

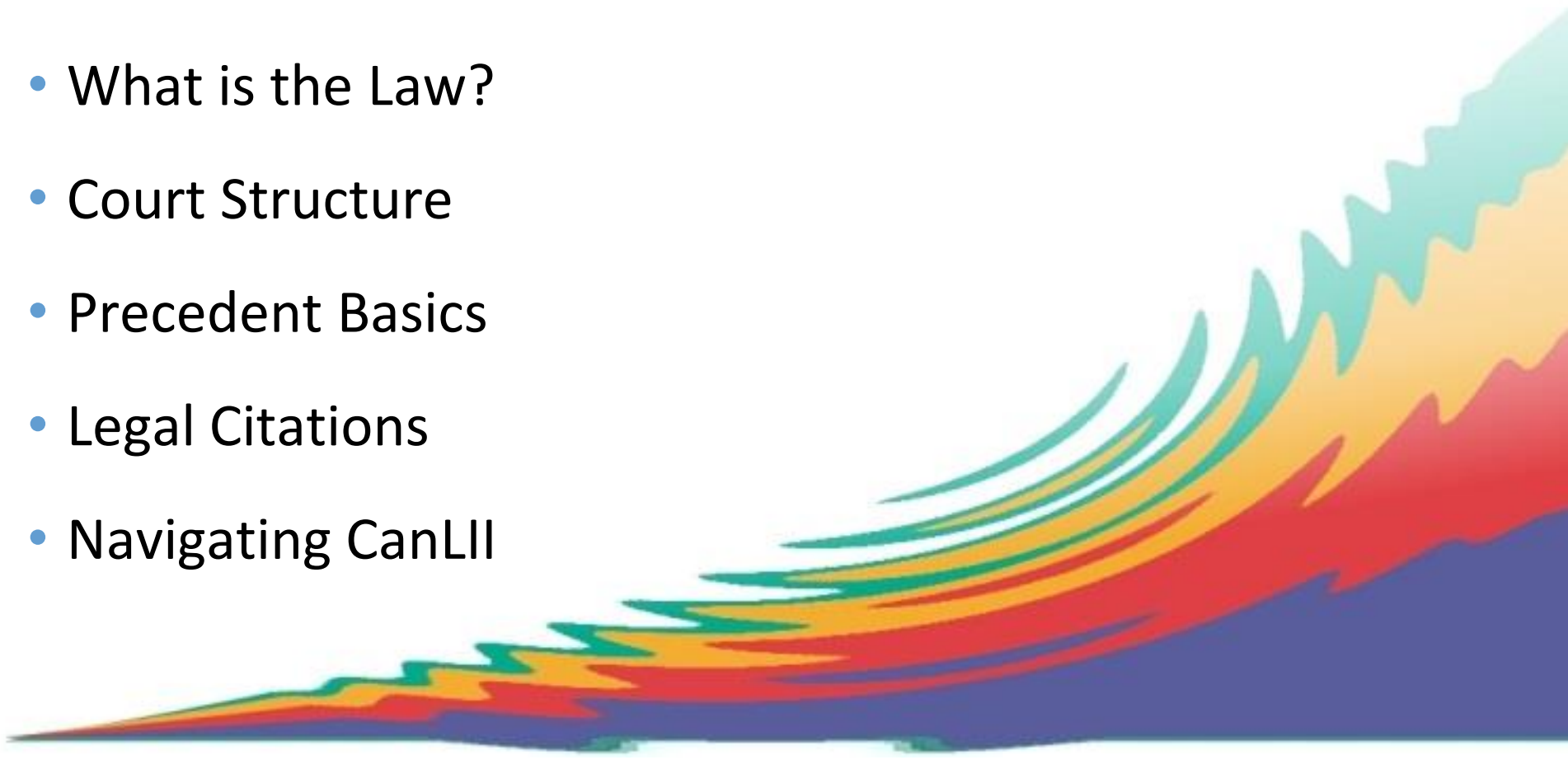
Navigating CanLII: Basic Legal Research for the Public

Alan Kilpatrick, Reference Librarian
Law Society of Saskatchewan Library
(Regina)

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Overview

- Who are We?
- What is CanLII?
- What is the Law?
- Court Structure
- Precedent Basics
- Legal Citations
- Navigating CanLII



Who Are We?

- The Law Society of Saskatchewan:
 - A regulatory body within the Federation of Law Societies of Canada delegated with the responsibility of governing lawyers in the province
 - Governed by a [lawsociety.sk.ca](http://www.lawsociety.sk.ca) lawyers, the Law Society sets and enforces high standards for admissions, professional conducts, and quality of service
 - Not funded by or affiliated with the government

What is CanLII?

- The Canadian Legal Information Institute (CanLII):
 - CanLII is a non-profit funded by lawyers
 - Provides free access to Canadian law through its website at Canlii.org
 - An easily accessible, fully searchable, and online source law
 - The best place to find the law

What is CanLII?

- The Canadian Legal Information Institute (CanLII):
 - CanLII provides access to more than one million court cases and thousands of statutes
 - CanLII provides complete coverage of all Canadian court cases from 2000 to date
 - CanLII now features a nearly complete record of all Saskatchewan court cases back to 1909

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What is the Law?

Legislation



Case law

What is the “Law”?

- Legislation:
 - **Statutes** (acts) are written laws passed by the legislature that deal with a specific subject
 - **Regulations** are subordinate legislation that provide additional details
 - **Bills** are proposed laws that must be passed through the legislative process
- Case law:
 - **Written decisions** from judges in the courts across Canada. It is also known as judge-made law and common law

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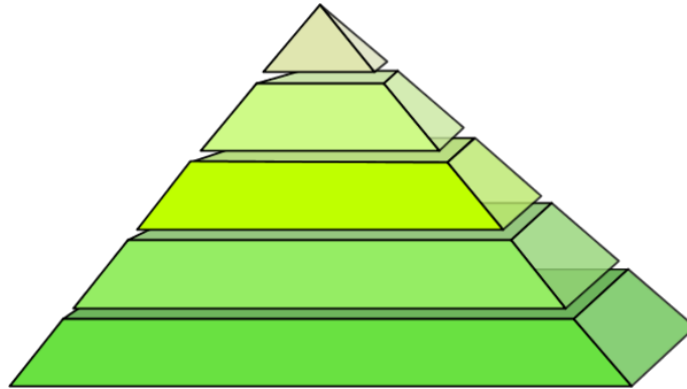


