

## Case Scenario #8

### W's Experience with the Family Law System

W and her ex (H) met in 1986 and were married in 1990. W has two sons from a previous marriage and W and H have one son together. The relationship between W and H broke down in 1998 when W had a nervous breakdown and voluntarily went into psychiatric care. W was in and out of psychiatric care for a short period of time. During that time her two younger sons lived with H and her older son was in foster care.

When W was discharged from psychiatric care she returned home to an empty house. H and the children had left and nobody would tell her where they had gone.

H had taken most of W's belongings. W started custody proceedings with the help of legal aid. She was shuffled around between lawyers and did not feel as though she was adequately represented. H had a lawyer who portrayed W as a hysterical, mentally ill and unfit mother. H was given primary residence over the younger child. The two older children had reached the age of majority at this point.

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W has taken H to court several times over the past few years over asset distribution, planning access visits and planning vacation time. She is always unrepresented in court. H fails to appear at pre trial conferences, refuses to adhere to court orders and makes access visits difficult.

On one occasion he took the youngest child to Nova Scotia for a vacation for two and half months without notifying W. She contacted the police and went to court. The judge chastised H for not giving W notice of the vacation but there were no other consequences for his actions.

When W has the child for longer periods of time, such as summer vacations, H schedules camping trips and events during that time, taking the child away from W. When the child is with H, he is not allowed to call his mother. H also schedules all of the child's appointments for the time that he should be spending with W.

The child is emotionally upset and confused and has started wetting the bed at the age of 14. He also spends the night in bed with W when he visits.

