

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNES

January 29, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@gov.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for February and March:

A) Court of Appeal:

Court of Appeal chambers will be held at 10:00 a.m. every Thursday in February and March.

Telechambers will be held every Wednesday at pre-appointed times.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held every Thursday in February and March at 9 a.m.

Appearance Days will be held at 12 noon on Friday February 1, 8, 15, 22 and March 1, 8, 15 and 22.

The Prothonotary's Office will be closed on Friday, March 29, 2013 and Monday, April 1, 2013.

COURT OF APPEAL:

1. Certificate of Readiness

The Court of Appeal has amended Rule 90.26(2) and Form 90.26. This Rule now requires the appellant to certify that they have sent a copy of the Notice of Appeal to the judge or tribunal whose decision they have appealed.

The amendment can be found at the courts' website at:

http://www.courts.ns.ca/Rules/civil_procedure_rules_08_06_20/nsca_amendment_s_rule&form_90.26_13.01.23.pdf

**** Please ensure you update any precedent you are using to incorporate this new requirement in your Certificate of Readiness ****

2. Contents of Appeal Book

Counsel are reminded of the presence of Rule 90.30(4). This Rule provides that parties to an appeal may make an agreement to avoid the expense or delay of reproducing material unnecessary for the appeal by abridging all or part of the transcript of evidence or of any other material otherwise required to be included in the appeal book, or substituting an agreed statement of facts instead of a transcript or exhibit.

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNES

March 15, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@gov.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for March and April:

A) Court of Appeal:

Court of Appeal chambers will be held at 10:00 a.m. every Thursday in March and April.

Telechambers will be held every Wednesday at pre-appointed times. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held every Thursday in March and April at 9 a.m.

Appearance Days will be held at 12 noon on Friday March 15 and 22, and Friday April 5, 12, 19 and 26.

The Prothonotary's Office will be closed on Friday, March 29, 2013 and Monday, April 1, 2013.

BOTH COURTS:

No duplicate Book of Authorities

Counsel are reminded that a duplicate book of authorities is not required and should not accompany or be attached to the duplicate brief required under *Civil Procedure Rule 40.03*.

COURT OF APPEAL:

Electronic Filing - Formatting & Instructions

As you know, the Court of Appeal requires the appellant to file an electronic copy of the transcript under appeal, and each party to file an electronic copy of their factum in a format satisfactory to the Registrar (*Civil Procedure Rules 90.30(6)* and *90.32(6)*).

The Registrar's Office has created detailed instructions on how to properly format your electronic document. In particular, the documents must be submitted in a word processing format, not in PDF. Further, the factum is to be filed as a single document with consecutively numbered pages and not separated into cover page, index, and factum. To access these instructions, go to:

http://www.courts.ns.ca/appeals/documents/NSCA_submitting_electronic_documents.pdf

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNIS

May 27, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@gov.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for June and July:

A) Court of Appeal:

Court of Appeal regular chambers will be held at 10:00 a.m. every Thursday in June and July.

Court of Appeal telechambers will be held every Wednesday at pre-appointed times. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held every Thursday in June at 9a.m.

Appearance Days will be held at 12 noon every Friday in June and July.

The Law Courts summer chambers schedule will commence on July 2, 2013 and run until August 29, 2013. In this time period, there will be no regular chambers sittings on Mondays or Fridays. Appearance days will still be held on Fridays throughout the summer, unless otherwise noted.

Please note: there will be no regular Supreme Court chambers or appearance day held between May 29 - 31, 2013.

COURT OF APPEAL:

1. SCC Cases not to be included in Book of Authorities

The Court would like to remind counsel not to include certain Supreme Court of Canada decisions in their Books of Authorities. The list of decisions that need not be included is updated periodically, and may be found on the Court's website at: http://www.courts.ns.ca/appeals/index_ca.htm

2. Costs on appeal

In civil appeals, the Court observes that the question of costs on appeal is often viewed as an afterthought. Counsel are therefore urged to address this issue in more detail, if not in their facts, at least in oral argument.

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNES

June 3, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@gov.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

UPDATE TO COURT DOCKETS for June and July:

Court of Appeal:

Court of Appeal regular chambers will be held at 10:00 a.m. on Thursday June 6, 13, 27, July 4, 11, 18 and 25. **There will be no regular chambers on Thursday, June 20. Instead, regular chambers will be held at 10:00 a.m. on Wednesday, June 19.**

Court of Appeal telechambers will be held every Wednesday at pre-appointed times. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNIS

July 5, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for June and July:

A) Court of Appeal:

Court of Appeal regular chambers will be held at 10:00 a.m. every Thursday in July and August.