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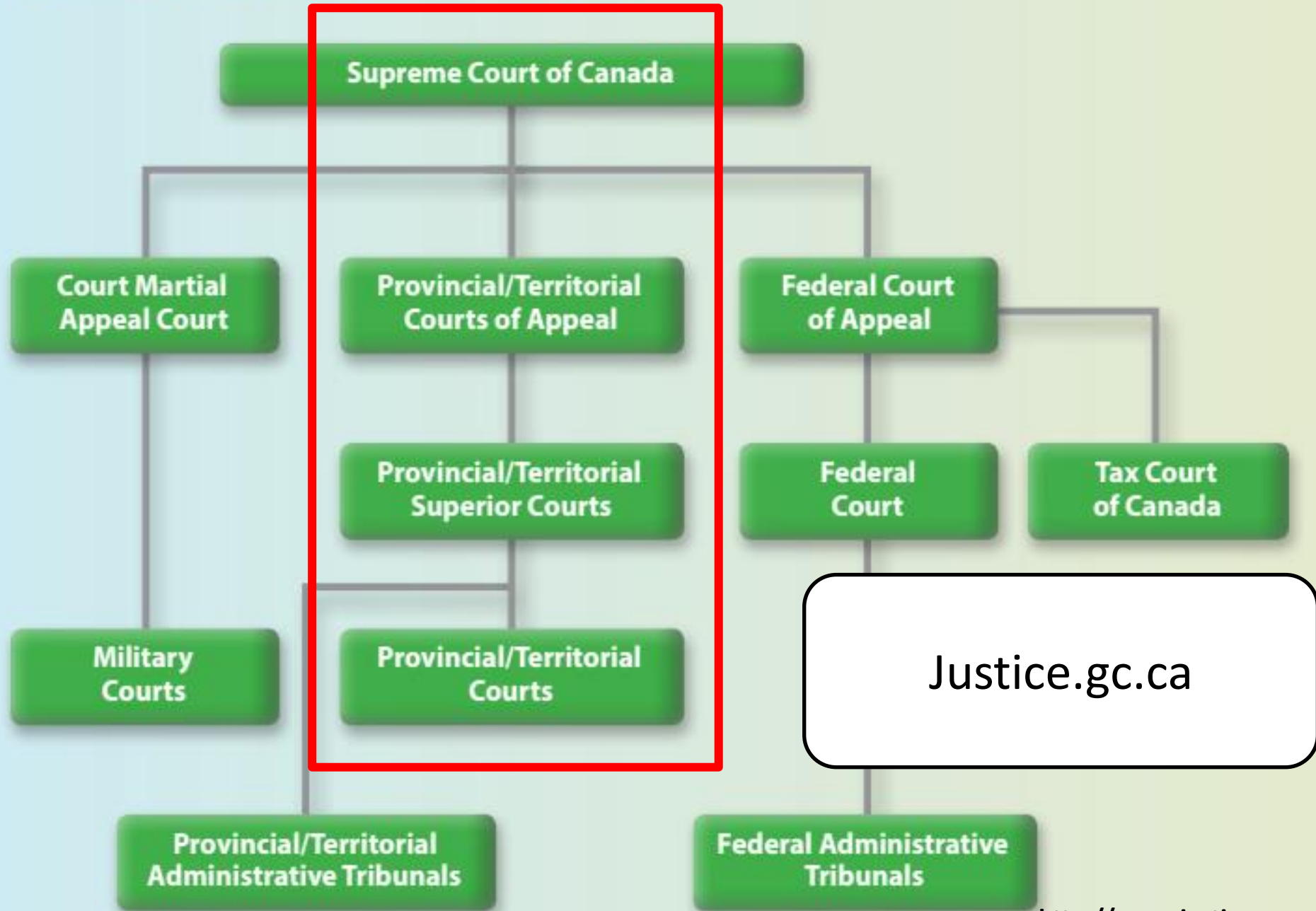


Case
Law

Court Structure



Outline of Canada's Court System



Court Structure

- Saskatchewan Court of Appeal (SKCA):
 - Hears appeals on all civil and criminal matters
- Saskatchewan Court of Justice (SKCJ):
 - Serious criminal matters, family matters (including divorce), and civil matters over \$30,000
- Saskatchewan Provincial Court (SKPC):
 - Most criminal matters, youth matters, small claims, traffic tickets, bylaws, and some family matters

Supreme Court of
Canada

Saskatchewan Court
of Appeal

Saskatchewan Court
of Queen's Bench

Administrative
Tribunals

Saskatchewan
Provincial Court

Precedent Basics



Precedent Basics

- The CanLII Primer, National Self-Represented Litigants Project:

“Precedent refers to a system in which a court must decide subsequent cases in line with previous cases, that deal with the same legal issue that have been decided by the courts of the same level, or higher.”

- Cases decided at the highest court in your own jurisdiction will be the most influential

Binding Case Law

Supreme Court of Canada: Cases are binding on every Court in Canada including itself. The only court that can overrule, or change, a Supreme Court decision is the Supreme Court of Canada



Saskatchewan Court of Appeal: Cases are binding on itself, the Saskatchewan Court of Queen's Bench, and the Saskatchewan Provincial Court



Saskatchewan Court of Queen's Bench: Cases are binding on itself and the Saskatchewan Provincial Court

