



Family Law

CALL US - BEFORE
YOUR EX DOES!



Roxanne Shank
LAWYER

A

Mediation, a form of Alternative Dispute Resolution (ADR), is a wonderful process that enables couples to settle their family issues outside of court, in a cost-effective manner.

Many family lawyers provide mediation services, as do mediation centres. Once settlement is agreed upon through mediation, one party will then go to a lawyer to have the settlement drawn up as a separation agreement, which each person will then sign with their own lawyer.

If you have any concerns that in a mediation, your husband may bully you or otherwise drive the discussion without your feeling safe and free to communicate your position, mediation may not be for you.

I would suggest you make an appointment immediately with a family lawyer; if you have no access to funds, call Legal Aid of Ontario at 1-800-668-8258.

Your friends at Shank Law.

Q

My husband and I have decided to separate. He wants to go to mediation to settle things, but I am not sure. He controls all the finances- my paycheque goes into his bank account. He decides what we buy, and when I can see my family. He tells me he has to do this because I am stupid and I can't manage money. He said if we don't go to mediation he'll take me to court and I will lose the kids. What should I do?

However, ADR is not for every couple. ADR assumes that the couple has equal bargaining power and that both parties enter the process voluntarily, free from threat and coercion. You are right to have reservations about whether ADR is right for you; ADR is not generally suitable for domestic violence cases, and your situation raises concerns in my mind about put-downs, forced dependency, coercive control and isolation.

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