

## **NOTICE # 3 TO THE BAR March 27, 2020**

### **Counties of Antigonish, Colchester, Cumberland, Yarmouth, Shelburne and Digby**

The Family Division of the Supreme Court of Nova Scotia has been conferred jurisdiction over all Family matters in Nova Scotia courts. The Family Division of the Supreme Court is incrementally assuming that responsibility. This memorandum is directed to the lawyers practicing in the Counties noted above.

- Family files currently being processed in the General Division of the Supreme Court will continue to be managed by that Division. It is anticipated that by the end of 2020 any of these files still active will be transferred to the Family Division of the Supreme Court.
- Files currently in the Family Court of Nova Scotia will be presided over by a Family Court Judge or a Judge of the Family Division of the Supreme Court. In both cases the management of proceedings will now be subject to the administrative direction of the Family Division of the Supreme Court.
- Lawyers and members of the public will now have three options for filing family matters in your County. A proceeding may be initiated under the Family Division Rule of the Supreme Court. This is new to your counties. You may also continue to file matters as provided by the Supreme Court, General Division Rule as has been the practice or file as provided for under the Family Court Rule(s) as is currently the practice.

At this time, you do not need to make any changes to how you practice or the forms you and your staff complete. A period of transition to the forms and processes of the Family Division of the Supreme Court is planned and the transition is expected to occur over 6-9 months. You will be given advance notice of the process changes and when they take effect. A phased introduction is contemplated with the objective being the attainment of one process for all family matters on or before the end of 2020. Additional information sessions will be held locally to ensure your questions are answered and your input considered. Additional training sessions will also be held for court staff.

In summary, lawyers and members of the public will now have three options for filing family matters in your County. A proceeding may be initiated under the Family

Division Rule of the Supreme Court. You may continue to file matters as provided by the Supreme Court, General Division Rule(s) or file as provided for under the Family Court Rule(s).

Turning to the associated topic of the Judicial assignments in your respective Counties I advise as follows.

Antigonish and Pictou Counties will be principally served by Justice Murray and Judge Daley. Colchester County will be principally served by Justice Morse. Cumberland County will be principally served by Justice Gregan and the Yarmouth/Shelburne and Digby Counties will be principally served by Justice Christenson.

Finally accompanying this memorandum are (1) a Notice advising counsel and the public of the Family Division scheduling policies (2) E filing Guidelines as we manage through the COVID-19 crisis and (3) answers to frequently asked questions.

Enclosures	*Notice#1	re scheduling
	*Notice#2	re e-filing
	*Notice#4	answers to frequently asked questions

Thank you for your ongoing assistance as we move forward with the merger of the Family Court with the Family Division of the Supreme Court of Nova Scotia.

*Associate Chief Justice O'Neil*  
*Supreme Court of Nova Scotia (Family Division)*  
*Notice#3-district-bar*                      *Mar-27-20*