

Court of Appeal of Alberta Practice Direction Electronic Filing

This Practice Direction applies only to the filing of electronic documents. It does not alter any law as to authentication or admissibility of such documents.

For assistance with the use of CAMS generally, or with the formatting requirements contained in this practice direction, refer to the resources available on the Court's electronic filing website at <https://cams.albertacourts.ca/public-portal/>.

Definitions

- 1 In this practice direction,
 - (a) “**bookmark**” means a link in a document to a section of that document that permits a user to navigate to that section by clicking on or selecting the link,
 - (b) “**CAMS**” means the Court of Appeal Management System and includes the electronic filing system through which a document is submitted for electronic filing,
 - (c) “**case management officer**” has the meaning given to it in rule 14.1(c) of the [Alberta Rules of Court](#) and carries the same authority as expressed in those Rules,
 - (d) “**Court**” means the Court of Appeal of Alberta,
 - (e) “**document**” means any document that is related to a matter that is before the Court,
 - (f) “**hyperlink**” means a link in a document to a case or statutory authority that permits a user to navigate to an electronic version of that case or statutory authority by clicking on or selecting the link,
 - (g) “**registered user**” means a person who has been approved by the Registrar pursuant to section 5,
 - (h) “**Registrar**” has the meaning given to it in rule 14.1(l) of the [Alberta Rules of Court](#) and carries the same authority as expressed in those Rules,
 - (i) “**terms of use**” means the conditions that a registered user must agree to in order to use and access [CAMS](#).

Effective date and application of Rules of Court

- 2(a) This practice direction comes into effect on August 31, 2020.
- (b) Unless otherwise noted in this practice direction, the content, format, filing and other requirements contained in the [Alberta Rules of Court](#) continue to apply.

Electronic filing mandatory after transition period

- 3(a) During the period beginning August 31, 2020 and ending February 28, 2021, a document may be filed:
- (i) in paper only in accordance with the [Alberta Rules of Court](#), in which case this practice direction does not apply, or
 - (ii) electronically, in which case this practice direction does apply.
- (b) Subject to subsection (c) and unless an exemption is granted under section 6, beginning on March 1, 2021, all documents filed with the Court, whether by a lawyer representing a person or by a self-represented person, must be filed electronically in accordance with this Practice Direction.
- (c) A self-represented person who is not at liberty is not required to file documents electronically.

Conversion of paper documents

- 4(a) If a document is filed in paper form, the Registrar may convert the document into electronic form, in which case the Registrar is not required to retain the paper form of the document.
- (b) A document that is filed electronically, or that is converted by the Registrar into electronic form, is deemed to be the official version of that document for the purposes of the court record.

Registration

- 5 (a) A person who intends or is required to file a document electronically must apply to the Registrar to become a registered user.
- (b) An application to become a registered user is made through [CAMS](#).
- (c) On receipt of an application to become a registered user, the Registrar may approve the application if:
- (i) the person provides a valid, individual email address and any other information that may be requested by the Registrar;
 - (ii) the person agrees to comply with the [terms of use](#) for electronic filing;
 - (iii) the person agrees to receive communications and documents from the Registrar by email; and
 - (iv) the Registrar considers it appropriate to do so.

- (d) The Registrar may:
 - (i) impose any terms or conditions on a registered user approved pursuant to subsection (c), either when approval is granted or after, that the Registrar considers appropriate or necessary; and
 - (ii) revoke approval if a registered user fails to use [CAMS](#) in accordance with, or otherwise breaches, the [terms of use](#) or any term or condition imposed by the Registrar, or for any other reason that the Registrar considers appropriate.
- (e) A registered user is required to keep their email address and other contact information current.
- (f) Providing an email address to the Registrar under this section does not authorize service by an electronic method under the [Alberta Rules of Court](#).

Exemption

- 6(a) Beginning on March 1, 2021, a person may apply to the case management officer to be exempt from the requirement to file documents electronically by completing Form A attached as Schedule 1, and the case management officer may grant the application if the case management officer considers it appropriate to do so.
- (b) The case management officer may grant an application for an exemption from the requirement to file documents electronically on any terms or conditions that the case management officer considers appropriate or necessary.
- (c) Unless the case management officer otherwise directs, an exemption under this section applies only to the appeal number for which it is granted.
- (d) If a person is granted an exemption from the requirement to file documents electronically
 - (i) this Practice Direction does not apply, and
 - (ii) the content, format, filing and other requirements of the [Alberta Rules of Court](#) apply except that only one paper copy is required to be filed, and it must be an unbound copy containing no staples or binding other than easily removable clips or rubber bands.

Submission and filing of documents

- 7 A registered user who intends or is required to file a document electronically must
- (a) submit that document through [CAMS](#),
 - (b) ensure that each document is scanned for viruses using updated commercial scanning technology and is free of viruses,
 - (c) comply with this practice direction, and
 - (d) pay any applicable fee immediately after the document is submitted.
- 8(a) A registered user who submits a document electronically will receive an automated notification acknowledging that the document has been received and is being reviewed by the Registrar prior to being filed.
- (b) A document received electronically on or before 4:00 p.m. Mountain Time on a day on which the Registry is open will be considered submitted on the day that it is received. A document received electronically after 4:00 p.m. Mountain Time, or on a day when the Registry is not open, will not be considered to be submitted until the next business day.
 - (c) In addition to the authority set out in rule 14.92, the Registrar may refuse to accept for electronic filing a document that does not comply with this practice direction, or is otherwise unsuitable, and may require that a document be unfiled, resubmitted or refiled.
 - (d) If a document is accepted for electronic filing
 - (i) it shall be filed on the day that it is considered submitted in accordance with subsection (b), and
 - (ii) the registered user will receive an automated notification that the document has been filed.
 - (e) If a document has not been accepted for electronic filing, the registered user will receive an automated notification that the document has not been filed along with the reason for rejection.

