

RENEWAL OF NOTICE OF ACTION/NOTICE OF ACTION FOR DEBT SUPREME COURT OF NOVA SCOTIA

1. A Notice of Action including a Notice of Action for Debt is valid for one (1) year from the day it is filed with the court if it is not served within that time period on the Defendant(s).
2. You must make an ex parte motion and appear before a judge of the Court in chambers to request a renewal of a Notice of Action or a Notice of Action for Debt.
3. The Notice of Motion to renew for a second year must be filed no more than fourteen (14) months after the date the notice of action was first filed with the Court. This motion is made before a judge on an **Ex Parte** basis. If the notice of motion is successful, the notice of action may be renewed for a second year. This means that the notice of action will expire two (2) years after the date the action was first filed with the Court.
4. This motion is docketed for regular 9:30 chambers held on Monday, Tuesday, Wednesday, Thursday or Friday.
5. Documents required:
 - a) Ex Parte Notice of Motion (Form 23.14) ,
 - b) an affidavit setting out the reasons why the renewal is necessary (Form 39.08)
 - c) three (3) copies of a Draft Order (Form 78.05) and
 - d) a Brief (Civil Procedure Rule 23.14) setting out the legal authority upon which the judge can rely to grant the renewal order you request.
6. You must file these documents two (2) days before the hearing with the Court. Time is calculated pursuant to Civil Procedure Rule 94 - You do not count the day filed, nor the date of the hearing. You exclude within this period : a Saturday, a Sunday or a weekday when the Prothonotary's office is closed.
7. The filing fee for this motion is \$66.00.

April 2015