

HINTS AND TIPS FROM THE PROTHONOTARY - REGISTRAR

CAROLINE McINNES

June 23, 2021

My contact information is as follows:

Phone: 902-424-8962

Fax: 902-424-0524

Email: Caroline.McInnes@courts.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

Jessica Boutilier's contact information is as follows:

Phone: 902424-7968

Fax: 902-424-0524

Email: Jessica.Boutilier@courts.ns.ca OR PROTHONOTARYHFX@courts.ns.ca

CHANGES AT THE PROTHONOTARY'S OFFICE

Counsel are reminded that Timothy Morse, Prothonotary at the Law Courts, has taken a leave of absence and will be returning in January 2022. Jessica Boutilier was the successful candidate to fill the role of Prothonotary for the Supreme Court in Halifax during Mr. Morse's absence.

While Ms. Boutilier is filling the role of Prothonotary, Donna Vickery and Sarah Drysdale are responsible for Civil Scheduling. The number for the Civil Scheduling Office remains the same (902-424-5782).

COVID-19

Please continue to refer to the [COVID-19 Updates Page](#) on the Courts of Nova Scotia website for updates on measures taken to in relation to COVID-19 in both the Court of Appeal and the Supreme Court of Nova Scotia (General and Family Divisions).

CHANGES TO THE COURTS OF NOVA SCOTIA WEBSITE

Members of the Bar are advised that changes are coming to how the Nova Scotia Civil Procedure Rules, the associated Practice Memorandums, the Provincial Court Rules and the Provincial Court Practice Directives will appear on the [Courts of Nova Scotia website](#).

Effective Monday, June 28, 2021, these documents will be displayed using Qweri by Lexum, a service that enables online publishing of lengthy, complex documents, such as laws, legislation and court rules. Please see the June 21, 2021 [Notice to the Profession](#) for details on the changes.

PRACTICE TIPS

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 the minimum requirements 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. Pagination of Exhibits to Affidavits

I have been asked to remind counsel of the obligation to number the pages of long exhibits to an affidavit, as set out in Rule 39.08(4). Documents that do not comply with this Rule may be pink-slipped and returned to your attention to make this correction.

BOTH COURTS

Free Legal Clinic at the Law Courts

The Free Legal Clinic continue to operate out of the Halifax Law Courts; however, during the pandemic, all appointments are being held remotely by telephone. The clinic operates most Thursdays from 8:30 a.m. to 12:30 p.m. Eligible clients have the opportunity to meet for one hour with a volunteer lawyer.

The clinic assists self-represented litigants with civil matters at the Supreme Court (General Division) and at Court of Appeal, including family law appeals other than child protection appeals. The clinic does not accept clients dealing with criminal matters in either court.

If you have any litigants who you think might benefit from this service, kindly refer them to the Executive Office of the Nova Scotia Judiciary. Litigants can request an appointment by calling 902-424-3690 or emailing communications@courts.ns.ca. For more information, visit the http://courts.ns.ca/self_reps/nsca-nssc_free_legal_clinic.htm.

Bench-Bar 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.