
Finding York County Divorce Files

211 Research
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Divorce files are typically filed with the county courthouse where the divorce hearing took place. They may include the petition for divorce, affidavits, the degree nisi and the decree absolute (or judgement absolute). Some files may also include examinations, documents relating to child custody, copies of marriage certificates and photographs of the people involved. For divorces occurring elsewhere in Ontario, see *Research Guide 210: Finding Divorce Files in Ontario*.

GETTING STARTED

STEP 1: Finding a York County Divorce File

In order to find a divorce file, you need to know the date that the divorce proceedings began. If you already know the date, **go to Step 2**.

For divorces that were granted between 1867 and 1930:

Until 1930, only the Federal Parliament could grant a divorce in Ontario through a Resolution or an Act of Parliament. Couples had to have a private member's bill (a bill that a Member of Parliament presented to the House of Commons) requesting that their divorce be granted.

All divorces granted by the Federal Parliament are indexed on the [Library and Archives Canada's website](#). Divorces granted between 1867 and 1930 are also indexed in a book titled *Index to Canadian Parliamentary Divorces, 1867-1930*, by J. Brian Gilchrist and Nancy J. Duffy. This book is available in the Archives of Ontario's Reading Room and in major public libraries.

Resolutions and Acts of the Federal Parliament have been published, and most major libraries should hold a copy of them; see the [Library and Archives Canada's website](#) for

further information. For a certified copy of the Resolution or Act of Parliament for a divorce (needed for legal purposes), you must contact:

Office of the Law Clerk and Parliamentary Counsel
Senate of Canada
1310-40 Elgin Street
Ottawa ON K1A 0A4
613-992-2416

For divorces that were granted between 1931 and 1979:

Since 1930, the Supreme Court of Ontario has had the power to grant a divorce. The Archives of Ontario holds all 1931–1979 York County divorce files. Consult the Archives' *Indexes to York County Final Divorce Judgements* as listed in Table 1 below.

Table 1: Supreme Court Registrar's Office Indexes to York County Final Divorce Judgements Series RG 22-5815 (available on microfilm in the Archives' Reading Room)			
Year Divorce Granted	Microfilm Reel	Year Divorce Granted	Microfilm Reel
1931–1940	MS 5041	1967–1968	MS 5052
1941–1945	MS 5042	1969–1970	MS 5053
1946–1949	MS 5043	1971	MS 5054
1950–1952	MS 5044	1972	MS 5055
1953–1954	MS 5045	1973	MS 5056
1955–1956	MS 5046	1974	MS 5057
1957–1958	MS 5047	1975	MS 5058
1959–1960	MS 5048	1976	MS 5059
1961–1962	MS 5049	Dec. 1976–1977	MS 5060
1963–1964	MS 5050	1979	MS 7194
1965–1966	MS 5051		

Entries in the index are arranged first by year, then by the initial letter of the surname, and then by the exact date that the Decree Absolute/Judgement Absolute was granted.

If you find the couple's name, record the:

- file number and year that the divorce case began from the “Writ. No.” column (e.g., 1234/70 = divorce file # 1234 of year 1970); and
- date that the Decree Absolute/Judgement Absolute was granted; and
- **go to STEP 2.**

If you do NOT find the couple's name:

It may be because they were not divorced in York County. To check if they ever petitioned for a divorce in York County, **go to STEP 3**. If the divorce occurred elsewhere in Ontario, consult *Research Guide 210: Finding Divorce Files in Ontario*.

There is also a small possibility that the divorce was granted through a resolution or act of Parliament. See the section on pre-1930 divorces above for more information.

For divorces that began after June 1968:

Contact the Central Registry of Divorce Proceedings (CDRP). The CDRP, which maintains a Canada-wide index of divorces, was established in July 1968. If you provide it with the full name and birth date of one of the parties, the full name of the other party, and the approximate date of the divorce, the CDRP can supply the **number** of the courthouse where the divorce took place, and the **file number** and **year** that you need to get the divorce file, as well as the **date the divorce was granted**. Contact the CDRP at:

**Department of Justice
Central Registry of Divorce Proceedings
339 Wellington Street
Ottawa, Ontario, Canada K1A 0H8 613-957-4519**

If you contact the CDRP by telephone, you will be asked to leave a voice-mail message and a representative will return your call.

