

**SUPREME COURT OF NOVA SCOTIA**

**(Family Division)**

Citation: O.R. (Re), 2016 NSSC 296

**Date:** 20161102

**Docket:** SFHCFSA 102013

**Registry:** Halifax

**Between:**

Nova Scotia (Community Services)

Applicant

and

Birth Registration # 2016-02-002781

Respondent

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**LIBRARY HEADING**

**Judge:** The Honourable Associate Chief Justice Lawrence I. O'Neil

**Heard:** October 14, 2016 at Halifax, Nova Scotia

**Issues:** Is a person, not deemed a parent by the Minister of Community Services, entitled to notice of an adoption proceeding and therefore, an opportunity to challenge the Minister's conclusion that she/he is not a parent? Is that person's consent for an adoption required?

**Summary:** The Applicants propose to adopt pursuant to an adoption agreement between the Minister of Community Services and the child's biological mother. The record does not reveal what knowledge, if any, the child's father has of the child's birth or the adoption proceeding. The issue is whether the court should be concerned about the process being followed by the Department of Community Services. More precisely, has the Department of Community Services, in the subject circumstances, complied with the applicable notice requirements that pertain to biological parents.

**Keywords:** adoption; service; notice of adoption; parent

**Legislation:** *Children and Family Services Act*, 1990 c.5

**Cases Considered:**

- *Nova Scotia (Community Services) v. K.C-S. and C.T.*, 2016 NSSC 280
- *Re: Adoption of I.F.M.*, 2016 NSSC 83
- *Manitoba (Director of Child and Family Services) v. H.H. and C.G.*, 2016 NBQB 138
- *T.(D.) Re:* [1992] N.S.J. 289

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