Spousal Support Lawyer in Vaughan Advocates Basic Understanding of Family Law

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A spousal support lawyer in Vaughan wants to help more people learn the basics of family law.

The attorney, who is a family lawyer for a prominent Ontario-based firm, noted that family law governs issues that many couples and families often have to deal with. As such, there is value in learning the basics of how the law works. ?As the adage goes, knowledge is power,? he said. ?Whether it is the start of a marriage or the unfortunate end of one, family law comes into play. The crucial first step to protecting yourself, your loved ones or your assets is to understand how the law can help you.?

The same family lawyer in Vaughan added, ?We?ve seen a lot of cases wherein our clients jump into huge decisions that could have been made with better judgment if they conducted due diligence or simply consulted with a lawyer.?

He cites spousal support as an example of a family law matter that people should know more about. As stated in the firm?s website, the law on spousal support is designed to help ensure that a spouse does not suffer undue hardship as a result of the separation or divorce.

According to Canada?s Department of Justice website, the federal Divorce Act sets out the rules for married couples who divorce. In cases wherein the couple is in a common-law relationship or is married but separating and not divorcing, provincial or territorial laws apply.

The Divorce Act stipulates that spousal support is ?most likely? to be paid if there is a big difference between the spouses? income at the time of the separation. Judges consider several factors in deciding whether a spouse should get support after divorce. These include length of the marriage; financial capability of both spouses; roles of each spouse during the marriage and how those roles and the breakdown of the marriage affect their current financial status; and care of the children; among other factors which can vary on a case-to-case basis.

It is also important to note that Canada has a no-fault divorce law. This means that spousal support is not affected by the reasons the marriage ended.

A common misconception about spousal support is that it will end once the supporting spouse has retired. The federal law indicates that a payor must prove that there is a ?material change in the means, needs, conditions or other circumstance of either party.?

One report cited a case wherein the husband, who paid spousal support for seven years after a 22-year marriage, retired early at 55 years old. His income was reduced by more than half, he purchased a new home and got engaged. His ex-wife said she would have to continue working until age 65. The husband filed a motion to terminate spousal support but it was dismissed by the judge who noted that it was an ?erroneous assumption? and that the husband ?wanted to retire.?

The Vaughan-based spousal support lawyer furthered, ?Ignorance of the law is not an excuse so there truly is value in understanding the basics. Our firm?s website provides a good starting point for those who want a general idea of how family law works. Naturally, it is always best to consult with a lawyer to navigate the complexities of the law. But that should not stop people from stocking up on valuable and practical information.?

For more information on the basics of family law in Ontario or to book an appointment with a reputable family lawyer, visit the firm?s website.

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