



## OVERVIEW OF ECOURT

This document is meant to serve as an overview of **eCourt** which explains the process.

### ECOURT IS:

- an online platform for judicial adjudication and decision making, case management and settlement conferencing
- an online chat exchange between a Judge and legal counsel (for both parties) to a dispute
- an alternative to traditional in-person court processes that require attendance at the courthouse

### CONSENT:

- Consent is mandatory to use the **eCourt** Service
- Parties and their lawyers must complete the attached Consent Form
- If one party does not consent to the process or withdraws their consent, the matter will not proceed through **eCourt** and will be re-directed to the traditional court process. **Costs may be awarded** if you commit to the eCourt process then withdraw from it.

### ACCESS:

- Only Lawyers have access to the **eCourt** service online
- Your lawyer will serve as your representative online in this matter
- You may participate in the **eCourt** service online by attending your lawyer's office
- Like a telephone conference, the public and/or any other interested person (such as a relative of a party) cannot have live access to the eCourt Hearing. A record of the eCourt matter will be placed in the court file which is publicly accessible in accordance with Court Rules.

### DOCUMENTS:

- Documents are filed electronically and will form part of the evidence in the physical Court file at the courthouse
- Documents filed electronically into the **eCourt** Portal is considered delivered and served upon the other party once that party is notified of the electronic filing by the **eCourt** service. Lawyers may access documents uploaded at any time.
- The materials shared and details of the chat from the **eHearing** are printed and placed in the court's file at the end of the **eHearing**
- Should required documentation not be uploaded by the deadline set by the Court, the **eHearing** may be cancelled and costs may be awarded. The application will then proceed through the traditional court process.



**CONSENT TO PARTICIPATE IN THE  
SUPREME COURT (FAMILY DIVISION) ECOURT PROCESS**

**Please note: *All parties and their lawyers must complete this form to confirm their consent to participate in the eCourt Process.***

I confirm as follows:

**DOCUMENT OVERVIEW:** I have reviewed the document “Overview of **eCourt**” that explains the **eCourt** Process.

**CONSULTATION WITH LAWYER:** I understand that I may deal with my family matter through the other family court processes (rather than proceeding through the **eCourt** process).

**VOLUNTARY PARTICIPATION:** I am choosing to voluntarily participate in this process. I understand that should I withdraw my consent to participate in the **eCourt** process the matter will not proceed through **eCourt** and will be re-directed to the traditional court process. I further understand that **costs may be awarded** as a result of my withdrawal of consent.

**CROSS EXAMINATION:** I understand that parties cannot cross-examine the other in the **eCourt** Process and therefore waive my right to cross examine the other party in relation to this application.

**COURT ORDER:** I understand that the *Civil Procedure Rules* apply to this process and that a Court Order may result from the **eCourt** Process.

**CONFIDENTIALITY, STORING AND USE OF INFORMATION:**

I understand that:

- a. any documents filed in the **eCourt** Process and the information provided electronically through the **eCourt** Process will form part of the evidence before the Supreme Court (Family Division) and may be considered by the Court in future hearings and forms part of the court record.
- b. the electronic information created through the **eCourt** Process will be stored in Canada.
- c. materials shared and the details of the chat from the **eHearing** are printed and placed in the physical file, which can be accessed by the public and/or another party with Notice as per the *Civil Procedure Rules*.
- d. information regarding the policies, safeguards and practices used in storing and access the electronic information created through the **eCourt** Process is available to me at my request.
- e. information may be collected about my participation in the process to evaluate the **eCourt** process. I understand that my personal information, including my name and identifying information of myself and my family, will not be shared in the evaluation process.

**eCourt Limitation**

I understand the **eCourt** Process is limited to the issue(s) in this application and approved by the Court.

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

Applicant/Respondent

**Signature:** \_\_\_\_\_

Counsel for Applicant/Respondent