Court of Appeal telechambers will be held every Wednesday at pre-appointed times. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

*****PLEASE NOTE THE LOCATION CHANGE FOR COURT OF APPEAL CHAMBERS:** Beginning the week of July 29th, 2013, the Court of Appeal will be located at Summit Place, 5th floor, 1601 Lower Water Street in Halifax. All Court of Appeal Chambers matters will be held in the Courtroom on the 5th floor of Summit Place. The exception to this is for criminal matters that involve an inmate - these matters will be heard at the Law Courts. **If you have a question about where your matter will be heard, please contact the Registrar or Deputy Registrar.**

B) Supreme Court:

Supreme Court Crownside in Halifax will be held **every other Thursday** in July and August at 9a.m. In particular, Crownside will be held: Thursday July 18, and Thursday August 1, 15, and 29.

Appearance Days in Halifax will be held at 12 noon every Friday in July and August.

The Law Courts summer chambers schedule began on July 2, 2013 and runs until August 29, 2013. In this time period, there will be no regular chambers sittings on Mondays or Fridays. Appearance days will still be held on Fridays throughout the summer, unless otherwise noted.

Please note: the Prothonotaries' Offices will be closed on Monday, August 5, 2013, for the Natal Day holiday.

SUPREME COURT:

1. Amendments to Rules & Practice Memoranda

The Judges of the Supreme Court approved amendments to the Civil Procedure Rules on June 28, 2013. There are amendments to numerous Rules and Practice Memoranda, including:

- Disclosure of Documents (Rule 15.03),
- Case Management (Rule 26.02),
- Notice to Non-Party by Mail (Rule 31.20),
- Guardianship Inventory and Accounting (Rule 71.06),
- Variation to Standard Heading by Prothonotary in Child Guardianship matters (Rule 82.09).
- Practice Memorandum No. 6 (Infant Settlement Precedents)
- Practice Memorandum No. 1 (Foreclosure Procedures)

In addition, the Court has approved a new Practice Memorandum, which is Practice Memorandum Number 5 - E-Disclosure.

These amendments and the new Practice Memorandum can be found on the court's website at:

http://www.courts.ns.ca/Rules/cpr_originals_amendments_june_08.htm

2. Counsel are asked to please put your telephone and fax numbers beneath your signature when filing documents. This quick reference to your contact information is very helpful to Judges and Court Staff.

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNIS

August 16, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for August, September and October:

A) Court of Appeal:

*****PLEASE NOTE THE LOCATION CHANGE FOR COURT OF APPEAL:** As of July 29th, 2013, the Court of Appeal is located at Summit Place, 5th floor, 1601 Lower Water Street in Halifax. The Registrar's Office is still located at the Law Courts, and all filings should be directed there.

Court of Appeal Chambers matters and hearings, except those involving a prisoner, will be held in the Courtroom on the 5th floor of Summit Place. Please make this address change to your motion documents. **If you have a question about where your matter will be heard, please contact the Registrar or Deputy Registrar.**

Court of Appeal regular chambers will be held at 10:00 a.m. at Summit Place on Thursday August 22, 29, September 12, 26, October 10, 17, 24 and 31. On Thursday, September 19, chambers will be held at 1:00 pm, and the week of September 30, chambers will be held on Friday, October 4, at 10:00 am (and not on Thursday, October 3).

Court of Appeal telechambers will be held every Wednesday at pre-appointed times, except for the week of September 30, telechambers will be held on Tuesday, October 1. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held on the following days at 9:00 am: Thursday, August 29, Thursday September 5, 12, 19, **Tuesday** September 24, and Thursday October 3, 10, 17 and 31.

Appearance Days in Halifax will be held at 12 noon every Friday in August, September and October except for Friday September 27 and Friday October 25 - there will be no appearance day on these two dates.

The Law Courts summer chambers schedule began on July 2, 2013 and runs until August 29, 2013. In this time period, there will be no regular chambers sittings on Mondays or Fridays. Appearance days will still be held on Fridays throughout the summer, unless otherwise noted.

There will be no general chambers in Halifax on Thursday September 26 and Friday September 27, or from Tuesday October 22 to Friday, October 25, inclusive.

Please note: the Prothonotaries' Offices will be closed on Monday, September 2, and Monday, October 14, 2013, for the Labour Day and Thanksgiving Holidays.

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNES

September 27, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for October, November and December:

A) Court of Appeal:

*****PLEASE NOTE THE LOCATION CHANGE FOR COURT OF APPEAL:** As of July 29th, 2013, the Court of Appeal is located at Summit Place, 5th floor, 1601 Lower Water Street in Halifax. The Registrar's Office is still located at the Law Courts, and all filings should be directed there.

