



# SUPREME COURT *of* NOVA SCOTIA

## Supreme Court of Nova Scotia Amends Default Position for Motions for Directions

**July 15, 2025**

The following is an update to the [Notice of February 27, 2023](#).

The Supreme Court of Nova Scotia wishes to advise that it has recently amended its policy on the format of proceedings. Henceforth, the presumptive default position for Motions for Directions is now **in person**.

The full policy on adopted presumptive default positions, updated to reflect the above, can be found below this notice.

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The following presumptive default positions for civil (family and non-family) and criminal proceedings were adopted by the Supreme Court Judges in December 2022 and updated in July 2025. Counsel and self-represented litigants should familiarize themselves with these default positions, keeping in mind that the presiding Judge maintains discretion on the format of each individual court appearance.

## 1. CIVIL PROCEEDINGS

### A. NON-FAMILY PROCEEDINGS

Type of Proceeding	Consensus Default
Date Assignment Conference	Telephone
Trial Readiness Conference	Telephone
Pre-Trial Conference	In person
Judicial Settlement Conference	In person, unless both parties are represented by counsel and request virtual.
Chambers	In person; the presiding Judge can deal with <i>ex parte</i> or uncontested matters in their Chambers if the documents are in order or may direct counsel to attend virtually.
Foreclosures	In person; the presiding Judge can deal with <i>ex parte</i> or uncontested matters in their Chambers if the documents are in order or may direct counsel to attend virtually.
Special Time Chambers	In person; if there is no testimony, the Judge may permit virtual if both parties are represented by counsel and request virtual.
Motion for Directions	In person
Application in Court	In person
Motions to Strike Affidavits	In writing

Trials	In person
Small Claims Appeal	In person
Costs	In writing
Appearance Day	In person

## **B. FAMILY PROCEEDINGS**

<b>Type of Proceeding</b>	<b>Consensus Default</b>
Routine conferences, Date Assignment Conferences, and Pretrials	Telephone/virtual
Most uncontested Child Protection appearances, except for the initial appearance	Telephone/virtual
Uncontested Adult Protection Hearings	Telephone/virtual
The initial appearance in child protection matters, provided there is a courtroom and Judge available in the judicial district where the child protection application originated and where no other special circumstances exist.	In person
Contested Motions/Interim Proceedings where oral evidence is being received and credibility issues are being determined, particularly on parenting issues.	In person
Contested Final Hearings and Trials	In person
Contested Child Protection Matters	In person
Contempt Hearings	In person
Proceedings that require interpreters	In person

## OTHER FAMILY LAW PROCEEDINGS

The Scheduling Office will initially identify the platform/forum when the following types of matters are scheduled, recognizing that the presiding Judge will ultimately determine which is the most appropriate based on the individual circumstances of the case:

- Settlement conferences
- Adoptions
- Oral decisions
- Contempt pretrials

## 2. CRIMINAL PROCEEDINGS

It is recognized that except for the initial pre-trial conference in Halifax, all criminal proceedings are required to be recorded. If a self-represented accused is involved, the default position is always an in-person appearance, although if the accused is in custody, they may appear by video.

Type of Proceeding	Consensus Default
Crownside	Halifax Crownside will be in person for counsel. In appropriate circumstances, counsel can request to appear by telephone or video. The decision whether to permit appearances other than in person is for the Crownside Judge. The format in the Districts will be left to the discretion of the presiding Judge.
Pre-Trial Conference	In person
Case Conferences	Virtual
Pre-Trial Applications	In person
Bail	In person
Resolution Conferences	In person
Trials	In person

For more information on best practices and how to prepare for virtual court appearances by telephone or videoconferencing, go to <https://www.courts.ns.ca/operations/virtual-court>.