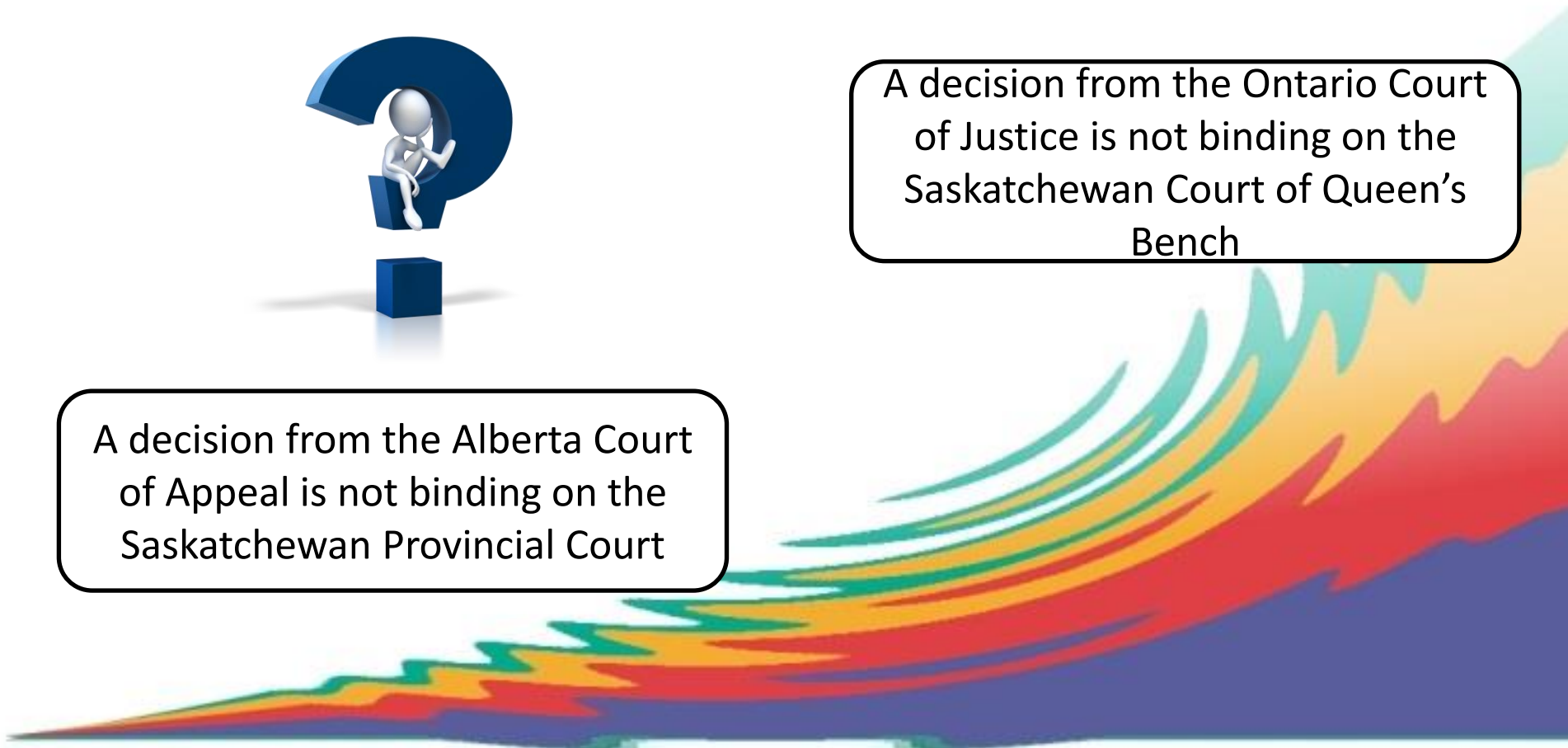
Persuasive Case Law

A decision from the British Columbia Court of Appeal is not binding on the Saskatchewan Court of Appeal



A decision from the Ontario Court of Justice is not binding on the Saskatchewan Court of Queen's Bench

A decision from the Alberta Court of Appeal is not binding on the Saskatchewan Provincial Court



Legal Citations



Legal Citations

Plaintiff

Defendant

Neutral
Citation

Ravdahl v Saskatchewan, 2009 SCC 7

Parallel
Citations

[2009] 1 SCR 181
[2009] 301 DLR (4th) 513
[2009] 2 WWR 385
[2009] 320 Sask R 305

Legal Citations

R v Lewko, 2002 SKCA 121

Reiter v Powell, 2016 SKQB 100

R v Piapot, 2016 SKPC 38

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Legal Citations

The Family Property Act, SS 1997, c F-6.3

The Business Name Registrations Act, RSS 1978, c B-11

Criminal Code, RSC 1985, c C-46

National Flag of Canada Act, SC 2012, c 12

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- Searching for Case Law
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- Searching for case law:
 - The easiest way to find a particular case is to search by citation
 - Let's locate *Hoffmann v Monsanto*, 2007 SKCA 47

Search



Q 2007 SKCA - Search CanLII

R. v. Shepherd, **2007 SKCA 29**

Hoffman v. Monsanto Canada Inc., 2007 SKCA 47

Saskatchewan Power Corporation v. Swift Current (City), **2007 SKCA 27**

R. v. Janvier, **2007 SKCA 147**

R. v. M.A.G., **2007 SKCA 144**



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Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII)

Date: 2007-05-02

Docket: 1148

Other citations: 283 DLR (4th) 190; [2007] 6 WWR 387; [2007] CarswellSask 190; [2007] SJ No 182 (QL); 293 Sask R 89

Citation: Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII), <<http://canlii.ca/t/1rg03>>, retrieved on 2016-04-07

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THE COURT OF APPEAL FOR SASKATCHEWAN

Citation: 2007 SKCA 47

Date: 20070502

Between:

Docket: 1148

Larry Hoffman, L.B.Hoffman Farms Inc., and Dale Beaudoin

Appellant

- and -

Monsanto Canada Inc. and Bayer Cropscience Inc.

Respondent

Coram:

Cameron, Gerwing, and Sherstobitoff JJ.A.

2007 SKCA 47 (CanLII)

C.A.

[1] The question on this appeal is whether an action taken by the appellants against the respondents merited certification as a class action under *The Class Actions Act*, S.S. 2001, c. C-12.01. The action was ostensibly taken on behalf of numerous organic grain farmers for the recovery of damages alleged to have been suffered by them as a result of the introduction by the appellants of strains of genetically modified canola for use by farmers generally.

I. THE BACKGROUND

[2] The appellants, Larry Hoffman, L.B. Hoffman Farms Inc., and Dale Beaudoin are farmers who grow grain without the use of chemical fertilizers, herbicides, pesticides, and genetically modified organisms. As such, they are certified as "organic" grain farmers by private organizations involved in the business of marketing organically grown produce.

considering that: 1) the pleadings, with the aforementioned exceptions, did not disclose a cause of action; 2) there was not an adequately identifiable class; 3) the claims of the class members did not raise common issues appropriate to the occasion; 4) a class action was not the preferable procedure; and 5) the appellants were not suitable representatives.

