

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Keough v. Tran, 2010 NSSC 249

Date: 20100622

Docket: SFHMCA-069963

Registry: Halifax

Between:

Todd Russell Keough

Applicant

v.

Ngoc Tran (Keough)

Respondent

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Judge: The Honourable Justice Beryl MacDonald

Heard: June 3, 4, 2010, in Halifax, Nova Scotia

Written Decision: June 25, 2010

Subject: Family Law, Maintenance and Custody Act, Interim Applications, Custody/Access, Child Support, Spousal Support

Summary: The parties met in 2002 in Vietnam. The Father is Canadian and the parties married in 2004. The child was born in 2004. The parties moved to Nova Scotia in 2005. The Mother had limited spoken English and skills training. She did not work during the parties relationship. The Father alleged she presented a safety risk to the child if the child was placed in her care. He requested sole custody with limited access to the Mother and exclusive possession of the matrimonial home. The Mother denied the allegations and requested the child be placed in her primary care; that she have exclusive possession of the

matrimonial home, child support and spousal support. The parties did agree that the parent who had sole custody or primary care was to have interim exclusive possession of the matrimonial home.

Issue: What interim custodial/access arrangement was in the best interest of the child? What child support and/or spousal support was to be paid?

Result: The child was to be in the interim primary care of the Mother under a joint custodial arrangement. The Father would have access on the weekend and during the week on an alternating schedule. The Father was to pay child support and spousal support including recognition of third party payments as spousal support.

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