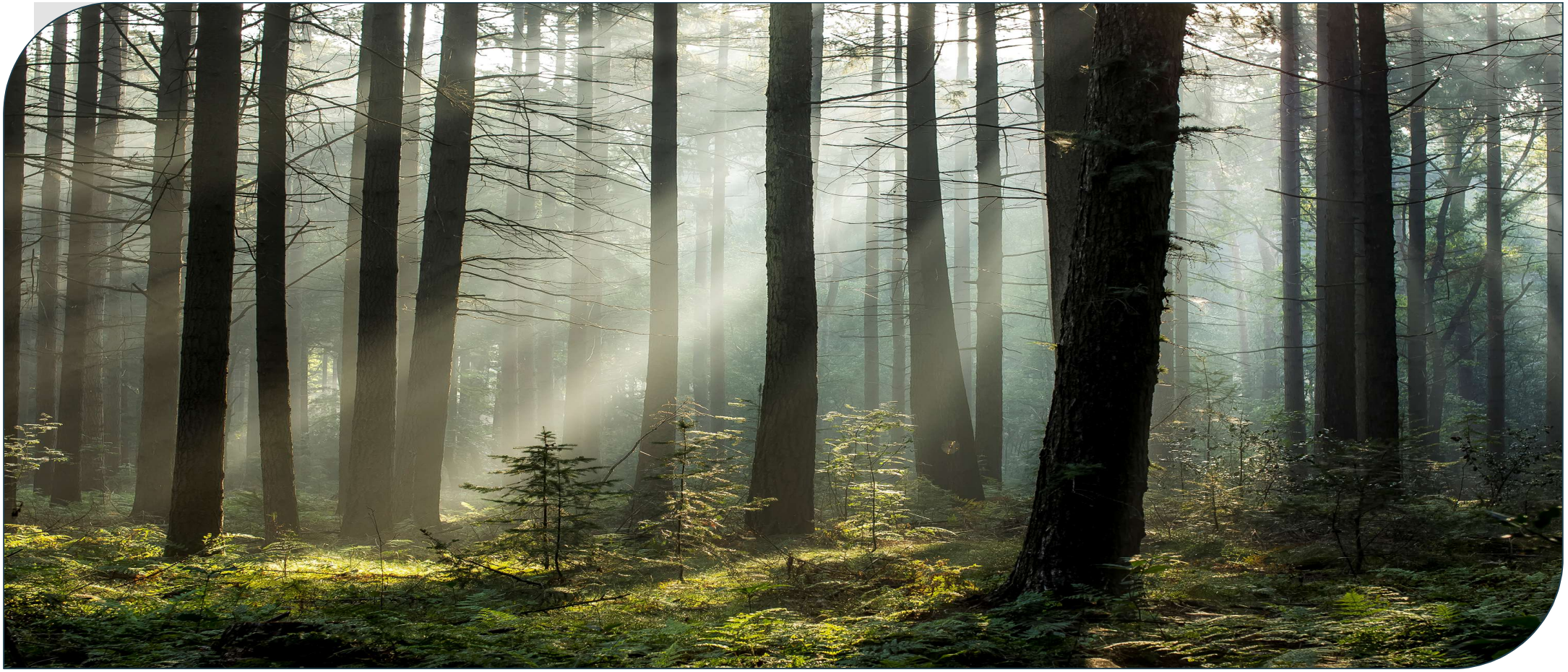
BC Family Maintenance Agency

Supporting Families Across Borders

Presentation to German Institute for Youth Services and Family Law

January 28, 2026



Indigenous Land Acknowledgement

About British Columbia

Family Law in Canada

SHARED RESPONSIBILITY

Federal Government

- Has authority to make laws about marriage and divorce
- Federal Child Support Guideline Tables
- Federal legislation: *Divorce Act*

Provinces/Territories (PTs)

- Have authority over family maintenance issues for:
  - couples that never married
  - married couples who are separated but not pursuing relief under federal legislation
- Family maintenance programs

BC's Provincial Legislation includes:

- *Family Law Act, [SBC 2011], c. 25 (FLA)*
- *Family Maintenance Enforcement Act, (RSBC 1996) (FMEA)*
- *Interjurisdictional Support Orders Act, (SBC 2002) (ISO Act)*

BC Family Maintenance Agency (BCFMA)

