



Navigating Life's Changes and Challenges - - -

## Marriage & Cohabitation

# Marriage Contracts

Marriage brings with it legal rights and obligations that are not always well known or understood. If a marriage breakdown occurs, or a spouse dies, people are often surprised to learn they have legal rights and obligations they were not aware of. Family law provides a set of rules for married couples for dividing up property and debts and for payment of support. These family law rules can lead to unfair results for some people. Protect your rights and your property in case your relationship breaks down by planning in advance with a Marriage Contract that clearly sets out each person's rights and obligations on separation or the death of a spouse. If you are already married, you can still enter into a Marriage Contract that sets out the terms you and your spouse agree will apply if the marriage ends.

## The Benefits of a Marriage Contract

In a Marriage Contract you and your spouse can agree on what you think would be a fair way to divide your property and income if you separate or if either of you should die. Having a Marriage Contract allows you and your spouse to decide for yourselves which rules you want to apply for dividing up your property and debts, and regarding spousal support. Without a Marriage Contract, Ontario family law will determine these issues for you. In many situations, the strict application of family law rules can have consequences that neither you nor your spouse would have intended or agreed to when you decided to get married. Marriage Contracts can be especially helpful in the following circumstances:

- You own a home at the time of marriage.
- You own a business or have shares in a private business.
- You earn a lot more, or have significantly more assets, than your spouse.
- Your spouse has a lot of debt.
- You or your spouse have children from a previous relationship.
- You have legal obligations relating to a previous relationship

If you are interested in finding out more about Marriage Contracts, we would be happy to meet with you to answer any questions you have and to let you know more about how a Marriage Contract can help you protect your income and your property. At Morgan and Phillips LLP, we have more than 50 years of combined experience in negotiating and drafting Marriage Contracts.

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## Setup a confidential consultation today

We care about you, your children and your property. Whatever family law challenges you are facing, it is important to choose the right law firm. At Morgan and Phillips LLP, our lawyers have the confidence, experience and skill you need and will work together with you to achieve the best outcome possible.



**Stephen Morgan**

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Stephen Morgan is a senior family law lawyer whose practice focuses on respect and understanding the needs of each client. Stephen is dedicated to helping his clients arrive at fair, cost-effective and practical resolutions to their family law disputes.



**Anita Phillips**

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Anita Phillips has extensive experience as a family and estate law lawyer. She has a particular expertise in negotiating and drafting domestic contracts and in developing estate plans for clients with blended families and for business owners.



**Zehra Daudi**

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Zehra Daudi has extensive experience litigating custody and access, support and property division issues at the Superior Court of Justice and Ontario Court of Justice in Peel, Halton, and Toronto.