

CRIMINAL PRACTICE DIRECTIVE NO. 3
ELECTRONIC FILING

Effective October 3, 2022

Approved filer

1(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 shall 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:

(i) the terms of use for electronic filing;

(ii) any term or condition imposed on the approved filer pursuant to clause (a);
or

(iii) this Practice Directive.

Electronic formatting requirements

2 A document submitted electronically for filing must:

(a) be a true representation of the corresponding paper copy, with the content, number of pages and number of volumes of the electronic copy and the corresponding paper copy being identical;

(b) be prepared and submitted in optical character recognized (OCR) portable document format (PDF) that is text-searchable; and

(c) be formatted in accordance with the requirements of sections 3 to 5.

Pagination

3(1) The page numbering in a document submitted electronically for filing must be the same as the page numbering of the corresponding paper copy.

(2) Facta submitted electronically for filing must adhere to the following pagination scheme:

(a) the title page must not have an assigned page number (i.e., page number to be set at “none” in Adobe Acrobat);

(b) the index must be numbered using small Roman numerals (i.e., i, ii, iii, and so on);

(c) the body of the Factum, being the pages after the index, including authorities, must be numbered consecutively as follows, as the case requires:

(i) appellant’s factum: “AF” (i.e., AF1, AF2, AF3, and so on);

(ii) respondent’s factum: “RF” (i.e., RF1, RF2, RF3, and so on);

(iii) intervenor’s factum: “IF” (i.e., IF1, IF2, IF3, and so on).

Bookmarks

4(1) A document submitted electronically for filing that exceeds 5 pages must include an electronic bookmark:

(a) to each heading and subheading of the document, as listed in the table of contents; and

(b) to the first page of each tab, exhibit and appendix of the document.

(2) The bookmark for each tab, exhibit and appendix of a document must include:

(a) the letter or numbering of the tab, exhibit or appendix; and

(b) a description of the tab, exhibit or appendix.

Hyperlink to authorities

5 In a factum or brief of law submitted electronically for filing, any reference to a case or statutory authority, including within a table of authorities, must be hyperlinked to an electronic version of that case or statutory authority, if available.

Electronic signature

6 With the exception of affidavits and statutory declarations, any requirement that a document submitted electronically for filing is to be signed may be satisfied by an electronic signature or a typewritten signature (e.g. “Joan Smith”).

Substantial compliance

7 The registrar may reject for filing any document submitted electronically that does not substantially comply with the procedure set out in this Practice Directive.

Exemption from electronic filing

8 If the registrar has exempted a party from submitting a document electronically for filing and the party submits a document in paper form for filing, the registrar shall convert the document into electronic form, in which case the electronic document is deemed to be the official version of that document for the purposes of the court record.

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*.

Amy Groothuis, Registrar
Court of Appeal for Saskatchewan