COURT OF QUEEN'S BENCH (MANITOBA)

e-FILING PROTOCOL
EFFECTIVE NOVEMBER 13, 2018

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COURT OF QUEEN'S BENCH (MANITOBA)

E-FILING PROTOCOL

INTRODUCTION

Effective November 13, 2018, Judicial Review applications will no longer be subject to the Court of Queen's Bench e-Filing protocol and counsel will no longer submit e-filing documents through Legal Data Resources Corporation's (LDRC) eDocument Portal.

Companies' Creditors Arrangement Act (CCAA) and Receiver/Manager applications will now be electronically submitted via email to QBRegistry@gov.mb.ca for processing by the Court of Queen's Bench Civil Motions Coordinator.

All e-filing documents being submitted to the Court of Queen's Bench must be in PDF format and must be accompanied by a completed ***QB e-Filing Form.*** Please refer to the attached QB e-Filing Form.

E-FILING REQUIREMENTS

The basic requirements for submitting documents are as follows:

1. Every document submitted must be in Portable Document Format (PDF). When creating the PDF document you should convert it from Microsoft Word or Corel WordPerfect to PDF. You should only scan those documents that exist in paper only or printed format. Refer to Scan Document to Create PDF File below.

2. Text of the document must be searchable. Optical character recognition (OCR) software must be applied to the document in order to make the text searchable.

3. A document that includes headings must have bookmarks corresponding to those headings. Similarly, if the PDF document consists of a main document and one or more schedules (such as exhibits, affidavits or other documents), the document must have bookmarks linked to the first page of each of those schedules.

4. If counsel is seeking a court order to seal a document, the document must be password-protected, emailed, and the password provided by phone or voicemail to the Civil Motions Coordinator at 204-945-3043.

   Note: Adobe Acrobat software (being the industry standard) is the tool being used by the Courts. Counsel must use Adobe Acrobat software to password-protect all confidential documents being submitted for e-filing.

5. Each e-document or set of e-documents being emailed must be accompanied by a QB e-Filing Form that:
   a. identifies the proceeding for which the documents are being submitted,
   b. list of documents being submitted, and applicable filing fees, if any, and,
   c. bears the signature of counsel or a person authorized to sign on behalf of counsel (signature can be scanned or digital)

6. By signing the e-Filing Form, counsel is certifying that each PDF document being submitted is a true copy of the original and is undertaking to:
   a. pay applicable court filing fees forthwith,
   b. file the original if requested by the court to do so, and
   c. retain the originals for a specified period.

7. Email e-document(s) to QBRegistry@gov.mb.ca

   Note: Manitoba government's maximum file (document) size for an Internet email is approximately 25-28 megabytes.

   Should the file size exceed allowable limit, counsel or a court runner attends 101A-408 York Avenue and submits PDF document(s) via USB device to the Civil Motions Coordinator.

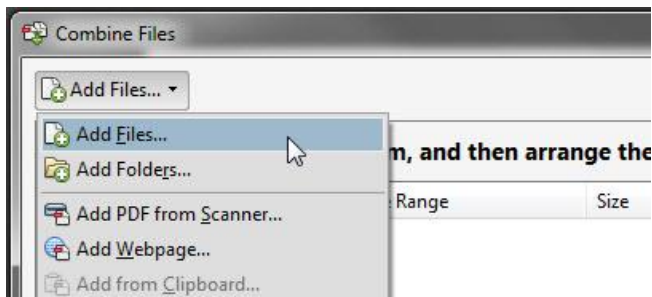# COMBINE SEVERAL DOCUMENTS INTO A SINGLE PDF FILE

NOTE: There are several methods of combining several documents into a PDF file and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

1) Ensure that you have copies of all the required documents saved to your computer in electronic format. They do not need to be converted to PDF files – this procedure will accept many electronic file formats including MS Word , MS Excel, Picture Formats (.jpg, .tiff), and others.

