

+IN THE SUPREME COURT OF NOVA SCOTIA  
(FAMILY DIVISION)  
**Citation:** Van Der Voort v. Keating, 2006 NSSC 11

**Date:** 20060110

**Docket:** 1201-48767, SFHD 020833

**Registry:** Halifax

**Between:**

John Gerrard Van Der Voort

Applicant

v.

Judy Starr Keating

Respondent

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**Judge:** The Honourable Justice Beryl MacDonald

**Heard:** December 5, 2005, in Halifax, Nova Scotia

**Written Decision:** January 10, 2006

**Subject:** Family Law- child support - calculation of total income - support for a child over 19 - retroactive variation

**Summary:** Pre child support guideline Corollary Relief Judgment required father to pay different amounts of child support depending upon his employment. Children had lived with their father for several months and one child was over 19. Both children attending university. Father requested variation and termination of child support for 19 year old child. Mother requested child support for both children and a variation back to the grant of the Corollary Relief Judgment based on husband's greater income and children's special expenses. Mother requested income be imputed to Father.

**Issue:** Was the child over 19 a "dependent child"?  
What is the Father's total income and should income be imputed for any period?  
Should a retroactive award be granted to either party?

**Result:** Both children were dependents of their parents.  
No additional income was imputed to the Father. Total income determined from information provided by employer and Notices of Assessment.  
No retroactive award was granted to either party.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
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