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<p style="text-align: center;">CANADIAN DIVORCE LAW AND PRACTICE James C. MacDonald, Q.C. Release No. 10, November 2024</p>
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Canadian Divorce Law and Practice includes digests of thousands of divorce cases organized under 300 specific subjects. In addition, this product features the full text of the *Divorce Act* and other related statutes, sample pleadings and the most commonly used divorce precedents, all relevant provincial rules of practice and all prescribed forms, and extensive commentary on the Spousal Support Advisory Guidelines.

For the first time since the enactment of the Divorce Act amendments in 2021, case law has been thoroughly canvassed and included for new sections 18.1 (If former spouses reside in different provinces); 18.2 (Application to court) and 18.3 (No action by respondent). Also updated in this release are the factors and objectives considered in making an order for spousal support (chapters 13 and 14 of Wilton & Semple Spousal Support Commentary).

Highlights

- Orders under s. 18.1 must be for variation, rescission or suspension of a “support order”. See *S.E.S. v. K.E.H.*, 2024 BCSC 1282 (B.C. S.C.).
- Where the objectives and factors to be considered in making a spousal support order under the Divorce Act pulled in the opposite direction, the judge did not err in balancing these factors and ordering spousal support at the mid-range. See *Sea v. He*, 2024 BCCA 161 (B.C. C.A.).
- Where the lower court notes that a party may not achieve self-sufficiency quickly, but does not determine whether he or she will ever become self-sufficient, the appellate court should not reassess the weight placed by the lower court on the self-sufficiency analysis. See *W.L.G. v. A.C.G.*, 2021 SKCA 112 (Sask. C.A.).
- In determining the objective of self-sufficiency, the support recipient is not required to take “any job” post-separation. See *C.R.P. v. N.D.P.*, 2023 NBKB 197 (N.B. K.B.).
- An adjustment in the equalization that would erode the recipient’s asset base was contrary to the objective to promote economic self-sufficiency. See *Cui v. Liwanpo*, 2022 ONSC 4549 (Ont. S.C.J.).

ProView Developments

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- The opening page is now the title page of the book as you would see in the print work
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- 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