

A photograph of a woman wearing a brown hijab and sunglasses, holding a baby in a yellow shirt. The woman is looking down at the baby with a smile. The background is a soft-focus outdoor setting. The text "Parenting and the Law" is overlaid in white on the image.

Parenting and the Law



**Community Legal
Information**
Empowerment Through Knowledge

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Introduction

This publication explains a parent's legal responsibilities.




The legal information in this publication is from the *Divorce Act* (federal) and the *Children's Law Act* (provincial). In 2020, there were changes to the law and parenting. We used to call a parent's responsibility "custody" and "access." Now, a parent's responsibilities are called decision-making responsibility and parenting time.

Family law issues can be stressful. If you need to speak with someone, reach out to a friend, a mental health professional, or PEI's Mental Health and Addiction Services. To contact them, call 1-833-553-6983.

About Us

Community Legal Information is a registered charity. We provide Prince Edward Island residents with plain language legal information and low-cost lawyer referrals.

Community Legal Information

-  www.legalinfopei.ca
-  info@legalinfopei.ca
-  902-892-0853; 1-800-240-9798 (toll-free)



The information in this publication is not legal advice and does not replace guidance from a lawyer.

Community Legal
Information





Parenting and Contact

Who is a parent?

The word parent may mean:

- A mother.
- A father.
- A person who acts as a parent to the child.

When a child is legally adopted, the adoptive parents become the child's legal parents. Adoptive parents have the same rights and obligations as birth parents.

Parents make decisions like:

- Where the child will live.
- Who will make major decisions for the child.
- How much time the child will spend with each parent.

A parent must financially support their child as long as the child is dependent. A parent cannot ignore or deny this responsibility.

What is parenting time?

Parenting time is the time a child spends in the care of a parent.

Parenting time is not impacted by:

- Childcare.
- School.
- Time spent with family or other people.

If your child goes to school or has a babysitter during your parenting time, it is still considered part of your time with the child.

Unless a court orders differently, a parent with parenting time can:

- Let the child visit other people. This includes the child's family members and friends.
- Make minor decisions about daily activities for the child during their parenting time. For example, visiting a friend.

Unless a court orders differently, a parent always has the right to information about the child's education, health, and well-being.

A **court order** is a document from the court that states a judge's decisions and rules that must be followed. Court orders are given after a person takes legal action. Types of court orders include parenting orders, child support orders, and contact orders.

Are parenting time and child support connected?

Parenting time and child support are two separate issues. For example:

- A parent may be required to pay child support and have no parenting time.
- A parent cannot be denied parenting time because they are not paying child support.

Parenting time and child support can be decided at different times, or at the same time as other issues.

See page 25 for more information about child support.

What is decision-making responsibility?

Decision-making responsibility means making major decisions for a child.

Major decisions include decisions about the child's:

- Health
- Education
- Culture
- Language and spirituality
- Significant extra-curricular activities (for example, commitment to a sport or activity that will impact the other parent's parenting time).

Parents may have similar or different decision-making responsibilities. For example, you may be responsible for education, while another parent is responsible for health. Or you and another parent may share all decision-making responsibilities equally.



Remember, a parent with parenting time has the right to information about the child's education, health, and well-being, unless a court orders differently.

What are a parent's responsibilities?

Parents are joint guardians of their child unless a court orders differently. Being joint guardians means the parents share parenting time and decision-making responsibility. It does not mean the parents will spend the same amount of time with the child. The law does not assume equal parenting time is best for the child.

Parents may agree on any parenting time and decision-making responsibility that works for their family. For example, parents may agree:

- They will share equal parenting time and decision-making responsibility.
- One of them will have more parenting time or decision-making responsibility than the other.

Parents can agree on parenting time and decision-making responsibility informally. This means parents make an agreement without writing it down.





What if the other parent is not involved?

If a parent is not involved in the child's life, and never has been, the parent raising the child has de facto sole decision-making power. **De facto** means without legal paperwork. This means the parent raising the child will make all decisions for the child.