If you are looking for another person’s divorce file, you must use the **RG 22-5814 York Judicial District Indexes of Divorce Petitions** at the Archives of Ontario. For each year, entries in the index are arranged by the first letter of the couple’s surname. If you find the divorce case, note the **file** and **year**.

For divorces that were granted between 1980 to the present:

In 1980, the York County Judicial District was divided into two districts, Toronto and York Region (Newmarket). Divorce files from 1980 to May 1980, as well as the Toronto divorces after that date, are in the custody of the Superior Court of Justice in Toronto. York Region divorces files after May 1980 are in the custody of the Superior Court of Justice in Newmarket. Before contacting the court, contact the Central Registry of Divorce Proceedings (see above, “divorces

that began after June 1968”) for the **file number** and **year** that the divorce case was started. Please consult the Appendix at the end of this guide for more information.

STEP 2: Ordering a York County Divorce File from the Archives of Ontario

The Archives has the files for divorces granted from 1931 to 1979.

Once you have the **file number**, the **year** when the divorce case began and the **date** it was granted, you have the information to order the divorce file. At this point, you should decide what documents you need from the Archives.

Do you need a certified copy of the Decree Absolute or Judgement Absolute granting the divorce?

Microfilmed judgements for York County are available in the Reading Room for the years 1959 to 1979. If you need only a copy of a decree absolute or a judgement absolute, speak to the reference staff about how to access it. Otherwise, the Archives' York County divorce files are stored at an off-site location and it can take up to **10 business days** to retrieve copy and certify a Decree Absolute (or Judgement Absolute). There is a \$25.00 fee (plus GST) for certification. The certified copy can be mailed to you or picked up in person.

OR

Do you need to see the entire file?

The Archives' York County divorce files are stored at an off-site location. It takes **at least one business day** to retrieve them. Please note that original files can only be viewed **only** in the Archives' Reading Room in Toronto. Copies can be ordered by telephone if you know which documents you need. There will be a charge for photocopying.

Completing an Archives Records Request for records stored off-site:

For divorces started between 1931 and June 1968:

Fill out and give the reference staff a Records Request Slip for **RG 22-5800 Supreme Court Central Office Action Files**. Make sure to include the **file number**, the **year** and the **names of the parties** involved.

For divorces started between July 1968 and 1979:

Fill out a Records Request Slip for **RG 22-5802 York Judicial District Divorce Petition Files**. Make sure to include the **file number**, the **year** and the **names of the parties** involved and speak to the reference staff before submitting the slip for retrieval.

To request a divorce file from a distance, contact the Archives of Ontario; contact information appears at the end

STEP 3: What To Do If You Can't Find a York County Divorce Record

To find out if either spouse ever petitioned for a divorce in York County, follow these steps:

For divorces started between 1931 and May 1968:

1. Check the microfilm copy of the Index to Civil Actions and City Suits as listed in Table 2 below.

Table 2: Court of Chancery and Supreme Court Central Office Indexes to Civil Actions and City Suits – Series RG 22-5809 (available on microfilm in the Archives Reading Room)			
Year Case Started	Microfilm Reel	Year Case Started	Microfilm Reel
1930–1932	MS 2615	1957–1958	MS 2623
1933–1935	MS 2616	1959–1960	MS 2627
1936–1938	MS 2617	1961–1962	MS 4088
1939–1942	MS 2618	1963–1964	MS 4088
1943–1946	MS 2619	1965–1966	MS 4089
1947–1950	MS 2620	1967	MS 4089
1951–1953	MS 2621	1968	MS 4709
1954–1956	MS 2622		

For the years 1930 to 1968, the entries on the microfilm reel are arranged in alphabetical order, based on the first letter of the plaintiff's surname. In later years, the names are placed in indented columns in alphabetical order, based on the first vowel that occurs **after** the first letter of the name, and then by the file number. This index includes **all** Superior Court civil actions, not just divorces. It is easy to find divorce cases because, in most (but not all) cases, the "Plaintiff" and "Defendant" columns will have the same surname.

2. If you find the divorce case, write down the **file number** (located at the right of the entry), and the **year** (located at the top of the page).
3. These files are stored off-site. It takes **at least one business day** to retrieve them. Fill out and give the reference staff a Records Request Slip for **RG 22-5800 Supreme Court**

Central Office Action Files, noting the **file number**, **year** and the **names of the parties** involved.

