



CANLII TIPS & TRICKS

NOTING UP: METHOD 2


COURTHOUSE
LIBRARIES | BC

SCENARIO

How do I find BC Court of Appeal cases that have cited Section 147 of the Family Law Act?

Use the Document Title Field

Document text ? Q

Family Law Act x?

- Q Family Law Act - Search CanLII
- 📄 **Family Law Act**, RSO 1990, c F.3
- 📄 **Family Law Act**, SBC 2011, c 25
- 📄 **Family Law Act**, SA 2003, c F-4.5
- 📄 **Family Law Act**, SA 2003, c F-4.5
- 📄 **Family Law Act**, RSNL 1990, c F-2

Press Enter to search

☐ 📡

COMMENTARY: The Document Title field will allow us to find a full text version of the Family Law Act.

Click on Show Table of Contents

Family Law Act, SBC 2011, c 25 

Document

Versions (11)

Regulations (2)

Amendments (0)

Citations (2,765)

Current version: in force since Feb 1, 2021

Link to the latest version 

<https://canlii.ca/t/8q3k>

Stable link to this version 

<https://canlii.ca/t/54wtd>


Citation to this version:


Family Law Act, SBC 2011, c 25, <<https://canlii.ca/t/54wtd>> retrieved on 2021-06-01


Currency:


This statute is current to 2021-05-18 according to the [BC Laws](#) site

lexbox

 Save this legislation

 Set up amendment alert

 Set up citation alert

 Email this legislation

 Browse Lexbox 

SHOW TABLE OF CONTENTS

COMMENTARY: Show Table of Contents will allow us to see all the parts of the Family Law Act as well as the range of sections included in each part.

Click on the Plus Symbol

CLOSE TABLE OF CONTENTS

- Expand All
- PART 1 — INTERPRETATION [1 - 3]**
- PART 2 — RESOLUTION OF FAMILY LAW DISPUTES [4 - 19.16]**
- PART 3 — PARENTAGE [20 - 36]**
- PART 4 — CARE OF AND TIME WITH CHILDREN [37 - 80]**
- PART 5 — PROPERTY DIVISION [81 - 109]**
- PART 6 — PENSION DIVISION [110 - 145]**
- PART 7 — CHILD AND SPOUSAL SUPPORT [146 - 174]**
- PART 8 — CHILDREN'S PROPERTY [175 - 181]**
- PART 9 — PROTECTION FROM FAMILY VIOLENCE [182 - 191]**
- PART 10 — COURT PROCESSES [192 - 234]**
- PART 11 — SEARCH OFFICERS [235 - 244]**
- PART 12 — REGULATIONS [245 - 249]**
- PART 13 — TRANSITIONAL PROVISIONS [250 - 256]**
- PART 14 — REPEALS, RELATED AMENDMENT AND CONSEQUENTIAL AMENDMENTS [482]**
- SCHEDULE**

COMMENTARY: The Table of Contents shows that Section 147 belongs to Part 7 – Child and Spousal Support. The fastest way to get to Section 147 is by clicking on the plus symbol beside Part 7. Doing so will allow us to see every section that belongs to Part 7 of the Family Law Act.

Click on the Section Number or Name

☐ **PART 7 — CHILD AND SPOUSAL SUPPORT [146 - 174]**





- 146 Definitions
- 147 Duty to provide support for child
- 148 Agreements respecting child support
- 149 Orders respecting child support
- 150 Determining child support
- 151 If parentage at issue
- 152 Changing, suspending or terminating orders respecting child support
- 153 Definitions
- 154 Establishment of child support service
- 155 Recalculation of child support
- 156 Correction of recalculation
- 157 Changing, suspending or terminating recalculated amounts
- 158 Information to be given to child support service
- 159 Notices
- 160 Duty to provide support for entitled spouse

COMMENTARY: Clicking on the link for either 147 or Duty to Provide Support for Child will take us to Section 147 of the Family Law Act.

