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Practice Direction Use of Neutral Citation for Case Law

The purpose of this Practice Direction is to ensure that counsel provide the Neutral Citation to any case law cited in court submissions.

Since its establishment in 1999, Canadian courts in all jurisdictions have progressively implemented the Neutral Citation for Case Law. When a court assigns a Neutral Citation, the reference is conspicuously located near the top of the decision. It looks like this:

Smith v. Jones, 2006 NBQB 435

the last part (“2006 NBQB 435”) being the essential element that allows easy access to the decision.

The Neutral Citation was implemented for decisions of this court on [date]. The citation is assigned by the court prior to the release of a decision so that counsel and litigants can cite and retrieve decisions without having to rely on a citation that is specific to a case law reporter service.

Effective [date], counsel are directed to use the Neutral Citation where available to refer to case law in their submissions to this court.

Where counsel choose to use parallel citations from reporter series or electronic databases, the Neutral Citation shall be the first used, as in the following example:

Smith v. Jones, 2006 NBQB 435, 87 D.L.R. (4th) 334, [2006] N.B.J. No. 198 (QL)

Pinpoint references shall be made to paragraph numbers where available, preceded by “at para.” or “at paras.”, as in the following example:

Smith v. Jones, 2006 NBQB 435, at paras. 34 and 36-39.