



IMM e-Process Pilot Summary

Scope

- Applicant is represented by counsel
- Judicial review of IRB decisions only (all divisions included)
- IMM applications filed for hearing in the Toronto office only
- Federal Court only (appeals not included)
- Proceedings for which a confidentiality motion will be filed should not be proposed for the pilot

Procedure

a) Selection of Cases

- Optional selection by Applicant: file a cover letter ([Annex A](#)) before filing the perfected record

b) Electronic Document Format

- Electronic documents should follow the format standard (“*Preparing the Electronic Document to be Filed*”) set by the Supreme Court of Canada in its [Guidelines for Preparing Documents to be Filed with the Supreme Court of Canada \(Print and Electronic\)](#).
- Note: “Text that is scanned to PDF format must use the Optical Character Recognition (OCR) feature. Using the OCR feature will ensure that your scanned PDF version is searchable (if the document is created with word processing software and saved as a PDF file, it should automatically be searchable). To confirm that your document is searchable, use the word search feature of any software designed to view PDF documents.”

c) Filing & Service of Documents

- e-filing [Notice](#) / [Annex](#) issued in 2013 by the Court
- E-filing [portal](#) on Federal Court web site
- file the request letter ([Annex A](#)) before filing the perfected record
- file a Consent to electronic service (R141 of the [Federal Courts Rules](#))
- for cases under this pilot, there is no requirement to file a paper copy of e-filed documents

d) Leave Decision & Certified Tribunal Record (CTR)

- the Court will adjudicate the Application for Leave based on the electronic record
- transfer of the e-CTR from the Tribunal: CD/DVD sent by registered mail / courier

e) E-hearing

- counsel are expected to bring all necessary materials in electronic format on their tablet / laptop and, if required, to arrange their own wireless internet access

Annex A – Request Letter

TO: Federal Court Registry
FROM: Counsel for the Applicant / Respondent (as the case may be)
DATE: (to be inserted by counsel)
RE: IMM e-Process Pilot

The Applicant / Respondent (as the case may be) requests that this application be processed by the Court under the IMM e-Process Pilot Project. In particular, the Applicant / Respondent (as the case may be):

- intends to file all documents via the Court’s e-filing portal, though reserves the right to proceed with a motion that might be heard via a paper record as an exception to the pilot, or to withdraw from the pilot and proceed via a print record;
- does not expect to file any motion for confidentiality within this proceeding, though reserves the right to withdraw from the pilot if such a motion is filed;
- submits, along with this request, a consent pursuant to Rule 141 of the *Federal Courts Rules* for electronic service of all documents;
- (if applicable) confirms that the Applicant’s / Respondent’s (as the case may be) record contains some material in both French and English, and therefore requests that the proceeding be adjudicated by a bilingual judge;
- acknowledges that any participant in the pilot project (Applicant / Respondent / Court / Tribunal) may, with appropriate notice in writing, opt out of the pilot in any given case;
- acknowledges that this matter will be assigned the standard 90 minutes of hearing time, which will not be extended by technology-related delays; any excess time that will be required should be requested if leave is granted, through a joint notification by counsel to the Scheduling office.

(signed)

Counsel for Applicant / Respondent (as the case may be)