



THE LAW COURTS  
800 SMITHE STREET  
VANCOUVER, B.C.  
V6Z 2E1

## Notice to the Profession, the Public and the Media Regarding Civil and Family Proceedings

### COVID-19: MASTERS CHAMBERS PILOT ON VANCOUVER ISLAND

*COVID-19 Notice No. 54*

**Dated: July 15, 2022**

#### Introduction

This Notice concerns the Masters Chambers Pilot on Vancouver Island (“the Pilot”), which will commence August 15, 2022.

The Pilot will provide a means for parties to submit chambers application records electronically for some matters at specific registries using Court Services Online (CSO). If successful, electronic submission of application records may be expanded to other chambers hearings and locations. The transition to and use of electronic application records will reduce overall costs for counsel, parties, and the Court and will provide greater flexibility for the Court to deal with chambers hearings effectively and efficiently for both in-person and virtual hearings.

Parties are directed to continue to follow [COVID-19 Notice No. 42](#) for all other aspects of chambers hearings, until in-person hearings resume (see [COVID-19 Notice No. 50](#)).

Certain requirements in the *Supreme Court Civil Rules* and the *Supreme Court Family Rules* have been modified by [order](#) of the Court to facilitate the processes set out in this Notice.

Parties are subject to the following expectations regarding electronic submissions of chambers application records.

#### I. Type of Matters and Pilot Locations

Application records for Masters chambers applications 30 minutes or less should be electronically submitted via CSO to all court registries on Vancouver Island and Powell River: **Campbell River, Courtenay, Duncan, Nanaimo, Port Alberni, Powell River and Victoria.**

## II. Who Should Submit Electronic Application Records?

Counsel should electronically submit an application record in any proceeding where **all** parties are represented by counsel. In proceedings where there are self-represented parties, it is optional for self-represented parties or counsel to electronically submit an application record.

Where counsel has submitted an electronic application record, a paper copy of the application record is not required to be submitted to the registry.

## III. Formatting Application Records

Parties providing an electronic application record to the registry must follow Rules 8-1(15) and 8-1(16) of the *Supreme Court Civil Rules* or Rule 10-6(14) of the *Supreme Court Family Rules*, whichever applies, except that parties must include copies of case law and other authorities they will rely on at the hearing in their application record.

Rule 8-1(15)(a) [requiring a ring binder or secure binding] and Rule 8-1(15)(d)(ii) [prohibiting inclusion of authorities] of the *Supreme Court Civil Rules* and Rule 10-6(14)(a) [requiring a ring binder or secure binding] and Rule 10-6(14)(d)(ii) [prohibiting inclusion of authorities] of the *Supreme Court Family Rules* do not apply.

Application records submitted via CSO must be in Portable Document Format (PDF). Combining multiple files into one PDF Binder requires a PDF tool such as Adobe Pro. The application record must comply with the following requirements and PDF standards:

Requirement	Description
<b>True Copies:</b>	Every document submitted must be an identical or true copy of the original document, whether that original is scanned from paper or saved into PDF from another program, such as Microsoft Word.
<b>Searchable Electronic Format:</b>	All documents submitted must be searchable. Unless they have been scanned because the original requires a handwritten signature (see immediately below) or an electronic version is not available, documents should be created electronically.
<b>Scanned Records: Optical Character Recognized - OCR</b>	If scanning is necessary because the original text-based document is paper or requires a handwritten signature (e.g. an affidavit), the scan must be created using Optical Character Recognition (i.e., it must be OCR'ed). This allows the PDF to be copied from and pasted into another document and made text searchable.

