

**SUPREME COURT OF NOVA SCOTIA**  
**(FAMILY DIVISION)**

**Citation:** Foster-Jacques v. Jacques, 2011 NSSC 174

**Date:** 20110503

**Docket:** 1201-64463, SHFD-069582

**Registry:** Halifax

**Between:**

Sharon J. Foster-Jacques

Petitioner

v.

Hector J. Jacques

Respondent

---

**LIBRARY HEADING**

---

**Judge:** The Honourable Justice Beryl MacDonald

**Heard:** April 28, 2011, in Halifax, Nova Scotia

**Subject:** Family Law, Civil Procedure Rule 59.60, 85.04 and 85.05,  
Practice and Procedure in the Supreme Court (Family Division)

**Summary:** Both parties to the proceeding request an order sealing the contents of their divorce file from media examination. Neither considered notice to the media was required in respect to their motion for a sealing order.

**Issue:** Do the provisions of Civil Procedure Rule 85.04 and 85.05 apply to the motion for the sealing order in the Family Division and if they do should the court exercise its discretion to deny notice to the media?

**Result:**

The provisions of Civil Procedure Rule 85.04 and 85.05 do apply to the motion for the sealing order in the Family Division. Notice was to be given to the media pursuant to Rule 85.05.

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