

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

BETWEEN:

JANET LEE STEWART

Applicant

-and-

MICHAEL GABRIEL JONES

Respondent

MEMORANDUM OF JUDGMENT

[1] This matter, which had been dormant since 1996, came before me on July 4, 2001 on an application filed in February 2001 by Mr. Jones for specified access to the child of the parties and a cross-application by Ms. Stewart for child support.

[2] I adjourned the access application *sine die* pending an assessment by a family counselling or other service as to the child's reaction to Mr. Jones' wish to re-establish contact. I reserved my decision on the question of child support and the date at which support should commence. Subsequently, I raised with counsel the question whether the order sought is properly an interim or a permanent order. Procedurally, this case appears still to be at an interim stage and neither party has specifically sought a permanent order.

[3] Having heard from counsel and having discussed this issue with them, I direct the following:

1. Counsel for Mr. Jones will have until September 15, 2001 to file and serve further affidavit material on Mr. Jones' past earnings;

2. Counsel for Ms. Stewart will have until September 22 to file material in response and to advise whether she seeks to make further submissions.

[4] After these steps have been taken, counsel are content that I issue a decision as to when child support should commence and the amount payable. Counsel agree that the decision will be a permanent one for purposes of this proceeding; they do not intend to make it a trial issue should there eventually be a trial as to custody or access.

[5] As to ongoing child support, based on Mr. Jones' current income of \$72,720.00 and in accordance with the amount payable under the territorial *Child Support Guidelines* for a payor resident in Alberta, an order will issue that Mr. Jones pay the monthly amount of \$606.00 plus \$78.42 as his proportionate share of child care expenses for a total of \$684.42, commencing July 1, 2001 and payable on the first day of each month thereafter.

[6] Whether child support should be payable for any period of time prior to July 1, 2001 will be dealt with after counsel have filed the material referred to above.

V. A. Schuler
J.S.C.

Dated at Yellowknife in the Northwest Territories
this 13th day of August, 2001.

Counsel for Ms. Stewart:	Sheila MacPherson
Counsel for Mr. Jones:	Margot Engley