

# Paths to Resolution

## Helping your clients under the new Provincial Court Family Law Rules

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Recorded on March 3, 2022

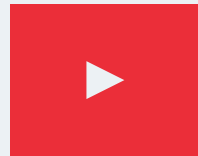


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Helping your clients under  
the new Provincial Court  
Family Law Rules

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Legal Aid 



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# Paths to Resolution: Helping Your Clients under the New Provincial Court Family Law Rules

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March 1, 2022



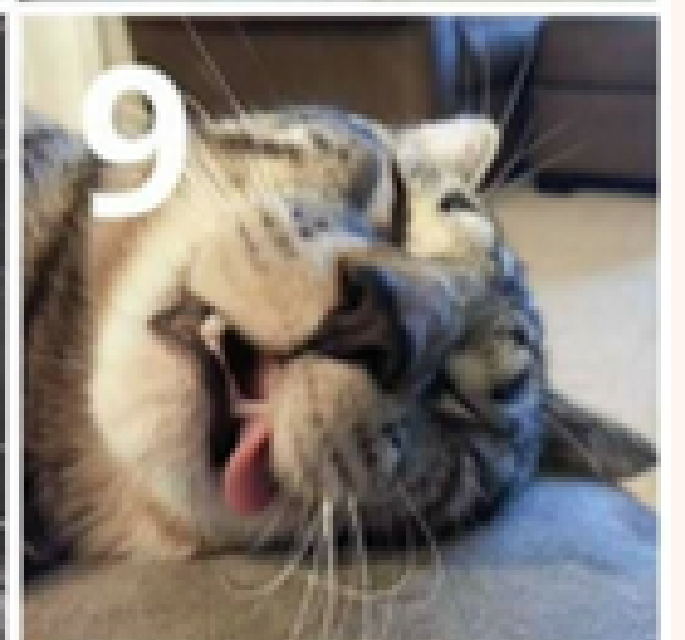
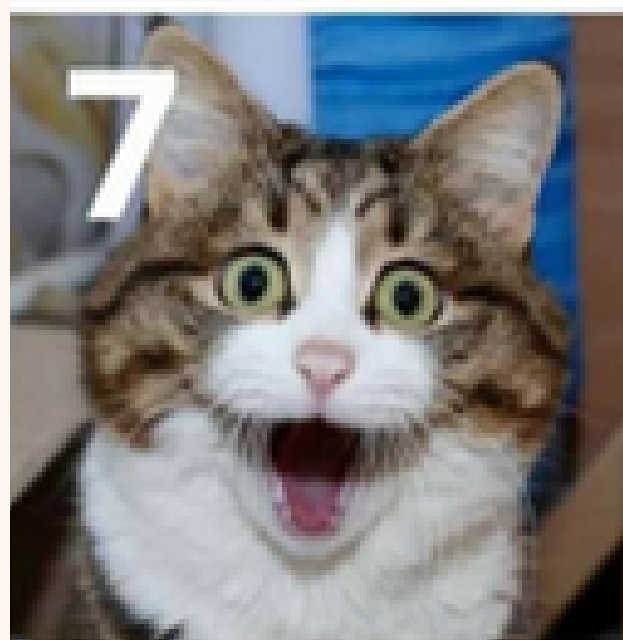
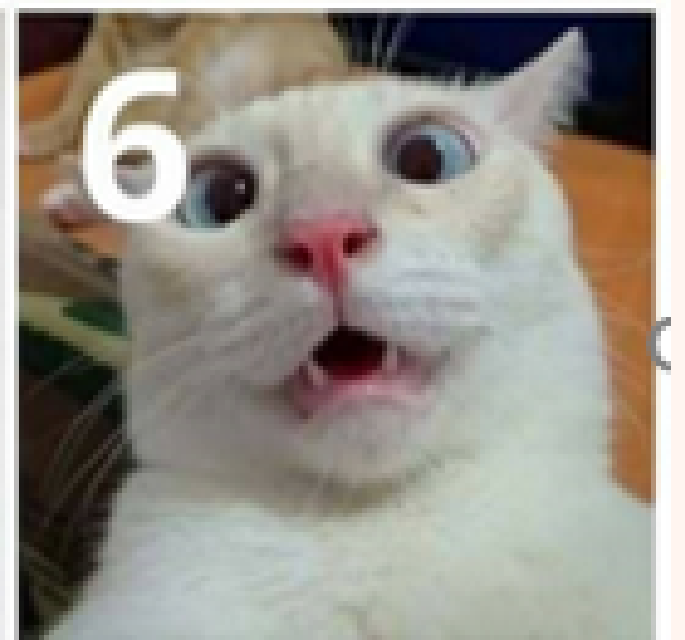
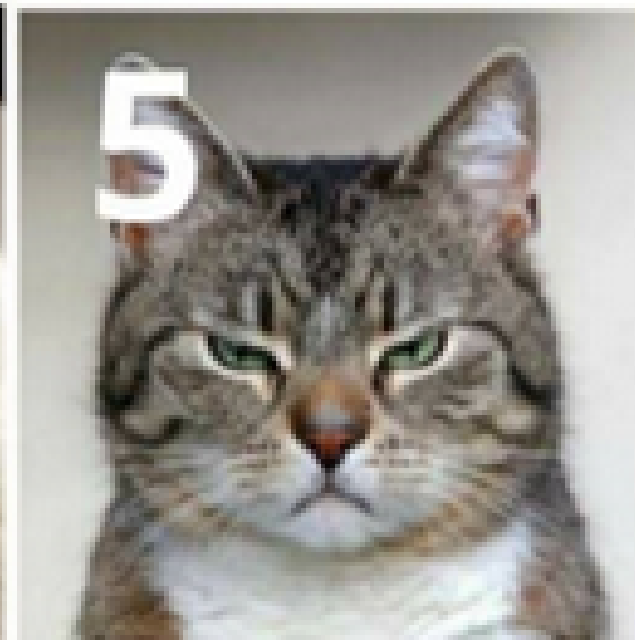
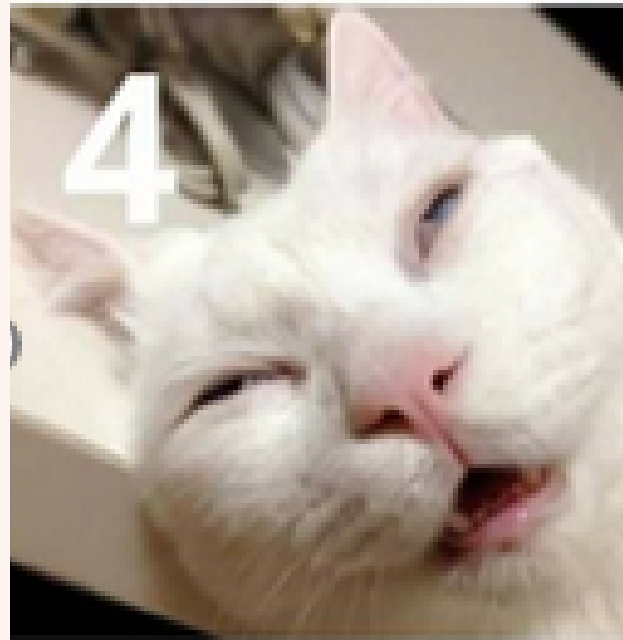


