

Federal Court



Cour fédérale

## **USER GUIDE**

### **ONLINE ACCESS TO FEDERAL COURT RECORDS**

## TABLE OF CONTENTS

<b>I.</b>	<b>Introduction .....</b>	<b>1</b>
<b>II.</b>	<b>Accessing Records Using the Online Access Platform.....</b>	<b>2</b>
<b>III.</b>	<b>E-Filing.....</b>	<b>8</b>

## **I. INTRODUCTION**

This User Guide explains the features of the Federal Court's online access to Court records platform. It will guide you through the steps required to access available Court records electronically through the platform, as well as the additional steps necessary upon e-filing certain documents to ensure the efficient functioning of the platform.

The online access platform was launched as a pilot project on September 12, 2022. It is governed by the [Notice to Parties and the Profession, Pilot Project: Online Access to Court Records](#) issued by the Federal Court and available on the Court's website.

Only records in proceedings commenced on or after the launch date are available for online access. During the first phase of the pilot project, only certain documents in matters in Intellectual Property, Indigenous Law, Maritime and Admiralty, and Class Actions will be available. Within these practice areas, the following documents will be available for online access, provided they are not subject to a confidentiality order or an exemption from online access:



- pleadings that have been electronically filed by the parties
- written arguments that have been electronically filed by the parties
- documents generated by the Court, such as directions, reasons, orders, and judgments

Documents meeting these criteria will be available for online access three business days after they are filed. Publicly available records not meeting these criteria may be obtained from the [Federal Court Registry](#).

If you have questions regarding the platform that are not addressed in this User Guide, they may be answered in the [Frequently Asked Questions](#) document.

## II. ACCESSING RECORDS USING THE ONLINE ACCESS PLATFORM

Online access is obtained by selecting a downloadable document from the “Recorded Entries” page related to a Court file. This involves the following steps, which are explained in greater detail below:

- A. Navigate to the “[Court Files](#)” page on the Federal Court website.
- B. Search for the Federal Court file of interest.
- C. Navigate to the Recorded Entry page for the file by clicking the magnifying glass  icon in the “More” column.
- D. Available records will be shown with a  icon in the “Download” column.
- E. Clicking on the icon will initiate the download of the record.

## A. Navigate to the “Court Files” page on the Federal Court website

The Court Files page can be located in a number of ways:

- By clicking [this link](#) or inserting the following URL into your browser  
<https://www.fct-cf.gc.ca/en/court-files-and-decisions/court-files>

- By clicking the “Find a Court File” Quick Link on the Federal Court homepage:



- By clicking the “Court Files and Decisions” menu on the Federal Court homepage and selecting “Court Files”:



## B. Search for the Federal Court file of interest

On the Court Files page, you will see a search tool, which allows users to search electronic records of Court files by:

- Last name of person
- Name of corporation
- Name of Ship
- Court File Number
- Intellectual property name/reference name
- Related Cases

Enter the relevant information in the appropriate field in the search tool, then click “Submit”:

Search by party name	Search by court number	Intellectual Property	Related Cases
<b>Search by party name</b>			
Court			
<input type="text" value="Federal Court"/>			
Search by party name:			
<input type="text"/>			
Or			
Ship:			
<input type="text"/>			
From		To	
<input type="text"/>		<input type="text"/>	
<input type="button" value="Clear"/>		<input type="button" value="Submit"/>	


**C. Navigate to the Recorded Entry page for the file by clicking the magnifying glass icon in the “More” column**

If one or more Court files are responsive to your search, file information (Court Number, Style of Cause, Nature of Proceeding) will appear in a search results box:

Court Number	Style of Cause	Nature of Proceeding	Parties	More
T-34-22	USR1 LN1 v. USR2 LN2	Industrial Design - Correction of Register		

Showing 1 to 1 of 1 entries

Previous **1** Next

To navigate to the Recorded Entry page for the file, click the magnifying glass  icon in the “More” column at the right end of the search results box. This will bring up a new window showing the recorded entries in the proceeding.

