

Law Offices of Howard S. Dymant

Winter Newsletter 2012



Dear Howard,

As we celebrate the 34th anniversary of these Offices, we hope that this Newsletter finds you in good health and good spirits. We welcome the winter season and the new year, which should be a time to celebrate with family and friends. Unfortunately, it can also be a time of extreme stress for those who find themselves newly separated from their loved ones.

Family Law continues to evolve. There have been many changes which have come into force this January, most notably the changes to the Child Support Guidelines and an entirely new set of rules with respect to pensions. Our web site has many new and informative articles, which reflect these changes. We highlight several areas of change in the articles below. However, we strongly urge you to peruse through the full list of articles on our website by clicking [here](#). If you have any questions or concerns regarding your family law issues, we encourage you to call us for a brief consultation, which may save you untold months of anguish and financial hardship in the future.

In This Issue

ARBITRATION MORE LIKE LITIGATION
CATHOLIC FAMILY SERVICES OF TORONTO
DO-IT-YOURSELF DIVORCE

Quick Links

[Will Form](#)

[Will Checklist](#)

[Travel Consent Form](#)

ARBITRATION MORE LIKE LITIGATION:

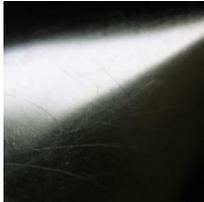
Gap Between Two Models Of Dealing With Disputes Narrowing



In the judicial world, a new wave has struck with more matters moving toward arbitration rather than litigation, believing it to be the better method for dispute resolution. Arbitration attempts to resolve disputes outside of the Court system. There is a misconception however that arbitration is far superior

to litigation and boosters of arbitration rest their case on a number of perceived advantages, but recent surveys have proved otherwise. An international survey in 2010 found that 50 per cent of Respondents were disappointed with arbitrator performance. An article appeared in the Law Times in October 2011 detailing the narrowing of these two models. To read the article and discover its conclusions click [here](#).

CATHOLIC FAMILY SERVICES OF TORONTO:



It is often difficult to approach loved ones when one is going through strife and struggle. There are many people who choose to face these difficulties alone rather than confide in a loved one. What brings people together as a community however, is the willingness to reach out to others in times of distress; to build a bridge between those who are in need of help and those who can provide comfort, such as the counsellors and courses the Catholic Family Services of Toronto has to offer. To view the full calendar of courses between January and June 2012, please click [here](#).

DO-IT-YOURSELF DIVORCE

Is It Right For You?



Before taking on the arduous task of handling a do-it-yourself divorce case, consider all of the following questions:

Have you and your spouse essentially agreed that you both wish to end your marriage and go your separate ways in peace?

Do you feel that you and your spouse can cooperate enough to come to some form of fair agreement regarding the division of all your property and bills?

If you have children, do you feel certain that you and your spouse can reach a fair and reasonable agreement regarding child custody, visitation, and child support?

Are you able to firmly state your wishes to your spouse and not be intimidated by him or her?

Has your marriage been totally free of spouse or child abuse?

If any of the answers to the previous questions are "no," then it is highly advisable to seek the aid of a solicitor. If during the process of attempting to settle your separation or divorce, you or your spouse becomes hostile to the point of being unable to rationally discuss the

terms of a settlement, it is advisable to seek a solicitor for assistance. In addition, if at any time during the process of attempting to do your own divorce, you become overwhelmed by the complications involved or become confused regarding your rights, it is advisable to seek the assistance of a solicitor. If at any time your spouse files any legal papers for a divorce outside the context of your settlement discussions or if your spouse retains a solicitor, you should seek legal help immediately.

Lawyers and judges who make up the legal system generally attempt to be helpful to those who wish to represent themselves in court. Local judges, solicitors, and even court clerks strive to assist those who decide to litigate their divorces without the aid of a lawyer, however the myriad of rules and regulations still apply. Time and again, papers are rejected at the Court office because incorrect forms were filled out or the instructions were not followed properly. With the aid of a lawyer, the burden of procedure and knowledge of the law and practical solutions can be lifted off your shoulders. The burden should be placed in the hands of those trained in this area of the law.

Excerpts taken from *The Smart Divorce* by Deborah Moskovitch

IN SUMMARY:

It has always been the mandate of these Offices to provide you with the best service and advice available in the area of Family Law; inclusive of Separation, Divorce, Custody, Child and Spousal Support, Property Division, Marriage, Cohabitation Agreements, Wills and Powers of Attorney and Estate Planning. It is the objective of these Offices to use our collective talents to help our clients to review their marriages, partnerships and common law relationships and, if there is no alternative, to prepare our clients to obtain the best possible resolution on separation/divorce.

As we have your email address already in our database, you have automatically been subscribed to these emails. Should you wish, you may unsubscribe at any time by following the instructions at the bottom of this or future emails. If you have any questions or concerns, please do not hesitate to contact our Offices.

Sincerely,

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Howard S. Dymant

Our Law Offices

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