

DIVORCEmate News & Views

For Users of DIVORCEmate Software

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Information - call (416) 718-3461 Ext. 420

DIVORCEmate Intros NEW Logo, Updates & Products

Canadian Judiciary Embraces DIVORCEmate Tools+

For the over 15 years, our DIVORCEmate News & Views newsletter has been an important source of information for our 6,000+ software users. Our newsletter has something for everyone - productivity hints, seminar, update and new product announcements, Family Law and technology information, humour and more. Please ensure that it is circulated to all family law professional staff including support staff, law clerks, justices, judges, mediators, professors, accountants and lawyers.

DIVORCEmate Introduces New Logo



DIVORCEmate Software Inc. is pleased to introduce our new corporate logo to the family law profession. The logo represents the coming together of our three software product lines: Forms+ 2003, Tools+ 2003 and our soon-to-be-released Precedents+ 2003 - Separation Agreement. It also states that we are “**Specialists**” in the field of “**Canadian Family Law Software**”; this is our only business and we are, and will continue to be, the absolute best in this field!

Last November, we celebrated 15 years of providing innovative software solutions to the family law profession. Each of our customers has played an important role in our success, thank you for making DIVORCEmate Software Inc. the company it is today!

DIVORCEmate Software Preparing To Ship 2003 Updates and Precedents+ 2003

2003 Software	Province	Ship Date	Cost
Specialty Forms+ Update (15 new or amended adoption forms)	Ontario	February	\$59
B.C. Forms+ 2003 Update (added new forms, updated Forms+ engine, other improvements)	B.C.	February	Free to current users
Ontario Forms+ Update 2003 (new FC financial statements and other forms, more forms, new Forms+ engine, improved mathematics, other improvements)	Ontario	(Waiting for Cabinet approval, March?)	starting at \$199
Tools+ 2003 Update (after 2003 federal and provincial budgets)	All	March	same as 2002 pricing
NEW Precedents+ 2003 Separation Agreement	Ontario B.C.	July 03 Dec 03	TBA

NOTE: All chargeable 2003 Updates will be shipped automatically to all registered users and billed accordingly*, except for the Ontario Specialty Forms+ Update.

*Only new 2003 SUPREME "All-In" subscribers will automatically receive all applicable updates free of charge. The SUPREME "All-In" program is a new support option available as of 1/1/03 and includes all software upgrades and updates. (Please see "SUPREME All-In Introduced For 2003" later in this newsletter.)

B.C. Forms+ Update 2003 FREE Online

We have added a number of new forms to our B.C. Forms+ 2003 offering, including:

List of Witnesses and Time Estimates (with math)
 Praeipce and Notice of Judicial Case Conference
 Litigant's Guide and Case Management Plan Worksheet
 Praeipce 60E(4)

We have also updated the B.C. Forms+ engine, including improvements to dates and the following forms:

Child Support Affidavit (Form 133)
 Financial Statement (Form 89)
 Affidavit (Form 132)

This B.C. Forms+ 2003 update is free to all registered B.C. Forms+ users by download from our website or upon e-mail request to support@divorcemate.com.

Tools+ 2003 Update Improved

Each year, we try to make our Tools+ software, especially the GUIDElIne Calculator, SUPPORTmate and SOLmate, easier-to-use and more focused on the family law calculation requirements and trends.

This year, we will be significantly improving our Tools+ software. Please watch for these new features:

- 📁 Latest federal and provincial budget changes, including the Canada Child Tax Benefit increases;
- 📁 Simplified "shared custody" calculation (including presumptive formula coming in 2003 CSG amendments);
- 📁 "Income" gross-up calculator simply does "Income" gross-ups for CSG imputing income purposes;
- 📁 SOL ratio for each SUPPORTmate scenario;

- Reverse look-up spousal support based on NDI and child support amount (our judges have requested this);
- “Quick calc” of table amount on Desktop;
- Shows average tax rate, and “last dollar” marginal tax rate information;
- Simplified registration process; E-mail to parties; and much more...

NEW Precedents+ 2003 For Ontario and B.C.

DIVORCEmate is very excited about our agreement with the Law Society of Upper Canada to produce, market, sell and support software based on the Law Society’s book “Separation Agreement Annotated”.

The book is a 4-year collaboration of a number of Ontario’s most experienced family law lawyers; it puts to paper, a definitive “**separation agreement**”, including appropriate clauses and annotations.

