



**Law Society  
of Saskatchewan**

**CanLII**

## Discover Your CanLII (CPD 341)

- Brenda Alm, Manager, Partnerships and Content, CanLII
- Ken Fox, Co-Director, Legal Resources, Law Society
- Alan Kilpatrick, Co-Director, Legal Resources, Law Society



# **LEGAL RESOURCES LIBRARY**

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**DID YOU KNOW...?** We have the best online and print legal resources in Canada. Our staff are trained to assist you in finding all your legal information.

## **DIGITAL RESOURCES**

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- HeinOnline
- vLex
- DivorceMate
- Emond eBooks
- rangefindr
- Irwin Law eBooks
- O'Brien's precedents

## **INFORMATION & RESEARCH ASSISTANCE**

Our legal information experts can help you find whatever you are looking for. Contact us with all your information and resource questions.

## **LIBRARIES**

Our libraries in the Regina and Saskatoon King's Bench Courthouses are available to members, offering free Wi-Fi, comfortable workspaces, current textbooks, and in-person expertise.

# Discover Your CanLII

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## Why use CanLII?

- CanLII is funded by Canada's Law Societies through the Federation of Law Societies, on an FTE membership basis.

## CanLII offers:

- Outstanding collection of law
- Growing collection of legal commentary
- Robust search interface
- Free and open access to Canadian law

Reap the benefit of this investment.



# Overview

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## 1. Introductory Comments

*Brenda Alm*

## 2. Tips, Tricks, and Tools

*Alan Kilpatrick*

## 3. Demonstration Scenario

*Ken Fox*

## 4. Concluding Comments

*Brenda Alm*

## 5. Questions

# Introductory Comments

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Brenda Alm

Manager, Partnerships and Content, CanLII

# A little about CanLII

CanLII

Sign up Login EN

Search all databases

Document text

Case name, document title, file number, author or citation

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

Q X

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Primary law

Canada (Federal)	Ontario	Newfoundland and Labrador
British Columbia	Quebec	Yukon
Alberta	New Brunswick	Northwest Territories
Saskatchewan	Nova Scotia	Nunavut
Manitoba	Prince Edward Island	

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Commentary

Books, articles, reports and more...

CanLII Connects

2025-11-27 CCAA Procedure: Stay Orders; Quasi-Criminal Proceedings: Laliberté v. Québec Revenue Agency, 2025 BCCA 406 (CanLII)

2025-11-26 COURT OF APPEAL SUMMARIES (NOVEMBER 17 – NOVEMBER 21); Icetrading Inc. v. Trayanov, 2025 ONCA 793 (CanLII)

2025-11-26 COURT OF APPEAL SUMMARIES (NOVEMBER 17 – NOVEMBER 21); E.L.R. v. D.M.S., 2025 ONCA 802 (CanLII)

2025-11-24 The Legal Inevitability of the Ostrich Cull: Universal Ostrich Farms Inc. v. Canada (Food Inspection Agency), 2025 FCA 147 (CanLII)

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News

The CanLII Blog

2025-11-24 In Conversation with Erin Cowling, new CanLII Board Member

2025-11-05 What's Hot on CanLII? 🔥 – October 2025

2025-11-04 A Fond Farewell and Acknowledgment: Thank You, Crystal O'Donnell!

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Barreau du Québec

Chambre des notaires du Québec

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Legislation Help

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# The situation as it was

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- In 1993, it costs \$200-300 to access a Supreme Court of Canada decision
- In 2002, free access to legal information was an ambitious dream
- In the Montreal Declaration on Free Access to Law, we enunciated simple statements
  - Public legal information [...] is part of the common heritage of humanity
  - Access to this information promotes justice and the rule of law
  - Government bodies that create or control that information should provide access

 [Home](#) › Montreal Declaration on Free Access to Law

## Montreal Declaration on Free Access to Law

Legal information institutes of the world, meeting in Montreal, declare that:

- Public legal information from all countries and international institutions is part of the common heritage of humanity. Maximising access to this information promotes justice and the rule of law;
- Public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge;
- Organisations such as legal information institutes have the right to publish public legal information and the government bodies that create or control that information should provide access to it so that it can be published by other parties.

Public legal information means legal information produced by public bodies that have a duty to produce law and make it public. It includes primary sources of law, such as legislation, case law and treaties, as well as various secondary (interpretative) public sources, such as reports on preparatory work and law reform, and reports of inquiry. It also includes legal documents created as a result of public funding.

Publicly funded secondary (interpretative) legal materials should be accessible for free but permission to republish is not always appropriate or possible. In such cases, access to legal scholarship may be provided by legal scholarship repositories, legal information institutes or other means.

Legal information institutes:

- Publish via the internet public legal information originating from more than one public body;
- Provide free and anonymous public access to that information;
- Do not impede others from obtaining public legal information from its sources and publishing it; and
- Support the objectives set out in this Declaration.

## Canadian Legal Information Institute (CanLII) acquires Lexum, a Montreal technology firm



The Canadian Legal Information Institute (CanLII) is pleased to announce the acquisition of Lexum Informatique Juridique Inc. (Lexum), a Canadian company that specializes in technology solutions for the publication and management of legal information online. Lexum has been CanLII's strategic technology partner since CanLII's inception.

# Recent Project – AI Summaries



CanLII Home / Ontario / Court of Appeal for Ontario / 2025 ONCA 734 (CanLII)

AI analysis by CanLII

AI-generated ①

Appeal Dismissed: Credibility Assessments and Delay Attribution in Sexual Assault Case

Facts

- The appellant was convicted of sexually assaulting a 13-year-old child. The case involved allegations of material inconsistencies in the complainant's evidence and issues related to trial delay. The appellant was sentenced to two years in custody (paras 1, 8).

Procedural History

- R. v. Laroche, Ontario Court of Justice, December 21, 2023: The appellant was convicted of sexual assault.
- R. v. Laroche, Ontario Court of Justice, September 18, 2024: The appellant was sentenced to two years in custody.

Parties' Submissions

- Appellant: Argued that the trial judge failed to address material inconsistencies in the complainant's evidence and improperly assessed credibility. Additionally, the appellant contended that the trial judge erred in attributing the delay between trial dates to the defence, which impacted the s. 11(b) Charter analysis. On sentencing, the appellant argued that the trial judge failed to consider factors favouring a conditional sentence order (paras 2, 3, 6, 8).
- Respondent: Submitted that the trial judge properly addressed the complainant's evidence and credibility issues, correctly apportioned the delay under s. 11(b), and imposed a fit sentence given the seriousness of the offence (paras 2, 6-8).

Legal Issues

- Did the trial judge err in addressing the complainant's evidence and credibility?
- Did the trial judge err in attributing delay to the defence under s. 11(b) of the Charter?
- Was the sentence imposed by the trial judge unfit?

Disposition

- The appeal from conviction was dismissed.
- Leave to appeal the sentence was granted, but the sentence appeal was dismissed (para 9).

Reasons

R. v. Laroche, 2025 ONCA 734 (CanLII)

French Version PDF

Date: 2025-10-23  
File number: COA-24-CR-0897  
Citation: R. v. Laroche, 2025 ONCA 734 (CanLII), <<https://canlii.ca/t/kg2t3>>, retrieved on 2025-10-26

BROWSE myCanLII Set up citation alert Save this case Share this case

COURT OF APPEAL FOR ONTARIO

CITATION: [1] R. v. Laroche, 2025 ONCA 734  
DOCKET: COA-24-CR-0897

Fairburn A.C.J.O., Rouleau J.A. and Maranger J. (ad hoc)

BETWEEN

His Majesty the King  
and  
Chad Laroche

Respondent  
Appellant

Patricia Brown, for the appellant  
Adrianna Mills, for the respondent

Heard and rendered orally: October 21, 2025

On appeal from the conviction entered by Justice Mamie Vickerd of the Ontario Court of Justice on December 21, 2023, and from the sentence imposed on September 18, 2024.

# Recent Project – AI Summaries

CanLII Home / Manitoba / Court of Appeal of Manitoba 2025 MBCA 87 (CanLII) Q. Find in document

AI analysis by CanLII

English French

Facts

The applicant and his spouse were tenants in a property owned by the respondent landlords. In November 2024, the Residential Tenancies Commission (RTC) granted the landlords an order of possession. The applicant and his spouse refused to vacate, leading to their eviction after the landlords obtained a writ of possession from the Court of King's Bench (CKB) (para. 9-10).

Procedural History

Residential Tenancies Commission, Residential RTC granted an order of possession to the respondent landlords (para. 8). Court of King's Bench, April 18, 2025: struck the applicant's judicial review application for failure to pay security for costs and awarded costs to the respondent landlords (para. 9-10).

Parties' Submissions

Applicant: Argued that his cognitive disability, supported by medical documentation, and other personal circumstances, including his assistant's absence and work-related travel, reasonably explained the five-day delay in filing the notice of appeal. He also claimed procedural unreasonableness in the order for security for costs and alleged bias in the judge's reliance on a prior decision involving him (para. 13-18, 22-23).

