

Profile of family law cases in Canada, 2019/2020

by Lyndsay Ciavaglia Burns

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Profile of family law cases in Canada, 2019/2020: Highlights

- There were just over 275,000 family law cases active in the 10 provinces and territories reporting to the Civil Court Survey in fiscal year 2019/2020, down 6% from the previous year.
- Divorce applications (39%), cases with custody/access issues (16%), cases with support issues (7%), cases seeking protection (17%), other family cases such as adoptions and estate matters (17%), as well as cases where the family law issues were not identified (4%) made up the total active family caseload in 2019/2020.
- Family cases were more active in the courts in 2019/2020 compared to non-family cases. Family cases reported an average of 11 court events per case, while non-family cases reported 6.
- In 2019/2020, custody/access cases represented 31% of the total family events recorded by the courts and were more active than cases seeking a divorce and resolution of custody, access and/or support issues.
- Cases involving claims for support in 2019/2020 reported more child support issues (63%) than spousal support issues (19%) and 7% reported both issues of child and spousal support.
- The median number of days for family cases involving a civil protection application to reach a first disposition was one week, while newly initiated child protection cases reached a first disposition in nine days.
- Most family cases active in 2019/2020 proceeded through the court system uncontested, though, divorce cases that also involved other issues reported almost even proportions between contested (51%) and uncontested cases (49%).
- There were more female (67%) than male (33%) applicants in the active family cases in 2019/2020 across the provinces and territories reporting to the survey and most respondents were male (66%).
- More family law litigants represented themselves (58%) rather than retained representation (42%) in 2019/2020, continuing the upward trend of self-represented litigants in family law cases since 2014/2015.

Profile of family law cases in Canada, 2019/2020

by Lyndsay Ciavaglia Burns, Canadian Centre for Justice and Community Safety Statistics

When a family dynamic breaks down, several decisions need to be made concerning the children of the relationship, finances, housing and property, among other things. Some matters may be resolved privately between the parties, including by way of a separation agreement. However, in some cases, the parties may make use of a family dispute resolution process such as mediation or begin the court process.

Using data from the Civil Court Survey, this *Juristat* article will examine family law cases active in the Canadian civil courts in the 2019/2020 fiscal year. It will profile various case types where spouses or couples have experienced a family breakdown, which required the assistance of a court to dissolve (i.e. a marriage) or resolve (such as custody, access and/or support issues). Criminal court cases are out of scope for this survey.

Additional analysis is provided on the contentious nature of the case, the sex of the applicant and respondent, whether the parties were represented by legal counsel or self-represented, types of court activity that took place throughout the fiscal year and the average number of days it took a case to reach a first disposition.

It is expected that the COVID-19 pandemic will have had a significant impact on the Canadian civil justice system. The data provided in this article will establish a baseline to enable analysis of the impact of the pandemic on family law cases in the civil courts. This information will be provided in subsequent reports as those data become available.

Further, on March 1, 2021, the *Divorce Act*, R.S.C. 1985, c. 3 (2nd Supp.) was amended to "promote the best interests of the child, address family violence, help reduce child poverty and make the justice system more accessible and efficient". Specifically, terminology around custody and access was removed in favour of parenting arrangements, language some provinces adopted prior to the introduction of the amendments. The data included in this report were collected prior to the implementation of the March 1, 2021 amendments and as a result do not reflect the parenting terminology introduced therein.

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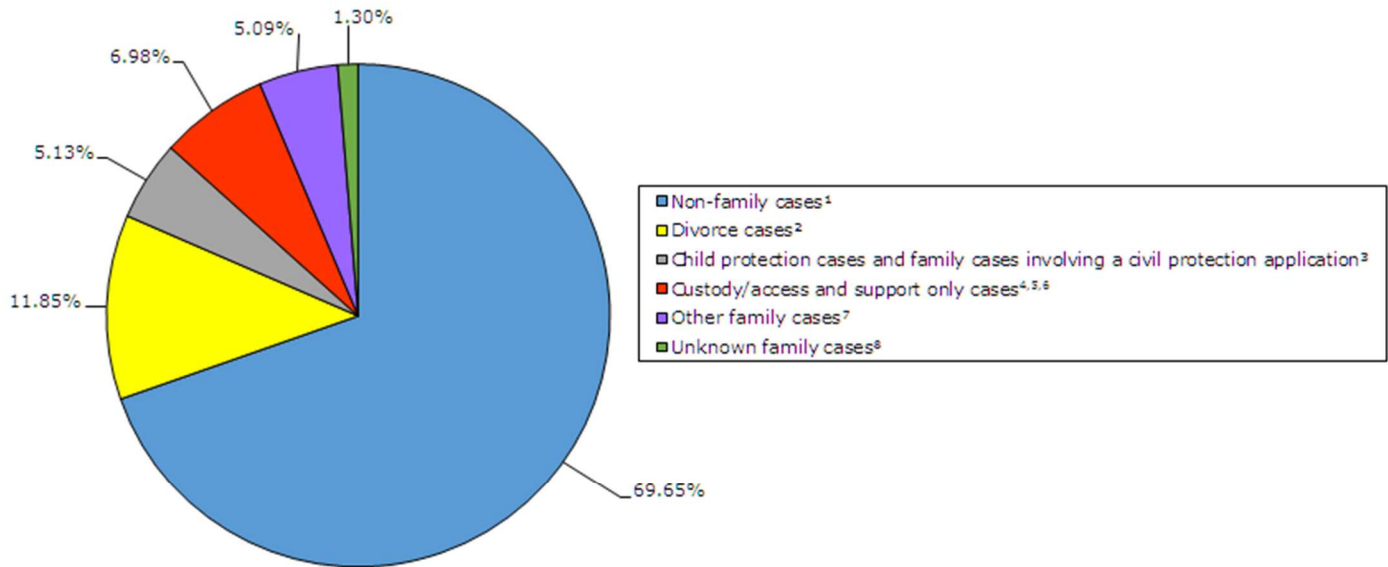
Family cases account for nearly one-third of all civil court cases in Canada

There were just over 907,000 civil court cases active in the courts in 2019/2020, and family law cases accounted for nearly one-third (30%).

Family law cases involve divorces, parenting arrangements, support payments, child protection cases, family cases involving a civil protection application and various other family matters. The larger portion of active cases were non-family cases, including civil disputes, lawsuits for damages, employment actions, probate proceedings, and other claims involving money (Chart 1, Table 1).

There were two active non-family cases for every one family law case each year since 2014/2015.¹ However, while the number of newly initiated non-family cases showed an upward trend, the number of new family cases steadily declined each year. The largest year-over-year decline in new family cases was recorded in 2019/2020 (-7%) (Chart 2).

Chart 1
Distribution of active civil court cases by type, selected provinces and territories, 2019/2020



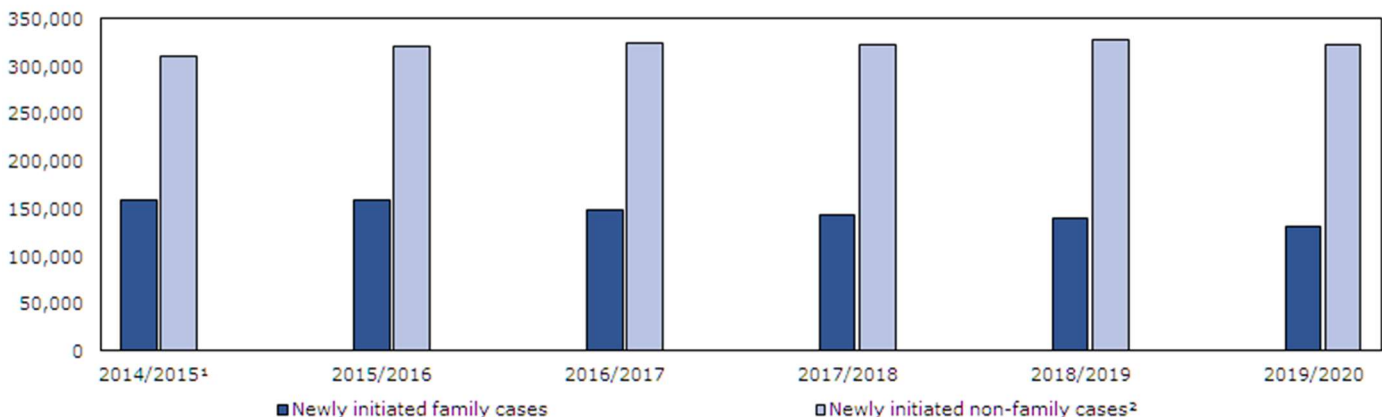
1. A non-family civil case is any civil action that is not a family-related action, such as contracts, torts, bankruptcy, probate matters and other claims involving money.
2. Divorce cases include applications to the court by one spouse or both spouses to dissolve their marriage.
3. Child protection cases and family cases involving a civil protection application include applications to family court for protection for a child or protection from an individual.
4. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.
5. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.
6. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.
7. Other family cases include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as "Other family" may change over time as more issues are identified in the case.
8. Unknown family cases include unidentifiable family-related matters.

Note: Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Chart 2
Newly initiated civil court cases, selected provinces and territories, 2014/2015 to 2019/2020

number of newly initiated civil court cases



1. 2014/2015 is the first year the Civil Court Survey collected and reported data from ten provinces and territories.

2. A non-family civil case is any civil action that is not a family-related action, such as contracts, torts, bankruptcy, probate matters and other claims involving money.

Note: Initiated cases include all cases that were newly started in the fiscal year. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Text box 1**Classification of family law case types and methodology**

This report examines family law cases active in 2019/2020. Multiple family-related issues may be identified throughout the life of a case and are, therefore, included in this analysis regardless of the year in which they were identified.

Family cases in this report have been grouped into several categories:

Divorce cases: Cases where one spouse or both spouses apply to the court to dissolve their marriage. Divorce cases will be differentiated throughout this report as either a divorce case without issues or a divorce case with issues.

- **Divorce cases without issues:** Cases involving an application to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property. It is possible that divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.
- **Divorce cases with issues:** Cases involving an application to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.

Custody/access cases: Cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.

Support only cases: Include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.

Other family cases: Include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as “Other family” may change over time as more issues are identified in the case.

Unknown family cases: Unknown family cases include unidentifiable family-related matters.

The family case categories above do not include cases that identified child protection issues or family cases seeking a civil protection order. However, cases seeking protection, as defined below, will be profiled in text boxes.

Child protection cases: Include applications to the court by the government for orders seeking the supervision of parents, guardians or caregivers, or the apprehension of children into government care because of issues of parental abuse, neglect, or incapacity.

Family cases involving a civil protection application: Include applications to the family court by individuals seeking orders to ensure their safety, such as protection orders and restraining orders.

Family law cases declined in 2019/2020

There were 275,296 family law cases active in the 10 provinces and territories² reporting to the Civil Court Survey in 2019/2020 (Table 1), 6% fewer than the previous year. When child protection cases and family cases involving a civil protection application are removed, the total active family caseload for 2019/2020 was 228,758 (Table 2), down 7% from the previous year. Unless otherwise specified, child protection cases and family cases involving a civil protection application are excluded in further sections of this report due to the nature and specific rules that govern these case types.

Close to half (48%) of the active family law cases in 2019/2020 were newly initiated during the year while the remaining 52% were ongoing from a previous year.

A case is considered to be “active” in any year that court activity is recorded. There are three main types of activity in civil court cases: **initiation activity**³ which opens a new case in the civil courts, **process events**^{4, 5} such as document filings,⁶ pre-trial events^{7, 8} and hearings, adjournments^{9, 10} and trial hearings, which move the case forward through the civil process and **disposition events**,^{11, 12} including judgments¹³ and settlement agreements, which dispose of part, or all of a case.

Filing a court document, attending a conference in person or remotely, settling a dispute or receiving a judgment from the court are all events that trigger the active status of a case in a fiscal year. It is important to note that family cases may return to court periodically to amend the terms of a court order.

