



# **Implementation of CE-File in the Royal Courts of Justice and Upper Tribunal Chambers**

## **Frequently Asked Questions**

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# Foreword

As part of the HMCTS Reform programme, the Royal Courts of Justice and Upper Tribunals Project will, during the 2019/20 period, introduce a modern, digital electronic filing system called 'CE-File' to the following jurisdictions:

- Court of Appeal – Civil Division
- High Court Queen's Bench Division
- Administrative Court
- High Court District Registries (includes High Court Business and Property Courts, Queen's Bench, Admin Court and UTIAC)
- Central London County Court (High Court Lists only)
- Upper Tribunal: Immigration and Asylum Chamber
- Upper Tribunal: Tax and Chancery Chamber
- Upper Tribunal: Administrative Appeals Chamber
- Upper Tribunal: Lands Chamber
- Employment Appeal Tribunal
- Senior Courts Costs Office
- High Court Family Appeals

The new E-Filing service allows users to issue and file documents, pay court fees and review and track their case(s) online. This Frequently Asked Questions (FAQs) document has been collated from feedback from external users, and will continue to be developed and updated as more jurisdictions move on to CE-File during 2019 and 2020.

There is more detailed guidance about how to use CE-File available on GOV.UK (link below). This FAQs document is intended to supplement the guidance already available.

[Visit our User Support Page](#)

# 1. E-Filing explained

## 1.1 What is CE-File?

CE-File is made up of three main parts:

- (1) the internal Case Management System (CMS), which is used by staff and judiciary to issue and manage cases digitally, without the need for paper.
- (2) the external 'E-Filing' service which allows users to issue and file documents, pay court fees and review and track their case(s) online.
- (3) where jurisdictional rules apply, there is also a public search and office copies service.

Users will be able to access E-Filing 24 hours a day from any location, excluding any pre-planned maintenance periods.

## 1.2 Which jurisdictions are already using E-Filing?

E-Filing can be used by either an individual or by a legal professional on behalf of a client.

**Table 1.1:** the jurisdictions using E-Filing

Jurisdiction	Is E-Filing live?	As of:
Business and Property Courts of England and Wales (London only)	Yes	25/04/2017
Queen's Bench Claims and Appeals	Yes	21/01/2019
Business and Property Courts (outside of London)	Yes	25/02/2019

## 1.3 Is a Practice Direction required before the E-Filing Service is introduced?

Yes, to enable users to use E-Filing, there need to be some changes to the rules.

The current Practice Direction that governs electronic working is [Civil Procedure Rules Practice Direction 51O](#). As we rollout E-Filing to more jurisdictions, there will need to either be amendments to this Practice Direction or a new Practice Direction/Note for the specific jurisdiction.

## **2. Registering to use E-Filing**

### **2.1 How do I register for E-Filing?**

We have published guidance on GOV.UK on how to register for an E-Filing account. You can access the below page for more advice, whether you are a litigant in person, professional user or legal firm: [User Support Page](#)

### **2.2 How do I register for a fee (PBA) account?**

Professional users/organisations that use E-Filing regularly can register for a 'Fee' or 'PBA' Account. This can be used to pay any case court fees directly. You can access the application form here: [Register for a Fees Account](#)

### **2.3 I am a Barrister, am I able to request an E-Filing account?**

Barristers can register for E-Filing in the same way as other professional users (see link above at 2.1). When completing the form, barristers must select 'Barristers Chambers' as their applicable account type. Users with this account type will only be able to make filings.

## 3. Using the E-Filing Service

It is important for users of the E-Filing service to submit documents correctly. The following **Top Tips and FAQs** have been developed to help users avoid common errors which can result in the delay of a claim or filing being processed by the court.

### 3.1 Issuing and Filing

#### Top Tips:

- Use the correct claim number, filing type and subtype.
- When submitting a Claim Form, insert the issue date in the appropriate field. This should be the date the Claim Form was filed with the Court.
- You will receive an email and notification within the system once you have submitted your claim, and a further notification when it has been accepted or rejected by the court. If accepted, this will then allow you access to the sealed version of the claim form for service.
- Where multiple documents are being filed, for example a Claim Form and Particulars of Claim, each document must be filed under its own filing type i.e. 'Filing – Claim Form', 'Filing – Particulars of Claim'.
- Any supporting documents to the specific filing type you are using can be added by selecting 'add another' following the upload of the first document e.g. you wish to add a covering letter in support of a claim form that you are filing.
- When submitting a filing, if there are documents that you want to associate with the filing, you can do this by selecting 'associated filing' on the filing summary screen before you add the filing to your basket e.g. you are creating a new case and wish to associate the Particulars of Claim, Witness Statements and Exhibits to make up a large submission of filings.
- Document naming conventions should reflect the content of the document. For example, *Witness Statement of X* or *Exhibit to Witness Statement of X*.
- When requesting that a document(s) be made confidential you should tick the 'request confidential' box, select a reason from the drop down and state clearly in the comments box the reason why, i.e. By Order dated --/--/----, or pending application made on --/--/----.
- Draft orders should always be uploaded in Microsoft Word Format.

### **3.1.1 What will the 'turnaround' time be for approving urgent and non-urgent documents?**

This will depend on the jurisdiction you are filing in. You should contact the court directly for more information on agreed turnaround times.

### **3.1.2 If I submit a document, is it treated as filed once submitted or only after the Court has approved it?**

As stated in Practice Direction 51O, 5.4:

- (1) Where payment of a court fee is required to accompany the filing of a document, the date and time of filing on Electronic Working will be deemed to be the date and time at which payment of the Court fee is made using Electronic Working.
- (2) The date and time of payment will also be the date and time of issue for all claim forms and other originating processes submitted using Electronic Working.

For all other document filings, the date and time of filing will be the submission date and time for the purposes of any direction under the appropriate rules or for the purposes of complying with an order of the Court, unless expressly provided otherwise by the Court.

### **3.1.3 Do I still need to file letters and covering emails when using this system?**

You do not need to file covering letters or emails, however the system does allow you to should you wish. It is worth considering whether a covering letter is needed at all, as any comments can simply be added to the filing or document comments box. If needed, a covering letter can be added by selecting 'add another' on the filing page.

### **3.1.4 Where do I enter the addresses for the claimant and defendant and an address for service?**

Users must add claimant or defendant addresses, or their legal representatives, when adding parties to the case during the submission stage.

### **3.1.5 When filing a document, is there an 'other' category if none apply?**

Yes, this category is referred to as 'miscellaneous' in E-Filing, but it should only be used in exceptional circumstances. It is important that, if available, the correct filing category is selected.

### **3.1.6 When submitting a claim form, do I need to file multiple copies for each party?**

No, you will be provided with a sealed copy of the claim form which can be reproduced for each party at your discretion.

### **3.1.7 Is the case number the same as the claim number?**

Yes, the 'case' number and 'claim' number are the same.

## **3.2 Service of Documents**

### **3.2.1 Once a claim form is filed through E-Filing, does the court return the sealed form in the post for service?**

No, when a claim form, order or application notice has been accepted by the court, you will receive a notification within E-Filing. Once the court has sealed the document, you will receive a further notification and then be able to access and print the document. You can choose how you receive notifications by selecting a preference within the 'My Account' section of E-Filing.

### **3.2.2 Should claims forms still be served as a 'hard-copy'?**

Claim forms should be served in accordance with Part 6 of the Civil Procedure Rules, which can be found here: [Civil Procedure Rules Part 6](#)

### **3.2.3 Will I receive a notification through E-Filing when, for example, a Directions Questionnaire (DQ) is due?**

No, it is the responsibility of the user to abide by the relevant submission timescales as set out by the relevant court.



### 3.3 Uploading Documents

**Top Tip:**

Uploaded documents should be in either Microsoft Word or PDF format and must not be encrypted or password protected.

The only exception to this rule is a draft order, which must be uploaded in Microsoft Word format only.

For instructions on how to upload files to E-Filing, please see our guidance on our [User Support Page](#).

#### 3.3.1 What is the maximum size of file I can upload?

The maximum file size that can be uploaded to E-Filing is 50MB. Should a document exceed the 50MB limit, the documents should be uploaded by clicking 'Add Another', and each part of the document should be identified as such, for example WS of JS Part 1, WS of JS Part 2 etc.

### 3.4 Miscellaneous

#### 3.4.1 Will the filing history on current cases be uploaded to the system, or will this just apply to new cases?

The approach for adding historic cases to E-Filing (i.e. those issued before the CE-File go live date, see table 1.2 in part 4) will vary between jurisdictions. If a historic case is uploaded to CE-File, the parties will be notified of the new reference number.

#### 3.4.2 Can I use CE-File to file hearing bundles?

No, a hard copy hearing bundle is required for every hearing.

## 4. Public Search and Office Copies Service

### 4.1. How far back in time will the search function go?

This depends on the jurisdiction for which you are searching and their migration policy for historic cases. If a party wants to conduct a search for filings before the respective date in table 1.2, they will need to follow the normal route for applying for a search.

- the Office Copy service has been developed to display a list of those case events and documents for which a non-party is entitled to request as an office copy, as set out under CPR 5.4C.
- any information contained within a filed document that a party wouldn't usually see may be released e.g. filing particulars of claim with exhibits within the same document may mean that the exhibits are released when a request for a copy of the particulars is requested.

**Table 1.2:** The earliest dates that claims can be searched per jurisdiction

Jurisdiction	When can I search from?
Business and Property Courts of England and Wales (London only)	01/01/2016 <sup>1</sup>
Queen's Bench Claims and Appeals	05/11/2018
Business and Property Courts (outside of London)	25/01/2019

<sup>1</sup> This date is in relation to new cases. Jurisdictions have different historic case migration policies, so please contact the applicable team for more information.

### 4.2 Can the parties to a claim see when a public search has been made, and who has made it?

No, users are not able to see if public searches have been made. This is consistent with the public search policy of paper records.

### 4.3 Does the search facility allow bankruptcy searches e.g. in relation to claimants?

Yes, provided the case was issued after the jurisdiction started using CE-File. Please see table 1.2 above for reference.

## **5. Fees**

### **5.1. How do I pay court fees when using E-Filing?**

CE-File automatically calculates the appropriate court fee depending on the filing type, and users will be required to pay this before submitting their filing. You can pay using either a credit/debit card, or a fees account (PBA account).

### **5.2 How does E-Filing integrate with fee-remissions?**

To submit a case where a claimant qualifies for fee-remissions, please contact the relevant jurisdictional office. They will provide you with a specialist Fee Account Number to enter when submitting an E-Filing.

You will also need to either, submit an EX160 with your filing, or provide your Help with Fees reference number (obtained from the Help with Fees online portal). You can access the fees support page here: [Help with Court Fees](#)

### **5.3 Can I change a court fee if I think the amount being requested on E-Filing is incorrect?**

No, the court fees cannot be amended as they are automatically calculated by the system. If you believe the court fee is incorrect after submitting the filing, please contact the applicable court who will assess your recourse to a refund.

# Help and support

## Helpful resources:

[An Introduction to E-Filing – YouTube](#)

[User Support Page – GOV.UK](#)

## Support for Litigants in Person:

[Citizens Advice for the Royal Courts of Justice](#)

[Personal Support Unit](#)

## Contact the team:

For general project questions

[CE-FileProjectQueries@justice.gov.uk](mailto:CE-FileProjectQueries@justice.gov.uk)

For user support and technical queries

[efilesupport@justice.gov.uk](mailto:efilesupport@justice.gov.uk)

To give feedback or suggest an improvement

[RCJGIT@justice.gov.uk](mailto:RCJGIT@justice.gov.uk)