Goldman v Wang, 2025 MBCA 87 (CanLII)

Date: 2025-09-26  
File number: AL25-88-1032402  
Citation: Goldman v Wang, 2025 MBCA 87 (CanLII), <https://canlii.ca/t/kfr0ll>, 19

IN THE COURT OF APPEAL OF MANITOBA

BETWEEN:

AARON GOLDMAN

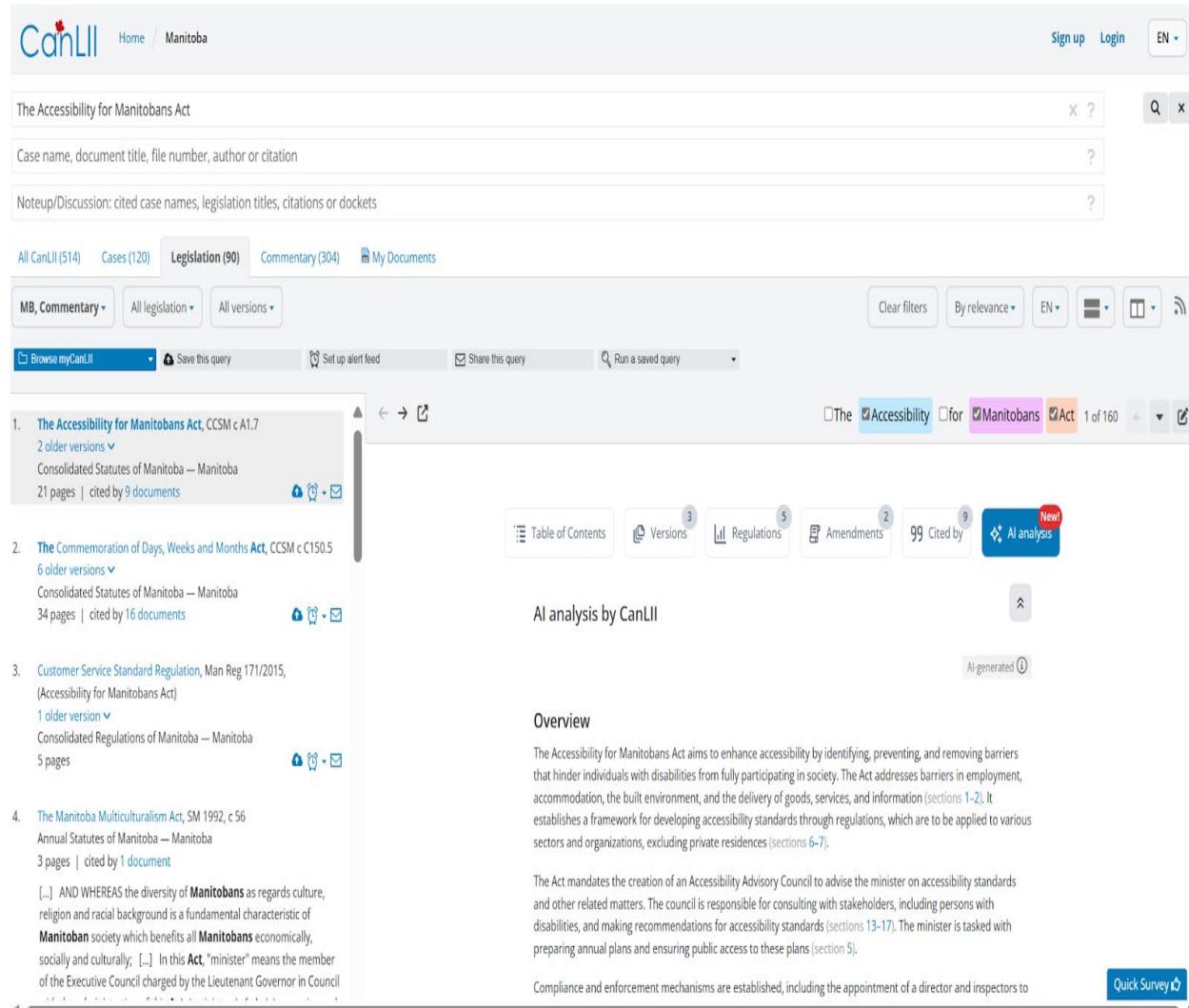
Applicant

A. Goldman  
on their own behalf

S. A. McIntosh  
for the Respondents

Applicants: F. Wang and P. Wang

# Recent Project – AI Summaries



The screenshot shows the CanLII website interface for the Manitoba section. The top navigation bar includes 'CanLII' logo, 'Home / Manitoba', 'Sign up', 'Login', and 'EN'. Below the navigation is a search bar and a sidebar with filters for 'All CanLII (514)', 'Cases (120)', 'Legislation (90)' (which is selected), 'Commentary (304)', and 'My Documents'. The main content area displays a list of laws with their titles, abbreviations, and descriptions. Each law entry includes a 'Save this query' button, a 'Set up alert feed' button, and a 'Share this query' button. The 'AI analysis' button is highlighted in blue. The laws listed are:

1. The Accessibility for Manitobans Act, CCSM c A1.7  
2 older versions  
Consolidated Statutes of Manitoba – Manitoba  
21 pages | cited by 9 documents
2. The Commemoration of Days, Weeks and Months Act, CCSM c C150.5  
6 older versions  
Consolidated Statutes of Manitoba – Manitoba  
34 pages | cited by 16 documents
3. Customer Service Standard Regulation, Man Reg 171/2015, (Accessibility for Manitobans Act)  
1 older version  
Consolidated Regulations of Manitoba – Manitoba  
5 pages
4. The Manitoba Multiculturalism Act, SM 1992, c 56  
Annual Statutes of Manitoba – Manitoba  
3 pages | cited by 1 document  
[...] AND WHEREAS the diversity of **Manitobans** as regards culture, religion and racial background is a fundamental characteristic of **Manitoban** society which benefits all **Manitobans** economically, socially and culturally; [...] In this **Act**, "minister" means the member of the Executive Council charged by the Lieutenant Governor in Council

Below the list, there is an 'AI analysis by CanLII' section with an 'Overview' and a detailed description of the Accessibility for Manitobans Act's purpose and structure. A 'Quick Survey' button is also present.

## Provisions' Outline

### Introductory Provisions (sections 1-5)

- Defines key terms, outlines the purpose and principles of the Act, and recognizes existing legal obligations. It also details the minister's mandate and the requirement for an annual plan.

### Accessibility Standards (sections 6-7)

- Establishes the process for creating accessibility standards by regulation, detailing their content, application, and exclusions, and sets prerequisites for recommending standards.

### Process for Developing Accessibility Standards (sections 8-12)

- Describes the minister's role in preparing terms of reference, the council's consultation and recommendation process, and the regular updating of standards.

### Accessibility Advisory Council (sections 13-17)

- Continues the council's role in advising the minister, outlines member appointments, and details the establishment of committees and departmental support.

### Records and Reporting (sections 18-19)

- Requires organizations to maintain accessibility records and mandates the minister to prepare and table an annual report on activities and council actions.

### Compliance and Enforcement (sections 20-32)

- Details compliance requirements, conflict resolution, appointment of a director and inspectors, inspection powers, and processes for orders, reviews, penalties, and appeals.

### Accessibility Reports by Public Sector Bodies (section 33)

- Defines public sector bodies and mandates the preparation and public availability of biennial accessibility plans, including consultation requirements.

### Offences (section 34)

- Lists offences related to non-compliance, false statements, and obstruction, and specifies penalties for individuals and corporate officers.

### Regulations (section 25)

# Expanding Access: Enrichments In Both Official Languages & Federal Materials

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 Long Summary Structured legal reasoning: facts, procedural history, issues, decisions Linked directly to relevant paragraphs

 Short Summary 2-3 sentence version for quick scanning Replaces keyword-based search snippets

 Meaningful Title Essence-based naming beyond party names Example: "Dismissal of Appeals: Evaluating Merit and Importance"

 Area of Law Classification Categorized into 50+ legal areas Filter and refine search results

 Representative Keywords Key concepts extracted per legal area Deeper indexing of secondary topics

## BILINGUAL ACCESS

- ✓ All enrichments in both official languages
- ✓ French summaries added to English-only documents
- ✓ English summaries for French-only documents (coming soon)  
→ First-ever French access to Saskatchewan law

## FEDERAL MATERIALS

- ✓ All enrichments extended to federal case law
- ✓ Consolidated federal legislation included

Searchable, understandable, and accessible in both official languages

# Tips, Tricks, and Tools

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Alan Kilpatrick

Co-Director, Legal Resources, Law Society of Saskatchewan

# Tips, Tricks, and Tools

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## Assess and choose the resource that best meets your needs

- With so many resources available in the digital era, it's an information jungle out there. How do you pick the best resource?
- A key part of your job as a legal researcher is to choose the most effective, efficient, and suitable resource/tool for your purposes and goals. Coverage and functionality vary.
- In what situations would you pick CanLII as your tool?