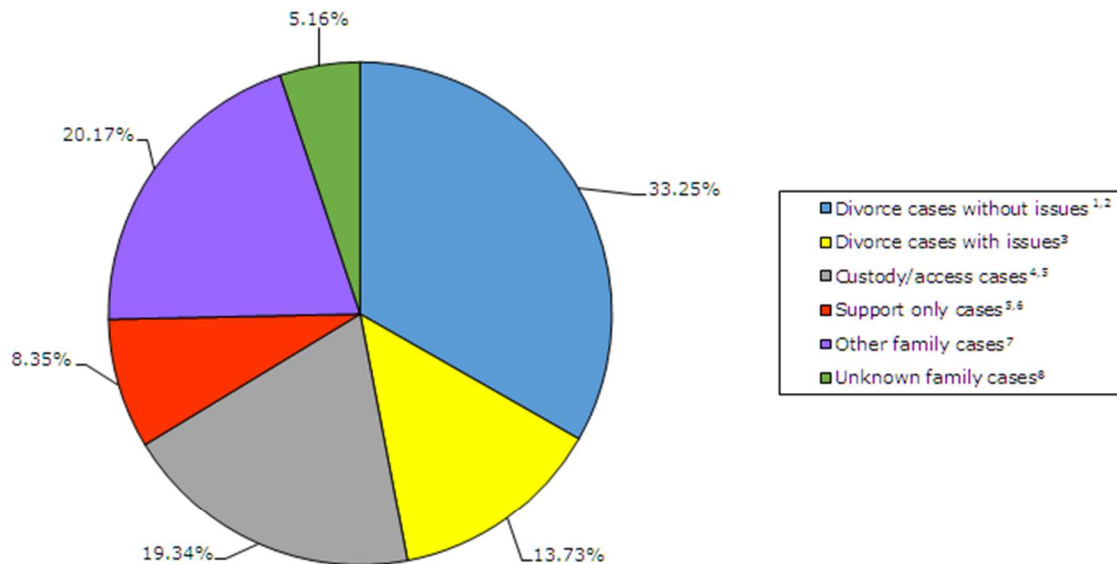
The family cases examined here recorded court activity in 2019/2020. The cases were either newly initiated or ongoing from a previous year.

Divorce cases represent almost half of the active family caseload in 2019/2020

Overall, divorce cases made up 47% of the active cases in 2019/2020 (Table 3.1). Custody/access cases, support only cases, and other and unknown family cases, accounted for the other 53% (Chart 3).

Chart 3

Distribution of active family court cases by type, selected provinces and territories, 2019/2020



1. Divorce cases without issues involve applications to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property.
2. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.
3. Divorce cases with issues involve applications made to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.
4. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.
5. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.
6. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.
7. Other family cases include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as "Other family" may change over time as more issues are identified in the case.
8. Unknown family cases include unidentifiable family-related matters.

Note: For the purposes of this chart, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Divorce cases without issues were the most predominate active case type (33%) during the year (Table 3.2), followed by custody/access (19%) (Table 4) and divorce cases with issues^{14, 15, 16} (14%) (Table 3.3). Support only cases represented 8% (Table 5) of the active cases, while other¹⁷ and unknown family cases made up the remaining 25%.

Family cases are more active than non-family cases

Family cases are typically more active in the courts than non-family cases due to the number of issues that require resolution. More court activity is recorded in family cases involving multiple or complex issues which contribute to an increase in the courts caseload, resources and time. Family cases with multiple issues are also more likely to be reactivated when new issues require resolving or a previous order requires amending (Allen 2014).

Family cases active in 2019/2020 reported an average of 11 events per case in 2019/2020, five more events than in non-family cases (6). Process events made up the largest portion of events (9 events) with document filings, whether in person or remotely, representing over three quarters (78%) of those events (Table 2).

Pre-trial events are important steps in a family case that allow the parties to disclose relevant documents, to settle issues that may arise outside of the main application and to provide the parties with an opportunity to resolve some or all of the issues in the case prior to trial. Active family cases reported an average of one pre-trial event each during 2019/2020. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist as indicated previously.

Parties in a family case may ask for an appearance date to be re-scheduled or adjourned to a new date with permission from the court. There are also circumstances in which the court will be required to request an adjournment for the case in the event of a scheduling conflict with another case or a court closure. Family cases active in 2019/2020 reported an average of one adjournment per case.

Family cases reached a first disposition faster in 2019/2020 than the year before

When a family dispute is resolved either between the parties or by the court, a verbal or written judgment or order may be rendered by the court and placed on the court file. Depending on the number of issues requiring resolution, it is not uncommon for parties in a family case to receive multiple decisions from the court that either dispose of part, or all, of a case.

Overall, the median length of time for family cases to reach a first disposition was 79 days, two days quicker than in 2018/2019 (81 days). In 2019/2020, family cases reported receiving an average of two judgments per case (Table 2).

Divorce cases

Based on 20 million Canadians surveyed by the General Social Survey in 2017, 56% of adults aged 25 to 64 were married and 6% were separated or divorced at that time (Statistics Canada 2019a; Statistics Canada 2019b).

Finances, infidelity, incompatibility or abuse may be some of the reasons that contribute to a marital breakdown. However, in order to legally end a marriage, the spouses must establish the breakdown of their marriage by providing evidence to the court that they have lived separate and apart for at least one year, one spouse has committed adultery, or one spouse has treated the other spouse with physical or mental cruelty and made it impossible to continue living together, prior to obtaining a divorce order (*Divorce Act*).

Divorce cases remain the predominate active family case type

As noted above, divorce cases made up almost half (47%) of the total active family cases in 2019/2020 (Chart 3, Table 3.1). Just over two-thirds (71%) of the divorce cases were reported without custody, access or support issues (Table 3.2) while close to one-third (29%) were reported with issues related to custody, access and/or support (Table 3.3).

New divorce cases accounted for 46% of the newly initiated family cases in 2019/2020. Divorce cases without issues represented 40% of the new cases. Similarly, divorce cases ongoing from previous years with activity reported in 2019/2020 composed 48% of the total number of active family cases ongoing from a previous year. More divorce cases without issues continued into 2019/2020 from a previous fiscal year (56%) compared to divorce cases with issues (44%).

Divorce cases with issues reported slightly longer disposition times than divorce cases without issues

If reasonable child support arrangements have been made and other issues resulting from the marital breakdown are resolved privately between the spouses, a divorce may proceed through the court simply on the application and written evidence with no need for the parties to appear before a judge in person or remotely. For these reasons, divorce cases without issues (8 events) (Table 3.2) reported seven fewer events than divorce cases with issues (15 events) (Table 3.3).

There was an average of one pre-trial event and one adjournment event per divorce case with issues, compared to divorce cases without issues which reported an average of less than one pre-trial and adjournment events in the year.

Due to the number of issues that require resolution throughout the case, divorce cases with issues had an average of two more judgments (3) than divorce cases without issues (1) and one more judgment than the average family case (2).

Around half (47%) of divorce cases without issues that reached a first disposition did so within the first three months, a further 40% in over three months to one year and the remaining 13% in over one year. In comparison, divorce cases with issues took a little longer to resolve, with a little over one-third (38%) reaching the first disposition within the first three months, 44% in over three months to one year and 17% in over one year.

Text box 2

Family cases involving a civil protection application

There were almost 9,000 new family court cases involving an application for a civil protection order in 2019/2020 (Table 6).

Family cases involving a civil protection application are distinctly different from child protection applications which involve the government applying to the court for protection of a child. In a family civil protection application, a family member who experiences or is at risk of experiencing family violence, applies for the protection order from the court. In 2% of the active family cases involving a civil protection application examined here, issues relating to the safety of a child were also present.

According to police-reported family violence statistics, 107,810 people experienced intimate partner violence in 2019, 79% of whom were women (Conroy 2021). Criminal offences are out of scope for the Civil Court Survey, yet, it is important to note that there may be situations of family violence that involve a criminal court case as well as a civil case.

In 2019/2020, there were 20,682 family cases active in the civil courts which reported at least one application for a family civil protection order over the lifetime of the case. Just under one-third (30%) of the active cases reported the sex¹⁸ of the applicant. Of those, 73% were female and 27% were male. However, the data excludes Ontario, Alberta and Yukon due to limitations in reporting the sex of the applicant and therefore should be interpreted with caution due to the small number of cases for which this information is available.

Most of the active family cases involving a civil protection application proceeded uncontested (70%) while 30% reported respondent activity at least once during the case.

Due to the safety concerns raised in an application for protection, the process of obtaining a protection order from the court is expedited. In 2019/2020, over three-quarters (79%) of family cases involving a civil protection application reached a first disposition within the first three months, the median amount of days being one week.

Cases involving custody and/or access issues

Determination of custody and access arrangements often both need adjudication. According to the *Divorce Act*,¹⁹ when determining custody and access issues, a judge shall consider the best interests of the child or children who formed part of the relationship.

Custody issues can be divided into living arrangements, where a child will primarily reside and with which parent, and decision-making, whether one parent will have primary decision-making authority for the child on issues such as health, education and religion or whether this decision-making authority will be shared. A judge may order that custody of a child be granted to one or both parents.

Additionally, access orders can be granted to allow the parent with whom the child does not primarily reside with parenting time. The court order will stipulate who may spend time with the child, how often and for how long. Some access types may include liberal/reasonable, supervised, no access, scheduled/specified or mixed arrangements. Grandparents and non-family members may also apply for access to children.

Cases involving custody/access issues represented 19% of active family cases in 2019/2020 (Table 4). It is important to note that the custody/access case types examined here may include married or common-law couples who are separated but do not include applications for divorce. Requests for support may also be involved in these cases.

Close to one-third (31%) of the active custody/access cases were new in 2019/2020 and 28% were continuing on from 2018/2019, while the remainder (41%) were initiated in 2017/2018 or earlier.

Custody/access cases are the most active type of family case

Custody/access cases tend to involve more court activity and remain in court longer than the other family case types due to the number of issues requiring resolution (Allen 2014). The case length can have a significant impact not only on the courts time and resources but also the families involved.

In 2019/2020, custody/access cases represented just under one-third (31%) of the total family events recorded by the courts.

There was an average of 18 events per case identifying custody and/or access issues, three more events than divorce cases with issues (15) and seven more events than the average in family cases (11) (Table 4).

There was an average of two pre-trial events, one adjournment, and four disposition events per custody/access case.

Of the 39,888 custody/access cases that reported a disposition event such as a judgment, 68% reached the first disposition on one or more of the issues in the case within the first three months, 25% in over three months to one year and 6% took over one year.

Cases involving support issues only

Support is a type of relief that can be requested by a party to a family case following a divorce or separation. Child support obligations must be paid by the parent with whom the child does not primarily reside to ensure that children are supported financially by both parents (Department of Justice Canada 2016). The Child Support Guidelines can help calculate the amount of support that must be paid. However, the amount may be adjusted over time should the financial circumstances of the payor or recipient change.

Spousal support payments can be requested by one spouse for financial support after the breakdown of a marriage or common-law relationship. The Spousal Support Advisory Guidelines can help a judge consider the amount, if any, a spouse is entitled to receive.

It is important to note that the support only case types examined here may include married or common-law couples who are separated but do not include applications for divorce.

There were just over 19,000 support only cases active in the family courts in 2019/2020, representing 8% of the total active family caseload. Similar to custody/access cases, there were more support only cases ongoing (64%) from previous years than newly initiated cases (36%) (Table 5).

Child support issues were reported in 63% of the support only cases active in the year, while 19% of cases reported issues of spousal support. Both child and spousal issues were reported in 7% of the active support only cases. More than one type of support may be requested in a case, and therefore, the proportions will not equal 100%.

Text box 3

Just over one-third of support cases enrolled in a maintenance enforcement program were in full compliance in 2019/2020

Child and spousal support payments stipulated in a court order or registered agreement are enforceable. Provincial and Territorial maintenance enforcement programs (MEP's) exist to help secure child and spousal support payments before requesting assistance from the courts. MEP's are available across Canada, however, the participation requirements vary between jurisdictions. MEP's have administrative powers to enforce child and spousal support payment by garnishing the payors wages, suspending their drivers license, seizing their assets, among other administrative actions.

According to results from the most recent Survey of Maintenance Enforcement Programs, 95,200 child and spousal court-ordered financial support cases were registered with a MEP in 2019/2020, in the five provinces and two territories responding to the survey. Of those, 35% were in full compliance, meaning payments were received in all months of the fiscal year, compared to 16% of cases which were never compliant throughout the year. The remainder were compliant at some times during the year (Statistics Canada 2021).

It is important to note that there is no direct link from the support cases reported by the Civil Court Survey to the cases reported by the Survey of Maintenance Enforcement Programs.

Many support issues can be resolved within the first three months

More than two-thirds of events (75%) in support only cases were process events (9), made up primarily by document filings (6). Similar to other family case types, there was an average of one pre-trial event and one adjournment event per support only case and three disposition events (Table 5).

Of the 15,724 support only cases that had a disposition event, over half (55%) reached the first disposition event within the first three months, 31% in over three months to one year and 14% in over one year.

