

**Family**

# Increase in divorces strains family law bar | Kendelle Pollitt

By **Kendelle Pollitt**

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(April 26, 2021, 11:44 AM EDT) -- Family lawyers often find much to disagree about with each other when it comes to clients: parenting time arrangements, division of property and whose client is most "right," to name a few.

However, as of late, there is a common theme that most family lawyers can agree on: the current number of clients needing the services of a family lawyer is extraordinary. And the trend only seems to keep going up.

To many it seems that this is an obvious result of the COVID-19 pandemic. After all, we were all warned about the sudden surge in divorces apparently occurring in China in early in 2020. However, as life for the Chinese started to open up a bit, those of us here in Canada were in the throes of the first wave of COVID-19. Businesses were shut down, the streets were empty, and uncertainty and fear filled the air.

Many have compared the economic impacts of the COVID-19 pandemic to the 2008 recession. Not as a direct comparison, but still a comparison, nonetheless. In 2008, I was a junior lawyer practising family law in a boutique family law firm in downtown Vancouver.

I honestly don't remember the 2008 recession — it didn't touch my life or work in any significant manner. I always believed family law to be "recession proof." I am in the people business — and many people need family lawyers particularly when the going gets rough.

However, during those initial throes of the COVID-19 pandemic, I learned that while family law may be recession proof it is certainly not "pandemic proof." When COVID-19 hit, for the most part, the courts shut down and the phones stopped ringing. Like many, I accessed government resources to keep my business afloat and used my time (and suddenly empty court calendar) to finally address the lengthy to-do list of an entrepreneur. I worked on my marketing, updated my firm policy manual and even wrote a book.

As Canada started to open up, the phone start ringing again and the courts started opening their doors. Bit by bit, business began to return to "normal." Normal, however, did not last long. Now into our third wave of COVID-19, family lawyers are scrambling to keep up with the extraordinary demand and suffering some whiplash from the drastic lows and now highs of business over the past 12 months.

## Current challenges posed for family law lawyers

After experiencing such a drastic drop in work in the spring of 2020, the rise in current and prospective clients for family law lawyers is a welcome development for many. However, even when we are at our max in terms of client load, it can be difficult to turn away potential new clients, particularly those who are greatly in need.

The challenge is the development of an overworked, overburdened and potentially stressed-out family law bar.

The ongoing nature of the pandemic also continues to strain a lawyer's ability to serve clients. Many

are trying to work from home, where staff and supply resources may not be as readily at hand. Struggles with accommodating social distancing at the office (when commercial office space is already at a prime and in limited supply in many parts of the country) are also present.

The above are only a few of the challenges facing family lawyers serving clients in the wake of COVID-19. Add to these an equally backlogged and stressed court system, and the challenges posed for family lawyers and their clients is significant.

### **Coping as a family law bar: It's the little things that count**

As a profession, it is important to ensure our family law bar remains healthy, productive and supportive during this time. As lawyers, we are a helping profession; and, particularly given the impact of the pandemic, the demand for the help of family law lawyers is at an all-time high. It is important we remember to remain cordial and kind to each other, now more than ever.

Extend professional courtesies for time extensions or calendar accommodations when possible. If you see a colleague struggling, offer a helping hand or an ear to listen. Law societies across Canada offer various programs and services to assist lawyers dealing with burnout, stress and addiction. If needed, access these resources or remind a colleague who is struggling that these resources are available.

As a profession, we are trained to help those in need of our services and often to do so "perfectly," but we must remember that we can help no one if we do not take care of ourselves first.

*Kendelle Pollitt is the founder and principal of Pier Law & Mediation. She is both a family lawyer and a family mediator practising in White Rock, B.C. For several years, Pollitt has been litigating in both the provincial and Supreme Courts of British Columbia, as well as negotiating settlements on behalf of her clients.*

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