



TAYLOR
MACLELLAN
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LAWYERS

MAKING SERVICE A MATTER OF PRACTICE SINCE 1835



Family Law

Divorce
Separation
Custody
Cohabitation
Marriage
Adoption

FAMILY LAW SOLUTIONS

The **Taylor MacLellan Cochrane Family Law Team** provides a full range of family law services. The list below will help you find the specific type of service you require for all your family related needs:

- Divorce (Contested and Uncontested);
- Separation Agreements;
- Variation Applications;
- Custody and Access;
- Child Support;
- Spousal Support;
- Property Division;
- Cohabitation Agreements;
- Marriage Contracts;
- Adoption;
- Child Protection

The Taylor MacLellan Cochrane Family Law Team works to ensure that the best interests of our clients are served.

We understand the stressful situations that our clients find themselves facing when dealing with a family law matter and strive to assist in making the process as quick and painless as possible. We work closely with our clients to properly assess their situation and to provide the best advice moving forward.

We endeavor to find the most cost effective solution to family law problems. However, in the event that a settlement cannot be reached, we are fully prepared for litigation on behalf of our clients.

We can provide assistance in the following areas:

Cohabitation Agreements

It is important to protect your property and assets when entering into a relationship. This is especially important if you will be living together. Some couples decide to enter into a Cohabitation Agreement to ensure that if their relationship ends the property they own will be divided as they had initially intended. A cohabitation agreement should be considered if you have or will live with your partner and have property or assets that you wish to remain separate should the relationship end.

Marriage Contracts

A Marriage Contract (also known as a "Prenuptial Agreement") is very similar to a cohabitation agreement

Family Law at work for you

except that it applies to couples who plan to get married. A Marriage Contract sets out how the parties intend to divide their property should the parties divorce.

Divorce

When a marriage breaks down you typically need to live separate and apart for one year from the date of separation before you can start a divorce proceeding.

There are two main types of divorce: uncontested and contested.

An uncontested divorce is when both parties agree on all issues arising from the divorce. An uncontested divorce involves putting the agreed upon terms into a Corollary Relief Order or a Separation Agreement. A divorce proceeding can be commenced by filing an Application for Divorce by Agreement or a Joint Application for Divorce.

A contested divorce occurs when the parties cannot come to an agreement on one or more issues. Typically, a divorce proceeding is commenced by one party filing a Petition for Divorce. This does not prevent the parties from negotiating the terms of the divorce. However, if the parties are unable to come to an agreement, the matter can be brought before a Judge.

Separation Agreements

When a marriage or common law relationship ends you can resolve any issues (property division; child support; spousal support; custody and access) by completing a Separation Agreement. This is an agreement where all of the issues arising from the separation are settled upon and placed in writing to be signed by both parties.

For common law couples a Separation Agreement can be completed once the relationship comes to an end and the parties no longer reside together.

For married couples a separation agreement can be completed once the parties have separated and can be filed with the Court when divorce proceedings are initiated.

Custody and Access

Custody and Access are the terms describing who the child(ren) lives with (custody) and who has visitation with the child(ren) (access).

The best interest of the child(ren) is the most important consideration when it comes to custody and access. There are many different arrangements for custody and access and a determination is made as to what arrangement best suits the situation.

Child Support

Child support is generally paid by the parent who the child(ren) does not live with. The amount of child support to be paid is determined by the Federal Child Support Guidelines. The amount depends on the annual income of the person who will be paying child support and the number of children involved. Special and extraordinary expenses (e.g. daycare and extra-curricular activities) can also be considered when it comes to child support.

The Taylor MacLellan Cochrane Family Law Team is well positioned to provide all of your family related needs with a full complement of highly skilled lawyers and paralegals.

Professional solutions and professional staff for all your family law related needs

FULL SERVICE TEAM PROVIDES END TO END SOLUTIONS



Tyler Pulley, Associate Family Law Team Leader

Spousal Support

Spousal support is the term used to describe money paid from one spouse to the other after the relationship has ended. Spousal support may be granted for a number of reasons. For instance, it could be because one party is unable to pay for their living expenses without assistance from the other party. There are many qualifications when it comes to spousal support and the amount and duration depends on the particular case.

Property Division

When a couple is separating they need to come to an agreement regarding their property. This includes, but is not limited to, real property, personal property, and pensions. For married couples, the division of property falls under the *Matrimonial Property Act*. Property division between common law couples is more complex and should be discussed with a lawyer.

Variation Applications

A variation application is an application to the Court to change a current Order. This could include custody, access, child support, and spousal support. To make a variation application there must be a change in the circumstances since the Order was issued. What Court to file a variation application with depends on which Court the original Order was issued from (e.g. Family Court or Supreme Court). For more information about variation applications you should contact a lawyer.

Adoption

Adoption is when a person who is not the biological parent of a child (or in some cases an adult) applies to become his or her parent. Adoption comes with all of the responsibilities of being a parent and is not to be entered into lightly. Each adoption is different and the criteria to be able to adopt or to be adopted varies.

The two main types of adoption are private and public. A public adoption is when a child is in the permanent care of the Department of Community Services or the biological parents have placed the child up for adoption. A private adoption includes when a child is adopted by a specified person(s) such as a step-parent.

FAMILY LAW TEAM LEADER

Tyler joined Taylor MacLellan Cochrane in July 2015. He works out of both the Kingston and Kentville offices. His practice focuses primarily in the area of family law.

Tyler received his Bachelor of Arts (Honours) degree from Saint Mary's University, his Master of Arts degree from Dalhousie University, and his law degree from Dalhousie University.

During law school Tyler was the Executive Director of the Dalhousie Student Advocacy Service, which represents students involved in academic discipline and appeals.

Tyler also volunteered with the Family Law Information Centre, which is located at the Supreme Court (Family Division) in Halifax.

In his last semester, Tyler was enrolled in the Criminal Clinic and had a placement with the Public Prosecution Service of Canada.



STAFFING

Alicia Barrie, Family Law Assistant/Paralegal

Alicia joined the firm in 2015 and brings with her five years of family law paralegal and other law firm experience.

For more information about our team, please visit us at www.tmcLAW.com

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Please contact us for all your family law needs.

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