

## HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

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September 23, 2005

Please note that there will be no Appearance Day on the following dates: October 21, November 11 and December 16, 2005. *Please note that Appearance Day will be held on December 9, 2005 contrary to what was noted in earlier issues of this information piece.*

Supreme Court Crownside in Halifax will be held on the following dates: September 29, October 6, 13, 18, 27, November 3, 10, 17, 24, December 1, 8, 15 and 22, 2005. Please note that some of these dates are for Tuesday rather than Thursday.

For the week of October 17<sup>th</sup>, 2005 ONLY - please note that Court of Appeal Telephone Chambers will be held MONDAY, October 17<sup>th</sup>, 2005 and Court of Appeal Chambers will be held on TUESDAY, October 18<sup>th</sup>, 2005.

### COURT OF APPEAL

1. Counsel are reminded that Civil Procedure Rule 62.31(3) has now been **amended**. **The amendment was effective July 1, 2005**. All Chambers applications now require **at least three (3) clear days** notice.
2. Counsel are advised that where they refer to any one of the eighteen (18) Supreme Court of Canada cases attached hereto they need **NOT** include that case in their Book of Authorities.

### SUPREME COURT

1. Counsel are requested to include in their briefs filed with the Supreme Court full copies of cases to which they refer in the brief. This also applies to case law referenced in a factum being filed on a Supreme Court appeal.
2. Counsel are also reminded that they cannot arbitrarily change the style of cause on court filed documents. Unless pleadings have been amended or a court order has issued changing the style of cause, counsel must use the original style of cause

including the proper year reference in all court filings

3. When applying for an Execution Order counsel are reminded that the date of “judgment” is the actual date that the default Order of the court is granted and NOT the date the action was commenced. A growing number of counsel are inscribing the incorrect “judgment” date in their draft Execution Orders.

A.M.B.

Attached List of 18 cases referenced in item Court of Appeal paragraph # 2.

**LIST OF SUPREME COURT OF CANADA CASES  
THAT MAY BE REFERRED TO IN FACTA  
WITHOUT BEING INCLUDED IN BOOKS OF AUTHORITY**

**Criminal**

1. **R. v. Biniaris**, [2000] 1 S.C.R. 381; [2000] S.C.J. No. 16 (Q.L.)
2. **R. v. C.A.M.**, [1996] 1 S.C.R. 500; [1996] S.C.J. No. 28 (Q.L.)
3. **R. v. Khan**, [1990] 2 S.C.R. 531; [1990] S.C.J. No. 81 (Q.L.)
4. **R. v. Proulx**, [2000] 1 S.C.R. 61; [2000] S.C.J. No. 6 (Q.L.)
5. **R. v. Sheppard**, [2002] 1 S.C.R. 869; [2002] S.C.J. No. 30 (Q.L.)
6. **R. v. Shropshire**, [1995] 4 S.C.R. 227; [1995] S.C.J. No. 52 (Q.L.)
7. **R. v. Stinchcombe**, [1991] 3 S.C.R. 326; [1991] S.C.J. No. 83 (Q.L.)
8. **R. v. W.(D.)[D.W.]**, [1991] 1 S.C.R. 742; [1991] S.C.J. No. 26 (Q.L.)
9. **R. v. Yebes**, [1987] 2 S.C.R. 168; [1987] S.C.J. No. 51 (Q.L.)

**Civil**

10. **Dr. Q v. The College of Physicians and Surgeons of British Columbia**, [2003] 1 S.C.R. 226; [2003] S.C.J. No. 18 (Q.L.)
11. **Hickey v. Hickey**, [1999] 2 S.C.R. 518; [1999] S.C.J. No. 9 (Q.L.)
12. **Housen v. Nikolaisen**, [2002] 2 S.C.R. 235; [2002] S.C.J. No. 31 (Q.L.)
13. **Law Society of New Brunswick v. Ryan**, [2003] 1 S.C.R. 247; [2003] S.C.J. No. 17 (Q.L.)
14. **Moge v. Moge**, [1992] 3 S.C.R. 813; [1992] S.C.J. No. 107 (Q.L.)
15. **Pelech v. Pelech**, [1987] 1 S.C.R. 801; [1987] S.C.J. No. 31 (Q.L.)
16. **Pushpanathan v. Canada (Minister of Citizenship and Immigration)**, [1998] 1 S.C.R. 982; [1998] S.C.J. No. 46 (Q.L.)
17. **Van de Perre v. Edwards**, [2001] 2 S.C.R. 1014; [2001] S.C.J. No. 60 (Q.L.)
18. **Willick v. Willick**, [1994] 3 S.C.R. 670; [1994] S.C.J. No. 94 (Q.L.)