

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Abbot v. Algarvio, 2012 NSSC 312

Date: 20120817

Docket: SFHMCA-081703

Registry: Halifax

Between:

Jody Lynn Allister Abbott

Applicant

v.

Philip Frank Algarvio

Respondent

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Judge: The Honourable Justice Elizabeth Jollimore

Heard: August 17, 2012

Keywords: jurisdiction, *forum non conveniens*

Legislation: *Court Jurisdiction and Proceedings Transfer Act*, S.N.S. 2003 (2nd Sess.), c. 2, section 4, section 11, section 12
Reciprocal Enforcement of Custody Orders Act, [R.S.N.S. 1989, c. 387](#)
Maintenance and Custody Act, R.S.N.S. 1989, c. 160, subsection 18(5)

Summary: Mother applied for custody of three year old son. Father opposed hearing in Nova Scotia, on the basis that the child had lived his entire life in Ontario.

Result: Jurisdiction declined.

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