



## **Guidelines for Filing Electronic Documents at the Court of Appeal for Ontario**

**Effective: 1 March 2017**

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### **I. Filing Electronic Materials**

Rule 61.09 of the *Rules of Civil Procedure* requires parties to file electronic versions of their factums and transcripts on appeals.

The Court of Appeal strongly encourages parties to file electronic versions of other court documents, including appeal and motion materials filed in criminal and civil proceedings, in addition to the paper copies of these documents.

## II. Transmitting Electronic Documents by Email

### 1. Types of Documents that May be Transmitted by Email

**PLEASE NOTE:** The [COA.E-file@ontario.ca](mailto:COA.E-file@ontario.ca) address is not designed or intended to receive any inquiries or other communications about court proceedings.

Only documents described on the following list that are less than 10 Megabytes (MBs) may be submitted to the court as an email attachment at [COA.E-file@ontario.ca](mailto:COA.E-file@ontario.ca):

- Electronic factums
- Electronic transcripts
- Electronic versions of other documents prescribed by the *Rules of Civil Procedure* and the *Criminal Appeal Rules* including Appeal Books and Compendiums and Exhibit Books
- Electronic copies of affidavits of service
- Electronic correspondence as specified in the [Practice Direction Concerning Civil Appeals at the Court of Appeal for Ontario](#):
  - Notification of change to counsel's or self-represented party's mailing or email address: see Civil Practice Direction, s. 6.4
  - Letter to the Registrar seeking court approval to dispense with the requirement to file a motion record or to abridge time to serve or file motion materials on a motion before a single judge: see Civil Practice Direction, s. 7.1.5

- Letter to the Registrar advising that a motion to be heard by a single judge or by a panel of judges has been withdrawn or abandoned: see Civil Practice Direction, s. 7.5
- Form entitled “Joint Request for Pre-Hearing Settlement Conference”: see Civil Practice Direction, s. 9.3
- Letter requesting an adjournment of a single judge motion, a panel motion, or an appeal: see Civil Practice Direction, ss. 7.5 and 12.3
- Notice of abandonment or settlement of an appeal or cross-appeal: see Civil Practice Direction, s. 14
- Electronic correspondence as specified in the [Practice Direction Concerning Criminal Appeals at the Court of Appeal for Ontario](#):
  - Notification of change to counsel’s or self-represented party’s mailing or email address: see Criminal Practice Direction, s. 6.3
  - Letter to the Registrar advising that a motion or application to be heard by a single judge or a panel of judges has been withdrawn or abandoned: see Criminal Practice Direction, s. 7.1.3
  - Letter to the Registrar seeking court approval to dispense with the requirement to file a motion record or to abridge time to serve or file motion materials on a motion before a single judge: see Criminal Practice Direction, s. 7.2.4.3
  - Letter to the Registrar, copying the designated inmate/in person Crown Counsel at Crown Law Office – Criminal or the Public Prosecution Service of Canada, requesting documents from an inmate/in person court file to be transferred to a new solicitor appeal court file: see Criminal Practice Direction, s. 9.1.4

- Notification by an authorized court transcriptionist that a transcript has been ordered: see Criminal Practice Direction, s. 9.3.1
- Notification by an authorized court transcriptionist that a transcript has been completed and attaching a Form 0551: see Criminal Practice Direction, s. 9.3.4
- Notification by an authorized court transcriptionist that a transcript has not been completed within the prescribed time: see Criminal Practice Direction, s. 9.3.6
- Documents specifically requested by the Court of Appeal judiciary or staff to be transmitted via email

**Please note:** Electronic factums and transcripts that are 10 MBs or greater must be submitted by way of CD/DVD-ROM or USB key, as discussed below.

## **2. Requirements for Sending Documents by Email**

i) The sender must include in the subject line of the email the nature of the attachment and the court file number.

### **Examples:**

**Subject:** Factum C12345 – Factum of the Appellant

**Subject:** Transcript C12345

**Subject:** Appeal Book and Compendium C12345

**Subject:** Notice of Abandonment C12345

**Subject:** Affidavit of Service C12345

**Please be advised that if an email sent to [COA.E-file@ontario.ca](mailto:COA.E-file@ontario.ca) does not include a subject line, the email and any attachment will not be accepted by the Court of Appeal for processing.**

**ii) If any information in the document(s) attached to the email is subject to a publication ban, sealing order, or legislative provision banning publication, then the existence of the restriction on publication should clearly be indicated in the subject line of the email and in the body of the email.**

For example:

Subject: C123456 – Appellant’s Factum – Note: Publication Ban under s. 45(8) of the *Child and Family Services Act*

Please note that the materials in this factum are subject to a statutory prohibition under s. 45(8) of the *Child and Family Services Act* on publishing or publicizing information that has the effect of identifying the participants in a child protection hearing.

### **III. Filing by CD/DVD-ROM or USB Key**

Electronic documents may also be submitted to the Court of Appeal on a CD/DVD-ROM or USB Flash Drive/USB Key by mail, by courier, or in person.

Only one copy of a CD/DVD-ROM or USB key is required.

The CD/DVD-ROM or USB key should be labelled with the court file number. The party shall include a covering letter setting out a list of the files contained on the CD/DVD-ROM or USB key. The documents saved on the CD/DVD-ROM or USB key should be named by appeal or motion number and the document code identifying the type of document. For example: **C12345.FAP.docx**. The [document codes](#) are set out below.

If any information found on the CD/DVD-ROM or USB key is subject to a publication ban, sealing order, or legislative provision banning publication, then this should clearly be indicated on the covering letter and, if feasible, on a label affixed to the CD/DVD-ROM or USB key.

### **IV. Formatting Electronic Material**

1. Electronic materials may be submitted in the following common formats:

Text-searchable PDF (e.g., using an Optical Character Recognition format for scanned PDF documents)

Microsoft Word

HTML

2. An electronic version of a factum must be formatted so that the complete document is contained in a single electronic file. The electronic version of the factum does not need to include a scanned image of the signature from the printed version or an electronic signature.

3. If the printed version of the transcript or compendium has more than one volume, the electronic version must be saved in separate files that correspond to the printed volumes.

4. When paper documents are scanned using optical character recognition software, the resolution must be set to 300 dpi and must not be set to grayscale.

## **V. Naming Electronically-Filed Material**

The file names for all electronic versions of factums, transcripts and other material must start with the Court of Appeal appeal or motion number followed by one of the character codes set out below, or a longer descriptive name indicating the content of the file, and ending with the relevant extension (e.g., docx, PDF).

### **1. Examples of Naming Conventions:**

C55532.FAP.PDF

C55557.TRN.PDF

C55556.MPF.docx

### **2. Character Codes**

#### **Appeals:**

FAP	Factum of Appellant
FRE	Factum of Respondent
FXA	Factum of Cross-appellant
FXR	Factum of Respondent to the Cross-Appeal
FOI	Factum of Intervener
FOAC	Factum of Amicus Curiae
ABCO	Appeal Book and Compendium
AB	Appeal Book
RCO	Respondent Compendium

RAB Respondent Appeal Book  
EXHB Exhibit Book

**Motions:**

MPF Moving Party Factum  
RPF Responding Party Factum  
MPRF Moving Party Reply Factum (motions for leave to appeal)  
MPMR Moving Party Motion Record  
RPMR Responding Party Motion Record

**Transcripts:**

TRN Transcript

**VI. Failure to Comply**

The Court of Appeal will reject any electronic version of a factum, transcript or other document that does not conform to the procedures set out in these Guidelines.