File format

- 9(a) A document filed electronically must be submitted in optical character recognized (OCR) portable document format (PDF) or saved as a PDF from which text can be copied and pasted.
- (b) A document filed electronically must be formatted in such a way that if printed, it prints on letter size (8.5 x 11) paper.

- (c) The submission of a document created by the scanning of paper documents is discouraged but not prohibited. For reasons of image quality, a document originating from word-processing software (e.g., Word) is preferred. Where possible, only those documents that exist *only* in paper should be scanned.

File size

- 10(a) A document filed electronically must not exceed a total file size of 100 megabytes.
- (b) Notwithstanding rules 14.29(d), 14.31(f), 14.87(1)(f) and 16.37(1)(f), a document filed electronically may exceed 200 pages as long as the file size is 100 megabytes or smaller.
- (c) A factum and extracts of key evidence must be filed as separate documents.
- (d) Should the total file size of a document exceed 100 megabytes, the document must be divided into parts, each less than 100 megabytes, and each part must be submitted separately.
- (e) Where a document exceeds 100 megabytes and is submitted in separate parts, the Registrar may combine each part into a single document before it is filed in CAMS.

Coloured covers

- 11 The provisions of the [Alberta Rules of Court](#) prescribing the colour of covers for specific documents continue to apply to a document filed electronically.

Format – Pagination

- 12(a) Except for a transcript, for each document filed electronically:
 - (i) the pages must be numbered consecutively using standard numerals (e.g., 1, 2, 3) starting with numeral 1 on the front page., and
 - (ii) the Adobe page counter for each document must match the consecutive page numbering in the document.
- (b) For greater certainty, rules 14.21(1)(b) and 16.15(1)(b) respecting the page numbering in an appeal record and rules 14.29(b) and 16.19(2)(b) respecting the page numbering in extracts of key evidence do not apply to a document that is filed electronically in accordance with this practice direction.
- (c) For each transcript filed electronically:
 - (i) the cover page must have no page number,
 - (ii) the page numbering of the Table of Contents must begin as page i and use only Roman numerals (e.g., i, ii, iii),

- (iii) the page numbering of the proceedings must begin with the first page as page 1 and use only standard numerals (e.g., 1, 2, 3), and
- (iv) the Adobe page counter must match the consecutive page numbering of the proceedings.

Format – Bookmarks

- 13(a) A document filed electronically that exceeds 5 pages must include an electronic bookmark
 - (i) to the cover page listing the name of the document, the name of the party filing the document, the appeal number and a brief style of cause
 - (ii) to each heading and subheading of the document as listed in the Table of Contents, and
 - (iii) to the first page of each tab, exhibit or attachment of the document.
- (b) The bookmark for each tab, exhibit or attachment to a document must include the letter or number of the tab, exhibit or attachment and a description of the tab, exhibit or attachment.
- (c) Any document filed electronically that contains a bookmark must be formatted so that it automatically displays the bookmark panel when opened.

Format – Authorities and hyperlinks

- 14(a) A document filed electronically that includes a reference to a case or statutory authority must include, in a table of authorities, a hyperlink to an electronic version of that case or statutory authority if available.
- (b) The hyperlink must link to a publicly accessible website such as CanLII, WorldLII or a similar website for the applicable court, tribunal or decision maker. Electronic secondary sources must also be hyperlinked in the same manner if available.
- (c) If a publicly accessible hyperlink to a case or statutory authority is included in a document, a copy of the case or statutory authority need not be appended to that document or otherwise filed.
- (d) If a case or statutory authority is not publicly accessible by hyperlink, then a copy of the case or statutory authority must be appended to the document to which it applies (e.g., factum) and an electronic bookmark to that case or statutory authority must be included in the document in accordance with section 13.

Paper copies

- 15(a) Subject to subsection (b), notwithstanding the requirements regarding paper copies in the [Alberta Rules of Court](#), if a document is filed electronically, a paper copy need not be filed.
- (b) Where an affidavit is filed electronically, the requirements set out in rule 13.41(4) of the [Alberta Rules of Court](#) apply.

Service

- 16(a) Nothing in this Practice Direction supersedes the service requirements set out in the [Alberta Rules of Court](#).
- (b) For greater certainty, absent an agreement to the contrary, any rule in the [Alberta Rules of Court](#) that requires a paper copy of a document to be served must be followed.

Filing deadlines

- 17 Filing a document electronically does not alter any filing deadline set by the [Alberta Rules of Court](#), an order of the Court or a direction of a case management officer.

**Schedule 1
Form A**

**Court of Appeal of Alberta
Application for Exemption from Electronic Filing**

1. Name of Applicant:
2. Appeal Number (if any):
3. Brief Style of Cause:
4. Pursuant to section 6 of the Practice Direction on Electronic Filing, I am unable to file documents electronically in this matter because:

I understand that if my application for exemption from electronic filing is granted, I must comply with the content, format, filing and other requirements of the *Alberta Rules of Court* except that only one paper copy is required to be filed, and it must be an unbound copy containing no staples or binding other than easily removable clips or rubber bands.

Dated:

Signed:

For completion by the case management officer

Request is:

- Denied
 Granted
 Granted on the following terms or conditions: