

*Nova Scotia Civil Procedure Rules*  
Amendment to Civil Procedure Rule 60A  
December 12, 2025

1. The following Rules 60A.44 through 60A.56 are added following Rule 60A.43:

**60A.44 Issuing a secure-treatment certificate**

- (1) If a secure-treatment certificate under section 55 of the *Children and Family Services Act* has been served on a child, a copy of the certificate must be filed by the Minister of Opportunities and Social Development.
- (2) If a secure-treatment certificate has been issued and no application is made under Section 56 of the *Children and Family Services Act*, the Minister of Opportunities and Social Development must file an affidavit explaining the reasons for the issuance of the certificate at least 2 days before the hearing, unless a judge directs otherwise.

**60A.45 Notice of a secure-treatment application**

- (1) A notice of a secure-treatment application must have a standard heading written in accordance with Rule 82 – Administration of Civil Proceedings, be entitled “Notice of Secure-Treatment Application”, be dated and signed, and conform with all the requirements for a notice of application in court under Rule 5.07, except for each of the following differences:
  - (a) the description of the order applied for must identify the child by full name and birth date and must state that the order requested is for secure-treatment and include a reference to sections 56 and 59 of the *Children and Family Services Act*;
  - (b) a notice of motion for directions and affidavit in support of such motion are not required;
  - (c) the notice must include the time, date, and place for a hearing (The hearing is to be held as soon as practicable and no later than five working days after a secure-treatment certificate has been issued or the application is made, whichever is sooner, to grant an order for secure-treatment.);
  - (d) the notice of the time, date, and place must include a statement of the duration of the order sought;
  - (e) a statement to the respondent that the respondent may participate and the method by which that participation may occur, including that the respondent may retain and instruct counsel, be represented by counsel at the hearing, and seek legal aid services; and

- (f) the statement about proceeding in the absence of the respondent must refer to attendance at the secure-treatment hearing, and not to the hearing of the motion for directions.
- (2) The notice of a secure-treatment application may be in Form 60A.45
- (3) The affidavit in support of a secure-treatment application must include the evidence relied on by the Minister for the claim that:
  - (a) the child is suffering from an emotional or behavioural disorder; and
  - (b) it is necessary to confine the child in order to remedy or alleviate the disorder.

**60A.46 Method of personal service of a secure-treatment application**

- (1) Service of notice of a secure-treatment application must be effected at least two days before the hearing, unless service is waived by the presiding judge.
- (2) A notice of a secure-treatment application may be served on the child by an employee of the Department of Opportunities and Social Development.

**60A.47 Place of application**

- (1) A notice of secure-treatment application must be heard in the Nova Scotia Supreme Court (Family Division) closest to the secure-treatment facility in which the child is being treated, unless a judge directs otherwise.

**60A.48 Notice to parent or guardian**

- (1) The notice of a secure-treatment application under subsection 56(2A) of the *Children and Family Services Act* to a child's parent or guardian may be in Form 60A.48.
- (2) If notice is not able to be served on a child's parent or guardian, despite reasonable efforts to do so prior to the hearing, the court must proceed with the hearing as required by Section 56 or 57 of the *Children and Family Services Act*, and may make any further directions respecting service, including substituted service under Rule 31.10.
- (3) A parent or guardian of a child who is not in the permanent care and custody of an agency may apply to be added as a party to a secure-treatment proceeding and such application may be in Form 60A.48A.

#### **60A.49 Notice to Band**

- (1) If the child is, or is entitled to be, an Aboriginal child or a Mi'kmaq child, and the child's band is known, notice to the band may be directed by the judge.
- (2) Notice to the band may be in Form 60A.49

#### **60A.50 Appointing a guardian *ad litem* for a child**

- (1) A person who wishes to be appointed to act as guardian *ad litem* for a child under subsection (2) must file a consent to act as a guardian *ad litem* and a certificate confirming that they have no interest in the proceeding adverse to the interests of the child.
- (2) A child over twelve years of age, or a guardian *ad litem* for any such child, need not respond to an application for or apply for a review of a secure-treatment order unless a judge orders otherwise.
- (3) A child less than twelve years of age or a child who has been found not to have capacity to act on their own or to instruct counsel, must respond to an application for or apply for a review of a secure-treatment order by a named guardian *ad litem*.

