

**SUPREME COURT OF NOVA SCOTIA**

**(Family Division)**

**Citation:** Blackburn v. Pace, 2013 NSSC 201

**Date:** 20130626

**Docket:** SFHF 012802

**Registry:** Halifax

**Between:**

Theresa Michelle Elizabeth Blackburn

Applicants

and

Andrew David Pace, Melissa Pace

Respondent

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**Judge:** The Honourable Associate Chief Justice Lawrence I. O’Neil

**Hearing:** May 17<sup>th</sup>, 2013 (a Binding Settlement Conference)

**Issues:** Whether the parties’ shared parenting arrangement will result in the payor parent paying less than the table amount of child support.

**Summary:** The Court found, after applying the *Contino* analysis, that the full table amount of child support should continue to be paid. The payee parent was unable to work because of a disability and the payor parent was earning more than \$50,000 per year. The shared parenting arrangement did not significantly reduce the payee parent’s cost of raising the parties’ child and it was important that the standard of living in her home not be negatively impacted by a reduction of child support. The Court’s ruling follows a Binding Settlement Conference in which the parties agreed upon a shared parenting arrangement but were unable to agree on whether that new arrangement would result in a reduction of child support.

**Keywords:** Shared parenting; child support

**Legislation:** *Maintenance and Custody Act*, R.S.N.S. 1989 c.160  
Child Maintenance Guidelines, N.S. Reg 53/98  
Child Support Guidelines, SOR./97-175

**Cases Considered:** *Contino v. Leonelli-Contino*, 2005 SCC 63

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