

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Marchand v. Boudreau, 2013 NSSC 93

Date:20130312

Docket: SFPAMCA-068129

Registry: Port Hawkesbury

Between:

Betty Anne Marchand

Applicant

v.

Adrian Marchand

Respondent

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Judge: The Honourable Justice Moira C. Legere Sers

Heard: December 7, 2012, in Port Hawkesbury, Nova Scotia

Subject: Shared Custody v. Joint Custody

Issue: Whether a shared parenting arrangement exists. When a section 9 analysis under the child support guidelines is required. What considerations apply.

Summary: The parents had a complex schedule due to both working shift work at the same location The father argued that this was a shared parenting arrangement. The court ordered joint custody , primary care with mother..

Result: This case started in January, 2010. At the time of the order, this was a joint legal custody parenting strategy with primary care with the mother. The father has liberal parenting time depending on his shift schedule and his ability to transport the child.

The schedule varied with the changing needs and availability of the parents. Between 2009 and 2012 this was not a share parent arrangement calling for a section 9 analysis .Section 9 analysis done to cover the subsequent schedule arising in the year 2012.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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