

COURT OF APPEAL FOR BRITISH COLUMBIA

Civil E-filing: Electronic Court Records Format and Technical Requirements

These requirements will ensure all electronic court records in a civil appeal case can be e-filed and meet court record format and technical requirements.

Last Updated: July 7, 2020

1.0 E-Filing Limitations and Exclusions

[See Notice to the Public Regarding Modified Filing Directions in Civil and Criminal Appeals](#)

Category	Limitations and Exclusions
Civil & Criminal: Self-Represented Litigants	<p>Self-represented litigants are encouraged to electronically file their records in accordance with the terms of this directive. However, self-represented litigants may also file using the alternative methods described in the Notice to the Public.</p> <p>Access Pro-Bono has a dedicated appeals program. If you require assistance contact Heather Wojcik 604-424-8286. You can also visit www.accessprobono.ca or call 604-878-7400 or 1-877-762-6664 to find out more information about Access Pro-Bono emergency telephone clinics that have been set up in response to COVID-19.</p> <p>Additionally, anyone preparing PDF documents to e-file with the Court of Appeal can email the Canadian Bar Association BC Branch at members@cbabc.org for assistance using Adobe software to meet the requirements in this checklist.</p>
Criminal Appeals	<p>Court Services Online (CSO) is presently unable to accept criminal appeals for electronic filing. See the Notice to the Public section 3.8 for filing options.</p>
Civil: Publication Bans and Sealing Orders	<p>Parties may optionally file the Notice of Appeal or Notice of Application for Leave to Appeal electronically using Court Services Online (CSO). Include a letter within the e-filing package that describes the exact nature of any publication bans or sealing orders (as required by Publication Bans and Sealing Orders Civil Practice Directive, 4 June 2018)). See the Notice to the Public section 3.8 for filing options.</p>
Civil Chambers: Documents that Exceed 300 Pages	<p>No document may be electronically filed for chambers if that document exceeds 300 pages. If the document exceeds this size, it must be filed in paper (in person by courier/agent or by mail) See the Notice to the Public section 3.8 for filing options.</p>
Civil: Documents Exceeding 100MB	<p>Court Services Online (CSO) has a 100MB limit on the size of electronically filed documents. This size limitation will cover about 80% of the Court's electronic filings. If the document is larger than 100 MB, the material cannot be electronically filed and must be submitted in paper. See the Notice to the Public section 3.8 for filing options.</p>

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2.0 Portable Document Format - General

What is Portable Document Format (PDF)?

Portable Document Format (PDF) was created by Adobe to present and exchange documents reliably — independent of software, hardware, or operating system.

The PDF is an open standard, maintained by the International Organization for Standardization (ISO). PDF documents can contain links and buttons, form fields, audio, video, and business logic. They can be signed electronically, and you can easily view PDF files on Windows or Mac OS using the free Acrobat Reader software.

There are multiple types of PDF:

PDF Type	Description
Text-based or save as PDFs	Digitally created PDFs are made by directly saving a document being drafted in a word processor (like Microsoft Word) as a PDF.
Image-based PDFs	Image-only PDFs are created through scanning, taking photographs, or taking screenshots. These documents are “locked” in a snapshot type image and are not searchable, cannot be copied and pasted, and cannot be marked up.
OCR’ed or “made-searchable” PDFs:	Image-based text PDFs can be made text text-searchable via the application of optical character recognition (OCR). During the OCR process, characters and the document structure are “read.” As a result, a text layer is added to the image layer. Depending on the quality of the image, or the readability of the writing, may not be 100% accurate.

3.0 Format and Technical Requirements

3.1 General

Requirement	Description	Completed
Court Forms	Format documents in accordance with court forms except for certain paper-based requirements such as coloured covers (summarized in Section 2.3 of the Notice to the Public). Requirements for cover pages, indexes (table of contents), Arial 12 point font, and any page maximums will not change.	<input type="checkbox"/>
True Copies	Provide a legibly reproduced true representation (i.e., an identical or true copy) of the original, whether that original is scanned from paper or saved into PDF from another program, such as Microsoft Word.	<input checked="" type="checkbox"/>

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Requirement	Description	Completed
Security Settings	Do not incorporate any file properties, or activate any security settings, that might restrict or prevent the Court from viewing, printing, saving, annotating, or searching the electronic document.	<input type="checkbox"/>
Paper Condensed Books Required	<ul style="list-style-type: none"> • Do not file a transcript extract book • For civil appeals where materials have been filed in electronic form, parties must file paper copies of a condensed book for the Court to use in the appeal hearing • Parties should file three (3) copies and serve their condensed books on the opposing parties at least seven (7) business days before the hearing of the appeal. The requirement in Condensed Books (Civil & Criminal Practice Directive, 19 September 2011) that they be handed up in Court is dispensed with. • The Condensed Book may contain documents essential to the hearing, but only those that must be physically shown to the Court, including those excerpts from the evidence, exhibits and authorities that the party will refer to in its argument. 	<input type="checkbox"/>
File size: maximum 100MB	<ul style="list-style-type: none"> • Court Services On-Line e-filing will accept one PDF file (including cover page and index) with a 100MB maximum. • If the document is larger than 100MB, the material cannot be electronically filed and must be submitted in paper in accordance with the current Notice to the Public. • There is no need to split files less than 100MB into 300/200 page “volumes.” For example, a book of authorities should be a single PDF file of less than 100MB, not split into multiple 200 page files. <p style="margin-top: 10px;"> Check the file size of your PDF Reduce the file size of your PDF </p>	<input type="checkbox"/>

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3.2 Records Created for an Appeal - Single PDF (text-based) - Save As

This applies to **factums** and any court record which is created specifically for an appeal and can be saved as a PDF using a word processor such as Word. Any court record which can be saved as a PDF should **not be scanned** before being filed with the court.

