

HOW TO DEFEND AN ACTION IN THE SUPREME COURT OF NOVA SCOTIA

1. A Defendant may defend an action by filing a Notice of Defence.
2. A defendant who does not have a defence or chooses not to defend may demand notice of all steps in a proceeding by filing a Demand for Notice ***See separate information package for Demand for Notice information.**
3. The time for filing a Defence is calculated as follows: within fifteen (15) days of being notified of the action, if notified in Nova Scotia; within thirty (30) days of being notified of the action in another Canadian Province; and within forty-five (45) days of being notified elsewhere in the world. Time is calculated in accordance with Civil Procedure Rule 94 – you do not count the day served, nor the date the Defence is due. You exclude within this period: a Saturday, a Sunday or a weekday when the Prothonotary’s office is closed.
4. Carefully read the Notice of Defence (Form 4.05A) and Statement of Defence (Form 4.05B) and retype the document with your own information. The Statement of Defence is attached to the Notice of Defence.
5. You must file the original Notice of Defence with attached Statement of Defence along with two (2) copies.
6. You must serve a Prothonotary Certified copy of the Notice of Defence and attached Statement of Defence on each of the Plaintiff(s) to this action. You must serve the Plaintiff(s) at the address provided for contact information on the Notice of Action you were served with.
7. The documents must be dated and signed by you.
8. A “Court Data Information Sheet” is to be completed by the self-represented Defendant and filed with the Court.
9. The court filing fee is \$99.70.
10. It is recommended that you seek legal advice before filing any documentation to defend a court action and the court staff will provide you with a resource list to assist you in this regard.