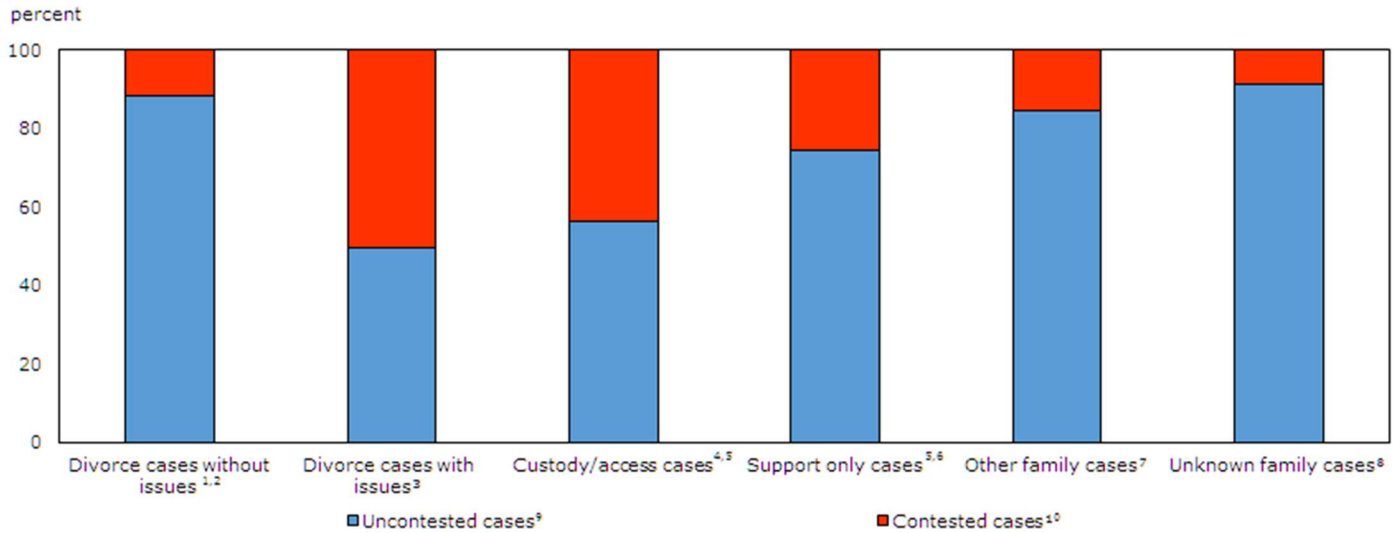
Uncontested versus contested family cases

For the purpose of this analysis, a case was considered contested by the opposing party if a responding document, such as an answer opposing the relief sought in the case, was recorded on this file. Uncontested cases did not report a responding document while contested cases did.

Most family cases are uncontested

Three quarters (75%) of active family cases in 2019/2020 were uncontested,²⁰ 48% of which were divorce cases²¹ (Chart 4).

Chart 4
Proportion of uncontested and contested active family court cases by type, selected provinces and territories, 2019/2020



1. Divorce cases without issues involve applications to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property.

2. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.

3. Divorce cases with issues involve applications made to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.

4. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.

5. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.

6. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.

7. Other family cases include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as "Other family" may change over time as more issues are identified in the case.

8. Unknown family cases include unidentifiable family-related matters.

9. Uncontested cases did not report the filing of a responding document, such as an answer, to the original application. Cases initiated close to the end of a fiscal year may be classified as uncontested and reclassified as contested the following fiscal year when more information, such as the filing of an answer, becomes available. Therefore, it is possible that the number of new uncontested cases is over-reported.

10. Contested cases reported the filing of a responding document, such as an answer, to the original application.

Note: For the purposes of this chart, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Divorce cases without issues were mostly uncontested (88%), while divorce cases with issues revealed almost even proportions between contested (51%) and uncontested cases (49%).

Custody/access cases were 56% uncontested and 44% contested compared to support only cases which were mostly uncontested (74%).

Applicant and respondent profiles

The applicant in a family case is generally the party who brought the matter to court. The opposing party to the application is known as the respondent.²²

While the Civil Court Survey attempts to collect the sex²³ of the parties in civil court cases, in 2019/2020, only 15% of active family cases reported the sex of the applicant and only 16% reported the sex of the respondent. In the remaining cases, the information was unavailable, unknown, or, in a small number of cases, related to a government or an organization.

The following analysis is based on reported male and female applicant and respondents only and exclude Ontario, Alberta and Yukon due to reporting limitations. Caution should be exercised when interpreting these data due to the small number of cases for which this information is available. Child protection cases and family cases involving a civil protection application are included here. However, it is important to note that the applicant in a child protection case is most often a government entity.

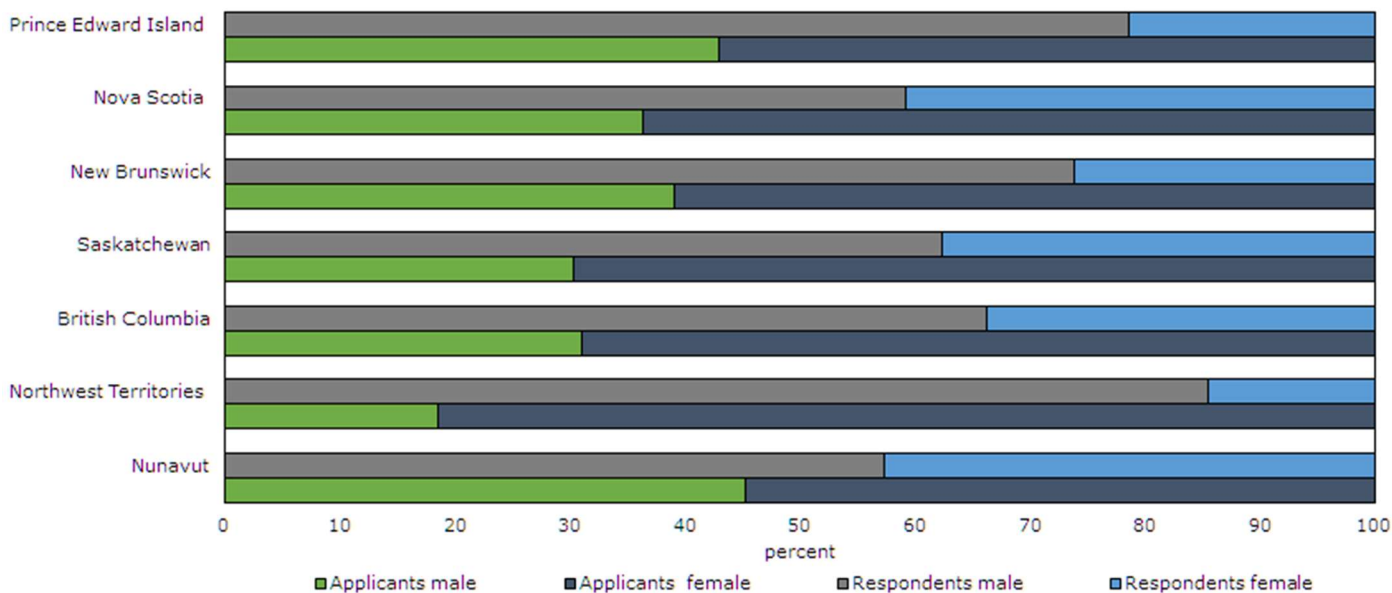
More applicants are female and more respondents are male

Of the reported male and female applicant and respondent types only in 2019/2020, 67% of applicants in family law cases were female and 66% of respondents were male.

Female applicants were more prominent in family cases than male applicants across the provinces and territories included in this analysis. In contrast, the respondents in family cases were mostly male (Chart 5).

Chart 5
Proportion of male and female litigants in active family court cases by selected provinces and territories, 2019/2020

Provinces and territories



Note: This chart is based on active cases where the applicant sex was reported (15.39%) and active cases where this information was reported for respondents (16.03%) in 2019/2020. Caution should be exercised when interpreting this data due to the small number of cases for which this information is available. Alberta and Yukon are excluded in the context of all family case types due to limitations in the reporting of this data. Ontario is included in the context of child protection cases but excluded from other family case types. For the purposes of this chart, child protection cases and family cases involving a civil protection application are included in the total active family caseload for 2019/2020. However, it is important to note that the applicant in a child protection case is most often a government entity. Alberta, Yukon and Northwest Territories are excluded in the context of child protection cases due to limitations in the reporting of this data. Data collection for the sex of the parties in a civil court case reflects the data entry practices in each reporting province and territory. Therefore, the Civil Court Survey is unable to distinguish between sex and gender. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey. Percentages may not total 100% due to rounding.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Most applicants in child protection cases are a government entity

The following analysis is based on reported applicants and respondents in the context of child protection cases only and exclude applicants and respondents in Alberta and Yukon, as well as respondents in Northwest Territories due to limitations in the reporting of these data.

The applicant in a child protection case is most often a government entity who is made aware of a situation in which a child requires protection and applies to the court for supervision or protection of that child.

Of the known applicants (74%) in child protection cases, nearly all were the government or an organization (99.5%) while slightly more respondents were male (35%) or female (28%).

Legal representation in family cases

The following analysis is based only on cases which reported a known type of representation and should be interpreted with caution due to the small number of cases for which this information is available. Nunavut is excluded due to limitations in the reporting of this data.

While the Civil Court Survey attempts to collect the legal representation status of applicants and respondents in civil court cases, in 2019/2020, only 27% of active family cases reported a representation status other than unknown or not applicable for the applicant and only 12% reported it for the respondent, as at the end of the fiscal year.

Applicants and respondents in family cases can choose whether or not to hire a lawyer for their case. Though it is generally advisable to obtain representation when going to court (Ontario Court of Justice 2018), some litigants may not be able to afford legal representation for part or all of the proceeding and represent themselves.

In the following section, family cases active in 2019/2020 were examined to determine whether the applicant and respondent were represented or self-represented²⁴ in the fiscal year. However, it is possible for the parties to obtain legal representation later on in the case. Cases involving child protection cases and family cases involving a civil protection application are included in this section.

The majority of applicants and respondents in family cases are self-represented

Overall, more family case litigants in active cases were self-represented (58%) than not (42%) in 2019/2020.

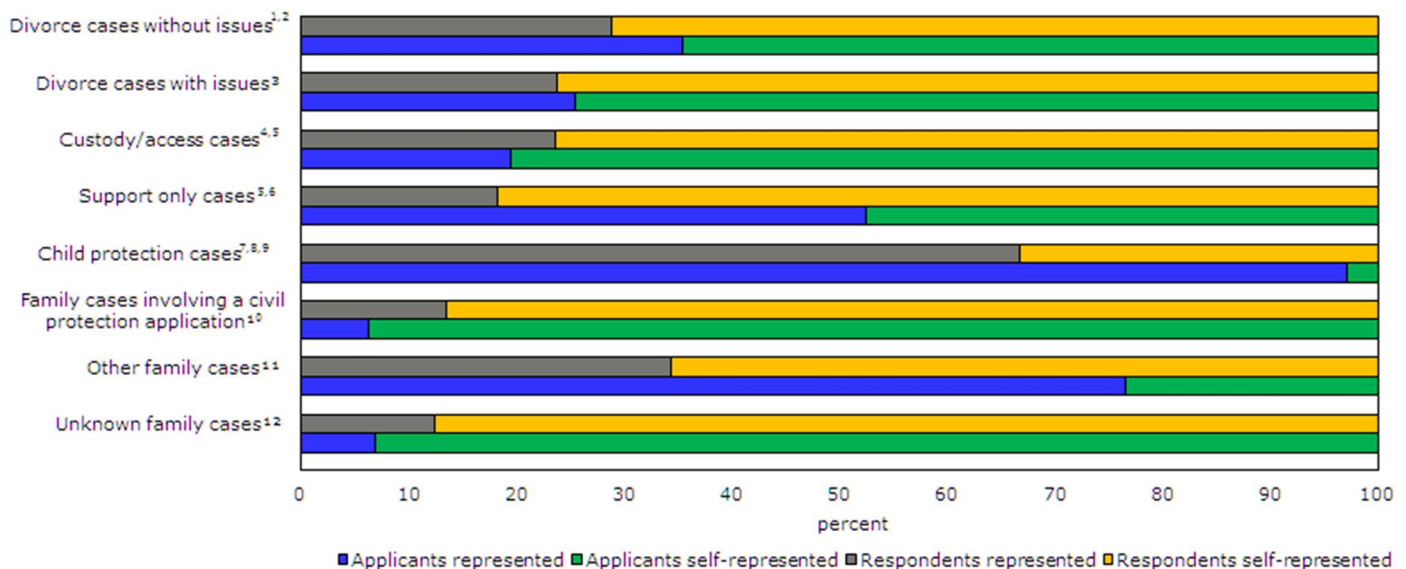
When analyzing applicants only, almost half (47%) were represented by a legal-aid lawyer (3%), a non-legal aid lawyer (44%) or duty counsel (0.3%). Another 1% had non-legal representation, such as a family member, which will not be analyzed further in this section. The remaining 53% of applicants were self-represented.

