

LEGAL REGULATION OF PARENT-CHILD RELATIONS TEST

This test is a take-home test for you to do at home (or computer lab, or library). Submission: You need to hand in this evaluation personally on March 1, 2018 at 4 pm IN CLASS. There are no other submission dates or places. You are not permitted to consult with anyone about the case or its analysis. You should be able to do very well on this test without doing any outside research. Choose three cases/questions to answer. Assume that the facts took place in Ontario, Canada. You do not need to answer in essay format. In all your answers, as authority, precedents, laws, and rules, you may only use the materials that we have discussed in class. This includes the rules that we analyzed, students' contributions to class discussions, articles that we read, videos that we watched, and scenarios that we did in class, among others. A material that is on the course website or course outline but that was not actually discussed in class may not be used.

1) Cult members

On Thursday morning of this week, the Principal of Northern Elementary School in the Algoma District School Board noticed that several children had missed three consecutive days of school. The children's parents belong to a cult group who believe that Canadians must prepare themselves to resist an alien invasion. The members of the group, about 50 adults with their children, gathered last weekend at a camp in the mountains to purify themselves by fasting prior to beginning a rigorous program of physical fitness and military training. There they have remained for the first three days of this week, awaiting their leader's command to begin training. In addition to the children enrolled in the Northern Elementary School, other children of group members are at the camp, ranging in age from 6 months to 16 years. The Principal believes that none of the children has been fed since the weekend.

The Principal filed a petition with the Court, alleging that the children are children in need of protection and asks to have all of the children removed from their parents on a temporary basis so that they may be given food. You are the Court Judge. How and why will you decide the petition? Discuss fully.

2) Rose and John

15-year old, Rose, who is the supervisor at a new Tim Horton's supervises and trains newly hired 17-year old John. After the first week, Rose asks John out. They have consensual sex at Rose's house on their first date. You are the judge. How will you analyze this case?

3) Andrea and Brandon

Andrea, a 22-year old sex worker, dates Brandon, 17. His parents do not approve of this relationship, so Brandon moves in with Andrea. Brandon drops out of school and does not work. Andrea provides food, pays rent, and pays the bills, including cable TV, internet, and Brandon's phone. She also buys him clothes and presents. They have consensual sex a couple of times a week. You are the judge. How will you analyze this case?

4. Joint custody

What is the holding of *Kaplanis v. Kaplanis*, 2005 CanLII 1625 (Ont. C.A.)?