

SUPREME COURT OF NOVA SCOTIA
(Family Division)

Citation: Darlington v. Moore, 2014 NSSC 358

Date: 20141001
Docket: SFHMCA 068167
Registry: Halifax

Between:

Michelle Darlington

Applicant

and

David Paul Moore

Respondent

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

Hearing: October 15, 16, 17 & 21, 2013; June 10 & 11, 2014 and September 8, 2014 in Halifax, Nova Scotia

Issues: A determination of ongoing and retroactive child and spousal support

Summary: The parties cohabited for more than 18 years but were never married. The Court calculated the Respondent’s spousal and child support obligation to reflect his disability income as well as his earned income. The Court ordered retroactive child support and deferred setting the quantum of retroactive and ongoing spousal support until a complete picture of the parties’ condition, means and other circumstances was known. This would only be known after the Court completed a hearing on the division of the parties’ assets and debts in September 2014. The Court ordered that an RESP be dedicated to the children’s education if possible.

Keywords: Child Support; Spousal Support; Retroactive Support; Special Expenses; Adult Child; Imputed Income; Spousal Support Guidelines; RESP

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

Cases Considered: *Darlington v. Moore*, 2013 NSSC 103
Strecko v. Strecko, 2013 NSSC 49 and 2014 NSCA 66

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