What is contact?

Contact is when a person who is not the child's parent spends time with the child. Contact may be in the form of visits with the child or through video chat, telephone, or letters.

A person with contact does not make day-to-day decisions about a child during visits. Day-to-day decisions are made by parents with parenting time.

Usually, a parent must not prevent their child from spending time with people who are important in the child's life. This includes family or friends that the parent does not get along with. The exception is if the parent has concerns about the child's safety or wellbeing.

Can I stop my child from meeting their other parent's new partner?

No. Sometimes one parent wants to stop the child from meeting or spending time with the other parent's new romantic partner. But if there is no risk to the child, you do not have the right to stop the child from spending time with the other parent's new romantic partner.

What is a parenting agreement?

A **parenting agreement** is a contract that explains each parent's role and responsibilities. This is also called a parenting plan.

A parenting agreement is legally binding if it is:

- Written.
- Dated.
- Signed by each parent in front of a witness.
- Signed by the witness.

The witness does not need to read or know the terms of the agreement. They are there to confirm that the parents signed willingly and were not pressured to sign a binding legal agreement.

A parenting agreement can be as detailed as you like. Think about what will work for your children now, and what they may need later. You may want to add a note about when parents will review the agreement and make changes if needed. For example, parents may review the parenting agreement every year or every six months.

Do I need a lawyer to make a parenting agreement?

No, you do not need a lawyer to make a parenting agreement. But it is always a good idea to get advice from a lawyer before signing a legal document.

What is dispute resolution?

Dispute resolution means resolving conflicts outside of court. The law says that you must try to resolve parenting issues with dispute resolution before going to court. Dispute resolution is usually less expensive and stressful than going to court.




Types of dispute resolution include:

- **Negotiation** is communicating to try to reach an agreement. For example, you may both agree that the child's education is the financial priority, or that you want as little disruption to your child's life as possible. Many people can resolve disputes on their own.
- **Mediation** is when you, the other parent, and a mediator try to resolve disagreements. The mediator is neutral and helps you to communicate with each other to resolve the conflict.
- **Collaborative Practice** is when you negotiate with the other person with support from collaborative practice lawyers and sometimes other support professionals (for example, financial or mental health professionals). You must agree to resolve the issues without going to court.

What is Child-Focused Parenting Plan Mediation?

This free service is offered by the Family Law Centre. Child-Focused Parenting Plan Mediation helps parents make a parenting plan.

Child-Focused Parenting Plan Mediation

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/child-focused-parenting-plan-mediation
-  902-368-6928
-  fcco@gov.pe.ca



Child-Focused Parenting
Plan Mediation





Parenting Orders and Contact Orders

A **court order** is a document from the court that states a judge's decisions and rules that must be followed. A judge makes a court order after a person applies to the court. Sometimes, applying to the court is your only choice. For example, if you tried other options without success.

What is a parenting order?

A **parenting order** is a court order about decision-making responsibility and/or parenting time. You must apply to the court to ask for a parenting order. A parenting order:

- Includes rules the family must follow.
- Can be temporary or permanent.

A judge can make a parenting order that sets rules for a family's parenting arrangement. A judge may make a parenting order when someone makes an application to the court.



Starting legal action does not always mean you will go to a hearing or a trial. A legal issue can be resolved at any point during a legal proceeding.

What if we reach an agreement during a court process?

If parents reach an agreement during the court process, they must show it to the judge for approval. In most cases, the judge will approve the agreement.

Can I apply for a parenting order if I am not a parent?

Yes. According to the *Children's Law Act*, a person other than a parent can apply for parenting time or decision-making responsibility. This may include grandparents, family friends, and other adults in the child's life.

You may ask the court for permission to apply for parenting time or decision-making responsibility if you:

- Stand in the place of a parent (meaning that you have acted as a parent to the child), or
- Intend to stand in the place of a parent to the child.

If you are a grandparent, see our publication [*Grandparents Parenting*](#) for more information.

