

Welcome to the **Lam Family Law Newsletter**, featuring timely and relevant updates on Ontario family law and practice. We send our newsletter out every two months.

September 2026 Issue

Case Law Commentary

- **Intimate Partner Violence Exception to Recognition of Foreign Divorce:** Since spouses validly divorced outside of Canada cannot claim spousal support in Ontario, litigation over the validity of foreign divorces continues. Rebecca Winner reviews the latest development – a new exception to recognition of a foreign divorce where a spouse’s participation (or passivity) in the divorce proceedings was coerced via intimate partner violence: [A New Exception to Recognition of Foreign Divorce for Intimate Partner Violence](#).
- **Key Challenges for Family Lawyers:** Vanessa Lam reflects on three of the biggest issues facing family lawyers today: intimate partner violence litigation, generative AI and legal training, and systemic delays and underfunding. She also reflects on what keeps her in family law, including the importance of learning, connection, and collective action: [What Keeps Me Up at Night and What Keeps Me in Family Law](#).

In Case You Missed It (ICYMI) – Amendments to the *Rules of Civil Procedure*

- Effective [September 1, 2026](#), [O Reg. 275/26](#) amended the *Rules of Civil Procedure* on certifying the accuracy of quotations in factums and expert reports, and on updated appeal procedures. Key changes include:
 - Requiring anyone signing a factum or expert report to certify they are satisfied that quotations accurately reflect the cited authority, with a corresponding update to [Form 53 Acknowledgment of Expert’s Duty](#): rr. [4.06.1\(2.1\)](#) & [53.03](#).
 - Revising the motion procedure in the Court of Appeal (ONCA) or Divisional Court (Div Ct) where the moving party seeks to review an order made on motion by a single judge, including longer timelines to serve and file the notice of motion, shorter timelines for subsequent materials, and a presumption that the motion will be heard in writing: r. [61.16](#).
 - Removing all references to filing hard copies in the ONCA and Div Ct and making related changes: rr. [61](#) & [68](#).
 - Clarifying that self-represented litigants are subject to the same requirements as lawyers, including signing their factums: rr. [4.06.1](#), [61.11](#), [61.12](#), & [68.04](#).

- Eliminating the requirement for lawyers to estimate the time needed for motions in the ONCA and Div Ct: r. [61.16](#).
- Clarifying the use of Books of Authorities in the ONCA: rr. [61.03.1](#), [61.09](#), [61.11](#), & [61.12](#).
- Minor updates to the French language versions of the rules on certification of authorities: rr. [4.06.1](#) & [53.03](#).

ICYMI – Updated Practice Direction for Central South

- Effective [August 21, 2026](#), [Part 5. \(G\) Urgent Family Motions](#) of the Consolidated Practice Direction for the Central South region was updated. See the Notice to the Public and Profession [here](#). Key changes include:
 - The moving party is limited to one primary affidavit, which should include sufficient detail, including why the matter is urgent and relevant background. The affidavit must not exceed 12 pages of narrative and 10 pages of exhibits: para [79](#).
 - Motions seeking orders relating to children must include a [Form 35.1](#) Affidavit and, if applicable, a [Form 35.1A](#) Affidavit: para [79](#).
 - The second box on the [Emergency Motion Request Form](#) now reads: “An Application or Motion to Change proceeding has not been commenced.”

ICYMI – Public Statement by Ontario's Three Chief Justices Re: Cybersecurity Incident

- On June 30, 2026, Thomson Reuters detected unauthorized activity within one of its cloud environments, including data from Ontario’s courts. Thomson Reuters owns the C-Track case management platform used by the ONCA, Superior Court, and Court of Justice. Read the Public Statement, dated September 2, 2026, [here](#). Key updates include:
 - The Ministry of the Attorney General and the courts continue to work with Thomson Reuters Canada and cybersecurity specialists to assess the impact and determine appropriate next steps.
 - It is not yet clear what information may have been compromised. The personal information of individuals involved in court proceedings or mentioned in court documents may have been affected.
 - However, there is currently no evidence of identity theft and mitigation measures have been implemented. There is also no indication that systems used to process financial transactions relating to court proceedings were affected.

