



Family Law

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YOUR EX DOES!

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While grandparent rights are not protected to the degree that the rights of biological parents are protected, recent court decisions are offering hope for grandparents who are not being permitted to see their grandchildren.

Cases where grandparents have been successful in establishing access have strong common elements of recent contact of a substantial nature. This often looks like the children living with the grandparent(s) for a period of time with or without their parents, or being in the care of grandparent(s) for significant periods of time, for example where grandparent(s) have been providing daycare for several years.

Other elements include evidence of a strong relationship between grandparent and child. One case had the child spending summer vacation every year

with the grandparents, and communicating weekly during the school year.

Timing is important - the successful cases were brought to the Court's attention shortly after access was cut off, or shortly after the grandparent(s) realized that other methods such as negotiating access with the parent, had failed.

In your case, you might consider using a mediator or family lawyer first to assist you and your daughter in resolving your issues, before resorting to Court.

You indicated that you practically raised the children – in these circumstances, you may have a strong case to obtain access. It would be prudent to seek the assistance of a family lawyer to help you achieve your goal.

Your friends at Shank Law.



Roxanne C. Shank
LAWYER

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My daughter has remarried, and now she won't let me see my grandchildren. I practically raised them. My neighbour says grandparents have rights – what can I do?



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