

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Ross-Johnson v. Johnson, 2010 NSSC 262

Date: 20100712
Docket: 1201-059476
Registry: Halifax

Between:

Heidi Ross-Johnson

Applicant

v.

Christopher Johnson

Respondent

LIBRARY HEADING

Judge: The Honourable Justice Moira C. Legere Sers

Heard: June 14, 15 and 16, 2010 in Halifax, Nova Scotia

Counsel: Sheena McCarthy, counsel for the Applicant
Brian Bailey, counsel for the Respondent

Subject: Custody and Access Variation (Section 17 of the *Divorce Act*)
Review Hearing

Summary: A mother filed a variation application seeking a return of the child to her custody, alleging a change in circumstances.

Issue: Two-tiered test in application to vary custody pursuant to the *Divorce Act*. Discussion of the purpose of review hearing set in the initial order varying custody.

Result: Court found no change in circumstances of child; in child's best interests to remain in the custody of the father. Access provisions for the mother. Review was to supervise and manage transition difficulties. Nova Scotia Supreme Court no longer retains jurisdiction over the child.

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