What does a judge consider when making a parenting order?

When a judge makes a court order, they only consider the best interests of the child. What the judge thinks is best for your children may be different from what you think is best. The judge will consider:

- The child's safety, needs, and well-being.
- The child's relationships with their parents, sibling(s), grandparents, and other important people in the child's life.
- The child's views and preferences, when appropriate.
- The child's culture, language, religion, and spirituality.
- Each parent's willingness to support the child's relationship with the other parent.
- Each parent's willingness to prioritize the best interest of the child.
- If family violence is present.

It is important for the judge to know:

- Who has cared for the child in the past and the child's relationship with that caregiver.
- What plans the person seeking an order has for the child.

A judge's decision is not affected by:

- The age of the parents.
- The income of each parent.
- If a parent is named on the birth certificate or not.

Will the judge consider the views and preferences of the child?

The judge will consider the views and preferences of the child wherever possible. The judge decides when it is appropriate to consider the child's wishes. If necessary, the judge will order that a family court clinician:

- Interview your child and prepare a report on the views of your child, and/or
- Complete a Parenting Arrangement Assessment.

A **Views of the Child Report** is a report that shares a child's preferences about one or two specific topics.

A **Parenting Arrangement Assessment** (previously called a home study) provides neutral evidence to the court about the parenting situation and best interests of the child. The Parenting Arrangement Assessment may also recommend a parenting plan. Each parent must cooperate with an assessment if it is ordered.

Will the judge order something completely different from what I ask?

The judge's only consideration is the best interests of the child. A judge will listen to proposed parenting arrangements from each parent. But they may order something completely different if they think it is in the best interest of the child.





What can a judge do about safety concerns?

A judge may order that:

- Parents not use drugs or alcohol immediately before or during parenting time.
- Parents not make negative comments about the other parent in the child's presence.
- Parents use the Supervised Parenting Time and Exchange Program.

The Supervised Parenting Time and Exchange Program is a service provided by the Family Court Counsellors' Office.

- Supervised parenting time provides parenting time between a child and a parent. The parenting time is supervised by program staff and takes place at a child-centered visiting location.
- Supervised exchange is where one parent brings the child to the visiting location, and the other parent picks the child up to have their parenting time. A program staff member supervises to ensure the parents do not communicate during the exchange.

Could the judge deny parenting time?

It is rare for a parent who has been involved with their child to be denied parenting time. But the judge may deny parenting time if they think it is in the best interest of the child.

Can I make a new application for a different parenting order?

Yes. As the family's needs change, a parent (or another person) may apply to the court to change a parenting order. The judge's only consideration when changing an order is the child's best interests. The judge will not change the parenting order without careful consideration.

What is a contact order?

A **contact order** is a court order that allows a person who is not the child's parent to have contact with them.

Contact orders may have the same conditions as parenting orders, such as a section forbidding the relocation of the child.

Who can apply for a contact order?

Anyone other than a parent can apply for a contact order. Applying for a contact order is a legal process. A judge decides to grant the contact order or not.

In all cases, the judge bases their decision on the best interests of the child.

How do I go to family court without a lawyer?

Read our publication [How to Go to Family Court Without a Lawyer](#). The publication will help you:

- Understand family law processes.
- Get organized for family court.
- Present your case well.

What is the Office of the Children’s Lawyer?

In high-conflict situations, your child may qualify to be represented by the Children’s Lawyer. The [Office of the Children’s Lawyer](#) represents the child and their best interests in disputes about parenting time and decision-making responsibility.

Anyone concerned about a child can contact the Office of the Children’s Lawyer.

Office of the Children’s Lawyer

✉ OCL@gov.pe.ca

☎ 902-368-4842

Does a divorce judgement outline child support and parenting arrangements?

If you have dependent children, your divorce judgement will include a parenting order and child support order.

Office of the
Children’s Lawyer



Enforcement of Parenting and Contact

What if someone breaks the terms of an agreement or order?

You may apply to the court for enforcement of a parenting order, parenting agreement, or contact order.



