



COVID-19: COURT OF APPEAL PROCEEDINGS DURING THE PANDEMIC

Wednesday, May 5, 2021

With the Nova Scotia Court of Appeal set to start its next term on Tuesday, May 11, counsel and parties are reminded that the Court continues to operate under the [Practice Directive for Appeal Proceedings During the COVID-19 Pandemic](#).

First implemented in June 2020, the practice directive was updated on April 29, 2021, to reflect the transition to Microsoft Teams for virtual court proceedings. This document outlines how hearings will be held during the pandemic, including such things as etiquette and civility in virtual court proceedings, instructions for electronic filing of documents, and media access.

The format of appeal hearings will be set by the Panel, which will consider the nature of the proceeding and current public health restrictions. Hearings could be held with remote participation by some or all parties using Microsoft Teams, in-person hearings, or appeals heard and decided through written submissions only.

Counsel and parties are encouraged to electronically file documents, whenever possible. Detailed instructions for electronic filing are included in the practice directive.

Please note that filing deadlines in the Court of Appeal have not been suspended. Counsel and self-represented individuals are expected to comply with the requirements of the Civil Procedure Rules and any directions of the Court.

Chambers matters in the Court of Appeal will be dealt with primarily by telephone or video using Microsoft Teams. In-person hearings will be at the discretion of the Chambers judge. Mandatory masking and physical distancing measures will be in effect for any matter that proceeds in-person.

Counsel and participants who will be involved in appeal proceedings this term are encouraged to review the practice directive before their appearance. Those who will be involved in a fully virtual appeal or an appeal with remote appearances should also review the [Best Practices Checklist for Virtual Hearings](#).

Counsel and parties are asked to be flexible when it comes to technical difficulties or other challenges that participants may experience in virtual proceedings. The Court recognizes that due to the pandemic, many participants will be working from home and/or on modified schedules, and that many will be dealing with particular challenges related to technology, childcare, and elder care.

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