





Luke's Place

# FAMILY COURT AND BEYOND

---

## ORGANIZER

### ABOUT THIS BOOK

---

This booklet has been designed as an interactive organizer and workbook that can be used from the time you decide to leave an abusive partner, throughout the family court process and beyond. It is a smaller version of an informative workbook, which you can find at [FamilyCourtAndBeyond.ca](http://FamilyCourtAndBeyond.ca).

We strongly encourage you to work with a network of supports to assist you throughout the family court process. This could include your lawyer, a family court support worker, women's legal advocate, and/or counsellor, among others.

### SAFETY

---

We encourage you to keep this organizer private and safe. Abusers will often attempt to gain power and control by getting access to your personal information and records. Hide printed material in a safe place, and ensure online or computer documents are stored on a secure device and are password protected. It is also important to keep this book away from your children as they may find it upsetting to read about your family law case; in addition, your ex-partner may pressure them for information.



*Advancing access to justice*

Thank you to The Law Foundation of Ontario Access to Justice Fund for the generous funding we received to develop this organizer.

While this project is financially supported by The Law Foundation of Ontario Access to Justice Fund, Luke's Place is solely responsible for all content.

Text by Pamela Cross and Rachael MacLean

Cover illustration: [iveta Vaicule/beastfromeast/iStockphoto.com](https://www.istockphoto.com/author/iveta-vaicule)

ISBN 978-0-9917175-6-9

## LEGAL DISCLAIMER

The material contained in this organizer is legal information and not legal advice. Only a lawyer who is aware of the facts of your situation can provide you with legal advice.

We strongly encourage you to obtain legal advice whenever possible before you make any major decisions about your case or agree to any suggestions made by your ex-partner or his lawyer.

The information in this organizer is accurate and current to the date of publication. Please be aware that laws, their interpretation and application, as well as services, change over time. We will do our best to update the online version of this organizer as we become aware of changes; however, if you are using a printed version, please note the copyright date to determine how current it is.

Luke's Place takes no responsibility for any use made of the information appearing in this organizer.

## CONTENTS

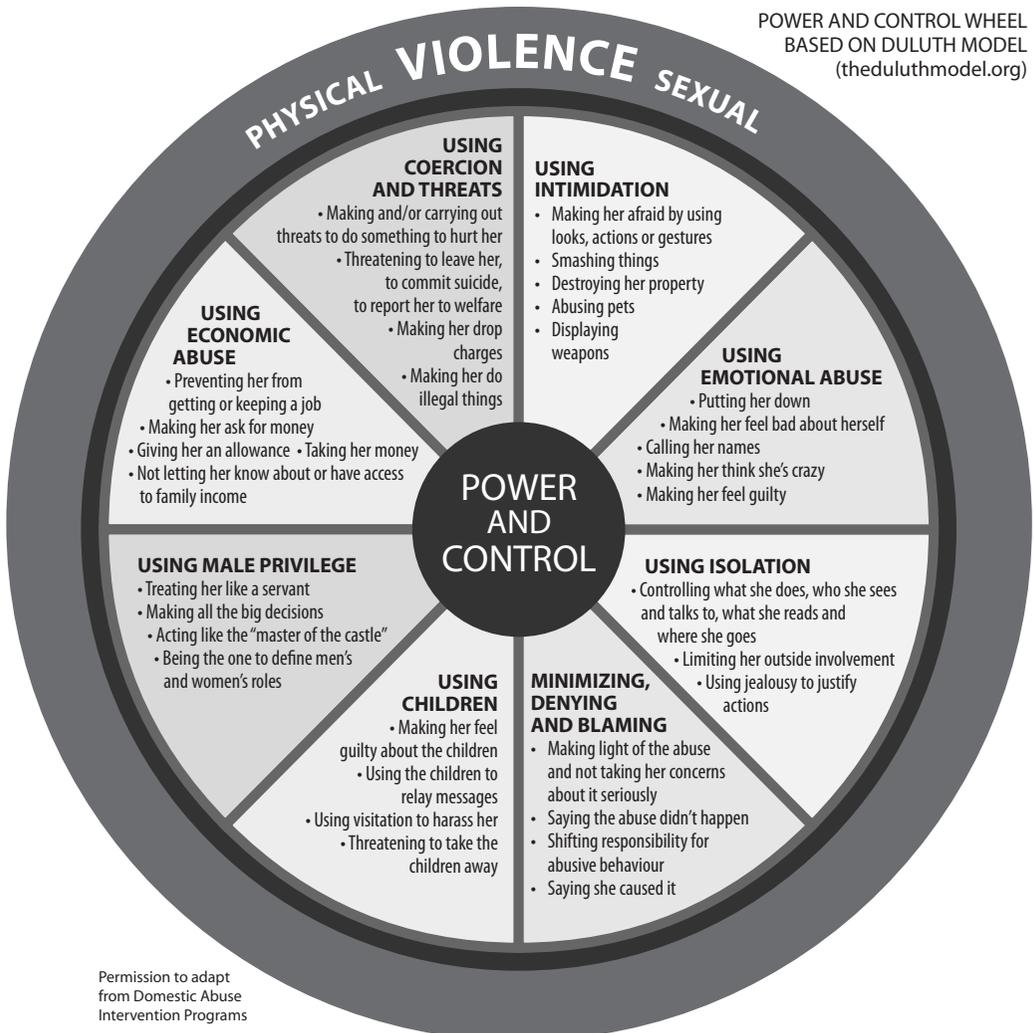
---

Introduction	3
Power and Control Wheel	3
CHECKLIST: Abuse behaviours	4
Safety plan	10
TIP SHEET: Safety planning for children	12
Safety plan for children	14
Safety planning before and after court	15
My legal safety plan	15
CHECKLIST: Being safe at court	18
CHECKLIST: Leaving home	20
TIP SHEET: Tips for when you leave	26
CHECKLIST: Identifying Technology Abuse	28
TIP SHEET: Managing a legal bully	32
Post-separation communication do's and don'ts	36
Self-care	38
My personal self-care plan	42
CHECKLIST: Gathering evidence	44
CHART: Who's responsible for what?	49
CHECKLIST: Assessing my family law lawyer	53
FLOWCHART: Steps and documents	54
My contact list	58
Personal/informal continuing record	60
Court appearance summaries	61
Appointment log	65
Calendar	68
Resources	80

# INTRODUCTION

Intimate partner abuse is the abuse of power by one partner in a dating, common-law or married relationship. This abuse can be physical, sexual, emotional, financial, social, cultural or a combination of some or all of these. It creates a power imbalance between the two partners and can leave one partner feeling intimidated by and fearful of the other. Most often in heterosexual relationships, this abuse is perpetrated by men against their female partners and for this reason is also called woman abuse. The impact of abuse can last long after the relationship ends, with the woman experiencing triggers, fears and panic attacks as a result of what her ex-partner did to her in the past.

POWER AND CONTROL WHEEL  
 BASED ON DULUTH MODEL  
 (theduluthmodel.org)



Permission to adapt from Domestic Abuse Intervention Programs

The following is a list of behaviours that women may be subjected to during a relationship in which they are being abused. These tactics are often used by an abusive person in an effort to maintain power and control. They typically serve to reinforce fear, intimidation and coercion. When someone is being subjected to abuse, it often changes the way they view themselves, others and the world around them. Abuse is a cycle that can be broken. The first step is to identify the types of abuse that are happening. This abuse checklist can be used as a guide to help you remember instances of abuse, but it is not a complete list. Each woman's experiences are different and this is only a guide. Add your own events as needed.

