

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

**Citation:** Skinner v. Cullen, 2009 NSSC 200

**Date:** 20090713

**Docket:** SFHMCA-051510

**Registry:** Halifax

**Between:**

Daphne Skinner

Applicant

v.

Candis Cullen, Nathaniel Welsh and Michael Skinner

Respondents

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Deborah Gass

**Heard:** June 25, 2009, in Halifax, Nova Scotia

**Summary:** Grandmother seeks child support from her spouse, the child's step grandfather. Parties separated 18 months after child placed in their care.

**Issue:** Status of step (grand) parent under *Maintenance and Custody Act*.

**Result:** The grandparents both had legal custody of the child pursuant to court order. Not a case where de facto custody ended when the grandfather ceased to be part of the child's household. The grandfather is in the same position as any other parent or guardian where, upon separation, legal custody is vested in one parent, leaving the other with rights and obligations. Child support ordered in accordance with s. 3 of the Guidelines.

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