

The law on the recognition of foreign divorces by Canada is complex. A foreign divorce will generally be recognized in Canada if it is obtained:

- pursuant to the laws of the jurisdiction you are in;
- by a tribunal or body with authority to grant divorce in that jurisdiction;
- and one of the spouses has been resident for a year in that jurisdiction.

A foreign divorce may also be recognized on the basis of domicile (the intent of one spouse to stay in that jurisdiction). It is essential to consult a lawyer in Canada to determine whether a foreign divorce would be recognized by a Canadian Court.

## How to Find a Lawyer

It is essential to find a good lawyer who specializes in family law, which differs considerably from province to province. Some methods of finding one are:

- personal referral by someone who has gone through the process;
- checking the Yellow Pages of the local phone book, (some lawyers list their specialty);
- calling the lawyer referral number provided by the law societies of most provinces;
- calling the Employee Assistance Program Counsellors at headquarters for referrals.

Remember that legal aid is available if you have no funds. Financial settlements should be made through lawyers, and each partner should have his/her own legal counsel.

## Counselling

It should be noted that marital counsellors in North America no longer focus exclusively on the concerns of the individuals in a marital partnership. The emphasis is now on ways of improving and strengthening the relationship between the two, and thereby possibly saving the marriage.

## Spouse's Removal Entitlements

Full removal entitlements as outlined in the FSDs are accorded to the spouse who is returning to Canada because of the breakup of the marriage.

At the mission, consult the Administrative Officer with regard to entitlements — for travel for yourself and dependants, for medical checks, for transport of goods from the mission, length of time allowed in hotel, OHIP coverage, etc. Know exactly what you are allowed.

At headquarters, for support and assistance, call the Employee Assistance Program Counsellors at (613)992-6167, (613)992-1641 or (613)995-9547. Their involvement in your affairs will be completely confidential, and they are prepared to meet you anywhere you suggest, whether it be at the Department, in your home, or on neutral ground such as a restaurant or hotel, soon after your arrival.

In order for the dependant spouse to have access to goods in storage or to receive goods shipped from the mission, it will be necessary for the employee spouse to give written authorization for this. Without this, the Department has no legal right to deal with the dependant spouse.

## Practical Hints

1. Have a certified copy of all family legal documents including income tax returns, insurance policies, wills, property deeds marriage and and birth certificates.
2. Ensure that you have the fullest knowledge of your spouse's actual finances. Make copies of all financial records. Know bank balances and contents of safety deposit boxes. Close all joint charge