### ISOLATION

- Isolates you from others
- Tells you that you cannot do something
- Is jealous about who you see
- Monitors your time, makes you account for where you were
- Does not allow you to leave the house
- Restricts your use of the car
- Alienates you from family/friends
- Keeps you from getting medical care/counselling
- Tries/threatens to turn children/people against you
- Deprives you of sleep

### ANGER AND INTIMIDATION

- Changes his mood suddenly
- Gives silent treatment
- Shouts or yells
- Pounds fists on table
- Throws or kicks something
- Stomps out of the house
- Slams doors
- Says that he has "nothing to lose"
- Has criminal background/current activity
- Has third parties monitor/harass you

## PSYCHOLOGICAL ABUSE

- Blames you for his problems
- Blames you for miscarriages/ termination of pregnancy
- Drives cars in a frightening way

### THREATENS TO:

- Leave the relationship
- See someone else
- Take children away from you
- Come after you if you leave
- Have you committed to an institution
- Hurt or kill you
- Hurt or kill the children
- Hurt or kill himself
- Have someone else kill you, your family, friends, etc.

## ECONOMIC ABUSE

- Makes you account for all the money spent/controls the money
- Keeps you short of money
- Makes you ask for basic necessities/money
- Undermines your attempts to improve your education
- Undermines your attempts to get or keep a job
- Makes you give all your earnings to him
- Chooses not to work, when he is capable of obtaining a job, and makes you be the sole earner

## MALE PRIVILEGE/PATRIARCHY

- Demands obedience like you're a servant
- Makes major decisions without your input
- Treats you like you're inferior
- Tells you that you can't cope without him
- Coerces you into marriage through threats and force

## IMMIGRANT/CULTURAL ABUSE

- Threatens to cancel sponsorship/have you deported
- Lies about your current status
- Provides false information about immigration laws/process
- Uses religion and cultural practices to threaten or isolate you from accessing supports
- Undermines you because of your race, religion or country of origin
- Makes false allegations to immigration officials

- Threatens/tries to remove children from Canada
- Makes threats about penalties in country of origin
- Uses or glorifies patriarchal cultural practices
- Refuses to acknowledge divorce through religion

## SEXUAL ABUSE

- Pressures you to have sex
- Makes you feel guilty if you don't have sex
- Forces sex against your will
- Pressures you to have sex after being abusive
- Pressures/forces you into unwanted sex acts
- Treats you like a sexual object
- Threatens to share or does share pictures of you on the Internet
- Inflicts unwanted pain on you during sex
- Pressures you to engage sexually with a third party
- Uses sex and intimacy to control you
- Forces sex as a condition to keep children safe/allow you to see them/  
return them to you
- Exposes children to pornography
- Sexually abuses the children

## PHYSICAL ABUSE

- Throws things at you
- Pushes, grabs or shoves you
- Pulls your hair/twists your arm
- Pins you to wall, floor or bed
- Chokes you
- Kicks, hits or punches you
- Threatens you with a knife, gun or other weapon
- Tries to run you down with a car
- Physically abuses the children
- Hurts or kills pets
- Forces you to terminate pregnancy
- Causes physical harm while you are pregnant

## EMOTIONAL ABUSE

- Insults you in front of others
- Puts down your physical appearance
- Treats you as though you are stupid
- Criticizes your care of children/home

- Calls you names and swears at you
- Calls you crazy/irrational
- Accuses you of having an affair
- Ridicules family or friends
- Goes through personal things, i.e., purse, drawers, pockets, phone or computer
- Sends harassing messages through social media sites or via text messages
- Abuses drugs or alcohol

## HETEROSEXIST/TRANSPHOBIC ABUSE

- Exploits societal homophobia
- Exploits internalized anxieties about your sexual orientation to control you
- Threatens to “out” you and reveal your sexual orientation to family, friends, neighbours and employers
- Uses offensive pronouns
- Denies you access to medical treatment or hormones or coerces you to pursue medical treatment
- Tells you that you are not a real “woman”
- Uses looks, actions, gestures to reinforce homophobic, biphobic or transphobic control
- Makes you feel bad about yourself
- Says no one will believe you, especially if you are lesbian, gay, bisexual or trans
- Says women can’t abuse women or men can’t abuse men and therefore it is just “fighting” and not abuse
- Threatens to tell your ex-spouse or authorities that you are lesbian, gay, bisexual or trans so they will take the children
- Controls/defines each partner’s role or duties in the relationship
- Uses privilege or ability to “pass” to discredit you, put you in danger, cut off your access to resources or use the system against you

## POST-SEPARATION ABUSE

- Blocks access to money after separation
- Drains joint bank accounts or assets
- Uses stalking behaviours (property damage, excessive phone calls, phone threats and verbal abuse, phones and hangs up, etc.), particularly if you take a stand against what he wants
- Monitors your whereabouts and/or follows you
- Uses technology to stalk you
- Uses social media to talk about your case or slander your name
- Locks you out of the family home
- Increases threats and intimidation

- Escalates abusive behaviours when you have a new partner
- Threatens/causes harm to your new partner
- Makes false allegations to slander/undermine your new partner
- Destroys your/children's belongings
- Uses children to justify breaking no contact orders
- Disrupts children's routines (e.g., sleep, eating, sports, etc.)
- Withholds information about children
- Contradicts your rules for children
- Demands visitation schedules at your/children's expense
- Makes false accusations of bad parenting
- Exploits "father's rights" to gain sympathy/undermine you
- Withholds child/spousal support, medical insurance, financial contribution to children's extra expenses (e.g., sports, daycare, school uniform/graduation costs)
- Neglects children during his time with them
- Uses violence in front of children
- Uses corporal punishment with children
- Ignores children's schedules, needs, identities, fears
- Uses new partner to take on parental duties
- Tells children his new partner is their new mother
- Enforces strict gender roles with the children
- Degrades you to children/family members
- Uses children as spies/to monitor you
- Threatens to kidnap children
- Refuses to permit your travel with the children
- Refuses to sign for children's passports/provide you with them
- Threatens to call CAS and have the children removed

## LEGAL ABUSE

- Denies the abuse
- Appears charming and conciliatory to the judge or other legal personnel, raising questions about the credibility of your story
- Has you countercharged by the police, complaining that you assaulted him too
- Doesn't allow children to call you when they are with him
- Acts as his own lawyer as a bullying strategy in which he cross-examines you as an intimidation tactic
- Makes endless motions over minor or inappropriate issues
- Uses intimidation and threats if you do not agree to financial arrangements that disadvantage you
- Pressures you to accept mediation and joint parenting arrangements even if you feel threatened and unsafe



# MY SAFETY PLAN

---

Your individualized safety plan should be designed to reduce the risks of further abuse for you and your children. You may want to make a few copies of this blank chart so you can include different measures as your situation changes. For example, what you need to stay safer when you are still with your partner is different from what you need when you first leave. You may need additional measures in place when you start your family law case and when you move into your own apartment or house.

Take some time to think of the protective measures you can put in place in the following areas of your life:

**PHYSICAL** (be aware of your surroundings, car/transportation, workplace safety, etc.)

---

---

---

---

---

**SEXUAL** (consider medical testing, set boundaries, attend counselling, etc.)

---

---

---

---

---

**FINANCIAL** (set a budget, organize bank accounts, seek advice, change passwords, etc.)

---

---

---

---

---

**HOUSING** (protect your address, plan escape routes, etc.)

---

---

---

---

---

**EMOTIONAL** (boundaries, self-care, attend counselling, connect with friends and family, online safety, etc.)

---

---

---

---

---

**HEALTH/WELLNESS** (visit doctor, self-care, exercise, healthy eating, limit substance use, etc.)

---

---

---

---

---

**SPIRITUAL** (explore your sense of purpose, seek counselling, etc.)

---

---

---

---

---

**LEGAL** (learn about legal rights and options to protect self and children, etc.)

---

---

---

---

---

## SAFETY PLANNING FOR CHILDREN

---

The safety plan that you develop with your children will be aligned with your own. But because children within the same family vary in age, needs and abilities, they will require different plans.

