

IN THE SUPREME COURT OF THE YUKON TERRITORY

Citation: *Huggard v. Huggard*, 2005 YKSC 23

Date: 20050422
Docket No.: S.C. No. 05-D3731
Registry: Whitehorse

Between:

Maureen Veronica Huggard

Petitioner

And

Eric Jan Huggard

Respondent

Before: Mr. Justice R.S. Veale

MEMORANDUM OF RULING (Indigent Status)

[1] Ms. Huggard makes an application for indigent status. Indigent means that the person applying is “lacking the necessities of life; need, poor” or a person “possessed of some means but such scanty means that he is needy or poor”. See *Tan v. Yukon (Government of)*, 2005 YKSC 19. In that case, Mr. Tan was granted indigent status as he had an income of \$800 per month. He was a single person without dependants.

[2] In this application, Ms. Huggard has a gross monthly income of \$2,400 based upon rental income of \$1,800 and child support of \$600. However, she also supports three children aged 12, 11 and 6.

[3] The filing fee for a petition for divorce is \$40 plus \$30 for an application for child support.

[4] Ms. Huggard appears to own a house in her name with an equity of \$15,000. She also has a claim against two properties valued at \$215,000 and \$170,000 respectively with a joint mortgage of \$180,000, making an equity of \$205,000.

[5] While I have some sympathy with Ms. Huggard, who is supporting a family of four on a tight monthly income, she has potential assets that may be in excess of \$100,000. She will also be entitled to claim her costs from Mr. Huggard.

[6] I conclude that Ms. Huggard is not indigent and will have to pay the filing fees.

Veale J.