

## HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

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April 2, 2007

**Please note the Law Courts will be closed on both Good Friday, April 6<sup>th</sup> and Easter Monday, April 9, 2007.**

**Supreme Court Crownside in Halifax will be held on the following dates: April 5, 12, 19 and 26, 2007, May 3, 10, 17, 24 and 29<sup>th</sup>, 2007**

**Appearance Days will be held weekly on Fridays at 12 noon with the EXCEPTION of the following dates: April 6, June 1, September 14, September 28 and December 14, 2007.**

**IMPORTANT NOTICE - effective APRIL 1, 2007 all court filing fees have increased.**  
**Attached to this notice is a list of the most frequently used fees for easy reference.**

**A full detailed schedule is included in the March 30, 2007 Special edition of the Royal Gazette which is found electronically at: [www.gov.ns.ca/just/regulations/rg2/2007/mr3007SI.pdf](http://www.gov.ns.ca/just/regulations/rg2/2007/mr3007SI.pdf)**

### **COURT OF APPEAL**

1. Counsel are reminded that when they seek an extension of time for the filing of their Appeal Book and/or Factum, they must first obtain the consent of the opposing counsel/party to requested extension.
2. All pages in the Appeal Book must be numbered and the index at the beginning of the Appeal Book must reference the proper page numbers in the Appeal Book.
3. Counsel are reminded that transcripts and factums can be sent to the court in PDF format - however, where these documents are in PDF format and are submitted on a CD or diskette, they must NOT be scanned.

### **SUPREME COURT**

1. When counsel obtain certificates, on an application to a Chambers judge, to issue an interprovincial subpoena, they are reminded that the issued Certificate must accompany the subpoena when it is being presented to the Prothonotary for signature.

2. The Supreme Court advises that, effective July 1, 2007, judges will no longer apply a presumption that corporate financial statement will be sealed when amalgamation orders are granted.

A request to seal documentation will be treated as an application for a publication ban, and judges will exercise discretion in individual cases. Applicants will be required to justify obtaining a sealing order in the context of the “open courts” principle, and will bear the burden to establish, with reference to tests set out in jurisprudence, that:

- (a) the order is necessary to prevent a serious risk to the proper administration of justice, or to the public interest in the confidentiality of an important commercial interest, because reasonable alternative measures will not prevent the risk; and
- (b) the salutary effects of the publication ban outweigh its deleterious effects on the rights and interests of the parties and the public, including the public interest in open and accessible court proceedings.

Applicants seeking an order to seal financial information will be expected to notify the media. The Notice form, email communication facility, and the *Guidelines for Media and Public Access to the Courts of Nova Scotia* are available on the Courts of Nova Scotia website at [www.courts.ns.ca](http://www.courts.ns.ca).

3. Counsel are reminded that pursuant to new Practice Memorandum # 13, when an application is being made to confirm a Sheriff’s sale, that exhibited to the solicitor’s affidavit must be BOTH the letter and the notice of sale sent to the defendant at least 20 days prior to the sale.

Attachment