

# SUPREME COURT OF YUKON

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PRACTICE DIRECTION  
CIVIL-5

*Electronic Document Sharing*

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## **Background**

1. The Supreme Court of Yukon has tested the feasibility of electronic sharing of documents filed in court as part of civil cases that have been set for trial and will now be implementing this initiative for all matters in which it is requested, consented to by the parties or ordered at case management.
2. With electronic document sharing, all parties are able to simultaneously view documents presented in court, thereby eliminating the inconvenience associated with bringing large amounts of documents to and from the courtroom. Electronic document sharing is also designed to reduce delays and inconvenience caused by searching through large amounts of paper to find the evidence being referred to during the course of a trial or hearing.
3. Courtroom 1 has been equipped with monitors at all desks to allow the judge, clerk and counsel to view documents pertaining to large or complicated civil cases. The clerk will be able to call up the required documents from the Court Services computer network for simultaneous read-only viewing by the judiciary, counsel and their witnesses on the monitors. Please refer to the Appendix 1 titled "Electronic Document Sharing Courtroom Configuration" for schematic diagrams describing the set-up of monitors in the courtroom.
4. This initiative is not intended to be an experiment in e-filing, and will not remove the requirement to file hard copies of documents with the court registry. It represents the earliest stages of a possible move towards greater use of technology in Yukon courtrooms.

## **General Procedure**

### **Format**

5. In any case using electronic document sharing, the parties must file electronic versions of documents with the Court at the same time that they file hard copies of those documents. It is counsel's responsibility to ensure that the electronic documents match the hard copy documents on the court file. Documents must be named appropriately to allow for ease of retrieval.
6. PDF versions of all documents that have been filed in court must be provided on USB portable storage media or on non-rewritable CD or DVD media which comply with the ISO 9660 optical disc specifications. In general, this includes most consumer media available through local retail suppliers. All PDF digital files

must meet international standards for such documents. Requirements for electronic documents are set out in Appendix 2, "Technical Recommendations for Submitting Digital Documents to the Court Registry".

7. Large documents must also include a hyperlinked Table of Contents that will automatically move to the specified section of the document when the viewer clicks on the heading for that section.

### **Time for filing**

8. Electronic documents must be filed within the timelines set out in the *Rules of Court*.
9. Procedures for amended electronic documents will follow the procedures set out for amended hard copy documents.

### **Certificate**

10. Counsel or a party must file a Certificate certifying, to the best of their knowledge, that the electronic files are an exact copy of the hard copy documents and must file the certificate with the court at the same time as the hard copy and electronic documents. If there is any doubt as to which version of a document is the correct one, the hard copy will prevail as the most accurate.

### **Court Registry Procedures**

11. As soon as possible after receipt of the documents and no later than two weeks prior to trial, the clerk will conduct a virus scan of the electronic documents and download the files into the appropriate sub-directory of the Court Services section of the Department of Justice Local Area Network entitled "Supreme Court Trial Files". Each file directory will contain Name of Case and Registry #.
12. The Trial Coordinator will advise the Court Technologist about the electronic document sharing at least two weeks prior to the court date so that the necessary technical arrangements can be made for the courtroom.

