



BELIZE

GAZETTE EXTRAORDINARY

Published by Authority

NO. 15

BELMOPAN, 21ST APRIL, 2021

PAGE 61

No. 52

*Supreme Court of Belize
Belmopan, Belize*

SUPREME COURT OF BELIZE

PRACTICE DIRECTION NO. 1 OF 2021

SUPREME COURT (ELECTRONIC FILING AND SERVICE) RULES, 2021

1. Citation

- (1) These Rules may be cited as the *Supreme Court (Electronic Filing and Service) Rules, 2021*.
- (2) This Practice Direction is to make provision for the filing of documents in civil proceedings by electronic means utilizing a portal managed by the Supreme Court of Belize. This objective of which is to
 - (a) Promote technology in the Court process
 - (b) Further the overriding objective of civil proceedings to deal with matters justly and fairly;
 - (b) Enable a cost effective and expeditious means of dealing with cases and sound management of the Court's resources
 - (c) Enhance access to justice.

2. Definitions

In these Rules

“Court” means the Supreme Court and where the context admits, the Court of Appeal.

“CPR” means the *Supreme Court (Civil Procedure) Rules, (2005)*.

“electronic filing” means the filing of documents through the portal.

“electronic means” includes any website, software or electronic programme in use for the time being for the purpose of facilitating the filing of documents in civil proceedings in the Supreme Court and operated by technology under the management of the Supreme Court of Belize.

“filing party” includes a claimant, defendant, petitioner, applicant, respondent complainant, an attorney-at-law or an interested party.

“hours of business” or “regular hours” means the hours of business for electronic filing as specified in Part 3(7)(2) CPR.

“portal” means the online based platform used by the Supreme Court to facilitate the electronic filing or e-filing of documents in the Registry.

“Registry” means the “Court office” and refers to the Registry of the Supreme Court, being the place where documents are filed.

3. Application of Practice Direction

- (1) This Practice Direction will come in to effect on April 26th, 2021 and will be applicable to all proceedings after the commencement date and to proceedings begun before the commencement date where the case is made available on the portal.
- (2) All matters filed (via hard copy) prior to the commencement date will continue to be managed manually until made available on the portal.

4. Registration

- (1) The online e-filing portal is located at <https://efiling.courts.bz/>
- (2) A party to proceedings who has not previously registered to use the portal and wishes to have access to the portal shall go to the portal at the above prescribed hyperlink and register for a new account.
- (3) A party shall provide a valid e-mail address. An email address is presumed valid for a party unless the party has filed with the Registry notice that the address is no longer valid and has provided an alternative email address.
- (4) Where a party has complied with paragraphs (2) and (3) of this Rule the Registry shall review and verify the party’s details and approve the party’s registration.
- (5) A party who wishes to access the portal shall comply with the procedures and instructions for registration on the Court’s website.

5. Filing

- (1) Save for where otherwise provided in an Act, Regulation or Rule, a filing party may file documents in civil proceedings, by uploading the documents through the portal.
- (2) The portal enables a party to file a document online
 - (a) to commence proceedings; or
 - (b) in on-going proceedings available on the portal.
- (3) Filing parties are required to be familiar with the APEX Folio User Guide.
- (4) Prior to submitting a document for filing, the filing party must ensure that the correct documents are being uploaded, with all the necessary attachments for that filing.
- (5) A filing party shall accurately complete all fields and provide all information required when completing, submitting or filing a document by electronic means. A filing party shall follow all instructions provided on the e-filing portal for its proper and efficient use.
- (6) All documents uploaded and filed by electronic means must be on US Letter or A4 paper and leave a margin of approximately 3 inches (7.5 cm) at the top of the first page.
- (7) A document uploaded for electronic filing **must not** exceed 75 megabytes (MB).
- (8) A document uploaded for filing **must not** be encrypted, password protected or contain a virus or malware.
- (9) A document must be uploaded in **Portable Document Format (PDF) format only**.