Court of Appeal Chambers matters and hearings, except those involving a prisoner, will be held in the Courtroom on the 5th floor of Summit Place. Please make this address change to your motion documents. **If you have a question about where your matter will be heard, please contact the Registrar or Deputy Registrar.**

Court of Appeal regular chambers will be held at 10:00 a.m. at Summit Place on Friday, October 4, at 10:00 am (and not on Thursday, October 3). At present, chambers are scheduled to be held every Thursday at 10:00 a.m. at Summit Place for the remainder of October, November and December. Stay tuned for an update on when chambers will be held the week of December 23, as the Court will be closed on Thursday December 26.

Court of Appeal telechambers will be held every Wednesday at pre-appointed times, except for the week of September 30, telechambers will be held on Tuesday, October 1. Please contact the Deputy Registrar at 424-6937 to schedule a telechambers time.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held on the following days at 9:00 am: Thursday October 3, 10, 17 and 31, Thursday November 7, 14, 21, 28, and Thursday December 5, 12 and 19.

Appearance Days in Halifax will be held at 12 noon every Friday in October, November and December *except* for Friday October 25 and Friday December 27 - there will be no appearance day on these two dates.

There will be no general chambers in Halifax from Wednesday, October 23 to Friday, October 25, inclusive.

Please note: the Prothonotaries' Offices will be closed for the following holidays: Monday October 14, Monday November 11, the afternoon (starting at 12:00 p.m.) of Tuesday, December 24, Wednesday December 25 and Thursday December 26.

BOTH COURTS:

1. Counsel assisting a litigant in the filing of documents

If you are counsel assisting a litigant with the preparation and /or filing of documents (but are not retained as counsel of record), please provide the Court with contact information for that litigant (including address and telephone number) when you file documents with the Court on the litigant's behalf.

Upon receipt of the documents, the Court will require that the self-represented litigant file an information sheet (entitled: 'Contact Information and Designated Address'). This document may be found on the Courts' website at: http://www.courts.ns.ca/appeals/documents/NSCA-SC_CIDA&Rule34_form_13-03.pdf.

2. Client acting on own after discharging counsel

If you have withdrawn or been discharged as counsel, and you are assisting your (former) client by filing a Notice of Intention to Act on One's Own (Form 33.07), please remember that this form must not only be signed by your client, but they *must also attend the prothonotary's office personally* to file this document unless they obtain written permission of that prothonotary directing that personal attendance is not required (see Rules 33.07 and 33.08).

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNIS

November 21, 2013, Amended November 25, 2013

My contact information is as follows:

phone: 424-8962

fax: 424-0524

email: mcinnicx@gov.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

Ms. Anselm's contact information is as follows:

phone: 424-7382

fax: 424-0524

email: anselmae@gov.ns.ca

COURT DOCKETS for December, January and February:

A) Court of Appeal:

Due to Construction at the Law Courts, the Court of Appeal is located at Summit Place, 5th floor, 1601 Lower Water Street in Halifax until further notice. The Registrar's Office is still located at the Law Courts, and all filings should be directed there.

The Court of Appeal posts the docket for appeal hearings for the current term, including the date, time, location of the appeal and the panel members, on its website: http://www.courts.ns.ca/dockets_on_line/nsca_docket.htm

The Court of Appeal is now also posting on its website the date, time and location of its chambers and telechambers sittings.

If you have a question about where your matter will be heard, please contact the Registrar or Deputy Registrar.

B) Supreme Court:

Supreme Court Crownside in Halifax will be held on the following days at 9:00 am: Thursday November 28, Thursday December 5, 12 and 19, January 2, 9, 16, 23 and 30, and February 6, 13, 20 and 27.

Appearance Days in Halifax will be held at 12 noon every Friday in November,

December, January and February *except* for Friday December 13 ~~27~~- there will be no appearance day on this date. For clarification, there will *not* be an appearance day on December 13, 2013, but there will be an appearance day on December 27, 2013. My apologies for any confusion.

Please note: the Prothonotaries' Offices will be closed for the following holidays: the afternoon (starting at 12:00 p.m.) of Tuesday, December 24, Wednesday December 25, Thursday December 26 and Wednesday January 1.

SUPREME COURT:

1. Appearance Day outside of Halifax

The Judges of the Supreme Court remind counsel that the appearance day process is available in all Courts across the Province. While Courts outside of Halifax may not have a separate time appointed for appearance day chambers, litigants may still file appearance day motions for matters falling within the purview of *Civil Procedure Rule 24*. These matters may be scheduled, in consultation with the Prothonotary of the appropriate Court, for days that Court is sitting for regular chambers.