

**FAMILY COURT OF NOVA SCOTIA**  
**Citation:** D.M.T. v. C.R.L., 2011 NSFC 22

**Date:** 20111007  
**Docket:** 08C057494  
**Registry:** Yarmouth

**Between:**

D.M.T.

Applicant

v.

C.R.L.

Respondent

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**LIBRARY HEADING**

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**Editorial Notice**

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**Judge:** The Honourable Judge John D. Comeau, J.F.C.

**Heard:** Comeauville, Nova Scotia, December 9, 2010  
and July 21, 2011  
- and -  
Digby, Nova Scotia April 12, 2011  
and June 14, 2011

**Issue:** **Custody/access/schooling (condition to custody)**

**Summary:** The parties are the parents of a female child born December \*, 2006. There was agreement following their separation over custody and access with a shared parenting plan of four days rotation. The communication and agreements deteriorated when the mother had a relationship with a same sex partner. There were allegations of domestic violence between the two. Also excessive use of alcohol (drugs) involving the mother. Access to the mother was to be supervised. Two homestudies were

prepared with the last one dealing with the contact and or relationship of the child with the mother's partner.

Results:

The parties agreed at trial that supervised access was no longer required. The second updated homestudy recommended a return to a shared parenting (joint custody) scenario. The mother's partner was now working in Alberta, had turned her life around and although there was still an ongoing relationship the partner only visited on occasion. The assessor found the partner and the child got along very well and it would not be contrary to the child's best interests to have a relationship with her. The Court found that the parties should return to a shared parenting arrangement as they had communicated well in the past. Joint custody ordered on a week on week off basis.  
School - the Court ordered that the child attend school recommended by the father as the child was registered there and the mother had attended that school's orientation with the child.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
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