

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

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September 25, 2006

Supreme Court Crownside in Halifax will be held on the following dates: September 28th, October 5, 12, 19 and 26th, 2006.

Appearance Days will be held weekly on Fridays at 12 noon as follows: September 29th, October 6, 13, 20 and 27th, 2006.

COURT OF APPEAL

1. For the week of October 16, 2006, please note that telephone Chambers will be held on **TUESDAY**, October 17th and regular Chambers will be held on **WEDNESDAY**, October 18th.
2. Recently, it has been noted that counsel are sending electronic copies of appeal books and factum in PDF format which are scanned and placed on a CD. The court requires documents in either Word or Word Perfect so they may be searched using ISYS and they may be copied and pasted in court decisions and/or orders. Scanned documents in PDF format cannot be searched, copied or pasted and thus their use by the court is severely limited. Please copy your appeal book and factum on a disk or CD in Word or Word Perfect or as a PDF original. You may also e-mail the documents to me directly at boucheam@gov.ns.ca if you prefer rather than submitting a disk or a CD.

SUPREME COURT

1. Counsel are reminded that telephone Appearance Day **MUST** be prearranged through my office and are held at either 11 am or 11:30 am on Friday. The time slots are assigned on a "first come first served" basis. It is not possible to hold a telephone Appearance Day at 12 noon as that time is reserved for the in person matters in the court room only.
2. When new counsel take over carriage of an action, they are required to file a Notice of Change of Solicitor with the court. In recent months, counsel are failing to do this - the result is that court notices are going to the incorrect counsel and then counsel complain that they have never received the notice and are failing to appear as required before the court.

3. As was pointed out in the June 18 and September 24, 2004 issues of Hints and Tips, Notices of Intention to Act in Person must be signed by the person who will now be representing themselves in the litigation - a former lawyer cannot sign the Notice of Intention to Act in Person on behalf of the self-represented party.
4. Counsel are reminded that they must respond to Appearance Day Notices issued by the court. They may contact the Prothonotary directly to report on the status of an action and asked to have a file removed from the court docket or they are expected to appear in person. Counsel cannot simply ignore Appearance Day Notices or correspondence sent to them by the Prothonotary. As pointed out in a previous issue of Hints and Tips, judges have been dismissing actions and awarding costs personally against absent counsel where counsel have failed to respond to an Appearance Notice in any fashion whatsoever.

A.M.B.