

# DIVORCEmate News & Views

## For Users of DIVORCEmate Software

#55 – May 2006

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## “DIVORCEmate One” Successfully Launched! “Pay Per Use” Option Gaining Momentum Ontario Introduces 25 New or Amended Forms

### IMPORTANT NOTICE

Please note that this issue of *DIVORCEmate News & Views* is the last DIVORCEmate newsletter that you will receive by Canada Post. In the future, you will receive an all-new *DIVORCEmate e-News & e-Views* “electronic” newsletter.

To be assured of receiving this valuable e-newsletter, we will need your current e-mail address; please e-mail it to [markharris@divorcemate.com](mailto:markharris@divorcemate.com). If you are not sure we have your e-mail address...then we don't... send it as soon as possible. *Please remember- No e-mail, no newsletter, no DIVORCEmate news!*



On March 3<sup>rd</sup> we successfully shipped a completely updated version of DIVORCEmate software for 2006, called “**DIVORCEmate One**”.

The family law profession has embraced DIVORCEmate One across Canada. From Victoria to St. John's, family law practitioners and their staff are installing and enjoying DIVORCEmate One's numerous new features and benefits, including our 2006 release of Tools One (*featuring CHEQUEmate Spousal Support Advisory Guidelines Calculator*).

Our new “**Pay Per Use**” option has caught the attention of many family law lawyers across the nation... **get the power of the complete DIVORCEmate One product line for little or no cost... you pay us, your client pays you!** All transactions are handled easily and quickly over the Internet, 24h/7d/365y!

Our “**Annual Subscription**” option is very popular with the full-time family law specialist who opens more than fifty family law files each year.

Either of these options, Pay Per Use or Annual Subscription, provides you with software, telephone technical support and all software updates delivered seamlessly via the Internet.

If you would like to try the Pay Per Use option, the switchover is seamless. Your old Client files are grand fathered and you are only charged for new clients...*after 4 free uses.*

### Annual Subscription General Information

After you have made your initial DIVORCEmate One license purchase(s), which now includes a full year of updates and software support, you pay one Annual Subscription fee in the second and subsequent years.

This Annual Subscription includes all software updates and software support for one year.

The Annual Subscription fee is based on the number of licensed DIVORCEmate computers and the different products and modules you license.

The Annual Subscription fee for all DIVORCEmate One products - Forms One, Tools One, Precedents One (including all modules) is a maximum of \$695 + taxes per year for the first licensed computer; each additional Annual Subscription computer license is \$139 + taxes. If your firm does not have all DIVORCEmate One products and modules, your Annual Subscription will be less.

### Pay Per Use General Information

You pay nothing up front (to set-up your account), and instead pay a fee each time you open a new Client File. This fee gives you access to all DIVORCEmate products and modules for that one client. It too includes all software updates and software support. As an added bonus, the Pay Per Use cost may be **billed as a disbursement** to your client.

Pay Per Use software includes all Tools One, Forms One and Precedents One products and modules.

Selecting the Pay Per Use option means that you may install DIVORCEmate One on as many computers as you wish without registering the software; only the Client Files are “registered”.

We allow **4 free uses of the DIVORCEmate One** software, before you must activate and pay the “pay per

use” fee. These free uses mean that you can meet and advise a potential client during an initial consultation.

📁 The cost is as follows: \$100 per new Client File + taxes (BC, ON); \$50 per Client File + taxes (other provinces). Please note that other provinces have fewer products and no local sales support.

📁 There is no set-up fee for your Pay Per Use account.

📁 The Initial “Pay Per Use” non-refundable deposit is \$350 (BC, ON); \$150 for all other provinces. This deposit is used to pay for your first 3 Client File openings.

📁 In order to stay on the Pay Per Use plan and receive software updates and software support, your firm must activate a minimum of 3 Client Files per year.

📁 You may make a Pay Per Use deposit by credit card online, by email, or by telephone; or you may mail us a cheque.

