



# HINTS & TIPS FROM *the* PROTHONOTARY

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## **PRACTICE TIPS**

### **SUPREME COURT:**

#### **1. Rule 4.18(1) – Witness Lists**

The judges would like to remind counsel that this Rule now requires parties to name witnesses in their witness lists, as opposed to providing a description of the witness (e.g. provide the name 'John Smith' and not just 'Physiotherapist'). The purpose of this is so judges can review for conflicts (see [January 30, 2025 Hints & Tips](#)).

#### **2. Rule 57 Actions & Date Assignment Conferences**

The judges would like to remind counsel that witness lists must be filed in advance of the Date Assignment Conference in Rule 57 actions (see [Rule 57.13\(1\)](#))

#### **3. Affidavits in support of consent orders vacating liens / certificates of *lis pendens***

A number of counsel have raised, through the Prothonotary's office, the question of whether affidavits in support of consent orders vacating claims of lien and /or certificates of *lis pendens* should still be required. The affidavits in question are those where counsel confirm

they have searched the Land Registration Office where the property is located and that no other lien holders are registered on the property. This requirement was set out in the Prothonotary's Hints & Tips dated [January 27, 2006](#) and [February 10, 2006](#).

The judges advise that they have considered this question, and they still require these affidavits.

## **BOTH COURTS:**

### **Free Legal Clinic at the Law Courts**

The Law Courts in Halifax continues to be home to the Free Legal Clinic. The Clinic is located on the 2<sup>nd</sup> floor of the Law Courts and is held every Thursday from 9 am to 1 pm in two simultaneous 1-hour sessions held by volunteer lawyers.

***If you are interested in providing pro bono legal services for the Free Legal Clinic in Halifax, please contact 902-424-6840. The Free Legal Clinic is currently in need of volunteer lawyers.***

The Clinic is intended for self-represented litigants with limited to little experience in the court system. The Clinic provides service for civil matters at the Supreme Court (General Division) and at Court of Appeal, including family law appeals but excluding child protection appeals. It will not provide service on any criminal matters in either court.

If you have any litigants in mind that you believe might benefit from this service, kindly refer them to the Court Administration office at the Law Courts. Litigants may initiate the sign-up process by telephone at 424-6840 or by email at [HFXfreelegalclinic@ns.courts.ca](mailto:HFXfreelegalclinic@ns.courts.ca). For more information, go to the Courts website at <https://courts.ns.ca/resources/public/free-legal-clinics>.

### **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.