	CanLII	Lexis+	vLex	Westlaw
<b>Cost</b>	<b>Free to use</b>	Commercial	Commercial	Commercial
<b>Who?</b>	<b>Public</b>	Commercial	Commercial	Commercial
<b>Searchability</b>	<b>Comparable</b>	Comparable	Enhanced functionality	Comparable
<b>SK Legislation</b>	<b>Current &amp; Historical</b>	Current Only	None	Current Only
<b>SK Tribunals</b>	<b>Excellent</b>	Good	None	Poor
<b>Commentary</b>	<ul style="list-style-type: none"> <li><b>AI case and legislation summaries</b></li> <li><b>CanLII Connects case digests</b></li> <li><b>Growing collection of commentary</b></li> </ul>	<ul style="list-style-type: none"> <li>Case law headnotes</li> <li>Dictionaries</li> <li>Drafting materials</li> <li>Halsbury's Laws of Canada</li> <li>Legislative concordances</li> <li>Multiple eTexts &amp; commentary</li> <li>Practical guidance</li> <li>Quantums</li> </ul>	<ul style="list-style-type: none"> <li>Emond eBooks</li> <li>Irwin Law eBooks</li> <li>Legal news and blogs</li> <li>Selected journals</li> <li>Vincent AI</li> </ul>	<ul style="list-style-type: none"> <li>Articles &amp; newsletters</li> <li>Canadian Abridgment</li> <li>Canadian Encyclopedia Digest</li> <li>Case law digests</li> <li>Citing references</li> <li>Criminal Source, Employment Source, Estates Source, Family Source, Labour Source</li> <li>O'Brien's Forms</li> <li>Words &amp; Phrases</li> </ul>

# Tips, Tricks, and Tools

## Use Boolean search operators

Search all databases

Document text

Case name

Note

Print

Canada

British

Alberta

Saskat

Manito

Com

Books,

CanLII

2025-1

2025-1

2025-11-1

2025-11-15

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

### Find

### Operator (case sensitive)

### Example

This exact **phrase**

""

"R. v. Douglas"

All these words

AND, and, no operator

permit hunting

Any of these words

OR, or

city or municipality

None of these unwanted words

NOT

custody NOT child

Words within the same **paragraph**

/p

levy /p probate

Words within the same **sentence**

/s

tax /s income

Words within **n** words

/n

letter /5 credit

Exclude **plurals** and **derivatives**

EXACT(), exact()

exact(translator)

For an introduction to CanLII's search, please review our [help page](#) and [videos](#).



ness, 2025 ONSC

News 

The CanLII Blog

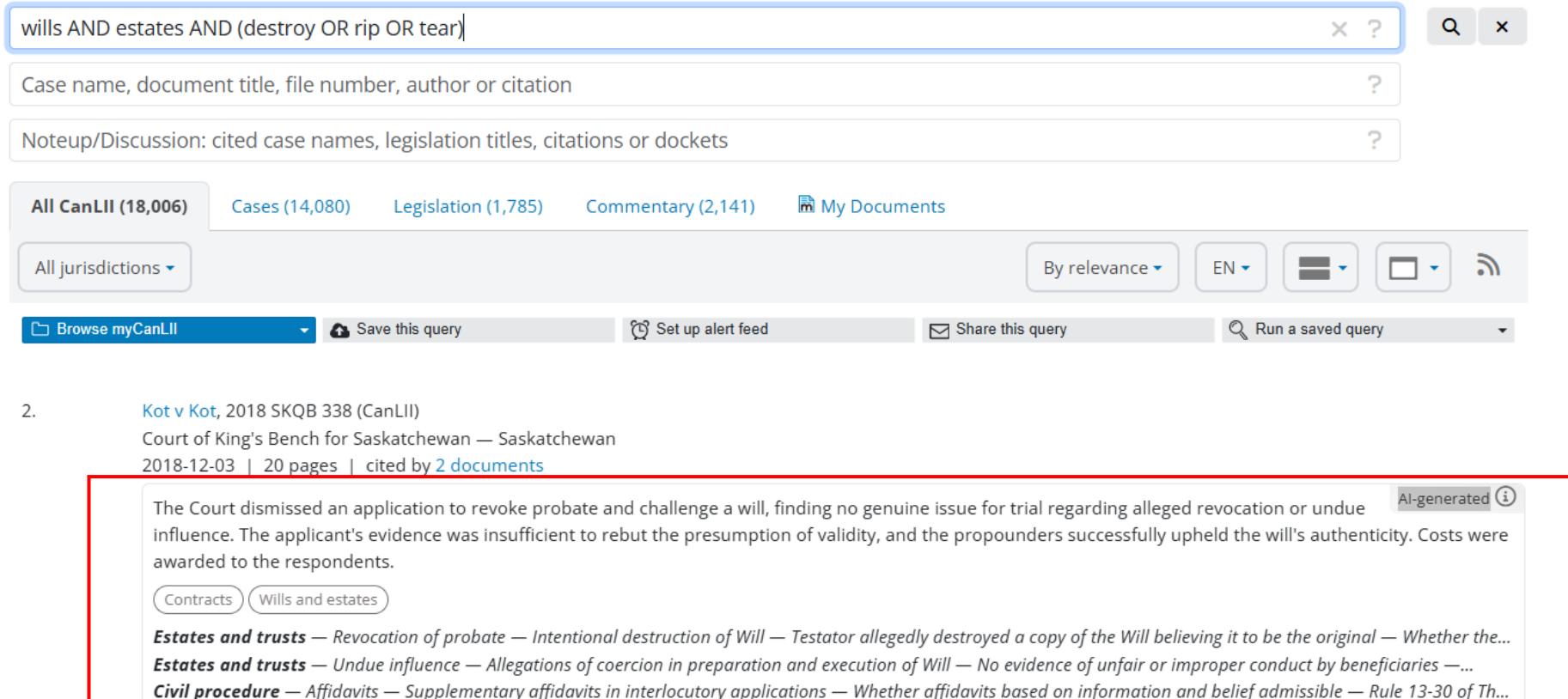
2025-11-05

What's Hot on CanLII  October 2025

Quick Survey 

# Tips, Tricks, and Tools

## Use the automatic subject classification



The screenshot shows the CanLII search interface with the following search query in the main search bar: "wills AND estates AND (destroy OR rip OR tear)". Below the search bar are three dropdown menus: "Case name, document title, file number, author or citation", "Noteup/Discussion: cited case names, legislation titles, citations or dockets", and a help icon. The search results are filtered by "All CanLII (18,006)". The results list includes:

2. [Kot v Kot](#), 2018 SKQB 338 (CanLII)  
Court of King's Bench for Saskatchewan — Saskatchewan  
2018-12-03 | 20 pages | cited by 2 documents  
The Court dismissed an application to revoke probate and challenge a will, finding no genuine issue for trial regarding alleged revocation or undue influence. The applicant's evidence was insufficient to rebut the presumption of validity, and the propounders successfully upheld the will's authenticity. Costs were awarded to the respondents.  
Contracts | Wills and estates  
**Estates and trusts** — *Revocation of probate — Intentional destruction of Will — Testator allegedly destroyed a copy of the Will believing it to be the original — Whether the...*  
**Estates and trusts** — *Undue influence — Allegations of coercion in preparation and execution of Will — No evidence of unfair or improper conduct by beneficiaries —...*  
**Civil procedure** — *Affidavits — Supplementary affidavits in interlocutory applications — Whether affidavits based on information and belief admissible — Rule 13-30 of Th...*
3. [Profitt v. Birt and Birt & McNeill Barristers and Solicitors](#), 2021 PESC 48 (CanLII)  
Supreme Court of Prince Edward Island — Prince Edward Island

At the bottom of the search results, there is a note: "[...] In addition, she implicitly seeks an order for proof of the **Will** in solemn form, pursuant to Rule 16-48. [4] Ronda asserts that the **Will** she presented for probate was not Sheridan's last **will** and testament, as he had revoked the **Will** by **destroying** it just prior to his death. [...] She told the **estate** lawyer that Sheridan **ripped** up the copy of the **Will** "intending to revoke it and make a new **will**". [...]

Below the note are "Show more" and "More options" buttons.

# Tips, Tricks, and Tools

## Use the automatic subject classification

wills and estates and (destroy or rip or tear) x ? Search Clear

Case name, document title, file number, author or citation ?

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

All CanLII (18,007) Cases (14,081) Legislation (1,785) Commentary (2,141) My Documents

All jurisdictions ▼ All courts and tribunals ▼ Any date ▼ All subjects ▼ By relevance EN ≡ Print RSS

Browse myCanLII Save this query

2. **Kot v Kot**, 2018 SKQB 338 (CanLII)  
Court of King's Bench for Saskatchewan — Saskatchewan  
2018-12-03 | 20 pages | cited by 2 documents

The Court dismissed an application to revoke probate influence. The applicant's evidence was insufficient to awarded to the respondents.

Contracts Wills and estates

**Estates and trusts — Revocation of probate — Intention** Creditors and debtors  
**Estates and trusts — Undue influence — Allegations of control** Criminal or statutory infractions  
**Civil procedure — Affidavits — Supplementary affidavits** Damages

Access to information and privacy 0  Defences 1  Negligence 24  
 Administrative remedies 8  Environment 2  Practice and procedure 97  
 Appeal 9  Evidence 29  Professions and occupations 4  
 Arbitration 3  Family 13  Property and trusts 99  
 Business 16  Guardianship 0  Public administration 8  
 Child custody and access 1  Health and safety 4  Residential tenancies 8  
 child protection 0  Indigenous peoples 17  Rights and freedoms 24  
 citizenship and immigration 1  Insurance 30  Search and seizure 4  
 Commerce and industry 49  Intellectual property 1  Sentencing 1  
 Constitution 54  International 2  Support and maintenance 1  
 Contracts 62  Interpretation 10  Taxation 35  
 Check all  Judicial review 4  Torts 19  
 ...  Labour and employment 3  Wills and estates 26  
 ...  Motor vehicles 1  Young offenders 0  
 ...  Municipalities 14

[...] In addition, she implicitly seeks an order for proof of the **will** in solemn form, pursuant to Rule 10-48. [4] Ronda asserts that the **will** she presented for probate was not Sheridan's last **will** and testament, as he had revoked the **Will** by **destroying** it just prior to his death. [...] She told the **estate** lawyer that Sheridan **ripped** up the copy of the **Will** "intending to revoke it and make a new **will**". [...]