For example, you have parenting time but the other parent refuses to allow it. You can apply to the court for enforcement of the parenting time. The court may enforce the terms in different ways, including by ordering the Sheriff or the police to bring your child to you.

What if someone with parenting time is abusing the child?

By law, you must contact *Child Protection Services* if you think a child is being abused or neglected by a parent or guardian. You do not need to have proof. Suspicion of abuse or neglect is enough.

If there is an emergency, call 911.

Child Protection Services

-  www.princeedwardisland.ca/en/information/social-development-and-housing/child-protection
-  1-877-341-3101 (business hours)
-  1-800-341-6868 (after hours)

Child Protection Services





Relocation

What is relocation?

Relocation is a move that will likely have a significant impact on a child's relationship with a person who has parenting time, decision-making responsibility, or a contact order. For example, a parent may want to move for work, education, or another reason. A parent may want their child to move with them.

Relocation includes a change in residence of:

- The child, or
- A person who has parenting time or decision-making responsibility.

What is the difference between short-distance and long-distance relocation?

A short-distance relocation may not significantly impact the child's relationship with a parent. For example, the parent may be moving to a new place in the same town.

A long-distance move is more likely to significantly impact the child's relationship with a parent. For example, a long-distance move may be a move to a different school district or a different province.

What if I want to move a short distance?

You must give notice if you are moving with or without the child. Give notice to anyone with a decision-making responsibility, parenting time, or contact order.

There is no specific form required for a short-distance move. Notice must be in writing, and must include:

- The date of the move.
- The new address.
- New contact information.

What if I want to move a long distance?

You must give notice if you are moving with or without the child. Give 60 days notice to people who have parenting time, decision-making responsibility, or contact.

To give notice, the parent must use court form *Notice of Relocation*. This notice must include:

- The date of the move.
- The new address.
- The new contact information.
- A proposal for how parenting time, decision-making responsibilities, and contact will work after the move.

Notice of Relocation

 www.justice.gc.ca/eng/fl-df/divorce/nrf-fad.html

Notice of Relocation



What if I have safety concerns about sharing my address?

You can ask the court to make an exception to the notice requirement in some circumstances. For example, if there is a history of family violence or another serious matter, you can apply for the court to waive or modify the notice requirement.

Can I object to the relocation of a child?

Yes, if you have parenting time or decision-making responsibility you can object to the relocation of the child. If you have contact you cannot object to the relocation of the child.

To object to the relocation of a child, file court form *Notice of Objection to Relocation*. Include your response to the proposal made by the parent who wants to move. You must object to the relocation of the child within 30 days of receiving a *Notice of Relocation*.

Notice of Objection to Relocation

 www.justice.gc.ca/eng/fl-df/divorce/orf-fod.html

What if there is no objection filed and no court order stopping the move?

You can move on the date written in the *Notice of Relocation* if there is no objection and no court order stopping the move.

Notice of Objection
to Relocation



What if I received a Notice of Objection to Relocation?

Wait for the court's response if you received a *Notice of Objection to Relocation*. Do not relocate the child until the court approves the relocation.

How does a judge decide about a relocation?

The judge must consider:

- The reason for the relocation.
- Possible impacts of the move and loss of parenting time on the child.
- How much time the child spends with each parent and each parent's level of involvement with the child.
- If the parent(s) has given 60 days' notice of the move.
- Any existing court orders or agreements that restrict relocation.
- If the proposed parenting arrangement is reasonable.
- The best interests of the child.

If parents share parenting time roughly equally, the person proposing the move must show why the move is in the best interests of the child. If a parent with majority parenting time with the child wants to move, the other parent must show why the move is not in the child's best interest.

Relocation of the child may mean significant travel costs for the parent who is not moving. For example, plane tickets.





The court may order the parent who is moving to pay some or all costs for the other parent to spend parenting time with their child.

These additional costs are not part of regular child support or claims of undue hardship.



