

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

**Citation:** Léveillé v. Léveillé, 2012 NSSC 422

**Date:** 20121206

**Docket:** 1201-064896  
(SFHD072558)

**Registry:** Halifax

**Between:**

Joseph Gerald Steve Léveillé

Petitioner

v.

Elizabeth Ellen Cross Léveillé

Respondent

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**LIBRARY HEADING**

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

**Heard:** October 29, 2012 in Halifax, Nova Scotia

**Subject:** Application to vary child support and forgive arrears.

**Issue:** Original child support based on anticipated employment.  
Employment did not occur. Was this sufficient to justify a change in the order ? Was the applicant under-employed?

**Summary:** Due to unresolved marital issues, the anticipated employment of the applicant did not occur. Question whether the applicant's unemployment outside his control .

**Result:** Premature to determine whether applicant is underemployed.  
Retroactive assessment and setting of reduced arrears.

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