[23] The appeal raises a host of specific issues having to do with each of these conclusions. Since it is incumbent upon an applicant seeking to have an action certified as a class action to satisfy *each* of the several requirements of [section 6](#) of *The Class Actions Act*, it is necessary to the success of the appeal for the appellants to convince this Court that Justice Smith erred in relation to *all* of the requirements.

[24] Beneath the specific issues raised by the first ground of appeal lies a more general issue: Whether Justice Smith adopted an excessively rigorous approach to determining if the pleadings disclosed a cause of action as required by section 6(a).

[25] We propose to address the appeal along the lines suggested by the grounds of appeal, beginning with the first and continuing with the others to the extent it proves necessary to do so.

1. Did Justice Smith misapply [section 6\(a\)](#) of *The Class Actions Act*
 - (a) by adopting an excessively rigorous approach to the application of [section 6\(a\)](#); or
 - (b) by concluding that the pleadings disclosed no cause of action except under *The Environmental Protection Act, 2002* and *The Environmental Assessment Act*?

[26] (a) The question regarding the approach to s.6(a)

[27] It should be said at the outset that thoroughness is not to be confused with excessive rigour. Justice Smith examined the issues underlying the certification application with great care, including those to which section 6(a) gave rise. But that is not to say she adopted an excessively rigorous approach when applying section 6(a). Whether her approach was more rigorous than contemplated by the *Act* turns on the tests or standards she employed, not on the thoroughness with which she addressed the issues.

[28] In considering whether the pleadings disclosed a cause of action as required by section 6(a), she resorted to the “plain and obvious test”, a test traditionally associated with the application of Rule 173(a) of *The Queen’s Bench Rules* and its like. Rules such as these empower the courts to strike out a pleading as failing to disclose a reasonable cause of action or defence as the case may be. The test employed by the courts in the application of such Rules is described in *Hunt v. Carey Canada Inc.*, 1990 CanLII 90 (SCC), [1990] 2 S.C.R. 959:

...[A]ssuming that the facts as stated in the statement of claim can be proved, is it “plain and obvious” that the plaintiff’s statement of claim discloses no reasonable cause of action? As in England, if there is a chance that the plaintiff might succeed, then the plaintiff should not be “driven from the judgment seat.” Neither the length and complexity of the issues, the novelty of the cause of action, nor the potential for the defendant to present a strong defence should prevent the plaintiff from proceeding with his or her case. [p. 980]

[29] Having identified this as the test used by the courts in applying the likes of section 6(a), Justice Smith observed that on applications for certification of an action as a class action, unlike applications to strike out pleadings, the onus is on the representative plaintiff to demonstrate that the pleadings disclose a cause of action, not on the defendant to demonstrate otherwise.

[30] She then referred to a number of embellishments that have found their way into the case law regarding the nature

Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII)

Date: 2007-05-02

Docket: 1148

Other citations: 283 DLR (4th) 190; [2007] 6 WWR 387; [2007] CarswellSask 190; [2007] SJ No 182 (QL); 293 Sask R 89

Citation: Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 (CanLII), <<http://canlii.ca/t/1rg03>>, retrieved on 2016-04-07







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Summary of Hoffman v. Monsanto Canada Inc.

[Hoffman v. Monsanto Canada Inc., 2007 SKCA 47 \(CanLII\)](#)

This appeal concerned an action ostensibly taken on behalf of numerous organic grain farmers for the recovery of damages alleged to have resulted from the introduction by the respondents of strains of genetically modified canola for use by farmers generally. The appellants' application which was, in fact, driven not by the appellants, who were nominal plaintiffs only, but by the Saskatchewan Organic Directorate and especially the Organic Agriculture Protection Fund, was dismissed at trial for failing to satisfy the requirements for certification as a class action. The issues on appeal were 1) Did the trial judge misapply s. 6(a) of the Class Actions Act: a) by adopting an excessively rigorous approach to the application of s. 6(a); or b) by concluding that the proceedings disclosed no cause of action except under the Environmental Protection Act, 2002 and The Environmental Assessment Act?; 2) Did the trial judge misapply s. 6(b) of The Class Actions Act?; and 3) Additional grounds based on ss. 6(c)(d) and (e) of the Act. HELD: 1. Appeal dismissed. There will be no order for costs in keeping with the provisions of s. 40 of The Class Actions Act. a) Thoroughness should not be confused with excessive rigour. The trial judge did not adopt an excessively rigorous approach. Section 6 of the Class Actions Act is essentially a screening mechanism that places an onus on the representative plaintiff to satisfy the judge that the pleadings disclose an apparently veritable cause of action on the basis of the facts as pleaded and the law that applies. b) Having noted that each of the causes of action was novel in some respects, the trial judge went on to consider each of them, beginning with the common law causes of action in negligence, nuisance and trespass. Applying the governing body of principle to each cause of action as pleaded, the judge concluded that the pleadings did not disclose a cause of action. The Court can find no material error in her reasons, nor any material error in her application of the governing principles to the causes of action as pleaded. Indeed, the fact that the defendants,

certified certification as a class action under *The Class Actions Act*, S.S. 2001, c. C-12.01. The action was ostensibly taken on behalf of numerous organic grain farmers for the recovery of damages alleged to have been suffered by them as a result of the introduction by the appellants of strains of genetically modified canola for use by farmers generally.

I. THE BACKGROUND

[2] The appellants, Larry Hoffman, L.B. Hoffman Farms Inc., and Dale Beaudoin are farmers who grow grain without the use of chemical fertilizers, herbicides, pesticides, and genetically modified organisms. As such, they are certified as "organic" grain farmers by private organizations involved in the business of marketing organically grown produce.

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3. [Babich v Babich](#), 2015 SKQB 352 (CanLII) — 2015-11-05

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[...] JUDGMENT **MEGAW J.** [...] 4. To vary the existing parenting arrangements set forth in the decision of **Megaw J.** dated January 20, 2015 - brought by the petitioner; [...] 4. To vary the existing parenting arrangements set forth in the decision of **Megaw J.** dated January 20, 2015 - brought by the petitioner. [...]

