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EVIDENCE IN FAMILY LAW Harold Niman Release No. 3, May 2026
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This unique resource is structured to follow the evolution of a family law case through trial and appeal and provides detailed analysis regarding how to best obtain, preserve and present evidence. It also examines specialized areas of family law such as Charter litigation and child protection proceedings, looking at how to establish the proper evidentiary framework.

What's New in this Update

This release includes the following updates Issues in Focus and Terms Legislatively Defined.

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Highlights

Appendix IF—Issues in Focus:

- **§ IF:38.** What is the likelihood of a judge taking into consideration the views and wishes of the parties' nine year old son when determining whether to permit the father to relocate to New York City with him? Ontario – TVA – Updated March 1, 2025
- **§ IF:39.** What is the test for Summary Judgment as it applies on a motion for retroactive and ongoing child support? Ontario – TVA – Updated March 1, 2025
- **§ IF:40.** Can a party to a family law matter, who has owned a business during marriage and continues to do so after separation, be compelled by the court to produce an expert report by a Chartered Business Valuator for the determination of (i) income for spousal/child support purposes; and (ii) the value of said business for equalization purposes? Ontario – TVA – March 1, 2025
- **§ IF:53.** Can the court impute income to your client's wife on account of her failure to provide full disclosure of her income from all sources? (Ont.) – Ontario – TVA - February 1, 2025

Appendix WPL—Terms Legislatively Defined—This appendix has been reviewed and updated current to January 20, 2026