

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

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November 20, 2006

Supreme Court Crownside in Halifax will be held on the following dates: November 30, December 7, 14 and 21st, 2006.

Regarding Appearance Days for the calendar year 2006, please note that there will be **NO** Appearance Days on the following dates: November 24th, December 15th and 22nd, 2006.

Please note that the Law Courts will close for the Christmas break at 12 noon on Friday, December 22nd and will reopen at 8:30 am on Wednesday, December 27th, 2006.

COURT OF APPEAL

1. Counsel are reminded that they may e-mail copies of the transcripts included in their appeal books and factums to me directly at boucheam@gov.ns.ca
2. As counsel are aware the Court of Appeal set a list of cases that when cited in the factum, the case is not to be reproduced in the Book of Authorities. The list has been updated and expanded to now include 19 cases. A copy of the list is attached.

SUPREME COURT (FAMILY DIVISION)

In view of the recent changes to the Rule, and directives from the Justices including a renewed vigilance in the use of Rule 70 Forms, counsel and parties are advised of the following notices:

1. Revisions to *Civil Procedure Rule 70* and the related Forms became effective on July 12, 2006. As of November 1, 2006, only the revised Forms will be accepted for filing at the Court. If an earlier version of a Form is filed in error, the matter will not proceed until the correct version of the Form is filed.

The revisions, including the revised Forms, are posted on the *Civil Procedure Rules* section of The Courts of Nova Scotia website at < www.courts.ns.ca >.

2. Effective November 1, 2006, Court staff have been directed that the Applicant's Information on the Intake Form (as part of either an originating Application or Variation Application) must be completed properly and fully before the file will

proceed any further: however, the required information excludes Social Insurance Numbers and Confidential Addresses.

3. For a matter proceeding to an Organizational Pre-hearing Conference in a Variation Application, court officers are directed to require the applicant to file an affidavit in support of the variation application before the proceeding can be referred to an organizational pre-hearing conference.
4. The following corrections of typographical errors are noted in *Civil Procedure Rule 70* and related Forms and will be changed in due course:

Corrections to Rule 70

Rule 70.23(5)(a) and Rule 70.23(7):
reference to "... Form 70.23E, Form 70.23F or Form 70.23G;" should read
"... Form 70.23E or Form 70.23F;" at the end of the clause.

Rule 70.23(8):
reference to "A corollary relief judgment in Form 70.23G ..." should read
"A corollary relief judgment in Form 70.23F ..." at the beginning of the clause.

Rule 70.23(10):
reference to "... a certificate of divorce in Form 70.23H ..." should read "... a
certificate of divorce in Form 70.23G ..." in the middle of that section.

Rule 70.26(2):
reference to "... shall be in Form 70.26C." should read "... shall be in Form 70.26B."
at the end of the clause.

Corrections to Forms

Notice to Disclose [Form 70.07B]: paragraph (d):
reference to "... the Statement of Guidelines Income:" should read "... the
Statement of Income:" in the middle of the paragraph.

Corollary Relief Judgment [Form 70.23E]: paragraph 5:
reference to the "... Child Support Guidelines..." should be italicized.

Order [Form 70.26A]: paragraphs 4 and 6:
reference to the "... federal *Child Maintenance Guidelines* ..." should be the "...
provincial *Child Maintenance Guidelines* ..." in the middle of the paragraph.

A.M.B.

**LIST OF SUPREME COURT OF CANADA CASES
THAT MAY BE REFERRED TO IN FACTA
WITHOUT BEING INCLUDED IN BOOKS OF AUTHORITY**

Criminal

1. **R. v. Biniaris**, [2000] 1 S.C.R. 381; [2000] S.C.J. No. 16 (Q.L.)
2. **R. v. C.A.M.**, [1996] 1 S.C.R. 500; [1996] S.C.J. No. 28 (Q.L.)
3. **R. v. Khan**, [1990] 2 S.C.R. 531; [1990] S.C.J. No. 81 (Q.L.)
4. **R. v. O'Connor**, [1995] 4 S.C.R. 411; [1995] S.C.J. No. 98 (Q.L.)
5. **R. v. Proulx**, [2000] 1 S.C.R. 61; [2000] S.C.J. No. 6 (Q.L.)
6. **R. v. Sheppard**, [2002] 1 S.C.R. 869; [2002] S.C.J. No. 30 (Q.L.)
7. **R. v. Shropshire**, [1995] 4 S.C.R. 227; [1995] S.C.J. No. 52 (Q.L.)
8. **R. v. Stinchcombe**, [1991] 3 S.C.R. 326; [1991] S.C.J. No. 83 (Q.L.)
9. **R. v. W.(D.)(D.W.)**, [1991] 1 S.C.R. 742; [1991] S.C.J. No. 26 (Q.L.)
10. **R. v. Yebes**, [1987] 2 S.C.R. 168; [1987] S.C.J. No. 51 (Q.L.)

Civil

11. **Dr. Q v. The College of Physicians and Surgeons of British Columbia**, [2003] 1 S.C.R. 226; [2003] S.C.J. No. 18 (Q.L.)
12. **Hickey v. Hickey**, [1999] 2 S.C.R. 518; [1999] S.C.J. No. 9 (Q.L.)
13. **Housen v. Nikolaisen**, [2002] 2 S.C.R. 235; [2002] S.C.J. No. 31 (Q.L.)
14. **Law Society of New Brunswick v. Ryan**, [2003] 1 S.C.R. 247; [2003] S.C.J. No. 17 (Q.L.)
15. **Moge v. Moge**, [1992] 3 S.C.R. 813; [1992] S.C.J. No. 107 (Q.L.)
16. **Pelech v. Pelech**, [1987] 1 S.C.R. 801; [1987] S.C.J. No. 31 (Q.L.)
17. **Pushpanathan v. Canada (Minister of Citizenship and Immigration)**, [1998] 1 S.C.R. 982; [1998] S.C.J. No. 46 (Q.L.)
18. **Van de Perre v. Edwards**, [2001] 2 S.C.R. 1014; [2001] S.C.J. No. 60 (Q.L.)
19. **Willick v. Willick**, [1994] 3 S.C.R. 670; [1994] S.C.J. No. 94 (Q.L.)