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**1. Enforcing Foreign Judgments: S.C.C.**

The Supreme Court of Canada, in [Pro Swing Inc. v. Elta Golf Inc.](#), [2006] S.C.C. 52 has addressed the issue of enforcement of a foreign non-money judgment. The majority finds that (quoting from the headnote):

The traditional common law rule that limits the recognition and enforcement of foreign orders to final money judgments should be changed. Such a change requires a cautious approach and must be accompanied by a judicial discretion enabling the domestic court to consider relevant factors so as to ensure that the orders do not disturb the structure and integrity of the Canadian legal system. A departure from the common law rule will necessarily affect both commercial activity and judicial assistance in an era of large scale cross border commerce, e commerce and cross border litigation and will open the door to equitable orders such as injunctions, which are key to an effective modern day remedy.

For more on the decision, see Eugene Meehan's [November 17, 2006 S.C.C. L@wletter](#) and [Supreme Court takes note of 'globalization of commerce'](#) in the December 1, 2006 issue of *The Lawyers Weekly*.

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**2. Small Claims Amendments**

Bill 39, [The Court of Queen's Bench Small Claims Practices Amendment Act](#) received Royal Assent on December 7, 2006 and will take effect on Proclamation. The Act increases the small claims limit to \$10 000 from \$7500 and increases the amount of general damages that the court can order to \$2000 from \$1500.

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**3. Good Samaritan Laws**

[The Good Samaritan Protection Act](#) is now in effect in Manitoba. The Act protects "a person who voluntarily provides medical services, aid or advice to a victim of an accident or medical emergency. The person will not be liable to pay damages in a lawsuit started by the victim unless the person was grossly negligent." Similar Canadian legislation includes Ontario's [Good Samaritan Act, 2001](#), Alberta's [Emergency Medical Aid Act](#), British Columbia's [Good Samaritan Act](#) and Nova Scotia's [Volunteer Services Act](#).

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**4. Technology in Legal Proceedings**

The October 2006 issue of [Technology News for Judges](#) published by the Canadian Judicial Council contains a number of articles that will interest litigators:

- *New BC Practice Direction to Govern Use of Technology in Civil Proceedings*
- *Electronic Appeals (E-Appeals)*
- *Avoid the Metadata Trap*

The complete newsletter is available on the [CJC website](#).

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## **5. Case Comment on *Blank* decision**

A case comment on the Supreme Court of Canada's decision in [Blank v. Canada \(Minister of Justice\)](#) 2006 SCC 39 (CanLII) (referenced in the October 2006 issue of this Update) was recently published in the [Law Times](#). The article [Filling in the blanks for litigation privilege](#) was written by Professor Dale Ives and Professor Stephen Pitel, both of the faculty of law at the University of Western Ontario. While you're visiting the site, be sure to check out some of the other recent articles and case summaries.

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