

# SPOUSAL SUPPORT

Spousal support or “alimony” is monetary support that is paid from one spouse to the other after their spousal relationship has ended if it is determined that the spouse is entitled to such financial assistance. There are a variety of factors that determine the amount of spousal support that will be paid (quantum) and for how long (duration). Spousal Support Advisory Guidelines have been developed to assist parties and judges in determining the amount and duration of spousal support that should be paid, but the Guidelines are not mandatory. The Guidelines set out a high and low amount that can be awarded; however, the judge has discretion on the amount to award in any given situation and can award an amount that is different than the Guidelines.

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A spouse can make an application for spousal support at the interim stage via the court. At the interim stage, once it is established a spouse is entitled to support, one of the primary considerations is whether one spouse has the ability to pay (“means”) and the other spouse has a need to receive financial assistance.

Once the matter proceeds to a final resolution, other factors are also considered such as the length of the relationship, the roles that were assumed during the relationship, and whether the spouse receiving support can become financially independent of the other spouse. The amount of support and the length of time it is paid on a final resolution varies widely and is dependant on the circumstances of the spouses.

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