



### **Purpose**

The purpose of these supplemental questions is to gather community input regarding the first draft of Aamjiwnaang's Draft #1 MRP law, dated December 11, 2018.

### **Supplemental Questions:**

#### ***Common Law Status:***

1. A majority of those who responded to the OneFeather community survey indicated that Aamjiwnaang's custom MRP law should apply both to married couples as well as common law couples. However, a majority of respondents also indicated that it should take longer than 1-year of cohabitation to qualify as "common law."

The first draft of the MRP law provides that "common law" status takes effect after 2 years of cohabitation, or if the couple are the parents of a child together and are in a relationship of some permanence.

Do you think 2-years of cohabitation is sufficient for a couple to qualify as "common law" for the purposes of Aamjiwnaang's MRP law?

- Yes.
- No.

2. If not, do you think 3-years of cohabitation should be required to qualify as "common law"?

- Yes.
- No.

#### ***Right to Occupy the Matrimonial Home:***

3. The provisional federal rules currently governing Aamjiwnaang provide that, after the death of a spouse or common law partner, the surviving partner is entitled to continue living in the family home for an additional 180 days (or approximately 6 months) after the death of their spouse, whether or not the surviving partner is a Member of Aamjiwnaang or an Indian.

A majority of those who responded to the OneFeather survey indicated that a surviving partner should be able to continue living in the family home for longer than 6 months.

The first draft of the MRP law provides that a surviving partner is entitled to continue living in the family home for at least 1-year from the death of their spouse.

Do you think 1-year is an appropriate amount of time?

- Yes.
- No.



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4. If not, do you think a surviving spouse should be entitled to continue living in the family home for longer than 1-year after the death of their spouse?

- Yes.
- No.

### ***Dispute Resolution***

5. A majority of those who responded to the OneFeather survey indicated that Aamjiwnaang's custom MRP law should include a Dispute Resolution mechanism whereby family disputes will be resolved through an internal process set-up within the community, and only go to outside courts in the event of an appeal.

The first draft of the MRP law provides that the first step in the dispute resolution process will be mandatory mediation between the two parties, in an attempt to help the parties reach an agreement of their own. If mandatory mediation fails, the dispute would then be heard by Aamjiwnaang's Dispute Resolution Committee.

Do you think that mandatory mediation should be included as the first step in the dispute resolution process?

- Yes.
- No.

### ***Comments/Suggestions:***

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Phone Number/Email (for draw purposes only): \_\_\_\_\_