

Assistance in Right of Access by Grandparents

At the other end of the spectrum, on occasion parents have to defend their decision not to allow their children to visit with grandparents, whom they strongly believe will not behave in a manner in keeping with the children's best interests.



Sometimes grandparents are asked to become involved when their grandchildren have been seized by the Children's Aid Society (CAS), and they want to step in to raise their grandchildren until the parents can resolve the issues that caused the CAS to become involved in their lives. Those grandparents will need assistance in preparing proper Plans of Care and navigating the Court process in order to be considered as temporary guardians for their grandchildren or gain custody of them.

At Marie G. Michaels & Associates, our lawyers have extensive experience in dealing with grandparents and parents around matters of access, clearly articulating each step of the court process and forecasting the most likely outcome of litigation.

We are sympathetic to your needs, and the needs of your family and in keeping the focus on the children. We encourage negotiation, because not only can the court process be very long, delaying the process considerably, but it can result in an expensive litigation process.

Grandparents may request visitation rights to their grandchildren, although courts have no obligation to grant the grandparents' rights. The grandparents petitioning the court must demonstrate that they had a close and loving relationship until the parents terminated all visits, and that visitation will serve the best interests of the child. If the grandparents can demonstrate that the child will benefit from spending time with the grandparents, the request may be granted.

In late 2016; the Children's Law Reform Amendment Act was with respect to the relationship between a child and the child's grandparents. Information regarding that amendment is the [Children's Law Reform Amendment Act \(Recognizing](#)

