

FREE GUIDE · LEXALTICO LLP

Contested Divorce in Ontario - What to Expect

What happens in a contested divorce in Ontario. Case conferences, motions, discoveries, trial, timelines, and costs. How most cases settle before trial.

Contested Divorce in Ontario - What to Expect

A contested divorce occurs when spouses cannot agree on one or more issues. This guide explains the stages of contested proceedings, realistic timelines and costs, and how most cases settle well before reaching trial.

What's in this guide

- What makes a divorce contested
- Stages of contested proceedings
- Motions for interim relief
- Settlement - how 95% resolve
- Trial - the last resort
- Contested divorce costs
- FAQs

1. What Makes a Divorce Contested?

A divorce becomes contested when either spouse files an Answer (Form 10) disputing one or more issues: parenting, property, support, or the divorce itself.

- Decision-making responsibility
- Parenting time schedules
- Relocation with children
- Business valuations
- Pension division
- Spousal support entitlement
- Property division disagreements

2. Stages of Contested Proceedings

One spouse files; the other files an Answer within 30 days contesting issues.

Mandatory meeting with a judge to narrow issues and attempt settlement. The most important early step.

Urgent or interim relief - temporary custody, support, exclusive possession - while the case is ongoing.

Full exchange of financial documents. Discoveries (oral questioning) in complex financial cases.

A focused judicial settlement attempt - a judge gives a frank assessment of likely outcomes.

Approximately 5% of contested divorces reach trial. The most expensive and uncertain outcome.

3. Motions for Interim Relief

4. Settlement - How 95% of Cases Resolve

Mediation is strongly recommended in most contested cases. A skilled family mediator facilitates settlement discussions confidentially. Mediation is typically faster, cheaper, and produces more durable outcomes than court-imposed orders.

5. Trial - The Last Resort

6. Contested Divorce Costs

7. Frequently Asked Questions

Facing a Contested Divorce?

Contested divorces require lawyers who understand both litigation and negotiation. Our Toronto family lawyers appear at Superior Court regularly and have resolved thousands of contested matters.

Our lawyers offer free initial consultations — no obligation to retain.

NEED TO SPEAK WITH A LAWYER?

Every situation is different. If anything in this guide raises a question about your own matter, speak with a Lexaltico lawyer — the first 30-minute consultation is free and confidential.

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