



TO: Notice to the Parties and Members of the Legal Profession

FROM: Chief Justice Pierre Blais, Federal Court of Appeal and
Chief Justice Allan Lutfy, Federal Court

DATE: October 22, 2010

**SUBJECT: TRANSMISSION OF ORDERS, JUDGMENTS,
REASONS AND REFEREE'S REPORTS**

On August 4, 2010, amendments to rules 395 and 161 of the Federal Courts Rules came into force (see SOR-2010-177 published in the Canada Gazette, Part II (<http://canadagazette.gc.ca/rp-pr/p2/2010/2010-08-18/pdf/g2-14417.pdf>)).

The amendments are designed to accelerate the transmission of orders and eliminate unnecessary duplication while maintaining the integrity of the Court file.

Amendments to rules 395 and 161 now authorize the electronic transmission of orders, judgments, reasons for order and referee reports ("orders") to litigants where the Registry obtains proof of receipt and places it on the Court file.

Beginning October 25, 2010 most litigants will begin receiving orders either by electronic mail or by facsimile.

Where an order is transmitted by electronic mail, litigants will be asked to acknowledge proof of receipt within 2 days by way of a return email. Where receipt is not acknowledged within the required time, the Registry will transmit a paper copy of the order.

Where a successful facsimile transmission receipt has been obtained or where an email acknowledgment has been received, the Registry will no longer transmit a paper copy of the order.

It is important for litigants to ensure that the contact information they have provided to the Registry remains current.

The amendments to rules 395 and 161 also permit the Chief Justices to direct that orders be transmitted by any other means likely to bring the orders to the attention of the parties.

While orders may still be transmitted by way of registered mail, the use of other postal and courier services, where such services permit the Registry to track the order, has been authorized pursuant to rules 395(4) and 161(4).

Certified copies of orders, if required by a party, may be obtained by making a request to the Registry.

Pierre Blais

Chief Justice,

Federal Court of Appeal

Allan Lutfy

Chief Justice,

Federal Court