Undue hardship means specific circumstances that make it difficult for the paying parent to afford child support. See page 30 for more on undue hardship.

What if I plan to move and I have a contact order?

You must give notice of your move to anyone with parenting time or decision-making responsibility. The notice must include:

- The date of the move, and
- The new address, and
- New contact information.

If the move will have a significant impact on your relationship with the child, you must give 60 days' notice before the move. In that case, use court form *Notice of Change in Place of Residence: Person with Contact*. On the court form, explain how your contact with the child will continue after the move.

A judge can waive or modify the notice requirement.

Child Support



Remember, child support and parenting time are separate issues.

What is child support?

Child support is the financial duty a parent has to a dependent child.

A parent must financially support any dependent children. A parent cannot ignore or deny child support. This is true if a child's parents were married, lived together, or never lived together.

A person who acts as a parent to a child, such as a relative or step-parent, may be able to receive or be required to pay child support.

Remember, child support and parenting time are separate issues. For example:

- A parent may be required to pay child support and have no parenting time.
- A parent cannot be denied parenting time because they are not paying child support.

Parenting time and child support can be decided at different times, or at the same time as other issues.

Does child support impact income tax?

Child support payments are not tax deductible. The person who pays child support cannot claim it as a tax deduction. The person who receives child support does not declare it as income.

How is child support calculated?

The Federal Child Support Guidelines (the Guidelines) and other rules are used to decide:

- Who pays child support.
- How much child support must be paid.
- When payments are made and for how long.

The Guidelines include tables that show the basic amount of child support owing based on:

- The income of the paying parent, and
- Number of dependent children, and
- Parenting time, and
- The province or territory where the paying parent lives.

The Guidelines define three types of parenting time arrangements. These types of parenting time arrangements are only used for determining child support.

- **Majority:** One parent has the child or children living with them more than 60% of the time.
- **Split:** Each parent has one child or more living with them more than 60% of the time.
- **Shared:** Each parent has the child or children living with them at least 40% of the time and pays the child's expenses during that time.

The type of arrangement you have in place impacts the amount of child support you will pay or receive. The definitions do not change any court order or agreement about parenting time or decision-making responsibility.

In addition to basic monthly child support, money may be added to child support amounts for Section 7 Expenses. Section 7 Expenses are special and extraordinary expenses such as:

- Health-related costs.
- Costs associated with special activities your child is involved in.
- Childcare costs.
- Other special and extraordinary costs expenses.

Child support may change if:

- There are children over the age of 18 who are attending college, university, or another post-secondary program.
- The paying parent's income is more than \$150,000 per year.
- There is undue hardship. **Undue hardship** means specific circumstances that make it difficult for the paying parent to afford child support. See page 30 for more information about undue hardship.





Private mediation may help parents agree on financial issues, including child support.




How is child support set up?

There are two ways to set up child support:

1. Co-parents can make a written child support agreement. A **child support agreement** is a contract that outlines parents' financial contributions. You must use the Federal Child Support Guidelines. The agreement must be signed by the parents and witnessed. Witnesses are there to confirm that the parents signed willingly and were not pressured. Witnesses do not need to read or know the terms of the agreement. Each parent should get independent legal advice before signing the agreement.
2. One or both parents can apply to court for a child support order. A **child support order** is a court order about child support.

Child Support Guidelines Officers can give you information on the child support tables, court forms, and the court process if you do not have a lawyer to help you. They can also be a helpful resource if you are applying for a child support order or a change to an order.

Child Support Guidelines Officers

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/child-support-guidelines-officers-and-calculating-child
-  csso@gov.pe.ca
-  902-368-6220

How do we change a child support agreement?

Parents with a child support agreement may make a new agreement at any time for any reason, as long as they both agree. You can simply make a new agreement.

Child Support
Guidelines Officers



What is administrative recalculation?

Administrative recalculation is a yearly adjustment to make sure that the child support amount reflects changes in the paying parent's income.

The Child Support Services Office offers free annual recalculation. A Recalculation Officer adjusts child support amounts based on the paying parent's annual income and the Federal Child Support Guidelines.