Show more ▼ Cloud Alarm Email

3. **Profitt v. Birt and Birt & McNeill Barristers and Solicitors**, 2021 PESC 48 (CanLII)  
Supreme Court of Prince Edward Island — Prince Edward Island

# Tips, Tricks, and Tools

# Use MyCanLII

wills AND estates AND (destroy OR rip OR tear)

Case name, document title, file number, author or citation

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

All CanLII (18,006) Cases (14,080) Legislation (1,785) Commentary (2,141) My Documents

All jurisdictions ▾ By relevance ▾ EN ▾

Browse myCanLII Save this query Set up alert feed Share this query Run a saved query

2. [Kot v Kot, 2018 SKQB 37](#)  
Court of King's Bench  
2018-12-03 | 20 pa  
The Court dismissed the application for a declaration that the will was invalid on the ground that it was unduly influenced. The application was brought by the testator's son, who claimed that his mother had been unduly influenced by her lawyer, Sheridan, who had prepared the will. The Court found that there was no evidence of undue influence. The application was dismissed. The Court also awarded costs to the testator's son.  
Contracts Wills and Estates and trusts Estates and trusts Civil procedure —  
[...] In addition, she was not Sheridan's lawyer and he did not rip up the copy of the Will.

## MyCanLII

- A centralized workspace to organize and store your research
- Save cases, legislation, search queries, and search history
- Track when case law or legislation is cited

on or undue Al-generated (i) will's authenticity. Costs were be the original — Whether the... conduct by beneficiaries — admissible — Rule 13-30 of Th... ill she presented for probate e lawyer that Sheridan ripped

- A centralized workspace to organize and store your research
- Save cases, legislation, search queries, and search history
- Track when case law or legislation is cited

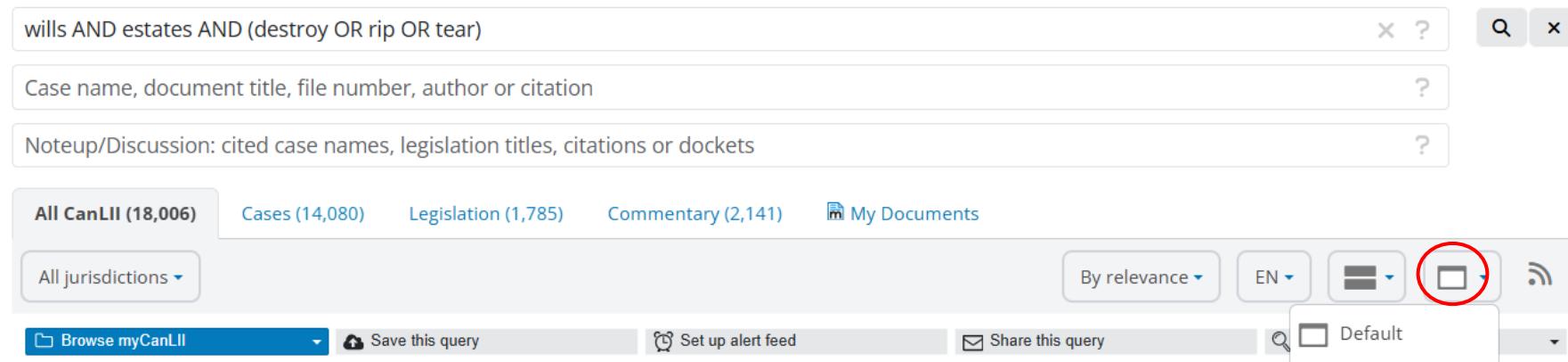
[...] In addition, she was not Sheridan's lawyer up the copy of the Will

Show more 

3. **Profit v. Birt and Birt & McNeill Barristers and Solicitors**, 2021 PESC 48 (CanLII)  
Supreme Court of Prince Edward Island — Prince Edward Island

# Tips, Tricks, and Tools

## Use the reading pane when reviewing results



The screenshot shows the CanLII search results for the query "wills AND estates AND (destroy OR rip OR tear)". The results are filtered by "All CanLII (18,006)". The "Reading Pane" option in the toolbar is highlighted with a red circle. The results list includes the case *Morton v. Christian* and *Kot v Kot*.

1. [Morton v. Christian](#), 2014 BCSC 1303 (CanLII)  
Supreme Court of British Columbia — British Columbia  
2014-07-14 | 19 pages | cited by 3 documents

Wills and estates

Wills and estates — Wills — Revocation — Validity

AI-generated 

[...] should rip your Will in half until you are able to finalize your new Will." [23] Ms. Iverson swears that she does not tell family law clients to simply destroy their wills unless they have told her they do not want their estranged spouse to inherit their estate and there is a concern that they may not have a new will [...] [32] So while I accept the evidence of Ms. Iverson and Ms. Buchanan as to what Mr. Christian said to them about ripping up or destroying his notarial will as evidence of his intentions toward that will at the time he made the statements attributed to him, I do not admit it to prove the fact of destruction. [...] In support of this assertion they rely on s. 14(1) (d) of Wills Act, R.S.B.C. 1996, c. 489 , and the evidence of what Mr. Christian said to Ms. Iverson and Ms. Buchanan about having "destroyed," or "ripped up," his will. [...]



2. [Kot v Kot](#), 2018 SKQB 338 (CanLII)  
Court of King's Bench for Saskatchewan — Saskatchewan  
2018-12-03 | 20 pages | cited by 2 documents

The Court dismissed an application to revoke probate and challenge a will, finding no genuine issue for trial regarding alleged revocation or undue

AI-generated 

Quick Survey 

# Tips, Tricks, and Tools

## Use the reading pane when reviewing results

wills AND estates AND (destroy OR rip OR tear) x ?

Case name, document title, file number, author or citation ?

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

All CanLII (18,006) Cases (14,080) Legislation (1,785) Commentary (2,141) My Documents (0)

All jurisdictions By relevance EN grid list rss

Browse myCanLII Save this query Set up alert feed Share this query Run a saved query

2. [Kot v Kot](#), 2018 SKQB 338 (CanLII)  
Court of King's Bench for Saskatchewan — Saskatchewan  
2018-12-03 | 20 pages | cited by 2 documents

The Court dismissed an application to revoke probate and challenge a will, finding no genuine issue for trial regarding alleged revocation or undue influence. The applicant's evidence was insufficient to rebut the presumption of validity, and the propounders successfully upheld the will's authenticity. Costs were awarded to the respondents.

Contracts Wills and estates

*Estates and trusts — Revocation of probate — Intentional...*  
*Estates and trusts — Undue influence — Allegations of coercion ...*  
*Civil procedure — Affidavits — Supplementary affidavits in...*

[...] In addition, she implicitly seeks an order for proof of the **Will** in solemn form, pursuant to Rule 16-48. [4] Ronda asserts that the **Will** she presented for probate was not Sheridan's last **will** and testament, as he had revoked the **Will** by **destroying** it just prior to his death. [...] She told the **estate** lawyer that Sheridan

wills estates destroy rip tear 0 of 187 up down edit

History 1 Treatment 2 99 Cited documents 18 CanLII Connects 1 AI analysis New!

### Kot v Kot, 2018 SKQB 338 (CanLII)

Date:	2018-12-03
File number:	QBG 993 of 2017
Other citation:	42 ETR (4th) 88
Citation:	Kot v Kot, 2018 SKQB 338 (CanLII), < <a href="https://canlii.ca/t/hwk40">https://canlii.ca/t/hwk40</a> >, retrieved on 2025-11-18

# Tips, Tricks, and Tools

## Take advantage of the AI/Human summaries

AI analysis by CanLII

History 1

Treatment 2

Cited documents 99

CanLII Connects 1

New!

AI analysis

English French

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Court Dismisses Application to Revoke Probate and Challenge Will Validity

Facts

- The case involves the estate of Sheridan Kot, who passed away on September 15, 2015, leaving a partially handwritten will dated August 4, 2014. The will named his wife Ronda and his two brothers, Robin and Claire, as executors. Ronda is now seeking to revoke the probate of the will, claiming Sheridan had revoked it by destroying it prior to his death. She also alleges undue influence in the preparation and execution of the will, as the other beneficiaries were present during these processes (paras 1-5, 13).

Procedural History

- [Not applicable or not found]

French Version PDF

7 SKQB 338 (CanLII), <<https://canlii.ca/t/hwk40>>, retrieved on 2025-11-18

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BENCH FOR SASKATCHEWAN

Citation: [2018 SKQB 338](#)

APPLICANT  
- and -  
FRANCIS KOT  
RESPONDENTS

# Tips, Tricks, and Tools

# Check out the jalapeno dicussion intensity

**Treatment**

History  
Citations 411  
Treatment 411  
Cited documents 26  
CanLI Connects 99  
AI analysis New!

**411** 85 3

**1. R v Emereuwa**, 2025 SKCA 83 (CanLII)   
Court of Appeal for Saskatchewan — Saskatchewan  
2025-09-03 | 42 pages | cited by 3 documents

The Court ruled that the offence of failing to provide a breath sample requires proof the accused intended to fail, not merely knowledge of the demand. The appeal was allowed, and a new trial was ordered due to the trial judge's application of an incorrect mens rea standard.

Criminal or statutory infractions

**Criminal procedure** — Appeals — Mens rea for...  
**Statutory interpretation** — Criminal Code — Mens...  
**Evidence** — Appeals — Sufficiency of evidence —...