📁 When you “activate” a new Client File, you have the option of being provided with a record of the activation: the cost, date, reference information and your client’s name.

### Switching from Annual Subscription → Pay Per Use

The process is simple. First, we’ll give you a new customer number, which you input into DIVORCEmate One. From this point on, all of your existing Client Files will be activated, and only new Client files will attract the Pay Per Use fee.

All transactions are handled on the Internet, including deposits and activations.

**Note:** If you have already paid your Annual Subscription for 2006, we will credit your Pay Per Use account on a pro-rata basis.

### Pay Per Use Requirements

You must have access to the Internet (yes, dial-up is OK, but not optimal) and you must have an e-mail address. In almost all cases, no hardware or software upgrades will be necessary.

### Provincial Legal Aid Plans and Pay Per Use

We have approached, or will be approaching, provincial Legal Aid programs regarding the acceptability of DIVORCEmate One “Pay Per Use” as a disbursement.

Unfortunately, the Ontario Legal Aid Plan has turned down DIVORCEmate Pay Per Use as a disbursement.

We will continue to lobby to get this much-needed disbursement approved.

## Training Featuring Tools One and CHEQUEmate

DIVORCEmate will be training in Ontario and B.C. during the months of May and June. The Ontario sessions will cover the new DIVORCEmate One interface and our 2006 Tools One software including CHEQUEmate Spousal Guidelines Calculator. B.C. training will add Forms One and Precedents One training.

Most sessions have been extended to 2½ hours.

Please use the enclosed order form or see our website for dates, places and times:

[http://www.divorcemate.com/buy\\_training.asp](http://www.divorcemate.com/buy_training.asp)

**Note:** We will be including Eastern Canada in our fall training sessions.

## DIVORCEmate One - Helpful Hints How to Register and Update Your Software

Start your DIVORCEmate One, and then click on “Setup”. You will see the screen below:

**Default Court Information:** Input your personal default court address; “More” gives you a total of 5 default court locations that can be selected at any time.

**Other Options:** If you have Tools One only and do not want to see the client file information window, click “Skip Merge Info Window”.

**Word Processor Options: Word Processor:** If you switch between MS Word and WordPerfect, select your word processor.

**Word Processor Options: Save Options:** Select your default save options here. We recommend that you leave

the "Auto save files in client folder" setting. However your other options are: prompt for file name only; show file save dialog box (old default for Forms+); no auto save. You may want to experiment to see which one is best for you.

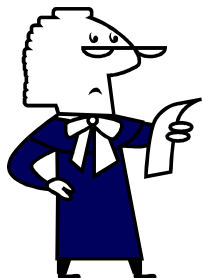
↙ **DIVORCEmateLive: Registration Info...** – This is where you register your different DIVORCEmate One products – Tools One, Forms One and/or Precedents One.

↙ **DIVORCEmateLive: Software Updates** – This is where you get new DIVORCEmate One software updates. Your software version number is also shown here. Internet connectivity is required.

**Customer #:** The "Annual Subscription" customer number is 17 digits; only the first four digits identify your organization. The "Pay Per Use" customer number is 8 digits; again only the first four digits identify your organization.

The "**Refresh**" button is used when you request a change in your account options (change from Annual Subscription to Pay Per Use), or you add a new DIVORCEmate One product or module.

### **DIVORCEmate Welcomes Two New Courts**



DIVORCEmate is proud to welcome the **Newfoundland and Labrador Supreme Court** and the **Provincial Court of British Columbia** to our growing list of Judicial Tools One users.

