



THE NUNAVUT COURT OF JUSTICE

PRACTICE DIRECTIVE #22

IMPLEMENTATION OF THE OFFICIAL LANGUAGES ACT

Explanatory Note:

This legislation adds impetus to the need for counsel to identify unilingual litigants so that the Court can ensure that some form of translation services are available for English only interlocutory and final orders affecting their interests. This directive ensures that the Court is made aware of the litigant's language needs at an early date and provides a means to address these needs.

Effective February 1st 2010, all originating applications, statements of defence, and third party notices returnable in the Nunavut Court of Justice must include a Language Needs endorsement in Form 22A modified as the circumstances may require.

All applications returnable in the Nunavut Court of Justice requiring personal service upon a Defendant or Respondent must also include a Translation Services endorsement in Form 22B.

Where a litigant has identified a need to receive language services in one of the official languages, all interlocutory and final orders made in any civil or criminal proceeding will be translated into the language identified by Form 22A by Court Services within such time as the Court may direct.

Where a written translation cannot be made available to the Defendant/Respondent within 10 business days of the date upon which the order is made, the order must include a Translation Services Endorsement in Form 22B.

Issued this 21st day of December 2009 at the direction of the Judges of the Nunavut Court of Justice.

Mr. Justice R. Kilpatrick

Mr. Justice E. Johnson

Mr. Justice N. Sharkey