



## **Interim Practice Directive 1:**

### **Filing and Service**

#### **1. Purpose**

This practice directive explains how to:

- file documents with the Health Professions Discipline Tribunal (Discipline Tribunal); and
- serve documents on other parties and participants.

It explains:

- where and how to file documents;
- document format;
- how to serve documents, including when confirmation of receipt is required;
- when service takes effect;
- proof of service; and
- how the Discipline Tribunal addresses defective filings or defective service.

#### **2. Authority**

The Discipline Tribunal operates under the Health Professions and Occupations Act (HPOA). When this practice directive mentions a section number, it refers to a section in the HPOA, unless it says otherwise.

#### **3. Scope and application**

This practice directive applies to:

- parties (regulatory colleges and respondents); and
- complainants and other persons with an interest.

This practice directive applies at all stages of a case.

The Discipline Tribunal may give directions or issue an order on a case that is different from what this practice directive says. If that happens, the directions or order must be followed.



## **4. Filing**

### **4.1 How to file**

File documents through the Discipline Tribunal electronic filing portal.

If the portal is unavailable, email the Discipline Tribunal at [tribunal@hporoo.ca](mailto:tribunal@hporoo.ca) for filing directions.

### **4.2 File formats and technical standards**

File documents in a format that is easy to read, store, search, and print.

File documents as follows:

- **Written documents:** File as text-searchable PDF, where feasible.
- **Spreadsheets:** File as XLSX and PDF.
- **Audio or video:** File in a commonly used format.
- **Page numbers:** Number pages consecutively within each document.
- **Multi-document filings:** Include an index that identifies each document by name and date.

If a technical standard cannot be met, submit the best available version of the document for filing, with an explanation of the issue.

### **4.3 File naming**

Use file names that identify:

- the case number (if assigned);
- the filing party;
- the document type; and
- the date of the document (YYYY-MM-DD), if available.

### **4.4 Information to include with every submission for filing**

Include in every document or submission for filing:

- the case number (if assigned);
- the names of the parties;



- the name of the person filing and their role (for example, counsel for the respondent);
- the document title;
- the orders or directions requested, if the submission asks for an order or direction; and
- a clear confidentiality label and a brief explanation, if a document contains confidential or protected information (for example, "CONFIDENTIAL - health information").

Include service contact information (mailing address and email address) in the first submission filed in a case.

Include updated service contact information in any later submission if it has changed.

Provide a physical mailing address, not a post office box.

#### **4.5 Filing date and written confirmation of filing**

The Discipline Tribunal will send an automated confirmation of receipt when it receives a document or submission for filing. A submission received after 4:30 p.m. Pacific Time, or on a weekend or a day the Discipline Tribunal is closed, it is treated as received on the next day the Discipline Tribunal is open.

The Discipline Tribunal also sends written confirmation of filing when it accepts a submission as complete for filing. Written confirmation of filing is separate from an automated acknowledgment of receipt.

A document is filed on the filing date stated in the written confirmation of filing.

Keep the written confirmation of filing as proof of filing.

#### **4.6 Defective filings**

If a document submitted for filing does not comply with this practice directive, the Discipline Tribunal may:

- accept the document for filing and give further instructions; or
- refuse to accept the document for filing and require the party to re-file.



#### **4.7 Urgent filings**

If a document needs immediate attention due to a time-sensitive issue, contact the Discipline Tribunal before filing and explain why the issue is urgent.

#### **4.8 Directions about filing**

Email the Discipline Tribunal to request directions to vary filing requirements for a case, including where:

- there is an accessibility barrier;
- the filing method is impracticable in the circumstances; or
- varying the filing method is necessary to avoid unfairness or delay.

### **5. Service**

#### **5.1 General rules**

Service must be reliable and timely. Serve documents by delivering them using the methods described below in this practice directive, using formal service where required by the regulation (Health Professions and Occupations Regulation).

Serve by email when it is reasonably available. Work with the other parties to make sure service is effective.

#### **5.2 Documents the Discipline Tribunal serves**

The Discipline Tribunal serves documents it issues (for example, a citation, an order, directions, or a decision) on the parties and any other participants the Discipline Tribunal has recognized for the case.

#### **5.3 Service addresses and updates**

Provide service contact information (mailing address and email address) in the first submission filed in a case.

Notify the Discipline Tribunal and the other parties promptly about any change in contact information.

#### **5.4 Formal service**

Use formal service where the regulation requires it. The Discipline Tribunal will identify the document and person to be served and give any needed directions. Complete formal service by one of the following methods:



- personal delivery to the recipient;
- registered mail to the recipient's last known mailing address; or
- email to the recipient's last known email address.

Service is effective as follows:

- **Personal delivery:** Service is effective on delivery.
- **Registered mail:** Service is effective seven days after the date it is mailed.
- **Email:** Service is effective on the date the recipient confirms receipt by email.

Keep the confirmation as proof of service.

If confirmation is not received within 96 hours after sending, follow up to obtain confirmation.

A confirmation received more than 96 hours after sending still makes email service effective on the date it is received, if the recipient confirms receipt.

If confirmation is not received, complete formal service by personal delivery or registered mail.

### **5.5 Service for other documents**

Serve other documents by one of the following methods:

- personal delivery to the recipient;
- registered mail to the recipient's last known mailing address;
- email to the recipient's last known email address; or
- another method the parties agree to in writing.

Service is effective as follows:

- **Personal delivery:** Service is effective on delivery.
- **Registered mail:** Service is effective seven days after the date it is mailed.
- **Email:** Service is effective seven days after the date it is sent.
- **Agreed method:** Service is effective as set out in the agreement.



### **5.6 Proof of service**

Keep proof of service.

File proof of service if the Discipline Tribunal requests proof.

Proof of service may include:

- a delivery receipt or tracking confirmation for registered mail;
- a statement of personal delivery; or
- an email chain showing the sent email and any confirmation of receipt, where applicable.

### **5.7 Directions about service**

Email the Discipline Tribunal to request directions to vary service requirements for a case, including where:

- a service method is impracticable in the circumstances;
- service creates a safety concern, or a person interferes with or obstructs service; or
- varying the method of service is necessary to avoid unfairness or delay.

### **5.8 Defective service**

If service does not comply with this practice directive, the Discipline Tribunal may:

- accept service and give directions to fix the defect;
- require a party to re-serve; or
- set terms to address unfairness caused by the defect.