

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

Citation: *Murray v. McDougall*, 2015 NSSC 398

**ENDORSEMENT**

Melissa Murray v. John McDougall

SFH-MCA 059371

June 23, 2015

Michele Poirier on behalf of Melissa Murray

Judith A. Schoen on behalf of John McDougall

**Issue:**

The parties are contesting the issues of parenting, child maintenance and unjust enrichment. This endorsement addresses Ella's summer parenting schedule.

**Decision:**

Ella's schedule will alternate between her parents on a weekly basis through the nine weeks of the school summer vacation. The summer schedule will alternate between her parents each summer so Ella will be able to spend certain holidays (Canada Day and Natal Day) with each parent.

**Reasons:**

[1] The parties have agreed that Ella should be in shared parenting during the summer months.

[2] Typically, summer vacation is approximately nine weeks long. I order that the summer vacation be divided between the parents starting on the Friday afternoon following the conclusion of school until the Friday afternoon before school resumes in September. In odd-numbered years, Ella will spend the first week following the conclusion of school with her father, and the remainder of the summer she will alternate between her parent's homes at weekly intervals, with transfers occurring on Friday afternoons. This means that in odd-numbered years, Ella will have Canada Day with her father and she will have Natal Day with her mother.

[3] In even numbered years, Ella will spend the first week following the conclusion of school with her mother, and the remainder of the summer she will alternate between her parent's homes at weekly intervals, with transfers occurring on Friday afternoons. This means that in even-numbered years, Ella will have Canada Day with her mother and she will have Natal Day with her father.

[4] The pattern of weekly alternation will continue until the Friday afternoon before school resumes. Regardless of whether it is in even-numbered year or in odd-numbered year, Ella will spend the weekend before school resumes with her mother so Ms. Murray can re-establish the

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school year routine and, if necessary, prepare Ella for school. To be clear, this may mean that for the last two weeks of the summer Ella is with her mother.

[5] In the event either parent wants to take an extended holiday (of more than seven days) with Ella, the parents may agree to adopt fortnightly alternation. If each parent is to maintain one of the two statutory holidays (Canada Day and Natal Day) with Ella, they may wish to adopt fortnightly alternation for one month and weekly alternation for the other month or to otherwise rearrange the schedule.

**Directions:**

The remainder of my decision will be rendered as quickly as possible. This portion need not be incorporated into an order until my decision is complete.

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**Elizabeth Jollimore, J.S.C.(F.D.)**