#### **60A.51 Admission of evidence**

- (1) For the purposes of any hearing regarding a secure-treatment application, the time limits of Rule 55.03(4) – Expert Opinion Deadline for filing report do not apply.
- (2) An affidavit used in support of a notice of secure-treatment application or a notice of application for a renewal of a secure-treatment application may contain statements as to the belief of the deponent with the sources and grounds of those beliefs.

#### **60A.52 Notice of application for renewal of secure-treatment application**

- (1) A notice of application for renewal of a secure-treatment order must have a standard heading written in accordance with Rule 82 – Administration of Civil Proceedings, be entitled “Notice of Application for Renewal of Secure-Treatment Order”, be dated and signed, and conform with all the requirements for a notice of application in court under Rule 5.07, except for each of the following differences:

- (a) the description of the order applied for must identify the child by full name and birth date, and must state that the order requested is for secure-treatment and include a reference to sections 56 and 59 of the *Children and Family Services Act*;
  - (b) a notice of motion for directions and affidavit in support of such motion are not required;
  - (c) the notice must include the time, date, and place for a hearing, as soon as practicable and no later than four days after the application has been made pursuant to section 56(4) of the *Children and Family Services Act*;
  - (d) the notice must include a statement of the duration of the order sought;
  - (e) a statement to the respondent that the respondent may participate and the method by which that participation may occur, including that the respondent may retain and instruct counsel, be represented by counsel at the hearing, and seek legal aid services; and
  - (f) a statement to the respondent that the hearing may proceed in the absence of the respondent.
- (2) The notice of an application for renewal of a secure-treatment order may be in Form 60A.52.
- (3) The affidavit in support of an application for renewal of a secure-treatment order must include the evidence relied on by the Minister for the claim that:
- (a) the child is suffering from an emotional or behavioural disorder;
  - (b) it is necessary to confine the child in order to remedy or alleviate the disorder; and
  - (c) there is an appropriate plan of treatment for the child.
- (4) A notice of an application for renewal of a secure-treatment order and supporting affidavit must be filed at least four days before the application is heard.

### **60A.53 Notice of an application for review of a secure-treatment order**

- (1)** A notice of an application for review of a secure-treatment order must have a standard heading written in accordance with Rule 82- Administration of Civil Proceedings, be entitled “Notice of Review of Secure-Treatment Order Application”, be dated and signed, and conform with all the requirements for a notice of application in court under Rule 5.07, except for each of the following differences:

  - (a) the description of the order applied for must identify the child by full name, and birth date, and must state that the order requested is for review of the secure-treatment order and include a reference to section 57 of the *Children and Family Services Act*;
  - (b) a notice of motion for directions and affidavit in support of such motion are not required;
  - (c) the notice of application for review must include the time, date, and place for a hearing no less than four days after the application has been made pursuant to section 57(2A) of the *Children and Family Services Act*, to review the secure-treatment order;
  - (d) the notice of application for review must include a statement of the variation being requested to the current order sought;
  - (e) a statement to the respondent that the respondent may participate and the method by which that participation may occur, including that the respondent may retain and instruct counsel, be represented by counsel at the hearing, and seek legal aid services; and
  - (f) the statement about proceeding in the absence of the respondent must refer to attendance at the secure-treatment hearing, and not to the hearing of the motion for directions.
- (2)** The notice of an application for review of a secure-treatment application may be in Form 60A.53.
- (3)** An affidavit in support of an application for review of a secure-treatment order must be filed with the application.

