

# Everyone knows 'horror stories'

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 courts often assume that if a spouse is living with someone else, that person is contributing to the spouse's support.

Everyone knows "horror stories" about spouses who won't fulfill their support responsibilities. Sometimes, families are forced to go on welfare because of continuing defaults. There are a number of legal ways that can be used to force a spouse to pay support. Garnishment (an order to someone who owes money to the spouse to pay all or part into court for the other spouse) and attachment (an order that money owing in the future must be paid into court) are two ways available to the court. However, there have been problems that the Family Law Reform Act has not solved.

For example, some sources of income are immune from attachment. These include some pension plans and compensation payments, and professional fees paid to doctors and lawyers by OHIP or the Ontario Legal Aid Plan. Also, while a defaulting spouse can be jailed for contempt of court, the court cannot do this until "all other practicable means...for enforcing payment have been considered". Courts often see jail as a last resort for an irresponsible spouse, and, by the time this type of order is considered, arrears of support are often too high for a spouse ever to pay in full.

If you consider the present Family Law Reform Act to be fair (or unfair)

in regard to its support rules, now is the time to make your opinion known to your MPP, or to the Attorney General of Ontario. The Ontario Legislature will be considering whether to change the Family Law Reform Act in the near future.

### IMPORTANT

This material contains general information about one area of the law. It is designed to help you recognize when the law can assist you with a problem. It does not provide a complete statement of the law in the area. If you have a legal problem, you need legal advice which this article cannot provide.

To get legal advice contact a lawyer or a Legal Aid Clinic in your community. This article was distributed in August, 1983. Because laws change, articles published months after the distribution date may no longer be accurate. Community Legal Education Ontario and the author(s) of this publication will not be responsible for any loss or damage caused by reliance on any statement contained herein, made negligently or otherwise. Be sure to watch for the next LEGALLY SPEAKING column.

CLEO publishes an easy to read booklet on family law titled Marriage and Divorce. This booklet is also available in French. Either version of the booklet may be purchased by sending a cheque for \$7 to CLEO at 62 Nole Street, Toronto M6K 2C9.



Youngsters with the rec department's Dramatic Arts camp dressed up last week as part of their spoof news cast for Halton Cable TV, channel four. The show aired Wednesday night. Visits to the Cable studios in Acton have been a regular feature of the weekly camps and gives the youngsters a chance at some front-of-camera work.

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