

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

**Citation:** Bell v. Bell, 2013 NSSC 330

**Date:** 2013-10-16

**Docket:** 1201-061879; SFH-D 053801

**Registry:** Halifax

**Between:**

Jill Ruth Bell

Petitioner

v.

Thomas James Bell

Respondent

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**Judge:** The Honourable Justice Elizabeth Jollimore

**Heard:** October 9, 2013

**Summary:** Mother applied to vary child support under *Divorce Act*. She moved for recalculation of arrears pursuant to *Maintenance Enforcement Act*. Motion under the *Maintenance Enforcement Act* not the appropriate method to vary arrears.

**Key words:** Family - child support - variation, *Maintenance Enforcement Act*, undue hardship, provisional proceeding

**Legislation:** *Civil Procedure Rule* 59.40(4)

*Civil Procedure Rules (1972)*, Rule 35

*Divorce Act*, R.S.C. 1985 (2<sup>nd</sup> Supp.), c. 3, section 18

*Federal Child Support Guidelines*, SOR/97-175, section 8

*Maintenance Enforcement Act*, S.N.S. 1994-95, c. 6, subsection 15(4), section 39

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