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4. [R. v. Laderoute](#), 2015 SKQB 246 (CanLII) — 2015-08-14

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 Reference as to the Validity of Section 6 of the **Farm Security Act**, 1944 of **Saskatchewan**, 1947 CanLII 32 (SCC)

 The **Farm Land Security Act** Extension Regulations, 1987, RRS c F-8.01 Reg 3, **Saskatchewan**

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SKMT	Saskatchewan Master of Titles	1907 -	2014-11-04	48
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SKREC	Saskatchewan Real Estate Commission	2015 -	2016-01-19	24
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Sales on Consignment Act, The , RSS 1978, c S-4 [Repealed or spent]	
Sand and Gravel Act, The , RSS 1978, c S-5	
Saskatchewan 4-H Foundation Act, The , RSS 1978, c S-18	
Saskatchewan Advantage Grant for Education Savings (SAGES) Act, The , SS 2012, c S-5.1	1 Regulation
Saskatchewan Agricultural Returns Stabilization Act, The , RSS 1978, c S-6 [Repealed or spent]	2 Regulations
Saskatchewan Applied Science Technologists and Technicians Act, The , SS 1997, c S-6.01	
Saskatchewan Assistance Act, The , RSS 1978, c S-8	11 Regulations
Saskatchewan Association of School Business Officials Act, 1993, The , SS 1980-81, c S-8.1 [Repealed or spent]	
Saskatchewan Association of School Business Officials Act, 2004, The , SS 2004, c S-8.2 [Repealed or spent]	
Saskatchewan Centre of the Arts Act, The , RSS 1978, c S-10 [Repealed or spent]	
Saskatchewan Centre of the Arts Act, 2000, The , SS 2000, c S-10.1	
Saskatchewan Crop Insurance Corporation Act, The , SS 2012, c S-12.1	2 Regulations
Saskatchewan Development Fund Act, The , RSS 1978, c S-14 [Repealed or spent]	
Saskatchewan Embalmers Act, The , RSS 1978, c S-15 [Repealed or spent]	
Saskatchewan Evidence Act, The , RSS 1978, c S-16 [Repealed or spent]	
Saskatchewan Farm Security Act, The , SS 1988-89, c S-17.1	2 Regulations
Saskatchewan Financial Services Commission Act, The , SS 2002, c S-17.2 [Repealed or spent]	3 Regulations
Saskatchewan Gaming Corporation Act, The , SS 1994, c S-18.2	2 Regulations
Saskatchewan Government Insurance Act, 1980, The , SS 1979-80, c S-19.1	
Saskatchewan Grain Car Corporation Act, The , SS 1979-80, c S-19.2	
Saskatchewan Health Research Foundation Act, The , SS 2002, c S-21.1	

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- ☐ 10. between May 15, 2013 and Aug 14, 2014 (past)
- ☐

The Saskatchewan Farm Security Act

being

Chapter S-17.1 of the *Statutes of Saskatchewan, 1988-89*
(consult Table of Saskatchewan Statutes for effective dates)
as amended by the *Statutes of Saskatchewan, 1989-90, c.22*;
1992, c.43 and 74; *1993, c.P-6.2 and 51*; *1994, c.30*;
1996, c.C-27.01, c.9; *1997, c.T-22.2*; *1998, c.C-45.2, c.14 and 48*;
2000, c.L-5.1; *2002, c.C-11.1 and 55*; *2004, c.L-16.1, T-18.1; c.26*
and 59; *2005, c.M-36.1*; *2009, c.7*; *2010, c.E-9.22 and c.N-5.2*; and
2013, c.27.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared

The Saskatchewan Farm Security Act, SS 1988-89, c S-17.1

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Cite

Document text ?

Case name, legislation title, citation or docket ?

Citing The Saskatchewan Farm Security Act, SS 1988-89, c S-1... x ? x Section 4 ?

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All CanLII (11) Cases (11) Legislation (0) Commentary (0)

All jurisdictions ▾

By Relevance ▾

≡ ☰ RSS in

1. [Saskatchewan \(Attorney General\) v. Lemare Lake Logging Ltd.](#), [2015] 3 SCR 419, 2015 SCC 53 (CanLII) — 2015-11-13

Supreme Court of Canada — Canada (Federal)

federal — secured creditors — purpose — appoint a receiver — provincial

[...] Its purpose is "to afford protection to farmers against loss of their farm land": s. 4. [...] This purpose is specified in s. 4 as being "to afford protection to farmers against loss of their farm land". [...] Although the purpose of the provincial legislation is not usually considered in a frustration of federal purpose analysis, in the case of the SFSA, its purpose - to protect farmers - is raised to the level of a substantive standard by ss. 4 and 19. [...] It is specified in the SFSA that this purpose is to protect against the loss of farmland: s. 4. [...]

cited by [6 documents](#) [CanLII Connects](#)

2. [Royal Bank of Canada v. Lockhart](#), 1996 CanLII 5022 (SK CA) — 1996-06-10

Court of Appeal for Saskatchewan — Saskatchewan

homestead — mortgage of farm land — foreclosure — farming — quarter

[...] Broadly speaking both Acts share a common purpose: to protect farmers against the loss of their land (see: **section 4** of the SFSA). [...]

cited by [3 documents](#) [CanLII Connects](#)

3. [F.M.I. Developments Ltd. v. 1269917 Alberta Ltd.](#), 2010 SKQB 187 (CanLII) — 2010-05-27

Court of Queen's Bench for Saskatchewan — Saskatchewan

farm land — farming — mortgage — afford protection to farmers — foreclosure

[...] that the purpose of the entire FLSA was to afford protection to farmers against loss of their farm land, in the SFSA, that same intention is contained in **section 4**, and is applicable only to Part II of the SFSA. In Part II, a farmer is defined as a mortgagor, except in sections 27.1 to 27.9, where the mortgagor [...] In contrast evidence is lacking of activity of Alberta Ltd. directed to the Land qua farm land which could reasonably bring it within the

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The Saskatchewan Farm Security Act, SS 1988-89, c S-17.1

Versions | Noteup | Regulations

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[Farm Land Lease-back Regulations](#), RRS c S-17.1 Reg 2

[Saskatchewan Farm Security Regulations](#), RRS c S-17.1 Reg 1

This statute replaces [SS 1984-85-86, c F-8.01](#).

