

## **HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR**

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### **COURT DOCKETS for June, July and August:**

**Please note: the Prothonotaries' Offices will be closed on the following holidays:  
Friday July 1 and Monday August 1**

#### **A) Court of Appeal:**

Court of Appeal regular chambers will be held on Thursdays at 10:00 a.m. June through August. Court of Appeal telechambers are held on Wednesdays at pre-appointed times. Please call ahead to the Deputy Registrar, Cherri Brown, at 424-6937 to book a time.

The Court of Appeal posts the docket for appeal hearings, including the date, time, location of the appeal and the panel members, on its website:

[http://courts.ns.ca/Appeal\\_Court/NSCA\\_dockets.htm](http://courts.ns.ca/Appeal_Court/NSCA_dockets.htm)

In addition to posting the current appealing hearing term, the Court now posts a 'Rolling Docket', which means that once appeals are set down they are added to the online docket.

#### **B) Supreme Court:**

Supreme Court Crownside in Halifax will be held on the following Thursdays at 9:00 am: June 2, 9, 16, 23 and 30, July 14 and 28, and August 11 and 25.

In July and August the summer chambers schedule will be in effect in Halifax. During these two months, there will be no general chambers held on Mondays or Fridays.

Appearance days will be held on Fridays at noon in Halifax June through August with the following exceptions: **there will be no appearance day on June 24 or July 1.**

## **COURT OF APPEAL:**

### **1. Format of Electronic Documents**

Counsel are reminded to please ensure that the electronic documents required to be filed with the Court are filed in the proper format. The documents that the Court requires electronically include a copy of the appellant / respondent's factum, and a copy of the transcript included in the appeal book. These documents must be filed in a format satisfactory to the Registrar (*Civil Procedure Rules* 90.30(6) and 90.32(6)).

The Registrar's Office has created detailed instructions on how to properly format your electronic document. In particular, the documents must be submitted in a word processing format, not in PDF. Further, the factum is to be filed as a single document with consecutively numbered pages and not separated into cover page, index, and factum. To access these instructions, go to:

[http://courts.ns.ca/Appeal\\_Court/NSCA\\_documents/nsca\\_submitting\\_electronic\\_documents.pdf](http://courts.ns.ca/Appeal_Court/NSCA_documents/nsca_submitting_electronic_documents.pdf)

### **2. How-to-Manuals**

The Court of Appeal Liaison Committee produced two 'How-to-Manuals' for Civil and Criminal Appeals. These are geared towards self-represented litigants, though may be helpful to counsel new to appeals. The manuals are found on the Court of Appeal's website at the bottom of page found at this link: [http://courts.ns.ca/Appeal\\_Court/NSCA\\_home.htm](http://courts.ns.ca/Appeal_Court/NSCA_home.htm)

## **SUPREME COURT:**

### **1. Requirements to file a Request for Date Assignment Conference**

I have been asked to remind counsel to ensure that they meet all of the minimum requirements required when filing a request for a date assignment conference. With the exception of actions proceeding under Rule 57, the requirements are set out in Rule 4.13(1), which provides:

- (1) A party may obtain a date assignment conference to appoint trial dates after pleadings close as provided in Rule 38 - Pleading, and after each party has done all of the following:
  - (a) disclosed documents and electronic information as required;
  - (b) discovered each individual party of whom discovery is required;**
  - (c) discovered, from each corporate party of whom discovery is required, at least the designated manager or one other officer or employee;
  - (d) answered interrogatories required to be answered by or on behalf of the party. [emphasis added]

Should any of the requirements in Rule 4.13(1) not be met, counsel are reminded of Rule 4.13(2), which allows a party to make a motion for permission to request a date assignment conference in the circumstances set out therein.

## **2. Motion for directions**

Counsel are reminded that they must call ahead to the scheduling office (902-424-5782) to reserve a date for their motion for directions when filing a Notice of Application in Court under Rule 5, or a Notice for Judicial Review or Appeal under Rule 7.

Once you have reserved a date with the scheduling office, you are asked to kindly write in the date and time in your documents before you file them with the Court. The scheduling office will hold the date for you for 24 hours to allow you to file your documents.

### **BOTH COURTS:**

#### **Free Legal Clinic at the Law Courts**

The Law Courts in Halifax continues to be home to the Free Legal Clinic. The Clinic is located on the 2<sup>nd</sup> floor of the Law Courts, and is held every Thursday from 9 am to 1 pm in two simultaneous 1 hour sessions held by volunteer lawyers.

The Clinic is intended for self-represented litigants with limited to little experience in the court system. The Clinic provides service for civil matters at the Supreme Court (General Division) and at Court of Appeal, including family law appeals but excluding child protection appeals. It will not provide service on any criminal matters in either court. Assistant for family law appeals at the Court of Appeal will be provided approximately one Thursday per month.

If you have any litigants in mind that you believe might benefit from this service, kindly refer them to the Court Administration office at the Law Courts. Litigants may initiate the sign up process in person or by telephone at 424-6900 for Supreme Court matters, and 424-6937 for Court of Appeal matters. For more information, go to the Courts website: [http://courts.ns.ca/self\\_reps/nsca-nssc\\_free\\_legal\\_clinic.htm](http://courts.ns.ca/self_reps/nsca-nssc_free_legal_clinic.htm)

#### **Liaison Committees**

Both the Court of Appeal and the Supreme Court have Liaison Committees that are composed of members of both the Bar and Bench. These Committees sit approximately twice a year. Counsel are reminded that they are invited to bring forward items they would like raised at Liaison Committee meetings to Bar members of the relevant committees. Current information on committee membership may be obtained from the Nova Scotia Barristers' Society.