

NOVA SCOTIA COURT OF APPEAL

Citation: *L.D.F. (Re)* 2005 NSCA 64

Date: 20050408

Docket: CA 237211

Registry: Halifax

Between:

**IN THE APPLICATION OF L.D.F. TO ADOPT THE
PERSON WHOSE BIRTH IS REGISTERED AS NO.
*BY THE DEPUTY REGISTRAR GENERAL OF
NOVA SCOTIA (*editorial note- removed to protect
identity)**

- under -

THE CHILDREN AND FAMILY SERVICES ACT

Restriction on Publication: Pursuant to s. 94(1) of the **Children & Family Services Act**

Judge: The Honourable Justice M. Jill Hamilton

Appeal Heard: March 31, 2005

Subject: Family law, adoption

Summary: The chambers judge refused to grant an adoption to a single mother because he determined it was not in the best interests of the child that he do so. The child would not gain anything vis a vis the mother by such an adoption but would lose the potential for a relationship with and support from the father. The evidence before the chambers judge was meagre.

Issue: Did the chambers judge err?

Result: Appeal dismissed. The chambers judge focused on the best interests of the child. He did not fail to give appropriate consideration to the factors set out in s.3(2) of the **Children and Family Services Act**, Stats. N.S.1990, c. 5. He did not place too much emphasis on the child's loss of a potential relationship with and support from her father on the facts of this case.

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 7 pages.