

IN THE FAMILY COURT OF NOVA SCOTIA

Citation: B.A. v. A.A.,, 2009 NSFC 11

Date: 20090430
Docket: 06D047977
Registry: Yarmouth

Between:

B.A.,

Applicant

v.

A.A.

Respondent

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Editorial Notice

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

Heard: Heard at Digby, Nova Scotia, March 10, 2009
at Annapolis Royal, N.S., March 19, 2009

Written Decision: April 30, 2009

Issue: Custody/Access

Summary: This is an application brought by the mother under the Maintenance and Custody Act for the sole custody of two children. The father asked for 50/50 split custody. Custody assessment report recommended if the father could not agree, mother (who had always been the primary caregiver) should have sole custody with regular reasonable access (already having a schedule) to the father. The usual allegations of improper parenting was made by both sides with the father opposing sole custody, "I don't want her to have all the say."

Result: The Court orders sole custody to the mother but clarified what this meant by adding conditions for cooperation and disclosure between the parents. Custody was awarded because of the father's mobility to Edmonton to work. Access was to remain as set out in an earlier court order.

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