#### **60A.54 Secure-treatment order**

- (1) A secure-treatment order at the conclusion of a secure-treatment hearing under Section 56 of the *Children and Family Services Act* must contain the standard heading, be entitled “Secure-Treatment Order”, and include the following:

  - (a) a record of the judge’s finding that the child, whose name and date of birth must be stated, is suffering from an emotional or behavioural disorder and that it is necessary to confine the child in order to remedy or alleviate the disorder;
  - (b) a provision authorizing the Minister of Opportunities and Social Development to admit the child to a secure-treatment facility and detain the child at a secure-treatment facility for the purpose of diagnostic and treatment services in accordance with the plan of care, and to discharge the child from a secure-treatment facility;
  - (c) a provision authorizing a peace officer, representative or person designated by the Minister of Opportunities and Social Development in accordance with the regulations to apprehend, detain, and convey the child, to a secure-treatment facility; and
  - (d) the period of time the order remains in effect.
- (2) A renewed secure-treatment order at the conclusion of secure-treatment hearing under Section 57 of the *Children and Family Services Act* must contain the standard heading, be entitled “Secure-Treatment Order”, and include the following:

  - (a) a record of the judge’s finding that the child, whose name and date of birth must be stated, is suffering from an emotional or behavioural disorder, that it is necessary to confine the child in order to remedy or alleviate the disorder, and that there is an appropriate plan of treatment for the child;
  - (b) a provision authorizing the Minister of Opportunities and Social Development to admit the child to a secure-treatment facility and detain the child at a secure-treatment facility for the purpose of diagnostic and treatment services in accordance with the plan of care, and to discharge the child from a secure-treatment facility;
  - (c) a provision authorizing a peace officer, representative or person designated by the Minister of Opportunities and Social Development in accordance with the regulations to apprehend, detain, and convey the child, to a secure-treatment facility; and

(d) the period of time the order remains in effect.

- (3) A secure-treatment order may be in Form 60A.54.

**60A.55 Order of dismissal**

- (1) A dismissal order at the conclusion of an application for a secure-treatment order, a review of a secure-treatment order, or the renewal of a secure-treatment order must contain the standard heading, be entitled “Dismissal Order”, and include a provision dismissing the application.
- (2) On an application for a secure-treatment order, the dismissal order must also include a record of the judge’s finding that requirements of s. 55(1) of the *Children and Family Services Act* have been met.
- (3) A dismissal order may be in Form 60A.55.

**60A.56 Order of termination**

- (1) A termination order at the conclusion of a secure-treatment hearing under Section 57 of the *Children and Family Services Act* must contain the standard heading, be entitled “Termination Order”, and include a provision terminating the secure-treatment order.
- (2) A termination order may be in Form 60A.56.
2. The attached forms are added to Part 22 – Forms: Forms 60A.45, 60A.48, 60A.48A, 60A.49, 60A.52, 60A.53, 60A.54, 60A.55 and 60A.56.

**Certificate**

I, Deborah K. Smith, Chief Justice of the Supreme Court of Nova Scotia, certify that on December 12, 2025, a majority of the judges of the court made the foregoing amendments to the Nova Scotia Civil Procedure Rule 60A – Child and Adult Protection.

**Original Signed by  
Deborah K. Smith, C.J.**

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Deborah K. Smith  
Chief Justice of the Supreme Court of Nova Scotia

**Form 60A.45**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Notice of Secure-Treatment Application**

TAKE NOTICE that the Applicant will make an application to the Supreme Court of Nova Scotia (Family Division), located at [address] on [date], 20 , at [a.m./p.m.], or so soon thereafter as the application can be heard, for

1. A declaration pursuant to section 56 of the *Children and Family Services Act* that
  - (a) the child, [full name, birthdate] (“the child”), is suffering from an emotional or behavioural disorder, and
  - (b) it is necessary to confine the child in order to remedy or alleviate the disorder; and
2. An order that,
  - (a) Pursuant to section 56 of the *Children and Family Services Act*, that the applicant is authorized to do the following with respect to the child [full name and date of birth]:
    - (i) admit the child to a secure-treatment facility, in particular [*Wood Street Centre Secure Treatment, 225 Wood Street, Truro, Nova Scotia*/[name of other secure-treatment facility]] (“the secure-treatment facility”),
    - (ii) detain the child at the secure-treatment facility for the purpose of diagnostic and treatment services in accordance with the plan of care determined by the applicant; and
    - (iii) discharge the child from the secure-treatment facility during the currency of this Order or on its expiration, in accordance with a discharge plan determined by the applicant; and



