

# Separation of Common-Law Couples

## COURT PROCESS: MAIN STEPS

### THE ORIGINATING APPLICATION

One partner starts the process by filing this document in court.

1



The originating application is a document that states what the partner is asking for (child support, for example).

At this stage, the partner can ask for a **safeguard order to settle emergencies** (child custody, for example).



The other party is officially notified of the requests. This is called service.

### PRESENTING THE REQUESTS

The partners go to court. This is not the hearing.

2



Requests are made to a judge at least 10 days after service.

A request for a safeguard order can be made earlier.

### If the couple has children...

The partners must attend an information session on parenting and mediation before getting a hearing date.

### THE HEARING - A FEW MONTHS LATER

The judge listens to both partners and has six months to make a decision.

3



To get a hearing date, all documents must be ready.

### Instead of a hearing...

At any time, the partners can agree on the details of their separation.



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INFORMATION EMPOWERS