**Form 60A.03**

20 No.

Supreme Court of Nova Scotia

(Family Division)

Between: [complete heading as required by Rule 82 - Administration of Civil Proceedings]

 [name] Applicant

and

 [name] Respondent[s]

**Notice of Child Protection Application**

**TAKE NOTICE: Sharing identifying information, including copies of documents, from this proceeding verbally, in writing or through the internet, including Facebook, Snapchat, Instagram or any other social media, is an offence** **pursuant to section 94(1) of the *Children and Family Services Act*,punishable by a fine of up to $10,000 and imprisonment for 2 years.**

**To:** [name each respondent]

**The applicant requests a child protection order that a child is in need of protective services** The applicant is applying to the Supreme Court (Family Division) for an order determining that the child [name, birth date and sex] is in need of protective services under the *Children and Family Services Act*.

The applicant started this application by filing this notice on the date certified by the prothonotary.

# Grounds for the order

The applicant is applying for the order on the following grounds:

1 [refer to section(s) in subsection 22(2) of the *Act*] ;

2 ;

3.

# Evidence to be presented

For the purpose of the hearing of the application, the applicant expects to file affidavits from the following witnesses, dealing with the following subjects:

|  |  |
| --- | --- |
| *Name of Witness* | *Subject* |
|  |  |
|  |  |
|  |  |

# Notice of interim hearing

At [*a.m.*/*p.m.*] on [date] , 20 , an interim hearing will take place before a judge in Chambers at the Courthouse, [insert address] , Nova Scotia to hear a motion for an order [describe kind of interim order requested] . The interim hearing must be held no less than two days after the day the respondent is notified of the proceeding. The judge may grant the interim order in your absence if you or your counsel do not attend.

# Affidavit on motion for order at interim hearing

The applicant files the affidavit of [name] , sworn on [date] , as evidence on the motion for an order at the interim hearing. A copy of the affidavit is delivered to you with this notice.

# You may participate

You may participate in every hearing. You are entitled to notice of further steps in the proceeding, unless a judge orders otherwise.

# Possible interim or final order against you

The judge may grant an interim or final order without further notice to you if you or your counsel do not appear at the time, date, and place for any hearing.

# Counsel

You may retain and instruct counsel to represent you at the hearing. If you are unable to afford a lawyer, a lawyer may be available through the local Legal Aid office. If you wish to be represented by a lawyer, you should contact a lawyer as soon as possible.

**Previous proceedings**

The child, [name] , who was the subject of a previous proceeding pursuant to the *Children and Family Services Act*, may have been the subject of one or more orders pursuant to section 42(1)(d) of the *Children and Family Services Act*, and, if so, the applicant will advise you of the time period(s) the child was so subject within 25 days of making the Application herein.

[or]

The child, [name] , who was the subject of a previous proceeding pursuant to the *Children and Family Services Act*, was the subject of one or more orders pursuant to section 42(1)(d) of the *Children and Family Services Act* and spent a total of [insert number of months] months in the temporary care and custody of an agency.

The child, [name] , is or is entitled to be an Aboriginal child.

The child, [name] , is or is entitled to be a Mi’kmaq child.

The band of the child is [name of band] .

# Filing and delivering documents

Any documents you file with the court must be filed at the office of the Supreme Court (Family Division), [insert address] , Nova Scotia, (telephone number).

The *Nova Scotia Civil Procedure Rules* require that whenever you file a document you must immediately deliver a copy of it to each other party entitled to notice, unless the document is part of an *ex parte* motion, the parties agree delivery is not required, or a judge orders it is not required.

Documents you deliver to the applicant may be delivered to the applicant’s designated address shown in the contact information for the applicant on this notice, and documents delivered there are considered received by the applicant on delivery.

# Contact information

The applicant designates the following address: [insert address]

Further contact information is available from the prothonotary.

# Signature

Signed [date] , 20

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of applicant

Print name:

[or]

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of counsel

[name] as counsel for [name]

**Prothonotary’s certificate**

I certify that this notice of child protection application was filed with the court on [insert date] .

 Prothonotary