- (b) Pursuant to section 59 of the *Children and Family Services Act*, grant authority to a peace officer, representative or person designated by the applicant in accordance with the regulations made under the Act, to apprehend, detain, and convey the child [full name and date of birth] to [Wood Street Centre Secure Treatment located at 225 Wood Street, Truro NS/[name of other secure-treatment facility]].

AND TAKE NOTICE THAT, pursuant to section 56 of the *Children and Family Services Act*, the Order sought, if granted, will be for a period of no more than [length of order] days [expiration date and time] unless one of the following events occurs first:

- (a) the Order is varied or terminated on the hearing of an Application for Review pursuant to section 57 of the *Children and Family Services Act*;
- (b) the Order is renewed upon the hearing of an Application for Renewal pursuant to section 56(4) of the *Children and Family Services Act*; or
- (c) the child is discharged from the secure-treatment facility by the applicant, in accordance with a discharge plan determined by the applicant.

AND TAKE NOTICE that, as the child who is the subject of this Application, you have rights, including the following:

- (a) to be informed by means of the Affidavit of [name], sworn [date], of the reasons why you have been detained at a secure-treatment facility and may be detained further as a result of this Application;
- (b) to retain and instruct a lawyer without delay, and a lawyer will be made available to you through the office of the Nova Scotia Legal Aid Commission, located at 14 Court Street, Suite 202, Truro, Nova Scotia, telephone: (902) 893-5920;
- (c) to have the validity of your detention decided at a hearing to be held before a judge of Supreme Court of Nova Scotia (Family Division), at which evidence will be considered, including the above-noted Affidavit and any further Affidavit evidence that may be filed by you or your lawyer; and
- (d) to be released at the conclusion of the above-noted hearing before a judge of the Supreme Court of Nova Scotia (Family Division) if the judge determines that the detention is not lawful.

AND TAKE NOTICE that, if the Order sought by the applicant is granted, you then have the following additional rights:

- (a) to hear the reasons for the decision of the judge, in accordance with section 58(1) of the *Children and Family Services Act*;

- (b) to appeal the decision to the Nova Scotia Court of Appeal within 25 days of the Order, in accordance with section 49 of the *Children and Family Services Act*;
- (c) to make application on one (1) occasion during the time period of the Order, or more often with leave of the court, for a review of the Order, to confirm, vary or terminate the Order in accordance with section 57 of the *Children and Family Services Act*; and
- (d) to request in writing that, pursuant to section 60 of the *Children and Family Services Act*, the person in charge of the secure-treatment facility grant you a leave of absence from the secure-treatment facility to attend legal proceedings or for medical, humanitarian or rehabilitative reasons, on any terms and conditions the person in charge considers necessary.

AND TAKE NOTICE that if you do not attend, the hearing may proceed in your absence.

DATED at , Nova Scotia, [date], 20 .

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Counsel for the Applicant,  
[insert name, address and telephone/fax number]

To: The Supreme Court of Nova Scotia (Family Division)  
And to: The Respondent,  
And to: Nova Scotia Legal Aid

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the internet, including Facebook, Snapchat, Instagram, or any other social media, is an offence pursuant to s. 94(1) of the Children and Family Services Act, punishable by a fine of up to \$10,000 and imprisonment for 2 years.**

**Form 60A.48**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Notice to Parent or Guardian**

TAKE NOTICE that the Applicant will make an application to the Supreme Court of Nova Scotia (Family Division) for a secure-treatment order pursuant to section 56(1) of the *Children and Family Services Act*, in respect of the child, [full name, birthdate].

[OR]

TAKE NOTICE that the Applicant will make an application to the Supreme Court of Nova Scotia (Family Division) for renewal of a secure-treatment order granted on [date], 20 , pursuant to section 56(4) of the *Children and Family Services Act*, in respect of the child, [full name, birthdate].

