

FAMILY LAW FEE SCHEDULE

Family Law Agreements

Prenuptial Agreement / Marriage Agreement / Cohabitation Agreement

- Initial retainer: \$3,500

If you and your significant other would like to clearly specify how the parties will live during the relationship, including sharing of expenditures, division of household chores etc. and/or how the parties will address issues of spousal support, property division, guardianship of children in the unlikely event of a future separation, then this can be address by way of a written agreement, commonly called a prenuptial agreement (US) or marriage agreement (Canada).

Bare Trust Agreement

- \$600 plus applicable taxes per real property

If your parents have written assets in your name, such as a home or a pre-sale contract, but you do not want to have your significant other sign a pre-marital agreement, then a bare trust agreement with your parents may be the best solution to protect your parents' assets. A bare trust agreement is a legal document that confirms in writing that you are merely holding the legal title of the property on behalf of your parents.

General Agreements

Temporary Guardianship Agreement: \$350 plus applicable taxes

Single or Multi-Use Travel Consent: \$350 plus applicable taxes

Power of Attorney Agreement: \$350 plus applicable taxes

Separation and Divorce

Separation Agreement

- Initial retainer: \$3,500

If you have separated with your spouse and still have a relatively good relationship, then you may be able to work together to finalize a separation agreement. Often the parties can come to terms but require a lawyer to document their separation agreement in writing.

Desk-Order Divorce

Without Children

- Fee: \$1,780 plus applicable taxes and disbursements
- Initial retainer: \$2,600
- Includes application for Certificate of Divorce

With Children

- Fee: \$2,080 plus applicable taxes and disbursements
- Initial retainer: \$3,000
- Includes application for Certificate of Divorce

Applying for Certificate of Divorce

- \$150, all inclusive

If spouses have reached an agreement on all of the separation issues (particularly the ones surrounding children), they will be eligible for an uncontested divorce after being separated for one year.

*Prices are for reference only. Actual prices will be discussed during initial consultation.

*Updated September 26, 2023

Family Law Litigation

Every lawsuit is unique, and the timing of a lawsuit is difficult to predict. It depends on many things, including actions the various parties take, court schedules, and decisions you make. A lawsuit can take up to two years or longer to settle or go to trial.

However, most lawsuits go through the same basic steps, although not always in the same order. Some lawsuits skip some steps, and some steps are repeated many times over. The steps listed here are the main steps that occur in a lawsuit. They will give you a general idea of what to expect and the general cost associated with each step. All matters are charged hourly at our lawyers' regular rates with an initial retainer of **\$10,000**.

1. *Gathering the Facts*

With our client's help, we gather all the available facts concerning the claim, including interviewing and taking statements from witnesses. We sometimes hire investigators or experts to help us, so this step can involve third-party expenses.

2. *Starting or Responding to the Lawsuit*

We begin the lawsuit by preparing the necessary court documents and filing them in court. This means the court date-stamps all copies of the documents, keeping one copy for their official record. We then deliver filed copies to the opposing party or their lawyers. This step also involves expenses such as court filing fees. The cost to attend to this step is between approximately \$1,500 to \$2,000.

3. *Preparing a F8 Financial Statement*

The F8 Financial Statement is a sworn statement that sets out your income, expenses, assets, and debts. The F8 Financial Statement is required by the *Supreme Court Family Rules*. The cost of this step is highly variable and depend on the complexity of your lawsuit.

4. *Attending the Judicial Case Conference ("JCC")*

The JCC is an informal meeting held by a master or judge, and its goal is to assist the parties in narrowing issues, finding areas of agreement, and canvassing the appropriateness of alternatives to litigation to resolve the dispute. At the JCC, the master or judge can give a non-binding opinion on the probable outcome of a hearing or trial. The master or judge may also make various orders at the JCC. The cost of attending the JCC is highly variable and depend on the complexity of your lawsuit.

5. *Preparing Lists of Documents*

We review the documents that you have provided to us and documents that we have gathered. We select the documents that are relevant to your case and list them in a court document called the List of Documents. We will provide your List of Documents and copies of the documents listed to the opposing party. The opposing party must also provide us with their List of Documents and copies of documents listed. The cost of this step is highly variable and depend on the complexity of your lawsuit.

6. *Interim Applications*

After we start a lawsuit, but before trial, we or the opposing party's lawyer sometimes need to ask the court to decide certain things. Going to court to ask for an order before the trial is called an interim application. These interim applications are usually about how the lawsuit should be handled. For example, we might ask the court to order that the opposing party must show us a particular letter or document that the opposing party would rather not let us see. The costs for these interim applications are highly variable. We will provide a more precise estimate when one occurs, but these typically range from approximately \$5,000 to \$15,000, depending on its complexity.

We have experience in obtaining a variety of interim orders in family proceedings such as:

- Asset Freezing Order
- Exclusive Occupancy of the Family Residence
- Protection Orders
- Interim Spousal and Child Support Orders
- Sale of Family Property pending Trial

7. *Examination for Discovery*

After gathering the facts, either we or the opposing party's lawyer will arrange an examination for discovery. At the examination for discovery, we will question the opposing party under oath about the case. We will also ask the opposing party about relevant documents they now have and about relevant documents they previously had access to. In return, the opposing party's lawyer will question you about the case. We will give the opposing party copies of relevant documents and will also identify any relevant documents you previously had access to. The cost to attend to this step is approximately \$3,000 to \$6,500.

8. *Review of the Law*

Once we have a good idea of all the facts, we review the law. We will then give you our legal opinion about what the likely outcome of a trial would be. The cost of reviewing the law is highly variable and depend on the complexity of your lawsuit.

9. Negotiation and Settlement

When it is appropriate, we talk with the opposing party's lawyer to see if they will settle the claim. A settlement is an agreement between the parties to a lawsuit which sets out how they will resolve the claim. If the claim is settled, it does not go to trial. The vast majority (i.e., more than 98%) of our cases settle without the need for trial. The cost of negotiating a settlement and preparing settlement documents is highly variable and depend on the complexity of your lawsuit.

10. Preparation for Trial

We prepare the case for trial, including getting all the necessary documents together, arranging for witnesses to attend, and preparing any legal opinions. The cost to prepare for trial is highly variable.

11. Trial

We act for you at the trial. After the judge makes a decision, we will prepare the court order for the judge to sign or approve how the other lawyer has prepared the court order to make sure it is correct. The cost for us to attend trial is approximately \$6,000 to \$10,000 per day, depending on the complexity of your case.

*Approximate costs are for reference only.

*Updated: September 26, 2023