The goal of the safety plan is to empower your children by making sure they know how to get help when they need it.

It is important for children to understand that they are not responsible or to blame for the violence or abuse they witness or are subjected to.

### PREPARING FOR EMERGENCIES

- ◆ Teach children that, during a violent episode, their job is to get away from the violence, stay safe and, if it is safe for them to do so, get help.
- ◆ Create a code word. This will be a cue for them to find a safe place and/or get help.
- ◆ Teach your children how to call 911 or local police services in an emergency. Role play with them by teaching your child(ren) to give their address and location, a description of the situation, their phone number and name. Make sure they remember to leave the phone off the hook until help arrives. This avoids the operator calling back and alerting the abuser.
- ◆ Depending on the ages of your children, you may want to talk to them about the five-finger system. In this system, each finger represents a safe person for them to contact in an emergency and/or someone they can talk to about what is going on at home: the police, a trusted neighbour, their teacher, the parent of a friend, a close relative.

### SUPPORTS FOR CHILDREN

- ◆ Talk to children about who they can go to for help in their community (family members, friends, teachers, neighbours, police, etc.).
- ◆ Talk to supportive people involved in your child's life so that they know they are part of your child's safety plan.
- ◆ If the Children's Aid Society is involved with your family, consider speaking to your worker about the safety plan for your children.
- ◆ Connect with a counsellor who understands the dynamics of woman abuse and the impact on children. This person can help to formulate a safety plan and help children to emotionally deal with what is happening in their family.

- ◆ Use formal resources such as the family court, Children's Aid Society and police to help ensure your children's safety. It can be very helpful to do this with the support of an advocate or counsellor.

## SPENDING TIME WITH THE ABUSER

- ◆ Keep a journal of the dates the children spend with their father and the impact of visits on them.
- ◆ Remember that a parenting order can be changed if you believe that your child is being mistreated or abused.

## ONGOING

- ◆ If your children have smart phones, tablets or other electronic devices, consider whether you should shut down any tracking functions. While these functions can be helpful to you and the police if the child is abducted or withheld by the father, they can also be used by the father to find you and/or your children. Check their devices from time to time to be sure no such functions have been installed by your ex-partner.
- ◆ Talk to your children about their experiences, worries and hopes, and allow them to own their feelings. Make safety plans for each situation that has happened or that you believe could happen to your children. This will help them to be prepared and to know what to do in those circumstances.
- ◆ Just as your safety plan will change as circumstances do, so will your children's. Identify increased risk factors such as: a difficult court date, special events in the children's lives, changes in the parenting time schedule, threats from the children's father, etc., and update the safety plan as needed.

Safety planning with infants and toddlers is challenging, because they are too young to play a role in keeping themselves safe or even to understand what is going on. However, you can help a very young child feel safer and more secure by assuring them you will always come back if you leave, that things will be okay and that the situation is not one for them to worry about. If you do have to leave home, try to bring some of your child's special belongings (a blanket, toy or book) with you to help them feel more secure in your new location.

Even though safety planning with children means you need to discuss risks posed by their father, you can and should make sure your children know that it is okay for them to love their father and to want to spend time with him. Assure them that you will support them in spending time with their dad in a way that is safe and comfortable for them.

# SAFETY PLAN FOR CHILDREN

---

My child(ren) have a safety plan that includes the following:

---

---

---

---

My child(ren) and I have a safety code word that is a signal to each of us when help is needed. (Keep this word private between you and your children.)

We have people who support us and are part of our safety plan. They are:

---

---

---

---

My child(ren) know how to get help and who to go to. (If they cannot leave the house, then a safe room where they can go – with a lock and a phone if possible.)

My child(ren) know how to call 911, and this is what they will say:

ADDRESS AND LOCATION:

---

---

---

SITUATION:

---

---

---

PHONE NUMBER:

---

NAME:

---

# SAFETY PLANNING BEFORE AND AFTER COURT

---

Developing a plan specifically for court can help you feel safer both physically and psychologically. Prepare for your court date by visiting the court beforehand to get a sense of what to expect and who the court officials are. You should also make sure you have support before, during and after court. Make plans ahead of time for transportation and child care.

## MY LEGAL SAFETY PLAN

---

I HAVE APPLIED FOR:

- A restraining order
- Exclusive possession of the matrimonial home
- A peace bond

STAGE OF THE PROCEEDING:

---

---

---

---

---

I HAVE A COURT ORDER:

- I have provided my children's school and/or daycare centre with a copy of relevant court orders such as a restraining order and/or parenting order.
- I have provided others with a copy of the relevant court order, such as my workplace security, landlord or home security.
- My ex-partner has been released on bail. These are his conditions:

---

---

---

---

---

- I have a safe plan for telling my ex-partner that I have started a family court case.  
That plan is:

---

---

---

---

---

---

- I have a safe plan for serving court documents on my ex-partner (e.g., your lawyer advises you when documents will be served, ensuring children are not with your ex-partner, or consider hiring a process server). That plan is:

---

---

---

---

---

---

- I have made several copies of my safety plan. I carry one with me, have one in a safe place that I can get to if I need it, and I have given one to a trusted friend or family member.
- I have a calendar where I write down all contacts with my ex-partner.
- I have someone else at the house when my ex-partner picks up and returns the children.

- I have a system for managing my ex-partner's email and other contacts with me.  
It is to:

---

---

---

---

---

---



I have a women's legal advocate. That person is:

---

---

---

---

---

I have a support person who is coming to court with me. That person is:

---

---

---

I have visited the courthouse and know where to go on my court date.

I know how to find:

- The duty counsel office
- Court security
- The washrooms
- The courtroom I have to be in

I have contacted court security and given them relevant information, including:

- My ex-partner's name
- The restraining order against him
- A copy of his bail conditions
- A photograph of him

This is what the court security officer has said they can do to help me stay safe:

---

---

---

---

---

I know what to do if/when I see my ex-partner:

- Ask court security for assistance
- Move away from where he is sitting
- Ask him to move away from where I am sitting
- Go into the washroom
- Ask my support person to intervene
- Other:

I have made arrangements to get to and from court as safely as possible.

I am going to:

- Take a cab.
- Use public transit with a friend.
- Bring my car and travel with a friend.
- Park in a safe place.
- Have a friend walk me from my parking spot or the transit stop to the courthouse.
- Have a friend meet me at the courthouse.
- Bring a cell phone so I can call if there are any problems.
- Get to court early.
- Ask court security to help me leave safely.

All my documents are organized and ready for me to take to court.

I have reviewed all the court documents.

I have booked time off work.

I have arranged for child care.

I have some snacks and drinks ready to take to court.

I have comfortable clothes ready.

I have plans for the evening after court so I can relax and feel safe.

My plans are:

---

---

---

---

If you are preparing to leave your partner, it is a good idea to make a plan of what can be done before you leave and what you are going to take with you when you go. If it is safe to do so, you should take anything you need or think you may need when you go because you may not be able to return to your home safely, and your ex-partner may destroy or hide items that he knows you will want.

Create a 72-hour kit and put it in a safe location from which it will be easy to retrieve. Your kit should contain essential items (copies of identification and health cards for you and your children, changes of clothing for all of you, medication, etc.) to get you through a few days if you have to leave in a hurry.

We have developed a checklist that includes suggestions for safe ways to remove these items from the family home. You can use the column on the left to keep track of what you have done/plan to do with each item in the list.

Of course, if you leave in a hurry because it is not safe for you to stay, you won't take these steps, and that is okay. Everything can be sorted out later, when you and the children are in a safe place.

