

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

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November 9, 2007

Supreme Court Crownside in Halifax will be held on the following dates: November 15, 22 and 29th, and December 6, 13 and 20th, 2007.

There will be NO Appearance Day on Friday, December 14, 2007. Please be advised that there will be Appearance Day on Friday, December 28, 2007.

PLEASE NOTE that the Law Courts will close at 12 noon on Monday, December 24th and will be closed on Tuesday, December 25th and Wednesday, December 26th, 2007. The Law Courts will be open on Thursday, December 27th, Friday, December 28th and Monday, December 31, 2007. The building will be closed on January 1, 2008 and we will re-open on Wednesday, January 2, 2008 at 8:30 am.

COURT OF APPEAL

1. Counsel are reminded that filings for Court of Appeal Chambers are due 3 clear days prior to the selected Chambers hearing date. This includes the Certificate Respecting Preparation of Appeal Book.
2. Where the filed Certificate Respecting Preparation of Appeal is incomplete, counsel will be advised by telephone that their setting down application will not be heard until such time as the Certificate is properly filed with the court along with a new Notice of Application.

SUPREME COURT

1. Given the upcoming holidays and dates on which the Law Courts will be closed, counsel are reminded to pay particular attention to the calculation of time for Supreme Court Chambers filings. When calculating time, counsel are referred to Civil Procedure Rule 3.
2. Where an abridgement of time is being requested by counsel, this must clearly be indicated on the interlocutory notice as being the first remedy sought by counsel on the Chambers application. Your interlocutory notice will not be accepted for filing outside of the prescribe filings deadlines in the Civil Procedure Rules, UNLESS, the

abridgement of time remedy is specifically requested in the interlocutory notice.

3. I direct counsel to the April 21, 2006 issue of the Hints and Tips regarding the filing of new applications for Special Time Chambers. It appears that counsel are once again trying to bring multiple applications returnable at the same Special Time Chambers hearing without first following the required steps - for ease of reference below is reproduced the excerpt from the April 21, 2006 Hints and Tips on this topic:

“A trend appears to be developing where opposing counsel, on a Special Time Chambers application, are filing their own “new” Chambers “response” application which they make returnable at the same time as the original Special Time Chambers hearing. This presents a grave practical problem - the original time is set based on the representations of counsel for the applicant on the original application being filed and the time required to hear that sole application. That time requirement is often adequate for one single application but is often inadequate for two applications. Where opposing counsel wish to bring a second application, in the same time slot as an originally filed and scheduled Special Time Chambers application, that counsel must first obtain the permission of the presiding Special Time Chambers justice. A request in writing is to be presented to the justice scheduled to hear the Special Time Chambers application. Where the presiding justice determines that the second application will be heard at the same Special Time Chambers sitting, the documents will then be accepted for filing by the court administration staff.”

A.M.B.