



Stephanie Dobson Lawyer & Mediator

I have been separated for 10 years and would like to get a divorce. Do I have to go to court? Are there any limitation periods?

Whether you have been separated for 10 days or 10 years, the question of whether you have to go to court or not is this: have you dealt with your marital issues fully and finally?

When people say that they had a “complicated divorce” it usually means that they experienced conflict in dealing with some or all of the following matters: division of matrimonial property, spousal support, child support, and parenting responsibilities (i.e. custody/access).

There are a variety of processes available to resolve your marital issues: mediation, court, collaborative process, etc. So – do you have to go to court? If you (and your lawyer) decide that this is the appropriate route to take, then yes you may have to go to or be part of the process that is *court*.

However, once you have resolved your marital issues, then obtaining the divorce judgment itself will likely be quick and easy.

As for limitation periods – children’s issues are rarely restricted by limitation periods, spousal support does have some limitation periods, but more importantly, division of matrimonial property is the topic which has many intricate limitation periods.

Feel free to contact Stephanie to answer your questions or to set up a consultation.

Kd

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LAWYER & MEDIATOR



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An Association of Independent Practitioners

5014-48 Street, 2nd Floor, Lloydminster, AB

T: 780 • 875 • 6600

F: 780 • 875 • 6601

E: stephanie@kindrachukdobson.com

W: www.kindrachukdobson.com