Publisher's Note

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O'BRIEN'S DIVISION VI,
ONTARIO — FAMILY LAW
James Herbert
Release No. 2, November 2026

What's New in this Update:

This release features updates to Appendix 1 (Words and Phrases) and Appendix 2 (Terms Legislatively Defined).

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Highlights:

New and updated Words and Phrases include:

- § **WP:36.50 Autonomy —** Transposed to the context of private relationships, autonomy refers to the capacity to make fundamental decisions in accordance with one's values, free from unjustified interference from others . . . It calls on the notion that even when a person is a participant to an intimate partnership, they nonetheless retain their personhood and remain free to make their own choices in the pursuit of personal or shared goals and aspirations. It becomes possible only when mutual recognition, freedom of choice, and respect for personal boundaries are maintained. The equal standing of each partner in an intimate relationship is both the precondition for autonomy and the measure of its protection. . . . : *Ahluwalia v. Ahluwalia*, 2026 SCC 16, 2026 CSC 16, 2026 CarswellOnt 7706 (S.C.C.)
- § **WP:52.50 Calderbank —** Offer Informal offers may also be considered when assessing costs, even if they do not conform with the requirements of the [Alberta] Rules [of Court]. These informal offers are called "Calderbank offers": *R v. P*, 2026 ABKB 413, 2026 CarswellAlta 1466 (Alta. K.B.)

New and updated Terms Legislatively Defined include:

- § **TLD:54.80 Licensed Representative —** "licensed representative" means a lawyer or family legal services provider; *Family Law Rules*, O. Reg. 114/99, R. 2(1)
- § **TLD:43.60 Family Legal Services Provider —** "family legal services provider" means a paralegal authorized under the *Law Society Act* to provide specific family legal services; *Family Law Rules*, O. Reg. 114/99, R. 2(1)

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