#### ***What The Judiciary Is Saying...***

*"He then argues that looking at the ChequeMate calculations the respondent should only fall within the lower category since with his current payments of \$2,400 per month he is constantly falling further into debt."* Stewart v. Tudorachi, 2006 CarswellOnt 1355 (OSCJ) **Plantana J.**

*"In applying the advisory guideline formula in this case (with DIVORCEmate), the appropriate range for spousal support would require Mr. Morgan to pay between \$329 to \$546 per month to Ms. Morgan."* "DIVORCEmate actually shows he will have individual net disposable income of \$1,992." Morgan v. Morgan, 2006 CarswellNfld 9 (N&L S.C.) **LeBlanc J.**

### **Ontario Court of Appeal Refers to "SUPPORTmate Calculation"**

*"On this basis, he alleged that income had been wrongly attributed to him since 1998. At the same time, however, he filed the Quebec equivalent to an Ontario*

**Supportmate** calculation, which showed his income before taxes at \$105,000. His positions appeared to be inconsistent." O'Brien v. Griffin, 2006 CarswellOnt 96 (OCA) **Cronk, Abella, Lang JJ.A.**

Kleenex, Coke, Q-tips, Xerox, Aspirin, Heinz... SUPPORTmate? What do all these products have in common? They all describe a brand of product that is accepted as the "standard" in their industry!

### **CSG Changes Coming May 2006**

Important changes to the Federal Child Support Guidelines coming May 1<sup>st</sup> 2006:

1. Section 7 - "Extraordinary" defined (2 part test - based on requesting spouse's ability to pay and other factors);
2. Section 20 – Adjustment where payor lives in a country with higher taxes than Canada;
3. Schedule I - new Table amounts take into account income tax changes in all provinces; "the updated tables show a substantial impact on some of the support amounts..."; new Tables "will constitute a change of circumstances giving rise to the making of a variation order..."; new table amounts are lower at the very lowest income levels and higher for all other income levels;
4. Schedule II - SOL test now considers CPP and EI premiums, but curiously no consideration is given to CCTB or GST refunds.

Please note that your DIVORCEmate Tools One 2006 software has been modified to include these changes. We also give you the option to use the old CSG Tables just in case you need to do a retroactive calculation.

**TIP:** Did you know that you could access previous years' Tools releases by clicking the Windows Start button, Programs, DIVORCEmate Software?

### **DIVORCEmate Donates**

DIVORCEmate recently donated our DIVORCEmate One software to the **Metro Toronto Chinese and Southeast Asia Legal Clinic**. Good luck to Avvy Go and the staff at the clinic.

### **Ontario Introduces New and Amended Family Law Forms and Rules Effective May 1<sup>st</sup> 2006**

From the Ministry of the Attorney General:

Amendments to the Family Law Rules (O. Reg. 114/99) will take effect on May 1, 2006.

Highlights of the amendments include:

☐ The format and requirements for the continuing record in child protection cases have changed.

☐ The formal requirements of the continuing record in cases other than child protection cases have not changed. The Family Rules Committee continues to consider how to improve the formal requirements of the continuing record in non-child protection cases.

☐ The content of the following Forms has been updated to ensure the consistency with current Ontario legislation and to make other technical changes: 6B, 8, 8A, 8B, 8D, 10, 13, 13.1, 13A, 13B, 15, 17A, 17C, 17E, 23C, 25D, 27C, 28, 28A, 28B, 30, 32B, 32D, 34D, 36A.

#### **New Forms:**

Child Protection Continuing Record  
Cumulative Table of Contents (Child Protection Continuing Record)

#### **Added Forms:**

Form 30 Notice of Default Hearing  
Form 37 Notice of Hearing

**IMPORTANT: Ontario Forms One Update Available after 2:00 pm, Friday April 28<sup>th</sup> 2006.** Please check our website or click "Software Updates" in your DIVORCEmate One. We will have the new and amended Ontario forms available for DIVORCEmate One downloading.

### ***How Secure Is Your Client Information? Ask... Iron Rabbit Information Security***

A new service is available to professionals who keep highly sensitive client information on their computer networks. This service evaluates the **security controls** at your law firm and determines the **vulnerability** of your organization's computer network to external hacking. The service identifies high risks and how to fix them.