[...] The first says the Crown must prove that the accused intentionally failed to provide a suitable sample (see **R v Lewko**, 2002 SKCA 121, 169 CCC (3d) 359). [...] In **Lewko**, this Court held that the Crown was required to prove the accused intended to fail to produce a sample in order to establish mens rea of the offence of failing to comply with a breath demand under s. 254(5) of the Criminal Code, which was the predecessor to s. 320.15(1). [...]

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so for a sufficient sample to be tested.

that during the testing he was sitting in the back seat of the police vehicle, directly behind Sgt. Carlson, and had to blow into the device which Sgt. Carlson was holding in the front seat of the vehicle. The appellant's knees were up 'ard to blow into the device in the front seat. This is consistent with the evidence of Sgt. Carlson. The accused also threatened and was "shaking like a leaf". There was no evidence to the contrary. He says that when, after the second threat he threatened to charge him with refusal to give a sample, he told the officer he was doing the best that he could and again. The officer did not deny this evidence, but said that he could not recall. [2001 SKQB 580]

testimony of Dr. Richardson, an expert on, among other things, the mechanics of breathing and on the ability to breathe.

s in a cramped position, such as you described, where there is a physical impairment or physical constriction on the to begin with, being hunched over, they would not be able to completely fill up their lungs. Their lungs would be – somewhat by the cramped attitude of their cramped configuration of their body, so that they would not be able to inspired if they were in a more upright, more freer physical configuration. Couple this cramped – the reduced lung volume the neural control of respiration of anxiety that results in the shallow rapid breathing, both factors would then be this person would not be expected to be able to inhale as much as they would in a different situation. They would not be as much as they would in a – in the normal situation, and that their breathing would be – not only would there be less but also it would be over a much shorter duration of time due to the anxiety.

Will this person's ability to simply breathe be affected?

sity, people tend to just breathe very shallowly and rapidly. Typically we do not define that as an impairment of the

Individual have difficulty blowing up a balloon, for example?

ed that the – the force of blowing out in a cramped position in someone whose neural system is primed by anxiety hollowly and rapidly plus the cramped – physical cramped position would suggest that that person would not be able to say that they would if they were in a different situation. [Transcript at pp. 91-92]

19 exchange between Dr. Richardson and the trial judge:

want to make sure I've got my notes right. Dr. Richardson, when you were questioned about the effect of - the ; on the body, you said that stress can make an individual breathe more shallow and more rapidly? That's correct?

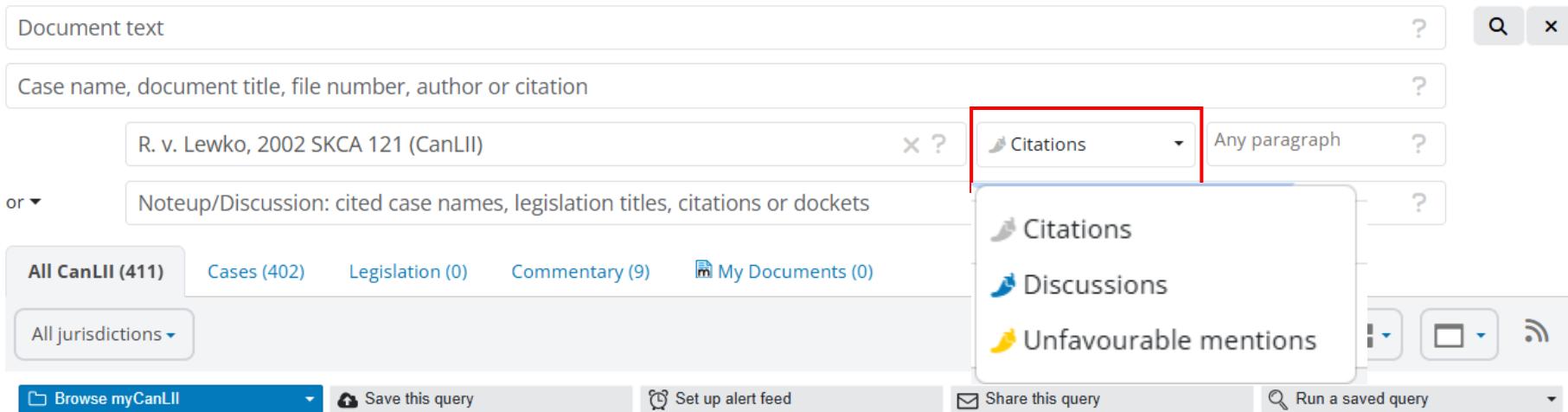
I would make it a little stronger than “can”.

10

– it would be – that it is expected that someone in – on an anxiety situation would be breathing rapidly and shallowly, an”.

# Tips, Tricks, and Tools

## Check out the jalapeno dicussion intensity



The screenshot shows the CanLII search interface. At the top, there are two input fields: 'Document text' and 'Case name, document title, file number, author or citation'. Below these is a search bar containing 'R. v. Lewko, 2002 SKCA 121 (CanLII)'. To the right of the search bar is a dropdown menu with the option 'Citations' selected, indicated by a red box. Other options in the dropdown are 'Discussions' and 'Unfavourable mentions'. Below the search bar are several navigation links: 'All CanLII (411)', 'Cases (402)', 'Legislation (0)', 'Commentary (9)', 'My Documents (0)', and 'All jurisdictions'. At the bottom of the interface are buttons for 'Browse myCanLII', 'Save this query', 'Set up alert feed', 'Share this query', and 'Run a saved query'.

1. **R v Emereuwa, 2025 SKCA 83 (CanLII)**   
Court of Appeal for Saskatchewan — Saskatchewan  
2025-09-03 | 42 pages | cited by 3 documents  

The Court ruled that the offence of failing to provide a breath sample requires proof the accused intended to fail, not merely knowledge of the demand. The appeal was allowed, and a new trial was ordered due to the trial judge's application of an incorrect mens rea standard.

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Criminal or statutory infractions

**Criminal procedure** — Appeals — Mens rea for failing to comply with a breath demand — Whether the trial judge applied the correct mens rea standard under s. 320.15(1)...  
**Statutory interpretation** — Criminal Code — Mens rea — Interpretation of s. 320.15(1) — Whether the mens rea for failing to comply with a breath demand requires proo...  
**Evidence** — Appeals — Sufficiency of evidence — Whether the trial judge's findings supported a conviction under the correct mens rea standard — Trial judge's reliance on...

[...] The first says the Crown must prove that the accused intentionally failed to provide a suitable sample (see **R v Lewko, 2002 SKCA 121, 169 CCC (3d) 359** ).  
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# Tips, Tricks, and Tools

## Use the paragraph and heatmap functionality



History



Treatment



26

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documents



1

CanLII

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enough into the testing device for a sufficient sample to be tested.

[3] The appellant testified that during the testing he was sitting in the back seat of the police vehicle, directly behind Sgt. Carlson, and had to lean forward and to the right to blow into the device which Sgt. Carlson was holding in the front seat of the vehicle. The appellant's knees were up to his chest as he leaned forward to blow into the device in the front seat. This is consistent with the evidence of Sgt. Carlson. The accused also testified that he was very frightened and was "shaking like a leaf". There was no evidence to the contrary. He says that when, after the second failed attempt, the police officer threatened to charge him with refusal to give a sample, he told the officer he was doing the best that he could and asked for the chance to try again. The officer did not deny this evidence, but said that he could not recall. [2001 SKQB 580]

### Paragraph 9, Citing documents (63)

[9] The elements of the offence that the Crown must prove beyond a reasonable doubt are three. First, the Crown must prove the existence of a demand having the requirements of one of the three types mentioned in ss. (2) and (3). Second, the Crown must prove a failure or refusal by the defendant to produce the required sample of breath or the required sample of blood (the *actus reus*). Third, the Crown must prove that the defendant intended to produce that failure (the *mens rea*).

A . . . In volume of the lung would be to – as much of the cramped contributing to be able, therefore, volume inhaled

Q All right

A Well, anxiety – in anxiety, people tend to just breathe very shallowly and rapidly. Typically we do not define that as an impairment of the ability to breathe.

Q All right. Would this individual have difficulty blowing up a balloon, for example?

A That would be expected that the – the force of blowing out in a cramped position in someone whose neural system is primed by anxiety such that they are breathing shallowly and rapidly plus the cramped – physical cramped position would suggest that that person would not be able to blow up a balloon in the way that they would if they were in a different situation. [Transcript at pp. 91-92]

And she referred to the following exchange between Dr. Richardson and the trial judge:

THE COURT: I just want to make sure I've got my notes right. Dr. Richardson, when you were questioned about the effect of – the physiological effects of stress on the body, you said that stress can make an individual breathe more shallow and more rapidly? That's correct?

THE WITNESS: The – I would make it a little stronger than "can".

THE COURT: All right.

THE WITNESS: That it – it would be – that it is expected that someone in – on an anxiety situation would be breathing rapidly and shallowly, so it's – it's more than just "can".

# Tips, Tricks, and Tools

## Use the paragraph and heatmap functionality



History



Treatment



26

Cited documents



1

CanLII Connects



AI analysis

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[4] She then quoted from the testimony of Dr. Richardson, an expert on, among other things, the mechanics of breathing and on the effects of stress on a person's ability to breathe.