The Recalculation Officer issues a Recalculation Order on the date of the order or agreement. The paying parent must submit their updated annual income to the Recalculation Officer.

If they do not, the Officer will deem their income to be 10% higher than the previous year as a penalty.

The Recalculation Officer becomes involved when:

1. Your child support agreement includes recalculation terms and you or the other parent files the child support order or agreement with the Recalculation Officer.
2. A judge makes recalculation part of the child support order. Usually, a judge orders yearly recalculation.

Recalculation may not apply if:

- The paying parent is self-employed.
- The court has estimated income.
- The parents have shared parenting time.
- A court used discretion when deciding child support amounts. **Discretion** means a judge's judgement or conscience.

Child Support Orders

How will a judge decide about a child support order?

A **child support order** is a court order about child support. The judge will use the Federal Child Support Guidelines unless there are special circumstances.

Child Support Table Look-up

i www.justice.gc.ca/eng/fl-df/child-enfant/2017/look-rech.aspx

What is undue hardship?

Undue hardship means specific circumstances that make it difficult for the paying parent to afford child support.

Examples of allowable reasons for undue hardship include:

- An unusually high debt load from the marriage.
- Unusually high costs to be with your children.
- Legal obligations to financially support other people.

The paying parent may apply to the court to lower the amount of child support if there is undue hardship. This is called “claiming undue hardship.”

**Federal Child
Support Guidelines**



A judge decides if your claim of undue hardship will be heard or not. If the judge decides to hear your claim, the court compares the incomes and standards of living in each parent's household. The total income in each household is considered. This means if one parent's household has a second income from a new spouse, both incomes will be considered as the total household income. A judge decides to lower the amount of child support or not.

How do I apply to change a child support court order?

A **variation** is a changed court order. You must apply to the court for a variation. You may apply for a variation if there has been a change in circumstances since the last order. A change in circumstances means a major change that would result in a different order. For example, the paying parent is laid off, or the child moves in with the paying parent.

A **Consent Variation Order** is an order where both parties agree to the change. A judge must still approve a Consent Variation Order, but the parents do not have to go to court. A Child Support Guidelines Officer can help parents enter a Consent Variation Order if:

- Parents agree that child support should be changed.
- Neither of the parents has a lawyer.

Sometimes only one parent thinks child support should be changed. If you are in this situation, ask a lawyer for advice.





Are there time limits for applying for a child support variation?

Usually, the court does not allow a variation application within six months of the previous court order. Exceptions can be made in some circumstances. For example, if you unexpectedly lose your income, you may be allowed to ask the court for a variation before the time limit.



Enforcement of Child Support

What if the paying parent refuses to pay child support?

If a parent is not paying child support as stated in an order or agreement, you can see a lawyer or ask the provincial Maintenance Enforcement Program to help enforce the order.

Maintenance Enforcement is a provincial office that collects and distributes child and spousal support. They also enforce support orders and agreements when they are not paid. You must register your order or agreement with this service to use it.

Maintenance Enforcement Program

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/maintenance-enforcement-program-enrollment
-  902-894-0383 or 902-368-6010

What if I have a good reason to not pay child support?

You must take steps to change the child support arrangement. If you have a child support agreement, ask the other parent if they will agree to change it. If you have a child support order, apply for a variation.

**Maintenance
Enforcement**



How does Maintenance Enforcement work?

Maintenance Enforcement can try to collect unpaid support in several ways, including by:

- Garnishing (taking) a portion of the paying parent's wages.
- Asking the federal government to use the following to collect the child support owing: the paying parent's income tax refund, employment insurance benefits, GST refund, Old Age Security, or Canada Pension Plan benefits.
- Suspending the paying parent's driver's license.
- Asking the federal government to suspend the paying parent's passport.
- Asking the federal government to suspend the paying parent's other licenses.
- Taking the paying parent to court.