## FINANCIAL

---

### YOUR OWN BANK ACCOUNT

- Open a new bank account, at a different financial institution, in your name only. Use a new PIN that your partner will not guess.
- If you have direct deposit, inform your employer about your new account once it is safe to do so.

### UTILITY BILLS

- Photocopy utility bills for the previous several months and keep them somewhere safe.

## ALWAYS REMEMBER

Your safety and the safety of your children is more important than any document or possession, no matter how treasured it may be.

## RESPS

- Talk to your financial institution about whether you can move any RESPs to a new bank. This may not be possible if both your and your partner's names are on the RESP.

## YOUR FINANCIAL INFORMATION

- Take your tax returns, pay stubs and other financial documents from the past several years and store in a safe place: at work, with a trusted friend or family member or in a safety deposit box at your new bank.

## YOUR PARTNER'S FINANCIAL INFORMATION

- If you can do this safely, look through your partner's financial documents (bank statements, pay stubs, tax returns, mortgage documents, investment reports, etc.) and make photocopies.
- Put the photocopies in a safe place away from home: at work, with a trusted friend or family member or in a safety deposit box at your new bank.

## MORTGAGE/LINE OF CREDIT

- Talk to your bank or mortgage broker to ensure your partner cannot add to the mortgage/line of credit without your in-person consent.

## CREDIT CARDS

- Get a new credit card in your name only from a different credit card company than any cards you have now. Use a new PIN that your partner will not guess.

## REVENUE CANADA (FEDERAL TAXES)

- Contact Revenue Canada as soon as you have a new address.
- Complete and submit change of information form with Revenue Canada.

## MONEY IN JOINT ACCOUNTS

- You have a legal right to half the money in any joint accounts, so you should remove that money and put it in an account in your own name. Do this as soon as possible after you leave so your partner does not take all of the money, but do not do it before you leave in case he checks the bank balance and sees that half the money is gone.

## BANKING

- Tell your bank once you have left the relationship and discuss financial considerations.

## HOUSING

---

### SHELTER

- Contact the women's shelter in your community for support, information and to learn about the shelter's services. You can also call to make arrangements for beds for you and your children.

### APARTMENT/HOUSE

- If you plan to move into your own place right away, find something appropriate, sign a lease and get the key before your planned departure date.
- Begin acquiring and moving household items and furniture into your new apartment/house.
- Use your new accommodation as a safe place to store documents and other items in this list.

### SUPPORTIVE HOUSING

- Contact a Transitional Housing and Support Worker at your local shelter if you need subsidized or other supportive housing. Make an application and get on the waiting list as early as possible. In most communities, you need to apply for housing within three months of leaving your relationship in order to get on the priority list. Ask your counsellor to provide you with a proof of cohabitation letter to support your application.
- Ask family or friends if you can stay with them while you sort out your next steps.

## LEGAL

---

### LAWYER/LEGAL ADVICE

- Make an appointment to meet with a family law lawyer to review your rights and responsibilities before you leave your relationship. (You can get a two-hour free legal advice form from your local women's shelter.)
- If you have been sponsored to come to Canada by your partner, meet with an immigration lawyer to find out how leaving your partner will affect your immigration status. (You can get a two-hour free legal advice form from your local women's shelter.)
- If you think you might qualify, apply for a legal aid certificate.

### EVIDENCE

- If you have a safe place to keep it where your partner won't find it, begin making a list of the history of abuse in your relationship.

## COURT ORDERS

- If any court orders – family, criminal, immigration – are in place, either remove the originals or make photocopies and keep them in one of the safe places we have suggested in this checklist.

## WORK

---

### TRANSPORTATION

After you leave:

- If you drive to work, consider using a new route that your partner will not be familiar with. Talk to your employer about safe parking.
- If you use public transit to get to work, find an alternate route that your partner won't expect you to use.
- If you have a car and are concerned about your partner stalking you, get it checked for a GPS tracking device. Learn more about technology abuse in the section "Managing electronic communication with an abusive ex-partner."

### SAFETY AT WORK

- Let your employer and key co-workers, as well as security staff, know that you are planning to leave your partner and are concerned that he may visit your workplace.
- Develop a workplace safety plan.

## CHILDREN

---

### COUNSELLING

- Consider setting up counselling for your children so they will have emotional support when you leave. You may need to get their father's consent or a court order for this.

### TOYS AND OTHER IMPORTANT POSSESSIONS

- Talk to your children about their most prized possessions and encourage them to keep them all in one place in case of an emergency.

### PHOTOS

- Carry a recent photo of your children with you and/or have one on your phone in case you need emergency assistance to find them.

### SAFETY

- Develop a safety plan with your children so they know what to do in an emergency. See the "Safety planning" section for tips.

## COMMUNICATION

---

### CELL PHONE

- Update your contact information to include the names of your children's school/daycare centre, your doctor, bank manager, lawyer and anyone else you may need to reach quickly after you leave.
- Create or change the password to your phone.
- Back up any important information you keep on your phone to a secure location.
- After you leave, if you can afford it, buy a new phone and plan that are with a different company than the one your partner uses.
- Review our Online Safety Tip Sheet for more information about being safe online

### COMPUTERS, LAPTOPS, TABLETS

- Create or change the password to any technology that is yours. Keep it where you can easily grab it when you leave.

## DOCUMENTS

---

### PASSPORTS – YOURS AND YOUR CHILDREN'S

- If it is safe to do so, remove passports from the home and leave at work, with a trusted friend or family member or in your safety deposit box.
- If it is not safe to do this before you leave, keep them all together somewhere you can grab them quickly when you leave.

### IMMIGRATION /CITIZENSHIP PAPERS

- Photocopy these documents and keep in one of the safe places we have suggested.

### MARRIAGE CERTIFICATE

- Photocopy and keep in one of the safe places we have suggested.

### VEHICLES

- Find and copy vehicle-related documents (registration, insurance, loan) and store in a safe place.
- After you leave, if you take a car with you, contact the insurance company to change the policy into your name only and to remove your name from policies for any other vehicles.

### CHILDREN'S REPORT CARDS

- Remove the originals from the home or, if that is not safe, make photocopies and store in one of the safe places we have suggested.

## DRIVER'S LICENCE, BIRTH CERTIFICATES, SOCIAL INSURANCE NUMBER

- Make photocopies of these documents and keep them in one of the safe places we have suggested. This will be helpful if your partner takes your wallet or you have to flee without it.

## HEALTH

---

### HEALTH CARDS – YOURS AND THE CHILDREN'S

- If you don't normally carry these in your wallet, do so now, if you can safely.
- Even if you have the health cards with you, make photocopies of them and keep them in one of the safe places we have suggested. This will be helpful if your partner takes your wallet or you have to flee without it.

### DRUG CARD/PARTNER'S WORKPLACE HEALTH BENEFITS INFORMATION

- Photocopy any of these documents and keep them in one of the safe places suggested.

### MEDICATIONS

- If you can, buy extra prescription medication so you can keep a supply away from your home in case you are not able to grab medication when you are leaving.
- Let your pharmacy know your new address as soon as you move.

### DOCTOR

- Let your doctor know you are planning to leave your partner in case they have any health-care-related suggestions for you.

## PERSONAL ITEMS

---

### JEWELLERY

- If you have jewellery that you can put away without your partner noticing, put it in your safety deposit box, or leave it at work or with a trusted friend or family member.

### TOILETRY SUPPLIES AND CLOTHES

- Buy extra toiletry supplies for you and your children. Store this and a change of clothes as well as nightwear in a duffel bag or backpack. Keep the bag somewhere your partner won't find it or in one of the safe places we have suggested.