A . . . In someone who is in a cramped position, such as you described, where there is a physical impairment or physical constriction on the volume of their – the rib cage to begin with, being hunched over, they would not be able to completely fill up their lungs. Their lungs would be – lung would be compressed somewhat by the cramped attitude of their cramped configuration of their body, so that they would not be able to inspire to – as much air as they would if they were in a more upright, more freer physical configuration. Couple this cramped – the reduced lung volume of the cramped position plus the neural control of respiration of anxiety that results in the shallow rapid breathing, both factors would then be contributing to the fact that this person would not be expected to be able to inhale as much as they would in a different situation. They would not be able, therefore, to exhale as much as they would in a – in the normal situation, and that their breathing would be – not only would there be less volume inhaled and exhaled, but also it would be over a much shorter duration of time due to the anxiety.

Q All right. Then would this person's ability to simply breathe be affected?

A Well, anxiety – in anxiety, people tend to just breathe very shallowly and rapidly. Typically we do not define that as an impairment of the ability to breathe.

Q All right. Would this individual have difficulty blowing up a balloon, for example?

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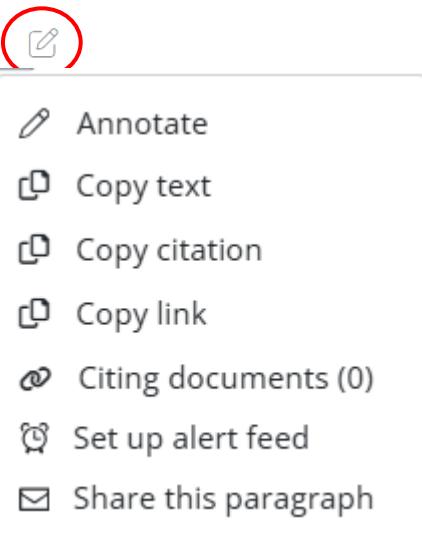
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THE COURT: All right.

THE WITNESS: That it – it would be – that it is expected that someone in – on an anxiety situation would be breathing rapidly and shallowly, so it's – it's more than just "can".



# Search Scenario

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Ken Fox

Co-Director, Legal Resources, Law Society of Saskatchewan

Children live with parent A, who works M-F. Parenting schedule is based on Parent B's shift-work schedule. The result is instability for the child and custodial parent, as parenting time is not coordinated to parent's work schedule. Would the current law in Saskatchewan support a change to this arrangement?

custody access

x?



Case name, document title, file number, author or citation

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

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All CanLII (73,116)

Cases (64,711)

Legislation (3,581)

Commentary (4,824)

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1.

[The Silent Child: A Quantitative Analysis of Children's Evidence in Canadian \*\*Custody\*\* and \*\*Access\*\* Cases](#), 2010 CanLII Docs 398

Noel Semple – [Source not specified]

35 pages | cited by [2 documents](#)*custody and access — sample — preferences — evidence*[Evidence and procedure](#) [Family](#)

[...] A few have claimed that it is simply not necessary in order to do justice in **custody** or **access** disputes, 24 or that it is incompatible with our adversary civil justice system. 25 However the more common argument acknowledges the potential benefits but claims 18 United Nations Convention on the Rights of the Child, art. 12. [...] in **Custody** Decisions: Science, Psychological Tests, and Clinical Judgment" (2002) 36 Fam. L.Q. 135; Timothy M. Tippins & Jeffrey P. Wittmann, "Empirical and Ethical Problems with **Custody** Recommendations" (2005) 43 Fam. Ct. Rev. 193; Rachel Birnbaum, Barbara Jo Fidler & Katherine Kavassalis, Child **custody** [...] most contested **custody** and **access** cases." 52 A number of scholars have observed that direct evidence from children is rarely present in **custody** and **access** disputes, either in the form of judicial interview or open testimony of the child. 53 Renée Joyal and Anne Queniat reviewed 300 Quebec **custody** and **access** cases from the [...]

custody access x?Case name, document title, file number, author or citation ?Noteup/Discussion: cited case names, legislation titles, citations or docket ?[All CanLII \(73,141\)](#)[Cases \(64,711\)](#)[Legislation \(3,581\)](#)[Commentary \(4,849\)](#)[My Documents](#)[All jurisdictions ▾](#)[All legislation ▾](#)[All versions ▾](#)[By relevance ▾](#)**lexbox**[Save this query](#)[Set up alert feed](#)[Email this query](#)[Run a saved query](#)[Browse Lexbox](#)1. [Children's Law Act, RSNL 1990, c C-13](#)[7 older versions...](#)

Consolidated Statutes of Newfoundland and Labrador — Newfoundland and Labrador

57 pages | cited by [127 documents](#)2. [The Children's Law Act, 1997, SS 1997, c C-8.2, \[Repealed or spent\]](#)Replaced by : [Children's Law Act, 2020](#)[9 older versions...](#)

Consolidated Statutes of Saskatchewan — Saskatchewan

35 pages | cited by [737 documents](#)

custody access

x?

Case name, document title, file number, author or citation

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Noteup/Discussion: cited case names, legislation titles, citations or docket

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All CanLII (4,783)

Cases (4,228)

Legislation (555)

Commentary (0)

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<input type="checkbox"/> Quebec	339
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1.

[The Children's Law Act, 1997, ss 1997, c C-8.2, \[Repealed or spent\]](#)

Replaced by : [Children's Law Act, 2020](#)

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Consolidated Statutes of Saskatchewan — Saskatchewan

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2.

[The Children's Law Act, ss 1990-91, c C-8.1, \[Repealed or spent\]](#)

Replaced by : [Children's Law Act, 1997](#)

Consolidated Statutes of Saskatchewan — Saskatchewan

38 pages | cited by [92 documents](#)

[...] 2 c. C-8.1 CHILDREN'S LAW Table of Contents PART I Short title and interpretation 1 Short title 2 Interpretation PART III **Custody** and **Access** 3 Joint legal custodians 4 Disposition of **custody** 5 Declaratory order 6 **Custody** or **access** application 7 Notice of application 8 Conditions for **custody** order 9 Conditions for **access** [...] **custody** or **access**; (b) the applicant for **custody** or **access** shall serve the director with notice of the application for **custody** or **access**; and (c) the minister responsible for the administration of that Act is not to be joined as a party to the proceedings for **custody** or **access** unless that minister applies to be so joined. [...] **custody** of or subject to **access** by the person entitled to **custody** or **access** pursuant to the **custody** order; (ii) is returned to the **custody** of the person entitled to **custody** pursuant to the **custody** order; or (iii) is removed from Saskatchewan; or (c) is satisfied that the extra-provincial tribunal that made the **custody** [...]



5.

[The Children's Law Act, 1997, SS 1997, c C-8.2](#)

Annual Statutes of Saskatchewan — Saskatchewan

60 pages | cited by [9 documents](#)

[...] **Custody** of, **Access** to and Guardianship of Property of Children, Child Status and Parentage and Related Matters TABLE OF CONTENTS PART I Short Title and Interpretation 1 Short title 2 Interpretation PART II **Custody** and **Access** 3 Joint legal custodians 4 Disposition of **custody** 5 Declaratory order 6 **Custody** or **access** [...] court with respect to **custody** or **access**; (b) the applicant for **custody** or **access** shall serve the director with notice of the application for **custody** or **access**; and (c) the minister responsible for the administration of that Act is not to be joined as a party to the proceedings for **custody** or **access** unless that minister [...] **custody** of or subject to **access** by the person entitled to **custody** or **access** pursuant to the **custody** order; (ii) is returned to the **custody** of the person entitled to **custody** pursuant to the **custody** order; or (iii) is removed from Saskatchewan; or (c) is satisfied that the extra-provincial tribunal that made the **custody** [...]



6.

[The Children's Law Act, SS 1990-91, c C-8.1](#)

Annual Statutes of Saskatchewan — Saskatchewan

36 pages | cited by [33 documents](#)

[...] **custody** or **access**; (b) the applicant for **custody** or **access** shall serve the director with notice of the application for **custody** or **access**; and (c) the minister responsible for the administration of that Act is not to be joined as a party to the proceedings for **custody** or **access** unless that minister applies to be so joined. [...] **custody** of or subject to **access** by the person entitled to **custody** or **access** pursuant to the **custody** order; (ii) is returned to the **custody** of the person entitled to **custody** pursuant to the **custody** order; or (iii) is removed from Saskatchewan; or (c) is satisfied that the extra-provincial tribunal that made the **custody** [...] **Custody** and **Access** Enforcement Interpretation of Part 22 In this Part: "**access**" (a) "**access**" means **access** to a child at specific times or on specific dates; "agreement" (b) "agreement" means an agreement that is enforceable under the laws of the jurisdiction in which it was made and that includes a provision for **custody** [...]

1.

[The Children's Law Act, 1997](#), ss 1997, c C-8.2, [Repealed or spent]

Replaced by [Children's Law Act, 2020](#)

[9 older versions...](#)

Consolidated Statutes of Saskatchewan — Saskatchewan

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2.

