

COURT OF APPEAL OF
NEW BRUNSWICK



COUR D'APPEL DU
NOUVEAU-BRUNSWICK

132-21-CA

B.M.

B.M.

APPELLANT

APPELANT

- and -

-et-

K.R.

K.R.

RESPONDENT

INTIMÉE

Motion heard by teleconference:
The Honourable Justice Baird

Motion entendue par téléconférence :
l'honorable juge Baird

Date of hearing:
December 21, 2021

Date de l'audience :
le 21 décembre 2021

Date of decision:
December 21, 2021

Date de la décision :
le 21 décembre 2021

Counsel at hearing:

Avocats à l'audience :

B.M., on his own behalf

B.M., en son propre nom

K.R., on her own behalf

K.R., en son propre nom

DECISION

[1] On November 29, 2021, a judge of the Court of Queen’s Bench, Family Division, rendered a 67-page decision following a four-day trial where both parties were self-represented.

[2] At issue was the parenting time in respect to the one child of the relationship, child support, offsets for travel costs associated with the exercise of access, and undue hardship under the *Child Support Guidelines Regulation – Family Law Act*, S.N.B. 2020, c. 23 (NB Reg. 2021-19, O.C. 2021-64).

[3] On December 10, 2021, the father filed a Notice of Appeal asserting the hearing judge made errors in fact and in law. On December 20, 2021, the father filed a motion seeking an order expediting the hearing of his appeal to January 2022. The request was based on his assertion it would be in the best interests of the child to “have this matter resolved as soon as possible,” and the order from the court below was causing him financial hardship.

[4] Rule 62.18 of the *Rules of Court* allows for the early hearing of an appeal, with the approval of the Chief Justice. Having reviewed the decision of the lower court, as well as the documents filed by the father, and having heard the submissions of both the appellant and the respondent, I am not convinced that special circumstances exist to categorize this appeal as a proper one in which to expedite the hearing of the appeal.

[5] The motion is dismissed without costs. Considering this decision contains a deadline, I invoke s. 24(2) of the *Official Languages Act*, S.N.B. 2002, c. O-0.5, and direct that this decision be published in one official language and, thereafter, at the earliest possible time, in the other official language.