



ADR Institute of Canada
Institut d'arbitrage et de
médiation du Canada ^{TM/MC}

ADRIC Supports Less Adversarial Divorce Act

FOR IMMEDIATE RELEASE

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The ADR Institute of Canada (ADRIC) welcomes the recently announced overhaul of the Divorce Act. The federal government introduced new family law legislation that seeks to better foster the “best interests” of children. ADRIC is particularly encouraged by provisions in the draft legislation that are aimed at helping families settle disputes outside court.

“The ADR processes contemplated in this legislation mirror ADRIC’s mission,” stated ADRIC president Thierry Bériault, a Quebec-based mediator. “Access to timely justice sometimes means resorting to effective alternatives to the court system,” added Bériault. Bill C-78 contains a provision to the effect that “to the extent it is appropriate to do so, the parties to a proceeding shall try to resolve the matters [in issue] through a family dispute resolution process.” Further, every legal advisor engaged to assist a party with the new Act will have a duty “to encourage the person to attend to resolve [the issues] through a family dispute resolution process,” unless the circumstances “clearly” would not render such a process “appropriate.”

“These are positive developments. ADRIC supports mediation and other non-judicial dispute resolution processes which allow for much greater party autonomy, speedier and, often, more meaningful justice,” remarked Bériault.

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With over 2000 member practitioners drawn from every corner of the country, ADRIC is Canada’s leading professional organization for alternative dispute resolution (ADR) promoting dispute resolution through arbitration, mediation and other forms of ADR. In concert with its seven regional affiliates, ADRIC sets a national standard for best practices and quality assurance for industry-leading arbitration and mediation rules, codes of ethics and conduct, and discipline and complaint procedures.

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