

# Did you know?

Revised August 2013

## FAMILY COURT AND DIVORCE

Many people are confused by the different courts and what each court can and cannot do. Divorce laws are made by the federal government. The only court in our province that can grant a divorce is the BC Supreme Court. The court will only grant a divorce once it is satisfied that you have made reasonable arrangements for the care and support of your children. Child support, spousal support, and parenting arrangements can all be included in your divorce.

### Can I deal with family matters in provincial courts?

Yes. The issues of child support, custody, and access can all be dealt with in Provincial Family Court. You can avoid the expense of getting these issues dealt with in Supreme Court with a lawyer, by dealing with them in Provincial Court. However, keep in mind that you cannot deal with issues of division of property or divorce in Provincial Family Court.

### Do I need to have a lawyer in Provincial Family Court?

If you cannot afford to hire a lawyer, you can deal with your family matters without using a lawyer. The court process in Provincial Family Court is less complicated than the process in Supreme Court. Also, you

can get help from Family Justice Counsellors. Family Justice Counsellors are mediators who are professionally trained, free of charge and, depending on your income, can provide information and referral or mediation services. They are impartial and focus on what is in the best interest of your children.

### Is there any other assistance I can get in dealing with family matters?

You may also be able to get help from Family Law duty counsel (family lawyers) at Provincial or Supreme Court. They can give legal advice and speak on your behalf in court on simple family matters. Remember that family law duty counsel cannot replace the advantage of having your own lawyer. Family duty counsel are in the Vancouver Supreme Court and in provincial courts throughout BC in 46 locations.

### For more information on family law:

- 1) Family Justice BC <http://www.justicebc.ca/en/fam/index.html>
- 2) Legal Services Society family law website at: <http://www.familylaw.lss.bc.ca>