2) Open Adobe Acrobat and Choose **File > Create > Combine Files into a Single PDF**.
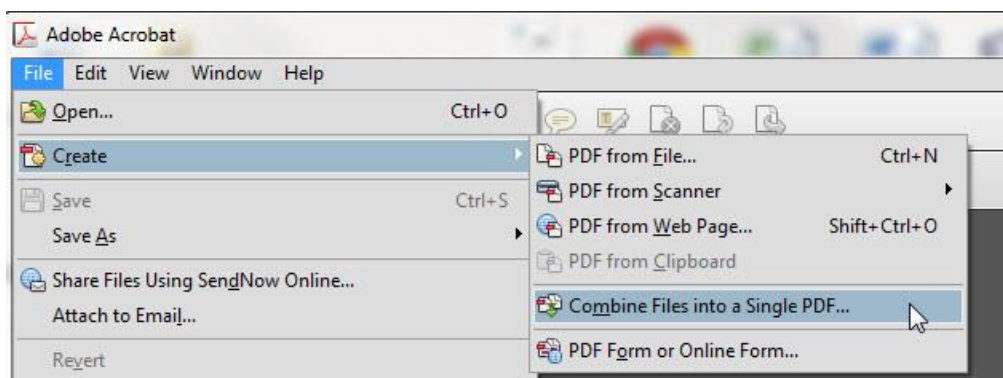
3) From the **Add Files menu** choose **Add Files** and then select your electronic documents. Repeat as many times as necessary so that all of your documents show in the list.
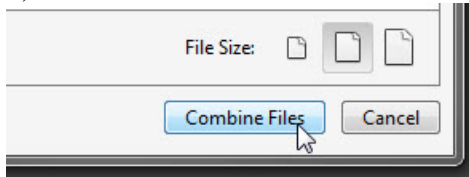
4) If any files are password-protected, one or more messages appear in which you must enter the correct password.

5) To rearrange the order of files on the list select a file then move it by clicking **Move Up** or **Move Down**.
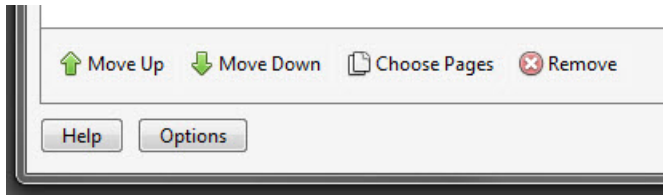
6) Click the **Combine Files** button in the bottom right corner.

7) A status dialog box shows the progress of the file conversions. When completed a **Save As dialogue box** will prompt you for a document name and location.

# OCR (OPTICAL CHARACTER RECOGNITION) - RECOGNIZE TEXT IN PDF DOCUMENTS

NOTE: There are several methods of adding OCR information to a PDF file and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

Optical character recognition (OCR) enables you to search and copy the text in a PDF document. To recognize text in a single document:

1) Open your PDF document in Adobe Acrobat.

2) Choose **Tools > Recognize Text > In This File**.
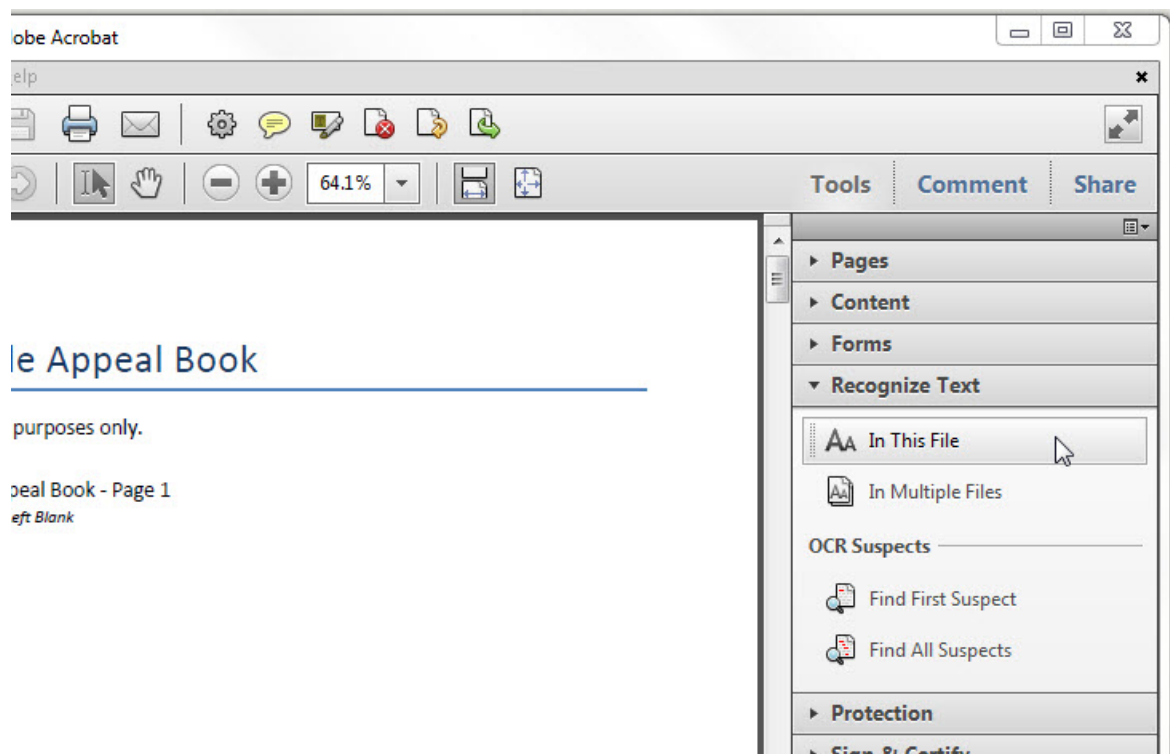
3) In the **Recognize Text** dialog box, select **All pages** under **Pages**. Press **OK**.

