*Common Law Couples*

* Generally speaking, should the Law treat married and common law couples the same?
* How long should two people live together to be a common law couple?
  + Anishinabek Matrimonial Real Property Law – 1 year
  + GRFN’s Housing Policy – 2 years
  + Ontario *Family Law Act* – 3 years

*Domestic Contracts*

* Should couples be able to enter into agreements regarding how their property will be divided on the breakdown of the relationship?
* Should such agreements generally trump the rules in the Law?
* Should it matter when the agreement is made? That is, should couples be able to enter property division agreements before, during, and after the relationship?
* Should both common-law and married couples be able to enter such agreements?

*Division of Real Property / Compensation upon Relationship Breakdown*

* When a relationship ends, should each spouse be entitled to an interest in family-owned property?
  + Should this rule apply to both married and common law spouses?
* Where it isn’t possible to divide the home and/or land, should the spouse who has to move be entitled to compensation for their interest?
  + Should this kind of compensation be available to non-member spouses?
* When dividing property between spouses, should the starting point be that each spouse is entitled to an equal share in the property?
  + This would just be the starting point each spouses share could then be varied depending on certain factors.
* What property should be divided?
  + The family home?
    - What if the family home was acquired before the relationship or was gifted to or inherited by only one of the spouses?
  + Allotments (CP’s)?
  + Leases and other interests in land?
  + Other real (non-moveable property) acquired during the relationship that was not a gift or inheritance? What if it was a gift or inheritance?
  + Should the increase in value of property during the relationship always be divisible no matter when the property was acquired?
* Should the Court be able to transfer interests in reserve lands and family homes between two member spouses?
* Should the Court be able to order that an owner-spouse lease or rent the family home to the other spouse?

*Exclusive Occupation Orders*

* Should it be possible for one spouse to be granted the exclusive right to occupy the family home for a fixed period of time?
  + Normally the spouse would be granted exclusive occupation to raise children.
  + If yes, should this be possible for both married and common-law spouses?
  + What about for non-member spouses?
    - If so, does there have to be children?
      * Does the non-member spouse have to be the primary caregiver for children?
      * Do the children have to be members?
* Should the spouse that loses their right to live in the home be compensated?
* Should both spouses be able to apply to have the order varied?
  + For instance, if it becomes clear that the occupation order needs to be for a longer duration in order to raise the children of the marriage should the spouse be able to apply to have the time period increased?

*Emergency Protection Orders*

* Should it be possible for a spouse to be given short term exclusive occupation of a home in situations of domestic violence?
  + If so, should this apply to all on-reserve homes, including band-owned rentals?
* Should such orders be available even if neither spouse is a member?
* What should the maximum length of such orders be?
  + The AANDC Law provides for a maximum of 90 days with the possibility of an extension

*Estates*

* Should the law provide certain rights to spouses if their spouse dies?
  + For instance, should the surviving spouse have an automatic right to remain in the house for a period of time?
    - Under the AANDC Law the surviving spouse automatically gets to occupy for 180 days following the death of their spouse

*Dispute Resolution*

* Should the law encourage or require spouses to attempt alternative dispute resolution prior to adjudicating their issues?
  + If so, what sorts of methods should be encouraged or required?
* Where should spouses go for formal resolution if alternative dispute resolution does not work? The Anishinabek Tribunal and/or the Courts?
* Do you want GRFN to be notified whenever a matter is going to the Tribunal and/or Court?
  + Should GRFN be able to present the community perspective to the Court?
* Should spouses have to bring their claims within a certain period of time after the relationship ends? If so, what should the time limits be?

*Miscellaneous*

* What should the procedure be for amending the Law once it is adopted?
* Should there be any offences and penalties in the Law?
* Do you want an introductory statement in your Law or a provision stating its purpose? If so, do you have any suggestions on what should be included in the introductory statement?
* Idea’s on the Law’s title?