Recorded Entry Information : T-34-22 ×

**Type :** Federal Court **Type of Action :** Federal Court

**Nature of Proceeding :** Industrial Design - Correction of Register **Filing Date :** 2022-06-29

**Office :** Ottawa **Language :** English

**Recorded Entry Summary Information**

Certain public documents in some proceedings are now available for online access in accordance with the Federal Court's Online Access to Court Records – Pilot Project. These documents are identified with a download icon (↓) in the Download column below.


You may obtain copies of other public documents by contacting the Registry. Copies of public documents which are already in electronic format can be sent by e-mail, upon request to the Registry: [fc\\_reception\\_cf@cas-satj.gc.ca](mailto:fc_reception_cf@cas-satj.gc.ca). Indicate the Court File number in the subject of your email. In the text, you must clearly identify the document number and its name (this information is located in the *Recorded Entry Summary* column).

The availability of documents from the Registry, including through online access, does not grant a copyright licence or permission. Your use of such materials must be in accordance with the *Copyright Act*, RSC 1985, c C-42.

**28 records found**

Doc	Date Filed	Office	Recorded Entry Summary	Download
-----	------------	--------	------------------------	----------

#### D. Available records will be shown with an icon in the “Download” column


In the Recorded Entry page, those records that are available for online access will have a download  icon in the “Download” column at the right of the table of recorded entries:

Doc	Date Filed	Office	Recorded Entry Summary	Download
null	2022-07-07	Toronto	Letter from Plaintiff dated 07-JUL-2022 re: xyz 123 with proof of service upon Defendant on 07-JUL-2022 received on 07-JUL-2022	
6	2022-07-07	Toronto	Motion Record containing the following original document(s): 5 Number of copies received: 1 on behalf of Plaintiff filed on 07-JUL-2022	
5	2022-07-07	Toronto	Written Representations contained within a Motion Record on behalf of Plaintiff concerning motion filed on 07-JUL-2022	
4	2022-06-29	Ottawa	Notice of Cross Appeal on behalf of Applicant filed on 29-JUN-2022	

If no download icon is seen, the record is not available, or not yet available, for online access. Potential reasons why a record may not be available include the following: it is from a proceeding commenced before the launch date; the proceeding does not fall within one of the practice areas included in the pilot project; the record does not fall within the scope of records included in the pilot project; the record is subject to a confidentiality order or an exemption from online access; or the record was filed less than three business days previously. Such records, if publicly available and not subject to a confidentiality order, may be obtained by contacting the [Federal Court Registry](#).



**E. Clicking on the download icon will initiate the download of the record**

Click on the download  icon in the “Download” column at the right of the table of recorded entries for the record you would like. This will initiate the download of the record. If you cannot see the downloaded document on your computer, check the “Downloads” folder or wherever your computer or device opens or saves downloaded documents.