The "Precedents+ 2003" software will assist the family law practitioner and their support staff in utilizing the book’s contents to prepare a client’s individual separation agreement document.

The Law Society will keep the software’s content current and updated.

Our plan is to make the software simple, logical, and easy-to-learn; it will use our Forms+ interface and the law firm’s own word-processing software (MS Word and/or WordPerfect).

Precedents+ 2003 will utilize a “**checklist**” format and will include the book’s annotations and warnings. This will be “**document assembly**” software in its simplest form.

Precedents+ Uses Forms+ 2003 interface (see below)

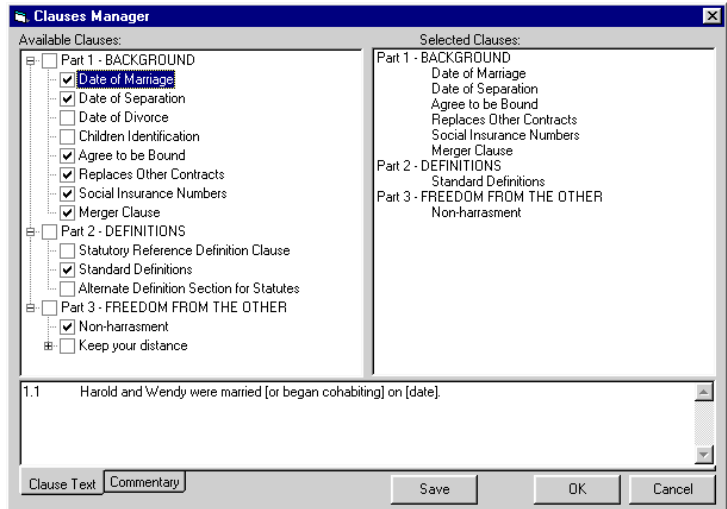
Precedents+ 2003 will use our Forms+ 2003 interface. Like Forms+, you will pick the client Merge Information File, then click on the new “Precedents” tab, and select the “Separation Agreement”.

You will be presented with a “tree-like” checklist interface; simply check the boxes of the clauses you want included in your agreement.

After you choose each clause, an index of your selected clauses is built on the right hand side of your screen.

You will also see each individual clause’s wording at the bottom of the screen.

NOTE: If you click on the “Commentary” tab, you will see the annotation – the reasoning behind the clause including any additional LawPRO warnings and cautions.



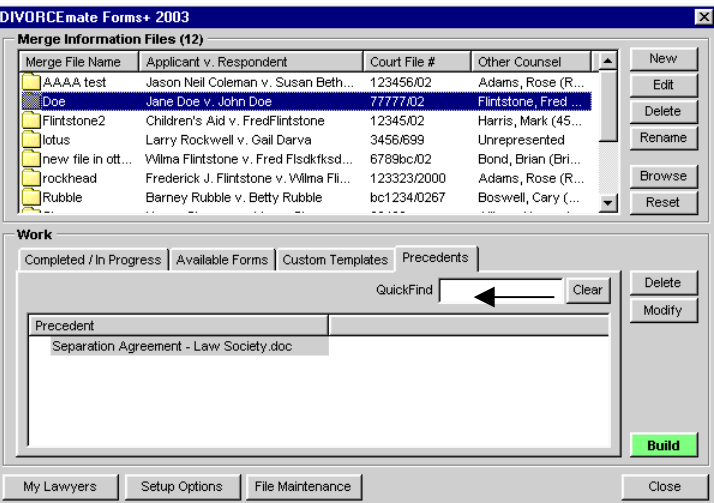
Click “OK”, and the individual separation agreement is built in your word-processor using the selected clauses and information contained in your Client Information File.

The separation agreement can then be completed with final additions, deletions or modifications.

Precedents+ 2003 requires the lawyer and support staff to continue to think and then apply critical legal knowledge and experience to create a completed separation agreement that addresses all areas of family law for each client’s individual situation.

We are planning to release the Ontario Precedents+ 2003 software during **Summer 2003**; followed by the B.C. Precedents+ version by year’s end.

Please watch our website, your e-mail and our next newsletter for pre-release pricing and ordering information.



SUPREME "All-In" Introduced For 2003



You asked for it... you got it. Pay one annual fee *and forget about it!*

A new “**all-inclusive**” SUPREME service, support and discount plan from DIVORCE-mate Software Inc. has been introduced as of January 1st

2003.

