



*Institute for
Research on
Public Policy*

*Institut de
recherche
en politiques
publiques*

For immediate distribution – July 14, 2009

NEWS RELEASE

Contemporary family realities often at odds with family law

Study recommends changing legal rules to adapt to new kinds of families

Montreal – While family law has evolved to take into account new family situations, the legal framework for families is being rapidly outpaced by changing family relationships, according to a new study from the Institute for Research on Public Policy.

In “Families in the Eyes of the Law: Contemporary Challenges and the Grip of the Past,” author Robert Leckey analyzes contemporary family law in Canada, specifically questions of custody, marriage and divorce, parentage and the legal recognition of unmarried couples.

“Issues like polygamy, how many parents a child can have, and what unmarried partners owe one another have repeatedly made headlines over the past decade; these stories suggest that contemporary family life and family law are often on a collision course,” says Leckey. “Canadian family law has evolved considerably over the past few decades, but social practices have changed even more dramatically.”

There has always been a gap between the practices of family life and the ideals of family law. Now, however, that gap is more pronounced, according to Leckey. He proposes several changes, most of them relating to private family law, in order to better reflect the persistence and growth of diverse forms of family life. He recommends that provinces consider creating a registration option for family relationships other than conjugal couples, and he calls for the creation of an intermediate status between parent and legal stranger.

“In many families, more than two adults play significant, sustained, parent-like roles,” notes Leckey. “It would be appropriate to craft a relationship status for such situations that might entail, for example, a right to custody and access, but to a lesser degree than that of parents.”

“Families in the Eyes of the Law: Contemporary Challenges and the Grip of the Past,” by Robert Leckey, can be downloaded free of charge from the Institute's Web site (www.irpp.org).

-30-

For more details or to schedule an interview with the author please contact the IRPP.

To receive our monthly bulletin *Thinking Ahead* via e-mail, please subscribe to the IRPP e-distribution service by visiting our Web site.

Media Contact: Kate Shingler Tel: 514-787-0737 Cell: 514-235-8308