# What to Expect

In this presentation we will discuss what your clients can expect under the new provincial court rules and ways to help them solve their legal problems without going to court. We will work through some scenarios that will assist you in identifying the legal issues and allow you to give the best information possible to your client.

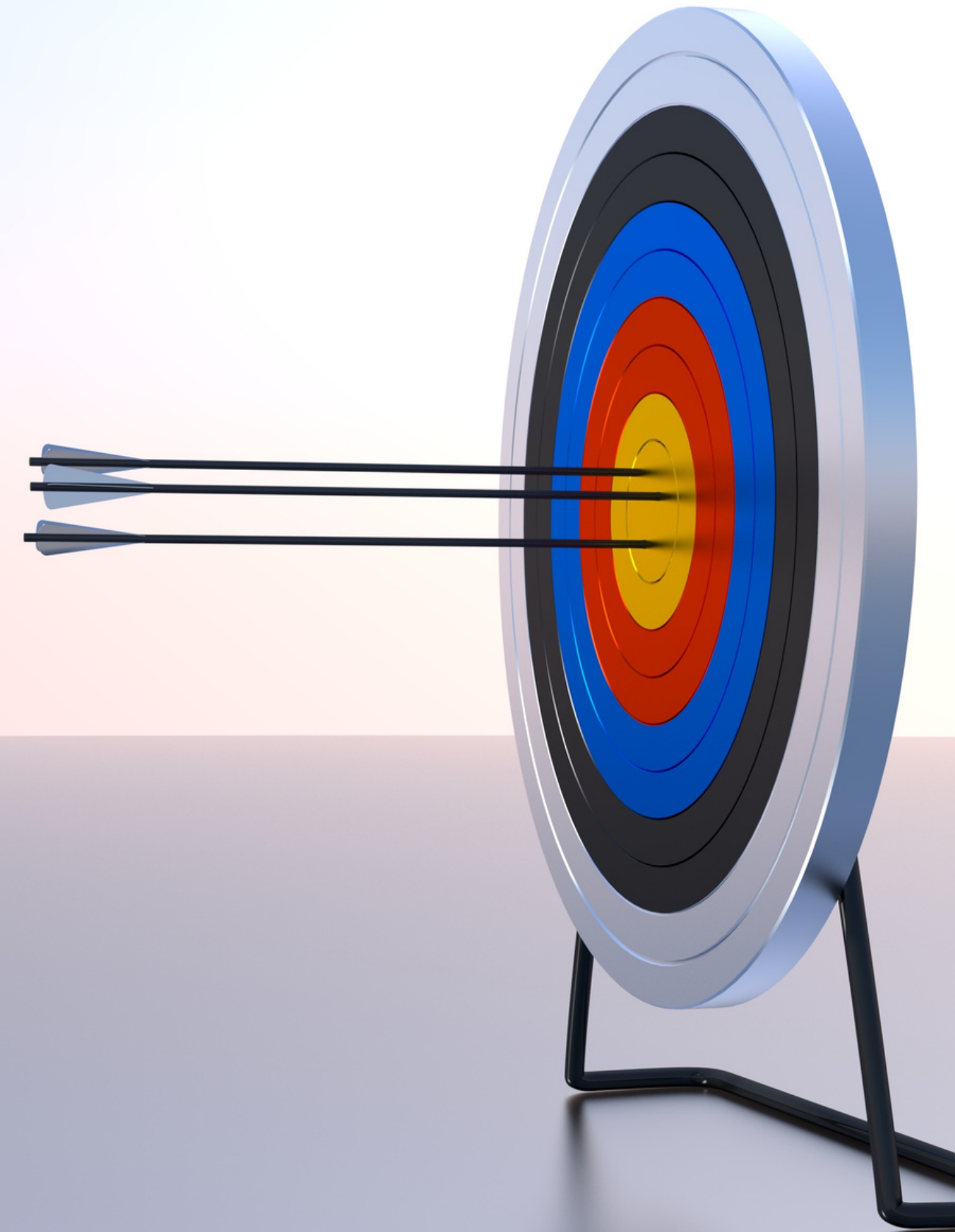


On a scale  
of cats, How  
are you  
feeling  
today?



# Goal of family law rules

- 'just and timely' resolution
- consequences to family and child
- minimize conflict
- promotes cooperation
- processes consistent with complexity
- 





# What are some big changes?

01

Designation  
of Registries

02

Identifying  
the type of  
matter

03

Family  
Management  
Conferences

# Rule 6: Designation of Registries

1

Early Resolution  
Registry- Surrey  
and Victoria

2

Family Justice  
Registry-  
Kelowna,  
Nanaimo and  
Vancouver  
(Robson Square)

3

Parenting  
Education  
Program  
Registry- all  
other registries



# Identifying the type of matter



- 1 Priority parenting matters
- 2 Protection Orders
- 3 Relocation
- 4 Consent orders
- 5 New orders
- 6 Changing existing orders or agreements



# New Lingo and Processes

- Family Management Conference (FMC): how to prepare and what to expect
- FMC vs. "first appearance"?
- FMC vs. Family Settlement Conferences (new "FCC")
- What is a "case management order"
- Appearances on MS Teams



# Resolving Family Matters out of Court

Collaborative  
Participations  
Agreements

Family Justice  
Counsellors

Private Mediation

Kitchen Table  
Agreements

# Scenario 1

Marsha and Dave met at a bar. Both enjoyed their partying lifestyles and found they had a lot in common. After a few months of dating, they decided to move in together and continued their active social lives. Marsha got pregnant and stopped drinking during her pregnancy. After the baby was born, Marsha was more engaged with the baby and no longer interested in her previous active social life. She recently told Dave that she wants to end the relationship and she has moved out.