The Maintenance Enforcement Program will take steps to enforce your child support order or agreement, but they cannot guarantee success in collecting the payments. The Maintenance Enforcement Program decides what steps to take to enforce your order or agreement.

Glossary

Administrative recalculation

Having your child support arrangement reviewed each year to make sure that it is on track with cost-of-living increases and the paying parent's change in income.

Child support

The financial duty a parent has to their dependent child.

Child support agreement

A contract that outlines parents' financial contributions.

Child support order

A court order about child support.

Collaborative practice

When you negotiate a settlement with the other parent, collaborative practice lawyers, and other professionals. Everyone must agree to keep the dispute out of court.

Consent Variation Order

An order where both parties agree on the requested change to a court order.

Contact

When a person who is not the child's parent spends time with the child.

Contact order

A court order that allows a person who is not the child's parent to have contact with them.



**Court order**

A document from the court that states a judge's decisions and rules that must be followed.

Decision-making responsibility

Making major decisions for a child. For example, the child's health, education, or culture.

De facto

Without legal paperwork.

Discretion

A judge's judgement or conscience.

Dispute resolution

Resolving conflict outside of court.

Mediation

When you, the other parent, and a mediator try to resolve disagreements.

Negotiation

Communicating to try to reach an agreement.

Parenting agreement

A contract that explains each parent's role and responsibilities. This is also called a parenting plan.

Parenting Arrangement Assessment

When a judge orders that a clinician provide neutral evidence about the parenting situation and best interests of the child (previously called a home study).

Parenting order

A court order about decision-making responsibility and/or parenting time.

Parenting time

The time a child spends in the care of a parent.

Relocation

A move that will have a significant impact on a child's relationship with a person who has parenting time, decision-making responsibility, or a contact order.

Undue hardship

Specific circumstances that make it difficult for the paying parent to afford child support.

Variation




A changed court order.

Views of the Child Report

A report that shares a child's preferences about one or two specific topics.



Support Services

Community Legal Information and Lawyer Referral Service

-  www.legalinfopei.ca
-  info@legalinfopei.ca
-  902-892-0853; 1-800-240-9798 (toll-free)



We provide legal information, referrals, publications about legal topics in English and French, public speakers, and presentations on legal topics. This is a free, confidential service. We also offer the Lawyer Referral Service, which provides a short consultation with a lawyer for a modest fee.

Triple P Parenting

-  www.triplep-parenting.ca/pei
-  902-368-6762




Triple P is a parenting program that provides ideas about healthy parenting approaches. Services are available both online and in-person.

Positive Parenting from Two Homes (PP2H)

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/positive-parenting-two-homes-program
-  1-877-203-8828 or 902-368-4333



This program offers free information and education for families experiencing separation, divorce and/or parenting from different homes. Sessions help parents deal with concerns about children getting caught in the middle of parental conflict. If both parents participate, they will attend separate sessions. PP2H for Kids is a program for children in kindergarten to grade nine.

The Office of the Child and Youth Advocate

-  www.childandyouthadvocatepei.ca
-  voiceforchildren@ocyapei.ca
-  902-368-5630



The Office of the Child and Youth Advocate offers free, confidential support for children, youth, and their families. The Office can help you connect with programs and services in your community. The advocates also protect the rights of youth in community organizations and government-funded programs and services. For example, Child Protection Services, Justice Services, and Social Assistance programs and services. For more information, visit their website.

Maintenance Enforcement Program (MEP)

-  www.princeedwardisland.ca/en/information/justice-and-public-safety/maintenance-enforcement-program-enrollment
-  902-894-0383

This office collects and distributes child and spousal support and takes steps to enforce support orders and agreements when they are not paid. You must register your order or agreement with this service to use it. MEP is not just for parties who have challenges with receiving support payments. MEP provides parties with a legal record of support paid. It is voluntary to enroll in the program, but if even one party wants to use the service, support payments must be made through MEP.

PEI Family Legal Aid

-  Charlottetown: 902-368-6656
-  Summerside: 902-888-8066

Legal Aid provides free legal representation for some family law issues. There are criteria that you must meet to qualify for this service.





