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### **ONTARIO FAMILY LAW ACT: LAW AND PRACTICE**

**MacDonald & Weiler**  
**Release No. 1, January 2026**

This is the definitive guide to both the substantive law and practice under Ontario's *Family Law Act*. Far more than just a collection of case summaries, this service offers detailed analysis of both statute and case law alike and tackles the difficult problems head-on.

In this release cases addressing issues arising from family law arbitration have been thoroughly updated. New topics have been included covering issues of the validity of the arbitration agreement; jurisdiction of the court and the arbitrator; duties of the arbitrator; resignation or removal of the arbitrator; and appeals of arbitration awards.

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## Highlights

Notable cases include:

- The weight the arbitrator gave to evidence relevant to the issues determined did not amount to an error of law. See *Weihs v. Weihs*, 2025 ONSC 5302, 2025 CarswellOnt 17250 (Ont. S.C.J.).
- An explanation note is not an arbitration award and cannot be appealed separate from the award. See *Kininsberg v. Meerapfel*, 2024 ONSC 7086, 2024 CarswellOnt 19732 (Ont. S.C.J.), additional reasons 2025 ONSC 3284, 2025 CarswellOnt 8491 (Ont. S.C.J.).
- The court does not have jurisdiction to make a *de novo* order for financial disclosure in the face of the parties' mediation/arbitration agreement. See *Medjuck v. Medjuck*, 2024 ONSC 2980, 2024 CarswellOnt 7983 (Ont. S.C.J.).
- Where an arbitrator has no jurisdiction to enforce a court order, he or she consequently has no jurisdiction to invalidate a court order. See *Murphy v. Murphy*, 2023 ONSC 1762, 2023 CarswellOnt 21429 (Ont. S.C.J.).
- The court had no jurisdiction to read into the dispute resolution clause in the separation agreement where the secondary arbitration clauses in the agreements did not contain the necessary formalities as defined in s. 59.7(2) of the Ontario *Family Law Act*. See *Monteiro v. Monteiro*, 2022 ONSC 2642, 2022 CarswellOnt 5993 (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
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