4) If your PDF document was originally created with a word processor, you may receive an error that "This page contains renderable text". Select the **Ignore future errors in this document** check box and press **OK**.
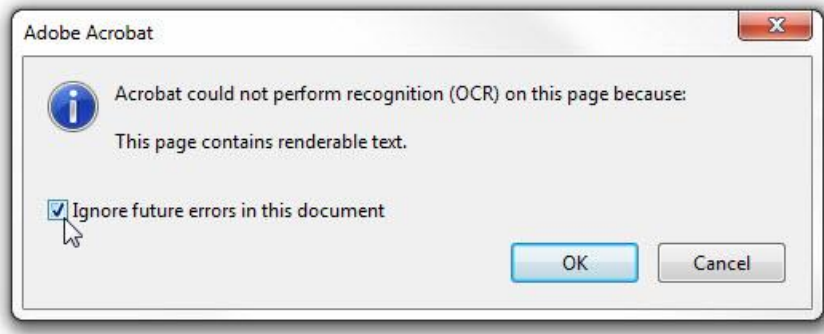
5) Don't forget to save your document once the process is complete.

CHECK THE SIZE OF YOUR PDF DOCUMENT

NOTE: There are several methods for finding the size of a PDF document and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

Note: Manitoba government's maximum file (document) size for an Internet email is approximately 25-28 megabytes. Should the file size exceed allowable limit, counsel or a court runner attends 101A-408 York Avenue and submits PDF document(s) via USB device to the Civil Motions Coordinator.

1) Open your PDF document in Adobe Acrobat. Choose **File > Properties**.
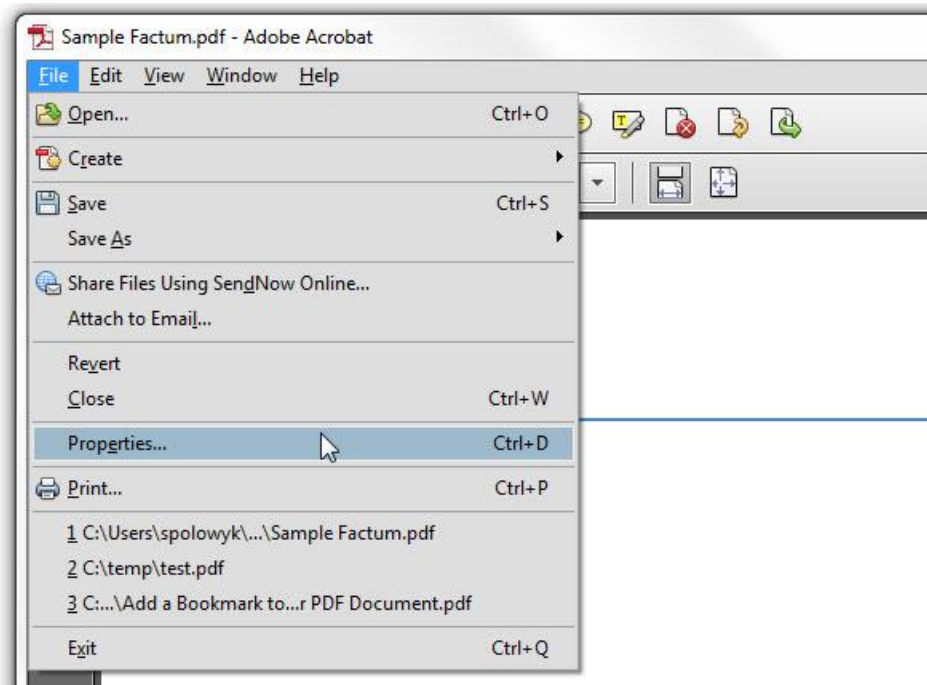
2) The **Document Properties** dialog box will open. File Size can be found on the **Description tab** in the **Advanced** section.

