

## **Information on Bill C-78 – Proposed Amendments to Federal Family Law Statutes**

The amendments include the following:

### **Divorce Act**

- Replacing “custody” and “access” terminology with terminology relating to parenting
- Creating a non-exhaustive list of criteria to help courts determine the “best interests of the child”
- Creating duties for parties and legal advisers to encourage the use of family dispute resolution processes
- Introducing measures to assist courts in addressing family violence
- Establishing a framework for the relocation of a child
- Simplifying certain processes, including those related to family support obligations

### **FOAEAA**

- Allowing the release of information to help establish and vary support provisions
- Expanding the release of information to additional provincial family justice government entities
- Permitting garnishment of federal moneys to recover certain family law related expenses
- Extending the binding period of a garnishee summons

### **Both Divorce Act and FOAEAA**

- Implementing the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children, concluded at The Hague on October 19, 1996 (1996 Hague Convention)
- Implementing the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007 (2007 Hague Convention)

### **GAPDA**

- Giving priority to family support obligations
- Simplifying processes

Below is a link to Bill C-78 that was introduced May 22 by the Federal Government and will be of extreme interest to those who practice family law.

<http://www.parl.ca/DocumentViewer/en/42-1/bill/C-78/first-reading>