

But for the Plan (The Single Dad and the College Student)

When our client, Sam, separated from his wife, Ruby, he had custody of their only child, Ernest (not their real names), who was 12 years old.

The parents signed a separation agreement which required that Ruby pay child support in a low monthly amount, consistent with her income at that time. The agreement also required her to provide proof of her future income each year, but she did not.

Six years later, Ernest was 18 and planning to attend college. Sam was planning to retire, and would have to struggle to put his son through school. That is when he decided to ask for our help. We wrote to Ruby, asked for proof of her income, and found that it had increased significantly.

Ruby was angry that Ernest had reduced his contact with her. She refused to either increase her support payments or pay for part of the college costs (even though she had an RESP for Ernest!).

We brought a Motion to Change the support payments in three ways:

- 1) increase the current monthly amount,
- 2) retroactively increase the support paid in earlier years, and
- 3) add an additional amount for Ruby's proportionate share of the college costs.

At a pre-trial court appearance, the judge completely supported our presentation of the father's position, as a result of which Ruby, through her counsel, agreed to increase the monthly support payments, pay \$7,500 in retroactive support and pay approximately \$8,600 for college expenses.

From the time Sam first called us, it took 10 months to achieve this excellent result.

Sam's out-of-pocket legal costs were about \$2,500 - a fraction of what he would have paid, but for the Plan.

*... Submitted by Wendela Napier,
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