

**APPEAL FROM CERTIFICATE OF TAXATION FROM SMALL CLAIMS COURT
TO THE SUPREME COURT OF NOVA SCOTIA**

1. A person may bring an appeal from a certificate of taxation issued in the Small Claims Court, to the Supreme Court of Nova Scotia by filing a Notice of Appeal (Form 7.19) thirty (30) days after the decision is communicated to the person or six (6) months after the day the decision is made. (See Civil Procedure Rule 77.17, and section 13 of the Small Claims Court Taxation of Costs Regulations)
2. The filing fee for a Notice of Appeal before the Supreme Court is \$145.80 plus a law stamp fee of \$25.00 + HST.
3. Read the Notice of Appeal carefully. Retype the Notice of Appeal to contain your information. Pay particular attention to the sections you must complete:
 - a. name of each respondent
 - b. section of legislation providing for appeal to the Supreme Court of Nova Scotia
 - c. date of decision being appealed
 - d. grounds of appeal
 - e. describe order sought
 - f. record - name and address of authority holding record
 - g. fill in the court address for filing and delivering documents
 - h. provide your contact address for delivery of documents
 - i. Motions for Directions are heard on Monday, Tuesday, Wednesday and Thursday at 11 a.m. You must contact the scheduling office at
 - j. 424-5782 or 424-7963 to obtain the date for your motion for directions in advance of filing your Notice of Appeal.
 - k. date and sign the document
4. A copy of the certificate of taxation must be filed with the Notice of Appeal.
5. You must file at least four copies of the Notice of Appeal with the Court (the original is kept by the Court, and you will need one copy for each party named, plus one copy to exhibit to your Affidavit of Service).
6. The Motion for Directions (see section 3 'i' above) must be heard no more than twenty five (25) days after the Notice of Appeal is filed.
7. If your Notice of Appeal is in correct form, the Prothonotary will sign and certify the copies which will be returned to you for service on the Respondent.
8. The Appellant must notify each respondent in accordance with Rule 31 - Notice no less than ten days before the day the motion for directions is to be heard.
9. It is recommended that you seek legal advice before filing documentation to start a court proceeding and the court staff will provide you with a resource list to assist you in this regard.

- 10.** The “Court Data Information Sheet” is to be completed by a self-represented appellant(s) and filed with the Court.
- 11.** Time is calculated in accordance with Civil Procedure Rule 94 - this means you do not count the day you file the documents nor do you count the hearing date. You count the days between excepting Saturday, Sunday or a day the Prothonotary’s Office is closed.

November 2015