SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)
K.M. v. K.M.G., 2018 NSSC 159

Date: 20180628
Docket: SFHMCA 097903
Registry: Halifax

Between:

K.M.

Applicant

v.

K.M.G.

Respondent

_____

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Judge: The Honourable Justice Beryl A. MacDonald

Heard: May 7, 8, 9 and 10, 2018

Written Decision: June 28, 2018

Keywords: Family, Custody, Parenting Time (Access), Domestic Violence, Child Support

Legislation: *Parenting and Support Act*, R.S.N.S. 1989, c. 160

Summary: The Father requested parenting time. He had plead guilty to "uttering threats" against the Mother and her extended Family. He breached a no contact order. The Mother and her extended Family were afraid of the Father. Their fears were genuine and not contrived to prevent contact between the child and the Father. The Mother requested custody and primary care without parenting time for the Father.

The Father was a perpetrator of domestic violence. He had no insight about how his behaviours affected the Mother, the child and extended family. He was not a good role model for the child.

The Mother was to have custody and primary care. She was not required to communicate with the Father. The Father would have no parenting time. A future request for parenting time was only be considered when:

- the child was older, had fewer symptoms of anxiety and had learned strategies to control his anxiety;
- the Father continued to be of good behaviour;
- the Father had enrolled in and completed programs and therapy to address his anger and provide him with an understanding about domestic violence, how it effects victims and children, and how it is to be avoided.

For the purpose of paying Provincial table guideline child support, the Father's annual income was $25,000.00. The monthly amount to be paid was $190.00.

The Mother's claim for section 7 expenses was denied. No information was provided about their "necessity" and "reasonableness".

This Information Sheet Does Not Form Part Of The Court's Decision.

Quotes Must Be From The Decision, Not This Library Sheet.