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Divorce in Canada: Group suggests it may be too easy to split up

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TORONTO – When the going gets tough, married couples too easily turn to divorce as a way out, a socially conservative Canadian think tank said Wednesday.

Divorce proceedings in Canada are not complicated enough, [the Institute of Marriage and Family Canada suggests in its report "Finding fault with no-fault divorce."](#)

Under current laws, one person can decide to get divorced for “no reason at all” two weeks into their marriage or simply initiate proceedings by moving out, the report's author Andrea Mrozek said.

“Canadian law actually values marriage as a short-term prospect through no-fault divorce,” she argued.

According to the federal Divorce Act, spouses simply need to prove a breakdown in their marriage, either by showing they are living separately or that someone has committed adultery or is mentally or physical abusing the other.

Mrozek’s report suggests that no-fault divorces have contributed to higher rates of divorce, increased poverty and the early initiation of children into adulthood — but it stops short of calling for a revamp of Canada’s divorce law.

“It wasn’t meant to be a hugely political piece. I think it is something that we would consider, (but) asking that type of thing would have to be well thought out,” she said. “We would want to enlist the help of lawyers to ensure that it was thought out properly.”

Rather, Mrozek said, what she wants to stress is that no-fault divorce hasn’t achieved its intended purpose: to decrease the acrimony that arises from the process, limit the involvement of children in court proceedings and allow individuals to get on more quickly with their lives.

The Institute of Marriage and Family suggests there are non-legal solutions, such as a notification document, that couples who feel their problems are insurmountable could use before officially pulling the plug.

“When you enter into the legal realm, you have enlisted a lawyer already. To many people, I suppose, it can feel like a road you can never exit from, but when you have serious enough problems you need to convey them somehow so this (notification document) could be a precursor to that,” Mrozek said.

The notification document would be sent from one partner to the other warning them that without resolution — and reconciliation — they’ll seek a divorce.

“It’s a proposal to reduce unnecessary divorce,” she said.

Data collected by Statistics Canada show the divorce rate spiking in the 1980s but holding relatively steady in the earlier part of this decade. The latest available data published in 2004 suggests that 41.3 per cent of marriages are expected to end in divorce before their 50th anniversary. Statistic Canada spokeswoman Marie Lavallée-Farah said the government no longer collects divorce statistics.