

CIVIL PRACTICE DIRECTIVE NO.3
ELECTRONIC FILING
Effective April 2, 2012

Practice Directive prevails: This Practice Directive prevails in the event of any conflict or inconsistency between this Practice Directive and *The Court of Appeal Rules*.

Electronic filing mandatory effective April 2, 2012

1 Effective April 2, 2012, a person who intends to submit a document for filing shall file that document electronically unless exempted from doing so by the registrar.

Electronic filing

2(1) In this Practice Directive, “**approved filer**” means a person who has been approved by the registrar pursuant to subsection (3).

(2) A person who intends to submit a document electronically for filing may apply to the registrar to become an approved filer.

(3) On receipt of an application pursuant to subsection (2), the registrar may approve the person as an approved filer if:

(a) the person provides an email address and any other information that may be requested by the registrar;

(b) the person agrees or undertakes to comply with the terms of use for electronic filing; and

(c) the registrar considers it appropriate to do so.

(4) The registrar may:

(a) impose any terms and conditions on an approved filer pursuant to subsection (3); and

(b) revoke approval if an approved filer fails to use the electronic filing system in accordance with, or otherwise breaches, the terms of use, any term or condition imposed pursuant to clause (a) or this Practice Directive.

- (5) An approved filer who submits a document electronically for filing shall:
- (a) submit the document in an electronic format acceptable to the registrar along with proof of service; and
 - (b) at the time the document is submitted, pay any applicable fee by credit card (Visa or MasterCard).
- (6) A document submitted electronically for filing is not filed until the registrar accepts it for filing.
- (7) If a document submitted electronically pursuant to this Practice Directive is accepted for filing by the registrar, the document is filed:
- (a) on the day the document is submitted, if the document is received by the registrar on or before 4 p.m. on a day on which the registry is open;
 - (b) if the document is received by the registrar after 4 p.m. on a day on which the registry is open, on the first following day that the registry is open;
 - (c) if the document is received by the registrar on a day on which the registry is not open, on the first day following that the registry is open.
- (8) When accepting a document submitted electronically for filing, the registrar shall place an electronic stamp on the document.
- (9) If a document in paper form is filed with the registrar, the registrar may convert the document into electronic form and, if the registrar does so, the registrar shall:
- (a) store the converted document in an electronic system that the registrar considers appropriate; and
 - (b) retain the paper form of the document.

3 Repealed 4 July 2014, r. 12.

Transcript

- 4(1)** Notwithstanding Rule 21, an appellant is not required to file a *praecipe* requisitioning a transcript.
- (2) Within 14 days after reaching agreement as to the parts of the transcript required for an appeal, the appellant shall order a complete transcript of the proceedings, or a transcript of the parts of the proceedings that the parties agree are required, from Transcript Services or any other commercial court reporting service in the format for transcripts approved by the Court.
- (3) The appellant shall either:
- (a) file an electronic copy of the transcript with the registrar immediately on the appellant's receipt of the transcript; or

(b) make arrangements with Transcript Services or the commercial court reporting service, as the case may be, to file an electronic copy of the transcript with the registrar immediately after the transcript is completed and ready for filing.

Electronic filing - paper copy requirements

5 If a document filed electronically by an approved filer is an appeal book or factum, the approved filer shall file, immediately after the electronic filing, three bound paper copies of the document with the registrar.

Paper filing - paper copy requirements

6(1) Subject to subsection (2), if the registrar exempts a party from filing a document electronically, the party shall file one unbound and unperforated copy of that document in paper form with the registrar.

(2) If a party is permitted to file an appeal book or factum in paper form, the party shall immediately file two additional bound paper copies of the document.

Service, address for service and communications by registrar

7(1) Notwithstanding subrule 67(2), if service is required by the Rules, parties may effect service by any means permitted by Part of *The Queen's Bench Rules*, with any necessary modification.

(2) In addition to the requirements of Rule 65, every party to an appeal shall provide the registrar with a valid email address, unless exempted from doing so by the registrar.

(3) Notwithstanding Rule 68, any notice or other communication given by the registrar may be made by any means of electronic communication capable of producing a printed copy.

NOTE: This Practice Directive is issued by the Court under the authority of *The Court of Appeal Act, 2000* and Rule 74 of *The Court of Appeal Rules*. It replaces the earlier Practice Directive on Electronic Filing that was effective on December 15, 2010.

Melanie A. Baldwin, Registrar
Court of Appeal for Saskatchewan.