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1

SASKATCHEWAN FARM SECURITY

c. S-17.1

The
Saskatchewan Farm
Security Act

being

Chapter S-17.1 of the Statutes of Saskatchewan, 1988-89
(consult Table of Saskatchewan Statutes for effective dates)
as amended by the Statutes of Saskatchewan, 1989-90,
c.22; 1992, c.43 and c.74; 1993, c.P-6.2 and c.51; 1994, c.30;
1996, c.C-27.01 and c.9; 1997, c.T-22.2; 1998, c.C-45.2, c.14
and c.48; 2000, c.L-5.1; 2002, c.C-11.1 and c.55; 2004, c.L-16.1,
c.T-18.1, c.26 and c.59; 2005, c.M-36.1; 2009, c.7; 2010, c.E-9.22
and c.N-5.2; 2013, c.27; 2014, c.E-13.1; 2015, c.21; and 2015, c.32.

NOTE:

This consolidation is not official. Amendments have been
incorporated for convenience of reference and the original statutes
and regulations should be consulted for all purposes of interpretation
and application of the law. In order to preserve the integrity of the
original statutes and regulations, errors that may have appeared

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- Searching for administrative tribunal decisions:
 - CanLII provides access to a decisions from twenty Saskatchewan tribunals

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2016-03-14 [Overzealous Denial of Claim Results in Large Punitive Damage A...: Arsenovski v. Bodin, 2016 BCSC 359 \(CanLII\)](#)

2016-03-14 [More cases reaching judgment during notice period: Drysdale v Panasonic Canada Inc., 2015 ONSC 6878 \(CanLII\)](#)

2016-03-14 [OCA: coverage not forfeited by technical non-compliance: Dams v. TD Home and Auto Insurance Company, 2016 ONCA 4 \(CanLII\)](#)

2016-03-14 [OCA decision highlights the 'nuts and bolts' of jury selection: R. v. Nouredine, 2015 ONCA 770 \(CanLII\)](#)

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Number of decisions

SKCA	Court of Appeal for Saskatchewan	1994 -	2016-03-14	9,279
SKQB	Court of Queen's Bench for Saskatchewan	2001 -	2016-03-15	21,789
SKPC	Provincial Court of Saskatchewan	2001 -	2016-03-15	2,690

Boards and Tribunals

SKATMPA	Appeal Tribunal under the Medical Profession Act	1977 -	2014-06-27	3
SKAIA	Automobile Injury Appeal Commission	2003 -	2016-03-15	691
SKSEC	Financial and Consumer Affairs Authority of Saskatchewan	2008 -	2015-11-17	30
SKIPC	Information and Privacy Commissioner	2004 -	2016-02-17	253
SKLA	Labour Arbitration Awards	N/A	2016-03-11	760
SKLSS	Law Society of Saskatchewan	2010 -	2016-02-29	52
SKAC	Saskatchewan Assessment Commission	2009 -	2014-10-23	1
SKFCA	Saskatchewan Board of Review under the Farmers' Creditors Arrangement Act, 1934	1907 -	2014-06-06	11
SKCPDC	Saskatchewan College of Pharmacists	2014 -	2015-09-09	4
SKDC	Saskatchewan District Court	1907 - 1981	2015-06-16	193
SKHRC	Saskatchewan Human Rights Commission	2008 -	2013-08-21	3
SKHRT	Saskatchewan Human Rights Tribunal	2005 - 2011	2014-09-19	110
SKLRB	Saskatchewan Labour Relations Board	-	2016-01-20	501
SKLGB	Saskatchewan Local Government Board	1922 -	2014-10-21	8
SKMT	Saskatchewan Master of Titles	1907 -	2014-11-04	48
SKMBR	Saskatchewan Municipal Boards of Revision	2015 -	2016-02-19	2
SKREC	Saskatchewan Real Estate Commission	2015 -	2016-01-19	24
SKSU	Saskatchewan Surrogate Court	1907 -	2014-11-03	72
SKUFC	Saskatchewan Unified Family Court	1978 -	2014-07-03	58
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Frequently consulted documents

[The Saskatchewan Employment Act](#)

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2010	2009	2008	[2007]	[2006]	[2005]	2014	2013	2012	2011
						[2004]	[2003]	[2002]	[2001]

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2009-01-26 [Saskatchewan Joint Board Retail, Wholesale and Department Store Union and Retail, Wholesale and Department Store Union, Local 568 v. Off the Wall Productions Ltd., 2009 CanLII 2603 \(SK LRB\)](#)

2009-01-22 [Roset v. Unite Here Union, Local 41, 2009 CanLII 2050 \(SK LRB\)](#)

2009-01-15 [D.M. v. Canadian Union of Public Employees National, 2009 CanLII 2049 \(SK LRB\)](#)

2009-01-13 [United Food and Commercial Workers, Local No. 1400 v. Wal-Mart Canada Corp., 2009 CanLII 2047 \(SK LRB\)](#)

2009-01-12 [Saskatoon Regional Health Authority v. Service Employees' International Union, Local 333, 2009 CanLII 2051 \(SK LRB\)](#)

2009-01-12 [United Food and Commercial Workers, Local 1400 v. Wal-Mart Canada Corp., 2009 CanLII 2048 \(SK LRB\)](#)

2009-01-06 [Dishaw v. Canadian Office & Professional Employees Union, Local 397, 2009 CanLII 507 \(SK LRB\)](#)

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2010	2009	2008	[2007]	[2006]	[2005]	2014	2013	2012	2011
						[2004]	[2003]	[2002]	[2001]

2015-12-01 [Saskatchewan Government and General Employees Union v Lac La Ronge Indian and Child Services Agency Inc., 2015 CanLII 80539 \(SK LRB\)](#)

2015-11-24 [Saskatchewan Government and General Employees Union v Wheatland Regional Centre Inc., 2015 CanLII 80544 \(SK LRB\)](#)

2015-11-03 [S.C. v Mamawetan Churchill River Regional Health Authority & Government of Saskatchewan, 2015 CanLII 90508 \(SK LRB\)](#)

Navigating CanLII

- Keyword searching with CanLII:
 - Develop good keywords that represent the concepts you are searching for
 - Familiarise yourself with the common legal terms, conduct background research, and read case law and legislation
 - Let's locate cases discussing child support for a child over the age of 18 and attending university

Search

"child support" "adult child" "age of majority"

?

