

# Overview

## *The Family Division*

**T**he Supreme Court (Family Division) was established in

*Nova Scotia to deal with all family*

*law court matters in Halifax Regional*

*Municipality and in Cape Breton.*

*This court and its services give*

*people the opportunity to resolve family*

*matters in a more cooperative and less*

*adversarial manner. It is hoped that*

*additional locations will be added*

*in the future.*

### **Services**

A number of services are provided in the Family Division. Some are intended to give parties an opportunity to resolve family disputes outside of the court process in appropriate cases. Others give information on the effects that separation and divorce may have on individuals and their children. Others are in place to explain court procedure, and the legal process if you are not represented by a lawyer. These services are intended to reduce the conflict and tension that families experience when going through separation or divorce or dealing with other family conflict.

Referrals to crisis and post-separation counselling and health care professionals are also available.

When individuals first come to the Family Division they meet with a court officer who helps determine which programs or services would address their issues. The parties are required by the court to exchange appropriate information to properly address the issues that have been identified. If the parties are interested in pursuing an alternative to court, services are available, including mediation.

Everyone is encouraged to obtain legal advice at each stage of the process.

## Jurisdiction of the Court

The Family Division has jurisdiction to deal with legislation that includes:

- Adult Protection Act
- Children and Family Services Act
- Divorce Act
- Interjurisdictional Support Orders Act
- Maintenance and Custody Act
- Maintenance Enforcement Act
- Matrimonial Property Act
- Pension Benefits Act and the division of pensions under other federal or provincial statutes
- sections of the Solemnization of Marriage Act relating to the performance of marriage and applications from persons under the age of 16 who desire permission to marry.

## Fees

There are fees for starting proceedings in the Family Division and for some of the services provided by the Division. These fees are set out in the Fee Schedule available at the Family Division. Fees can be waived in certain circumstances. Check with court staff about whether you are eligible for a fee waiver.

## Locations

In Cape Breton, the Family Division and related services are located at 136 Charlotte Street in **Sydney** [563-2200] and at 15 Kennedy Street in **Port Hawkesbury** [625-2665].

The court also sits at current circuit locations, including Baddeck, Port Hood and Arichat.

In **Halifax Regional Municipality**, the Family Division and its services operate from 3380 Devonshire Avenue [424-3990].

## Where can I get more information?

For more information about representing yourself in court visit the Department of Justice website at <[www.gov.ns.ca/just/repselmain.htm](http://www.gov.ns.ca/just/repselmain.htm)>. For information about the Courts of Nova Scotia go to <[www.courts.ns.ca](http://www.courts.ns.ca)>.

---

Prepared by Court Services Division of Department of Justice, Nova Scotia March 2006

