

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

ANNETTE M. BOUCHER, Q.C.

March 6, 2009

COURT DOCKETS

Supreme Court Crownside in Halifax will be held on the following dates: March 12, 19 and 26th, 2009.

Appearance Days will be held at 12 noon on March 13, 20th and 27th, 2009.

COURT OF APPEAL

1. Counsel are reminded that Appeal Books need to conform with Civil Procedure Rules 90.30 or 91.15. Issues have arisen lately with respect to the certification of the transcript - Civil Procedure Rules 90.29(5) and 91.14 (3) require that the transcript be prepared by a certified court reporter. This means that the court reporter must sign the certificate and indicate his/her court transcriber registration number on the certificate.
2. Over the past few months, Appeal Books in particular are being filed late. The filing dates are set by the Chambers judge on the consent of counsel and counsel are expected to respect the dates. If an extension is required, counsel are to contact the Registrar in advance of the set filing deadline to discuss an extension request.
3. A Respondent's Notice of Contention must be filed no more than 10 days after the day the notice of appeal is delivered to the respondent. The court filing fee for the notice of contention is the same as on a Notice of Cross-appeal.

SUPREME COURT

1. On February 27, 2009, the judges of the Supreme Court approved **amendments** to the Civil Procedure Rules. These were printed in the Royal Gazette on March 4, 2009. The amendments are located on the courts website at: http://www.courts.ns.ca/Rules/civil_procedure_rules_08_06_20/nssc_amendments_09_02_27.pdf
2. Date Assignment Conferences are held by telephone, unless the judge presiding advises the parties otherwise. The party who filed the Request for Date Assignment

Conference is responsible for having all the parties on the telephone and at the appointed time calling The Law Courts at 424-4900 and the call will be directed to the presiding justice.

3. Date Assignment Conferences are only scheduled for Fridays and counsel are asked to keep their schedules as flexible as possible to be available for these telephone conferences. To date the court has noted the process is going well and is appreciative of counsel's efforts in making themselves available on Friday.
4. Civil Procedure Rule 82.11 requires a **cover page** containing all the information noted when a document is sent to the court by fax to be fax filed. Since January 1, 2009 it has been noted that the rule is not being followed. Any document submitted for fax filing which is not accompanied by the cover page will not be accepted for filing.
5. Civil Procedure Rule 82.06 states that a backer shall not be attached to a document submitted for filing. Since January 1, 2009 we have noted that counsel are still using backers. Any documents to which is attached a backer will not be accepted for filing.
6. If you do not use a document cover sheet when sending documents to the court for issuance and/or filing, please have a cover letter so that staff know who to return the extra stamped copies of the documents to.
7. Counsel are reminded that Civil Procedure Rule 40.03(1) requires the filing of **DUPLICATE** briefs with the court. Where the brief is in a form of a letter, a duplicate is still required. The reason for the duplicate brief is quite practical - one if for the judge to mark on and destroy after the hearing while the second if for inclusion in the court file. Where the authorities referred to in the brief are bound separately from the brief only one copy of the authorities are required.

A.M.B.