Case name, legislation title, citation or docket

?

Noteup: cited case names, legislation titles, citations or dockets

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Q

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By default, the search engine processes a space between terms as a logical AND. The following operators allow you to change this default processing.

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Find

Operator (case sensitive)

Example

"child support" AND "adult child" AND "age of majority"

2016-03-14 [OCA](#)

words within n words
Exclude **plurals** and **derivatives**

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"child support" "adult child" "age of majority" x ?

Case name, legislation title, citation or docket ?

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- ☒ Saskatchewan 91
- ☐ Manitoba 32
- ☐ Ontario 139
- ☐ Quebec 9
- ☐ New Brunswick 10
- ☐ Nova Scotia 39
- ☐ Prince Edward Island 1
- ☐ Newfoundland and Labrador 6
- ☐ Yukon 1
- ☐ Northwest Territories 5
- ☐ Nunavut 1

Uncheck all

) — 2009-11-19

age of majority — youngest

port before reaching the **age of majority**, including
ing the **age of majority**, and the respective parental
these Guidelines, where a child to whom a **child support**
mount of the **child support** [...] [24] The determination of
eldest child, who is over the **age of majority**, requires a

nLII) — 2011-02-08

the marriage — withdraw from parental charge — evidence

a "child of the marriage": The **adult child** must be unable to
in [...] [18] Once a child who is the subject of an existing
is no continuing presumption of **child support** entitlement in
on to vary **child support**, the evidence adduced establishes
or her parents' charge or to [...]



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3. [Haley v. Haley](#), 2004 SKQB 529 (CanLII) — 2004-12-22

Court of Queen's Bench for Saskatchewan — Saskatchewan

post-secondary expenses — child — age of majority — income — support

[...] 3(1) Unless otherwise provided under these Guidelines, the amount of a **child support** order for children under the **age of majority** is [...] (2) Unless otherwise provided under these Guidelines, where a child to whom a **child support** order relates is the **age of majority** or over, the amount of the **child support** [...] basic **child support** may be inappropriate in relation to children who have attained the **age of majority**, it offers no guidance how the determination of propriety is to be made. [...]

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"child support" "adult child" "age of majority" ✕ ?

Case name, legislation title, citation or docket ?

Noteup: cited case names, legislation titles, citations or dockets ? Q

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1. [Ethier v. Skrudland](#), 2011 SKCA 17 (CanLII) — 2011- Court of Appeal for Saskatchewan — Saskatchewan
obtain the necessities of life — adult child — child of the marriage — wi

[...] the **age of majority** (i.e., an adult) remains a "child of the marriage" until he or she withdraws from his or her parents' charge or to obtain [...] [18] Once a support order reaches the **age of majority**, there is no continuing presumption of **child support** entitlement in the absence [...] [19] Only where, on an application to vary **child support**, the evidence adduced establishes that an **adult child** is unable to withdraw from his or her parents' charge or to [...]

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2. [Haley v. Haley](#), 2004 SKQB 529 (CanLII) — 2004-12-22
Court of Queen's Bench for Saskatchewan — Saskatchewan
post-secondary expenses — child — age of majority — income — support

[...] 3(1) Unless otherwise provided under these Guidelines, the amount of a **child support** order for children under the **age of majority** is [...] (2) Unless otherwise provided under these Guidelines, where a child to whom a **child support** order relates is the **age of majority** or over, the amount of the **child support** [...] basic **child support** may be inappropriate in relation to children who have attained the **age of majority**, it offers no guidance how the determination of propriety is to be made. [...]

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3. [Geran v Geran](#), 2011 SKCA 55 (CanLII) — 2011-05-11
Court of Appeal for Saskatchewan — Saskatchewan
child — age of majority — post-secondary education — parents — support

[...] [7] Thus, the object of these **child support** provisions, both as they apply to children under the **age of majority** and as they may apply to children over the age [...] the **child support** provisions of the Divorce Act is not to advantage an **adult child** of divorced parents but to guard against disadvantage resulting from the breakdown of the marriage. [...] mature child who has reached the **age of majority**, whether or not the child has unilaterally terminated his or her relationship with the parent from whom **child support** is sought. [...]

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4. [Hales v Hales](#), 2012 SKQB 384 (CanLII) — 2012-09-19
Court of Queen's Bench for Saskatchewan — Saskatchewan

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"child support" "adult child" "age of majority" x ?

Case name, legislation title, citation or docket ?

Noteup: cited case names, legislation titles, citations or dockets ?



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1. [Ethier v. Skrudland](#), 2011 SKCA 17 (CanLII) — 2011-02-08

Court of Appeal for Saskatchewan — Saskatchewan

obtain the necessities of life — adult child — child of the marriage — withdraw from parental charge — evidence

[...] the **age of majority** (i.e., an adult) remains a "child of the marriage": The **adult child** must be unable to withdraw from his or her parents' charge or to obtain [...] [18] Once a child who is the subject of an existing support order reaches the **age of majority**, there is no continuing presumption of **child support** entitlement in the absence [...] [19] Only where, on an application to vary **child support**, the evidence adduced establishes that an **adult child** is unable to withdraw from his or her parents' charge or to [...]

