

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

**Citation:** Children's Aid Society of Inverness/Richmond v. C.S.L.,  
2009 NSSC 207

**Date:** 20090630

**Docket:** SFPACFSA-053721

**Registry:** Port Hawkesbury

**Between:**

Children's Aid Society of Inverness/Richmond

Petitioner

v.

C.S.L., D.R. and E.R.

Respondent

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**LIBRARY HEADING**

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**Restriction on Publication:** Publishers of this case please take note that s. 94(1) of the *Children and Family Services Act* applies and may require editing of this judgment or its heading before publication.

Section 94(1) provides:

“No person shall publish or make public information that has the effect of identifying a child who is a witness at or a participant in a hearing or subject of a proceeding pursuant to this Act, or a parent or guardian, a foster parent or relative of the child.”

**Judge:** The Honourable Justice Moira C. Legere Sers

**Heard:** December 8, 9, & 10, 2008 and June 3 & 4, 2009, in Port Hawkesbury, NS

**Subject:** Child Protection - Final Disposition

**Summary:** Five (5) month old child apprehended from mother. Mother left jurisdiction before final disposition. Father and partner sought custody. Maternal grandparents denied leave to apply. Paternal grandmother present and wanting to play a significant role but never filed a formal plan. She was unable to obtain counsel. Agency declined to accept assessors recommendations and seven (7) months before final time lines moved to seek permanent care order for purpose of adoption.

**Issue:** Extension of final disposition hearing beyond legislated Section 45 deadlines - agency and Court duty where reasonable alternative available.

**Result:** Agency's plan of care dismissed. Paternal grandmother granted sole custody, no access to mother, access to father with conditions.

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