



Statement from the Federation of Ontario Law Associations

2016 EXECUTIVE

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Today, the Attorney General announced that Justice Annemarie Bonkalo would be undertaking a review to examine the ongoing access to justice challenges faced by Ontario's family law system and to help families access qualified family legal service providers.

The Federation of Ontario Law Associations, representing practising lawyers in communities across Ontario, welcomes this review and looks forward to being an active and constructive participant in providing practical ideas on how to deliver greater levels of legal advice and counsel to family law litigants.

It is certainly true that our family law system in Ontario is facing major challenges. With over 57 per cent of family law litigants lacking legal representation in court, clearly something is not working within our current system. It is our opinion that the system is generally too complicated and fraught with processes that could be streamlined and made more accessible, and therefore less expensive. In fact, the practising bar has many ideas for improving the system borne from our front-line view of its triumphs and failings. It is also true that family law is an extremely complex area of law made even more difficult by the high-degree of emotion that accompanies nearly every case.

From experience, practising lawyers know that nearly every attempt at reform or tweaking of a system inevitably results in unintended and unforeseen consequences that often make the system slower or more costly in the long run. It is these unforeseen consequences that we will be focusing and commenting on as this review evolves.

We welcome this review and applaud the stated goals of finding more innovative, accessible and affordable ways to deliver quality justice services. We also recognize the immense complexity of family law, and urge the Attorney General to ensure that any changes result in members of the public receiving the benefit of competent, educated and experienced legal advice as they interact with our family courts. We believe a productive conversation will be had by focusing on the family law system in its entirety and emphasizing ways to reduce the regulatory and cost burden on litigants to facilitate even greater unbundling and other alternative models.

We look forward to meeting Justice Bonkalo and her team in the coming weeks and to participating in what we hope will be a productive exercise in reform that benefits all the stakeholders of the system.

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