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2. [Geran v Geran](#), 2011 SKCA 55 (CanLII) — 2011-05-11

Court of Appeal for Saskatchewan — Saskatchewan

child — age of majority — post-secondary education — parents — support

[...] [7] Thus, the object of these **child support** provisions, both as they apply to children under the **age of majority** and as they may apply to children over the age [...] the **child support** provisions of the Divorce Act is not to advantage an **adult child** of divorced parents but to guard against disadvantage resulting from the breakdown of the marriage. [...] mature child who has reached the **age of majority**, whether or not the child has unilaterally terminated his or her relationship with the parent from whom **child support** is sought. [...]

cited by [35 documents](#) [CanLII Connects](#)

3. [Hunchak v Anton](#), 2016 SKCA 44 (CanLII) — 2016-04-01

Court of Appeal for Saskatchewan — Saskatchewan

child support — expenses — age of majority — income — retroactive support

[...] [10] With respect to ongoing **child support**, the Chambers judge reviewed *Geran v Geran*, 2011 SKCA 55 (CanLII), [2011] 10 WWR 474 [Geran], respecting the principles governing **child support** when [...] [11] The Chambers judge determined that Mr. Hunchak's income was \$122,483 and concluded that Mr. Hunchak should pay **child support** in accordance with s. 3(2)(a) of [...] 3(2) Unless otherwise provided under these Guidelines, where a child to whom a **child support** order relates is the **age of majority** or over, the amount of the child [...]

4. [Burzminski v. Burzminski](#), 2010 SKCA 16 (CanLII) — 2010-01-21

Court of Appeal for Saskatchewan — Saskatchewan

father — income — child support — amount — part-time employment

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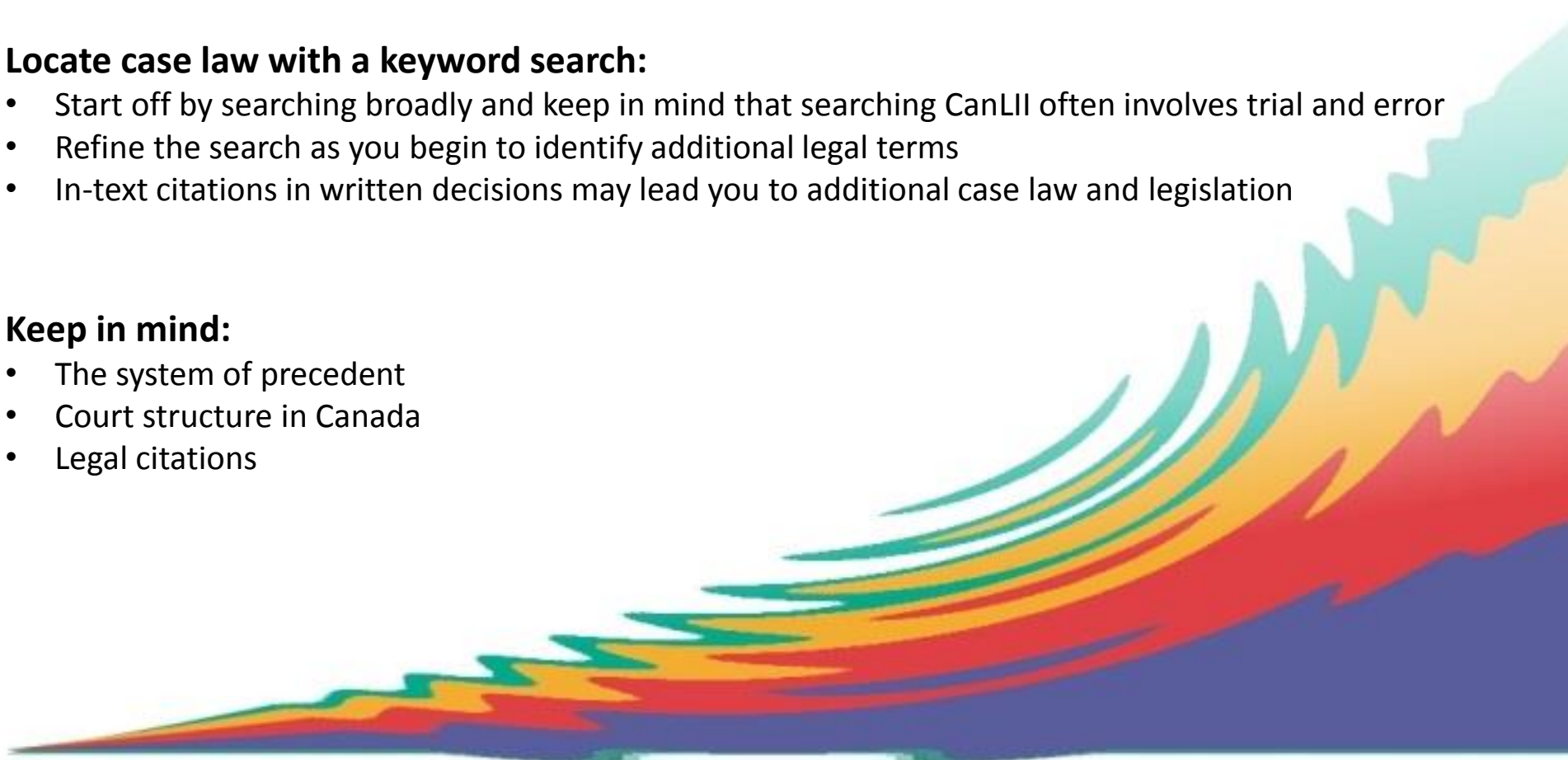
Determine if there is any applicable legislation:

- Within that legislation look for relevant legal terms and key phrases
- Noting up relevant sections of the legislation may lead you to relevant case law

Locate case law with a keyword search:

- Start off by searching broadly and keep in mind that searching CanLII often involves trial and error
- Refine the search as you begin to identify additional legal terms
- In-text citations in written decisions may lead you to additional case law and legislation

Keep in mind:

- The system of precedent
 - Court structure in Canada
 - Legal citations
- 

Tutorials

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1: A Basic "How-To"
(5:57)



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Searching the New CanLII (1) A
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- Sorting your search by "most cited", "most recent", and "court level"
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Regina

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- Saskatchewan Law Courts, *Courts of Saskatchewan*, online: <www.sasklawcourts.ca>
- Saskatchewan Queen's Printer, Saskatchewan Queen's Printer, online: <www.qp.gov.sk.ca>
- Thomas, Tamara, *The CanLII Primer: Legal Research Principles and CanLII Navigation for Self-Represented Litigants*, The National Self-Represented Litigant Project, online: <www.representingyourselfcanada.files.wordpress.com/2015/03/nsrlp-canlii-primer-v11.pdf>