

Princess Belle the Beauty v. Prince Adam the Beast – Issues for Trial

Issues

1. INCOME – Prince Adam's income

- a. Imputing income
- b. Adverse inferences on income
- c. Grossing up income
- d. Gifts
- e. Loans from employer
- f. Evidence that there is income not “hitting the books”
- g. Deducting interest from rental income on tax returns (it seems like this is generally allowed but is there case law on excessively deducting interest by paying off principle residence and transferring the debt to rental properties?)
- h. Representing income on loan application – check the case that is in the blue book where absent evidence to the contrary the court accepted a party's stated income on his loan application as his income
- i. Imputing income for a party who works for family business (examples where business pays for expenses/money is fluid)

2. CHILD SUPPORT AND SECTION 7 EXPENSES

- a. The totality of section 7 expenses paid for by one parent
- b. Extra- curricular expenses that are considered section 7 expenses
- c. Education expenses that are considered section 7 expenses
- d. Percentage of nanny expenses that are considered childcare expenses as kids get older
- e. Healthcare expenses that are considered section 7 expenses
- f. Retroactive child support
- g. Child support for split or shared parenting – set off case law – can it be used to argue higher than straight set off

3. PARENTING

- a. No material changes in circumstances (our argument)
- b. Age as a material change in circumstances (Prince Adam may argue this)
- c. Onus to establish a material change in circumstances
- d. Failure to file an expert report

4. JUDICIAL INTERVIEWS/ VOICE OF THE CHILD

- a. When is a judicial interview granted?
- b. What are the parameters around judicial interviews?

5. COSTS AND NON-DISCLOSURE

- a. Costs for failure to provide an Affidavit of Records
- b. Look at whether Prince Adam can seek costs for non-disclosure if he never brought a Court Application for disclosure – *(note: should we gather emails where he has requested documents in the past? He is likely going to try to argue that Princess Belle's income is \$300,000+ and that she is not disclosing all of her income either)* – try to tie in Rule 1.1(2) which states that the Court does not allow for lenience of self-represented litigants
- c. Costs for failing to comply with Court Orders for disclosure
- d. Recouping the cost of taxes Princess Belle paid on money held in trust for Prince Adam
- e. Solicitor client costs