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INTRODUCTION TO *SCHREYER v SCHREYER*

On July 14, 2011, the Supreme Court of Canada released a unanimous decision in *Schreyer v Schreyer*.¹ In *Schreyer*, the Supreme Court grappled with inconsistent family and bankruptcy law regimes in relation to an equalization claim by the appellant, Susan Wilma Schreyer. Susan and Anthony Schreyer were married for over 19 years. When the marriage ended, Susan sought an equalization of the marital property. Before a valuation could be undertaken, Anthony filed for bankruptcy. The Supreme Court ultimately held that Susan's claim was provable in bankruptcy; therefore, it was released by the bankruptcy, leaving Susan without a remedy.

The Supreme Court issued a call for legislative reform, stating that “[the] matter is ripe for legislative change so as to ensure that the principles of bankruptcy law and family law are compatible rather than being at cross-purposes.”²

The decision in *Schreyer* has important ramifications both in equalization jurisdictions, such as Manitoba and Ontario, and across Canada. In this volume of the *Canadian Journal of Family Law*, we are fortunate to have two case comments on *Schreyer*. Mark Slay, a British Columbia family law practitioner, discusses the consequences of the decision for property division jurisdictions, focusing primarily on British Columbia. Susan Boyd and Janis Sarra, law professors at the University of British Columbia, examine the clash between family and bankruptcy law and make suggestions for legislative reform.

¹ 2011 SCC 35, [2011] 2 SCR 605.

² *Ibid* at para 40.