Child Support Services Office

This office provides services such as the Child Support Guidelines Office and the Recalculation Office.

Child Support Guidelines Officer

☎ 902-368-6220

A Child Support Guidelines Officer can give you information about the amount of child support your child may be entitled to under the Federal Child Support Guidelines. The Officer can also help you apply for child support, or change an existing child support order or agreement. Child Support Guidelines Officers can't give you legal advice.

Recalculation Officer

☎ 902-368-4109

If you have a child support order or agreement that provides for yearly recalculation of child support, you may be able to register your order or agreement with the Recalculation Officer to get your child support recalculated annually. Only certain orders are eligible for recalculation. Contact the Recalculation Officer to see if you are eligible.

Child-Focused Parenting Plan Mediation

i www.princeedwardisland.ca/en/information/justice-and-public-safety/child-focused-parenting-plan-mediation


☎ 902-368-6928

✉ fcco@gov.pe.ca

A free mediation service that helps parents make agreements on parenting time and decision-making responsibilities.

Mi'kmaq Family Resource Centre


 www.mikmaqfamilyresourcecentre.wordpress.com

 902-892-0928

The Mi'kmaq Family Resource Centre offers services that promote the health and well-being of Indigenous children and their parents, guardians, and caregivers.


Mi'kmaq Confederacy of PEI Indigenous Justice Program

 www.mcpei.ca


 902-367-3681

This program is a culturally based pre- and post-charge diversion program for Indigenous people who come in conflict with the law. It supplements the mainstream justice system with restorative justice options. It provides services to all Indigenous people regardless of status, or if they live on or off reserve. It focuses on the process of supporting the healing of offenders, victims, and communities.

Office of the Children's Lawyer

 www.princeedwardisland.ca/en/information/childrens-lawyer-0

 OCL@gov.pe.ca

 902-368-4842

An independent provincial government office. The office has lawyers that may decide to represent or be a litigation guardian for children in high-conflict situations. The office only acts in parenting time and decision-making responsibility cases.

More Resources

Community Legal Information also offers the following publications:

- *Family Law Essentials*
- *Family Violence and the Law*
- *A Parenting Plan*
- *How to Go to Family Court Without a Lawyer*
- *Resolving Conflict Outside of Court*
- *Court Orders for Your Protection*
- *Making a Safety Plan*
- *Health & Safety Plan for Indigenous Families*

We also have publications on other legal topics. All publications are free and can be found on our website. Contact us for paper copies.

Community Legal Information

- www.legalinfopei.ca
- info@legalinfopei.ca
- 902-892-0853; 1-800-240-9798 (toll-free)

Community Legal
Information





Community Legal Information is a charitable organization that receives funding from Justice Canada, the Law Foundation of PEI, the Law Society of PEI, the PEI Department of Justice and Public Safety, and other sources. Community Legal Information provides Islanders with understandable and useful information about the law and the justice system in Prince Edward Island.

For more information on other legal topics, visit www.legalinfopei.ca, email us at info@legalinfopei.ca, or call us at **902-892-0853** or **1-800-240-9798**. You can also find us on social media.

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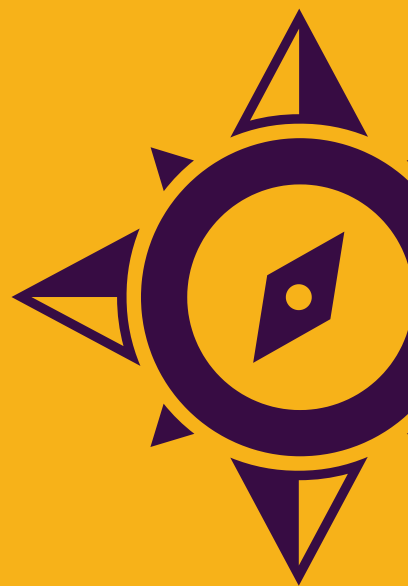
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