Document Properties

Description | Security | Fonts | Initial View | Custom | Advanced

Description

File: 12409580.pdf

Title:

Author:

Subject:

Keywords:

Created: 01/Feb/2018 2:55:59 PM

Modified: 07/Feb/2018 12:03:48 PM   Additional Metadata...

Application: Xerox WorkCentre 5755

Advanced

PDF Producer: Adobe Acrobat Pro DC 18 Paper Capture Plug-in

PDF Version: 1.6 (Acrobat 7.x)

Location:

File Size: 25.97 MB (27,232,261 Bytes)

Page Size: 8.46 x 10.95 in   Number of Pages: 183

Tagged PDF: No   Fast Web View: Yes

Help   OK   Cancel

ADD A BOOKMARK TO YOUR PDF DOCUMENT

NOTE: There are several methods to add a bookmark to your PDF document and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

Bookmarks are required in e-Filing documents to provide an easy method of jumping from one heading to another and to differentiate different sections of the document from other document sections. Where exhibit tabs are inserted, clicking on the bookmark should cause the Judge or other reader to jump to the first page following the tab (rather than to the essentially blank tab page).

1) Open your document in Adobe Acrobat. Open the Bookmarks Panel (if not already open) by selecting **View > Show/Hide > Navigation Panes > Bookmarks.**
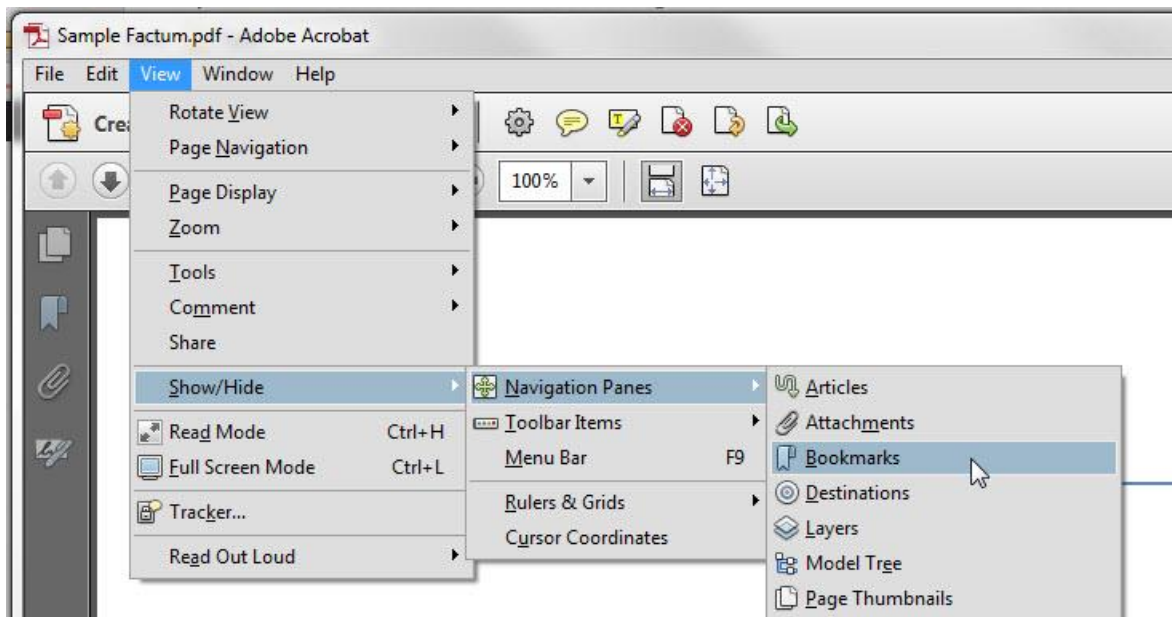
2) Navigate to the page that you want the bookmark to link to.

3) In the body of the document, highlight the section title (drag to select it). The selected text becomes the label of the new bookmark. You can edit the label later if needed.