### KEYS

- Have copies made of all your keys – house, office, cars, cottage – and keep sets away from the house in safe places that you can access quickly. If your partner has a key to your car, consider having the car rekeyed.

## TIPS FOR WHEN YOU LEAVE

---

- ◆ If possible, leave when your partner is not at home and, ideally, when he won't be home for several hours.
- ◆ Leave a note/letter for him or text/email him as soon as you have left to let him know that the children are with you, that you are all fine and that you will be in touch with him within a day or two to talk about arrangements for him to see the kids. If you already have a lawyer, let your partner know that he can communicate with you through your lawyer. Give him the lawyer's contact information.
- ◆ Take along a recent photograph of your partner and of his car (showing the licence plate number). Make sure the photograph is in focus.
- ◆ Call the non-emergency police number, tell them who you are and that you have left your partner, taking the children with you, because of his abuse. This will make it harder for your partner to file a missing person's report and will still maintain your privacy.

## PROTECTING YOUR ADDRESS

---

If you leave your partner, there are a number of things you can do to keep your address private:

- ◆ Use a post office box or a friend's address for mail.
- ◆ Use an alternative address for service of court documents.
- ◆ Do banking online.
- ◆ Use a post office box or alternate address when applying for credit.
- ◆ Separate your credit files with the credit bureau.
- ◆ If you are receiving social assistance or are involved with child protection authorities, tell your caseworker about the need to protect your address.
- ◆ If you think your ex-partner is also on assistance, tell the worker so together you can develop a safety plan for visits to the office.
- ◆ Tell your lawyer not to disclose your address on court documents.
- ◆ If you have a job, tell your employer about the importance of not revealing your address to anyone, including co-workers.
- ◆ Tell family and friends who visit your home to make sure they are not followed.
- ◆ Talk to your children and stress the importance of not giving the new address to their father or their father's family.







SURVEILLANCE DETAILS (DATES, NUMBER OF TIMES, CONTENT, ETC.)

---

---

---

---

---

---

---

---

---

---

ATTACKS

- He has, or says he has, sexual photos of me.
- He posted sexual photos or videos of me online or sent them to others.
- He pretended to be me in social media, email, etc.
- He hacked into my account (email, Facebook, bank, etc.).
- He says bad/embarrassing things about me online.

DETAILS (DATES, NUMBER OF TIMES, CONTENT, ETC.)

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---



Unfortunately, much of the responsibility for managing your ex-partner's legal bullying will fall to you. While both family law and court process offer some solutions, judges are often reluctant to get involved, especially early in the case before they have heard all the evidence. Here are some tips to help you manage a legal bully:

### GET SUPPORT

Connect with a women's legal advocate. This could be a Family Court Support Worker, who has had specialized training and receives ongoing legal support, a women's counsellor or a Transitional Housing Support Worker at the shelter in your community.

### HAVE A SAFETY PLAN

Read the safety section of this organizer and use the information and tools to develop your own safety plan.

### BE INFORMED

Learn as much as you can about the legal issues you are dealing with and family court process. Even if you have a lawyer, you will be able to make better decisions and will be less likely to be intimidated or tricked by your ex-partner.

### KEEP RECORDS

Keep detailed records and notes about your case as well as your ex-partner's behaviour and actions. These should include:

- ◆ Court dates and their purpose.
- ◆ All your documents. This means everything you and your ex-partner file with the court, correspondence with your lawyer, reports that are prepared for court, court orders and, if you and/or your ex-partner are unrepresented, any correspondence between the two of you.
- ◆ The notes you take while you are at court.
- ◆ Details about any contact between you and your ex-partner, including printouts of emails, records of text messages, and copies of letters and notes about any verbal exchanges you have.

### FINDING HELP

You can find a listing of all the Family Court Support Workers in the province on the Ministry of the Attorney General website: [attorneygeneral.jus.gov.on.ca](http://attorneygeneral.jus.gov.on.ca). Call the shelter in your area to find out what legal advocacy services it offers.

- ◆ Information about contact between your ex-partner and the children.
- ◆ Details about any instances when you have not followed the terms of a court order or agreement, including all reasons you did (or didn't).
- ◆ A list of any of your ex-partner's breaches of orders or agreements.

Keep these records in a secure location, where your children won't find them. If you keep your notes on a computer, be sure your files are password protected and change your password regularly. Back up your files as well.

## KNOW HOW TO PROTECT YOURSELF IN MEDIATION

If you are using mediation, spend some time before the first session considering the tactics you think your partner might use to try to intimidate you. Then work with your women's legal advocate to develop responses you can call on if you need them. For example:

- ◆ Do you need to have someone accompany you to and from court so your ex can't harass you as you come and go from the mediation session?
- ◆ Do you need to ask the mediator to do shuttle mediation so you don't have to be in the same room with your ex-partner? This means you are in different rooms, and the mediator moves back and forth between you.
- ◆ You might want to document all your ex's contact with you outside the mediation sessions so you can demonstrate to the mediator any harassing or intimidating behaviour.
- ◆ You may need to limit your contact with your ex-partner immediately before mediation sessions so he can't try to intimidate you.
- ◆ Be ready to end the mediation session or the entire process if you are feeling bullied by your ex-partner.

## GET LEGAL ADVICE ABOUT COURT RULES

Whether you are representing yourself or have a lawyer, it is important to know your rights and get legal advice about how the courts can protect you.

- ◆ Your ex-partner might bring unnecessary motions just to harass you and force you to come back to court. Once he has done this more than a couple of times, you can ask the judge to make an order that he pay your costs every time he brings an unnecessary motion or that he not be permitted to bring any more motions without prior approval from the court:
  - The Courts of Justice Act, section 140, allows judges to make an order prohibiting a party from bringing further court proceedings without specific permission from the court if he has been identified as a "vexatious litigant."
- ◆ Even when you have an interim order in place, your ex-partner may continue with his bullying tactics by manipulating the order. For example, if you have an interim

parenting order, he might skip time with the children without notice to you, arrive early or late to pick up the kids, return them early or late or “forget” to bring their clothes, schoolwork or toys back with them:

- The best way to deal with this kind of bullying is to follow the interim order closely yourself and then document in detail every time he does not follow it. Limit communication to what is absolutely essential and follow any communication terms set out in the interim order.
- ◆ Ensure that orders for disclosure contain specific “due dates.”
- ◆ The Rules of Civil Procedure has two sections dealing with troublesome parties. Rule 60.11 permits a judge to make a contempt order against a party who defies court procedures or orders.
- ◆ You and your ex-partner are likely to bring motions from time to time during your case. A motion is the court process that lets you get an interim (temporary) order while you wait for your case to move ahead. Your ex-partner can use this process to try to harass and intimidate you. If you can anticipate what your ex-partner might do, you can raise your concerns in your court documents and ask the judge to make an order to address them: Rule 57 allows a judge to order a bully to pay all the costs of the other person if he brings harassing matters in front of the court.

## INFORM YOUR LAWYER

- ◆ Instruct your lawyer about how to communicate/respond to your ex-partner to avoid inflating your bill through his repetitive or harassing contact.
- ◆ Your ex-partner may decide to represent himself so he can intimidate and harass you. If this is your situation, make sure your lawyer is aware of your concerns. Let your lawyer manage your ex-partner; avoid getting drawn into direct contact with him if at all possible.

## KNOW YOUR RIGHTS IF HE IS SELF-REPRESENTED

- ◆ If your ex-partner is representing himself and you don't have a lawyer, you will have to manage things very carefully. He may try to convince you that you have to see him to exchange court documents and that you have to talk to him to discuss your case. THIS IS NOT TRUE.
- ◆ You can, and should, use a third party to deliver court documents to your ex-partner. This could be a friend or family member, if they feel confident about dealing with your ex-partner and will behave professionally. This person needs to understand the importance of your privacy, so you can rely on them not to give away information about your whereabouts or legal plan. This person should have a safety plan and should stay in touch with someone else while they are serving your ex-partner.



