



SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
Rules of the Supreme Court, 1986

PRACTICE NOTE
P.N. No. 2020-01

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The following Practice Note is published pursuant to Rule 4.04 of the *Rules of the Supreme Court, 1986*.

APPLICATIONS TO APPOINT THE PUBLIC TRUSTEE

Background and Purpose

1. Recent amendments to the *Public Trustee Act* have modified some of the procedures that must be followed and documents that must be filed for applications to appoint the public trustee.
2. According to the amended section 4 of the *Public Trustee Act*, a judge shall not appoint the public trustee unless the public trustee consents to the appointment and the terms of the appointment or the public trustee has an opportunity to make representations regarding the appointment.
3. In light of these changes, the following practice note is issued to provide guidance to parties and counsel on the process for applying to appoint the public trustee.

Practice Note

1. All applications in the General Division for the appointment of the Public Trustee must include written documentation from the Office of the Public Trustee, indicating the public trustee's consent or objection to the appointment.
2. Requests for consent must be directed to the Office of the Public Trustee:

Office of the Public Trustee
The Viking Building
Suite 401 – 136 Crosbie Road
St. John's, NL A1B 3K3
Tel: (709) 729-0850
Fax: (709) 729-3063

3. Where the public trustee consents to the appointment and the terms of the appointment, the applicant must file the written consent from the Office of the Public Trustee. The Court Officer shall ensure that the written consent is filed with the application and provided to the judge who will be deciding the application.
4. Where the public trustee does not consent to the appointment and/or the terms of the appointment, the applicant must file written confirmation of the objection from the Office of the Public Trustee. The Court Officer shall ensure that the written objection is filed with the application and provided to the judge who will be deciding the application.
5. A hearing may be scheduled. If a hearing is scheduled, the Court will provide notice to the applicant and the public trustee, indicating the hearing date, time, and location.

Authorized by:

Raymond P. Whalen
CHIEF JUSTICE OF THE SUPREME COURT

Ethel Chaulk
REGISTRAR