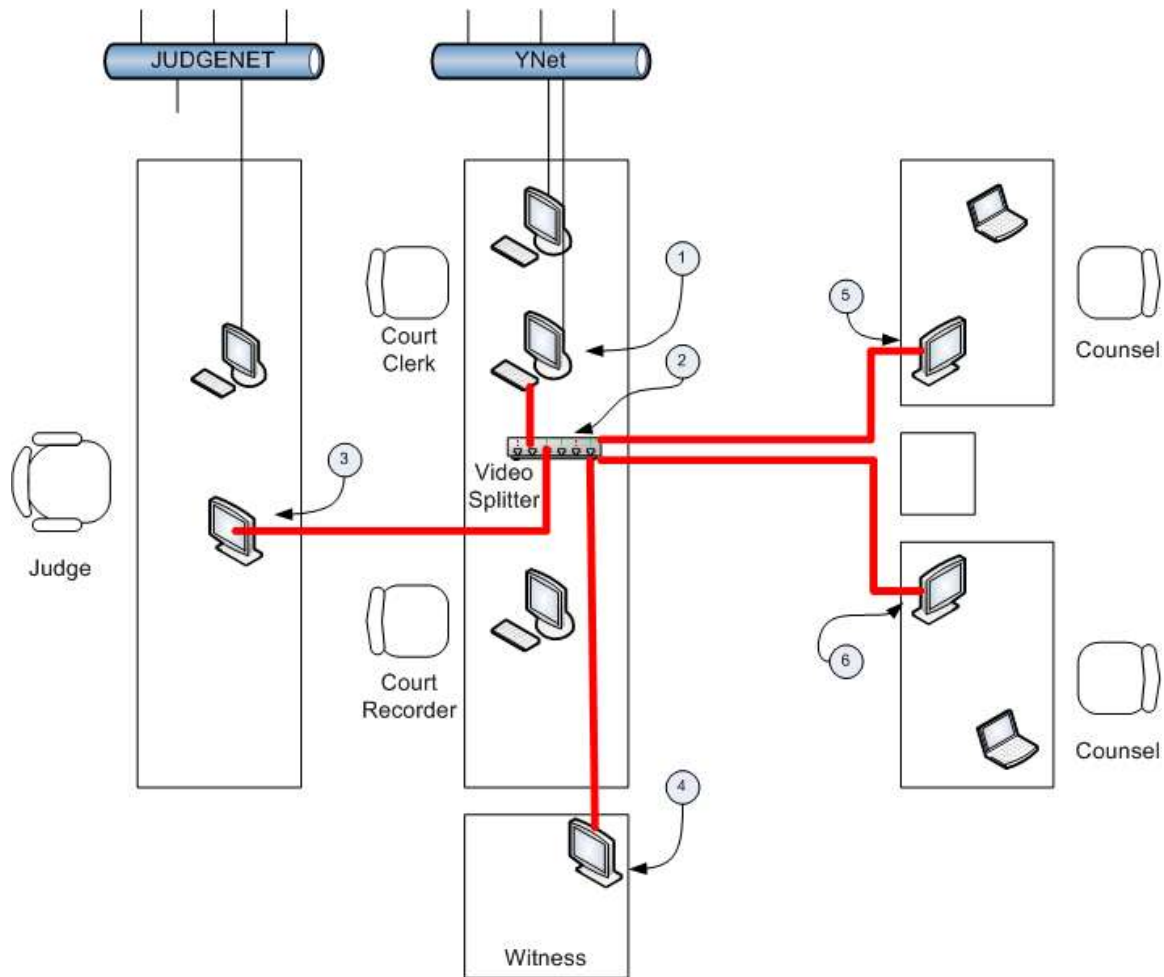
### **Courtroom Procedures**

13. When documents are referred to or requested during the trial, the court clerk will be responsible for searching the electronic files related to the proceeding and for bringing up the pertinent document on all the monitors in the courtroom.

Veale J.  
January 15, 2016

## Appendix 1: Electronic Document Sharing Courtroom Configuration

1. Court Clerk document viewing computer.
2. Video (VGA) splitter.
3. LCD monitor – Judge’s bench
4. LCD monitor – Witness stand
5. LCD monitor – Counsel
6. LCD monitor – Counsel



- Court clerk opens PDF material previously stored on YNet server.
- Court clerk controls document viewing via Adobe Acrobat Reader.
- Video splitter replicates clerk's screen to four additional monitors.
- Judge, witness and counsel stations have LCD viewing monitor only.
- Additional ports available on video splitter to connect portable television for jury.

## **Appendix 2: Technical Recommendations for Submitting Digital Documents to the Court Registry**

The Supreme Court of Yukon undertook a pilot project in which one courtroom was configured with equipment to allow simultaneous viewing of digital copies of documents by all parties. Working with digital copies of documents provides convenience when dealing with large volumes of material.

This successful pilot project did not alter existing requirements for court document filing processes. The court registry provided instructions for submitting digital copies of documents during the filing process.

The guidelines below contain technical requirements for submitting digital documents.

### **Technical Guidelines**

1. **File Format** - Digital files will only be accepted in Portable Document Format (PDF). Previously a proprietary format of Adobe Systems Incorporated, PDF is now an open standard and is published by the International Organization for Standardization as ISO/IEC 32000-1:2008.

Various tools are available to produce PDF documents. The Yukon courts have standardized on Adobe Acrobat format. Participants may use a tool of their choice so long as it complies with the ISO standard above.

2. **Content Format** – As prescribed by the court registry.
3. **Physical Media** - Court registry will receive digital files on USB portable storage media or on non-rewritable CD or DVD media which comply with the ISO 9660 optical disc specifications. In general, this includes most consumer media available through local retail suppliers.

Digital transmission via e-mail or file transfer (FTP) is not recommended at this time due to file size constraints.