



September 15, 2017

Ministry of the Attorney General

Vaia Pappas
A/Director, Operational Support Branch
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto, ON M7A 2S9

Dear Ms. Pappas,

Re: Feedback on the Civil Claims Online Filing Service Pilot

On behalf of the Civil Litigation section of the Ontario Bar Association (the “OBA”), we write to provide some initial feedback that we have gathered from our members on the civil claims online filing service (the “e-Filing Service”).

The OBA is the largest voluntary legal organization in the province, representing over 16,000 lawyers, judges, law professors and students in Ontario. Our members regularly represent the broadest range of clients in the Superior Court of Justice across the province.

Our Survey

We circulated a survey by email to a sub-group of our members who are likely to use the e-Filing Service in late June, 2017. At the time the survey was released the e-Filing Service was not yet available in Toronto. However, we wanted to provide you with these initial results in hopes that they can assist you as you roll-out the pilot across the province. The survey invited members who have used the system to tell us:

- Where they used the e-Filing Service;
- How satisfied/dissatisfied they are with the e-Filing Service;
- The likelihood that they would recommend the e-Filing Service to a friend or colleague;
- Which of list of words they would use to describe the e-Filing Service;
- How likely they are to use the e-Filing Service again; and,
- Any comments, questions or concerns they have with the e-Filing Service.

We invited members who have not used the system to tell us reasons why they have not used the system to date, and for any comments, questions or concerns they’d like to share. Overall, 51 members responded to the survey, and we provide a breakdown of their responses below.

User Feedback

As of July 9, 2017, we had 8 users of the e-Filing Service complete the survey, who reported having used the service in all of the available regions (excluding Toronto). Generally speaking, respondents reported a high level of satisfaction with the service, and a high likelihood of recommending the service (a “Net Promoter Score” of 75). The most used words to describe the service were fast (7 times), useful (6 times), high quality / reliable (4 times each), with all but one respondent indicating they would be “extremely likely” to use the e-Filing Service again. While we recognize the relatively small sample size, our view is that initial response has been positive, and reflects well on the implementation of the system to date.

Specific comments from users include:

- *For Civil litigation (non-Estate matters) there is no way to name an Estate as a party - they are not accepted as an individual or a corporation;*
- *The extension number after phone number for lawyer is only 4 digits long - our law firm uses 5 digit extensions;*
- *There are more selections for type of Plaintiff than type of Defendant;*
- *It's about time. Now please introduce in all jurisdictions and increase scope to apply all court filings, not just originating processes.*

Non-User Feedback

43 non-users completed the survey in the same timeframe. Nearly half of non-users reported that they had not used the system because it was not yet available in their region (21 times). Non-users also reported that they were not aware the service was available in their region (10 times), that other staff members take care of filing for them (10 times), or that they do not file documents that can be e-filed in the current system (8 times). In our view, the data reveals a strong argument for expanding the availability of the system to additional regions and document types (like defences), and continued efforts to educate users about the system. These efforts are likely to increase the use of the system over time.

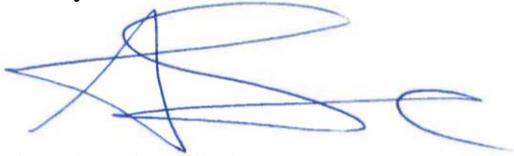
Specific comments from non-users include:

- *I need to know where to look or listen to obtain more information about the details - how do I pay/ obtain a hard copy receipt?;*
- *The pilot should be expanded to defence documents ASAP; it is unfair to provide unequal access to filing to plaintiffs versus defendants;*
- *Some filings are close to a limitation period and require certainty of no glitches;*
- *Some filings are to be serve extra-provincially and I need a stamped Court seal on it.*

Conclusion

As we have mentioned, we will continue to seek feedback from our members about the e-Filing Service in the coming weeks, particularly now that the e-Filing Service is available in Toronto. In the meantime, please let us know if you have any questions or comments regarding the survey, as we would be pleased to speak with you further in support of this important initiative.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AS', with a stylized flourish extending to the right.

Andrea Sanche, Chair
OBA Civil Litigation Section

Cc: Sheila Bristo, Assistant Deputy Attorney General, Court Services Division
Lynn Norris, Assistant Deputy Attorney General, Modernization Division