

IN THE FAMILY COURT OF NOVA SCOTIA

Citation: M.G.G.. v. A.D.D., 2008 NSFC 18

Date: June 11, 2008

Docket: 06Y050332

Registry: Halifax

Between:

M.G.G.

Applicant

v.

A.D.D.

Respondent

CORRECTED LIBRARY SHEET

Revised library sheet: This library sheet has been revised on August 13, 2008 and replaces the previously released library sheet.

Judge: The Honourable John D. COMEAU
Chief Judge of the Family Court of Nova Scotia

Heard: April 23, 2008 in Yarmouth, Nova Scotia

Written Decision: June 11, 2008

Issue: Mobility/Application to Vary Custody Order

Summary: The mother had “sole primary care” of the child of the parties born October 7, 2006 and the father had unsupervised access every week at a relatives. The mother wishes to pursue a career as an executive chef at the College of the Rockies on Cranbrook, B.S. She was accepted there and had relatives in the area and her mother planned to move there as well. She would be staying with a brother until she got a place of her own. She had reserved a spot there in daycare for the child.

The father’s plan was to have the child with him while she tried her career choice even though he agreed the bond was with the mother. This plan meant most parenting would be done by his parents.

The mother proposed a reasonable access plan

Result: The Court reviewed the Supreme Court of Canada decision in *Gordon and Goertz* and other decisions such as *Burns v. Burns* which accorded the views of the mother

(primary caregiver) more serious consideration along with economic circumstances and the traumatic effect of the move on the child. She was allowed to move to B.C. and the court set the terms of specific access.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***