



THE NUNAVUT COURT OF JUSTICE

PRACTICE DIRECTIVE #30

ELECTRONIC FILING OF CRIMINAL INFORMATIONS AND PROCESS

Explanatory Note:

Rules that require the filing of original criminal informations and release process add unnecessarily to the time it takes to process criminal matters. Delays and uncertainties caused by the transmission of original criminal informations through the post from the communities to Iqaluit often results in inaccurate dockets or the requirement to create supplemental dockets to accommodate sudden add-ons of in-custody matters. This directive creates a speedy alternative to the transmission of court documents through the post for filing purposes.

Effective February 1st 2010, all criminal informations and court related process may be filed in the Iqaluit Court Registry by email attachment in accordance with this directive.

By email directed to NCJ.criminal@gov.nu.ca the RCMP may transmit all sworn criminal informations, endorsement sheets, release process, remand warrants and warrants of committal to the Nunavut Court of Justice by way of a scanned PDF (portable document format) attachment. The “e-filed information” and the “community- sworn” information shall have endorsed at the foot of each page the following: “This document has been filed electronically in accordance with Practice Directive #30 of the Nunavut Court of Justice”.

The sender must ensure that the settings on the scanner are adjusted to match the size of the document being scanned. The Court Clerk may reject any scanned document that is smaller than the size of the original document.

Upon receipt by the Nunavut Court of Justice, the Clerk of the Court shall open the attachment and print a hard copy of the original scanned document. A court file number shall then be assigned to each "e-filed information" in accordance with usual Registry practices. The seal of the Nunavut Court of Justice will be impressed upon the lower right hand side of the e-copy of each document filed electronically. The sealed document shall form the basis of the Court record thereafter.

Any criminal information received after the close of business will be filed on the next available business day.

Original (community sworn) informations and original court process shall be retained by the RCMP for a period of two years from the date sworn or issued. A community-sworn information or its process shall be produced to the Court within this two year period if required by the Court.

Where documents have been e-filed in accordance with this directive the original community-sworn information or court process does not have to be forwarded to the Court or filed.

If the e-filed information is dealt with at a location other than the community of origin, the Clerk of the Court shall ensure that the RCMP in the originating community is apprised that all proceedings in relation to the community-sworn information have been concluded.

Issued this 21st day of December 2009 at the direction of the Judges of the Nunavut Court of Justice.

Mr. Justice R. Kilpatrick

Mr. Justice E. Johnson

Mr. Justice N. Sharkey