

IN THE SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Baker-Warren v. Denault 2009 NSSC 59

Date: 20090512

Docket: 10830

Registry: Sydney, Nova Scotia

Between:

Laura Baker-Warren

Applicant/Respondent

v.

Mark Denault

Respondent/Applicant

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Judge: The Honourable Justice Theresa M. Forgeron

Heard: November 20, 2006; June 4, 5, 6, 7, 8, 18, 19, 20, 2007; August 15, 24, 2007; October 2, 3, 4, 5, 2007; November 6, 16, 20, 21, 2007; January 2, 4, 14, 16, 2008; February 4, 7, 25, 26, 27, 28, 2008; March 25, 26, 27, 2008; April 7, 8, 28, 29, 2008; May 1, 2008; July 3, 4, 10, 2008; September 8, 9, 10, 2008.

Submissions Received: September 29, October 3, and 6, 2008

Written Decision: May 12, 2009

Counsel: Elizabeth Cusack, Q.C., Counsel for Laura Baker-Warren
Mr. Mark Denault, Self-Represented

Subject: Family Law: Parenting and Maintenance

Issues: Burden of Proof; Credibility Determination; Custody; Parenting Plan; Imputation of Income

Result: Factors considered in credibility determinations reviewed; in a high conflict file, and where neither party was capable of making decisions in the best interests of Kyra as a sole custodial parent, and given the level of acrimony, a shared and parallel parenting regime was structured; Income imputed to the father where he was either under employed or under reporting income/over reporting expenses to Revenue Canada.

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

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