### **III. E-FILING**

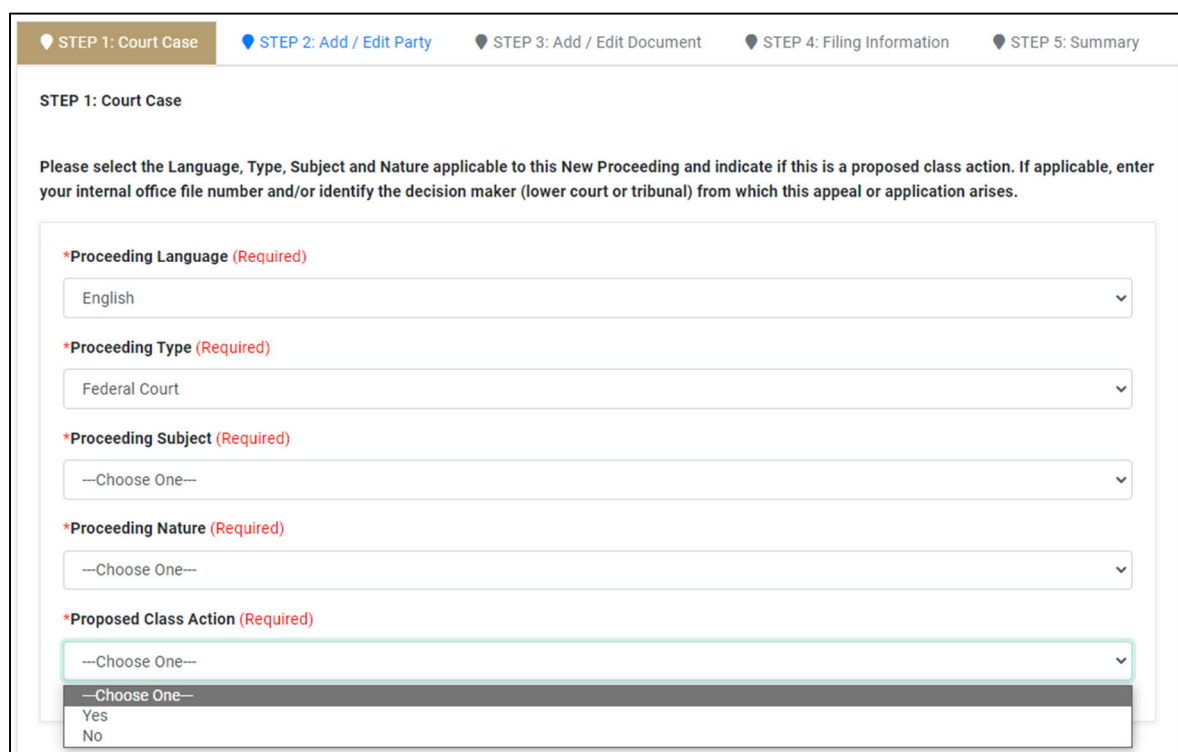
The launch of the online access to Court records pilot project necessitates some slight changes to the Federal Court [Electronic Filing System](#). The Electronic Filing System itself remains essentially the same and users are directed to the [E-Filing Resources](#) page on the Federal Court website for guides, FAQs and other resources regarding e-filing generally.

This User Guide will address three changes to the e-filing system related to the online access to Court records pilot project:

- A. Providing class action information when initiating a new proceeding.
- B. Providing online access status when filing a document.
- C. Making a request for an exemption to online access.

## A. Providing class action information when initiating a new proceeding

The online access to Court records pilot project will make certain records in class actions available for electronic download. To properly categorize proceedings, parties or counsel initiating a new proceeding will be asked to indicate whether the action is a proposed class action. In addition to the information regarding the proceeding already requested at “STEP 1: Court Case” of the e-filing system when initiating a new proceeding (Proceeding Language, Proceeding Type, Proceeding Subject, Proceeding Nature), a new required drop-down menu entitled “Proposed Class Action” asks users to choose “Yes” or “No”:



STEP 1: Court Case

STEP 2: Add / Edit Party

STEP 3: Add / Edit Document

STEP 4: Filing Information

STEP 5: Summary

STEP 1: Court Case

Please select the Language, Type, Subject and Nature applicable to this New Proceeding and indicate if this is a proposed class action. If applicable, enter your internal office file number and/or identify the decision maker (lower court or tribunal) from which this appeal or application arises.

\*Proceeding Language (Required)

English

\*Proceeding Type (Required)

Federal Court

\*Proceeding Subject (Required)

--Choose One--

\*Proceeding Nature (Required)

--Choose One--

\*Proposed Class Action (Required)

--Choose One--

--Choose One--

Yes

No

## B. Providing online access status when filing a document

As set out in the [Notice to Parties and the Profession](#), **pleadings** and **written arguments** in proceedings in the areas of Intellectual Property, Indigenous Law, Maritime and Admiralty, and Class Actions will be available for electronic download from the Federal Court’s website. To address concerns about the online availability of sensitive personal information, parties may request that a document be exempted from online access in accordance with the Notice to Parties and the Profession.