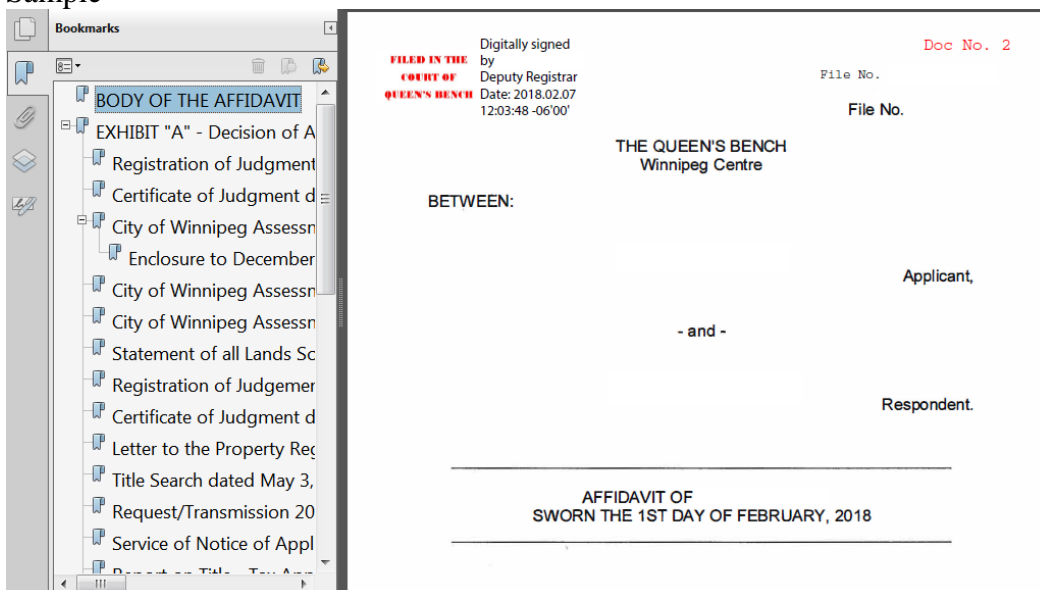4) In the **Bookmarks** panel click the New Bookmark button.
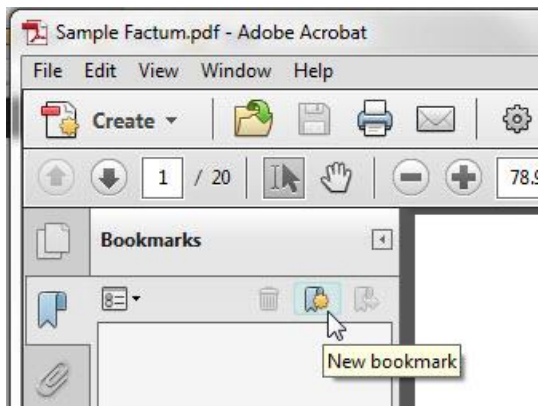
5) If you need to adjust the position of the bookmark in the list, it can be grabbed and dragged up, down, left, and right in the list hierarchy.

6) If you need to edit/change the name of a bookmark right-click on the bookmark and select **Rename**.
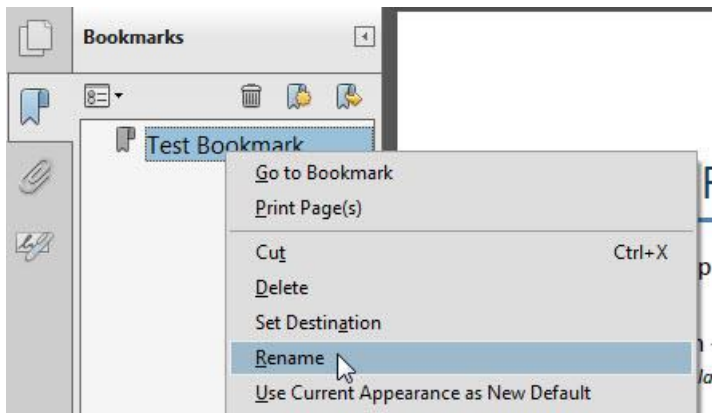

Sample

ADD A HYPERTEXT LINK TO A WEBSITE

NOTE: There are several methods to add a hypertext link to your PDF document and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

Where practical a hypertext link should be created for each authority cited to a neutral external source, e.g., CanLii.

1) Open your PDF document in Adobe Acrobat.

