

FAMILY COURT OF NOVA SCOTIA

Citation: *J.A.R. v. W.F.C.*, 2014 NSFC 12

Date: 2014-07-21

Docket: Yarmouth No. F.Y.M.C.A. - 034476

Registry: Yarmouth

Between:

J.A.R.

Applicant

v.

W.F.C.

Respondent

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Judge: The Honourable Judge John D. Comeau, JFC

Heard: June 23, 2014 and June 24, 2014 in Yarmouth, Nova Scotia

Written Decision: 07-21-2014

Summary: The parties are the parents of two boys 12 and 11 years of age. They had entered into a consent parallel custody order whereby contact with the children was not to be made by the other parent during the other's access. This was particularly difficult during sporting events and the Respondent father regularly breached the terms of the order. The Applicant mother wanted the order enforced and asked for further specific relief to be added to the order. The Respondent father asked for joint custody and primary care saying the parallel order was contrary to the children's best interest and they wanted to live with him. He was aboriginal and lived on the

local reserve.

Issues: Custody, primary care access, child support and special expenses, change in circumstances

Result: The Court reviewed the evidence, a home study and two children's wish assessments and concluded the parties should have a joint custody with primary care to the father. This took into account the wishes of the children to reside with their father. Specified access was granted to the Applicant mother.

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