For divorces that began between June 1968 and 1979 (and York Region divorces, June 1980-1984):

1. Contact the Central Registry of Divorce Proceedings (CRDP) by telephone (613-957-4519) or by fax (613-941-2520) to confirm whether the case was started and to obtain the **file number**, **county or district** and the **year** the divorce case began. (Please see above for additional CDRP contact information.)

OR

Submit a Records Request Slip for **RG 22-5814 York Judicial District Indexes of Divorce Petitions**, noting the year the divorce case was started. For each year, entries in the index are arranged by the first letter of the couple's surname. If you find the divorce case, note the **file** and **year**.

2. Complete a Records Request Slip for **RG 22-5802 York Judicial District Divorce Petition Files**, and list the appropriate **file number** and **year**. Speak to the reference staff before submitting the form for retrieval. These files are stored off-site. It takes **at least one business day** to retrieve them.

MAKING CONTACT

Ready and Willing

Although unable to do your divorce records research for you, our reference archivists are waiting to assist you. You may telephone or write to them by mail or email or — best of all — visit the Archives of Ontario.

Contact us

Telephone: 416-327-1600 Toll free (Ontario): 1-800-668-9933

Fax: 416-327-1999

Email: reference@ontario.ca

Address: Archives of Ontario, 134 Ian Macdonald Blvd., Toronto, ON M7A 2C5

Website

For information about the Archives' holdings, as well as access to research guides and other customer service materials available through the Archives of Ontario, please visit our website <http://www.ontario.ca/archives>.

Customer Service and Research Guides

The Archives of Ontario has published a series of in-depth research guides on a variety of specific topics. For more information, please see “Research Guides and Tools” under “Start Your Research” on the home page of the Archives website.

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This document may contain references to electronic links that can be activated only by using the HTML version found on the Archives of Ontario website.

This information is provided as a public service. Although we endeavour to ensure that the information is as current and accurate as possible, errors do occasionally occur. Therefore, we cannot guarantee the accuracy of the information. Readers should where possible verify the information before acting on it.

Appendix: Locating York County divorce files

The date the divorce was granted	Location of divorce files
<p>1867–1930 Only the Federal Parliament could grant a divorce.</p>	<p>Consult the <i>Index to Parliamentary Divorces, 1867-1930</i>, compiled and edited by J. Brian Gilchrist and Nancy J. Duffy.</p> <p>or</p> <p>the Library and Archives Canada's website</p> <p><i>To obtain a copy:</i></p> <p>Consult the the Library and Archives Canada's website</p> <p>Or write to</p> <p>Office of the Law Clerk and Parliamentary Counsel 1310-40 Elgin Street Ottawa, ON, K1A 0A4 613-992-2416</p>
<p>1931–1979 Supreme Court of Ontario began to grant divorces in 1931.</p> <p><u>Until July, 1969, some</u> divorces were granted by the Federal Parliament</p>	<p><i>Divorces granted by the Court</i></p> <p>Archives of Ontario (stored off-site; retrieval takes at least one business day)</p> <p><i>Divorces granted by Parliament</i></p> <p>See the information on 1867-1930 files above</p>
<p>1980–May 1980 Files are in the custody of the Court.</p>	<p>Family Law Office Superior Court of Justice* 393 University Avenue, 10th Floor Toronto, ON, M5G 1E6 416-327-5542</p>
<p>June 1980–present On June 1, 1980, York County was divided into two judicial districts:</p>	<p>City of Toronto (formerly Metropolitan Toronto): Family Law Office Superior Court of Justice* 393 University Avenue, 10th Floor Toronto, ON, M5G 1E6 416-327-5542</p>
	<p>Regional Municipality of York: Civil Office, Superior Court of Justice* 50 Eagle Street West, Room 2025 Newmarket, ON, L3Y 6B1 905-853-4809</p>

The date the divorce was granted	Location of divorce files
<p>*Before contacting the Superior Court of Justice for post–1980 files, contact the Central Registry of Divorce Proceedings for the file number and year the divorce case was started. Telephone: 613-957-4519 or Fax: 613-941-2520 (See Getting Started section, Step 1 of this Research Guide.)</p>	