All DIVORCEmate users have been, or will be, offered an opportunity to select one of the support plans below:

SUPREME Service Support & Discount Plans	"Plain" SUPREME	"All-In" SUPREME
Technical Support: telephone or e-mail, between 9 - 5:00 EST.	🏠	🏠
A toll-free 1-800 number	🏠	🏠
Free additional user license for user's home computer or laptop	🏠	🏠
Lowest pre-release pricing for all new product purchases	🏠	🏠
10% discount off on-site service rates	🏠	🏠
10% discount off all DIVORCEmate software additional licenses.	🏠	🏠
10% discount off all DIVORCEmate software updates and upgrades	🏠	
FREE annual software updates and upgrades (Tools+ and Forms+)		🏠
NEW software at the lowest pre-release price (Precedents+ 2003)		🏠
10% discount off of lowest pre-release pricing		🏠
Replacement User Guides and replacement CDs, free		🏠
10% discount off on all DIVORCEmate training seminars		🏠
Tools+ Wizard Service (3 free calculations/telephone discussions)		🏠
One invoice, one cheque		🏠
Price – First Licensed User	\$169	\$624
Price – Each Additional User	\$30	\$144

IMPORTANT: No more free support for Non-SUPREME subscribers! Commencing February 1st 2003, our technical support staff will only help only new users and registered users of Forms+ and/or Tools+ who are on the "Plain" or "All-In" SUPREME Plan. A \$100 VISA charge will be required prior to helping any other non-SUPREME user.

What The Judiciary is Saying About Tools+...



Hill v. Magee, 2002 CarswellBC 522, 2002 BCSC 353, 26 R.F.L. (5th) 95, **British Columbia** Supreme Court, Kirkpatrick J. "Currently, the husband is capable of providing that support, based on the **SUPPORT-mate** Maintenance software planner statement provided by the wife's counsel."

Leis v. Leis, 2002 CarswellOnt 3840, **Ontario** Superior Court of Justice, Heeney J. "I have put the income of both parties into **DivorceMate**, as well as the amount of basic support to be paid."

Campbell v. Campbell, Citation: 2002 CarswellBC

961, 2002 BCSC 369, **British Columbia** Supreme Court, Meiklem J. "It is noteworthy that during the time the parties' salaries were \$83,000 and \$26,000 respectively and Mr. Campbell was paying spousal support of \$1,200 in addition to child support of \$654, this resulted in Ms. Campbell having a slightly higher net disposal income than Mr. Campbell, according to the computer-generated schedule provided by Mr. Repstock utilizing the **SupportMate** Maintenance Planner software."

Speer v. Speer Citation: 2002 CarswellBC 2072, 2002 BCSC 1314, Court: **British Columbia** Supreme Court, Powers J. "Counsel have not provided me with the calculations that would be available to them through the use of a computer program such as **Divorcemate** showing the disposable income of both of the parties, so that I could easily compare that to their expenses... I have attempted to do some of those calculations on my own, and by my calculations I have determined the following..."

Suian v. Suian Citation: 2002 CarswellBC 1386, 2002 BCSC 902, 29 R.F.L. (5th) 234, Court: **British Columbia** Supreme Court, Edwards J. "If the reduction to \$374 is granted, this deductibility will cease. A **DIVORCEmate GUIDELINE Calculator** comparison indicates that the payor will benefit by \$171 per month. The payee's counsel describes this benefit to the payor as "peanuts" compared with the impact of a reduction of \$451 per month on the child Alexander".

And The Times They Are Changing...

Based on recent publications* from the Department of Justice and The Family Law Committee and a December 10th press release by the Minister of Justice which focused on a "child-centred" family justice strategy (2003 – 2008), we conclude the following **changes are coming**:

- There are significant changes coming to the **Child Support Guidelines**; these changes may be implemented by mid to late 2003 or may be postponed.
- The presumptive formula for **shared custody** will be the "difference between the table values for each parent given the total number of children in the shared custody arrangement". Judges may deviate from this shared custody formula, if the "formula amount is inappropriate".
- Defining "**extraordinary**" expense will primarily depend on "the income of the parent requesting and paying for the expense".
- The **Household Standards of Living Test** to take into account CPP and EI payroll deductions of all parties (maximum currently about \$2,500 annually). Tools+ 2003 will reflect this change.