[The Children's Law Act](#), ss 1990-91, c C-8.1, [Repealed or spent]

Replaced by : [Children's Law Act, 1997](#)

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[...] 2 c. C-8.1 CHILDREN'S LAW Table of Contents PART I Short title and interpretation 1 Short title 2 Interpretation PART III **Custody** and **Access** 3 Joint legal custodians 4 Disposition of **custody** 5 Declaratory order 6 **Custody** or **access** application 7 Notice of application 8 Conditions for **custody** order 9 Conditions for **access** [...] **custody** or **access**; (b) the applicant for **custody** or **access** shall serve the director with notice of the application for **custody** or **access**; and (c) the minister responsible for the administration of that Act is not to be joined as a party to the proceedings for **custody** or **access** unless that minister applies to be so joined. [...] **custody** of or subject to **access** by the person entitled to **custody** or **access** pursuant to the **custody** order; (ii) is returned to the **custody** of the person entitled to **custody** pursuant to the **custody** order; or (iii) is removed from Saskatchewan; or (c) is satisfied that the extra-provincial tribunal that made the **custody** [...]



custody access

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children's law

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Noteup/Discussion: cited case names, legislation titles, citations or docket

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All CanLII (4,783)

Cases (4,228)

Legislation (555)

Commentary (0)

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1. [The Children's Law Act, 1997](#), SS 1997, c C-8.2, [Repealed or spent]

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2. [The Children's Law Act](#), SS 1990-91, c C-8.1, [Repealed or spent]

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6.

[Children's Law Act, 2020](#), SS 2020, c 2

Consolidated Statutes of Saskatchewan — Saskatchewan

52 pages | cited by [83 documents](#)

[...] if child unlawfully withheld 40 Application to prevent wrongful removal or to order return of child 41 Enforcement of parenting time 42 Payment of expenses 43 **Access** to information 44 Contempt of court PART 6 Guardianship of the Property of a Child 45 Joint guardianship 46 Conditions for guardianship order 47 Guardian's [...] (c) must not make a determination that affects any of the following: (i) the allocation of decision-making responsibility; (ii) the granting of parenting time to a person who does not already have **access** to the child; [...] (2) For the purposes of subsection (1), a person's decision-making responsibility or parenting time with respect to a child pursuant to this Act is as described in the order or agreement respecting **custody, access** or both made pursuant to the former Act. [...]



7.

The [Children's Law Act, 2020](#), SS 2020, c 2

Annual Statutes of Saskatchewan — Saskatchewan

108 pages | cited by [24 documents](#)

[...] (6) The keeper of the prison and all other persons whose duty it is to receive the person to be committed into **custody** are authorized and required to: [...] (a) receive the person to be committed into **custody**; and (b) carry out and execute the order. [...] (2) For the purposes of subsection (1), a person's decision-making responsibility or parenting time with respect to a child pursuant to this Act is as described in the order or agreement respecting **custody, access** or both made pursuant to the former Act. [...]

Children's Law Act, 2020, SS 2020, c 2 [RSS](#)[Document](#)[Versions \(1\)](#)[Regulations \(1\)](#)[Amendments \(0\)](#)[Cited by \(83\)](#)[PDF](#) [TXT](#)**This statute replaces SS 1997, c C-8.2.**

Current version: in force since Mar 1, 2021

Link to the latest version [?](#):<https://canlii.ca/t/b5ln>Stable link to this version [?](#):<https://canlii.ca/t/54x3k>

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Children's Law Act, 2020, SS 2020, c 2, <<https://canlii.ca/t/54x3k>> retrieved on 2022-10-11

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Children's Law Act, 2020, SS 2020, c 2 [Document](#)[Versions \(1\)](#)[Regulations \(1\)](#)[Amendments \(0\)](#)[Cited by \(83\)](#)[!\[\]\(4985bbc5724fd585b9db1db8fcf4821a\_img.jpg\) PDF](#) [!\[\]\(3e88bed46ef86323ee5a4623a9940953\_img.jpg\) TXT](#)

**This statute replaces SS 1997, c C-8.2.**

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**Transitional – decision-making responsibility and parenting time**

**82(1)** Unless the court orders otherwise, on the coming into force of this Act:

(a) a person who has legal custody of a child is deemed to be the child's legal decision-maker pursuant to this Act; and

(b) a person who has access to a child by virtue of an order or agreement made pursuant to the former Act is deemed to be a person to whom parenting time has been granted with respect to the child pursuant to this Act.

(2) For the purposes of subsection (1), a person's decision-making responsibility or parenting time with respect to a child pursuant to this Act is as described in the order or agreement respecting **custody**, **access** or both made pursuant to the former Act.

(3) A person who is deemed pursuant to subsection (1) to be a child's legal decision-maker or to have been granted parenting time with respect to a child is not required to give notice pursuant to section 13 if a custody order to which the person is a party specifies that no notice is required respecting a change in residence or a relocation by the person or a child to whom the order relates.

**PART 2**  
**Decision-making Responsibility and Parenting Time**

**Joint legal decision-makers**

- 3(1) Unless otherwise ordered by the court and subject to subsection (2) and any agreement pursuant to subsection (3), the parents of a child are joint legal decision-makers for the child, with equal powers and responsibilities.
- (2) If the parents of a child have never cohabited after the birth of the child, the parent with whom the child resides is sole legal decision-maker for the child.
- (3) The parents of a child may enter into an agreement that may:
  - (a) vary their status as joint legal decision-makers for the child;
  - (b) specify the powers and responsibilities of each parent with respect to the child;
  - (c) provide for parenting time with respect to the child by a parent or any other person;
  - (d) authorize one of the parents to appoint, by written instrument, one or more other persons as the child's legal decision-maker for:
    - (i) any time specified in the instrument during the child's minority; or
    - (ii) the duration of the child's minority; and
  - (e) provide for the decision-making responsibility with respect to the child after the death of either parent.
- (4) This section applies if the child is habitually resident in Saskatchewan.

**Parenting order**

8(1) Notwithstanding sections 3 to 5, on the application of a parent or other person having, in the court's opinion, a sufficient interest, the court may, by order:

- (a) appoint one or more persons as a child's legal decision-maker, and, if applicable, determine the sharing and division of decision-making responsibility;
- (b) **grant parenting time** with respect to a child to one or more persons;
- (c) determine any aspect that is incidental to exercising decision-making responsibility or parenting time;
- (d) authorize or prohibit the relocation of a child in accordance with sections 13 to 17; and
- (e) make any additional order that the court considers necessary and proper in the circumstances.

**Best interests of child**

**10(1)** In making, varying or rescinding a parenting order, the court shall take into consideration only the best interests of the child.

(2) A parenting order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

(3) In determining the best interests of a child, the court shall consider all factors related to the circumstances of the child, including:

(a) the child's needs, given the child's age and stage of development, such as the child's need for stability;

(b) the nature and strength of the child's relationship with each parent, each of the child's siblings and grandparents and any other person who plays an important role in the child's life;

(c) each parent's willingness to support the development and maintenance of the child's relationship with the other parent;

(d) the history of care of the child;

(e) the child's views and preferences, by giving due weight to the child's age and maturity, unless they cannot be ascertained;

(f) the child's cultural, linguistic, religious and spiritual upbringing and heritage, including Indigenous upbringing and heritage;

(g) any plans for the child's care;

(h) the ability and willingness of each person with respect to whom the parenting order would apply to care for and meet the needs of the child;

(i) the ability and willingness of each person with respect to whom the parenting order would apply to communicate and cooperate, in particular with one another, on matters affecting the child;

(j) any family violence and its impact on, among other things:

(i) the ability and willingness of any person who engaged in the family violence to care for and meet the needs of the child; and

(ii) the appropriateness of making a parenting order that would require persons with respect to whom the parenting order would apply to cooperate on issues affecting the child; and

(k) any civil or criminal proceeding, order, condition or measure that is relevant to the safety, security and well-being of the child.

**Best interests of child**

**10(1)** In making, varying or rescinding a parenting order, the court shall take into consideration only the best interests of the child.

(2) A parenting order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

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- (f) the child's cultural, linguistic, religious and spiritual upbringing and heritage, including Indigenous upbringing and heritage;
- (g) any plans for the child's care;

"child's need for stability"

X?



Case name, document title, file number, author or citation

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1. Under The **Child and Family Services Act** and In The Matter of K.M., 2022 SKQB 4

Court of King's Bench for Saskatchewan — Saskatchewan

2022-01-06 | 12 pages

*child — best interests — care — cultural — belongs*

Child protection Family

[...] (b) The child's needs, given the child's age and stage of development, such as the **child's need for stability**; [...] The child's needs, given the child's age and stage of development, such as the **child's need for stability**; (Act s 10(3)(b)) [...] The child's needs, given the child's age and stage of development, such as the **child's need for stability**; (Act s 10(3)(b)) [...]



"child's need for stability" "children's law act"



Case name, document title, file number, author or citation



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1. [S.M. v A.P.R.C](#), 2021 SKCA 162

Court of Appeal for Saskatchewan — Saskatchewan

2021-12-10 | 14 pages

*child — parenting — interim — stay — best interests*

Appeal Custody and access Family Practice and procedure

[...] Because the parties were not able to reach agreement at mediation, Andre made application pursuant to The **Children's Law Act**, 1997, SS 1997, c C-8.2 , for relief that included orders that: (a) the child is to be relocated to Nova Scotia to reside primarily with him; (b) Shantel and Alexandria are to have reasonable access [...] He refers to "the **child's need for stability**". He says that, given the applicable standard of review, it is likely that the Chambers Decision will be upheld and a "**child's need for stability** suggests that, absent an overarching reason not to, the automatic stay of execution on an interim parenting order should be lifted". [...] For this reason, I do not find persuasive Andre's argument that is grounded in what he has referred to as "the **child's need for stability**". [...]

