



## **COVID-19: NOTICE # 12 – SAFE SERVICES MODEL IN THE UNIFIED FAMILY COURT AND THE FAMILY COURT IS CONTINUED**

**Friday, April 23, 2021**

This Notice #12 should be read with [Notice #10](#).

The following operational guidelines for the Unified Family Court and the provincial Family Court remain in effect, continuing with the safe services model.

### **Delivery of Documents – Change to Notice #2**

The Supreme Court of Nova Scotia (Family Division) will continue to accept delivery of documents by both email and paper, unless on a case specific basis the presiding judge orders otherwise. However, lawyers are reminded of the need to deliver all documents requiring the payment of filing fees in paper form with the necessary filing fee.

The feasibility of continuing to accept delivery of documents by email will be reassessed on an ongoing basis.

The Supreme Court (Family Division) does not have an electronic filing system. In many cases, authentication of filings by a variety of means, as determined by the presiding judge, will be required.

### **Filing Deadlines**

Parties are expected to comply with the filing and service timelines prescribed by the Civil Procedure Rules or as required by a judge. This was the status quo that preceded the COVID-19 pandemic and provincial State of Emergency.

### **Scheduling Guidelines – Change to Notice #1 – Urgent Matters**

Parties should file in the traditional way as outlined in [Rule 59](#). This is a return to the terms governing the scheduling of matters prior to the COVID-19 pandemic and provincial State of Emergency.

## **Children & Family Services Act and Adult Protection Act Matters**

Docket matters pursuant to the *Adult Protection Act*, the *Children and Family Services Act* and the Civil Procedure Rules will continue to be by telephone at the Devonshire Courthouse and most sites, unless otherwise ordered. This is made necessary by the physical limitations of the Devonshire Courthouse and at many other Family Division and Family Court sites.

## **Telephone/Video/Virtual Appearances to Continue**

The Supreme Court (Family Division) and Family Court at all sites will continue to direct that parties be heard over the telephone, by the use of video or other electronic means. This direction will change if a judge directs that in-person participation is appropriate and can be accommodated.

## **Hearings**

A requirement for cross-examination may cause a judge to direct that a matter requires in-person attendance for some or all of the parties or witnesses. The details of these arrangements will be decided on a case by case basis, involving a judge working with the parties and Court Administration to confirm logistical needs and the Court's capability at the relevant site.

**Associate Chief Justice Lawrence I. O'Neil  
Supreme Court of Nova Scotia (Family Division)  
Notice # 12 – Processes Post April 23, 2021**