, SUPPORT UNTIL

- Generally, § 15:6

SPOUSAL SUPPORT

- Appeals, § 6:27
- Application of statutes, § 9:4
- Constitutional issues, § 10:4
- COVID-19 determinations, **APP A § A:2**
- Delay in application as a defence, § 12:7
- Enforcement
 - bankruptcy of payor spouse, **APP D § D:7**
 - charter issues, **APP D § D:20**
 - contempt, **APP D § D:11**
 - garnishment, **APP D § D:13**

SPOUSAL SUPPORT—Cont'd

- Enforcement—Cont'd
 - interest on awards, **APP D § D:10**
 - one year rule, **APP D § D:5**
 - orders, **APP D § D:4**
 - reciprocal, **APP D § D:12**
 - suspension of support awards, **APP D § D:9**
- Factors
 - generally, **§ 13:1**
 - Functions performed by each spouse during cohabitation, **§ 13:8**
 - length of relationship, **§ 13:7**
 - means and needs of party from whom support sought, **§ 13:2**
 - means and needs of party seeking support, **§ 13:6**
 - order, agreement, or arrangement relating to support, **§ 13:9**
 - post-separation increases in payor spouse's income
 - increase in support granted, **§ 13:4**
 - support not granted, **§ 13:5**
 - time-limited support extended, **§ 13:4**
- Financial issues, **APP A § A:2**
- Grounds for entitlement, **§ 9:5**
 - In addition to periodic sums, **§ 15:22**
 - Income tax issues, **§ 17:11**
 - Indefinite, **§ 12:9**
- Interim
 - generally, **§ 12:1 to § 12:3**
 - delay in application as a defence, **§ 12:7**
 - evidence and disclosure, **§ 12:5**
 - Indefinite support, **§ 12:9**
 - jurisdiction to grant relief, **§ 12:2**
 - relationship to permanent support, **§ 12:6**
- Method of payment
 - lump sum
 - generally, **§ 15:17, § 15:19**
 - calculations, **§ 15:23**
 - granted, **§ 15:20**
 - jurisdiction, **§ 15:18**
 - periodic sums, in addition to, **§ 15:22**
 - refusal of awards, **§ 15:21**
 - Miscellaneous, **§ 15:25**
 - Nominal awards, **§ 17:11**

SPOUSAL SUPPORT—Cont'd

- Grounds for entitlement, **§ 9:5—Cont'd**
 - Objectives to order for
 - generally, **§ 14:1**
 - economic advantages or disadvantages arising from marriage or its breakdown, **§ 14:2**
 - economic hardship of spouses arising from breakdown of marriage, **§ 14:4**
 - financial consequences arising from the care of any child of the marriage, **§ 14:3**
 - promotion of economic self-sufficiency, **§ 14:5**
 - Obligation of payor's estate, as, **§ 15:26**
 - Orders, **§ 7:65 to § 7:68**
 - Parties, **§ 11:1**
 - Pension amounts, **§ 17:9**
 - Periodic support—payment secured against payor's property, **§ 15:17, § 15:18**
 - Refusal of awards, **§ 15:21**
 - Relationship between child support, **§ 17:7**
 - Term-limited or indefinite order for support after termination of support order, **§ 15:5**
 - support for an indefinite period, **§ 15:4**
 - support for definite period, **§ 15:3**
 - support until specified event, **§ 15:6**
 - Terms and conditions for, **§ 15:2**
 - "To secure or pay," **§ 15:24**
 - Transfer of pension, **§ 17:9**
- SPOUSAL SUPPORT ADVISORY GUIDELINES**
- Application, **§ 19:2**
 - Calculation of income under, **§ 19:8**
 - obtaining reliable and repeatable, **§ 29:1 et seq.**
 - Ceilings and floors
 - generally, **§ 24:1**
 - ceilings, **§ 24:2**
 - floors, **§ 24:3**
 - Decision, review of, **§ 27:3**
 - practice and procedure, **§ 27:5**
 - principles, general, **§ 27:4**
 - proceedings, types of, **§ 27:6**
 - specific situations, **§ 27:7**

