



Spousal Maintenance – Some Essential Facts

- There is no automatic right to spousal maintenance upon separation.
- If a party is unable to inadequately support themselves, and if the other party has the capacity to contribute to the other party's support, then the Court can make Orders for one party to pay spousal maintenance to the other.
- Typically, such spousal maintenance payments are periodic in nature (weekly or monthly) and for a limited time.
- The purpose of such spousal maintenance payments is usually to enable the other party to retrain and/or reenter the workforce so that they can earn an income to adequately support themselves.
- In some circumstances spousal maintenance can be awarded on a lump sum basis.
- If you are separated from a de facto relationship, you only have two years after separation to file an application for maintenance from your ex-partner and if you are divorced, you only have 12 months from the date of your divorce to file an Application for spousal maintenance.