



Family Law

CALL US - BEFORE
YOUR EX DOES!

A

The answer to your question is fact specific, and while I can answer in general terms, it would be prudent to see a family lawyer about your specific circumstances.

If you have already adopted the children, or the biological father will consent, then adoption is the most straightforward approach to give you all the rights and responsibilities of a parent. If the biological father refuses to agree to adoption, that door is closed, but you can have your partner designate you as the preferred guardian of the children in her will. You will still need to apply for guardianship/custody of the children, within

6 months of her passing.

If the biological father contests custody, the courts will ultimately make a determination based on the best interests of the children. Factors the court will weigh include [but are not limited to] the mother's wishes as expressed in the will, the means and abilities of each of you to provide appropriate care for the children and the wishes of the children. Other factors that would negatively affect either party's claims include having a criminal record, a history of drug/alcohol abuse, and Children's Aid Society involvement.

Your friends at Shank Law.



Roxanne C. Shank
LAWYER

Q

My partner is now critically ill. She has children from a previous relationship, but they have always lived with us. Once she passes on how can I ensure that they continue to live with me?



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