To my surprise, there will be no legislative change to account for the significant and non-taxable **Canada Child Tax Benefit** (CCTB) monies. If you want to

include CCTB in your SOLmate calculations, see "*Pellitier v Kakakaway*".

[Pellitier v Kakakaway, 202 CarswellSask 479, 2002 SKCA 94: The Saskatchewan Court of Appeal has ruled that the Canada Child Tax Benefit and the GST refund should be counted as Income for a s.10 SOL test calculation. Of course, our SOLmate 2002 has this option already built-in!]

- ☛ More money for **family justice services** including mediation, parent education and enforcement of federal support programs.
- ☛ An expanded Unified Family Court is in the works, with **62 new judges** planned for 2005, 30 in Ontario alone (46 will be promoted from the provincial court level).
- ☛ A specific list of criteria outlining the best interests of the child (a list of criteria to be considered is included in the Minister's News Release).
- ☛ Important legislative reforms to the *Divorce Act* including the elimination of the terms "custody" and "access"; replaced by a "parental responsibilities" model.
- ☛ Non-mandatory family law mediation.
- ☛ Support Tables will be updated at least every 5 years.

* ("The Child Support and Custody and Access Newsletter" from the Department of Justice, V16, Fall 2002 (1-888-373-222); The Family Law Committee "Final Federal/Provincial/Territorial Report on Custody and Access and Child Support – Putting Children First". <http://www.canada.justice.gc.ca/en/ps/sup/news/112002/112002.html>)

Join the DIVORCEmate Team Help Desk - Software Support Person Wanted

Yes, we are looking to hire a **Help Desk and Software Support** person. This person must have:

- Excellent knowledge in the use and installation of our DIVORCEmate software, Word and/or WordPerfect;
- Excellent telephone manner and voice; communication skills; infinite patience, empathy, the ability to explain technology to non-technical people; thick skin; relaxed nature; a "customer service" person above all else.
- Knowledge of family law, Win 98/ME/ NT/2000/XP and networking; a college or university education; a love of technology and a willingness to learn software programming; experience in forms and template building in Word and/or WordPerfect are all assets.
- Competitive salary, bonus opportunity and a comprehensive health plan.

If you know anyone who would be interested in this opportunity, please have he or she send a confidential covering letter and resume to mharris@divorcemate.com.

B.C. Software Training & Sales Demo Schedule

<u>Location</u>	<u>Date</u>	<u>Time</u>
Victoria	Feb 11 2003	noon – 3:00
Vancouver	Feb 14 2003	noon – 3:00

Basics to advanced, 2 hours of Forms+, 1 hour of Tools+. Our summer training courses were sold-out; please register ASAP.

Please complete the enclosed fax-back training order form or e-mail us: the cost is \$89/pp + GST, prepaid, no discount.

Special Promotion: All new B.C. purchasers of DIVORCEmate software since December 1st 2002 are eligible for free training, but you must register.

Not a DIVORCEmate user yet? Do you want to see how Forms+ and Tools+ work? Join us after each training session for a sales demonstration; we'll have great refreshments, promotional pricing, free DIVORCEmate shirts and bags. All are welcome! Please RSVP to skrieger@divorcemate.com.

Did You Know That ...

- ☑ The **Integrated Justice Project** partnership between private industry and the Ontario government has been terminated. Let's face it, the project was just too big and had too many participants with competing interests. We are hoping that the E-filing of court documents will survive this termination.
- ☑ Big news for clients, many **legal costs** to obtain support may be tax deductible, please see <http://www.ccre-adrc.gc.ca/E/pub/tp/itnews-24/itnews-24-e.pdf>. Thanks to Deloitte & Touche.
- ☑ DIVORCEmate has been invited to train Judges from across Canada at the **February 2003 National Judicial Institute's Family Law Seminar**. We are very proud of this invitation to explain the use of our Tools+ software to the nation's family law judiciary.

You Just Need to Smile...



Recently a law firm moved a computer from one room to another; once in place, the moved computer would not run. A technician was called and found that the computer's power bar had been plugged back into itself!

Congratulations to DIVORCEmate's **Steve Clarke and his wife, Melanie**, for producing a perfect baby boy of 8 lbs. 2 oz. Mom, Dad and son are doing well; but beware, Steve won't be quite as cheerful in the morning!