

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** *White v. White*, 2015 NSCA 52

**Date:** 20150602

**Docket:** CA 434786

**Registry:** Halifax

**Between:**

James Dennis White

Appellant

v.

Helen Jane White

Respondent

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**Judge:** The Honourable Justice J.E. (Ted) Scanlan

**Appeal Heard:** May 12, 2015, in Halifax, Nova Scotia

**Subject:** **Divorce. Child and Spousal Maintenance, imputing income. Palpable Error.**

**Summary:** The trial judge imputed income in relation to work the appellant did in addition to his regular employment. While the evidence supported a finding of extra income, it did not support the finding of income at the level imputed by the trial judge. This resulted in an error in calculating child and spousal maintenance.

**Result:** Based on the evidence, the imputed income reduced to \$20,000 per annum. The spousal support is calculated based on income earned whether reported or not. The appellant is not ordered to work at extra employment over his regular employment but to the extent he does, the child and spousal support as well as Section 7 contributions are to be adjusted accordingly.

*This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 10 pages.*