

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Cool v. Cool, 2009 NSSC 48

Date:20090219

Docket: 1201-061947

Registry: Halifax

Between:

Crystal Dawn Cool

Petitioner

v.

Pierre-Olivier Cool

Respondent

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Judge: The Honourable Justice Mona M. Lynch

Heard: February 2 & 3, 2009 in Halifax, Nova Scotia

Subject: Family Law, Custody of Children, Mobility, Child Support

Summary: Both parents very involved in the life of the three-year-old child. Both parents at different times had been the primary care-giver for the child. Mother is moving to Toronto to take a course which will enhance her employment and wants to take child with her. The father plans to stay in Halifax and maintain as much of the child's routine as possible. The mother also seeks retroactive child support from the date of the father's last raise.

Issue: What parenting arrangement is in the best interests of the child? Should the father pay increased child support from the date of his increase in income?

Result: The mother has not fostered and encouraged the father-child relationship while the parties lived in the same city. It is unlikely that the father-child relationship would be encouraged from a distance. The father is more likely to encourage the mother-child relationship from a distance. The child is not permitted to move with the mother. The parents shall share custody until the mother moves and then the child will be in the primary care of the father.

The father is to pay increased child support from the date of his increase in income. The mother shall pay the table amount of child support after her move.

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