



# Family Law

CALL US - BEFORE  
YOUR EX DOES!

## A

You are silent about whether your son wants to pursue custody, and as you claim you raised your grandchildren, it sounds like you may be more committed to the children's welfare than he is at this time.

Unfortunately, while biological parents have an automatic right to claim custody of the children, this right does not extend to grandparents.

It is normally very difficult for grandparents to obtain custody of their grandchildren, even when they have raised them.

An exception to this occurs when the Children's Aid Society is involved, as in a case where both parents have substance abuse challenges. If the CAS considers both biological parents to be unfit, then they will consider a "kin" placement such as yourself.

Absent those "fitness to parent" issues with the children's mother, should you try to contest custody with her it is highly unlikely that you will be successful.

A better option might be to assist your son with his custody and access claims, financially and otherwise. It is not unusual to have grandparents involved in scheduled access.

If your son is just not interested, then a better option may be working with your daughter in law to obtain some scheduled time with your grandchildren. You could be surprised, she may welcome the respite!

Finally, the Courts view pets as property. You bought the dog, but is your daughter in law shown as owner on the purchase from the breeder? The vet? The license? If you are the owner on all of these documents the dog is legally yours and you may attend with the police and pick it up. However, you could decide to be generous and leave the dog with the children, who have already been through a lot through no fault of their own.

Your friends at Shank Law.



Roxanne C. Shank  
LAWYER

## Q

My son and his partner are splitting. I raised my grandchildren and bought them a dog, and now his ex says I can't see my grandchildren and I can't have the dog. What can I do?



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