2) Drag a rectangle where you want to create a link (highlight the authority). Right click and select **Create Link**.
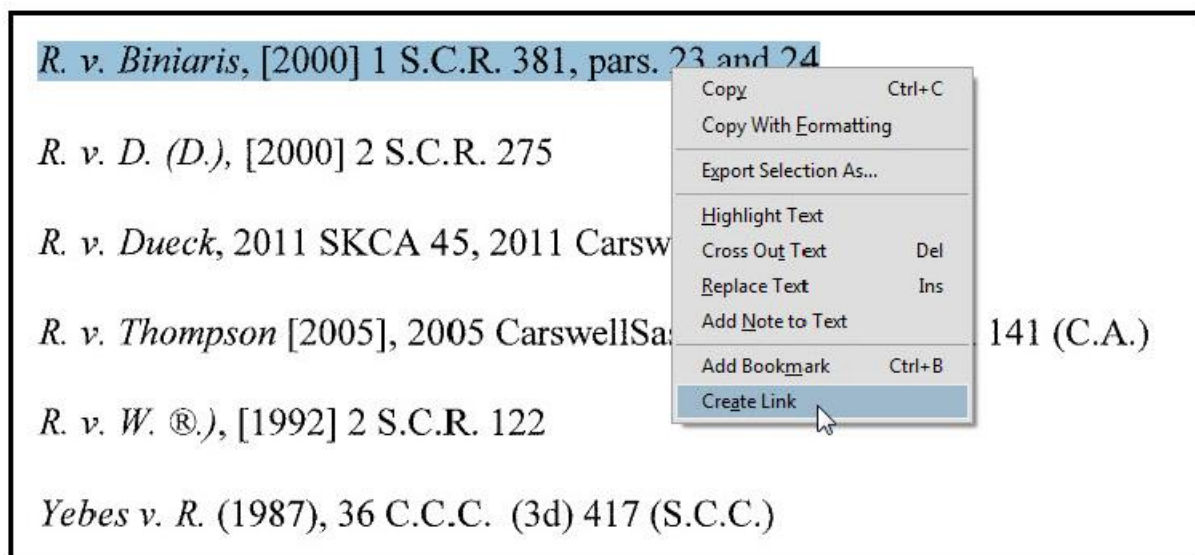
3) The **Create Link** dialogue box will open. In the **Link Appearance** section, select the default settings:

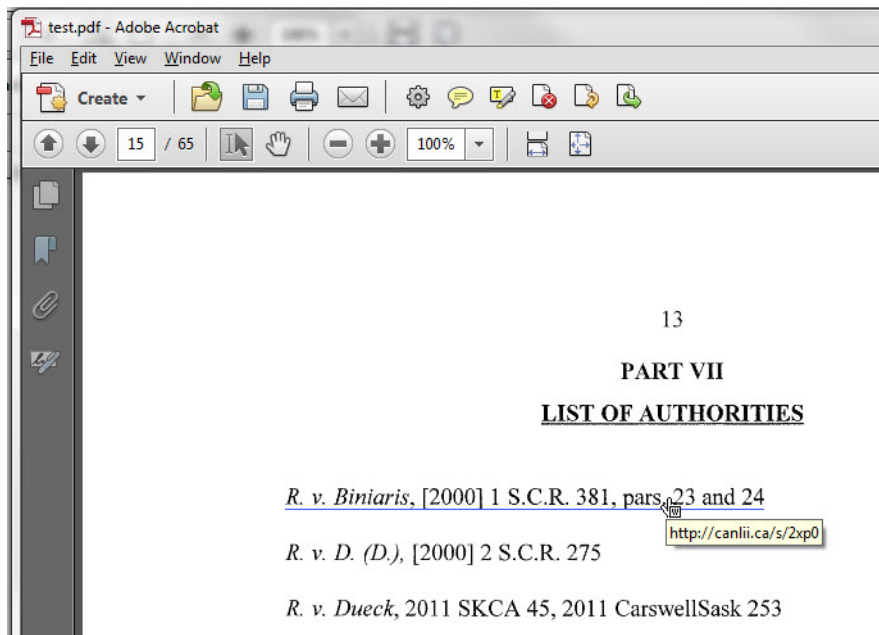|	
Link Type:	Visible Rectangle
Highlight Style:	Invert
Line Thickness:	Thin
Line Style:	Underline
Color:	Blue