Requirement	Description	Completed
Page Numbering	Sequential, and start after the index (table of contents) or at Part 1.	<input type="checkbox"/>
Authorities	Authorities can be hyperlinked (if possible) externally (i.e. to pdf versions of CanLII decisions); however, the Court will now also require a complete PDF book of authorities. One (1) file with cover.	<input type="checkbox"/>
Frequently Cited Authorities (Practice Directive)	Parties can reproduce only the headnote and the passage of the listed authorities relied upon unless the court or a justice will be asked to depart from or distinguish that authority.	<input type="checkbox"/>
Signatures	Documents filed solely with a typewritten (e.g. "Joan Smith") or electronic signature satisfy the requirement for a signature.	<input type="checkbox"/>
Avoid Scanning	Only scan documents where necessary. Do not scan factums, submissions or other documents that can be saved as a PDF using a word processor because scanning "locks" these documents in a snapshot type image that is not searchable, cannot be copied and pasted, and cannot be marked up.	<input type="checkbox"/>

3.3 Affidavits, Orders and Statutory Declarations

Requirements	Description	Completed
Scanned Signatures	Scanned handwritten signatures for affidavits, orders and statutory declarations are accepted.	<input type="checkbox"/>
Scanned Records: Optical Character Recognized - OCR	Scanned records must be Optical Character Recognized (OCR'ed). This makes the records searchable and gives judges the ability to copy and paste from the court record. How to OCR using Adobe.	<input type="checkbox"/>

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3.4 Records Created for an Appeal plus Lower Court Records - Multiple Combined Files into one PDF (eBook)

This includes but is not limited to appeal books, appeal records and motion books.

Requirement	Description	Completed
Combine Multiple Files into single PDF	<p>In the cases of appeal books, appeal records and motion books when multiple documents (exhibits, orders etc.) are required to be compiled together with a cover page and index (table of contents) this can be done using a PDF tool such as Adobe Pro.</p> <p>How to combine multiple documents using Adobe.</p>	<input type="checkbox"/>
Bookmarking – more than 50 pages	<p>The document must also contain bookmarks, which <u>consistently, meaningfully, and clearly</u> describe the individual documents or sections of the book. For example, it is not acceptable in an affidavit to have “Exhibit 1,” Exhibit 2” etc. Bookmarks should describe the contents of the Exhibit (e.g. “Exhibit 1 – Letter from John to Jane Doe.”)</p> <p>How to add bookmarks to PDF using Adobe.</p>	<input type="checkbox"/>
Page Numbering (Bates Numbering)	<ul style="list-style-type: none"> • Must be page numbered sequentially so that the PDF page numbering matches the actual page numbering of the document (e.g. PDF page “25” of the electronic appeal book matches page “25” of the appeal book.) • Do not assign page numbers to the title page, instead assign “page 1” after the index (table of contents) or the first page of argument/content.) • Arial 10 point font <p>How to update page numbers or Bates Numbering using Adobe.</p>	<input type="checkbox"/>
Automatically Display Bookmarks Panel	<p>You can set the initial view so that the Bookmarks Panel is shown by default when the PDF is opened.</p> <p>How to automatically display bookmarks panel in PDF.</p>	<input type="checkbox"/>
Scanned Records: Optical Character Recognized - OCR	<p>If scanning is necessary because the original text-based document is in paper, the scan of text must be Optical Character Recognized (OCR’ed) so that the PDF can be copied from and pasted into another document and made searchable.</p> <p>How to OCR using Adobe</p>	<input type="checkbox"/>

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Hyperlinked Index (table of contents)	Indexes prescribed by Court forms must be hyperlinked to the document content.	<input type="checkbox"/>
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Requirement	Description	Completed
Books of Authorities	The Court requires a complete PDF book of authorities. One (1) file with cover.	<input type="checkbox"/>
Audio and Video Exhibits	<ul style="list-style-type: none"> • Cannot be embedded in PDFs and e-filed. • Indicate in appeal book index with description and on numbered page in appeal book that an electronic exhibit has been submitted. • Submit identical exhibits on 3 memory sticks labelled with case number. 	<input type="checkbox"/>

4.0 Systems and Software Requirements

Requirements	Description	Completed
Operating System	Microsoft Windows XP to current, or Macintosh OS X to current	<input type="checkbox"/>
Scanner	To create PDF copies of documents, such as lower court orders, photographs and paper exhibits, etc., which you may not have in an electronic format; with OCR capability or use a PDF tool.	<input type="checkbox"/>
Word Processor	Word	<input type="checkbox"/>
PDF Tool Software	A PDF tool (Adobe Acrobat being the current industry standard), capable of producing: <ul style="list-style-type: none"> • Combining PDF documents • Optical Character Recognition (OCR) • Page numbering • Hyperlinks • Bookmarks 	<input type="checkbox"/>
PDF reader	free Acrobat Reader software or equivalent	<input type="checkbox"/>