**SPOUSAL SUPPORT ADVISORY
GUIDELINES—Cont'd**

- Entitlement, § 19:1
- Exceptions
 - Generally, § 25:1 to § 25:2
 - debt payment, § 25:4
 - financial circumstances in interim period, compelling, § 25:3
 - illness and disability, § 25:6
 - non-primary parent to fulfil parenting role under custodial payor formula, § 25:11
 - non-taxable payor income, § 25:10
 - other grounds, § 25:14
 - prior support obligations, § 25:5
 - property division, reapportionment of property, § 25:8
 - short marriages without children, § 25:7
 - small amounts, inadequate compensation under the with child support formula, § 25:13
 - special needs of child, § 25:12
- Judicial reception, § 27:1
- July 8, 2008, § 30:1
- Observations of SSAG authors, § 27:2
- Restructuring
 - generally, § 23:1
 - duration, extended, § 23:3
 - front-end loading, § 23:2
 - lump sum, § 23:4
- Retroactive support
 - generally, § 28:1
 - interim period, for, § 28:2
 - lump sum issues, other, § 28:6
 - Not ordered but considered, § 28:7
 - tax issues and lump sum retroactive awards, § 28:5
 - variation applications, § 28:3
- Review, § 26:3
- Steps to using, § 29:2 et seq.
- Using the ranges
 - compensatory or non-compensatory basis for support, § 22:2
 - other, § 22:3
 - property awards, exempt or excluded assets, debts, if any, § 22:1
- Variation and review, § 26:1 to § 26:3

**SPOUSAL SUPPORT ORDER,
DEFINITION**

- Generally, § 1:5

SPOUSE, DEFINITION

- Generally, § 1:5

**SUPPORT APPLICATION, DELAY IN
BRINGING**

- Generally, § 17:6

SUPPORT ORDER

- Definition, § 1:5
- Obligation of payor's estate, § 15:27
- Support after termination of support order, § 15:5
- Support for definite period, § 15:3
- Support for indefinite period, § 15:4

**TERMINATION OF SUPPORT ORDER,
SUPPORT AFTER**

- Generally, § 15:5

**TERM-LIMITED OR INDEFINITE
SPOUSAL SUPPORT ORDER**

- Generally, § 15:3 to § 15:5

TERMS AND CONDITIONS

- Generally, § 15:1
- Retroactive spousal support, § 15:2
- Specific awards of support
 - designating beneficiary, § 15:12
 - fluctuating awards, § 15:7
 - indexed awards, § 15:8
 - interest on support award, § 15:13
 - maintaining benefits, § 15:14
 - matrimonial home, § 15:9
 - other, § 15:16
 - provisional awards, § 15:15
 - remarriage or common-law marriage, § 15:10
 - support orders binding against estates, § 15:11
- Support
 - after termination of order, § 15:5
 - definite period, for, § 15:3
 - indefinite period, for, § 15:4
 - Support until specified event, § 15:6

**TERMS AND CONDITIONS OF
SPOUSAL SUPPORT ORDER**

- See spousal support

TRANSITIONAL PROVISIONS

- Generally, § 8:5
- Commencement, § 8:32

TRANSITIONAL PROVISIONS

—Cont'd

- Orders previously made, variation and enforcement, § 8:8 to § 8:9, § 8:28 support, § 8:14
- Person deemed to have contact order, § 8:21
- Person deemed to have parenting and decision-making responsibility, § 8:20
- Provisional, § 8:30