We have had our internal and external computer systems evaluated twice; we highly recommend this valuable service. Please see [www.ironrabbit.ca](http://www.ironrabbit.ca).

### ***Blackberry University***

If you have a **Blackberry** or are thinking about a Blackberry, here is the person to call to teach you what you need to know. Mr. Lorne Sussman will come to you and teach you, one-on-one. His rates are reasonable and he knows his stuff, please give Lorne a call at 647-285-1540 or email him at his blackberry at: [lorne\\_sussman@rogers.blackberry.net](mailto:lorne_sussman@rogers.blackberry.net).

### **Excellent Reading on Our Website**

"To SSAG or Not To SSAG" by S. Christine Montgomery B.A., LL.B. (DIVORCEmate consultant) - a 10-page, easy-to-read, easy-to-understand primer on the Spousal Support Advisory Guidelines. Rollie Thompson thinks

that each family lawyer should keep a copy on his or her desk!

[http://www.divorcemate.com/pdf/knowledge/SSAG\\_Paper.pdf](http://www.divorcemate.com/pdf/knowledge/SSAG_Paper.pdf)

Recent changes by Canada Revenue Agency ("CRA") regarding shared custody and the Canada Child Tax Benefit and GST refunds.

[http://www.cra-arc.gc.ca/benefits/faq\\_eligibility-e.html](http://www.cra-arc.gc.ca/benefits/faq_eligibility-e.html)

"Shared Parenting, Recent CRA Changes and DIVORCEmate Software" by S. Christine Montgomery, B.A., LL.B., (DIVORCEmate consultant), a 4 page primer on everything you want to know about Section 9 Shared Parenting from inputting data in Tools One to Contino comments.

<http://www.divorcemate.com/pdf/knowledge/SharedParenting.pdf>

DIVORCEmate User Guides – all products

<http://www.divorcemate.com/knowledge.asp>

Internet Links

[http://www.divorcemate.com/knowledge\\_links.asp](http://www.divorcemate.com/knowledge_links.asp)

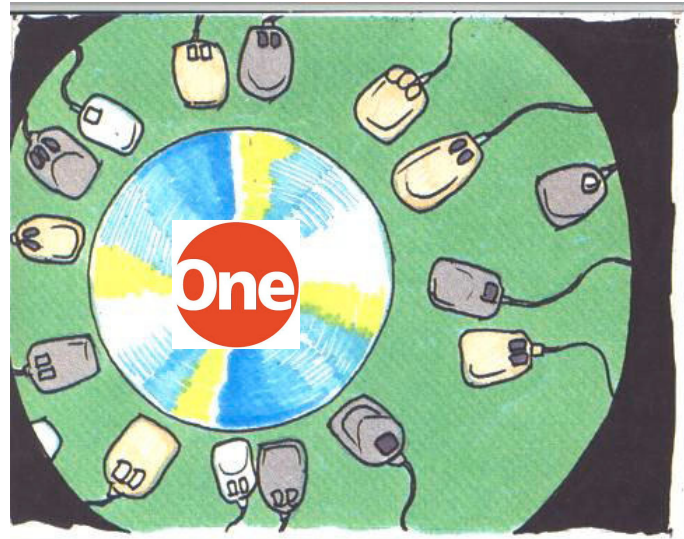
Documents of Interest

[http://www.divorcemate.com/knowledge\\_docs.asp](http://www.divorcemate.com/knowledge_docs.asp)

2006 National Family Law Program

<http://www.flsc.ca/en/lawSocieties/familyLaw.asp>

### **DIVORCEmate One – The Conception**



### **The James G. McLeod Professorship In Family Law**

The University of Western Ontario is proposing to honour Jay's memory by establishing **The James G. McLeod Professorship in Family Law**. The creation of the McLeod Professorship will celebrate the life and career of Canada's greatest family law scholar and teacher.

Please help honour Jay by giving generously when asked.