The number of self-represented applicants exceeds the number of represented applicants across the active family case types examined in this report, with the exception of support only, child protection and other family cases.

Similarly, about two-thirds (70%) of respondents in family cases were self-represented and almost one-third (30%) were represented at least one time in the fiscal year (Chart 6).

Chart 6
Proportion of represented and self-represented litigants in active family court cases by case type, selected provinces and territories, 2019/2020

Active family law case types



1. Divorce cases without issues involve applications to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property.

2. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.

3. Divorce cases with issues involve applications made to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.

4. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.

5. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.

6. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.

7. Child protection cases include applications to the court by the government for orders seeking the supervision of parents, guardians or caregivers, or the apprehension of children into government care because of issues of parental abuse, neglect, or incapacity.

8. The child protection cases examined in this chart include cases where child protection was identified as an issue and do not include applications for divorce.

9. This chart excludes litigants in the context of child protection cases in Yukon, Northwest Territories and Nunavut due to limitations in the reporting of this data.

10. Family cases involving a civil protection application include applications to the family court by individuals seeking orders to ensure their safety, such as protection orders and restraining orders.

11. Other family cases include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as "Other family" may change over time as more issues are identified in the case.

12. Unknown family cases include unidentifiable family-related matters.

Note: For the purposes of this chart, child protection cases and family cases involving a civil protection application are included in the total active family caseload for 2019/2020. This chart is based on the representation status of applicants in 27.47% of active family cases and respondents in 11.62% of active family cases as at the end of the 2019/2020 fiscal year. Caution should be exercised when interpreting this data due to the small number of cases for which this information is available. Nunavut is excluded due to limitations in the reporting of this data. For the purposes of this chart, "self-represented" includes both self-represented and unrepresented litigants as classified in the Civil Court Survey National Data Requirements. However, the Civil Court Survey is unable to differentiate between self-represented and unrepresented litigants. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Most applicants and respondents are represented by legal counsel in child protection cases

The applicant, such as the Children’s Aid Society in Ontario, and the respondent parent in a child protection application are generally both represented by legal counsel. It is also possible that the child of the application will be represented by counsel from the Office of the Children’s Lawyer, or a similar entity in the other provinces and territories, if the court deems it necessary for the child to be represented (Department of Justice 2012). The parent in a child protection application has a right to respond but may choose not to do so.

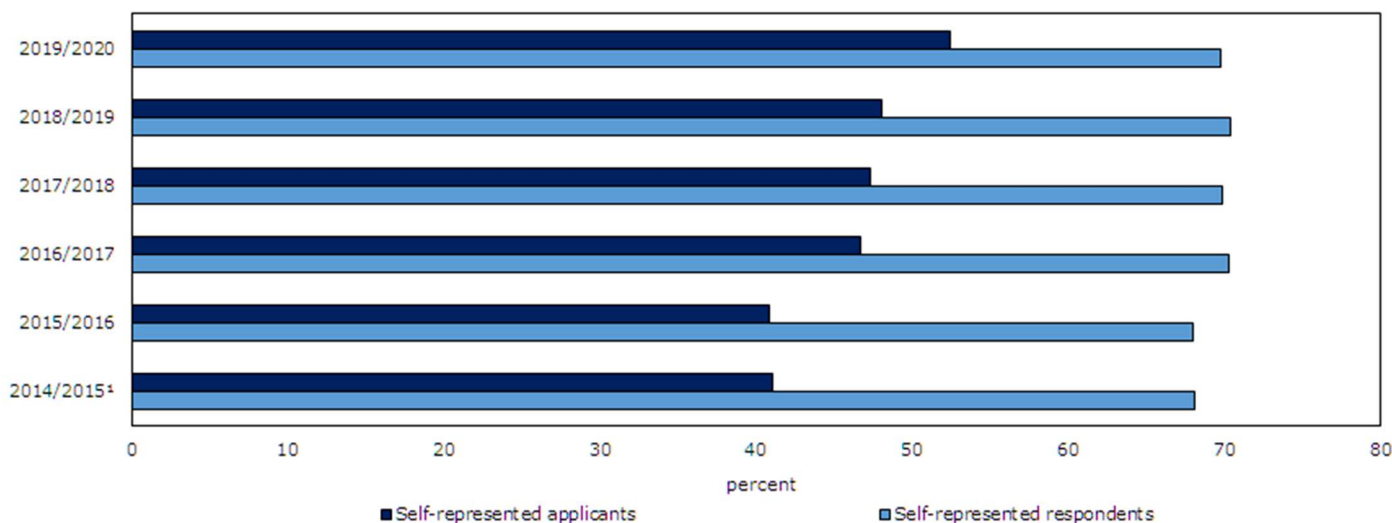
In addition to support only and other family cases, child protection cases also reported more represented parties (91%) than not (9%) in 2019/2020. Based on 72% of active child protection cases that reported a type of legal representation, almost all (97%) of the applicants and close to two-thirds (67%) of respondents were represented during the year. The high proportion of represented parties, compared to other family cases, may reflect the involvement of the government as the applicant. These data exclude litigants in the context of child protection cases in Yukon, Northwest Territories and Nunavut due to limitations in the reporting of this data.

Self-represented litigants in family cases are increasing

In 2020, 57 Ontario judges were surveyed on their perceptions of the number of represented and unrepresented litigants appearing before the courts over the past decade. The survey revealed the judges’ perception that more litigants in family law cases appeared before the courts representing themselves rather than with representation (Birnbaum and Bala 2020).

Data from the Civil Court Survey supports the judges’ survey. The number of self-represented applicants active in the family courts rose by 11 percentage points between 2014/2015 (41%) and 2019/2020 (52%) while self-represented respondents increased from 68% to 70% in that time (Chart 7).

Chart 7
Proportion of self-represented litigants in active family court cases, selected provinces and territories, 2014/2015 to 2019/2020



1. 2014/2015 is the first year the Civil Court Survey collected and reported data from ten provinces and territories.
Note: For the purposes of this chart, child protection cases and family cases involving a civil protection application are included in the total active family caseload for 2019/2020. This chart is based on the representation status of applicants in 27.47% of active family cases and respondents in 11.62% of active family cases as at the end of the 2019/2020 fiscal year. Caution should be exercised when interpreting this data due to the small number of cases for which this information is available. Nunavut is excluded due to limitations in the reporting of this data. For the purposes of this chart, “self-represented” includes both self-represented and unrepresented litigants as classified in the Civil Court Survey National Data Requirements. However, the survey is unable to differentiate between self-represented and unrepresented litigants. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the year and thus include initiated cases. Additionally, Newfoundland and Labrador, Quebec and Manitoba are excluded as they do not report to the Civil Court Survey.
Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Text box 4

Child protection cases

When the government is made aware that a child is being abused physically, sexually, psychologically or emotionally, an application can be made to the court for an order to have the time that the child spends with their parents or custodians supervised or to have the child removed from the situation all together.

The cases examined here include cases where child protection was identified as an issue and do not include applications for divorce.

In 2019/2020, there were almost 12,000 new applications for child protection orders initiated in the civil courts (Table 7), an 8% decrease from the previous year. Due to the urgency of these case types to ensure the safety of the child, the courts prioritize protection matters (Ontario Superior Court of Justice 2012). As such, the median number of days to reach a first disposition in new child protection cases was 9 days. Northwest Territories and Saskatchewan are excluded from the median number of days to reach a first disposition in 2019/2020.

In 2019, according to police-reported data from the Incident-based Uniform Crime Reporting Survey, 22,299 children were victimized by a family member with almost 60% of the perpetrators being a parent (Conroy 2021). Though criminal cases are out of scope for the Civil Court Survey, there may be family violence situations that involve both criminal court cases and child protection applications. A child protection application may be started after an act of family violence has been reported or before if there is a concern for a child's safety.

As with any other civil case, the respondent has a legal right to respond to the application. However, over two-thirds (77%) of the new child protection applications in 2019/2020 proceeded without respondent activity.

Summary

This report profiles divorce cases, custody/access cases, support only cases, child protection cases and family cases involving a civil protection application active in the civil courts in 2019/2020. The profiles establish a baseline of family law court data which will enable future analysis of the impact of the COVID-19 pandemic, as well as amendments introduced in the March 1, 2021 *Divorce Act*, on family law cases in the Canadian civil courts.

The 2019/2020 family law caseload was mostly made up of divorce cases with and without issues, followed by child protection cases, family cases involving a civil protection application and cases involving custody, access and support issues.

Family law cases were more active in the courts and reached a first disposition faster than general civil cases in 2019/2020. Overall, most family cases, including protection cases, reached a first disposition within the first three months.

Survey description

In 2019/2020, the Civil Court Survey (CCS) included data for Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Newfoundland and Labrador, Quebec and Manitoba are not yet reporting to the survey. Collection for the year began in June 2020 and covered the April 1, 2019 to March 31, 2020 (2019/2020) fiscal year.

The data examined includes only the provinces and territories that are capable of reporting the information and only the cases that recorded a meaningful value for the variable. Unknown and not applicable values were excluded from some portions of the analysis, as noted.

Data for the CCS are based on the administrative records stored in civil court automated information systems in the ten provinces and territories listed above. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available for all provinces and territories. In particular, some provinces and territories may not be able to provide full information on secondary issues for a case. For example, information related to issues such as custody, access, support and property may not always be available from the court information systems and, as such, may be under-reported. The degree of under-reporting is unknown. Information is provided by province and territory to support analysis of individual provinces or territories. However, comparisons of data by province and territory are not recommended as reporting is not consistent for all case types.

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Notes

1. 2014/2015 is the first year the Civil Court Survey collected and reported data from ten provinces and territories.
2. Excludes Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.
3. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory.
4. Process events are events that move the case forward through the civil process, but are not the initiating event.
5. In New Brunswick, a breakdown of the "Process events" and "Disposition events" for family matters is not available for 2019/2020.
6. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
7. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings.
8. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.
9. Adjournment events involve the postponement of a court hearing or trial to another date or time or the continuation of a court hearing or trial on another date or time but excludes adjourned sine die.
10. Adjournment data is not available for Northwest Territories.
11. See note 5.
12. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
13. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.
14. In Prince Edward Island, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.
15. In Nova Scotia, divorce cases with issue(s) identified and the subcategories of access, custody and support are under-reported due to limitations in the system capacity to report secondary issues of custody, access and support.
16. In Ontario, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.

17. A portion of the active cases classified as “Other family” may change over time as more issues are identified in the case. This is particularly true for cases in Ontario where information on issues is not recorded directly, but is determined by the outcome of a case as recorded in the judgment.

18. Data collection for the sex of the parties in a civil court case reflects the data entry practices in each reporting province and territory. Therefore, the Civil Court Survey is unable to distinguish between sex and gender.

19. *Divorce Act*, R.S.C., 1985, c. 3 (2nd Supp.) (2019), ss. 16(8).

20. Cases initiated close to the end of a fiscal year may be classified as uncontested and reclassified as contested the following fiscal year when more information, such as the filing of an answer, becomes available. Therefore, it is possible that the number of new uncontested cases is over-reported.

21. Ontario represented 43% of the uncontested divorce cases. It is important to note that issues will be added over time as determined from the outcome of the case, as recorded in judgments, therefore, it is possible that there is over-reporting of uncontested divorce cases in Ontario.

22. The Civil Court Survey National Data Requirements labels the left-hand and right-hand parties “plaintiffs” and “defendants”. For the purpose of family cases profiled in this report, “applicant” and “respondent” are used.

23. See note 18.

24. For the purposes of this analysis, “self-represented” includes both self-represented and unrepresented litigants as classified in the Civil Court Survey National Data Requirements. However, the Civil Court Survey is unable to differentiate between self-represented and unrepresented litigants.