[OR]

TAKE NOTICE that the [Applicant/Respondent, [name]/Third Party, [name]] will make an application to the Supreme Court of Nova Scotia (Family Division) for review of a secure-treatment order granted on [date], 20 , pursuant to section 57(1) of the *Children and Family Services Act*, in respect of the child, [full name, birthdate].

AND TAKE NOTICE that the hearing will take place at the Supreme Court of Nova Scotia (Family Division), [located at 540 Prince Street, Truro, Nova Scotia/[other designated court facility]] on [date], 20 , at [a.m./p.m.], or so soon thereafter as the application can be heard.

AND TAKE NOTICE that you are being given notice of the hearing pursuant to section [56(2A)/57(1B)] of the *Children and Family Services Act*, which provides as follows:

56(2A) Where the child who is the subject of an application is not a child in permanent care and custody, the Minister shall notify the child's parent or guardian of the proceeding.

[OR]

57(1B) Where the child who is the subject of an application for review is not a child in permanent care and custody, the applicant shall notify the child's parent or guardian of the proceeding if the parent or guardian is not already a party to the application for review.

AND TAKE NOTICE that you have the right to apply to be added as a party to the proceeding, pursuant to section [56(2B)/57(1C)] of the *Children and Family Services Act* which provides as follows:

56(2B) Where the child who is the subject of an application is not a child in permanent care and custody, the court may, upon application by the parent or guardian of the child, add the parent or guardian as a party to the proceeding.

[OR]

57(1C) Where the child who is the subject of an application for review is not a child in permanent care and custody, the court may, upon application by a parent or guardian of the child, add the parent or guardian as a party to the proceeding.

AND TAKE NOTICE that should you fail to appear, an order may be made in your absence without further notice to you.

DATED at , Nova Scotia, [date], 20 .

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Counsel for the Applicant,  
[insert name, address and telephone/fax number]

To: Supreme Court of Nova Scotia (Family Division)

And to: Parent or guardian of the child

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the Internet, including through social media such as Facebook, Snapchat or Instagram, is an offence under s. 94(1) of the *Children and Family Services Act*, punishable by a fine of up to \$10,000 and imprisonment for 2 years.**

**Form 60A.48A**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Application to be Added as a Party to a Secure-Treatment Proceeding**

TAKE NOTICE that an application will be made on behalf of [name of parent/guardian], parent or guardian of the child, [full name, birthdate], to be added as a party to the secure-treatment proceeding, pursuant to section [56(2B)/57(1C)] of the *Children and Family Services Act*.

AND TAKE NOTICE that the hearing will take place at the Supreme Court of Nova Scotia (Family Division), [address] on [date], 20 , at [a.m./p.m.], or so soon thereafter as the application can be heard.

DATED at , Nova Scotia,[date] , 20 .

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Counsel for Parent/Guardian  
[insert name, address]

To: The Supreme Court of Nova Scotia (Family Division)

And to: Counsel for the Applicant

And to: Counsel for the Respondent

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the Internet, including through social media such as Facebook, Snapchat or Instagram, is an offence under s. 94(1) of the *Children and Family Services Act*, punishable by a fine of up to \$10,000 and imprisonment for 2 years.**

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Notice to Band**

**To:** [name of band council member]

**The applicant is applying to the Supreme Court of Nova Scotia (Family Division) for the following declaration and order:**

1. A declaration pursuant to section 56 of the *Children and Family Services Act* that
  - (a) the child, [full name, birthdate] (“the child”), is suffering from an emotional or behavioural disorder, and
  - (b) it is necessary to confine the child in order to remedy or alleviate the disorder; and
2. An order that
  - (a) pursuant to section 56 of the *Children and Family Services Act*, that the applicant is authorized to do the following with respect to the child [full name and date of birth]:
    - (i) admit the child to a secure-treatment facility, in particular [*Wood Street Centre Secure Treatment, 225 Wood Street, Truro, Nova Scotia/[name of other secure-treatment facility]*] (“the secure-treatment facility”),
    - (ii) detain the child at the secure-treatment facility for the purpose of diagnostic and treatment services in accordance with the plan of care determined by the applicant; and

