**B. ELECTRONIC FILING**

1. Electronic Filing of Court Documents
	1. This Practice Direction is an update to the electronic filing Practice Direction which originated on March 20, 2020 at the outset of the COVID-19 pandemic.
	2. This Practice Direction applies to the filing of documents which are:
		* 1. not voluminous (less than 25 pages, single-sided); and
			2. not required to be bound and tabbed.
	3. A document, including an originating process, may be filed by way of an email containing a PDF attachment of the document to be filed, or by facsimile, in accordance with this Practice Direction.
	4. Documents may be filed by facsimile at (902) 368-0266 or by email directed to *scfiling@courts.pe.ca* with a completed Request to File Electronically/By Facsimile Form (attached as Schedule “A”) requesting the filing of a document. The lawyer/party filing the document shall undertake on the form to ensure that the required filing fees (where applicable) are sent to the court immediately.

* 1. Upon receipt of the required form and document, and provided that the document complies with all other requirements for filing in the ordinary course, the document shall be issued, if necessary, and filed by the court. The document shall be filed as if it were received in person with the exception that it shall be endorsed with the following: "This document has been filed electronically (or by facsimile as the case may be) in accordance with the Practice Direction for the Electronic Filing of Court Documents." The court shall confirm to the party attempting to file the document whether or not the document has been accepted for filing and, if accepted, the date on which it was filed. Accordingly, lawyers/parties are to provide contact information where they may be reached by phone or email.
	2. Where a signature is required on the originating process, the lawyer or self-represented party shall provide a scan of their original signature.
	3. A party who files a document electronically will be provided with either a physical copy or an electronic copy of the filed document, and must indicate their choice on the Form when the document is filed.
1. Service of Documents

Only one copy of documents will be returned to the party filing the document and that party may serve a photocopy, or printed copy, of the filed document on the opposing party(ies).

1. Date of Filing

Documents received during regular filing hours of the court will be processed and filed, if appropriate, as of the date of receipt. Any documents received outside of filing hours will be processed, and filed, if appropriate, on the next business day.

1. Retention of Originals
2. Original copies of all facsimile/electronically filed documents are to be retained by the lawyer or self-represented party submitting them, in an unaltered condition, until the matter is completed and any appeal period has expired.
3. The court may require original documents to be produced in the future, and parties are to bring originals to the court proceeding to which they relate.

The Request to File Electronically or by Facsimile Form is attached as Schedule “A”.

**SCHEDULE “A” TO ELECTRONIC FILING PRACTICE DIRECTION**

Court No. \_\_\_\_\_\_\_\_\_\_\_

SUPREME COURT OF PRINCE EDWARD ISLAND

(\_\_\_\_\_\_\_ SECTION)

BETWEEN:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PLAINTIFF/PETITIONER/APPLICANT

AND:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ DEFENDANT/RESPONDENT

REQUEST TO FILE ELECTRONICALLY OR BY FACSIMILE

The\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (party filing document) hereby requests that the Registrar accept the attached document for filing:

\_\_\_\_\_\_ electronically \_\_\_\_\_\_ by facsimile

Particulars of the document are as follows:

Document name or Form #:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# of pages (not including this form): \_\_\_\_\_\_\_

A filed copy of the documents to be returned:

\_\_\_\_\_\_ by email

\_\_\_\_\_\_ by courthouse mail

\_\_\_\_\_\_ by mail

Where filing fees apply, I, the lawyer or party signing this request, undertake to immediately:

\_\_\_\_\_\_ send an email transfer to pay any required filing fees; or

\_\_\_\_\_\_ mail or deliver a cheque or money order to the court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name, address, telephone number and email address of lawyer or party)

FOR REGISTRY OFFICE ONLY

Date received \_\_\_\_\_\_\_\_\_\_\_ Date filed \_\_\_\_\_\_\_\_\_\_\_\_\_\_

 dd/mm/yy dd/mm/yy

Fee: \_\_\_\_\_ yes \_\_\_\_\_\_\_ no

Completed by:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_