ICYMI – Consultation on Improving Protection Orders

- The Law Commission of Ontario’s (LCO) [Consultation Paper](#) previously sought feedback on improving access to and the effectiveness of protection orders in intimate partner and family violence cases.

- On August 5, 2026, the LCO released [two survey reports](#) reflecting the perspectives of 80 community members in the [Community Voices Research Report](#) and 257 professionals in the [Professional Perspectives Research Report](#). Key insights and recommendations are listed starting at p. 3 of each report, and include:
 - Most participants agreed that protection orders are an important tool for safety (94% of community participants and 93% of professionals).
 - However, only a minority felt protection orders are working well (10% of community participants and 21% of professionals).
 - Urgent reform was recommended by professionals in four key areas: stronger enforcement; mandatory, ongoing IPV/FV training for professionals; improved system coordination; and more robust wrap-around supports, including housing, counselling, transportation, and case management.
 - Community participants had similar comments, and other common recommendations included improving access by reducing wait times, simplifying process, and minimizing re-traumatization and listening to survivors and involving them in policy reform.
- A final report for the [Protection Orders project](#) will be released in 2027.

ICYMI – ONCA 2023-2024 Report

- In July 2026, the ONCA released its [2023–2024 Report](#), providing an overview of the court’s activities over those two years, along with court data spanning ten years. Of particular interest to family lawyers are:
 - Family law appeals statistics from 2014-2024: pp. 52–87; and
 - Court projects on Digital Transformation and Access to Justice and Accessibility: pp. 24–31.

Free Resources

- **Court Calculator II (Beta):** The Disclosure Clinic has launched an updated version of [Court Calculator](#), featuring more family law timelines, additional calendar integrations, the ability to save or share timelines, and tools for building Orders, Long Motions and TSEF/Trial schedules. Users can also print chronological charts clearly setting out each party’s obligations. The Beta version will be locked down in October 2026, and [feedback](#) is being sought to guide future development.
- **Updated ONCA and Div Ct Appeal Checklists:** Lam Family Law has updated our Checklists given the September 1, 2026 changes to the *Rules of Civil Procedure*. If you would like a copy of either document, contact [Sierra Larmand](#).
- **CanLII Search+ Webinars:** CanLII is offering free 30-minute live webinar trainings on CanLII Search+. You can [register](#) for the remaining webinars on October 1st (beginner, English), 6th (advanced, French), 8th (advanced, English), and 20th (beginner, French).

Updates to Working with Lam Family Law

New Intake Form

- Interested in working with Lam Family Law? Our recently revised [Intake Form](#) prompts for conflict and other information that we need before we can start working with you. We will respond with next steps within one (1) business day.
- For general questions about working with us, email us at hello@lamfamilylaw.ca.

Artificial Intelligence (AI) Use

- As AI continues to rapidly evolve, so does our approach to using it responsibly. Our [AI Use Statement](#) is now available on our website. It outlines our commitment to supplementing our work using AI in a manner that is consistent with our professional obligations, including duties of confidentiality, competence, quality, and accuracy.

Subscribing to Our Newsletter

- To subscribe to our newsletter, click [here](#) or contact [Sierra Larmand](#).

Our Services

Lam Family Law provides family law lawyers with valuable and strategic advice and research-related services, including:

- ✓ Consulting services to help lawyers navigate file-related challenges, including providing lawyers with guidance and/or a second opinion
- ✓ Assisting with litigation and dispute resolution strategies, brainstorming potential resolutions, and assessing the strengths and weaknesses of a case
- ✓ Drafting factums, statements of law, annotated case books, submissions, affidavits, and other court documents
- ✓ Drafting appeal materials (e.g., seeking or opposing leave to appeal, stay pending appeal materials, further evidence on appeal materials, and substantive appeal materials including the notice of appeal and factum)
- ✓ Lengthier legal opinions / research memos
- ✓ Shorter emails / informal memos highlighting legislation / cases / secondary sources

Yours Truly,

The Lam Family Law Team

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[Kayleigh Pink](#), and [Sierra Larmand](#))