 In the **Link Action** section select the **Open a web page** radio button and click **Next**.
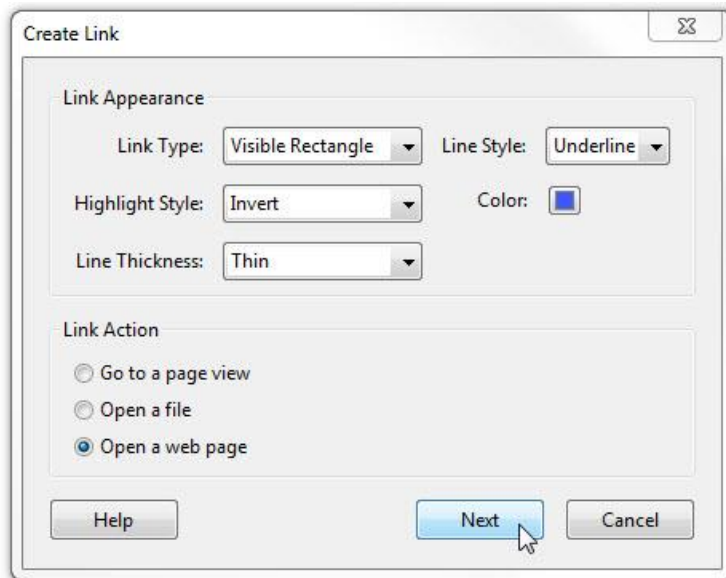
4) The **Edit URL** dialogue box will open. Enter the URL and press **OK**.
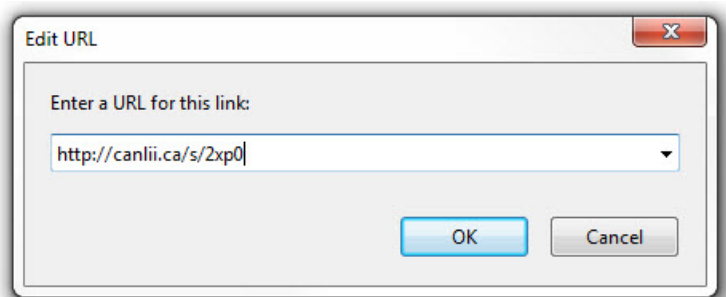
5) To confirm that your link has been properly created hover the mouse over the area you selected in step 2. A popup box will appear with the URL you entered in step 4.

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PART VII

LIST OF AUTHORITIES

R. v. Biniaris, [2000] 1 S.C.R. 381, pars. 23 and 24

http://canlii.ca/s/2xp0

R. v. D. (D.), [2000] 2 S.C.R. 275

R. v. Dueck, 2011 SKCA 45, 2011 CarswellSask 253

PASSWORD-PROTECT CONFIDENTIAL MATERIAL

NOTE: There are several methods of combining several documents into a PDF file and this is just one of them. The instructions are intended only as a general description of the process. These instructions were prepared using Adobe Acrobat X. Your procedure may vary depending on which PDF creation software you are using.

1) Open your PDF document in Adobe Acrobat.

