

NOVA SCOTIA COURT OF APPEAL  
Cite as: Cosper v. Cosper, 1997 NSCA 155  
Clarke, C.J.N.S.; Hallett and Flinn, J.J.A.

**BETWEEN:**

CLARA I. COSPER	)	)	Appellant in person
	Appellant	)	
- and -	)	)	
RONALD L. COSPER	)	)	Frederick Angus for the Respondent
	Respondent	)	Appeal Heard: September 19, 1997
		)	Judgment Delivered: September 30, 1997
		)	
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**THE COURT:** Appeal dismissed per reasons for judgment of Flinn, J.A.;  
 Clarke, C.J.N.S. and Hallett, J.A. concurring.

**FLINN, J.A.:**

The appellant and the respondent, after 20 years of marriage, were divorced in December 1991. The corollary relief judgment, issued at the time of the divorce, provided, inter alia, that the respondent pay to the appellant spousal support of \$1,350.00 per month. The appellant appealed the corollary relief judgment to this Court, and her appeal was dismissed by decision dated June 1, 1995 (see **Cosper v. Cosper** (1995), 141 N.S.R. (2d) 344).

In July 1996 the appellant made application to the Supreme Court of Nova Scotia to vary the award of spousal support. The respondent replied with his own application to terminate or reduce the spousal support. Justice Hood dismissed both applications.

The appellant now appeals from Justice Hood's decision dismissing the application to vary her spousal support.

The appellant was not represented by counsel at the hearing of this appeal. Many of her arguments, in support of her appeal, relate to what she describes as unfairness of the original corollary

relief judgment issued in December of 1991. The original corollary relief judgment was the subject of a prior unsuccessful appeal; and, therefore, those arguments are not relevant on this appeal.

In her decision on the merits of the appellant's application, Justice Hood, firstly, referred to the test for considering such applications as that test has been established by the Supreme Court of Canada in **Willick v. Willick**, [1994] 3 S.C.R. 670.

Justice Hood then carefully reviewed the various changes in circumstances which the appellant had put forth in support of her application. Justice Hood decided that, in each case, the change in circumstances did not represent a material change entitling the appellant to increased spousal support.

After reviewing the record of this proceeding, and the submissions of both the appellant and the respondent, we are unanimously of the opinion that Justice Hood made no error in dismissing the appellant's application.

The appeal should, therefore, be dismissed, but under the circumstances, without costs.

Flinn, J.A.

Concurred in:

Clarke, C.J.N.S.

Hallett, J.A.

NOVA SCOTIA COURT OF APPEAL

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CLARA I. COSPER

Appellant

- and -

RONALD L. COSPER

Respondent

REASONS FOR  
JUDGMENT BY:

FLINN, J.A.