



Court of Appeal
for British Columbia

CHECKLIST FOR COURT OF APPEAL FACTUMS (Court of Appeal Rules 21 and 22)

Last Updated: September 18, 2018

Please use these word templates to create your factum:

[Form 10 - Appellant's Factum - Word Template](#)

[Form 10 - Respondent's Factum - Word Template](#)

- “Save as” this Word template to your computer so the format, auto numbering etc., will be retained when you create your factum.
- Remember to update the index (table of contents) and delete all instruction tables when your factum is complete.

Format:

Task	Completed
30 pages maximum starting from Part 1 Statement of Facts: Rule 22(2)(c)	<input type="checkbox"/>
Font: Arial 12 (including citations): Rule 22(1)(a)	<input type="checkbox"/>
Lines spaced 1.5 lines apart: Rule 22(1)(a)	<input type="checkbox"/>
Footnotes are not explicitly subject to the above rules, but please be aware that a factum might be rejected if footnotes present a significant advantage (e.g., they take up half the page) or are in such a small font that they are difficult to read. <ul style="list-style-type: none"> • Footnotes are <u>not</u> required to be 1.5 line spaced (can be single spaced) 	<input type="checkbox"/>
Excerpts from an authority (case law, legal textbooks etc.) or a reproduction of an enactment (i.e., acts or regulations) indented and single spaced: Rule 22(1)(a)	<input type="checkbox"/>
Margins no less than 2.5 cm. (1 in): Rule 22(1)(a)	<input type="checkbox"/>
Authorities cited by following: Citation of Authorities (Civil & Criminal Practice Directive, 30 May 2013)	<input type="checkbox"/>
Pages numbered consecutively starting at Part 1 Statement of Fact : Rule 22(1)(a)	<input type="checkbox"/>
Paragraphs numbered consecutively starting at Part 1 Statement of Fact: Rule 21(1)(a)	<input type="checkbox"/>
Instruction tables deleted	<input type="checkbox"/>
Index (table of contents) updated (see index instructions table)	<input type="checkbox"/>

Electronic Factums:

It is now mandatory to file factums or statements, including replies, electronically on CD-ROM, DVD, or memory stick at the same time as paper factums or statements are filed. Please consult the following Practice Directive: [Submission of Electronic Factums and Statements \(Civil & Criminal Practice Directive, 27 June 2014\)](#).

IMPORTANT: The paper factums must be true copies of the electronic factum (excluding signature in the electronic factum)

Task	Completed
Final factum saved (“Save As”) in portable document (PDF) format To retain index (table of contents) bookmarks in navigation pane in PDF: 1. Select “File” tab and then “Save As” (change filename) 2. Select PDF from “Save as” type drop down list. 3. Click Options. 4. Click Create Bookmarks Using: ensure headings is checked 5. Click OK. 6. Click Save. <u>or</u> ;	<input type="checkbox"/>
Factum scanned in PDF format and optical character recognized (OCR)	<input type="checkbox"/>
File Name Requirements used: Submission of Electronic Factums and Statements (Civil & Criminal Practice Directive, 27 June 2014) ex. CA12435_factum_appellant.pdf	<input type="checkbox"/>
Factum saved to CD, DVD or memory stick (which will not be returned)	<input type="checkbox"/>
CD, DVD or memory stick labelled with case number	<input type="checkbox"/>
Factum saved as one file including cover page and index (exception: if a separate enactments appendix is created)	<input type="checkbox"/>
Filed with the Registry at the same time as the paper factum	<input type="checkbox"/>

Paper Factums:

Task	Completed										
Cover/back page required colours: Rule 22(1)(a) Appellant - buff Respondent - green Intervenor - yellow	<input type="checkbox"/>										
Rule 22(1)(a) <ul style="list-style-type: none"> The factum will open like a book to the printed cover page and then index. Remaining pages with text will be on the left side of the booklet with blank pages on the right side for judges to make notes. <table border="1"> <thead> <tr> <th>Step</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Print cover page on to colour paper and set aside with same colour back page.</td> </tr> <tr> <td>2</td> <td>Print entire factum single-sided.</td> </tr> <tr> <td>3</td> <td>Remove the plain cover page, index and set aside.</td> </tr> <tr> <td colspan="2">To Bind Booklet:</td> </tr> </tbody> </table>	Step	Action	1	Print cover page on to colour paper and set aside with same colour back page.	2	Print entire factum single-sided.	3	Remove the plain cover page, index and set aside.	To Bind Booklet:		<input type="checkbox"/>
Step	Action										
1	Print cover page on to colour paper and set aside with same colour back page.										
2	Print entire factum single-sided.										
3	Remove the plain cover page, index and set aside.										
To Bind Booklet:											

4	Remaining pages must be organized in a way that will set out the text of the factum on the page to the left of the binding and a blank page to the right of the binding (to allow judges to write notes on the blank page to the right).	
5	Place colour cover page, plain cover page and index face up on top of the re-organized factum pages. (2 blank pages will follow the index)	
6	Bind factum on the left side including colour cover page and back page.	
Create 4 bound copies of the factum plus as many additional copies as needed to serve on each opposing party: Rule 21(1)(b)		<input type="checkbox"/>
Part 4 - Nature of Order Sought signed by lawyer or party: Rule 22(1)(a)		<input type="checkbox"/>
Filed with Registry and served according to timelines in Rule 21(1) (including electronic factum on disc/memory stick)		<input type="checkbox"/>