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1. Retroactive Child Support: S.C.C.

The recent Supreme Court decisions in [D.B.S. v. S.R.G.](#); [L.J.W. v. T.A.R.](#); [Henry v. Henry](#); [Hiemstra v. Hiemstra](#), 2006 SCC 37 clearly set out the principle that:

...parents have an obligation to support their children in a way that is commensurate with their income. This parental obligation, like the children's concomitant right to support, exists independent of any statute or court order.

The court goes on to discuss the factors to consider in making a retroactive support order and the effective date of such orders.

2. Mobility and No Child Support: Q.B.

In *Meyer v. Meyer*, 2006 MBQB 151, the court considers a mother's request to move to Alberta with the 2 children of the marriage. Applying the test in [Gordon v. Goertz](#) [1996] 2 S.C.R. 27 the court decides in favour of the mother. The court adjourns the issue of child support *sine die* on the basis that it would be inequitable and not in the best interests of the children to order child support in this case.

3. Expanded Child Support Recalculation Service

The Child Support Recalculation Service is now available to vary child support orders made under the *Divorce Act*. On July 19, 2006 Canada and Manitoba finalized an agreement designating the Child Support Recalculation Service as a provincial child support service pursuant to [section 25.1 of the Divorce Act](#).

4. CLE on S.C.C.'s Child Support Decisions

For a discussion of the impact of the recent S.C.C. decisions in [Contino](#) and [Henry](#) be sure to attend *How Much and How Far? A Review of Recent Supreme Court of Canada Decisions on Child Support* on Wednesday, October 11, 2006 at 12:00 p.m. at The Law Society of Manitoba. [Click here](#) to register or for more information.

5. Western Bar CLE Materials

Materials from the family law CLE programs at the recent Western Bar Association meetings are now available for purchase. The materials include:

- *Are You "Loco?" An Analysis of the Law of In Loco Parentis/Standing in the Place of a Parent and Arguments for Reform* by Derek D. Cullen of Meighen, Haddad & Co.
- *Family Property Resolutions in Agriculture: A "Nuts and Bolts" Review of Family/Marital Property Accountings in Canada with Specific Reference to Agriculture* by Master Errick Harrison of the Manitoba Court of Queen's Bench, Brandon Centre

To order, visit our [website](#) or contact Legal Studies at (204) 942-5571.

6. New Resource for Children

Community Legal Education Association has recently released the booklet *Family Law for Children: Information for kids about separation and divorce*. Copies can be obtained by calling CLEA at (204) 943-2382 or via e-mail to info@communitylegal.mb.ca.

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