Detailed data tables

Table 1
Number of active civil court cases, by type and reporting jurisdiction, 2019/2020

| Cases | P.E.I. ¹ | N.S. ² | N.B. ³ | Ont. ⁴ | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. | Total |
|---|---------------------|-------------------|-------------------|-------------------|---------------|----------------|----------------|--------------|--------------|--------------|----------------|
| | number | | | | | | | | | | |
| Family cases⁵ | 1,366 | 12,724 | 7,553 | 124,447 | 9,466 | 61,892 | 56,001 | 429 | 757 | 661 | 275,296 |
| Divorce cases without issues ^{6, 7} | 561 | 4,159 | 765 | 38,481 | 2,528 | 15,409 | 13,922 | 160 | 62 | 21 | 76,068 |
| Divorce cases with issues ⁸ | 40 | 107 | 1,518 | 6,018 | 2,658 | 12,704 | 8,265 | 60 | 34 | 9 | 31,413 |
| Custody/access cases ^{9, 10} | 2 | 912 | 1,869 | 20,459 | 2,079 | 9,807 | 8,876 | 63 | 127 | 48 | 44,242 |
| Support only cases ^{10, 11} | 153 | 315 | 1,233 | 8,760 | 571 | 2,841 | 5,154 | 32 | 23 | 15 | 19,097 |
| Child protection cases ^{12, 13} | 37 | 1,636 | 523 | 14,012 | 1,152 | 4,427 | 3,899 | 17 | 40 | 113 | 25,856 |
| Family cases involving a civil protection application ¹⁴ | 75 | 186 | 511 | 1,729 | 22 | 8,232 | 9,781 | 14 | 85 | 47 | 20,682 |
| Other and unknown family cases ^{15, 16} | 498 | 5,409 | 1,134 | 34,988 | 456 | 8,472 | 6,104 | 83 | 386 | 408 | 57,938 |
| Non-family civil cases¹⁷ | 2,678 | 22,722 | 10,351 | 295,303 | 16,310 | 135,694 | 146,477 | 748 | 1,161 | 318 | 631,762 |
| Lawsuits for injury or damage ¹⁸ | 508 | 4,183 | . | 91,797 | . | 31,479 | 69,381 | 162 | 77 | 10 | 197,597 |
| Contract disputes ¹⁹ | 779 | 8,325 | 6 | 62,718 | 1,282 | 49,264 | 5,905 | 226 | 807 | 152 | 129,464 |
| Bankruptcy ²⁰ | 220 | 1,912 | 886 | 9,884 | 1,011 | 6,950 | 3,661 | 17 | 47 | 9 | 24,597 |
| Probate ²¹ | 538 | 4,807 | 1,307 | 5,437 | 3,604 | 11,383 | 14,782 | 167 | 62 | 31 | 42,118 |
| Other and unknown non-family cases ²² | 633 | 3,495 | 8,152 | 125,467 | 10,413 | 36,617 | 52,748 | 176 | 168 | 116 | 237,985 |
| Total caseload | 4,044 | 35,446 | 17,904 | 419,750 | 25,776 | 197,586 | 202,478 | 1,177 | 1,918 | 979 | 907,058 |
| | percent | | | | | | | | | | |
| Family cases as percentage of total caseload | 33.78 | 35.90 | 42.19 | 29.65 | 36.72 | 31.32 | 27.66 | 36.45 | 39.47 | 67.52 | 30.35 |

. not available for any reference period

1. In Prince Edward Island, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.

2. In Nova Scotia, divorce cases with issues identified and the subcategories of access, custody and support are under-reported due to limitations in the system capacity to report secondary issues of custody, access and support.

3. In New Brunswick, "Contract disputes" represent landlord/tenant disputes only.

4. In Ontario, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.

5. Family cases are cases involving family law-related issues, including divorces, separation, custody and access arrangements, support payments and protection applications.

6. Divorce cases without issues involve applications to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property.

7. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.

8. Divorce cases with issues involve applications made to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.

9. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.

10. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.

11. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.

12. Child protection cases include applications to the court by the government for orders seeking the supervision of parents, guardians or caregivers, or the apprehension of children into government care because of issues of parental abuse, neglect, or incapacity.

13. The child protection cases examined in this table include cases where child protection was identified as an issue and do not include applications for divorce.

Table 1
Number of active civil court cases, by type and reporting jurisdiction, 2019/2020

14. Family cases involving a civil protection application include applications to the family court by individuals seeking orders to ensure their safety, such as protection orders and restraining orders.
15. Other family cases include issues of parentage, non-parental guardianship matters, enforcement of court orders, estate matters, adoptions, other family-related disputes and cases where issues have not yet been recorded. A portion of the active cases classified as “Other family” may change over time as more issues are identified in the case.
16. Unknown family cases include unidentifiable family-related matters.
17. A non-family civil case is any civil action that is not a family-related action, such as contracts, torts, bankruptcy, probate matters and other claims involving money.
18. Lawsuits for injury or damage include: motor vehicle actions, malpractice, defamation, negligence, other tort and unknown tort.
19. Contract disputes include landlord/tenant, employment, mortgage foreclosure, lien, other contract (contract cases not specifically listed) and unknown contract (contract cases where the details are unknown) cases.
20. Bankruptcy refers to proceedings initiated either by an insolvent individual or business (voluntary bankruptcy) or by creditors (involuntary bankruptcy) seeking to either have the debtor’s remaining assets distributed among the creditors or to restructure debt.
21. Probate refers to cases involving the administration and distribution of the estates of deceased persons (whether they left a will or died intestate).
22. Other non family case types include: administrative law, enforcement, adult protection/committeeship, civil protection, constitutional/charter, and other, which includes all non-family action types in a jurisdiction that do not fit into the categories specifically collected by the survey. Unknown cases include all other non-family not specifically identified.
- Note:** Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases. Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.
- Source:** Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 2
Profile of active family cases, by reporting jurisdiction, 2019/2020

| | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|--|--------------|---------------|-------------------|----------------|--------------|---------------|---------------|-------------|-------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases^{3, 4} | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of new family cases⁵ | 420 | 3,502 | 2,598 | 62,037 | 3,447 | 20,193 | 17,250 | 157 | 244 | 304 | 110,152 |
| | percent | | | | | | | | | | |
| New family cases as a percentage of active family cases | 33.49 | 32.12 | 39.85 | 57.07 | 41.57 | 41.02 | 40.76 | 39.45 | 38.61 | 60.68 | 48.15 |
| | number | | | | | | | | | | |
| Number of family cases ongoing from a previous year⁶ | 834 | 7,400 | 3,921 | 46,669 | 4,845 | 29,040 | 25,071 | 241 | 388 | 197 | 118,606 |
| | percent | | | | | | | | | | |
| Ongoing family cases as a percentage of active family cases | 66.51 | 67.88 | 60.15 | 42.93 | 58.43 | 58.98 | 59.24 | 60.55 | 61.39 | 39.32 | 51.85 |
| | number | | | | | | | | | | |
| Average number of events per active family case^{7, 8} | 9.83 | 12.51 | 6.24 | 12.33 | 9.88 | 10.53 | 10.68 | 9.75 | 7.20 | 8.58 | 11.34 |
| Average number of process events per active family case^{9, 10} | 8.67 | 11.04 | .. | 9.30 | 8.43 | 8.11 | 7.41 | 8.17 | 6.75 | 7.13 | 8.71 |
| Average number of document filed events per active family case ¹¹ | 8.00 | 9.80 | .. | 6.70 | 7.19 | 6.53 | 6.26 | 7.52 | 5.40 | 6.50 | 6.75 |
| Average number of pre-trial events per active family case ¹² | 0.50 | 0.20 | .. | 0.99 | 0.33 | 0.35 | 0.45 | 0.17 | 1.26 | 0.00 | 0.68 |
| Average number of adjournments per active family case ¹³ | 0.07 | 0.47 | .. | 0.71 | 0.40 | 0.49 | 0.38 | 0.47 | .. | 0.33 | 0.57 |
| Average number of dispositions per active family case^{14, 15} | 0.83 | 1.06 | .. | 2.35 | 0.92 | 1.74 | 1.79 | 1.18 | 0.04 | 0.85 | 1.97 |
| Average number of judgments per active family case ¹⁶ | 0.71 | 0.97 | .. | 2.22 | 0.88 | 1.60 | 1.22 | 1.17 | 0.04 | 0.67 | 1.76 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 88.17 | 88.29 | .. | 75.45 | 85.36 | 77.00 | 69.38 | 83.78 | 93.87 | 83.07 | 76.81 |
| Disposition events as a percentage of events | 8.49 | 8.44 | .. | 19.07 | 9.36 | 16.57 | 16.79 | 12.14 | 0.59 | 9.86 | 17.40 |
| | number | | | | | | | | | | |
| Median days to first disposition in active family case | 122.5 | 138.0 | 72.0 | 66.0 | 112.0 | 71.0 | 126.0 | 66.0 | 107.0 | 42.0 | 79.0 |

.. not available for a specific reference period

1. In New Brunswick, a breakdown of the "Process events" and "Disposition events" for family matters is not available for 2019/2020.

2. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.

3. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.

4. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.

5. Refers to cases newly started during the 2019/2020 fiscal year.

6. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.

7. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.

Table 2
Profile of active family cases, by reporting jurisdiction, 2019/2020

8. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.

9. Process events are events that move the case forward through the civil process, but are not the initiating event.

10. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.

11. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.

12. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.

13. Adjournment events involve the postponement of a court hearing or trial to another date or time or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.

14. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.

15. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.

16. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 3.1
Profile of active divorce cases, by reporting jurisdiction, 2019/2020

| | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|--|---------|--------|-------------------|---------|-------|--------|--------|-------|--------|-------------------|---------|
| Cases | number | | | | | | | | | | |
| Number of active family cases³ | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of active divorce cases^{4, 5} | 601 | 4,266 | 2,283 | 44,499 | 5,186 | 28,113 | 22,187 | 220 | 96 | 30 | 107,481 |
| | percent | | | | | | | | | | |
| Active divorce cases as a percentage of active family cases | 47.93 | 39.13 | 35.02 | 40.94 | 62.54 | 57.10 | 52.43 | 55.28 | 15.19 | 5.99 | 46.98 |
| | number | | | | | | | | | | |
| Number of new divorce cases^{6,7} | 262 | 1,610 | 1,150 | 26,194 | 2,073 | 9,519 | 9,586 | 82 | 49 | 8 | 50,533 |
| | percent | | | | | | | | | | |
| New divorce cases as a percentage of active family cases | 20.89 | 14.77 | 17.64 | 24.10 | 25.00 | 19.33 | 22.65 | 20.60 | 7.75 | 1.60 | 22.09 |
| New divorce cases as a percentage of active divorce cases | 43.59 | 37.74 | 50.37 | 58.86 | 39.97 | 33.86 | 43.21 | 37.27 | 51.04 | 26.67 | 47.02 |
| | number | | | | | | | | | | |
| Number of divorce cases ongoing from a previous year⁸ | 339 | 2,656 | 1,133 | 18,305 | 3,113 | 18,594 | 12,601 | 138 | 47 | 22 | 56,948 |
| | percent | | | | | | | | | | |
| Ongoing divorce cases as a percentage of active family cases | 27.03 | 24.36 | 17.38 | 16.84 | 37.54 | 37.77 | 29.77 | 34.67 | 7.44 | 4.39 | 24.89 |
| Ongoing divorce cases as a percentage of active divorce cases | 56.41 | 62.26 | 49.63 | 41.14 | 60.03 | 66.14 | 56.79 | 62.73 | 48.96 | 73.33 | 52.98 |
| | number | | | | | | | | | | |
| Average number of events per active divorce case^{9, 10} | 11.01 | 12.04 | 6.50 | 9.73 | 9.36 | 10.14 | 10.02 | 9.88 | 7.93 | 7.43 | 9.91 |
| Average number of process events per active divorce case^{11, 12} | 9.82 | 10.42 | .. | 7.22 | 8.02 | 7.94 | 7.97 | 8.31 | 7.18 | 6.20 | 7.76 |
| Average number of document filed events per active divorce case ¹³ | 9.28 | 9.73 | .. | 5.74 | 7.02 | 6.79 | 7.50 | 7.82 | 6.09 | 5.60 | 6.64 |
| Average number of pre-trial events per active divorce case ¹⁴ | 0.44 | 0.15 | .. | 0.49 | 0.29 | 0.19 | 0.26 | 0.18 | 1.05 | 0.00 | 0.34 |
| Average number of adjournments per active divorce case ¹⁵ | 0.04 | 0.18 | .. | 0.26 | 0.32 | 0.51 | 0.12 | 0.30 | .. | 0.50 | 0.29 |
| Average number of dispositions per active divorce case^{16, 17} | 0.76 | 1.18 | .. | 1.88 | 0.87 | 1.64 | 1.27 | 1.19 | 0.24 | 0.97 | 1.60 |
| Average number of judgments per active divorce case ¹⁸ | 0.67 | 1.13 | .. | 1.83 | 0.84 | 1.50 | 1.00 | 1.17 | 0.24 | 0.73 | 1.48 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 89.19 | 86.53 | .. | 74.22 | 85.77 | 78.25 | 79.62 | 84.17 | 90.54 | 83.41 | 78.30 |
| Disposition events as a percentage of events | 6.89 | 9.78 | .. | 19.29 | 9.27 | 16.13 | 12.64 | 12.01 | 3.02 | 13.00 | 16.11 |
| | number | | | | | | | | | | |
| Median days to first disposition in active divorce case | 113.0 | 154.0 | 55.0 | 86.0 | 137.0 | 114.0 | 122.0 | 100.5 | 107.0 | 212.5 | 104.0 |

.. not available for a specific reference period

1. In New Brunswick, a breakdown of the "Process events" and "Disposition events" for family matters is not available for 2019/2020.

2. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.

Table 3.1
Profile of active divorce cases, by reporting jurisdiction, 2019/2020

3. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.
4. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
5. Divorce cases include applications to the court by one spouse or both spouses to dissolve their marriage.
6. Refers to cases newly started during the 2019/2020 fiscal year.
7. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.
8. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
9. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
10. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
11. Process events are events that move the case forward through the civil process, but are not the initiating event.
12. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
13. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
14. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
15. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
16. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
17. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
18. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 3.2
Profile of active divorce cases without issues, by reporting jurisdiction, 2019/2020

| | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|---|---------|--------|-------------------|---------|-------|--------|----------------|-------|--------|-------------------|---------|
| Cases | number | | | | | | | | | | |
| Number of active family cases³ | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of active divorce cases⁴ | 601 | 4,266 | 2,283 | 44,499 | 5,186 | 28,113 | 22,187 | 220 | 96 | 30 | 107,481 |
| Number of active divorce cases without issues^{5, 6} | 561 | 4,159 | 765 | 38,481 | 2,528 | 15,409 | 13,922 | 160 | 62 | 21 | 76,068 |
| | percent | | | | | | | | | | |
| Active divorce cases without issues as a percentage of active family cases | 44.74 | 38.15 | 11.73 | 35.40 | 30.49 | 31.30 | 32.90 | 40.20 | 9.81 | 4.19 | 33.25 |
| Active divorce cases without issues as a percentage of active divorce cases | 93.34 | 97.49 | 33.51 | 86.48 | 48.75 | 54.81 | 62.75 | 72.73 | 64.58 | 70.00 | 70.77 |
| | number | | | | | | | | | | |
| Number of new divorce cases without issues^{7, 8} | 261 | 1,603 | 650 | 25,170 | 1,219 | 7,782 | 7,384 | 78 | 39 | 7 | 44,193 |
| | percent | | | | | | | | | | |
| New divorce cases without issues as a percentage of active family cases | 20.81 | 14.70 | 9.97 | 23.15 | 14.70 | 15.81 | 17.45 | 19.60 | 6.17 | 1.40 | 19.32 |
| New divorce cases without issues as a percentage of active divorce cases | 43.43 | 37.58 | 28.47 | 56.56 | 23.51 | 27.68 | 33.28 | 35.45 | 40.63 | 23.33 | 41.12 |
| New divorce cases without issues as a percentage of active divorce cases without issues | 46.52 | 38.54 | 84.97 | 65.41 | 48.22 | 50.50 | 53.04 | 48.75 | 62.90 | 33.33 | 58.10 |
| | number | | | | | | | | | | |
| Number of divorce cases without issues ongoing from a previous year⁹ | 300 | 2,556 | 115 | 13,311 | 1,309 | 7,627 | 6,538 | 82 | 23 | 14 | 31,875 |
| | percent | | | | | | | | | | |
| Ongoing divorce cases without issues as a percentage of active family cases | 23.92 | 23.45 | 1.76 | 12.24 | 15.79 | 15.49 | 15.45 | 20.60 | 3.64 | 2.79 | 13.93 |
| Ongoing divorce cases without issues as a percentage of active divorce cases | 49.92 | 59.92 | 5.04 | 29.91 | 25.24 | 27.13 | 29.47 | 37.27 | 23.96 | 46.67 | 29.66 |
| Ongoing divorce cases without issues as a percentage of active divorce cases without issues | 53.48 | 61.46 | 15.03 | 34.59 | 51.78 | 49.50 | 46.96 | 51.25 | 37.10 | 66.67 | 41.90 |
| | number | | | | | | | | | | |
| Average number of events per active divorce case without issues^{10, 11} | 11.43 | 11.81 | 4.87 | 7.90 | 6.75 | 7.34 | 7.71 | 8.16 | 7.23 | 4.71 | 7.92 |
| Average number of process events per active divorce case without issues^{12, 13} | 10.23 | 10.19 | .. | 5.83 | 5.61 | 5.96 | 6.64 | 6.83 | 6.31 | 3.95 | 6.28 |
| Average number of document filed events per active divorce case without issues ¹⁴ | 9.67 | 9.54 | .. | 4.78 | 5.30 | 5.32 | 6.63 | 6.53 | 5.76 | 3.90 | 5.55 |
| Average number of pre-trial events per active divorce case without issues ¹⁵ | 0.47 | 0.14 | .. | 0.26 | 0.10 | 0.06 | 0.01 | 0.17 | 0.55 | 0.00 | 0.16 |
| Average number of adjournments per active divorce case without issues ¹⁶ | 0.04 | 0.17 | .. | 0.14 | 0.10 | 0.37 | 0 ^s | 0.12 | .. | 0.00 | 0.16 |
| Average number of dispositions per active divorce case without issues^{17, 18} | 0.74 | 1.17 | .. | 1.40 | 0.66 | 0.75 | 0.53 | 0.84 | 0.29 | 0.43 | 1.06 |
| Average number of judgments per active divorce case without issues ¹⁹ | 0.65 | 1.12 | .. | 1.37 | 0.64 | 0.68 | 0.51 | 0.83 | 0.29 | 0.38 | 1.02 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 89.50 | 86.31 | .. | 73.83 | 83.13 | 81.26 | 86.21 | 83.61 | 87.28 | 83.84 | 79.25 |
| Disposition events as a percentage of events | 6.47 | 9.90 | .. | 17.76 | 9.75 | 10.27 | 6.84 | 10.34 | 4.02 | 9.09 | 13.42 |
| | number | | | | | | | | | | |
| Median days to first disposition in active divorce case without issues | 94.0 | 153.0 | 11.0 | 85.0 | 106.0 | 98.0 | 113.0 | 117.0 | 92.0 | 211.0 | 95.0 |

Table 3.2
Profile of active divorce cases without issues, by reporting jurisdiction, 2019/2020

.. not available for a specific reference period

0^o value rounded to 0 (zero) where there is a meaningful distinction between true zero and the value that was rounded

1. In New Brunswick, a breakdown of the “Process events” and “Disposition events” for family matters is not available for 2019/2020.

2. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.

3. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.

4. Divorce cases include applications to the court by one spouse or both spouses to dissolve their marriage.

5. Divorce cases without issues involve applications to the court to dissolve a marriage where no issues of custody, access or support have been identified, though the couple may have dealt with these issues earlier in a separation agreement. These case types may include issues related to the division of matrimonial property.

6. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.

7. Refers to cases newly started during the 2019/2020 fiscal year.

8. Divorce cases initiated late in the fiscal year may be reported as a divorce without issues if an answer is not filed until the next fiscal year.

9. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.

10. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.

11. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.

12. Process events are events that move the case forward through the civil process, but are not the initiating event.

13. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.

14. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.

15. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.

16. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.

17. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.

18. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.

19. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 3.3
Profile of active divorce cases with issues, by reporting jurisdiction, 2019/2020

| | P.E.I. ¹ | N.S. ² | N.B. ³ | Ont. ⁴ | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ⁵ | Total |
|--|---------------------|-------------------|-------------------|-------------------|--------------|---------------|---------------|--------------|-------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases⁶ | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of active divorce cases⁷ | 601 | 4,266 | 2,283 | 44,499 | 5,186 | 28,113 | 22,187 | 220 | 96 | 30 | 107,481 |
| Number of active divorce cases with issues^{8, 9} | 40 | 107 | 1,518 | 6,018 | 2,658 | 12,704 | 8,265 | 60 | 34 | 9 | 31,413 |
| | percent | | | | | | | | | | |
| Active divorce cases with issues as a percentage of active family cases | 3.19 | 0.98 | 23.29 | 5.54 | 32.05 | 25.80 | 19.53 | 15.08 | 5.38 | 1.80 | 13.73 |
| Active divorce cases with issues as a percentage of active divorce cases | 6.66 | 2.51 | 66.49 | 13.52 | 51.25 | 45.19 | 37.25 | 27.27 | 35.42 | 30.00 | 29.23 |
| | number | | | | | | | | | | |
| Number of new divorce cases with issues¹⁰ | 1 | 7 | 500 | 1,024 | 854 | 1,737 | 2,202 | 4 | 10 | 1 | 6,340 |
| | percent | | | | | | | | | | |
| New divorce cases with issues as a percentage of active family cases | 0.08 | 0.06 | 7.67 | 0.94 | 10.30 | 3.53 | 5.20 | 1.01 | 1.58 | 0.20 | 2.77 |
| New divorce cases with issues as a percentage of active divorce cases | 0.17 | 0.16 | 21.90 | 2.30 | 16.47 | 6.18 | 9.92 | 1.82 | 10.42 | 3.33 | 5.90 |
| New divorce cases with issues as a percentage of active divorce cases with issues | 2.50 | 6.54 | 32.94 | 17.02 | 32.13 | 13.67 | 26.64 | 6.67 | 29.41 | 11.11 | 20.18 |
| | number | | | | | | | | | | |
| Number of divorce cases with issues ongoing from a previous year¹¹ | 39 | 100 | 1,018 | 4,994 | 1,804 | 10,967 | 6,063 | 56 | 24 | 8 | 25,073 |
| | percent | | | | | | | | | | |
| Ongoing divorce cases with issues as a percentage of active family cases | 3.11 | 0.92 | 15.62 | 4.59 | 21.76 | 22.28 | 14.33 | 14.07 | 3.80 | 1.60 | 10.96 |
| Ongoing divorce cases with issues as a percentage of active divorce cases | 6.49 | 2.34 | 44.59 | 11.22 | 34.79 | 39.01 | 27.33 | 25.45 | 25.00 | 26.67 | 23.33 |
| Ongoing divorce cases with issues as a percentage of active divorce cases with issues | 97.50 | 93.46 | 67.06 | 82.98 | 67.87 | 86.33 | 73.36 | 93.33 | 70.59 | 88.89 | 79.82 |
| | number | | | | | | | | | | |
| Average number of events per active divorce case with issues^{12, 13} | 5.13 | 21.06 | 7.32 | 21.40 | 11.84 | 13.54 | 13.91 | 14.45 | 9.21 | 13.78 | 14.71 |
| Average number of process events per active divorce case with issues^{14, 15} | 4.08 | 19.27 | .. | 16.08 | 10.32 | 10.33 | 10.22 | 12.28 | 8.76 | 11.44 | 11.48 |
| Average number of document filed events per active divorce case with issues ¹⁶ | 3.88 | 17.13 | .. | 11.93 | 8.66 | 8.57 | 8.96 | 11.25 | 6.71 | 9.56 | 9.39 |
| Average number of pre-trial events per active divorce case with issues ¹⁷ | 0.10 | 0.50 | .. | 2.02 | 0.46 | 0.34 | 0.69 | 0.22 | 1.97 | 0.00 | 0.79 |
| Average number of adjournments per active divorce case with issues ¹⁸ | 0.00 | 0.56 | .. | 1.00 | 0.52 | 0.67 | 0.31 | 0.77 | .. | 1.67 | 0.62 |
| Average number of dispositions per active divorce case with issues^{19, 20} | 1.03 | 1.53 | .. | 4.90 | 1.07 | 2.70 | 2.51 | 2.10 | 0.15 | 2.22 | 2.94 |
| Average number of judgments per active divorce case with issues ²¹ | 0.95 | 1.42 | .. | 4.75 | 1.02 | 2.51 | 1.83 | 2.10 | 0.15 | 1.56 | 2.63 |

Table 3.3
Profile of active divorce cases with issues, by reporting jurisdiction, 2019/2020

| Cases | P.E.I. ¹ | N.S. ² | N.B. ³ | Ont. ⁴ | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ⁵ | Total |
|---|---------------------|-------------------|-------------------|-------------------|-------|-------|-------|-------|--------|-------------------|-------|
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 79.51 | 91.52 | .. | 75.15 | 87.20 | 76.26 | 73.46 | 85.01 | 95.21 | 83.06 | 78.05 |
| Disposition events as a percentage of events | 20.00 | 7.28 | .. | 22.89 | 9.01 | 19.98 | 18.04 | 14.53 | 1.60 | 16.13 | 19.96 |
| | number | | | | | | | | | | |
| Median days to first disposition in active divorce case with issues | 1280.0 | 172.0 | 113.5 | 99.0 | 173.0 | 127.5 | 140.0 | 70.5 | 185.0 | 299.0 | 124.0 |

