

**Directive of the President of the Supreme Court  
on Submitting, Sending and Receiving Pleadings and Documents via the Electronic Filing System  
April 26,2017**

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Whereas it is expedient that the Directive of the President of the Supreme Court on Submitting, Sending and Receiving Pleadings and Documents via the Electronic Filing System should be prescribed;

By virtue of Section 34/1 and Section 68 of the Civil Procedure Code under the Act Amending the Civil Procedure Code (No. 28), B.E. 2558 (2015), the President of the Supreme Court with the approval of the General Meeting of the Supreme Court issues the Directive, as follows:

**Article 1** This Directive shall be called the “Directive of the President of the Supreme Court on Submitting, Sending and Receiving Pleadings and Documents via the Electronic Filing System.”

**Article 2** This Directive shall come into force on the day following the date of its publication in the Royal Gazette.

**Article 3** In this Directive, unless otherwise indicated by the context and specified in the Civil Procedure Code:

“staff” means the court staff assigned for duty;

“user” means a party or a lawyer registered with a court for the use of the electronic filing system;

“electronic filing system” means the working system of a court established to support submitting, sending and receiving complaints, pleadings, court’s orders, summons, other types of warrants and case documents in an electronic format as specified in the Announcement of the Office of the Judiciary.

“printout” means a printout of the electronic data presented or stored in the electronic filing system.

**Part 1: Registration**

**Article 4** A person requesting to use the electronic filing system shall register with a court by personally submitting a request to use such system to the staff together with presenting evidences as follows:

- (1) identification card or public official identification card or passport or Lawyers Council member card or lawyer license;
- (2) any other documents or evidences as specified in the Announcement of the Office of the Judiciary.

To register, the person submitting the request shall prepare copies of the above mentioned documents for submission to the staff, in order to provide as a proof of registration, and fill in all details in the request. Completing the details in the request form certifies the correctness of all information provided.

**Article 5** When the person submitting the request to use the electronic filing system is granted permission to be a user subject to the conditions and methods as specified in the Announcement of the Office of the Judiciary, a username and a password shall be given to such person for accessing into the electronic filing system.

The username and the password are regarded as a user's signatory in communicating with a court or other parties via the electronic filing system. The user shall keep the username and the password confidential. Identifying the username and the password in the electronic filing system in order to use the system under this Directive shall be deemed an affirmation of the user and the certification of details in the electronic data.

**Article 6** If registered data, such as name, e-mail address or phone number, is changed or the user has no further need to use the electronic filing system, the user has a duty to promptly notify the staff accordingly.

Contacting the user through the registered address or phone number shall be deemed a rightful contact until there is an amendment of registered data in accordance with paragraph one.

## **Part 2: Submitting, sending and receiving pleadings or case documents**

**Article 7** The user may submit the complaint instituting the case via the electronic filing system anytime the electronic filing system is in operation, along with paying the court fee and the minimum trial expense as per the rate specified by the Office of the Judiciary.

Submitting the complaint mentioned in paragraph one shall be considered complete once the user has correctly followed the procedure and has paid the entire amount of the court fee and trial expense as specified in the procedure of the electronic filing system.

If submitting the complaint mentioned in paragraph one is completed at a time outside ordinary working hours or not on an ordinary working day of the court, it shall be deemed to be submitted on the following ordinary working hour or the following ordinary working day. The time shall be according to the time as indicated by the electronic filing system.

**Article 8** Complaints and documents submitted via the electronic filing system shall be produced under categories, forms and sizes as specified in the Announcement of the Office of the Judiciary. Otherwise, the electronic filing system shall reject such submission and it shall be deemed that there is no submission of such complaints or documents.

**Article 9** Plaints and documents submitted and sent via in the electronic filing system as well as an order or any other actions carried out by the judge or the staff shall be deemed to be signed by the relevant person who completed the process.

**Article 10** Notifying the court's order or any other statements relating to submitting, sending or receiving pleadings and documents via the electronic filing system to the user may be conducted through an email or any other information technology methods. It shall be deemed that the user has acknowledged the order from the time since such order was delivered to the user at the address registered in the system.

**Article 11** In case where the user has submitted the plaint via the electronic filing system as according to Article 7, such action shall be deemed an intention to also accept pleadings or documents from another party in the case via the electronic filing system.

**Article 12** The procedures and methods for the submission of a plaint shall be applied to testimonies, other types of pleading or any other case documents *mutatis mutandis*, except for the plaint instituting the case as additionally specified in the Announcement of the Office of the Judiciary via the electronic filing system.

### **Part 3: Sending a warrant via the electronic filing system**

**Article 13** The user may request for the sending of the summons and the copy of plaint together with making a payment via the electronic filing system by complying with the procedures as specified in the Announcement of the Office of the Judiciary. When the electronic filing system has confirmed such request, it shall be deemed that the request for sending the summons and the copy of plaint has been rightfully conducted.

### **Part 4: Making a payment via the electronic filing system**

**Article 14** The user can select a method of payment via the electronic filing system as follows:

- (1) credit or debit card;
- (2) bank account;
- (3) any other method as specified in an Announcement of the Office of the Judiciary.

**Article 15** The payment via the electronic filing system shall be completed when the court has received the full amount of paid money from a payment service provider, according to the

agreement between the Office of the Judiciary and the service provider under the criteria announced by the Office of the Judiciary.

#### **Part 5: Others**

**Article 16** Provided that the staff find cause which may give rise to the insecurity in the use of electronic filing system or any other necessities, the staff may temporarily shut down the electronic filing system immediately in order to repair, maintain or secure the electronic filing system by following the procedure as specified in the Announcement of the Office of the Judiciary.

**Article 17** A printout produced by the user or the staff from the electronic filing system shall be deemed a certified copy according to the Civil Procedure Code.

**Article 18** When there is a need for a final adjudication relating to the submitting, sending or receiving pleadings and documents via the electronic filing system, a court shall render a ruling.

**Article 19** The Office of the Judiciary shall issue an Announcement on prescribing criteria, methods and conditions for submitting, sending and receiving pleadings and documents via the electronic filing system in compliance with this Directive.

In case any necessary administrative procedure is needed in order to maintain the compliance with this Directive, the Secretary-General of the Office of the Judiciary shall stipulate such procedure.

**Article 20** Should any court be ready to comply with this Directive, such court shall issue an announcement to the public. A practical guideline of such court may be prescribed on the condition that it is not contrary to or inconsistent with this Directive.

**Article 21** The President of the Supreme Court shall be in charge of this Directive.

Being announced on .....April...26 ,...2017.....

Veerapol Tungsuwan  
President of the Supreme Court