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1. Contempt for failure to provide security: S.C.C.

In [Dickie v. Dickie](#), 2007 SCC 8, the Supreme Court finds Dr. Dickie in contempt, having failed to comply with orders to post security for costs and to provide an irrevocable letter of credit to secure his support obligations. In allowing the appeal, the court follows the dissent of Laskin, J.A. in [Dickie v. Dickie](#), 2006 CanLII 576 (ON C.A.) and finds that the lower court had discretion to refuse to entertain the appeal of Dr. Dickie until he complied with the support orders made against him. The court also finds that the orders to post security for costs and to secure the support obligations by an irrevocable letter of credit are not orders for the "payment of money" and could therefore be enforced by a contempt order. Ontario's Rule 60.11(1), considered in this decision, reads the same as Manitoba's [Queen's Bench Rule 60.10\(1\)](#).

2. Leave refused in *Ridout v. Ridout*: S.C.C.

The [Supreme Court](#), on January 18, 2007, refused leave to appeal the Manitoba Court of Appeal's decision in *Ridout v. Ridout*, 2006 MBCA 59. The appellant was seeking to have the court overturn the decision of the motions judge dismissing her motion to rescind the consent judgment entered in September, 2002 on the basis that she was unduly influenced, coerced or intimidated into entering that order.

3. Appeal on Child and Spousal Support: C.A.

[Gobeil v. Gobeil](#), 2007 MBCA 4 (CanLII) deals with an appeal of the lower court's dismissal of proceedings to reduce the child and spousal support payable pursuant to a separation agreement. The court upholds the decision with respect to spousal support, finding that there was not a "material change in circumstances to warrant any change" to the spousal support obligation. The appeal on child support is allowed. The court finds that the lower court erred in applying the same reasoning and analysis to the issues of spousal and child support, and that the income of the payor should have been determined pursuant to the Guidelines so as to establish the amount of support payable.

4. Review of Costs Cases: Q.B.

[Doherty v. Doherty](#), 2007 MBQB 12 (CanLII) is a decision on costs where the matter was settled by a Consent Judgment during the course of the trial. The Respondent made a formal settlement offer pursuant to Queen's Bench Rule 49 approximately 3.5 months before trial, which expired just after commencement of the trial. Although the matter was settled, the court states that the

Respondent "can fairly be regarded as the "successful party" in this case." As well, the Petitioner's litigation conduct is described by the court as "overt misconduct." The case is useful in that it contains a thorough review of recent decisions on costs and the relevant provisions of the Queen's Bench Rules.

5. CBA Family Law Resources Online

Resources from the CBA's most recent [Family Law section newsletter](#) are available online for 60 days (until sometime in late March in this case) and include:

- [Spousal Support Guidelines update](#), by Carol Rogerson and Rollie Thompson
 - [SCC's decision on annual income disclosure threatens children's interests](#), by Judith L. Huddart
 - [General information on passport applications for children under 16 years of age](#)
 - [Passport considerations for separation agreements and court orders](#)
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