

LEGAL BULLYING FACT SHEET

One particular example of the ongoing abuse many women experience when they leave their partner is legal bullying, especially in family court.

This abuse/bullying can take many forms. One of the most common is that the abuser decides to represent himself, even though he could afford a lawyer. This allows him many opportunities to bully and intimidate his former partner. His overarching goal, of course, is to maintain his control over his partner, to intimidate her, to prevent her from moving on with her life and/or to wear her down to the point she agrees to return to him.

The very nature of family law makes it difficult to deal with legal bullying. There are many legitimate reasons to return to court over time to deal with changes in the circumstances of the family that could mean a variation to custody, access or support is in order. Because family law is so open-ended, it is easy for an abuser to find ways to manipulate the system and the process.

There are some legal strategies for dealing with legal bullies. For example:

- judges can make orders, with consequences for non-compliance, to require timely disclosure of information needed to allow a case to proceed
- the *Courts of Justice Act*, section 140, allows judges to make an order prohibiting a party from bringing further court proceedings without specific permission from the court if he has been identified as a “vexatious litigant.”
- the Rules of Civil Procedure have two sections dealing with troublesome parties. Rule 60.11 permits a judge to make a contempt order against a party who defies court procedures or orders. Rule 57 allows a judge to order a bully to pay all the costs of the victim if he brings harassing matters in front of the court.

Your worker's name:

Worker's contact #: