



COURT OF APPEAL OF NEWFOUNDLAND AND LABRADOR

NOTICE TO THE PROFESSION AND GENERAL PUBLIC

Canada Post Labour Disruption

The Canadian Union of Postal Workers (CUPW) commenced a national strike on November 15, 2024, and Canada Post's operations have been suspended for the duration. During the labour disruption, parties may experience difficulties delivering documents to the Court or serving documents on other parties or persons. Similarly, the Court is experiencing difficulties in sending documents and packages to litigants, lawyers and other persons. This Notice is intended to set out options to address these issues for the remainder of the labour disruption.

Filing documents with the Court

1. Parties are required to explore other ways to deliver documents to the Court. Delivery options will vary depending on your case, but may include:
 - a. delivering materials to the court in person;
 - b. using a courier; or
 - c. electronically filing your document (by fax or email) in accordance with rule 28(9) of the *Court of Appeal Rules* or this notice.
2. Please note that if you have already mailed documents or forms to the Court by regular mail, the court may not be able to complete your request until the labour disruption is over.
3. The Court will, during the period of Canada Post service disruption, permit self-represented litigants and lawyers who would normally mail original documents to the Court, and are not within reasonable proximity to file originals through other means, to file documents with the Court by email or fax. Emailed documents should be scanned PDFs of the original. **Please note that the original of any sworn document (e.g., affidavits) filed electronically must, following the end of the mail service disruption, be filed in hardcopy.** The Court or a Judge may also require that you provide a hardcopy of any other document filed electronically during this period and may require that this be done before an order of Court will be granted.

4. Subject to Practice Note CAPN 2018-18 & Practice Note CAPN 2018-19, **please note that the Court's preferred method of filing is to receive documents in hardcopy.** The Court will only accept electronic filings where filing a hardcopy is not possible as a result of the labour disruption.
5. Documents may be emailed to coaregistry@appeal.court.nl.ca or faxed to (709) 729-7909.
6. The electronic filing of a document is conditional on the payment of the required filing fee. When documents are submitted electronically for filing, they must be accompanied by a contact name and phone number for payment purposes. Court staff will contact this individual when payment is required. Payment may be made by credit card over the phone. No document will be considered filed until payment is received, unless a fee exemption has been granted under rule 44.
7. Where the Registry rejects an electronically filed document on the ground that it does not conform to content or format requirements set out in the Rules or this notice, or that the fee was not paid within one business day of being contacted by the Court, a registry clerk shall notify the sender by fax or email that the document has not been filed and indicate the reason why. It is the responsibility of the person filing the document to make sure it was filed.
8. Where a document filed must be issued, the Court will hold the document for pick-up.

Serving Documents

9. Where practicable, parties must comply with rule 28 of the *Court of Appeal Rules* with respect to the service of documents. Where compliance with rule 28 is not practicable as a result of the labour disruption, parties are encouraged to explore other ways of serving documents such as fax or email. To do so, parties must either:
 - a. Obtain the other party's written consent to receive the document by substituted service; or
 - b. Seek further direction from the Court.
10. Receiving parties are encouraged to consent to alternative forms of service and provide written acknowledgments of service to the sender, if required.

November 19, 2024

Notices/documents from the Court

11. The Court's primary method for communicating notices to parties, for the duration of the labour disruption, will be through email when the party has provided an email address. Where the party has not provided an email address, notices will be couriered.
12. Other documents and packages that are required to be mailed out and which are time-sensitive will be couriered. All documents and packages which are not time sensitive may be held at the Court until the labour disruption is resolved or will be made available for pick-up (the Court may require that you provide ID).
13. The procedure described in this notice will only be for the duration of the Canada Post labour disruption.

DEBORAH E. FRY
**Chief Justice of Newfoundland and
Labrador**