VARIATION AND REVIEW

- Generally, § 18:3 to § 18:4
- Change in circumstances
 - proving change, onus of, § 18:10
 - when order may be made, § 18:9
- Consent orders for support, § 18:49
- Default in payment in variation application, effect of, § 18:43
- Delay in enforcement, § 18:8
- Factors for variation of spousal support order, § 18:7
- Facts known at time of order, § 18:11
- Foreign divorces, § 18:56
- Interference with parenting time rights, § 18:48
- Interim orders, § 18:33
 - pending variation, § 18:34
- Jurisdiction to override spousal support provisions of agreements, § 18:51
- Objectives of order, § 18:6
- Order incorporating spousal support provisions of agreements, § 18:52
- Order to dismiss or terminate support, § 18:53
- Payee's circumstances, change in, § 18:23
 - cohabiting, § 18:25
 - disabled, § 18:29
 - inflation, § 18:24
 - other, § 18:32
 - Payee no longer has primary responsibility for children, § 18:27
- Property awards to Payee, § 18:28
 - remarriage, § 18:26
 - squandering assets, § 18:31
 - welfare, on, § 18:30
- Payor's circumstances, change in, § 18:12
 - bankruptcy, § 18:13
 - cohabiting, § 18:14
 - deceased, § 18:20

VARIATION AND REVIEW—Cont'd

- Payor's circumstances, change in, § 18:12
 - Cont'd
 - future contingencies, § 18:16
 - involuntary loss of or reduction in income, § 18:18
 - other, § 18:22
 - payor voluntarily reducing own income, § 18:19
 - remarriage, § 18:15
 - retirement, § 18:17
- Relationship between Divorce Act and provincial legislation, § 18:5
- Retroactive variation of support orders
 - generally, § 18:44
 - arrears, § 18:45
 - delay inducing belief arrears would not be enforced, § 18:46
 - tax credits, § 18:47
- Review proceedings, § 18:57
- Section 17 provisions, § 18:1 to § 18:2
- Suspension of support payments, § 18:50
- Variation and rescission of support orders, § 18:54 to § 18:55
- Variation ordered
 - generally, § 18:35
 - after support for limited term expires, § 18:36
 - discharge of security, § 18:41
 - gradual phasing out, § 18:38
 - lump sum awards, § 18:39
 - add, § 18:40
 - mode of payment, change of, § 18:37
 - support order binding payor's estate, § 18:42

VARIATION OF CHILD SUPPORT

- Generally, § 5:216, § 5:218
- Cases decided before enactment of The Federal Child support Guidelines, § 5:243
- Change in circumstances
 - access provisions not followed, § 5:225
 - amount includes determination based on applicable table, § 5:220
 - amount not based on a table, § 5:221
 - children and post-secondary education, § 5:223
 - children earning or otherwise receiving income, § 5:224

INDEX

VARIATION OF CHILD SUPPORT

—Cont'd

- Change in circumstances—Cont'd
 - child withdrawing from parental control, § 5:226
 - orders before May 1997, § 5:222
 - payee's income, change in, § 5:233
 - payee spouse remarrying or entering common law relationship, § 5:234
 - payor's income, decrease in, § 5:228
 - payor's income, increase in, § 5:229
 - payor spouse remarrying or entering common law relationship, § 5:231
 - undue hardship, § 5:230
- Consent, on, § 5:242
- Interim support orders, § 5:235
- Practice and procedure, § 5:243
- Related sections of Divorce Act, § 5:216, § 218
- Retroactive, § 5:236
- Review of order, § 5:217
- Section 17 History, § 5:216

VARIATION OF CUSTODY AND ACCESS AWARDS

- Change in circumstances
 - generally, § 5:253
 - children moving, § 5:255 to § 5:259
 - child's wishes, § 5:254

VARIATION OF CUSTODY AND ACCESS AWARDS—Cont'd

- Change in circumstances—Cont'd
 - conduct affecting children, § 5:262
 - denial of parenting time by Court or parent, § 5:263
 - parent's health affecting children, § 5:261
 - remarriage of parent who does not have majority of parenting time, § 5:260
- Interim parenting order, § 5:251
- Interim variation of final parenting order, § 5:252
- Joint decision-making, § 5:249
- Parenting and consent orders, § 5:248
- Parenting or contact order, § 5:247
- Parenting time orders, § 5:265 to § 5:266
- Practice, § 5:264
- Sole to joint decision-making, § 5:250

VARIATION ORDER, DEFINITION

- Generally, § 1:5, § 5:215

VARIATION PROCEEDING, DEFINITION

- Generally, § 1:5

WORDS AND PHRASES

- Generally, APP WP