# COURT OF QUEEN'S BENCH (MANITOBA)

e-FILING PROTOCOL EFFECTIVE NOVEMBER 13, 2018

> Version 2.1 Revised June 7, 2019

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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 <u>QBRegistry@gov.mb.ca</u> 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 *OB e-Filing Form.* Please refer to the attached QB e-Filing Form.

#### **E-FILING REQUIREMENTS**

The basic requirements for submitting documents are as follows:

- 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 <u>Scan Document to Create PDF File</u> below.
- 2. Text of the document must be searchable. <u>Optical character recognition</u> (OCR) software must be applied to the document in order to make the text searchable.
- 3. A document that includes headings must have <u>bookmarks</u> 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 <u>bookmarks</u> linked to the first page of each of those schedules.
- 4. If you are seeking a court order to seal a document, the document must be <u>password-protected</u>, 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. Users 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/trustee or a person authorized to sign on behalf of counsel (signature can be scanned or digital)
- 6. By signing the e-Filing Form, counsel/trustee 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 <u>QBRegistry@gov.mb.ca</u>

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/trustee 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.

File Edit View Window Help	
<u>ြဲစ</u> pen Ctrl+0	
🔁 Create 🔹 🕨	PDF from <u>File</u> Ctrl+N
E Save Ctrl+S Save As ►	PDF from Scanner     Image: Compare Compared Comp
Attach to Email	Combine Files into a Single PDF
Revert	PDF Form or Online Form

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.

🔁 Add Files 🔻		
Add Eiles	n, and then	arrange the
Add PDF from Scanner	Range	Size
Add Webpage		
Add from Clipboard		

4) If any files are <u>password-protected</u>, 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.

File Size:
Combine Files Cancel

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**.

obe Acrobat	- O X
elp	×
🖹 🖨 🖂   🏟 🤛 🐺 💊 🖏 🗳	***
)   🗈 🖑   😑 🖶 🔂	Tools Comment Share
e Appeal Book	Pages     Content     Forms
purposes only. peal Book - Page 1	Recognize Text      AA In This File      In Multiple Files
eft Blank	OCR Suspects Find First Suspect Find All Suspects Protection
	Sign & Cortify

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/trustee or a court runner attends 101A-408 York Avenue and submits PDF document(s) via USB device to the Civil Motions Coordinator. Unless instructed by the Civil Motions Coordinator, a document cannot be divided into smaller files in order to meet the government's allowable limit for emailing.

1) Open your PDF document in Adobe Acrobat. Choose **File > Properties**.

🔀 Sample Factum.pdf - Adobe Acrobat	
<u>File E</u> dit <u>V</u> iew <u>W</u> indow <u>H</u> elp	
<u> O</u> pen	Ctrl+0
🔁 C <u>r</u> eate	٠.
🖹 <u>S</u> ave	Ctrl+S
Save <u>A</u> s	•
Share Files Using SendNow Online Attach to Email	
Revert	
<u>C</u> lose	Ctrl+W
Prop <u>e</u> rties	Ctrl+D
B Print	Ctrl+P
1 C:\Users\spolowyk\\Sample Factum.pdf	
2 C:\temp\test.pdf	
3 C:\Add a Bookmark tor PDF Document.p	odf
Exit	Ctrl+Q

2) The **Document Properties** dialog box will open. File Size can be found on the **Description tab** in the **Advanced** section.

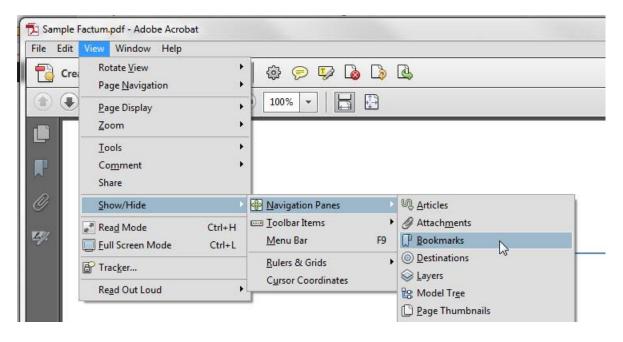
Document Properties						X
Description Secu	rity Fonts Initial View Cus	tom Advanced				
Description						
File:	12409580.pdf					
Title:						
Author:						
Subject:						
Keywords:						
Created: (	01/Feb/2018 2:55:59 PM				Additional N	letadata
Modified: (	07/Feb/2018 12:03:48 PM					
Application:	Kerox WorkCentre 5755					
Advanced						
PDF Producer:	Adobe Acrobat Pro DC 18 Pa	aper Capture Plu	g-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 Pag	ges: 18	83		
Tagged PDF:	No	Fast Web Vi	ew: Ye	es		
Help					ОК	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).

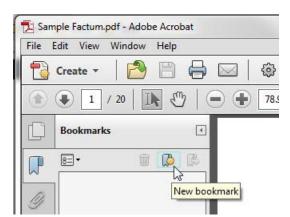
1) Open your document in Adobe Acrobat. Open the Bookmarks Panel (if not already open) by selecting **View > Show/Hide > Navigation Panes > Bookmarks.** 



2) Navigate to the page that you want the bookmark to link to.

