

## HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

**ANNETTE M. BOUCHER**

**December 16, 2005**

**Please note that there will be no Appearance Day on December 23, 2005. Appearance Day will be held on Friday, December 30, 2005.**

**Supreme Court Crownside in Halifax will be held on the following dates: December 22, 2005, January 5, 12, 19 and 26, 2006.**

**Please note that the Law Courts will close at 12noon on Friday, December 23, 2005 and re-open at 8:30 am on Wednesday, December 28, 2005 for the Christmas holiday.**

**Also note that the Law Courts will be closed on Monday, January 2, 2006.**

**Court of Appeal Chambers will be held on Thursday, December 22<sup>nd</sup> and 29<sup>th</sup> and telephone Chambers will be held on Wednesday, December 21<sup>st</sup> and 28<sup>th</sup>, 2005. For the first week of January 2006 please note that telephone Chambers will be held on Tuesday, January 3<sup>rd</sup> and regular Chambers will be held on Wednesday, January 4<sup>th</sup>, 2006.**

**Regarding Appearance Days for the calendar year 2006, please note that there will be NO Appearance Days on the following dates: April 14, May 5, September 15, December 15 and 22, 2006.**

### **SUPREME COURT**

- 1. Counsel are reminded that they cannot arbitrarily change the style of cause of an action once the action is commenced. By way of example, counsel often file a Notice of Discontinuance against one of the Defendants and in the next document filed with the court the name of that Defendant is not included. Any changes to the style of cause of an action is an amendment which must be made pursuant to Civil Procedure Rule 15.**
- 2. As noted in the January 28, 2005 issue of the Prothonotary's Hints and Tips, Civil Procedure Rule 37.08(3)(b) requires court filings one (1) clear day in advance of the hearing for ex parte applications.**
- 3. Recently there has been an increase in the number of requests to have applications heard on an emergency basis. I remind counsel that Practice Memorandum No 2 (IV B.3) sets out the procedure to be followed to request that a matter be heard on an emergency basis. Counsel must present arguments as to why their matter**

should be deemed an emergency - if the Chambers judge requires this argument in person, counsel should be prepared to attend court at the time set by the judge to be heard on the issue. Just because counsel believe the matter is an emergency does not mean that the matter will be deemed an emergency.

I take this opportunity, on behalf of myself personally and on behalf of the Court Administration staff, to extend best wishes to you all for the holidays. The staff and I appreciate your many cards and expressions of holiday good wishes - many thanks.

**A.M.B.**