

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** R. v. Butler, 2010 NSSC 284

**Date:** 20100713

**Docket:** CRH 324525

**Registry:** Halifax

**Between:**

Her Majesty the Queen

versus

Mitchell Lawrence Butler

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice C. Richard Coughlan

**Heard:** June 24, 2010, in Halifax, Nova Scotia

**Decision:** July 13, 2010 (Orally)

**Written Release  
of Decision:** July 20, 2010

**Subject:** Criminal Law - Contents of Designation of Counsel

**Summary:** Accused was charged with offences pursuant to s. 5(2) of the *Controlled Drugs and Substances Act* and s. 355(b) of the *Criminal Code*. He was to be arraigned. Counsel appeared on the accused's behalf. Accused not present. Counsel produced a document purporting to be a Designation of Counsel, pursuant to s. 650.01 of the *Criminal Code*. The document did not set out the charge, charges, dates of alleged offences, or other particulars identifying the particular matters for which the designation was given.

**Issue:** Is the document sufficient as a Designation of Counsel pursuant to s. 650.01?

**Result:** Document not accepted as a Designation of Counsel.

No particular form of designation is required other than the items specified in s. 650.01(2). However, a designation must identify the charge, charges, dates of alleged offences, or some other particulars of the proceedings for which counsel has been designated so the court may be satisfied counsel has authority to deal with the charges before the court.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***