

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

**Citation:** Krszwda v. Henderson, 2011 NSSC 193

**Date:** 2011/05/19

**Docket:** SFSNMCA: 074414

**Registry:** Sydney

**Between:**

Frank Krszwda

Applicant

v.

Jennifer Henderson

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Theresa M. Forgeron

**Heard:** March 31 and April 1, 2011 in Sydney, Nova Scotia

**Written Decision:** May 19, 2011

**Subject:** Custody and Access

**Issue:** What interim, parenting arrangement is in the child's best interests?

**Result:** Mother made unilateral decision to move the permanent residence of the child to Ontario, without the father's knowledge or consent. Factors relevant to interim parenting decisions were reviewed. Sole Custody awarded to father and liberal specified access to mother in child's best interests. Father's plan more protective and less disruptive to child than mother's plan. Mother failed to succeed in proving allegations of violence, drug and alcohol abuse, and a lack of parental involvement.

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