

## LEGAL REGULATION OF CLOSE ADULT RELATIONS: TAKE-HOME TEST

**This test is a take-home test for you to do at home (or computer lab, or library) during the week of February 26. During that week you will work on the test. We will not meet in class.**

You are not permitted to consult with anyone about the case or its analysis. You should be able to do very well on this test without doing any outside research. Except for clarification issues, please do not ask me questions about the test. As a matter of fairness, I do not want to give answers to some students that others do not have the benefit (or detriment) of hearing. You will simply have to use your own judgment about how to handle any possible difficulties.

**Submission:** You need to hand in this evaluation personally on March 5, 2019 at 7 pm IN CLASS. There are no other submission dates or places.

### 1. Write a memo

John and Mary married in Brazil where they were born. They came to live in Ontario 5 years ago. John and Mary have one house where they lived in Sudbury, a brand new car, and \$10000 in a bank account. Mary has jewellery worth \$50000 which she inherited from her parents. They also have a house in Brazil and a car. John fell in love with Riley, a Brazilian citizen who lives in Rio de Janeiro. John flew to Rio and filed for divorce there. According to Brazilian law, a divorce petition does not have to be notified to the other spouse. So, now John and Mary are divorced in Brazil, but Mary doesn't know. You are a divorce attorney in Ontario. Mary comes to your office because she wants to divorce John and separate their assets both in Ontario and Brazil. During your investigation, you find out about the divorce in Brazil. Write a memo to Mary with your legal opinion on the divorce and division of assets. You don't have to do outside research for this. Prepare your memo according to what was discussed in class. As authority, precedents, laws, and rules you may ONLY use the materials that we have discussed in class. This includes the rules, theories, topics analyzed in class, students' contributions to class discussions, articles that we read, videos that we watched, and scenarios that we analyzed in class, among others. A material that is on the course website or course outline but that was not actually discussed in class may NOT be used.

### 2. Financial abuse

Suppose that you are an advisor to a member of Parliament who wants to introduce a bill on the criminalization of financial abuse in the context of common law and married couples in Canada. Write a memo with the implications of the criminalization of financial abuse and write a short draft of the bill. You don't have to do outside research for this. Prepare your memo according to what was discussed in class. You may ONLY use the materials that we have discussed in class. This includes the theories and topics discussed in class, students' contributions to class discussions, articles that we read, videos that we watched, and scenarios that we analyzed in class, among others. A material that is on the course website or course outline but that was not actually discussed in class may NOT be used.