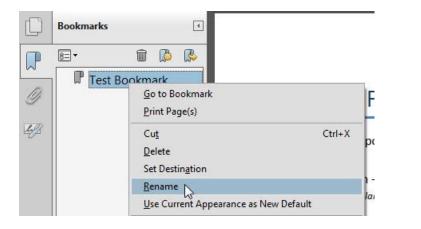
3) In the body of the document, highlight the section title (drag to select it). The selected text becomes the label of the new bookmark. You can edit the label later if needed.

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

	Bookmarks		Digitally signed		Do	oc No. 2
	🖅 🗇 🖗	FILED IN THE COURT OF	by Deputy Registrar		File No.	
Dj.	BODY OF THE AFFIDAVIT	QUEEN'S BENCH			File No.	
g	□ 🕼 EXHIBIT "A" - Decision of A			THE QUEEN'S BENCH		
$\bigotimes$	- Registration of Judgment			Winnipeg Centre		
Lg B	$\square$ Certificate of Judgment d $\equiv$	BETW	/EEN:			
0	City of Winnipeg Assessn					
	Enclosure to December				Appli	cant
	City of Winnipeg Assessn				Appli	cant,
	City of Winnipeg Assessn			- and -		
	The statement of all Lands Sc					
	Registration of Judgemer				-	
	Certificate of Judgment d				Respon	dent.
	🖓 Letter to the Property Rec					
	Title Search dated May 3,		A.E.	FIDAVIT OF		-
	Request/Transmission 20			THE 1ST DAY OF FEBRUA	ARY, 2018	
	Service of Notice of Appl		x			-
	I ** **					

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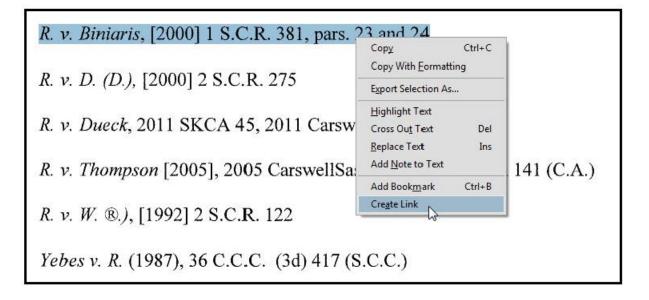
## ADD A HYPERTEXT LINK TO A WEBSITE

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

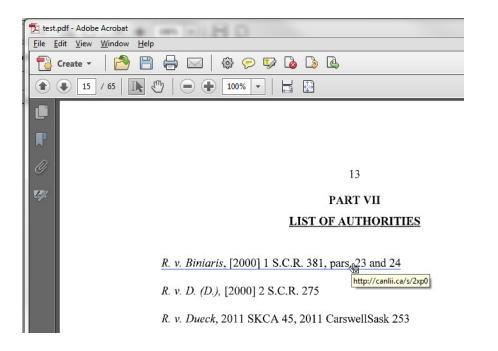
In the Link Action section select the Open a web page radio button and click Next.

Link Appearance				
Link Type:	Visible Rectangle	•	Line Style:	Underline 👻
Highlight Style:	Invert	•	Color:	
Line Thickness:	Thin	•		
Link Action				
🔘 Go to a page	/iew			
🔘 Open a file				
Open a web p	age			

4) The Edit URL dialogue box will open. Enter the URL and press OK.

dit URL	×
Enter a URL for this link:	
http://canlii.ca/s/2xp0	•
	OK Cancel

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.



### 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**.

Tools Comment
▶ Pages
► Content
► Forms
Action Wizard
<ul> <li>Recognize Text</li> </ul>
▼ Protection
Encrypt 🗸
1 Encrypt with Certificate
2 Encrypt with Password

3) Choose Compatibility: Acrobat X and later; and select Require a password to open the document.

Password Security - Settings	X		
Compatibility: Acrobat X and later			
Encryption Level: 256-bit AES			
Select Document Components to Encrypt			
Encrypt all document contents			
Encrypt all document contents except metadata (Acrobat 6 and later compatible)			
© Encrypt only file attachments (Acrobat 7 and later compatible)			
All contents of the document will be encrypted and search engines will not be able to access the document's metadata.			
✓ Require a password to open the document			
Document Open Password:			
This password will be required to open the document.			
Permissions			
Restrict editing and printing of the document. A password will be required in order to change these permission settings.			
Change Permissions Password: Not Rated			
Printing Allowed: High Resolution			
Changes Allowed: Any except extracting pages			
✓ Enable copying of text, images, and other content			
✓ Enable text access for screen reader devices for the visually impaired			
Help	OK Cancel		

4) Enter Document Open Password and ensure your password is rated Best.

5) Confirm Document Open Password and click Ok.

Adobe Ad	robat - Confirm Document Open Password
	Please confirm the Document Open Password. Be sure to make a note of the password.
-	It will be required to open the document.
	Document Open Password:
	OK Cancel

#### 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. <u>Note: the original appearance of the scanned document must be retained</u>. 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/trustee 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/trustee undertakes to retain the original document(s), *unless the Court orders otherwise*, for the longer of

- 1) 10 years following closing of a firm/company 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 <u>Manitoba Courts > Court of Queen's Bench ></u> <u>Procedures, Rule and Forms > Fees</u>

#### **QB e-FILING FORM**

Please download the attached QB e-Filing Form.