Use the Speech Bubble to Note Up

Duty to provide support for child

- 147 (1) Each parent and guardian of a child has a duty to provide support for the child, unless the child
- (a) is a spouse, or
 - (b) is under 19 years of age and has voluntarily withdrawn from his or her parents' or guardians' charge, except if the child withdrew because of violence or because the child's circumstances were, considered objectively, intolerable.
- (2) If a child referred to in subsection (1) (b) returns to his or her parents' or guardians' charge, their duty to provide support for the child resumes.
- (3) If a guardian who is not the child's parent has a duty to provide support for that child, the guardian's duty is secondary to that of the child's parents.
- (4) A child's stepparent does not have a duty to provide support for the child unless
- (a) the stepparent contributed to the support of the child for at least one year, and
 - (b) a proceeding for an order under this Part, against the stepparent, is started within one year after the date the stepparent last contributed to the support of the child.
- (5) If a stepparent has a duty to provide support for a child under subsection (4), the stepparent's duty
- (a) is secondary to that of the child's parents and guardians, and
 - (b) extends only as appropriate on consideration of
 - (i) the standard of living experienced by the child during the relationship between the stepparent and his or her spouse, and
 - (ii) the length of time during which the child lived with the stepparent.

-  Copy text
-  Copy citation
-  Copy link
-  Citing documents (101)

101

COMMENTARY: The speech bubble will show us the number of documents that have cited Section 147. We can find those documents by clicking on Citing Documents.

Filter by Jurisdiction

All CanLII (102) Cases (98) Legislation (1) Commentary (3) My Documents

All jurisdictions ▾ By relevance ▾ [Menu] ▾ [Window] ▾ [RSS]

<input type="checkbox"/> Canada (Federal)	0
<input type="checkbox"/> British Columbia	99
<input type="checkbox"/> Alberta	0
<input type="checkbox"/> Saskatchewan	0
<input type="checkbox"/> Manitoba	0
<input type="checkbox"/> Ontario	0
<input type="checkbox"/> Quebec	0
<input type="checkbox"/> New Brunswick	0
<input type="checkbox"/> Nova Scotia	0
<input type="checkbox"/> Prince Edward Island	0
<input type="checkbox"/> Newfoundland and Labrador	0

[Set up alert feed](#) [Email this query](#) [Run a saved query](#) ▾ [Browse Lexbox](#) ▾

anLII)
mbia — British Columbia
parent — child support — biological father — girls
Family Law Act deals with the duty to pay child support. [...] [33] Subsection 4 of **s147** states that a stepparent does not have the child unless: “a) the stepparent contributed to the support of the child for at least one year and b) a proceeding for an the stepparent, is started within one year after the date the stepparent [...] parent, JS (1)’s duty to pay child support for AS is nts and guardians and is only in an amount appropriate on a consideration of the standard of living of the child during the d JR and the length of time AS lived with JS (1) (**subsection 5** of **s147** Family Law Act). [...]

[Quick Survey](#) 🗣️

COMMENTARY: As we are only interested in seeing British Columbia court decisions we need to click on All Jurisdictions and select British Columbia.

Filter by Document Type

All CanLII (99) **Cases (98)** Legislation (1) Commentary (0) My Documents

British Columbia ▾ All courts and tribunals ▾ Any date ▾ Clear filters By relevance ▾ ☰ ▾ □ ▾ 📡

lexbox Save this query Set up alert feed Email this query Run a saved query ▾ Browse Lexbox ▾

1.

[J.R. v. J.S. \(1\)](#), 2013 BCPC 404 (CanLII)

Provincial Court of British Columbia — British Columbia

2013-08-21 | 7 pages

omitted for publishing — stepparent — child support — biological father — girls

[...] [32] **Section 147** of the Family Law Act deals with the duty to pay child support. [...] [33] Subsection 4 of **s147** states that a stepparent does not have a duty to provide support for the child unless: “a) the stepparent contributed to the support of the child for at least one year and b) a proceeding for an order under this Part against the stepparent, is started within one year after the date the stepparent [...] parent, JS (1)’s duty to pay child support for AS is secondary to that of her parents and guardians and is only in an amount appropriate on a consideration of the standard of living of the child during the relationship between JS (1) and JR and the length of time AS lived with JS (1) (**subsection 5** of **s147** Family Law Act). [...]

