



**PRACTICE DIRECTIVE**  
**ELECTRONIC SUBMISSION OF PRE-HEARING BRIEFS**

**EFFECTIVE JANUARY 1, 2022**

(Revised January 1, 2023)

In an effort to improve the efficiency of pre-hearing procedures, the electronic filing of pre-hearing briefs will be accepted in all Judicial Districts of the New Brunswick Court of King's Bench. This directive applies to all legal briefs filed with the Court of King's Bench, including briefs on motion, briefs on application, settlement conference briefs and pre-trial briefs.

Please note that the **Rules of Court** respecting the contents and filing deadlines of pre-hearing briefs must be followed. Also, please let this directive remind parties that the Rules require every court document to be at least 12-point font and at least 1.5 line apart in spacing. Further, the electronic version of the pre-hearing brief filed in a proceeding must be a true representation of the print version, if any.

**Technical Requirements**

To ensure pre-hearing briefs are as user-friendly as possible, below are the technical requirements for the electronic filing of pre-hearing briefs:

- 1) Pre-hearing briefs must be a Portable Document Format [PDF] file. Briefs must be converted to PDF before e-filing, with a filename ending with the .pdf file extension.
- 2) Any typed text in your PDF file must be searchable. Text that is scanned to PDF format must use the Optical Character Recognition (OCR) feature.
- 3) There is no minimum resolution requirement for filing. However, all documents must be legible.
- 4) Briefs should use the following standard naming convention:
  - a. Plaintiff/Defendant's Brief, Court file no. (e.g. Plaintiff's Brief, BC-123-21 or Respondent's Brief, MC-100-21)
- 5) Bookmarks are to be used anywhere where you would have included a physical tab in a paper filing or to easily reference a major heading. For example, bookmarks should be



used to reference the following sections:

- a. Facts
  - b. Issues
  - c. Law and Argument
  - d. Relief Sought
  - e. Authorities
- 6) Hyperlinks to all authorities available electronically should be used with consideration of the following principles:
- a. Where available, hyperlinks should direct the reader to free public databases (available in both official languages) such as
    - i. [the Canadian Legal Information Institute \(CanUI\) database](#) of Canadian court decisions.
    - ii. [New Brunswick Acts and Regulations](#)
    - iii. [Justice Laws Website](#) for Federal statutes and regulations.
  - b. When referencing statutory authority, hyperlinks to the two official language versions are required if the provisions are published in both languages.
- 7) The signature requirement for a brief that is e-filed may be met by either scanning the paper version of the document with the handwritten signature or filing a digital copy of the document with a typed or digital signature.

### **Length**

Unless otherwise directed by the hearing judge, **pre-hearing briefs** shall not exceed 35 pages, excluding a list of authorities, statutes and regulations relied upon. A request to exceed the page limit should be directed to the appropriate clerk of the court, in writing, no less than 7 days prior to the scheduled hearing.

**Settlement Conference brief and supporting documents:** Unless otherwise directed by the hearing judge, settlement conference briefs shall not exceed 35 pages, excluding a list of authorities, statutes and regulations relied upon. All additional documents to be used at a Settlement Conference, such as relevant portions of transcripts, expert reports etc. shall be filed



separately in paper format and are not to be e-filed. A request to exceed the page limit should be directed to the appropriate clerk of the court, in writing, no less than 7 days prior to the scheduled hearing.

### **Filing**

To file a pre-hearing brief electronically, it must be emailed to the email addresses listed below for each Judicial District. Email attachments must not exceed **10 MB**.

While it is preferred that all briefs are filed electronically, paper briefs may still be filed where electronic submission is not possible. However, parties may only use one method to file each document. A brief that is e-filed will not subsequently be accepted for filing in paper-format.

Parties will receive an email confirmation from court staff that their brief has been filed.

### **Exchange of Briefs**

Parties who electronically submit a pre-hearing brief to the court must send their pre-hearing brief to each opposite party. In accordance with the Rules of Court and this directive, this may occur by email. The Court will not email briefs to opposing parties.

### **Books of Authorities**

As briefs will now be e-filed with the hyperlinking to applicable case law, parties are asked not to file a book of authorities, unless otherwise directed by a judge. If a party is relying upon law that is not available electronically at no cost (e.g. exclusively available through a paid subscription service), such authorities only may be attached in pdf format to the email submission of the brief or may be filed in a paper-format.

This directive, issued by the Honourable Tracey K. DeWare, Chief Justice of the Court of King's Bench of New Brunswick, on December 1, 2021, is effective January 1, 2022 as amended **January 1, 2023**, and until further notice.

## **Contact information for e-filing/Liste de contact pour dépôt électronique**

### **Judicial District of Moncton/Circonscription judiciaire de Moncton:**

Téléphone/Phone: (506) 856-2304

Télécopieur/Fax: (506) 856-2951

Courriel/Email : [ST-Moncton-CS@gnb.ca](mailto:ST-Moncton-CS@gnb.ca)

### **Judicial District of Saint John/Circonscription judiciaire de Saint-Jean:**

Trial Division/Division de première instance:

Téléphone/Phone: (506) 658-2560

Télécopieur/Fax: (506) 658-5732

Courriel/ Email: [TD-SaintJohn-PI@gnb.ca](mailto:TD-SaintJohn-PI@gnb.ca)

Family Division/Division de la famille:

Téléphone/Phone: (506) 658-2400

Télécopieur/Fax: (506) 658-3782

Courriel/Email: [FD-SaintJohn-DF@gnb.ca](mailto:FD-SaintJohn-DF@gnb.ca)

### **Judicial District of Fredericton/Circonscription judiciaire de Fredericton:**

Téléphone/Phone: (506) 453-2015

Télécopieur/Fax: (506) 444-5675

Courriels/Emails: [ST-Fredericton-CS@gnb.ca](mailto:ST-Fredericton-CS@gnb.ca)

### **Judicial District of Woodstock/Circonscription judiciaire de Woodstock:**

Téléphone/Phone: (506) 325-4414

Télécopieur/Fax: (506) 325-4484

Courriel/Email: [ST-Woodstock-CS@gnb.ca](mailto:ST-Woodstock-CS@gnb.ca)

### **Judicial District of Bathurst/Circonscription judiciaire de Bathurst:**

Téléphone/Phone: (506) 547-2150

Télécopieur/Fax: (506) 547-2966

Courriel/Email : [ST-Bathurst-CS@gnb.ca](mailto:ST-Bathurst-CS@gnb.ca)

### **Judicial District of Campbellton/Circonscription judiciaire de Campbellton:**

Téléphone/ Phone: (506)789-2364

Télécopieur/Fax: (506) 789-2062

Courriel/Email: [ST-Campbellton-CS@gnb.ca](mailto:ST-Campbellton-CS@gnb.ca)

### **Judicial District of Edmundston/Circonscription judiciaire d'Edmundston:**

Téléphone/ Phone : (506)735-2029

Télécopieur/Fax : (506)737-4419

Courriel/Email: [ST-Edmundston-CS@gnb.ca](mailto:ST-Edmundston-CS@gnb.ca)

### **Judicial District of Miramichi/Circonscription judiciaire de Miramichi:**

Téléphone/Phone: (506) 627-4023

Télécopieur/Fax: (506) 627-4069

Courriel/Email: [ST-Miramichi-CS@gnb.ca](mailto:ST-Miramichi-CS@gnb.ca)