

## Questionnaire

This questionnaire is designed to get you thinking, on a more personal level, about the issues that will be discussed at the consultation. Participants are invited to hand them in anonymously at the end of the day, however, there is no obligation to do so.

### Part I - What About You?

1. Do you have a partner? (If No, go to question 3)  
 Yes  
 No  
 more than one (if yes, complete a questionnaire for each one)
2. How long have you been together?
3. Who do you live with?  
 your partner  
 biological family members  
 friends  
 other (please specify) \_\_\_\_\_
4. Do you have any children?  
 No  
 Yes, biologically mine  
 Yes, biologically hers  
 \_\_\_\_\_ by previous relationship  
 \_\_\_\_\_ in this relationship
5. Do the children live with you?
6. Have you had any custody problems with anyone over these children?  
 Yes       No (please elaborate):
7. Who pays for the support of the child(ren)?  
 both of us       my partner  
 me       other (specify):
8. Who acts as parent(s) to the child(ren)?  
 both of us       my partner  
 me       other (specify):

9. Should your relationship end, what would you expect to happen about the following:

a) Custody of the children?

b) Support for the children?

10. What are your financial arrangements?

they are completely separate

own some things individually and some together

own everything together

have "yours" "mine" "ours" categories

other

11. Do you and your partner make any adjustment in your financial arrangements to reflect differences in income?

yes       no       not applicable

12. If you and your partner broke up, what would you expect the financial arrangements between you to be?

13. Do either of you have access to employment benefits (eg. dental plan, life insurance, etc.)?

just you       your partner only       both

neither of us

14. Do these plans provide coverage for your partner?

yes       No (only to heterosexuals)

15. If you could get employment benefits through your partner's workplace, would you?

yes

no, because:

one or both of us is in the closet at work

we don't believe in that kind of financial arrangement between us

\_\_\_ other

Part II - What Do You Think

16. In what ways has the law affected your life as a lesbian?
17. What do you think the most important issue is facing lesbians today?
18. Do you think:
- \_\_\_ that lesbians and gay men should have the right if we want to marry each other;
- \_\_\_ that lesbians and gay men should be free either to "marry", or be free to choose to live our lives outside of family law;
- \_\_\_ that the law should treat the partnerships of lesbians and gay men the same way it treats heterosexual partnerships in terms of maintenance, custody, etc. eg. you get rights/obligations either by being married or by living together common law;
- \_\_\_ lesbians and gay men should never be covered by family laws concerning marriage, divorce, maintenance, division of property, common law rights and obligations.
19. Does it make a difference to what you think if there are children?
- \_\_\_ Yes (explain):
- \_\_\_ No
20. Does it make a difference to what you think if one partner was the sole financial support of the other (eg. one was a student, disabled, unemployed, had particular arrangement)?
- \_\_\_ Yes (explain):
- \_\_\_ No

21. The following are a few examples of some laws which apply to heterosexual "spouses" or "families" and which do not apply to other people. Some of these laws are provincial and may have different names in each individual province, therefore only a description of the law is provided. For each, indicate whether you think the legislation should apply:

- (a) to lesbian and gay male partnerships as well as to heterosexual partnerships because we deserve the benefits which the law confers on "spouses" or "families", or;
- (b) to everyone by setting up a system so that no families or heterosexual spouses were given special treatment and instead anyone could name who s/he wanted to be connected to eg. a friend, a relative.

For example, consider immigration law. Under this law heterosexuals are allowed to sponsor their married partners or fiancée(e). Should lesbians and gay men have this right extended to them for their partnerships, or, should any person have the choice to nominate someone (or some people) for entry into Canada whether or not that person is a partner, blood relative or adopted? This is the type of question that you should be considering for each description of legislation set out below.

Heterosexuals get the following:

Extend to lesbian/gay partners	Nominate any beneficiary
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Immigration:  
sponsorship of spouse or  
fiancée(e)

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Workers Compensation:  
spouse and children are  
entitled to benefits if  
worker dies.

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Family law:  
regulates breakdown of  
marriage/common law  
relationships including division of  
property. Provides for  
maintenance, access and support  
orders.

**Power of Attorney:**

Right to make decisions for partner  
if partner unable to for medical  
reasons.

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**Income tax:**

tax credits, marriage amount, child  
credits, definition of dependent, spousal  
RRSP, etc. etc. All are dependent on marital,  
common law or blood relationship.

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**Evidence Act:**

spouse is competent but not compellable by  
the crown to testify against married  
spouse.

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**Canada Pension Plan:**

provide survivor benefits to  
married and common law spouses upon  
death of insured

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**Land (spouse protection) legislation:**

Makes it possible to prevent a  
spouse from selling property  
in (his) own name alone without  
the other spouse's consent

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**Rights upon death of spouse without  
a will:** the property is divided  
between the spouse, the children or  
if there are not, the parents etc.

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**Guaranteed income supplement:**

provides to spouse or common law partner  
if one over 65 and other between 60-65,  
they have an income below a specified  
amount.

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## Part A

1. What meaning does "family" have for lesbians? How do we want to describe the diversity of ways we relate to each other?
2. How do we want our lives reflected in law?
  - should we have the right to marry?
  - should family law apply to our relationships eg. support, custody, maintenance.
  - what legal rights should non biological mothers have upon break up of a relationship?
  - what about alternative families eg. non monogamous lesbians, lesbians who live together etc.
3. Should the benefits available to heterosexual partners be made available to lesbians?
  - what should be the basis of our entitlement?

## Part B

1. How do we want to fight lesbian oppression?
2. If we have to prioritize, how do we do so?
3. How has the law impacted on your life as a lesbian?
4. What legal and political strategies should we be pursuing in light of the priorities, if any, we have identified?