"child's need for stability" "children's law act"

Case name, document title, file number, author or citation

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Appeal Custody and access Family Practice and procedure

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- Sort by most cited
- Sort by court level
- Sort by most pages



[...] Because the parties were not able to reach agreement at mediation, Andre made application pursuant to The **Children's Law Act**, s. 8.2, for relief that included orders that: (a) the child is to be relocated to Nova Scotia to reside primarily with him; (b) Shantel and Alex have reasonable access [...] He refers to "the **child's need for stability**". He says that, given the applicable standard of review, it is likely that the decision will be upheld and a "**child's need for stability**" suggests that, absent an overarching reason not to, the automatic stay of execution of the parenting order should be lifted". [...] For this reason, I do not find Andre's argument that is grounded in what he has referred to as "**child's need for stability**". [...]

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[...] Because the parties were not 8.2 , for relief that included orders reasonable access [...] He refers Decision will be upheld and a “**child** parenting order should be lifted”. **child's need for stability**”. [...]

✓ Any decision date 25

Last week 0

Last three months 3

Last year 13

Last three years 25

Last ten years 25

Decision date is

Decision date between

and

"child's need for stability" "children's law act" ("shift work" OR "work shift")

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Suggestions:

- Make sure all words are spelled correctly.
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- Try more general keywords.
- If you have used boolean syntax, check that it is valid.

"child's need for stability" "children's law act" schedule

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*child — parenting — interim — stay — best interests*

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# Concluding Comments

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Brenda Alm

Manager, Partnerships and Content, CanLII

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Before we go any further, we would like to thank [Érika Bergeron-Drolet](#), [Olivier Charbonneau](#) and [Kim Nayyer](#) who provided valuable feedback and insight throughout the development of this program.

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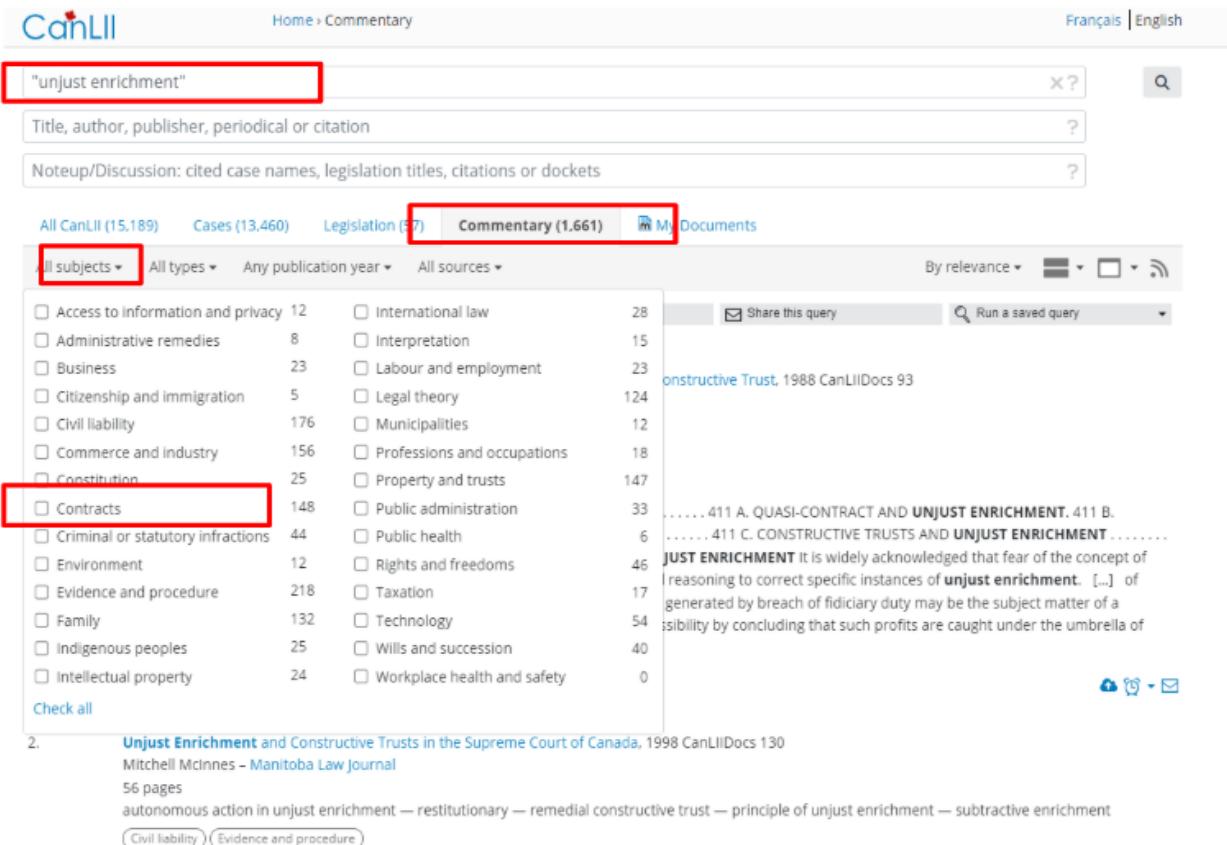
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## Find Relevant Expert Analysis

- Enter terms in “Document text” box

## How to Narrow Results:

- Type keywords
- Click “Commentary” tab
- Click “All subjects”
- Select subject area



The screenshot shows the CanLII search interface. The search bar at the top contains the query "unjust enrichment". Below the search bar are three input fields: "Title, author, publisher, periodical or citation" and "Noteup/Discussion: cited case names, legislation titles, citations or dockets". The search results are displayed in a grid format. At the top of the results, there are tabs for "All CanLII (15,189)", "Cases (13,460)", "Legislation (57)", "Commentary (1,661)", and "My Documents". The "Commentary (1,661)" tab is selected. Below the tabs are filters for "All subjects", "All types", "Any publication year", and "All sources". The results grid shows various legal subjects with their counts: Access to information and privacy (12), International law (28), Administrative remedies (8), Interpretation (15), Business (23), Labour and employment (23), Citizenship and immigration (5), Legal theory (124), Civil liability (176), Municipalities (12), Commerce and industry (156), Professions and occupations (18), Constitution (25), Property and trusts (147), Contracts (148), Public administration (33), Criminal or statutory infractions (44), Public health (6), Environment (12), Rights and freedoms (46), Evidence and procedure (218), Taxation (17), Family (132), Technology (54), Indigenous peoples (25), Wills and succession (40), Intellectual property (24), and Workplace health and safety (0). A red box highlights the "Contracts" subject. On the right side of the results, there is a snippet of text from an article: "..... 411 A. QUASI-CONTRACT AND UNJUST ENRICHMENT. 411 B. .... 411 C. CONSTRUCTIVE TRUSTS AND UNJUST ENRICHMENT..... JUST ENRICHMENT It is widely acknowledged that fear of the concept of reasoning to correct specific instances of unjust enrichment. [...] of generated by breach of fiduciary duty may be the subject matter of a sibility by concluding that such profits are caught under the umbrella of". Below the results, there are buttons for "Share this query" and "Run a saved query".

# More than primary law... CanLII Connects



The screenshot shows the CanLII Connects homepage. At the top, there is a navigation bar with links for EN, FR, and a search bar. Below the navigation is a banner with the text "Welcome to CanLII Connects!" and a background image of a classical building. The main content area displays several legal articles in a grid format. Each article includes a title, a brief description, the date, and author information. On the right side, there is a "FILTER BY" sidebar with dropdown menus for "Any types", "All jurisdictions", "All authors", "All publishers", and "Default sort".

**Supreme Court declares Indigenous child and family services law unconstitutional**

Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 SCC 5 (CanLII)

0 CONCURS 0 COMMENTS

by Brett Carlson, Lauren Daniel, Amanda Afeich, Isabelle Simard and Nadir André

Feb 16, 2024

**R. v. Suthakaran (AI Case Analysis)**

R. v. Suthakaran, 2024 ONCA 50 (CanLII)

0 CONCURS

by CatLII — Lexum Lab

Feb 16, 2024

**Steinlauf v. Deol (AI Case Analysis)**

Steinlauf v. Deol, 2022 BCCA 96 (CanLII)

0 CONCURS

by CatLII — Lexum Lab

Feb 15, 2024

**Exploring Workplace Rights and Responsibilities: The Case of ...**

Greenfirst Forest Products Inc. v. United Steelworkers Local 1-2010, 2023 CanLII 103261 (ON LA)

0 CONCURS 0 COMMENTS

by Andrew Monkhouse

Feb 14, 2024

**Bill 124: Wage restraint legislation confirmed unconstitutional...**

Ontario English Catholic Teachers Association v. Ontario (Attorney General), 2024 ONCA 101 (CanLII)

0 CONCURS

by Maddie Axelrod and Sara Karanxha

Feb 14, 2024

**Bill 124 ruled unconstitutional, and Arbitrator Kaplan awards...**

Ontario English Catholic Teachers Association v. Ontario (Attorney General), 2024 ONCA 101 (CanLII)

0 CONCURS 0 COMMENTS

by Callum Hutchinson, Labiba Chowdhury, John-Paul Alexandrowicz and Melissa L. Eldridge

Feb 14, 2024

# Will AI Replace Human Expertise?

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## What Makes Human Legal Expertise Irreplaceable

Professional judgment based on experience  
Critical analysis and strategic thinking  
Understanding of real-world legal implications  
Accountability and reputation at stake  
Contextual knowledge of evolving legal trends

## AI as a Tool

Helpful for processing and summarizing  
Cannot replace professional insight

## CanLII Commentary

Commentary by practicing lawyers and academics  
Analysis you can trust and rely upon  
Your contributions matter

# Questions?

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# Thank You

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