.. not available for a specific reference period

1. In Prince Edward Island, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.
2. In Nova Scotia, divorce cases with issues identified and the subcategories of access, custody and support are under-reported due to limitations in the system capacity to report secondary issues of custody, access and support.
3. In New Brunswick, a breakdown of the "Process events" and "Disposition events" for family matters is not available for 2019/2020.
4. In Ontario, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.
5. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.
6. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.
7. Divorce cases include applications to the court by one spouse or both spouses to dissolve their marriage.
8. Divorce cases with issues involve applications made to the court to dissolve a marriage and resolve custody, access and/or support issues. These case types may include issues related to the division of matrimonial property.
9. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
10. Refers to cases newly started during the 2019/2020 fiscal year.
11. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
12. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
13. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
14. Process events are events that move the case forward through the civil process, but are not the initiating event.
15. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
16. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
17. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
18. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
19. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
20. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
21. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 4
Profile of active custody/access cases, by reporting jurisdiction, 2019/2020

| | P.E.I. ¹ | N.S. ² | N.B. ³ | Ont. ⁴ | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ⁵ | Total |
|---|---------------------|-------------------|-------------------|-------------------|--------------|---------------|---------------|--------------|--------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases⁶ | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of active custody/access cases^{7, 8, 9} | 2 | 912 | 1,869 | 20,459 | 2,079 | 9,807 | 8,876 | 63 | 127 | 48 | 44,242 |
| | percent | | | | | | | | | | |
| Active custody/access cases as a percentage of active family cases | 0.16 | 8.37 | 28.67 | 18.82 | 25.07 | 19.92 | 20.97 | 15.83 | 20.09 | 9.58 | 19.34 |
| | number | | | | | | | | | | |
| Number of new custody/access cases¹⁰ | 2 | 0 | 664 | 6,229 | 852 | 3,434 | 2,609 | 10 | 60 | 14 | 13,874 |
| | percent | | | | | | | | | | |
| New custody/access cases as a percentage of active family cases | 0.16 | 0.00 | 10.19 | 5.73 | 10.27 | 6.97 | 6.16 | 2.51 | 9.49 | 2.79 | 6.06 |
| New custody/access cases as a percentage of active custody/access cases | 100.00 | 0.00 | 35.53 | 30.45 | 40.98 | 35.02 | 29.39 | 15.87 | 47.24 | 29.17 | 31.36 |
| | number | | | | | | | | | | |
| Number of custody/access cases ongoing from a previous year¹¹ | 0 | 912 | 1,205 | 14,230 | 1,227 | 6,373 | 6,267 | 53 | 67 | 34 | 30,368 |
| | percent | | | | | | | | | | |
| Ongoing custody/access cases as a percentage of active family cases | 0.00 | 8.37 | 18.48 | 13.09 | 14.80 | 12.94 | 14.81 | 13.32 | 10.60 | 6.79 | 13.28 |
| Ongoing custody/access cases as a percentage of active custody/access cases | 0.00 | 100.00 | 64.47 | 69.55 | 59.02 | 64.98 | 70.61 | 84.13 | 52.76 | 70.83 | 68.64 |
| | number | | | | | | | | | | |
| Average number of events per active custody/access case^{12, 13} | 11.50 | 12.65 | 8.16 | 21.92 | 12.99 | 14.46 | 16.68 | 11.56 | 12.27 | 10.60 | 17.97 |
| Average number of process events per active custody/access case^{14, 15} | 9.00 | 11.52 | .. | 16.11 | 11.19 | 10.84 | 9.10 | 9.75 | 11.70 | 8.21 | 13.05 |
| Average number of document filed events per active custody/access case ¹⁶ | 7.00 | 9.69 | .. | 10.73 | 9.06 | 7.85 | 6.07 | 8.68 | 8.21 | 6.54 | 8.97 |
| Average number of pre-trial events per active custody/access case ¹⁷ | 1.50 | 0.20 | .. | 2.29 | 0.54 | 0.69 | 1.03 | 0.11 | 3.16 | 0.00 | 1.52 |
| Average number of adjournments per active custody/access case ¹⁸ | 0.50 | 0.93 | .. | 1.56 | 0.70 | 0.57 | 1.08 | 0.95 | .. | 1.19 | 1.17 |
| Average number of dispositions per active custody/access case^{19, 20} | 1.50 | 1.07 | .. | 5.21 | 1.14 | 2.79 | 3.79 | 1.63 | 0.02 | 2.10 | 4.04 |
| Average number of judgments per active custody/access case ²¹ | 1.00 | 0.93 | .. | 5.00 | 1.08 | 2.64 | 2.37 | 1.62 | 0.02 | 0.81 | 3.60 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 78.26 | 91.08 | .. | 73.49 | 86.11 | 74.95 | 54.59 | 84.34 | 95.38 | 77.41 | 72.63 |
| Disposition events as a percentage of events | 13.04 | 8.45 | .. | 23.76 | 8.78 | 19.32 | 22.73 | 14.15 | 0.13 | 19.84 | 22.48 |
| | number | | | | | | | | | | |
| Median days to first disposition in active custody/access case | 79.0 | 114.0 | 100.0 | 55.0 | 86.0 | 41.0 | 106.0 | 42.0 | 95.0 | 44.0 | 57.0 |

.. not available for a specific reference period

0 true zero or a value rounded to zero

1. In Prince Edward Island, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.

2. In Nova Scotia, divorce cases with issues identified and the subcategories of access, custody and support are under-reported due to limitations in the system capacity to report secondary issues of custody, access and support.

Table 4
Profile of active custody/access cases, by reporting jurisdiction, 2019/2020

3. In New Brunswick, a breakdown of the “Process events” and “Disposition events” for family matters is not available for 2019/2020.
4. In Ontario, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.
5. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.
6. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.
7. Custody/access cases include cases in which custody and/or access have been recorded as matters requiring resolution. Custody refers to the living arrangements of a child or children and which parent will have decision-making authority. Access allows the parent with whom the child does not primarily reside to apply for parenting time. These case types do not include applications for divorce but may involve other issues such as requests for support.
8. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
9. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.
10. Refers to cases newly started during the 2019/2020 fiscal year.
11. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
12. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
13. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
14. Process events are events that move the case forward through the civil process, but are not the initiating event.
15. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
16. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
17. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
18. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
19. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
20. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
21. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 5
Profile of active support only cases, by reporting jurisdiction, 2019/2020

| | P.E.I. ¹ | N.S. ² | N.B. ³ | Ont. ⁴ | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ⁵ | Total |
|---|---------------------|-------------------|-------------------|-------------------|--------------|---------------|---------------|-------------|--------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases⁶ | 1,254 | 10,902 | 6,519 | 108,706 | 8,292 | 49,233 | 42,321 | 398 | 632 | 501 | 228,758 |
| Number of active support only cases^{7, 8, 9} | 153 | 315 | 1,233 | 8,760 | 571 | 2,841 | 5,154 | 32 | 23 | 15 | 19,097 |
| | percent | | | | | | | | | | |
| Active support only cases as a percentage of active family cases | 12.20 | 2.89 | 18.91 | 8.06 | 6.89 | 5.77 | 12.18 | 8.04 | 3.64 | 2.99 | 8.35 |
| | number | | | | | | | | | | |
| Number of new support only cases¹⁰ | 18 | 41 | 455 | 3,351 | 279 | 1,016 | 1,698 | 17 | 18 | 0 | 6,893 |
| | percent | | | | | | | | | | |
| New support only cases as a percentage of active family cases | 1.44 | 0.38 | 6.98 | 3.08 | 3.36 | 2.06 | 4.01 | 4.27 | 2.85 | 0.00 | 3.01 |
| New support only cases as a percentage of active support only cases | 11.76 | 13.02 | 36.90 | 38.25 | 48.86 | 35.76 | 32.95 | 53.13 | 78.26 | 0.00 | 36.09 |
| | number | | | | | | | | | | |
| Number of support only cases ongoing from a previous year¹¹ | 135 | 274 | 778 | 5,409 | 292 | 1,825 | 3,456 | 15 | 5 | 15 | 12,204 |
| | percent | | | | | | | | | | |
| Ongoing support only cases as a percentage of active family cases | 10.77 | 2.51 | 11.93 | 4.98 | 3.52 | 3.71 | 8.17 | 3.77 | 0.79 | 2.99 | 5.33 |
| Ongoing support only cases as a percentage of active support only cases | 88.24 | 86.98 | 63.10 | 61.75 | 51.14 | 64.24 | 67.05 | 46.88 | 21.74 | 100.00 | 63.91 |
| | number | | | | | | | | | | |
| Average number of events per active support only case^{12, 13} | 6.12 | 11.95 | 4.75 | 14.93 | 5.74 | 10.21 | 11.40 | 7.78 | 12.91 | 9.53 | 12.20 |
| Average number of process events per active support only case^{14, 15} | 5.13 | 11.13 | .. | 10.86 | 4.46 | 7.68 | 7.62 | 6.31 | 12.04 | 8.20 | 9.16 |
| Average number of document filed events per active support only case ¹⁶ | 4.63 | 10.16 | .. | 7.17 | 3.72 | 5.97 | 5.67 | 5.56 | 8.74 | 7.33 | 6.46 |
| Average number of pre-trial events per active support only case ¹⁷ | 0.32 | 0.14 | .. | 1.45 | 0.15 | 0.45 | 0.70 | 0.13 | 3.26 | 0.00 | 1.00 |
| Average number of adjournments per active support only case ¹⁸ | 0.07 | 0.34 | .. | 1.08 | 0.27 | 0.38 | 0.67 | 0.63 | .. | 0.47 | 0.80 |
| Average number of dispositions per active support only case^{19, 20} | 0.86 | 0.60 | .. | 3.55 | 0.77 | 1.92 | 2.29 | 0.97 | 0.04 | 1.33 | 2.76 |
| Average number of judgments per active support only case ²¹ | 0.77 | 0.52 | .. | 3.42 | 0.73 | 1.81 | 1.42 | 0.97 | 0.04 | 0.53 | 2.42 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 83.87 | 93.12 | .. | 72.76 | 77.68 | 75.28 | 66.88 | 81.12 | 93.27 | 86.01 | 75.10 |
| Disposition events as a percentage of events | 14.10 | 5.05 | .. | 23.81 | 13.47 | 18.83 | 20.12 | 12.45 | 0.34 | 13.99 | 22.58 |
| | number | | | | | | | | | | |
| Median days to first disposition in active support only case | 102.0 | 219.0 | 126.5 | 64.0 | 54.0 | 70.0 | 147.0 | 42.0 | 167.0 | 72.0 | 78.0 |

.. not available for a specific reference period

0 true zero or a value rounded to zero

1. In Prince Edward Island, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.

2. In Nova Scotia, divorce cases with issues identified and the subcategories of access, custody and support are under-reported due to limitations in the system capacity to report secondary issues of custody, access and support.