Quick Survey 👍

COMMENTARY: Clicking on the Cases tab will limit our search results to include BC court cases only.

Choose a Court or Tribunal

The screenshot displays the Lexbox search interface. At the top, there are tabs for 'All CanLII (99)', 'Cases (98)', 'Legislation (1)', 'Commentary (0)', and 'My Documents'. Below these, a filter bar shows 'British Columbia', 'All courts and tribunals', and 'Any date'. A search bar contains the text 'query' and a button 'Run a saved query'. A 'Browse Lexbox' button is also visible. A dropdown menu is open under 'All courts and tribunals', listing various categories with their respective counts: 'All courts and tribunals' (98), 'All courts' (98), 'Appeal courts' (6), 'All tribunals' (0), 'Labour' (0), 'Privacy' (0), 'Human rights' (0), 'Discipline' (0), and 'Securities' (0). At the bottom of the dropdown is a text input field labeled 'Select specific courts and tribunals'. On the left, a search result is partially visible, starting with '1. J.R. v. J.S. Provincial 2013-08- omitted f [...] [32 a duty to order u seconda relation'. On the right, a snippet of text is visible: 'port. [...] [33] Subsection 4 of s147 states that a stepparent does not have to the support of the child for at least one year and b) a proceeding for an e date the stepparent [...] parent, JS (1)'s duty to pay child support for AS is appropriate on a consideration of the standard of living of the child during the subsection 5 of s147 Family Law Act). [...]'. A 'Quick Survey' button is located in the bottom right corner.

COMMENTARY: Clicking on the All Courts and Tribunals tab will allow us to filter our search results by a specific court or tribunal. For our purposes we will click on Select Specific Courts and Tribunals in order to find the Court of Appeal for British Columbia.

Filter by Relevance

All CanLII (99) **Cases (6)** Legislation (1) Commentary (0) My Documents

British Columbia BCCA Any date Clear filters By relevance

lexbox Save this query Set up alert feed Email this query

1. [Shaw v. Arndt](#), 2016 BCCA 78 (CanLII)
Court of Appeal for British Columbia — British Columbia
2016-02-19 | 16 pages | cited by [30 documents](#)
child of the marriage — stepson — relationship — child support — chambers
[...] (See also **s. 147(4)** and **(5)** of the Family Law Act and *Sullivan v. Struck* 2015 BCCA 521 at paras. 80-4.) [...]

2. [B.P.E. v. A.E.](#), 2016 BCCA 335 (CanLII)
Court of Appeal for British Columbia — British Columbia

Sort by document relevance ✓
Sort by date: newest ?
Sort by date: oldest ?
Sort by most cited ?
Sort by court level ?
Sort by most pages ?

Quick Survey


COMMENTARY: There are many sorting options. In this example we will choose Sort by Most Cited.

Mission Accomplished!

All CanLII (99) **Cases (6)** Legislation (1) Commentary (0) My Documents

British Columbia ▾ BCCA ▾ Any date ▾ Clear filters Most cited first ▾ ☰ ▾ ☐ ▾ 📡

lexbox

1. [Shaw v. Arndt](#), 2016 BCCA 78 (CanLII)
Court of Appeal for British Columbia — British Columbia
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child of the marriage — stepson — relationship — child support — chambers
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2. [B.P.E. v. A.E.](#), 2016 BCCA 335 (CanLII)
Court of Appeal for British Columbia — British Columbia

COMMENTARY: If you are interested in learning more about how to search in CanLII effectively we recommend visiting <https://www.canlii.org/en/info/search.html> for more tips and tricks!