

NOTICE TO THE PROFESSION

Several rule changes are coming into force on **July 1, 2012**. The amendments were published in the *Gazette* on May 25, 2012 as Regulation 48/12 and the full text of these amendments can be found on the House of Assembly website.

Here is a brief summary of the amendments:

- Rule 5 – Commencement of Proceedings

The rule changes will set four as the maximum number of times the Registrar may renew an originating document. An application to the Court will be necessary to renew the originating document after that time. The rule that the Registrar is not permitted to renew an originating document that has expired will not change. Originating documents that have been renewed at least once prior to the amendments coming into force may be renewed by the Registrar four additional times before an order is required.

- Rule 15 – Amendment

Once the amendments come into force, an order will be required if a party wishes to add, substitute or correct the name of a party to a proceeding. Discontinuing a proceeding against a party will be governed by Rule 19. Other amendments may be made once without leave of the Court if they are made no later than 20 days after pleadings are closed or five days before the hearing of an originating document. They may also be made at any time with the written consent of the parties. Leave of the Court is required otherwise.

- Rule 56A – Family Law

The amendments to Rule 56A are consequential and result from the repeal of the *Child, Youth and Family Services Act*, S.N.L. 1998, c. C-12.1 and the enactment of the *Children and Youth Care and Protection Act*, S.N.L. 2010, c. C-12.2.

If you have questions about these rule changes, please contact the Court's Legal Officer, Angela Whitehead, at (709) 729-4743 or angelawhitehead@supreme.court.nl.ca.

David B. Orsborn
CHIEF JUSTICE OF THE SUPREME COURT
OF NEWFOUNDLAND AND LABRADOR,
TRIAL DIVISION