Table 5
Profile of active support only cases, by reporting jurisdiction, 2019/2020

3. In New Brunswick, a breakdown of the “Process events” and “Disposition events” for family matters is not available for 2019/2020.
 4. In Ontario, the issues of custody, access and support may be under-reported since these issues are typically not captured when cases are first initiated but rather are identified from activity (such as judgments) over the length of the case.
 5. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.
 6. For the purposes of this table, child protection cases and family cases involving a civil protection application are excluded from the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 1, Table 6 or Table 7.
 7. Support only cases include cases in which child or spousal support issues were identified. These case types may include support matters not specifically identified but it is important to note that applications for divorce are not included here.
 8. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
 9. Given that the data are derived from records originally kept for non-statistical purposes, complete survey information is not always available. For example, information related to issues, such as custody, access and support, may not always be available from the court information systems and, as such, may be under reported.
 10. Refers to cases newly started during the 2019/2020 fiscal year.
 11. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
 12. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
 13. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
 14. Process events are events that move the case forward through the civil process, but are not the initiating event.
 15. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
 16. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
 17. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
 18. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
 19. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
 20. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
 21. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.
- Note:** Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.
- Source:** Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 6
Profile of active family cases involving applications for civil protection orders, by reporting jurisdiction, 2019/2020

| | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|---|--------------|---------------|-------------------|----------------|--------------|---------------|---------------|-------------|-------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases³ | 1,366 | 12,724 | 7,553 | 124,447 | 9,466 | 61,892 | 56,001 | 429 | 757 | 661 | 275,296 |
| Number of active family cases involving a civil protection application^{4, 5} | 75 | 186 | 511 | 1,729 | 22 | 8,232 | 9,781 | 14 | 85 | 47 | 20,682 |
| | percent | | | | | | | | | | |
| Active family cases involving a civil protection application as a percentage of active family cases | 5.49 | 1.46 | 6.77 | 1.39 | 0.23 | 13.30 | 17.47 | 3.26 | 11.23 | 7.11 | 7.51 |
| | number | | | | | | | | | | |
| Number of new family cases involving a civil protection application⁶ | 68 | 112 | 315 | 512 | 19 | 5,760 | 1,959 | 13 | 62 | 44 | 8,864 |
| | percent | | | | | | | | | | |
| New family cases involving a civil protection application as a percentage of active family cases | 4.98 | 0.88 | 4.17 | 0.41 | 0.20 | 9.31 | 3.50 | 3.03 | 8.19 | 6.66 | 3.22 |
| New family cases involving a civil protection application as a percentage of active family cases involving a civil protection application | 90.67 | 60.22 | 61.64 | 29.61 | 86.36 | 69.97 | 20.03 | 92.86 | 72.94 | 93.62 | 42.86 |
| | number | | | | | | | | | | |
| Number of family cases involving a civil protection application ongoing from a previous year⁷ | 7 | 74 | 196 | 1,217 | 3 | 2,472 | 7,822 | 1 | 23 | 3 | 11,818 |
| | percent | | | | | | | | | | |
| Ongoing family cases involving a civil protection application as a percentage of active family cases | 0.51 | 0.58 | 2.59 | 0.98 | 0.03 | 3.99 | 13.97 | 0.23 | 3.04 | 0.45 | 4.29 |
| Ongoing family cases involving a civil protection application as a percentage of active family cases involving a civil protection application | 9.33 | 39.78 | 38.36 | 70.39 | 13.64 | 30.03 | 79.97 | 7.14 | 27.06 | 6.38 | 57.14 |
| | number | | | | | | | | | | |
| Average number of events per active family case involving a civil protection application^{8, 9} | 10.39 | 12.34 | 8.37 | 23.00 | 6.55 | 10.68 | 24.73 | 8.14 | 5.93 | 8.74 | 18.28 |
| Average number of process events per active family case involving a civil protection application^{10, 11} | 7.89 | 9.84 | .. | 16.87 | 4.00 | 7.52 | 13.20 | 5.07 | 4.24 | 6.45 | 11.08 |
| Average number of document filed events per active family case involving a civil protection application ¹² | 7.55 | 8.28 | .. | 11.42 | 3.64 | 6.07 | 9.12 | 5.07 | 4.01 | 6.28 | 8.02 |
| Average number of pre-trial events per active family case involving a civil protection application ¹³ | 0.33 | 0.49 | .. | 2.46 | 0.09 | 0.36 | 1.51 | 0.00 | 0.22 | 0.00 | 1.10 |
| Average number of adjournments per active family case involving a civil protection application ¹⁴ | 0.01 | 0.61 | .. | 1.52 | 0.09 | 0.23 | 1.47 | 0.00 | .. | 0.11 | 0.94 |
| Average number of dispositions per active family case involving a civil protection application^{15, 16} | 1.21 | 1.89 | .. | 5.50 | 1.64 | 2.52 | 5.94 | 2.14 | 0.95 | 1.36 | 4.41 |
| Average number of judgments per active family case involving a civil protection application ¹⁷ | 1.19 | 1.88 | .. | 5.25 | 1.59 | 2.41 | 3.76 | 2.14 | 0.74 | 1.28 | 3.29 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 75.99 | 79.78 | .. | 73.34 | 61.11 | 70.47 | 53.35 | 62.28 | 71.43 | 73.72 | 60.59 |
| Disposition events as a percentage of events | 11.68 | 15.34 | .. | 23.91 | 25.00 | 23.63 | 24.02 | 26.32 | 16.07 | 15.57 | 24.15 |

Table 6
Profile of active family cases involving applications for civil protection orders, by reporting jurisdiction, 2019/2020

| Cases | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|---|--------|------|-------------------|------|-------|-------|------|------|--------|-------------------|-------|
| | number | | | | | | | | | | |
| Median days to first disposition in active family case involving a civil protection application | 2.0 | 8.0 | 77.0 | 4.0 | 1.0 | 2.0 | 50.0 | 1.0 | 6.0 | 1.0 | 7.0 |

.. not available for a specific reference period

1. In New Brunswick, a breakdown of the “Process events” and “Disposition events” for family matters is not available for 2019/2020.
2. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.
3. For the purposes of this table, child protection cases and family cases involving a civil protection application are included in the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 2, Table 3.1, Table 3.2, Table 3.3, Table 4 or Table 5.
4. Family cases involving a civil protection application include applications to the family court by individuals seeking orders to ensure their safety, such as protection orders and restraining orders.
5. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
6. Refers to cases newly started during the 2019/2020 fiscal year.
7. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
8. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
9. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
10. Process events are events that move the case forward through the civil process, but are not the initiating event.
11. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
12. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
13. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
14. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
15. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
16. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
17. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.

Table 7
Profile of active child protection cases, by reporting jurisdiction, 2019/2020

| | P.E.I. | N.S. | N.B. ¹ | Ont. | Sask. | Alta. | B.C. | Y.T. | N.W.T. | Nvt. ² | Total |
|--|--------------|---------------|-------------------|----------------|--------------|---------------|---------------|--------------|--------------|-------------------|----------------|
| Cases | number | | | | | | | | | | |
| Number of active family cases³ | 1,366 | 12,724 | 7,553 | 124,447 | 9,466 | 61,892 | 56,001 | 429 | 757 | 661 | 275,296 |
| Number of active child protection cases^{4 5 6} | 37 | 1,636 | 523 | 14,012 | 1,152 | 4,427 | 3,899 | 17 | 40 | 113 | 25,856 |
| | percent | | | | | | | | | | |
| Active child protection cases as a percentage of active family cases | 2.71 | 12.86 | 6.92 | 11.26 | 12.17 | 7.15 | 6.96 | 3.96 | 5.28 | 17.10 | 9.39 |
| | number | | | | | | | | | | |
| Number of new child protection cases⁷ | 16 | 836 | 316 | 6,900 | 439 | 2,368 | 1,058 | 3 | 6 | 43 | 11,985 |
| | percent | | | | | | | | | | |
| New child protection cases as a percentage of active family cases | 1.17 | 6.57 | 4.18 | 5.54 | 4.64 | 3.83 | 1.89 | 0.70 | 0.79 | 6.51 | 4.35 |
| New child protection cases as a percentage of active child protection cases | 43.24 | 51.10 | 60.42 | 49.24 | 38.11 | 53.49 | 27.14 | 17.65 | 15.00 | 38.05 | 46.35 |
| | number | | | | | | | | | | |
| Number of child protection cases ongoing from a previous year⁸ | 21 | 800 | 207 | 7,112 | 713 | 2,059 | 2,841 | 14 | 34 | 70 | 13,871 |
| | percent | | | | | | | | | | |
| Ongoing child protection cases as a percentage of active family cases | 1.54 | 6.29 | 2.74 | 5.71 | 7.53 | 3.33 | 5.07 | 3.26 | 4.49 | 10.59 | 5.04 |
| Ongoing child protection cases as a percentage of active child protection cases | 56.76 | 48.90 | 39.58 | 50.76 | 61.89 | 46.51 | 72.86 | 82.35 | 85.00 | 61.95 | 53.65 |
| | number | | | | | | | | | | |
| Average number of events per active child protection case^{9 10} | 29.95 | 20.84 | 18.75 | 22.05 | 10.51 | 15.95 | 29.91 | 16.59 | 12.58 | 21.13 | 21.53 |
| Average number of process events per active child protection case^{11 12} | 26.32 | 16.96 | .. | 16.39 | 8.97 | 11.10 | 20.39 | 14.06 | 12.43 | 19.01 | 15.80 |
| Average number of document filed events per active child protection case ¹³ | 21.57 | 13.74 | .. | 10.25 | 5.22 | 6.51 | 13.42 | 11.59 | 7.68 | 14.41 | 10.11 |
| Average number of pre-trial events per active child protection case ¹⁴ | 2.62 | 1.58 | .. | 2.05 | 1.01 | 1.35 | 2.53 | 0.18 | 4.35 | 0.00 | 1.92 |
| Average number of adjournments per active child protection case ¹⁵ | 1.65 | 1.20 | .. | 2.04 | 1.33 | 0.52 | 2.79 | 2.29 | .. | 3.07 | 1.80 |
| Average number of dispositions per active child protection case^{16 17} | 3.11 | 3.37 | .. | 4.65 | 1.14 | 3.10 | 6.38 | 2.35 | .. | 1.74 | 4.38 |
| Average number of judgments per active child protection case ¹⁸ | 2.86 | 3.33 | .. | 4.40 | 0.99 | 2.83 | 4.08 | 2.24 | .. | 1.64 | 3.83 |
| | percent | | | | | | | | | | |
| Process events as a percentage of events | 87.91 | 81.37 | .. | 74.33 | 85.31 | 69.55 | 68.18 | 84.75 | 98.81 | 89.95 | 73.40 |
| Disposition events as a percentage of events | 10.38 | 16.16 | .. | 21.07 | 10.81 | 19.40 | 21.33 | 14.18 | .. | 8.25 | 20.33 |
| | number | | | | | | | | | | |
| Median days to first disposition in active child protection case | 24.0 | 24.0 | 7.0 | 10.0 | .. | 3.0 | 18.0 | 25.0 | .. | 32.5 | 10.0 |

.. not available for a specific reference period

1. In New Brunswick, a breakdown of the "Process events" and "Disposition events" for family matters is not available for 2019/2020.

2. Pre-trial hearing events in Nunavut are under-represented due to limited data entry in the Nunavut civil information system. Other pre-trial events including case management conferences and reference hearings are also not reported.

3. For the purposes of this table, child protection cases and family cases involving a civil protection application are included in the total active family caseload in 2019/2020. Therefore, the total active family caseload in this table will not align with Table 2, Table 3.1, Table 3.2, Table 3.3, Table 4 or Table 5.

Table 7
Profile of active child protection cases, by reporting jurisdiction, 2019/2020

4. Child protection cases include applications to the court by the government for orders seeking the supervision of parents, guardians or caregivers, or the apprehension of children into government care because of issues of parental abuse, neglect, or incapacity.
5. The child protection cases examined in this table include cases where child protection was identified as an issue and do not include applications for divorce.
6. Active cases include all cases with activity (at least one court event, which moves all or part of the case through the court process) during the 2019/2020 fiscal year and thus include initiated cases.
7. Refers to cases newly started during the 2019/2020 fiscal year.
8. Refers to cases initiated in a previous fiscal year with activity recorded during the 2019/2020 fiscal year.
9. Events include initiation, process and disposition events. Initiation events initiate a case in the civil courts by adding a new case to the court's active case inventory. Process events move the case forward through the civil process, but are not the initiating event. Disposition events include all court events that dispose of a part of, or all of the case.
10. Initiation events are not displayed in the table and therefore, it is important to note that the average number of process and disposition events will not equal the average number of events.
11. Process events are events that move the case forward through the civil process, but are not the initiating event.
12. Other process events not displayed in the breakdown may include trial hearings, enforcement hearings, appeal hearings, other and unknown hearing/conference.
13. Document filed events include any document filed or registered with the courts by the parties or documents issued by the courts. Examples include, among others, separation agreements, financial statements, affidavits and expert witness reports.
14. Pre-trial events include case management conferences, discovery proceedings, pre-trial conference/hearings, motions and default hearings, status hearings and reference hearings. It is important to note that the reporting of pre-trial events varies across jurisdictions and therefore, reporting limitations may exist.
15. Adjournment events involve the postponement of a court hearing or trial to another date or the continuation of a court hearing or trial on another date or time but excludes adjourned *sine die*.
16. A disposition is a court event that disposes part of or all of the civil case (for example, settlement, consent judgment and judgment). Disposition events may also include cases that are transferred permanently to another court location, court level or type of court. Therefore, it is important to note that the case may not necessarily be disposed of but rather continuing in another court.
17. Other disposition events not displayed in the breakdown may include enforcement judgment, time limit expired, transferred permanently to another court, other and unknown disposition events.
18. A judgment is a decision made by a judge (or a master), including interim orders, orders, decisions on costs or other decisions that dispose of part of or all of the case, including summary judgments.

Note: Based on information provided by Prince Edward Island, Nova Scotia, New Brunswick, Ontario, Saskatchewan, Alberta, British Columbia, Yukon, Northwest Territories and Nunavut. Information excludes data from Newfoundland and Labrador, Quebec and Manitoba, not yet reporting to the survey.

Source: Statistics Canada, Canadian Centre for Justice and Community Safety Statistics, Civil Court Survey.