



In this issue:

1. [No Bright Line on Child Support for Adult Children: C.A.](#)
2. [Indefinite Spousal Support Defined: C.A.](#)
3. [CFS to Make Medical Decisions for Mature Minor: C.A.](#)
4. [Rollie Thompson CLE Materials Now Available](#)

1. No Bright Line on Child Support for Adult Children: C.A.

In [Rebenchuk v. Rebenchuk](#), 2007 MBCA 22 (CanLII), the primary issue before the court is the continuing payment of support for adult children in university. The unanimous court addresses in some detail the questions of the definition of "child of the marriage" in relation to adult children pursuing educational opportunities, the extent of contribution required of adult children to their own support, onus provisions and consequences of failure to provide the payor with timely notice of attendance at university. Ultimately and despite setting out a list of relevant questions for courts to consider in these kinds of proceedings, the court states that it is not possible "to set forth 'bright line' rules that enable judges to determine with mathematical certainty questions of entitlement and amount for the support of adult children pursuing post-secondary education."

2. Indefinite Spousal Support Defined: C.A.

In [Cadigan v. Cadigan](#), 2007 MBCA 28 (CanLII) the court declines to interfere with the order of the lower court reducing the amount of spousal support payable. The court also makes the following statement with respect to indefinite support orders:

Although the motions judge made an indefinite award of support, indefinite does not mean infinite or permanent. The award of support is variable under appropriate circumstances pursuant to the *Divorce Act*.

3. CFS to Make Medical Decisions for Mature Minor: C.A.

The court in [Director of Child and Family Services v. A.C.](#), 2007 MBCA 9 (CanLII) considers whether a mature minor under apprehension has the right to refuse medical treatment, even if such refusal leads to their death. The court determines that [s. 25 of The Child and Family Services Act](#):

...does represent an infringement of the child's religious freedom under s. 2(a), such violation is saved by s. 1 of the *Canadian Charter of Rights and Freedoms* (the *Charter*). Medical treatment against one's wishes is also an infringement of one's liberty and right to security under s. 7 of the *Charter*. However, in this case, given the countervailing concerns of sanctity of life and protection of children, the infringement is not contrary to the principles of fundamental justice. The state does have a continuing interest in the welfare of a child, even one with capacity. Moreover, the infringement occurs in a procedurally fair manner.

4. Rollie Thompson CLE Materials Now Available

Materials from the February 22, 2007 CLE program [Recent Developments in Spousal Support](#) with Professor Rollie Thompson are now available for purchase from The Law Society. The materials include updated case summaries from across the country and as well as 2 "bonus" papers on the *Contino* decision and on mobility.

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