

Seasons Greetings from Caseflow Management!

Caseflow Management controls the movement of cases through the court process, eliminating or reducing delay by setting specific time standards and through timely court involvement in the case. Since the project launch on January 2, 1996, we have received questions, the answers to which we believe might be of interest to all practising members. Please note the answers provided do not constitute judicial orders or interpretation but rather helpful descriptions of the process.

Caseflow Management Pilot Project Update (as of December 2, 1997)

Track	Opened since January 2/96(%)	Less Closed Cases(%)	Active Cases on CFM(%)
	Number of Cases		
Fast	2195(40%)	1814(54%)	381(18%)
Standard	2456(45%)	1277(38%)	1179(57%)
Complex	31(1%)	5(<1%)	26(1%)
Holding	774(14%)	278(8%)	496(24%)
Total	5456	3374(62%)	2082(38%)

Q. Have all the questionnaires been tabulated at this point?

A. We had a very good response to the questionnaires we circulated as part of an interim evaluation of the Caseflow Pilot Project. Approximately two months ago, questionnaires were sent to lawyers who had completed at least one case under the Caseflow Management system. To ensure confidentiality, for

those who wished to remain anonymous, the questionnaires were returned directly to a staff person at the Policy & Planning division of the Department of Justice. Once the results and your comments have been catalogued, the Caseflow Management Committee will use this information to assess the project and any changes that might be made.

Notices:

Please note that we have a **new e-mail** address for the Caseflow Project.
caseflow@gov.ns.ca

A series of informational **brochures** will be available in the new year detailing aspects of caseflow and the court process.

Information sessions about Caseflow are still be offered to law firms who feel this would be of some assistance. To arrange such a presentation, simply contact the Caseflow Management office.

Q. Why doesn't filing a Demand for Particulars with the Court serve as notification that service has been completed ?

A. Until recently, only an Affidavit of Service or a Defence would serve as proof of service. It became evident that a Demand for Particulars should also operate as an "automatic" affidavit of service. This suggested change to Rule 68 has recently been approved by the Caseflow Management Committee and the Rules Committee.

Q. If we renew our Originating Notice after six months, doesn't that take care of the renewal on the Holding Track as well?

A. No. This still seems to be a point

of confusion. When you renew your Originating Notice (Action) it is being done under Civil Procedure Rule 9.07(1). This rule deals with renewing the **validity of the document** if a period of six months has gone by without service being effected. It **does not** deal with the issue of the action staying or being moved to another track. Civil Procedure Rule 68.15(2)(b) requires that actions on the Holding Track be reviewed every six months. To accomplish this, we send out the Holding Track review letter to obtain current information on the status of the file. This review deals with whether the action is more appropriately placed on another track. It does not deal with the validity of the Originating Notice.

If you have any questions or comments about the Caseflow Management Pilot Project, please contact:

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