- (10) Where a document is not a text document it must be scanned using an image resolution of 300 dpi (dots per inch) or higher and saved as an electronically searchable PDF document.
- (11) A document, inclusive of its annexures or exhibits, must be legible, properly paginated and organized to enable perusal without difficulty. A document must not be scanned upside down or otherwise than in the order the document is to be read.
- (12) The filing party shall be responsible for the accuracy and completeness of any document uploaded or submitted by electronic means.
- (13) Each document to be filed must be uploaded separately and appropriately labelled.
- (14) Persons filing documents, in excess of the maximum file size allowed, are advised to subdivide and scan their documents into individual “PDF” volumes; each of which must still be within the maximum file size allowed, with the document name and cover sheet appropriately named - e.g. “Additional Volume #6 – Exhibit” or “Additional Volume #2 – Witness Statement” as the case may be.
- (15) The main document (e.g. Witness Statement or Affidavit) should be filed and uploaded first and the type of filing selected so that the appropriate filing fee is charged by the system. The “Additional Volume” documents filed will not be charged an additional filing fee.
- (16) Any .jpeg document must be placed as an object into a Word document and the Word document then converted to pdf format.
- (17) The filing party shall retain the original version of any document uploaded and filed by electronic means and shall make same available to the Court, a member of staff of the Court office or any party to the proceedings, for inspection when required.
- (18) Notwithstanding paragraph (15) above the Registrar may direct that in certain proceedings the original documents uploaded and filed by electronic means be submitted to the Registry.
- (19) Subsequent to a document being completed, submitted or filed, by electronic means, a copy of the filed document bearing the stamp of the Court shall be transmitted to the filing party via the email address provided at the time of filing.
- (20) Where a filing party experiences a technical and/or connectivity issue while filing, this must be immediately reported via the contact information and method provided on the e filing platform. Enquiries and requests for assistance can be submitted via support at <https://efiling.courts.bz/support>
- (21) Notwithstanding the above, where the Court directs a document can be filed in paper format at the relevant Court office.
- (22) Once a draft order is approved by the Judge and is dated, signed and sealed it should be scanned and emailed to the filing party. The filing party must then file the Order on the portal at which point the order will be stamped with the Court’s filed stamp.

6. Filing Fees

- (1) The prescribed fees set out in the Supreme Court Act are payable on all documents filed electronically and an undertaking must be given by the filing party at the time of uploading the document to pay the appropriate fee(s) at a later date upon receipt of an invoice from the Registrar.
- (2) A failure of a filing party to pay filing fees may result in that filing party being unable to upload other documents to the portal.

7. Time of Filing

- (1) A document filed by electronic means shall be deemed to be filed within the meaning of the CPR at the date and time when the following requirements are satisfied:

- (a) The document is submitted by electronic means and received by the Court office;
 - (b) The filing fee (where applicable) is received by the Court office; and
 - (c) A copy of the submitted document bearing the stamp (and where applicable the seal) of the Court is transmitted to the filing party.
- (2) A filing party is responsible for observing any applicable deadlines and shall endeavour to afford sufficient and/or reasonable time for processing by the Court office, taking into account any circumstances that may exist at a particular time.
 - (3) Documents can be uploaded at any time during or outside normal Court office hours, including weekends, public holidays and during the Court vacation.
 - (4) Any document filed by electronic means outside of the hours of business or regular hours or days of the physical Court office as prescribed under the CPR will not be processed until the next business day of the Court office.
 - (5) The Rules of the Supreme Court relating to holidays and computation of time apply to documents filed using the portal.

8. Emergency Applications

- (1) An emergency application may be filed at any time but must be accompanied by a Certificate of Urgency.
- (2) Where an emergency application is to be filed outside of regular hours of operation of the physical Court office, the filing party must first contact the Registrar by telephone and advise of the said application. The filing party must then file the relevant documents electronically or by such other means as the Registrar may direct.

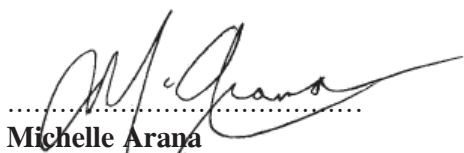
9. Service

- (1) The Court may electronically serve any notice, order, judgment, or other document issued by the Court on a party to a case by sending same to the email address of that filing party.

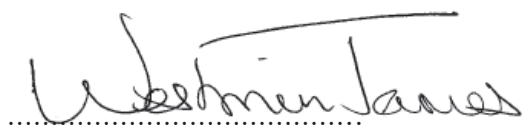
10. General

- (1) The Court office may, at the direction of the Registrar, disregard any document filed or purported to be filed in the event of substantial non-compliance with any measure contained herein, or with any Rule of Court. Any such direction shall be communicated to the filing party.
- (2) This Practice Direction is to be read in conjunction with the Practice Direction on Electronic Service 2020.

Dated this 15th day of April, 2021



Michelle Arana
Chief Justice (Ag)



Westmin R.A. James
Justice of the Supreme Court (Ag)