

DIRECTIVE – COURT OF APPEAL

Rule 2.01 of the *Rules of Court* provides that “the court may at any time dispense with compliance with any rule, unless the rule expressly or impliedly provides otherwise.” Under the authority of this Rule, given the extreme circumstances resulting from the COVID-19 pandemic, I DIRECT AS FOLLOWS:

1. Any document having to be filed or any procedure having to be taken under Rules 62 and 63 of the *Rules of Court* while this directive is in effect, may be filed or taken up to 30 days from the date upon which this Directive is revoked by notice placed on the Court of Appeal page of the NB Courts website: <https://www.courtsnb-coursnb.ca/content/cour/en/appeal.html>
2. This Directive does not apply to the filing of any Notice of Appeal or Notice of motion for leave to appeal where the time for doing so is expressly set by statute without any discretion for a judge to extend the time limit;
3. Anyone needing to file any document with the Court of Appeal because of a time limit set by statute, or anyone wishing to file a document with the Court notwithstanding this Directive, may file the document, including a Notice of Appeal or a Notice of Motion, by one of the following methods:
 - a. By leaving the document in a secure box set out for that very purpose and located outside the Registrar’s Office at the Justice Building in Fredericton;
 - b. By emailing the document to the Registrar of the Court of Appeal at nbca-canb@gnb.ca or faxing the documents at (506) 453-7921 , and the document will be deemed to have been received on the date it was sent provided the original of the document and any prescribed fee are then sent by mail or courier before the expiration of 30 days following the revocation of this Directive;
 - c. By sending the document and any prescribed fee by courier, in which case it will be deemed to have been received on the day it was sent, or by mail, in which case the document will be filed on the day it is received.
4. Should any party need to petition the court to request an urgent hearing, or for any other inquiries, please call the Registrar, Ms. Caroline Lafontaine at (506) 453-2945 or caroline.lafontaine@gnb.ca. Please note a reply may take longer than usual.

DATED at Fredericton, New Brunswick, this 19th day of March 2020.



J.C. Marc Richard, CJNB