

**SUPREME COURT OF NOVA SCOTIA**

**FAMILY DIVISION**

**Citation:** Nova Scotia (Community Services) v. AM , 2015 NSSC 50

**Date:** 2015-02-17

**Docket:** 746988

**Registry:** Sydney, NS

**Between:** **Minister of Community Services**

**Applicant**

v.

**AM and JW**

**Respondents**

**and**

**Date:** 2015-02-17

**Docket:** 84382

**Registry:** Sydney, NS

**Between:** **Minister of Community Services**

**Applicant**

v.

**AM and JW**

**Respondents**

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Theresa M. Forgeron

**Heard:** February 10, 2015, in Sydney, Nova Scotia

**Written Release:** February 17, 2015

**Subject:** Child Protection

**Issues:** Does the court have jurisdiction to entertain the applications to terminate given the adoption proceedings?

**Result:** The effect of s. 48(4) of the *CFSA* is clear, whether or not it is strictly characterized as a jurisdiction depriving provision. The court is legislatively precluded from hearing an application to terminate a permanent care and custody order once the adoption process has been engaged. The Minister's motions were granted.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.***

***QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***