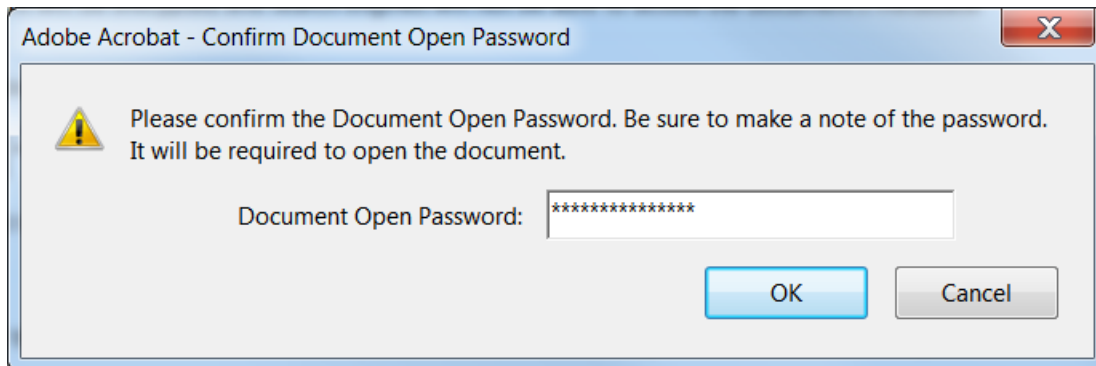2) Choose **Tools > Protection > Encrypt > Encrypt with Password**.
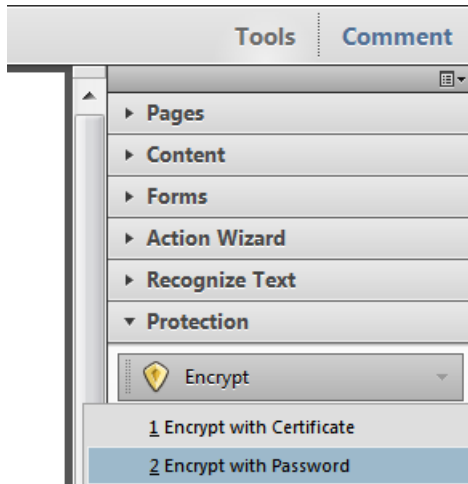
3) Choose Compatibility: **Acrobat X and later**; and select **Require a password to open the document.**
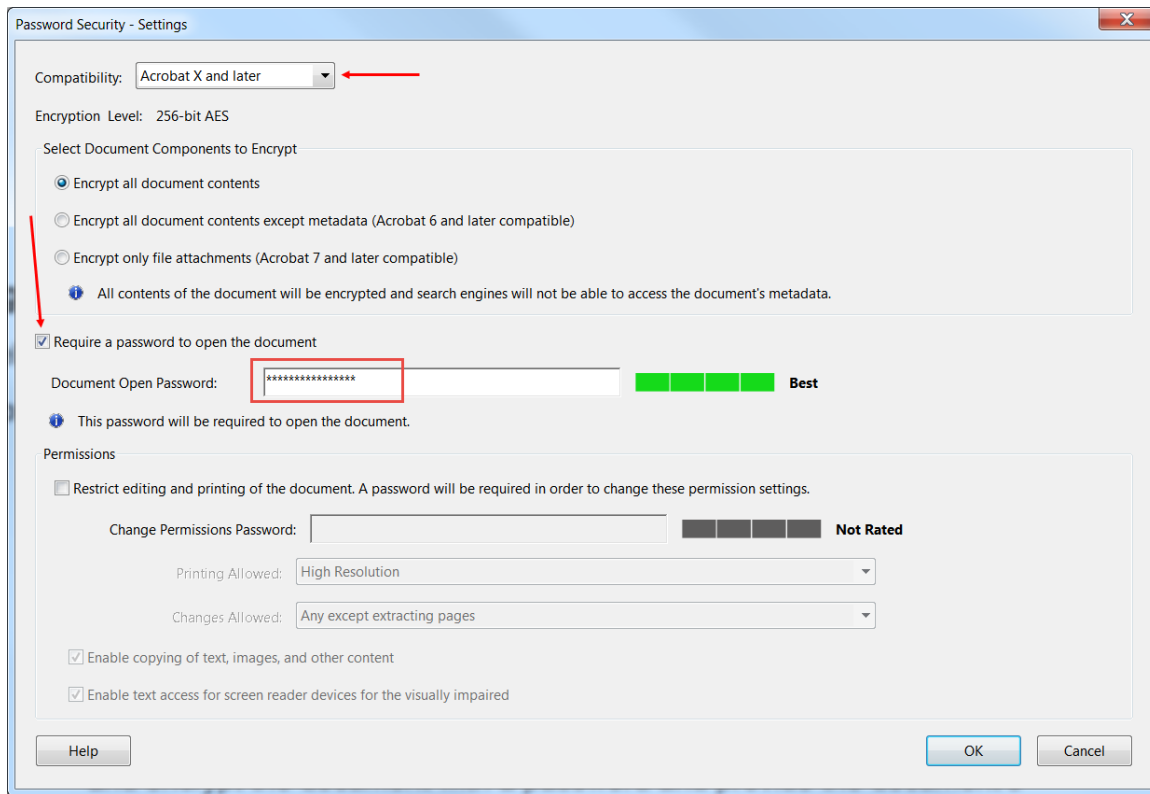
4) Enter Document Open Password and ensure your password is rated Best.

5) Confirm Document Open Password and click Ok.

SCAN HARD COPY TO CREATE PDF FILE

When the document to be submitted is not available in electronic form, a scanner must be used to create a PDF file. This method increases file size substantially. If scanning is required, please set the scanner to black and white and use 200 DPI in order to minimize file size.

Apply OCR to the document so that it can be converted to searchable text and the text can be selected and copied. Note: the original appearance of the scanned document must be retained. After scanning and applying OCR, the headings and other important sections must be bookmarked using Adobe Acrobat software prior to filing. Adding hyperlinks for internal or external references is helpful to the Court.

Note: Manitoba government's maximum file (document) size for an Internet email is approximately 25-28 megabytes. Should the file size exceed allowable limit, counsel or a court runner attends 101A-408 York Avenue and submits PDF document(s) via USB device to the Civil Motions Coordinator.

DOCUMENT RETENTION

By signing the QB e-Filing Form counsel undertakes to retain the original document(s), *unless the Court orders otherwise*, for the longer of

1) 10 years following closing of counsel's file; or

2) 5 years after the last appeal period expires for a document:

      (i)   to be used as evidence in court,
      (ii)   whose authenticity is subject to a challenge, or
      (iii)   that is subject to cross-examination.

COURT FILING FEES

To view a schedule of Court filing fees go to [Manitoba Courts > Court of Queen's Bench > Procedures, Rule and Forms > Fees](#)

QB e-FILING FORM

Please download the attached QB e-Filing Form.