- (iii) discharge the child from the secure-treatment facility during the currency of this Order or on its expiration, in accordance with a discharge plan determined by the applicant; and
- (b) Pursuant to section 59 of the *Children and Family Services Act*, grant authority to a peace officer, representative or person designated by the applicant in accordance with the regulations made under the Act, to apprehend, detain, and convey the child [full name and date of birth] to [*Wood Street Centre Secure Treatment located at 225 Wood Street, Truro NS*/[*name of other secure-treatment facility*]].

The applicant started this application by filing a Notice of Application on the date certified by the prothonotary.

### **Notice of Hearing**

At [*a.m./p.m.*] on , 20 , a hearing will take place before a judge in Chambers at the Courthouse, [insert address] , Nova Scotia to hear a motion for an order to detain the child at the secure treatment facility and such other relief as noted in paragraphs 1 and 2 herein. The judge may grant the order in your absence if you or your counsel do not attend.

### **You may participate**

The Band may participate in the hearing. You are entitled to notice of further steps in the proceeding, unless a judge orders otherwise.

### **Agency Contact Person**

The social worker for the applicant is [name] of the [office, with address] who may be contacted at [telephone number(s)].

### **Notice of Band's Intentions**

You must advise the court and the parties of the band's interest in the proceeding by way of the Notice of Band's Intentions, a copy of which is attached to this notice. This document should be filed with the court and provided to all parties to the proceeding.

### **Possible interim or final order against you**

The judge may grant an interim or final order without further notice to you if you or your counsel do not appear at the time, date, and place for any hearing.

### **Counsel**

You may retain and instruct counsel to represent you at the hearing.

### **Filing and delivering documents**

Any documents you file with the court must be filed at the office of the Supreme Court of Nova Scotia (Family Division), [insert address and telephone number].

The *Nova Scotia Civil Procedure Rules* require that whenever you file a document you must immediately deliver a copy of it to the applicant and each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

Documents you deliver to the applicant may be delivered to the applicant's designated address shown in the contact information for applicant on this notice, and documents delivered there are considered received by the applicant on delivery.

**Contact information**

The applicant designates the following address: [insert address]

Further contact information is available from the prothonotary.

**Signature**

Signed , 20

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Signature of applicant

Print name:

[or]

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Signature of counsel [name] as  
counsel for [name]

**Prothonotary's certificate**

I certify that this Notice to Band was filed with the court on [insert date]

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Prothonotary

**TAKE NOTICE:** Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the internet, including Facebook, Snapchat, Instagram or any other social media, is an offence pursuant to s. 94(1) of the *Children and Family Services Act*, punishable by a fine of up to \$10,000 and imprisonment for 2 years.



**Form 60A.52**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Notice of Application for Renewal of Secure-Treatment Application**

TAKE NOTICE that the secure-treatment order granted [date], 20 , will expire on [date], 20 , unless earlier terminated;

AND TAKE NOTICE that an application will be made on behalf of the [Applicant/Respondent] for review of the secure-treatment order pursuant to section 57(1) of the *Children and Family Services Act* and, more particularly, for an order that the secure-treatment order be terminated;

[OR]

AND TAKE NOTICE that an application will be made on behalf of the [Applicant/Respondent] for review of the secure-treatment order pursuant to section 57(1) of the *Children and Family Services Act* and, more particularly, for an order that the secure-treatment order be varied by [insert variation requested];

AND TAKE NOTICE that the hearing will take place at the Supreme Court of Nova Scotia (Family Division), [address], on [date], 20 , at [a.m./p.m.], or so soon thereafter as the application can be heard.

[if applicable] AND TAKE NOTICE that in support of the application will be read the attached affidavit(s) and such other material as counsel may advise, a true copy of which will be delivered to you or your counsel not later than two clear days before the hearing of the application.

