

**SUPREME COURT OF NOVA SCOTIA**  
**(FAMILY DIVISION)**

**Citation:** Richards v. Richards, 2013 NSSC 127

**Date:** 20130424  
**Docket:** 77175  
**Registry:** Sydney

**Between:**

Alexis Richards

Applicant

v.

Donald Richards

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Theresa M. Forgeron

**Heard:** January 15 and 16, 2013, in Sydney, Nova Scotia

**Oral Decision:** April 24, 2013

**Written Decision:** April 26, 2013

**Subject:** Family Law

**Issue:** Impact of alleged agreement on retroactive support claim.  
Retroactive child support.

**Result:** Parents are not permitted to barter away child support. No agreement because no consensus ad idem, no disclosure, no independent legal advice, and power imbalance.

Retroactive child support of \$17,000 awarded where mother had reasonable excuse for failing to bring an application earlier; where father acted in a blameworthy fashion; where mother had a past and present need for child support; and where father could pay retroactive award over time.

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