

**EASTERN CARIBBEAN SUPREME COURT CIVIL PROCEDURE RULES**

**PRACTICE DIRECTION 42**

**No. 7 of 2011**

**FILING DRAFT ORDERS BY ELECTRONIC MEANS**

This Practice Direction is made pursuant to Rule 4.2(2) of the Eastern Caribbean Supreme Court Civil Procedure Rules 2000 and supplements Parts 3 and 42 of the Rules.

**1. Introduction**

1.1 This Practice Direction authorizes the use of electronic means of communication for *lodging* draft orders.

1.2 In this Practice Direction “electronic means” means CD ROMs, memory sticks, e-mail, FAX or other means of electronic communication of the contents of documents.

**2. Filing by Electronic Means**

2.1 Where a party *lodges* a draft order by electronic means, the document is not *lodged* until the transmission is received by the court irrespectively of the time that it is sent.

2.2 The time of receipt of a transmission will be recorded electronically on the transmission as it is received *by the court*.

2.3 If a transmission is received after 3 pm –

(a) the transmission will be treated as received; and

(b) any document attached to the transmission will be treated as filed, on the next day the court office is open *unless the Court orders otherwise*.

2.4 Where a *draft order is lodged* by electronic means, the party *lodging* the document need not in addition send or deliver a hard copy.

2.5 Where a *draft order* is to be *lodged* by electronic means and any of the Rules or any Practice Direction requires that document to be signed, that requirement shall be satisfied if the signature is printed by computer or other mechanical means.

2.6 Parties are advised not to transmit electronically any document of a confidential or sensitive nature, as security cannot be guaranteed.

2.7 If a document which is *lodged* by electronic means requires urgent attention, the sender should contact the court office by telephone.

### **3. Effective Date**

3.1 This Practice Direction will come into effect on the 1<sup>st</sup> October 2011 and will be applicable to all draft orders filed after that date.

Dated this 7<sup>th</sup> day of September 2011.



**Hugh A. Rawlins**  
**Chief Justice**