



# MATRIMONIAL FIRST CONSULTATION

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# Identification



- Obtain and explain need for identification and obtain copy of Driver's License

# Introduction

(Explain What this Consultation Hopes to Achieve)

1. Explain the basic legal principles of Family Law
2. Obtain basic facts
3. Understand what the Client wants to achieve
4. Obtain more detailed facts
5. Give basic opinion as to what Client can achieve
6. Advise as to legal process
7. Discuss Lawyer Client relationship
8. Discuss fees and payment
9. Advise as to ancillary issues
10. Produce a letter to Spouse or Spouse's Lawyer
11. Confirm what Lawyer and Client will each do next and set next appointment
12. Confirm what information and documents Client must obtain

# Three Main Aspects of Consultation Discussed



1. Substantive Law
2. Process
3. Lawyer/Client Relationship

The background of the slide features a stylized, light gray illustration of several stacks of papers or documents. The stacks are arranged in a way that creates a sense of depth and perspective, with some stacks appearing to be in front of others. The papers are represented by thin, parallel lines, giving them a layered appearance. The overall effect is clean and professional, suggesting a focus on documentation or administrative tasks.

# Obtain Basic Facts

- Review and complete basic matrimonial questionnaire

# Advise Client of Basic Law

1. Three areas of substantive law:
  - a. Custody and Access
  - b. Equalization of Assets
  - c. Child and Spousal Support
2. General principles for each area of law

# Obtain Relief Client Wants and Supporting Facts



1. Obtain what relief is wanted in a settlement
2. Obtain the specific facts

## What Further Information is Needed from Client to Obtain Relief Requested

1. Sign actuarial direction if a pension is to be valued
2. Provide Client with checklist of information and documentation to obtain

# Review Issues, Give Opinion of Possibility of Obtaining the Relief Requested

- Record in notes the major advice given, generally what chances are to obtain relief requested based on information given

# The Process

1. Advise as to the processes available to resolve the matter.
  - a) Client/Client
  - b) Mediation
  - c) Collaborative Law
  - d) 5 way meeting (Mediator, Clients, Lawyers)
  - e) Lawyer/Lawyer
  - f) Court
2. Advise as to what might be appropriate process for Client's particular case
3. Advise as to divorce process
4. Advise as to what is contained in a Separation Agreement

# The Lawyer/Client Relationship



Discuss Lawyer/Client Relationship

# Family Law Client Manual



- 1) Provide & explain the Family Law Client Manual
- 2) Print out Client's Financial Statement

# Legal Fees

1. Discuss Legal Fees – possible costs, method of payment
2. Explain written retainer
3. Explain article in the manual
4. Obtain credit card authorization

# Ancillary Issues

1. Reconciliation
2. Marriage counseling
3. Tax
4. Child Tax Benefit
5. Seeing other people
6. Name change
7. CPP
8. Will, life Insurance, RRSPs, house ownership
9. Credit cards, bank accounts, loans
10. Limitation periods
11. Personal counseling
12. Expectations
13. Enforcement
14. Offers and binding agreements

# Letter to Spouse/Lawyer

- Draft letter to Spouse or Spouse's Lawyer if applicable

# Review To Dos

The background features two stacks of papers, one on the left and one on the right, rendered in a light gray, semi-transparent style. The papers are stacked in a way that creates a sense of depth and volume, with the edges of the pages visible. The stacks are positioned behind the text, providing a subtle, professional backdrop.

1. Client and Lawyer “To Do List”
2. Set next appointment