



## **COVID-19: SUPREME COURT MOVING TO SAFE SERVICES MODEL**

**Monday, June 8, 2020**

Effective June 15, 2020, the Nova Scotia Supreme Court will start to move away from the modified essential services model that has been in place during much of the COVID-19 pandemic, and transition to a safe services model.

This means that counsel and parties will no longer have to establish that a matter is urgent or essential to proceed in-person. Non-urgent in-person hearings will be permitted, provided they can be conducted safely and in accordance with established protocols to protect against the spread of the COVID-19 virus.

“This is the first step towards our new normal,” said The Hon. Deborah K. Smith, Chief Justice of the Supreme Court. “Although in-person hearings will once again be available in all types of Supreme Court matters, some matters will still need to proceed virtually or be adjourned until such time that the proper safety protocols are in place. Counsel, parties and everyone involved can rest assured that in-person hearings will only take place if we are confident that they can be done safely.”

Counsel who have Supreme Court cases scheduled in the latter part of June will hear from the trial judge to discuss whether the hearing is able to safely proceed in-person.

To help prepare for this transition, the Judiciary has struck a Court Recovery Committee to identify, assess and mitigate potential risks associated with COVID-19. The Committee is undertaking a detailed assessment of every courtroom in the province to determine what modifications may be needed before they are deemed safe for in-person hearings.

Some courtrooms will not be appropriate for any in-person hearings due to their size. As well, only so many courtrooms will be in use at once in a courthouse, due to the limits imposed by social distancing requirements. Accordingly, virtual court options will continue to be an important part of the Supreme Court’s pandemic recovery plan in the coming months.

Counsel who have a matter that meets the eligibility criteria listed in the [May 7, 2020, directive](#), and that they feel would be appropriate for virtual court, should contact their local scheduler.

## **Filing Court Documents**

Effective June 15, 2020, the Supreme Court (General Division) will return to its normal processes for filing court documents. That means that the General Division will no longer accept electronic filings for Supreme Court matters; counsel and parties will be expected to file paper copies of documents at courthouses. Filings will be done at drop boxes at courthouse doors, rather than at the front counters.

Counsel and self-represented litigants should be mindful that the courthouses continue to operate with reduced staff. As such, counsel should stagger their filings, whenever possible, and avoid filing large volumes of paper at once.

As well, counsel should expect some delays in processing this paperwork. All documents will be date-stamped the day that they are delivered to the court. Date-stamped copies will be provided to counsel in due course (not the date that they were filed).

## **Access to Courthouses**

While the Court needs to expand the services offered to the public during the pandemic, it recognizes that the fewer people inside the courthouses, the better, from a safety perspective. For this reason, courthouses will continue to restrict who is permitted inside the building. Only those individuals who work in the building, who are participating in a court proceeding or who have an appointment will be permitted in courthouses.

To help maintain the open courts principle, members of the media will continue to be allowed inside courthouses to cover court proceedings in person; however, media are encouraged to consider participating remotely by telephone or Skype, as per the [Pandemic Media Access Policy](#). This will help to respect social distancing requirements inside courtrooms.

Sheriffs Officers will continue to screen individuals who wish to enter courthouses. No one should enter a courthouse if they feel unwell and are exhibiting any of the symptoms of COVID-19, as identified by public health officials.

## **Public File Access**

Public access to files will resume on June 15, 2020, provided there is space available at the courthouse to view the files, while respecting social distancing. Individuals must contact Court Administration to make an appointment to view files, prior to coming to the courthouse. This is required so that staff can control the number of people in the viewing rooms. These spaces will be disinfected between appointments. Anyone coming to view files will be subject to health screening at the front door.

For information on the various Supreme Court directives related to COVID-19, please visit [https://www.courts.ns.ca/News\\_of\\_Courts/COVID19\\_Preventative\\_Measures.htm](https://www.courts.ns.ca/News_of_Courts/COVID19_Preventative_Measures.htm).

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