# POST-SEPARATION COMMUNICATION DO'S

---

## DO

- ◆ Communicate directly with your ex-partner.
- ◆ If you are meeting with your ex-partner, do so in a safe, preferably public place.
- ◆ Schedule difficult conversations for times when the children won't hear them.
- ◆ Be prepared before conversations with your ex-partner, especially if you anticipate you may not agree with one another.
- ◆ Keep a record of your communication.
- ◆ Take the time to think carefully about what words to use. Avoid words and language that you know will hurt or anger your ex-partner or that will just make emotions run even higher than they already are.
- ◆ Think carefully about the timing of difficult messages so you communicate them at a time when your ex-partner will be the most receptive.
- ◆ Be focused, clear and precise.
- ◆ Set communication boundaries. If your plan is to communicate only by email, when he calls you, respond by email so at least you are being consistent.
- ◆ Focus your communication on the issue at hand.
- ◆ Remember BIFF: brief, informative, friendly, firm
- ◆ Use a respectful or at least neutral tone of voice, whether in written or verbal communication.
- ◆ Take time to really listen to what your ex-partner has to say.
- ◆ Bring an open attitude, assuming the best.
- ◆ Be polite, honest, kind or at least neutral.
- ◆ End conversations that are not healthy or productive, and if necessary, come back to the subject at a later time or in a different way.

# POST-SEPARATION COMMUNICATION DON'TS

---

## DON'T

- ◆ Don't use your kids or other family members as messengers between you and your ex-partner.
- ◆ Don't meet with your ex-partner in your or his home.
- ◆ Don't have difficult conversations or arguments when the children can hear.
- ◆ Don't rush into conversations with your ex-partner. You are more likely to get backed into a corner and agree to an outcome you don't want if you are unprepared for the conversation.
- ◆ Don't throw out any written communication or delete abusive phone calls or texts.
- ◆ Don't communicate in haste. Responding quickly to something your ex-partner has said might feel great in the moment, but if your anger or frustration come through in your communication, you could have more problems down the road.
- ◆ Don't send a communication to your ex-partner that you think will make him angry when the kids are with him or if you are about to see him in person.
- ◆ Don't let yourself get sidetracked.
- ◆ Don't break communication boundaries that you and your ex-partner have agreed on, unless it is an emergency. For example, if you have agreed to communicate by email, don't suddenly call him.
- ◆ Don't use communication to raise every little thing you don't like about your ex-partner.
- ◆ Don't ramble or raise unrelated topics that you know will be contentious.
- ◆ Don't use vulgar or aggressive language, no matter how you are feeling.
- ◆ Don't do all the talking.
- ◆ Don't make assumptions.
- ◆ Don't be rude, dishonest, cruel.
- ◆ Don't continue conversations that are abusive, disrespectful or harmful.

# SELF-CARE

Leaving a relationship in which you have been abused and going through the family court system are both very stressful. Self-care during this time of your life is important and can have a positive impact on your healing process and energy as you move forward. The next several pages will walk you through the process of developing your own self-care plan. This is a long-term plan for reducing your stress and honouring your mind, body and spirit.

In the following chart, check the self-care strategies that you are already following, want to try or have decided may not be for you. You can use this list as a guide to develop your own self-care plan on the pages that follow.

## SELF-CARE

---

### EMOTIONAL / SPIRITUAL

---

	Already doing it	Will give it a try	Not for me
Find ways to praise myself every day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ask for help when I need it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Build time for self-reflection into my day, even if it is just five minutes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Let myself cry.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Find a reason to smile or laugh every day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Make sure to have some quiet time every day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Listen to the kind thoughts I tell myself and believe what I hear.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Be creative – draw, paint, write or cook.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spend time in nature.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Explore my spirituality.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Read inspirational books.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## PHYSICAL

---

	Already doing it	Will give it a try	Not for me
Go for a walk.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Go to the gym or join a fitness group (e.g., walking or running club or class at the gym).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Go dancing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Take a bath.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Get a massage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eat three meals a day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avoid over- or under-eating as a coping mechanism.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Focus on healthy foods.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cook meals for my family as much as possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limit the habits that do not make me feel good over the long term (e.g., alcohol, caffeine, nicotine, certain foods).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Set a regular time to go to bed and to get up.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engage in calming activities at bedtime (self-reflection, non-caffeinated beverage, reading, meditation, stretching).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sleep in my own bed (as opposed to falling asleep on the couch while watching TV).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Turn screens off half an hour before bedtime.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Take time to breathe deeply and calm my body when I am overwhelmed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use a stone, a picture or another small object to focus on or hold when I am overwhelmed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## SOCIAL

---

Make new friends with people who value me for who I am and who make me feel good about who I am.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Build a small group of friends with whom I feel safe sharing my story.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Know how to say no and set boundaries.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Find new interests that let me meet new people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do something every week that I feel passionate about and that brings me joy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Volunteer or join a cause.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## FINANCIAL

---

	Already doing it	Will give it a try	Not for me
Set up my own bank account at a different financial institution from where my ex-partner banks.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Get a credit card in my name only.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Establish a budget for my family's regular expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Put money every week/month into a "treat" fund, even if it is only a few dollars at a time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## WORKPLACE / WORK AT HOME

---

Find purpose and meaning in my work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maintain work-life balance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Have positive relationships with co-workers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use boundaries to protect myself.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## PSYCHOLOGICAL

---

Understand that grieving is a healthy part of the journey I am on.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Give myself permission to feel angry.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Get professional help when I need it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Build balance into my life.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Actively work to reduce stress in my life.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Learn about woman abuse and how to heal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attend counselling or a women's group to help with my healing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Focus on what I am grateful for.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Write in a journal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## WHEN THE CHILDREN ARE WITH THEIR FATHER

---

	Already doing it	Will give it a try	Not for me
Book extra shifts at work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Take the time to visit my family.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Invite friends over.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cook a complicated meal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cook meals ahead and put them in the freezer.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Go to the movies, with friends or alone.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Visit out-of-town friends.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clean out some closets.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Organize all my old photos.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spend a whole day reading a book.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Do something I have always wanted to do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## WHEN I HAVE A COURT DATE

---

Find a quiet space to breathe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Find something to focus on to help me tune out negativity (a picture, a nice pair of shoes, a stone, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access support (counselling, friends, family).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plan some self-care activities when court is over.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# MY PERSONAL SELF-CARE PLAN

---

Three things I want to tell myself when I am feeling overwhelmed:  
(e.g., "I am strong," "I can handle this," "I am safe," "I am making a better life for myself and my kids.")

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

These are the friends, family members and professionals I can talk to who help me feel better:

---

---

---

---

---

These are the people I will avoid or limit my contact with:

---

---

---

---

---

These are the things that make me happy and healthy: (e.g., uplifting music, a favourite comedy, a favourite place to go, getting organized, etc.).

---

---

---

---

---

---

# MY PERSONAL SELF-CARE PLAN

---

---

EMOTIONAL/SPIRITUAL

PHYSICAL

---

SOCIAL

FINANCIAL

---

WORKPLACE

PSYCHOLOGICAL

---







## COMMUNITY

Letters or evidence attached to an affidavit

- Neighbours
- Religious leader
- Therapist or counsellor

## STATUS/NOTES

---

---

---

---

---

---

---

---

---

---

---

## CHILDREN

- Children's teacher(s), school
- Children's daycare worker or babysitter
- Children's coach(es), instructors, etc.
- CAS records or contracts or confirmation that file was not opened or has been closed
- Transcripts of interviews with children
- Children's doctors, dentist

## STATUS/NOTES

---

---

---

---

---

---

---

---

---

---

---



The following chart sets out key responsibilities/tasks and identifies who is responsible for them: the lawyer, the woman or her women's legal advocate.

