

# The Gateway

member of the Canadian University Press

## staff this issue

We did it! That's right, we actually kicked the alcohol habit & got through a press night without beer for a change. Among the teetotalers working seriously for once were: Henri Pallard, Elsie Ross, Mickey Quesnel, Rick Grant, Dawn Kunesky, Fiona Campbell, Bob Blair, Bob Beal, Ron Yakimchuk, Jim Selby, Ross Harvey, Dave McCurdy, Beth Nilsen, Colette Forest, Ron Ternoway, verbose Stu Layfield, Irene Kucharyshyn, Pauline Mapplebeck, Barbara Preece, Karen Moeller, and of course Harvey G. (for Gone on the wagon) Thomgirt, esq.

Departments Editor-in-chief-Bob Beal (432-5178), news-Elsie Ross(432-5168), Sports- Ron Ternoway(432-4329), advertising Percy Wickman (432-4241) production-Bud Joberg and Ron Yakimchuk, Photo-Barry Headrick and Don Bruce(432-4355) arts -Ross Harvey, and last but not least, publisher Harvey G.Thomgirt (432-5168).

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See this freak? See how oppressed and heavy-laden he looks? That's because he, like all the other members of the Gateway staff, is finding it an awful hassle trying to put out a 12 or 16-page paper twice a week. Wouldn't you just love to lend a hand and take some of the terrible burden off this poor guy's shoulders? If so, then just drop around to the Gateway office anytime, and someone will welcome you & show you around. It's room 282 of SUB. Don't forget, now.

photo Terry Malanchuk

# INVOCATION

J. B. Courtney, C.S.B.

20 November, 1971 -- University of Alberta

Lord God, Creator of us all, humbly recognising our dependence upon You, Lord of Hosts, we ask Your blessing on this Convocation. We ask Your blessing, Lord, on the faculty of this University, that they may profess truth and provide the means to truth for their students. Especially do we ask You to bless our graduands who mark today a stage in their quest for education. May they realise that this occasion marks a "well done" which is not an end, but only a way station in their journey to truth.

May our graduands in their lives ahead constantly remember the motto of their Alma Mater, *Quaecumque Vera....*, and continue their education in the years ahead, striving for whatsoever be true, honourable, just, pure, lovely, gracious, excellent, worthy of praise. May they always strive to implement these virtues in their own lives so that they may then begin to realise that You alone, Lord, are the fullness of truth; and that ultimately the goal of their journey to truth is Truth Itself -- You, our Lord of Hosts. Man's quest for knowledge is a quest for the source of knowledge, the Fullness of Knowledge, which is You, Lord. St. Augustine realised many of the problems of life and of youth with his prayer: "Thou hast made us for Thyself, O God, and our hearts are restless till they rest with Thee". May these young men and women, this country's hope for the future, be ever restless for You, Lord; and may they realise that they are rootless without You, Lord. AMEN.

# FAMILY LAW

Several legal channels are open to those with marriage problems:

To begin a divorce action, the petitioner, (the person seeking the divorce) files a divorce petition in the Alberta Supreme Court against the Respondent (the petitioner's spouse). The grounds for divorce are: adultery, sodomy, bestiality, rape or engaging in a homosexual act; form of marriage with another person; and physical or mental cruelty of such a kind as to render intolerable the continued cohabitation of the spouses. The following are also grounds if they result in marriage breakdown: imprisonment of respondent for at least three of five years immediately before petitioning (or, if the respondent is sentenced to death or imprisonment for 10 years or more with all rights of appeal exhausted, at least two years immediately before petitioning); gross addiction to alcohol or a drug by respondent for at least three years with no reasonable expectation of rehabilitation within a reasonably foreseeable period; non-consummation of marriage where respondent has been unable for at least one year to consummate the marriage by reason of illness or disability, or, has refused to consummate; three years have elapsed with no knowledge of the whereabouts of respondent; the spouses for any other reason have been living separate and apart for at least three years (or when the petitioner is the deserter, five years) immediately before petitioning. To get a divorce in Alberta the petitioner must be domiciled in Canada.

Also, one of the spouses must have been ordinarily resident in Alberta for one year immediately before the petition is presented

and must have actually resided here for at least ten months of that period. When granting a divorce the court, in its discretion, may make custody orders and maintenance orders requiring a husband to maintain his wife and/or children (in rare cases a husband may be granted maintenance or custody). These orders may be later varied. The Legal Aid Plan in Alberta is presently unable to provide lawyers for a divorce except in extreme circumstances such as physical cruelty. Student Legal Services, if it is satisfied that a person is financially unable to obtain a lawyer, may assist those seeking an uncontested divorce.

A judicial separation which is obtained in Supreme Court does not dissolve a marriage so that neither party can remarry, but, it provides that the parties have no duty to live together. The grounds are: adultery, cruelty, desertion for two or more years without reasonable cause; failure to comply with an order for restitution of conjugal rights. If a wife has grounds for a judicial separation she can, either separately or with that action, sue for alimony. Either party can apply for custody of the children.

A Family Court procedure is available whereby the husband of a deserted wife may be required to pay maintenance for his wife and family, or if the wife was not deserted, maintenance for the children only. Either spouse may apply for a custody order. A lawyer is not necessary in Family Court.

A further alternative is for the parties to the marriage to either draw up a separation agreement themselves or get a lawyer to do it for them. This agreement can divide property, decide who will have custody of the children, and, most important for later divorce proceedings, establish that the parties are living apart by agreement.

Please contact Student Legal Services for more detailed information.

gatekeeper

This is the third of a semi-regular feature on students and the law by Student Legal Services.