

SUPREME COURT OF NOVA SCOTIA
Citation: Campbell v. Campbell, 2005 NSSC 184

Date: 20050629
Docket: SKD 032008
Registry: Kentville

Between:

Jacqueline Nicole Campbell

Petitioner

vs.

Jeffrey Victor Campbell

Respondent

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Judge: The Honourable Justice Arthur J. LeBlanc

Heard: February 28, 2005, in Kentville, Nova Scotia

Subject: Divorce Proceeding

Summary: The parties sought a divorce and an order for child support. There was a shared custody arrangement, with the children spending half the time with each parent. The mother argued that the father should pay the *Child Support Guidelines* amount. The father argued that no child support should be payable because the mother was able to split costs with her partner and he had incurred extra costs on account of the shared custody arrangement. In the alternative, he argued for a reduction of the *Guidelines* amount to reflect his increased costs and his maintenance of the family health plan. The mother also sought retroactive child support. The father had unilaterally stopped paying child support as required by a separation agreement.

Issue:

1. Was the father required to pay child support? If so, in what amount?
2. Was the father required to pay retroactive child support?

Result:

1. Based on Section 9 of the *Guidelines*, dealing with shared custody, the father was ordered to pay child support in an amount less than the table amount. The reduction reflected the respective incomes of the parties, the additional expenses incurred by the father as a result of shared custody and the relative standards of living of the parties.
2. The father was ordered to pay retroactive child support.

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