

IN THE SUPREME COURT OF NOVA SCOTIA

Citation: Horne v. Horne, 2002 NSSC 282

Date: 20021223

Docket: SH 1201-53097

Registry: Halifax

Between:

Joan Leanne Horne

Petitioner

and

Richard John Horne

Respondent

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Judge: The Honourable Justice Walter R. E. Goodfellow

Heard: December 23, 2002 in Halifax

Written Decision: December 30, 2002

Subject: Divorce - *M.P.A.*

Summary: Petition issued July 14, 1998 with several interim applications. On occasion of last interim application, Court set matter for trial December 23rd, 2002 when Mrs. Horne, a non-resident, would next be in Nova Scotia; if not set for trial, quite likely several additional interim applications would be heard before a trial date made available. Order for up-to-date disclosure and on hearing, addressed the following:

- (1) Granted divorce.
- (2) Addressed arrears of child support.
- (3) Addressed present child support, bearing in mind that oldest child, soon 18, presently working but scheduled to return to school February 1, 2003. If she has not registered and maintained appropriate attendance, Court will conduct telephone conference after March 15th, 2003, with probability child support will cease.
- (4) Fixed R.R.S.P.'s as matrimonial asset, valuation date, date of division which is trial date, *Stoodley v. Stoodley* (1999), 172 N.S.R.(2d) 101, discounted for income tax and depreciation in value of mutual funds. No rollover due to nature of R.R.S.P.'s.
- (5) Separate order with respect to Mr. Horne's pension, covering period of contribution which predates marriage by a year to two years to date of separation.
- (6) Parties to share in orthodontic expense for one child in relation to their relative incomes.
- (7) Mrs. Horne to make a contribution to child care expenditures, contribution on net cost to Mr. Horne prorated on basis of their respective incomes.
- (8) Corollary Relief Judgment will contain provision ordering parties, if self-represented, to provide copy of any and all communications with the court. Provision necessary because both parties failed to do so while both self represented in the past.

NO PRECEDENT VALUE

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