[if applicable] AND TAKE NOTICE that, as the child who is the subject of this Application, you have the right to retain and instruct a lawyer without delay, and a lawyer will be made available to you through the office of the Nova Scotia Legal Aid Commission, [insert address and phone number].

[if applicable] AND TAKE NOTICE that if you do not attend, the hearing may proceed in your absence.

ISSUED at , Nova Scotia,[date], 20 .

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[Applicant/Respondent]

To: The Supreme Court of Nova Scotia (Family Division)

And to: Counsel for the Applicant

And to: Counsel for the Respondent

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the Internet, including through social media such as Facebook, Snapchat or Instagram, is an offence under s. 94(1) of the *Children and Family Services Act*, punishable by a fine of up to \$10,000 and imprisonment for 2 years.**

**Form 60A.53**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Notice of Application for Review of Secure-Treatment Order**

TAKE NOTICE that the secure-treatment order granted [date], 20 , will expire on [date], 20 , unless earlier terminated;

AND TAKE NOTICE that an application will be made on behalf of the [Applicant/Respondent] for review of the secure-treatment order pursuant to section 57(1) of the *Children and Family Services Act* and, more particularly, for an order that the secure-treatment order be terminated;

[OR]

AND TAKE NOTICE that an application will be made on behalf of the [Applicant/Respondent] for review of the secure-treatment order pursuant to section 57(1) of the *Children and Family Services Act* and, more particularly, for an order that the secure-treatment order be varied by [insert variation requested];

AND TAKE NOTICE that the hearing will take place at the Supreme Court of Nova Scotia (Family Division), [address], on [date], 20 , at [a.m./p.m.], or so soon thereafter as the application can be heard.

[if applicable] AND TAKE NOTICE that in support of the application will be read the attached affidavit(s) and such other material as counsel may advise, a true copy of which will be delivered to you or your counsel not later than two clear days before the hearing of the application.

[if applicable] AND TAKE NOTICE that, as the child who is the subject of this Application, you have the right to retain and instruct a lawyer without delay, and a lawyer will be made available to you through the office of the Nova Scotia Legal Aid Commission, [insert address, phone number].

[if applicable] AND TAKE NOTICE that if you do not attend, the hearing may proceed in your absence.

ISSUED at , Nova Scotia,[date], 20 .

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[Applicant/Respondent]

To: The Supreme Court of Nova Scotia (Family Division)

And to: Counsel for the Applicant

And to: Counsel for the Respondent

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the Internet, including through social media such as Facebook, Snapchat or Instagram, is an offence under s. 94(1) of the *Children and Family Services Act*, punishable by a fine of up to \$10,000 and imprisonment for 2 years.**

**Form 60A.54**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Secure-Treatment Order**

BEFORE THE HONOURABLE JUSTICE

UPON READING the Secure-Treatment Certificate, the [*Application for Secure-Treatment Order/Application for Renewal of Secure-Treatment Order*], the Affidavit of [name], and all other documents on file in the matter;

AND UPON IT APPEARING that the proper persons have received notice of the Application in accordance with the *Civil Procedure Rules* and the *Children and Family Services Act*;

AND UPON HEARING [name], counsel for the Applicant, [name];

AND UPON HEARING [name], counsel for the Respondent child, [full name, birthdate];

AND UPON the Court being satisfied that the requirements of sections 55(1) and 56(3) of the *Children and Family Services Act* have been met;

AND UPON the Court giving reasons for its decision on [date], 20     ;

NOW UPON MOTION:

IT IS DECLARED:

1. Pursuant to section 56 of the *Children and Family Services Act*, that
  - (a) the child, [full name, birthdate], is suffering from an emotional or behavioural disorder, and
  - (b) it is necessary to confine the child in order to remedy or alleviate the disorder.

