

Money to Grow On

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Une femme séparée réussit à poursuivre sa carrière avec l'argent obtenu grâce à la nouvelle Family Law Reform Act de l'Ontario.

In writing our marriage separation agreement in June of 1978, I was one of the first women to use Section 18 in Bill 59, the Ontario *Family Law Reform Act* effective March 31, 1978. This section is intended to give support to a dependent spouse, in appropriate cases, with a retraining allowance to be paid by the partner—usually the husband.

In many cases maintenance will probably be limited to a fixed number of years to enable the wife to retrain or ease her way back into the working world. This will inspire her to start a new life and give her a good measure of self respect and dignity.¹

In my case, the allowance is \$200 monthly for a period of five years 'to enable the wife to educate and train herself for her chosen profession or business.' It is unaffected by remarriage or a living arrangement with a man (unlike normal maintenance) and it varies only in the event of a material change in circumstances to either my husband or me; that is, changes in financial needs or ability. I feel that these conditions are more mature and mutually respectful than the old requirements for alimony payments, which often invited continued dependence and dishonest manoeuvres. This amount almost covers the cost of my training in a specialized area of my work: Bioenergetic Analysis, with an attendant masters degree in a clinical psychology. Upon graduating, I will have a recognized certificate allowing me to earn an income commensurate with the standard of living I had as a dependent just prior to separation.

This section of the new law and the money it makes available is a practical help for women which results in good

mental health. We lose the emotional support of a marriage, then compound it by being thrust into financial deprivation because of our low earning power. All this invites a depressed or embittered state of mind. As women Section 18 fosters our becoming more vital and effective in three ways. It encourages us, with hard cash, to upgrade a career. It also legitimates our need to rise functionally to our actual level of potential. Thirdly, when we are already working, the value of our current service is higher because we have used this new law to ease the stress of a double work load during retraining courses. This is an impressive legal support felt by my husband, my world in general and, most importantly, by me.

One of my great needs in making the transition from a dependent spouse to an independent single person is to arrange financial and emotional securities that work for me. I need to set up practical ways to get on with my recuperation, my personal growth and my career development in an efficient, self-caring and unmartyred way. The new law prompted me to assess my present earning power and plan realistically for what I want my own living standard to be by a certain date. Section 18 provided for funding so that this goal can be reached. Because of my separation agreement I can continue my training without increasing my present job load or pinching my other living costs in order to pay for it. By using the *Family Law Reform Act* we can help ourselves move faster and with less stress toward being productive, independent members of society. I hope that lawyers will inform clients who are in a similar position to me that there is financial assistance offered through Bill 59 for separated women who want to develop in a healthy way toward personal and professional goals.



Ada Garrison

1. Jennifer Leddy, 'New Law Treats Marriage as Partnership,' *New Times*, Apr. 9, 1978, p. 8.