

Q&A By John T. Syrtash, Associate, Garfin Zeidenberg LLP

Answers to pressing questions on Family Law.

Kids can get legal help

Question: I am fifteen years old. I am currently living with my father and step mother. I do not live with my mother because of a drug addiction she has in the past and her failure to appear in court over custody of me. My mother has no custody of me, only visitation rights. I am truly unhappy living with my father because he emotionally abuses me, yet I would like to live with my mother either. I would really love to live with my grandmother but it doubt it's possible. I have a countless number of counselors and psychologists, yet nothing help me. I have even contacted children's aid and they do not want to bother with my case either. I just need a place to live where I can feel safe and loved which is why I would like to live with my grandmother. I feel like my feeling do not matter and I cannot understand why it is so difficult for me to just be happy. Please help me

Answer: Youth between the ages of 12-17 who need their own lawyers in certain family law situations or in criminal law matters can turn to justice for Children and Youth, an agency of the Ontario Ministry of Children and Youth Services by calling 416-920-1633 to see if they can help. They are very kind and helpful.

Question: I have court papers saying that I am allowed to have my son every second weekend. One day my son, who is 10, decided he didn't want to see me anymore. The last time I went to see my son he was not there. My ex told me that the next time I come I have to make an appointment to see him. I called him on Christmas and was talking to him for a few seconds then the phone went dead. I called back right away but nobody picked up the phone. I pay a lot for child support. Why bother paying the support if I cannot see my son? Is there anything I can do?

Answer: In law, you've got to pay child support even if you are denied access. However, as pointed out in my earlier article ask a judge to cite your wife for contempt of court for breaching the court order and threaten her with jail or a large fine, if she continues to prevent you from seeing your son. The court could also ask a child therapist to investigate your son's true wishes.

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