

## HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

ANNETTE M. BOUCHER

June 6, 2005

**Please note that there will be no Appearance Day on the following dates: June 24, July 1, September 9, October 21, November 11 and December 9, 2005.**

**For the months of July and August, 2005 there will be no Regular Chambers on Monday or Friday.**

**Supreme Court Crownside in Halifax will be held on the following dates: June 9, 16, 23, 30 July 14, 28, August 11, 25, September 1, 6, 15, 22, 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.**

**Court of Appeal Chambers will continue to be held on Thursday of each week at 10:00 am during the summer. Telephone Chambers will continue on Wednesday at a pre-arranged time.**

### **COURT OF APPEAL**

1. Counsel are reminded that Civil Procedure Rule 62.31(3) clearly sets out the filing deadlines on Chambers applications. The applicant must file all required material including submissions at least two (2) clear days before the time of the hearing while the respondent must file material at least one (1) clear day before the time of the hearing. The Court of Appeal is examining the possibility of amending these time frames and counsel will be advised of any such changes in a timely fashion.
2. Gowning in the Court of Appeal is only required on an appeal hearing. Counsel are not required to gown for Chambers applications.

### **SUPREME COURT**

1. Counsel are reminded that Interlocutory Applications requiring special time Chambers must be filed leaving the return date blank - I refer to item 6, Supreme Court in my October 10, 2003 issue. Dates will not be assigned by the civil scheduler for Special Time Chambers in advance of the documents being filed with

the Court.

2. When affidavits and submissions are being filed for Chambers at a time subsequent to the filing of the Interlocutory Notice, but within the time frames set out in the Civil Procedure Rules, counsel must clearly indicate the material is being filed for a specific hearing date and time. Otherwise these materials are not being directed to the Chambers judge in a timely fashion as there is no indication that they are being filed for a matter which is set down for hearing. Please note clearly on a covering letter that the material is being filed specifically for a court date so we may insure your application is not delayed due to the material not reaching the judge in a timely fashion.
3. Counsel are reminded that Civil Procedure Rule 15.01 applies to an amendment to **any** document filed by a party. An amendment can be made to any document **ONCE** without leave of the court and absent the consent of the other party **IF** the amendment is made no later than 20 days after the close of pleadings **OR** 5 days before the hearing under an Originating Notice. The word "hearing" is defined at Rule 1.05(k) as "... the hearing of an application", thus the reference in Rule 15.01 to hearing under an Originating Notice refers to an Originating Notice (Application).

A.M.B.