- Established as a Crown Agency in November 2019
- Delegated under the *FMEA* to enrol, monitor, collect and process payments owing from maintenance orders and/or agreements
- Maintenance enforcement authority in B.C. under the *Convention*
- Authority to work with provincial, federal and international partners to support families
- Free, opt in, service available to families in B.C.
- 100% of payments are distributed to creditors for ongoing and/or arrears of support

BC Family Maintenance Agency

BCFMA Service Snapshot

- The Agency collects over $219m annually, and over $5.5 billion since established in 1988
- BCFMA helps over 34,000 families each year. 20% of cases have one party residing outside of British Columbia
- 94% of cases enrolled have received a payment
- BCFMA's biggest Canadian reciprocal partners are Alberta and Ontario, and internationally, the US, Australia, and the United Kingdom

Client-Centric Service

MODERNIZED SERVICES

Rebranded transactional 'debt collector' model to relationship-based approach, embedding client-centric, inclusive and adaptable services

BALANCED APPROACH

Ensure we listen to, collaborate, and work with all parties to achieve the best possible outcome for their family

COMMUNITY REFFERALS

Integrated service approach, connecting clients with trusted community partners to ensure comprehensive support and care

INDIGENOUS SERVICES

A trauma-informed, end-to-end service delivery model with dedicated Case Managers for Indigenous clients

INTIMATE PARTNER VIOLENCE

Supporting survivors of IPV by enhancing our service model to ensure consistent, trauma-informed, and survivor-centered services

