

Nova Scotia Civil Procedure Rules
Amendment (Unified Family Court)
February 21, 2020

Rule 92 - Transition is amended to add the following Rules at the end of Rule 92 in anticipation of additional judges being appointed to the Supreme Court (Family Division) and judges of the Division sitting in parts of the province not now served by it:

Unified Family Court “New Area”

92.09 In the following Rules “new area” means a part of Nova Scotia in which family law jurisdiction is, as of January 1, 2020, exercised by the Supreme Court other than the Supreme Court (Family Division) and by the Family Court for the Province of Nova Scotia and for which a Family Division judge is subsequently assigned to sit regularly.

Unified Family Court: Continuance of Proceeding

92.10(1) A proceeding in a new area started in the Family Court, or a family proceeding started in the area in the Supreme Court, continues as a proceeding in the Family Division when a Family Division judge is assigned.

(2) A Family Division judge may give directions for an additional pleading, further disclosure, or filing an affidavit or other document for a continued proceeding.

Unified Family Court: Applicable Rules

92.11(1) The Civil Procedure Rules, except Rule 62 - District Family Rules, apply in a new area.

(2) Until a majority of the judges of the court make a Rule to the contrary, a party or another person may follow the *Family Court Rules* or Rule 62 in a proceeding in a new area, unless a Family Division judge directs that Rule 59 - Family Division Rules, Rule 59A - Judicial Dispute Resolution, Rule 60A - Child and Adult Protection, Rule 61 - Adoption, or the *Family Division Practice Memorandum* applies exclusively to the proceeding.

Certificate

I, Deborah K. Smith, Chief Justice of the Supreme Court of Nova Scotia, certify that on February 21, 2020 a majority of the judges of the court made the foregoing amendments to the *Nova Scotia Civil Procedure Rules*.

Signed February 21, 2020

Original signed by
Chief Justice Deborah K. Smith

Deborah K. Smith
Chief Justice of the Supreme Court
of Nova Scotia