Dave has told Marsha that he wants "50/50" time with the baby. Marsha doesn't think Dave is responsible enough to spend time with the baby unless he has supervision. She is also worried about his anger when he drinks. Dave says there is no reason why he needs to be supervised. Marsha has been told by a friend that she should get a protection order to prevent Dave from being alone with the baby. She also wants child support and "sole custody".

Marsha comes to you for support - she has not yet started any court action and has no written agreements with Dave. What should she do?





## Scenario 2

Lisa is the auntie of 13-year old Jamie. Jamie has lived with Lisa in Prince George for the last two years and will be starting high school in the fall. The school won't let Lisa register Jamie because she isn't a guardian. Marsha, Jamie's mom, has had limited involvement in Jamie's life and has not been in touch much since she left Jamie with Lisa. Lisa doesn't know where Jamie's Mom lives right now but has contact with her by text. Dave, Jamie's dad, hasn't been involved for many years and Lisa doesn't know where he lives. Jamie would like Lisa to be their guardian and does not want anything to do with either of their parents.



# Scenario 3

Marsha and Dave have been separated for several years and have been successfully co-parenting Jamie. They equally share parenting time with Jamie on a schedule that corresponds with Marsha's shifts at the local pulp mill. They do have conflict from time to time, but have never needed court. They have no written agreements about parenting. Dave comes to you because he would like to formalize their informal arrangements.





# Scenario 4

Marsha and Dave are separated and have a court order saying they share parenting responsibilities for Jamie and need to consult each other about matters of a significant nature affecting Jamie - if they can't agree, the order says they have to go to mediation. Jamie's hockey team has been invited to an international tournament. Marsha is highly anxious and will not agree that Jamie should be allowed to go on the trip. This is not the first time that Marsha has not agreed to allow Jamie and their Dad travel together. Jamie wants to go and has asked Dave to step in. Jamie doesn't want their parents to have conflict and wants Dave to be able to take Jamie on trips without their Mom interfering.







THANK YOU!

any questions?