

**IN THE FAMILY COURT OF NOVA SCOTIA**

**Citation:** M.L.A.R., v.G.T.R., 2011 NSFC 7

**Date:** 20110322

**Docket:** FYMCA - 038252

**Registry:** Yarmouth

**Between:**

MLAR and WER

- Applicants

v.

GTR(F) and JPJ

- Respondents

---

**LIBRARY HEADING**

---

**Judge:** The Honourable Judge John D. Comeau

**Heard:** Yarmouth, Nova Scotia, February 2, 2011

**Decision Date:** March 2, 2011

**Issue:** **Duty of parents and “guardians” to provide child support and a contribution to special expenses. Apportionment of special expenses between parents and guardians.**

**Summary:** **The guardians had *de facto* custody of a child 18 months after his birth (February 16 1996). They applied for custody in 2005 and the matter was adjourned without date after numerous court appearances. In November of 2010 the guardians applied for child support and special expenses for orthodontic treatment.**

**Result:** **As a remedial solution the custody application was brought forward by the Court. It was in the child’s best interest that custody be granted to the guardians as of 2005. The parents did not oppose this. Child support was ordered to be paid by the parents as per the child support tables. This did not amount to excessive child support because of the parent’s minimal income.**

required                    **Special expenses were apportioned three ways with the guardians being  
to pay for the child's contribution (see section 7(2) of the N.S. Child  
Maintenance Guidelines).**

**As a result of the parties being unrepresented the Court provided them with a  
payment schedule.**

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***