### FINDING A LAWYER

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Your women's legal advocate can help you by providing a list of names of possible lawyers.
- ◆ You are the one who has to decide which of those lawyers is best suited for what you need.

### SETTING UP THE FIRST APPOINTMENT

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ You will contact your lawyer's office to arrange the first appointment, which will be scheduled for the next date your lawyer has available.
- ◆ You will probably arrange this appointment by talking to the receptionist or law clerk in the lawyer's office.

### EXPLAINING THE LAWYER'S ROLE

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ At your first appointment, your lawyer should explain to you what their role includes and does not include.
- ◆ Make a list of everything you want to know about the lawyer's responsibilities. Take this list to your first appointment, and ask the lawyer about anything they do not mention.

## EXPLAINING THE COSTS

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ It is up to your lawyer to tell you about the costs of handling your case.
  - If your lawyer is being paid by Legal Aid Ontario, they should tell you how many hours of work LAO is paying for and what they think can be done in that amount of time.
  - If you are paying the lawyer's fees yourself, your lawyer should tell you their hourly rate as well as what some of the additional expenses (called disbursements) are likely to be.
- ◆ If your lawyer does not bring this up in your first appointment, you should ask about it.

## COMMUNICATION

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ All three of you are responsible for effective communication.
- ◆ You should bring a list of questions to meetings with your lawyer. Your women's legal advocate can assist you with this.
- ◆ You should be as clear as possible in telling your lawyer what you want in your case and what you want the lawyer to do.
- ◆ Either you or your women's legal advocate should be prepared to take notes during your meetings with your lawyer.
- ◆ Your lawyer is responsible for explaining things to you in clear, plain language so you can understand, but it is up to you to let your lawyer know when you don't understand something.
- ◆ It is your lawyer's job to respond promptly to your questions, telephone calls or emails, but it is your job to limit the number of communications with your lawyer between appointments to urgent issues.

## PREPARATION FOR MEETINGS

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Working with your women's legal advocate, you should prepare for every meeting you have with your lawyer.
  - This includes making sure you have booked enough time to get to and from your appointment so you can be there on time, arranging for child care, putting

together a list of the topics you want to cover in the appointment as well as any questions you want the lawyer to answer.

- ◆ Your lawyer is responsible for having reviewed your file prior to each appointment so they are up to speed with your case and are ready to provide you with information, take your instructions and answer your questions.

## EXPLAINING LEGAL OPTIONS/ PROVIDING LEGAL ADVICE

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Only your lawyer should explain your legal options/give you legal advice. You give your lawyer information about your situation and tell them what outcomes you would like to get from your case, but it is the lawyer who tells you what is legally possible and what they think is the best legal course of action.

## COMPLETING DOCUMENTS

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ It is your lawyer's job to complete all the paperwork required in your case.
  - However, it is your job to review those documents and let the lawyer know if you've found a mistake or if there's something with which you don't agree.

## SERVING DOCUMENTS

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Your lawyer is the one who serves court documents on your ex-partner. If your partner has a lawyer, the documents will be served on them; if not, they will be served on your ex-partner directly.

## COMMUNICATING WITH YOUR EX-PARTNER

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Your lawyer is responsible for all legal communication with your ex-partner: to his lawyer, if he has one; to him directly, if he does not.
- ◆ You, however, may also be in communication with your ex-partner about ongoing details such as issues relating to the children. You should follow your lawyer's advice about when and how to be in touch with your ex-partner.

## KEEPING TRACK OF YOUR CASE

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Of course, your lawyer will have a file of everything related to your case, but it is very important for you to keep all this information too.
- ◆ You should set up an organized filing system at the beginning of your case and make sure you get copies of everything your lawyer has.
  - Your women's legal advocate may be able to help you with this.

## FOLLOWING UP BETWEEN APPOINTMENTS

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Your lawyer will often give you tasks to complete before you come back for another appointment. If you want to keep your legal costs down and keep your case moving along, it is important for you to get these tasks done.
- ◆ Your women's legal advocate can help you make a plan that you can follow and may be able to help you with some of this work.

## PROVIDING EMOTIONAL SUPPORT

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ Your lawyer's job is to give you legal advice and follow your instructions about how to handle your case. While many lawyers are very sympathetic to their clients' emotional needs, it is not the lawyer's job to provide you with emotional support.
- ◆ Your women's legal advocate can do this and can help you find additional counselling support if you need it.

## SAFETY PLANNING

---

WHO'S RESPONSIBLE: You  Legal Advocate  Lawyer

- ◆ You and your women's legal advocate can work together to create a safety plan. You can let your lawyer know about it, but it is not your lawyer's job to create it.

## CHECKLIST

## ASSESSING MY FAMILY LAW LAWYER

	YES	NO
My lawyer understands family law and issues related to domestic violence.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer helps me prioritize my goals.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer explains the legal options and strategies available to achieve my goals.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer explains my chances of success.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer does not make promises about outcomes they cannot control, like what the judge will rule or what my partner will agree to.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer answers my questions and makes sure I understand fully.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer lets me ask questions.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer communicates with me in a timely and effective manner.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer has explained how long the process might take.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer has explained how much the process might cost.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer has explained what services they will and will not provide.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer follows my legal instructions and does not make important decisions without consulting me.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer gives me copies of ongoing communications and documents filed with the court.	<input type="checkbox"/>	<input type="checkbox"/>
My lawyer handles matters related to my case within a time frame they originally promised.	<input type="checkbox"/>	<input type="checkbox"/>

*Adapted from material originally developed by the Barbra Schlifer Commemorative Clinic*

This table sets out the steps in a family law case. Each step requires different documents, which are also noted. Documents must be filed on time unless you have the other party’s consent or the court’s permission to file late. Seek legal advice if you are unable to file your documents on time.

These forms are not in the table but are important:

- ◆ **Form 14 C – Confirmation of Motion** must be delivered to the opposing party and filed at the filing counter three days before a motion date.
- ◆ **Form 17 F – Confirmation of Conference** must be filed three days before a conference date.
- ◆ **6B Affidavit of Service** must be filed each time documents are served. Service of court documents must comply with the *Family Law Rules* ([ontario.ca/laws/regulation/990114](http://ontario.ca/laws/regulation/990114)).
- ◆ See Rule 3 for Counting Days and Rule 6 for Service of Documents.

APPLICATION

To be served personally by an adult who is not the Applicant

**Form 8: General Application OR Form 8A: Divorce Application**

AND

Financial Statement **Form 13 Support Claims**

OR **Form 13.1 Property and Support Claims**

AND

**Certificate of Financial Disclosure Form 13A**

AND

If a claim is made for a parenting order, complete

**Form 35.1: Affidavit (decision-making responsibility, parenting time, contact)**



to ANSWER →

---

**ANSWER**

Within 30 days after being served with the Application

---



---

**REPLY**

10 days after being served with the Answer, the Applicant may file a **Form 10A**

---



---

**FIRST COURT DATE**

Administrative appearance before a Court Clerk for Fast Track Cases

**Form 10: Answer**

AND

Financial Statement **Form 13 Support Claims**

OR **Form 13.1 Property and Support Claims**

AND

**Certificate of Financial Disclosure Form 13A**

AND

If a claim is made for a parenting order,

**Form 35.1: Form 35.1: Affidavit (decision-making responsibility,  
parenting time, contact)**

**First Case Conference Date Scheduled.**

OR

If no Answer filed, Applicant may prepare

**Form 23C Affidavit  
for Uncontested Trial**

---



to CASE CONFERENCE →

---

CASE CONFERENCE (multiple Case Conferences are possible)

Both parties must file a **Form 17A**.

