

HOW TO FILE A JUDICIAL REVIEW SUPREME COURT OF NOVA SCOTIA

1. Civil Procedure Rule 7 provides the process to follow for judicial review by the court of a decision which is “reviewable”. Judicial review is different from appeal.
2. You must file a Notice of Judicial Review (Form 7.05) with the court within the following time frames:
 - a) twenty-five (25) days after the day the decision is communicated to the person OR
 - b) six (6) months after the day the decision is made.
3. The court filing fee for a Judicial Review is \$211.70 plus the law stamp fee of \$25.00 +HST.
4. Read the attached Notice for Judicial Review (Form 7.05) paying particular attention to the areas you must complete:
 - a) name of each party
 - b) a description of the decision/action taken or failure to decide which you seek to have judicially reviewed
 - c) state clearly when the decision was communicated to you
 - d) attach a copy or a summary of the decision, action or failure
 - e) identify the grounds for review
 - f) explain how the record will be produced
 - g) describe the order proposed - what you seek from the court
 - h) state whether you request a stay or other interim remedy
 - i) providing the court address for filing and delivering documents
 - j) provide your contact address for delivery of documents
 - k) provide the particulars of the Motion for Directions.
5. The Motion for Date and Directions will be heard on a Monday, Tuesday, Wednesday or Thursday at 11 am. You must contact the Scheduling Office at 424-5782 or 424-7963 to obtain the date for your motion for directions in advance of filing the Notice for Judicial Review. You must fill in the date and time on the Notice for Judicial Review and provide a letter stating that you have confirmed this time with the Scheduling Office.

6. The date for hearing the Motion for Directions will be no more than twenty- five (25) days after the day the Notice for Judicial Review is filed with the Court.
7. 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.
8. The document must be dated and signed by you.
9. You must serve a Prothonotary Certified copy of the Notice for Judicial Review on each of the respondents named in the proceedings.
10. A Court Data Information Sheet is to be completed by a self-represented applicant and filed with the Court.
11. It recommended that you seek legal advice before filing documentation to start a court action and the court staff will provide you with a resource list to assist you in this regard.

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