



KELLY GREENWAY BRUCE

BARRISTERS & SOLICITORS

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LEGAL MATTERS



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Joshua practices primarily in family law including collaborative family law, separation, divorce, custody, access, child and spousal support, division of family property and child protection matters. Joshua's hard work and dedication to his clients has enabled him to achieve excellent outcomes in all levels of court securing outstanding results for his clients.

Q *Do I have any rights to see my grandchildren if my son doesn't want me to?*

A Ontario has no legislation establishing special rights for grandparents. The courts recognize parental autonomy, which means the parent's right to raise and have access to their children trumps a non-parent's rights. The Children's Law Reform Act does, however, permit grandparents to apply to the court for access to a child.

Any such application will be determined using the best interests of the child. Courts will consider such factors as the love, affection and emotional ties between the child and the grandparents, the views and preferences of the child, and the ability and willingness of the grandparents to provide the child with guidance and education.

In their application to the court, grandparents must demonstrate their involvement with their grandchildren and the extent of that involvement, which may have included regularly babysitting the children or caring for them over weekends.

Even if they enjoyed a loving relationship with their grandchildren for many years, grandparents may be suddenly shut out for any of a number of reasons, including the death or divorce of the parent or sometimes a dispute with the parent and/or his/her spouse.

If you need legal assistance to maintain or re-establish your relationship with your grandchildren, contact the experienced family law lawyers at Kelly Greenway Bruce today.



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