Applicant must file six days before the date scheduled.

Respondent must file no later than four days before that date.

---



---

SETTLEMENT CONFERENCE  
(multiple Settlement Conferences are possible)

Both parties must file a **Form 17C**.

Applicant must file six days before the date scheduled.

Respondent must file no later than four days before that date.

---



---

TRIAL SCHEDULING CONFERENCE

Both parties must file a **Trial Scheduling Endorsement Form**.

Applicant must file no later than seven days before the date scheduled.

Respondent must file no later than four days before the date scheduled.

---



to TRIAL MANAGEMENT CONFERENCE →

---

## TRIAL MANAGEMENT CONFERENCE

Applicant must file a **Trial Record** seven days before the date scheduled.

Respondent may add to Trial Record up to 2 pm two days before the date scheduled.

Both parties must file **Offer to Settle**, outline of **Opening Statement** and **Draft Order** no later than 2 pm two days before the date scheduled.

---



---

## EXIT PRE-TRIAL CONFERENCE

This is the final opportunity to resolve issues before beginning trial.

Either party may request a date for **Exit Pre-Trial at TMC**.

---



---

## TRIAL

A trial may not be adjourned without a judge's order, which can only be granted by attending personally, and only in compelling and unforeseen circumstances, such as illness.

---

## NOTES

---

---

---

---

---

---

---

---

---

---

---

# MY CONTACT LIST

---

## LEGAL ADVOCATE

PHONE:

EMAIL:

---

ADDRESS:

---

## SUPPORT PERSON

PHONE:

EMAIL:

---

ADDRESS:

---

## LAWYER

PHONE:

EMAIL:

---

ADDRESS:

---

## EX-PARTNER'S LAWYER

PHONE:

EMAIL:

---

ADDRESS:

---

## FAMILY COURT

PHONE:

EMAIL:

---

ADDRESS:

---

## DUTY COUNSEL

PHONE:

EMAIL:

---

ADDRESS:

---

# MY CONTACT LIST

---

## MEDIATOR

PHONE:

EMAIL:

---

ADDRESS:

---

## PARENTING COORDINATOR

PHONE:

EMAIL:

---

ADDRESS:

---

## VICTIM/WITNESS ASSISTANCE PROGRAM

PHONE:

EMAIL:

---

ADDRESS:

---

## CROWN ATTORNEY

PHONE:

EMAIL:

---

ADDRESS:

---

## POLICE

PHONE:

EMAIL:

---

ADDRESS:

---

## OTHER

PHONE:

EMAIL:

---

ADDRESS:

---





# COURT APPEARANCE SUMMARIES

---

DATE:

COURTROOM:

---

JUDGE/CLERK:

---

PURPOSE:

---

YOUR LAWYER:

---

EX'S LAWYER:

---

OTHER PARTIES PRESENT:

---

NEXT COURT DATE:

---

REASON FOR NEXT DATE:

---

SUMMARY OF OUTCOME:

---

---

---

---

---

---

---

---

---

---

TO DO:

---

---

---

---

---

---

---

---

---

---

# COURT APPEARANCE SUMMARIES

---

DATE:

COURTROOM:

JUDGE/CLERK:

PURPOSE:

YOUR LAWYER:

EX'S LAWYER:

OTHER PARTIES PRESENT:

NEXT COURT DATE:

REASON FOR NEXT DATE:

SUMMARY OF OUTCOME:

---

---

---

---

---

---

---

---

TO DO:

---

---

---

---

---

---

---

---

---

---

# COURT APPEARANCE SUMMARIES

---

DATE:

COURTROOM:

---

JUDGE/CLERK:

---

PURPOSE:

---

YOUR LAWYER:

---

EX'S LAWYER:

---

OTHER PARTIES PRESENT:

---

NEXT COURT DATE:

---

REASON FOR NEXT DATE:

---

SUMMARY OF OUTCOME:

---

---

---

---

---

---

---

---

---

---

TO DO:

---

---

---

---

---

---

---

---

---

---

# APPOINTMENT LOG

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---

# APPOINTMENT LOG

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---

# APPOINTMENT LOG

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---

**ORGANIZATION:**

---

LOCATION:

---

DATE:

TIME:

---

CONTACT NAME/NUMBER:

---

PURPOSE OF APPOINTMENT:

---

APPOINTMENT SUMMARY/TO DO::

---

---

---

---

---

---

---

---

---

---



























# RESOURCES

---

## LEGAL SUPPORT SERVICES

---

### LUKE'S PLACE

*Family law resource centre for women  
leaving abusive relationships*  
[www.lukesplace.ca](http://www.lukesplace.ca)  
[www.familycourtandbeyond.ca](http://www.familycourtandbeyond.ca)

### ONTARIO FAMILY COURT SUPPORT WORKERS

*Listing by community*  
[www.attorneygeneral.jus.gov.on.ca/english/ovss/  
family\\_court\\_support\\_worker\\_program/service\\_  
providers.php](http://www.attorneygeneral.jus.gov.on.ca/english/ovss/family_court_support_worker_program/service_providers.php)

### LEGAL AID ONTARIO

*Financial support for legal services*  
[www.legalaid.on.ca](http://www.legalaid.on.ca)  
1-800-668-8258  
TTY: 1-866-641-8867

### COMMUNITY LEGAL EDUCATION ONTARIO

Practical legal information  
[www.cleo.on.ca](http://www.cleo.on.ca)

### ONTARIO COURT SERVICES

[www.ontariocourtforms.ca](http://www.ontariocourtforms.ca)  
1-800-518-7901  
TTY: 1-877-425-0575

### ABORIGINAL FAMILY LAW PROGRAM

*Resources and information*  
[www.attorneygeneral.jus.gov.on.ca/english/family/  
aboriginal\\_family\\_law\\_program](http://www.attorneygeneral.jus.gov.on.ca/english/family/aboriginal_family_law_program)

### ONTARIO MEDIATION

*Information and listings across Ontario*  
[www.attorneygeneral.jus.gov.on.ca](http://www.attorneygeneral.jus.gov.on.ca)  
1-800-518-7901  
TTY: 1-877-425-0575

### ONTARIO LAWS

*Online access to Ontario law*  
[www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

## ABUSE/SAFETY

---

### ASSAULTED WOMEN'S HELPLINE

*Support and referrals*  
[www.awhl.org](http://www.awhl.org)  
1-866-863-0511  
TTY: 1-866-863-7868

### FEM'AIDE

*Francophone women's helpline*  
[www.femaide.ca](http://www.femaide.ca)  
1-877-fem-aide  
TTY: 1-866-860-7082

### SHELTER SAFE

*List of Ontario women's shelters*  
[www.sheltersafe.ca/ontario](http://www.sheltersafe.ca/ontario)

### PEEL COMMITTEE AGAINST WOMAN ABUSE

*Safety planning guide*  
[www.pcawa.net](http://www.pcawa.net)

## CHILDREN

---

### THE ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETIES

[www.oacas.org](http://www.oacas.org)  
1-800-718-1797

### CHILD SUPPORT

[www.goodparentspay.com](http://www.goodparentspay.com)  
1-888-789-4199

### CHILDREN'S MENTAL HEALTH SERVICES

[www.ontario.ca/page/mental-health-services-  
children-and-youth](http://www.ontario.ca/page/mental-health-services-children-and-youth)

### KID'S HELP PHONE

[www.kidshelpphone.ca](http://www.kidshelpphone.ca)  
1-800-668-6868

