

VACANCY

DEPUTY PROTHONOTARY

Prince Edward Island Court of Appeal & Supreme Court of Prince Edward Island

The Prince Edward Island Department of Justice & Public Safety invites applications for appointment to the position of Deputy Prothonotary of the Court of Appeal and Supreme Court under section 27 of the *Judicature Act*.

To qualify for consideration, an applicant must have at least five (5) years' experience in the practise of law in Canada. An applicant must have a sound knowledge of the law and appreciation of the functions of the Supreme Court and Court of Appeal, possessing original and appellate jurisdiction in both civil and criminal cases.

As deputy to the chief legal officer of the Court of Appeal and Supreme Court, and a Deputy Registrar of these courts, the Deputy Prothonotary fulfills diverse roles. Some of these duties include:

- Assisting in managing small claims actions, including presiding at pre-trial conferences, mediating settlements, drafting orders, and dismissing inactive claims.
- Exercising roles under various Rules of Civil Procedure, such as decisions in *ex parte* motions for discovery of non-parties, substituted or dispensing with service, certificates of pending litigation, inspection of documents of a non-party, and assessment of costs.
- Assisting with initiatives relating to access to justice.
- Considering motions and issuing orders under the *Vendors and Purchasers Act*, such as rectification of deeds.
- Reviewing annual filings of inventory, income and expense statements under the *Public Trustee Act*.
- Appointing commissioners for taking affidavits and notarizing documents for members of the public.
- Considering and determining requests for fee waivers.
- Issuing garnishment orders and conducting debtor exams to determine exemptions.
- Performing marriage ceremonies.
- Reviewing draft legislation which affects the administration of the courts.
- Executing conveyances, transfers or mortgages ordered by the court.
- Selling mortgaged premises under an order of the court.
- Filing contingency fee agreements.
- Providing guidance to court staff, lawyers, and self-represented litigants relating to filing documents and interpretation of the Rules of Civil Procedure.
- Providing guidance to sheriffs regarding process and regarding issues that arise in the execution of judgments.
- Receiving payments into court and approving payments out of court.
- Such other functions as are directed by the Chief Justices of the Court of Appeal and Supreme Court.

Court experience, particularly in civil and property law, knowledge of the Rules of Civil Procedure, and experience in settlement conference practice are assets. Consideration will also be given to suitable candidates who demonstrate a sound understanding of civil law and practice gained from solicitor practice, academia and other legal fields. A candidate should have strong interpersonal skills and a demonstrated capacity for empathy, discretion and confidentiality. Knowledge of and sensitivity to diversity issues is an asset.

The Deputy Prothonotary reports to the Chief Justices of the Court of Appeal and Supreme Court who are responsible for the education and management of the Deputy Prothonotary. The position reports administratively for the purposes of leave and attendance to the Director, Family Law & Court Services/APSO.

Candidates must clearly demonstrate that they meet the eligibility criteria for appointment under the *Judicature Act*. Candidates must submit a *curriculum vitae* and cover letter setting out their qualifications, three references, and a writing sample (written decision, factum, legal memorandum, etc.).

After selected candidates are interviewed, references are checked, and the successful candidate is confirmed, the successful candidate will be recommended to the Lieutenant Governor in Council for appointment.

The Department of Justice and Public Safety is committed to Equity, Diversity, Inclusion and Accessibility.

Annual Salary Range: \$125,171 - \$156,507 (75.0 hours bi-weekly)

Application deadline: Monday, February 10, 2025 at 5pm AST. Please send applications by email to Sheila.Gallant@judicloud.ca.

CONTACT:

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