IT IS ORDERED:

2. Pursuant to section 56 of the *Children and Family Services Act*, that the applicant is authorized to do the following with respect to the child, : [full name, birthdate]
  - (a) admit the child to a secure-treatment facility, in particular [*Wood Street Centre Secure Treatment, 225 Wood Street, Truro, Nova Scotia*/[name and address of other secure-treatment facility]];
  - (b) detain the child at [*Wood Street Centre Secure Treatment*/[name of other secure-treatment facility]] for the purpose of diagnostic and treatment services in accordance with the plan of care determined by the applicant; and
  - (c) discharge the child from [*Wood Street Centre Secure Treatment*/[name of other secure-treatment facility]] during the currency of this Order or on its expiration, in accordance with a discharge plan determined by the applicant.
3. Pursuant to section 59 of the *Children and Family Services Act*, this Order is sufficient authority for a peace officer, representative or person designated by the applicant in accordance with the regulations to apprehend, detain, and convey the child, [full name, birthdate], to [*Wood Street Centre Secure Treatment, 225 Wood Street, Truro, Nova Scotia*/[name and address of other secure-treatment facility]] and, pursuant to section 91 of the *Children and Family Services Act*, it is the duty of all peace officers to assist any representative in carrying out the provisions of the Act and this Order;
4. Pursuant to section 56 of the *Children and Family Services Act*, this Order remains in effect until [date], 20\_, at 11:59 p.m., unless one of the following events occurs first:
  - (a) the Order is varied or terminated on the hearing of an Application for Review pursuant to section 57 of the *Children and Family Services Act*,
  - (b) the Order is renewed on the hearing of an Application for Renewal pursuant to section 56(4) of the *Children and Family Services Act*, or
  - (c) the child is discharged from [*Wood Street Centre Secure Treatment*/[name of other secure-treatment facility]] by the applicant, in accordance with a discharge plan determined by the applicant.

DECISION RENDERED [date], 20 .

ISSUED at , Nova Scotia,[date], 20 .

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Deputy Prothonotary

**Form 60A.55**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Dismissal Order**

BEFORE THE HONOURABLE JUSTICE

UPON READING the Secure-Treatment Certificate, the [*Application for Secure-Treatment Order/Application for Renewal of Secure-Treatment Order*], the Affidavit of [name], and all other documents on file in the matter;

AND UPON IT APPEARING that the proper persons have received notice of the Application in accordance with the *Civil Procedure Rules* and the *Children and Family Services Act*;

AND UPON HEARING [name], counsel for the Applicant;

AND UPON HEARING [name], counsel for the Respondent child, [full name, birthdate];

AND UPON the Court being satisfied that the requirements of section 55(1) of the *Children and Family Services Act* have been met;

AND UPON the Court giving reasons for its decision on [date], 20    ;

NOW UPON MOTION IT IS ORDERED THAT:

1. The Application for a [*Secure-Treatment Order/Renewal of a Secure-Treatment Order*] is dismissed.

DECISION RENDERED [date], 20 .

ISSUED at , Nova Scotia,[date], 20 .

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Deputy Prothonotary



**Form 60A.56**

20

No.

Supreme Court of Nova Scotia  
(Family Division)

Between: [copy standard heading]

[name]

Applicant

and

[name]

Respondent

**Termination Order**

BEFORE THE HONOURABLE JUSTICE

UPON READING the Application for Review of Secure-Treatment Order, the Affidavit of [name], and all other documents on file in the matter;

AND UPON IT APPEARING that the proper persons have received notice of the Application in accordance with the *Civil Procedure Rules* and the *Children and Family Services Act*;

AND UPON HEARING [name], counsel for the Applicant;;

AND UPON HEARING [name], counsel for the Respondent child; [full name, birthdate]

AND UPON the Court being satisfied that the requirements of section 55(1) of the *Children and Family Services Act* have been met;

AND UPON the Court giving reasons for its decision on [date], 20 ;

NOW UPON MOTION IT IS ORDERED THAT:

1. Pursuant to section 57(3) of the *Children and Family Services Act*, the Secure-Treatment Order issued [date], 20 , is terminated.

DECISION RENDERED [date], 20 .

ISSUED at , Nova Scotia,[date], 20 .

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Deputy Prothonotary