

NOVA SCOTIA BARRISTERS' SOCIETY
SUPREME COURT (FAMILY DIVISION)
LIAISON COMMITTEE MEETING MINUTES

June 24, 2020

Present:

Associate Chief Justice O'Neil, Co-Chair
Justice Jesudason
James Leiper, Co-Chair
Krista Forbes
Samira Zayid
Jennifer K. Reid
Peter Crowther
Carolyn Nearing

Regrets:

Justice Chiasson
Christine Doucet
Christine Carter

Minutes

1. Notice 10

https://www.courts.ns.ca/News_of_Courts/documents/NSSCFD_Notice_10_Safe_Services_Model_06_15_20.pdf

It was asked what process is being used with new filings.

New filings are being triaged and sent either to conciliation or directly to a judge. Given reduced staffing levels because of the pandemic and summer vacations, turn-around times are longer than they were historically.

Conciliation is occurring by telephone. Court resources are now focused on relocation issues and child protection matters which are at or beyond the statutory maximum time frame.

In an attempt to address the back-log of files, all the judges have agreed to forgo vacation and be available as of September.

Court staff and the judiciary are working to ensure scheduled matters are ready to go forward to avoid lost court time.

At this time, three judges are sitting each day, 2 in the courthouse and one assisted by a Judicial Assistant who is working off-sight and using remote technology. It is expected that this capacity will increase.

The use of virtual technology to date has largely been limited to doing audio appearances which have been found to be effective. Other options, such as use of video-equipment, may be considered in appropriate cases.

The Court recognizes that the timing of processes is slower than it was before the pandemic but reminds everyone that there are reduced staffing levels in place and a backlog of filings that were held by law offices are not being filed.

The Court is now beginning the scheduling of in-person hearings in September, with some child protection hearings and other matters deemed urgent occurring in the summer months. It is necessary to implement new processes for all hearings to respect social distancing and other best practices. [See #2 - Court Recovery Plan]

2. Court Recovery Plan

The Court Recovery Plan is expected to be released on June 25, 2020 [Note: the Plan is now available - https://www.courts.ns.ca/News_of_Courts/documents/CourtRecoveryPlan_Final.pdf].

A mock trial using the suggested practices has been held.

Urgent matters will be prioritized for in-person hearings. The Associate Chief Justice has actively sought out urgent matters. If counsel believe their matter is urgent, they can request of the presiding judge that in-person hearing be scheduled. In doing so, counsel should advise why a hearing is needed, how the matter should proceed, and what agreements counsel have reached to allow the matter to proceed

3. E-Court

Training regarding the E-Court pilot project is expected to be announced in the next week.

4. Issue from the Bar

An issue was raised by a member of the Bar regarding some judges requiring original signatures from counsel consenting to an Order prior to issuing the order. The member of the Bar had referred to the *Electronic Commerce Act*. |

Neither the judges nor the lawyers present had experienced this. It was recognized there may be reasons in a specific case for a judge to require original signatures.

5. Dissemination of Minutes

In an effort to spread the information contained in these minutes, it was agreed they would be forwarded to the NSBS and the CBA to ensure it is shared broadly.

6. **Next Meeting:** July 22, 2020, at 2:00 p.m.