<b>Cover Page:</b>	Parties should create a cover page as required by <a href="#">Administrative Notice 14</a> , with contact information (email and telephone number) for all parties.
<b>Bookmarks and Index:</b>	<p>Parties should submit a numbered index for the application record using bookmarks (hyperlinks) to link to each document.</p> <p>The bookmarked/hyperlinked document titles should <u>consistently, meaningfully, and clearly</u> describe the individual documents or sections of the application record, for example, “Exhibit 1 – Letter from John Doe to Jane Doe”.</p>
<b>Authorities:</b>	If necessary, parties should attach a PDF book of authorities with bookmarks and sequential page numbering (Bates numbering). Do not hyperlink to external sources, because they cannot be marked up in PDF. Any such documents should be scanned and OCR’ed to allow for searchable text.
<b>Page Numbering: (Bates Numbering)</b>	<p>All pages in the application records should be page numbered sequentially using <a href="#">Bates numbering</a>.</p> <p>Page numbers should appear at the top centre of the page.</p> <p>The Bates page numbering must match the numbering in the Index.</p> <p>Bates page numbering must be updated in PDF eBooks or portfolios for searching to begin AFTER the Index (otherwise page 1 will be the cover page).</p>
<b>Security Settings:</b>	Parties must disable any security settings that might restrict or prevent the Court from viewing, printing, saving, annotating, or searching the electronic document.
<b>File Size Limit:</b>	Parties must ensure the Application Record is optimized and does not exceed 50 megabytes (MB).

#### IV. Draft Orders for Electronically Submitted Application Records

Counsel/parties or their designate may continue to attend the registry and have their draft order vetted in advance of the chambers application during the Pilot. For in-person hearings, the process to follow is as outlined in [Administrative Notice 17](#). For hearings that proceed by video using Microsoft Teams (“Teams Video”), the steps to be followed during the Pilot are:

- Counsel/party attends the registry with the draft order with backing sheet which includes a mailing address.
- The registry vets order and, if approved, endorses the order.
- The registry keeps the original vetted order and returns a photocopy to Counsel.
- The registry retains vetted orders and provides them to the court clerk on the day of chambers hearing.
- Counsel/party scans and OCR’s the copy of vetted order as part of the application record.
- The court clerk provides the Master with vetted orders on the day of hearing.
- The Master signs the original vetted order on bench if approved.
- The registry processes the approved order following the usual practice.

Orders may only be signed on the bench if the original vetted order is provided to the registry in advance, i.e., an order included in the application record but not provided to the registry in advance of the hearing cannot be signed at the hearing.

#### V. How to Submit Application Records and Timelines

- Application records must be submitted through CSO.
- Parties who have never used electronic filing (e-filing) must create a [BCeID](#) (either a Basic or Business account) or a [BC Online account](#) and register it with [Court Services Online](#).
- Anyone having difficulty with e-filing should contact Court Services Online Support by email at [Courts.CSO@gov.bc.ca](mailto:Courts.CSO@gov.bc.ca) for assistance.
- An application record must be submitted **no later than 4 p.m. on the business day that is one full business day before the date set for the hearing of the application.**
- An application record that is not received by 4 p.m. on the business day that is one full business day before the date set for the hearing will not be placed on the hearing list.

#### VI. Service of Application Record Index

The applicant must serve a copy of the application record index on each application respondent **no later than 4 p.m. on the business day that is one full business day before the date set for the hearing** as set out in Supreme Court Civil Rule 8-1(17) and Supreme Court Family Rule 10-6(15).

## **VII. Adjournments**

If the application record is submitted and the matter is adjourned to a specific date, the application record will remain available for the Court for the next scheduled date, and counsel/parties do not need to resubmit the application record.

If the matter is adjourned generally, counsel will need to resubmit the application record upon resetting the matter. For matters adjourned generally or concluded, the application record is automatically deleted from the system after five days.

## **VIII. Resources**

Numerous resources and free tools are available for working with PDF documents and creating a PDF binder.

The Supreme Court has posted [detailed instructions for working with PDF documents](#).

Anyone preparing PDF documents can email the Canadian Bar Association BC branch at [members@cbabc.org](mailto:members@cbabc.org) for assistance.

**THE FOREGOING IS SUBJECT TO CHANGE. ANY UPDATED DIRECTIONS WILL BE POSTED ON THE COURT'S WEBSITE.**

Dated July 15, 2022 Vancouver, British Columbia

**By Direction of Chief Justice Christopher E. Hinkson**  
Supreme Court of British Columbia