After a filing party has completed “*STEP 3: Add/Edit Document*”, the Federal Court Electronic Filing System will assess whether the document, or a portion thereof, qualifies for online access. If no eligible documents are being filed, the user will proceed to “*STEP 4: Filing Information*” in the normal course. If one or more eligible documents is being filed, the user will be required to identify an online access status for each eligible document (“*STEP 3B: Online Access*”).

\*\*\* NEW FILING STEP \*\*\*

Online Access

In accordance with the [Online Access to Court Records – Pilot Project Policy](#), pleadings and written arguments filed with the Federal Court will be available for online access by the public unless an exemption is requested and granted under the Policy. Confidential documents should not be filed via the Federal Court Electronic Filing System and will not be available for online access by the public.

The below documents have been identified to be part of the pilot project. Please review the documents and choose the applicable status.

NOTE: Only those documents that fall within the scope of the pilot project are found below. Any other document(s) uploaded in the previous step will still be transmitted to the Registry. If a motion record or application record is identified, only the pleadings and/or written arguments contained therein will be available online.

Please consult the Online Access to Court Records [User Guide](#) and [FAQ](#) for more information.

\* = Required

Document Type	Document File Name	* Online Access	Action
NOTICE OF APPLICATION	Notice of Application.pdf	<div style="border: 1px solid gray; padding: 2px;">           ---Choose One---            ---Choose One---            No Confidentiality Order or exemption requested            Confidentiality Order issued            Confidentiality Order to be sought            Request for exemption         </div>	<div style="border: 1px solid gray; padding: 2px; text-align: center;">           Remove Confidential Document         </div>
SOLICITOR'S CERTIFICATE OF SERVICE	Service.pdf		

**NOTE: The foregoing screen will appear where one or more of the documents is or contains documents eligible for posting. If a motion record or application record is filed, only the pleadings and/or written arguments contained therein will be eligible for online access.**

“*STEP 3B: Online Access*” is a mandatory filing step where a document meets the criteria for online access. If the user attempts to proceed to the next step without selecting an online access status, they will receive an error message. For each eligible document, the user must identify whether:

- (1) no confidentiality order or exemption has been issued or is being requested;
- (2) a confidentiality order has been issued;
- (3) a confidentiality order will be sought; or
- (4) a request for an exemption is being made.

**Confidential Documents:** As stated in the Federal Court Electronic Filing System terms and conditions, the system does not allow for the electronic filing of confidential documents. Therefore, if a user selects either “*Confidentiality Order issued*” or “*Confidentiality Order to be sought*”, an error message will appear with a reminder to this effect, requesting that the user remove the document. The confidential document must be removed or the online access status changed before the user can proceed to the next step.

**No Confidentiality Order or Exemption Request:** If the user selects “*No Confidentiality Order or exemption requested*” they will proceed to “*STEP 4: Filing Information*”.

**Exemption requested:** If the user selects “*Request for exemption*”, they will proceed to another new sub-step page, described below, asking them to submit a document in support of the exemption request.

### C. Making a request for an exemption to online access

If a user selects “*Request for exemption*” in respect of a document, they will be asked to upload a document in support of their request at a new step, “*STEP 3C: Exemption Request*”. This step will only appear if a party has indicated that they are seeking an exemption from online access in respect of an eligible document. “*STEP 3C: Exemption Request*” is a mandatory filing step if the user has indicated that they are requesting an exemption. If the user attempts to proceed to the next step without attaching a document, they will receive an error message.

Document(s) Seeking Exemption	Document Type	*Document File Name	*Document Language	Action
Notice of Application.pdf	Request for exemption	<input type="text"/> Browse	---Choose One---	Remove

The Court anticipates that to obtain an exemption, parties will be required to show in their request that there is a serious risk that making the document available through the Court’s online platform, in addition to being available from the Registry, will result in a material adverse impact on the personal dignity or security of an individual. See the [Notice to Parties and the Profession](#) for further information.

If a request for an exemption is filed, the document that is the subject of the request will not be made available online until the request, and any response thereto, has been reviewed and determined by the Court. Unless a confidentiality order has been issued or requested, the document will continue to be available from the Federal Court Registry upon request.