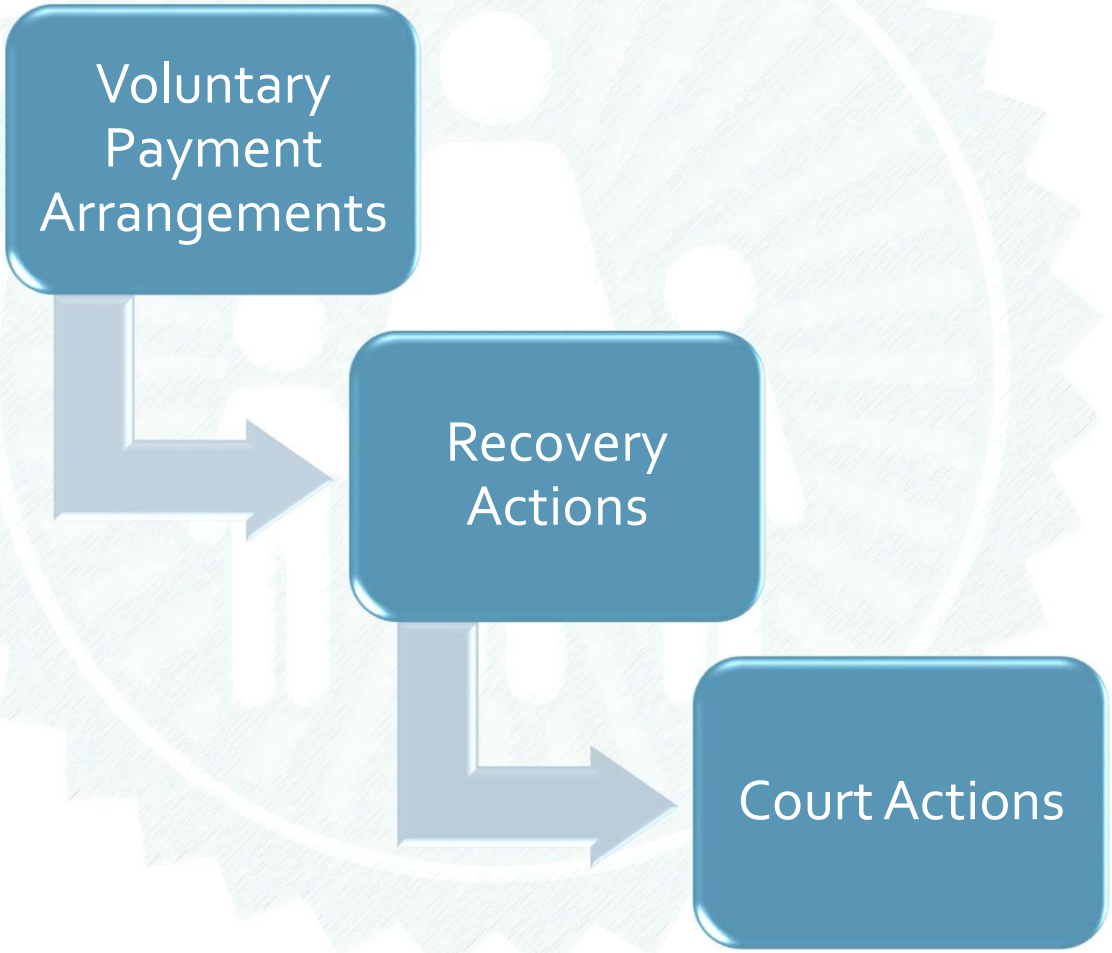
ACCESS TO CASE INFORMATION

Case information is available 24/7 through BCFMA's My Account on the website, the mobile app, and through Infoline

Enrolment Process

- Enrols child and spousal support orders/agreements for recovery of the maintenance due
- Notice of Enrolment letter sent to both parties:
  - Confirming file is enrolled
  - Arrears owed based on the information provided
- New files complete an intake process to ensure prompt review, client contact, and timely case administration

Recovery Action Process



Voluntary Payment Arrangement (VPA)

- Work with paying parent to establish a VPA to recover the maintenance owed
- Considers payor's payment history and current financial circumstances
- Typical arrangements include ongoing payments plus payment towards arrears
- May allow for temporary partial payments while payor improves financial circumstances or returns to court

Recovery Actions

If a VPA is not successful, recovery action may include:

- Federal Garnishments
- Federal Licence Denials (FLD) restricting Canadian passports, aviation and marine licenses, etc.
- Notices of Attachment issued by BCFMA
- Out-of-Province Garnishments issued by another jurisdiction
- Restriction of driver's licenses and motor vehicle registrations
- Registration of the maintenance order against a property's land title certificate
- Personal Property Security Registrations (vehicle, boat, mobile homes liens)

Court Action

If recovery action is unsuccessful, the following court action may be initiated:

- Application for financial disclosure
- Summons to a Default Hearing
- Summons to a Committal Hearing
- Application against an attachee
- Warrants of Execution
- Other Miscellaneous Court Remedies:
  - Restraining orders
  - Absconding debtor
  - Injunctive relief to prevent debtor payouts
  - Conduct of sale of real property
  - Enforcement against Corporation

Priority of Maintenance Claims

Section 28 of the FMEA prioritizes maintenance orders over other unsecured judgment creditors.

BCFMA may assert maintenance debt priority in situations involving:

- Bankruptcy
- Foreclosure proceedings
- Seizure and sale of other debtor assets
- Negotiations with Canada's Revenue Agency regarding a tax debt

Advantages of B.C.'s family maintenance system

- Section 4 FMEA discretion allows an individualized approach to case management
- Hague Convention implementation expanded B.C.'s maintenance collection reach
- B.C. legislation enables support order changes across jurisdictions without requiring travel
- BCFMA's digital communication options have increased our efficiency interacting with other jurisdictions
- Operating outside core government structures allows for faster adoption of new policies, streamlined procedures, and more responsive service delivery to meet evolving needs of families across B.C.

Cross Border Challenges

BCFMA cannot:

- Establish, modify or recalculate maintenance orders
  - Connect clients to community supports and legal services
- Cancel or reduce maintenance arrears
  - Section 4 FMEA Director discretion, adjust interim maintenance recoverable when there's a change in family circumstances
- Settle disputes between parties
  - Connect clients to community supports and legal services
- Eliminate delays in obtaining information from other jurisdictions
  - Use direct electronic communication channels
- Eliminate foreign currency discrepancies resulting from conversion methods applied in different jurisdictions
  - Recalculate foreign currency into Canadian equivalent on an annual basis

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CONTACT US

Office Hours

Monday to Friday 8:30 am – 4:30 pm
Closed on Statutory Holidays

Mailing Address

Box 9216, Victoria, BC V8W 9J1

Phone & Fax

Phone: 1-866-557-2427
Fax: 250-220-4050
InfoLine: 1-800-663-3455
Outside of Canada/United States: 1-250-220-4040

Sending Payments

Mailing Address: BCFMA Payment Services
Box 9233, Victoria, BC, V8W 9J1

Communicating with BCFMA

We are committed to providing a safe, positive and respectful work environment. Any abusive or offensive language will not be tolerated when contacting the Agency. Find out more about our policy.

Getting information about your case

The easiest way to get information about your case is to:

- Sign in to My Account
- Call InfoLine 1-800-663-3455

Questions?