



Court of Appeal for British Columbia

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## **Summary of Changes to Practice Directives**

Effective July 18, 2022

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### 1.0 Status of Existing Practice Directives on July 18, 2022

Practice Directives before July 18, 2022	Status beginning July 18, 2022
Adjournment of Appeals	<b>Rescinded.</b> See new R. 45.
Appearing before the Court	No change
Booking Civil Chambers Applications	Updated. Name changed to “Chambers Applications”
Case Management of Family Law Appeals	Updated. Name changed to “Family Law Appeals”. Describes how to request case management and reminds of availability of judicial settlement conferences.
Chambers Applications by Telephone or Videoconference	Combined with the new “Chambers Applications” practice directive. Describes how to request to appear by videoconference using the “request to appear remotely” form.
Citation of Authorities	Updated. Citation standards generally follow the most recent edition of the McGill Guide
Commencing an Appeal When Uncertain if Leave to Appeal is Required	<b>Rescinded.</b> If a litigant is unsure whether they require leave, they should indicate that leave is required on the Notice of Appeal (FORM 1) and proceed to an application for leave to appeal.
Condensed Appeals Pilot Project	<b>Rescinded.</b>

Practice Directives before July 18, 2022	Status beginning July 18, 2022
Condensed Books	<b>Rescinded.</b> See new R. 37 and Completion Instruction: Condensed Book of Evidence Condensed Book of Authorities
Consent Orders	<b>Rescinded.</b> See new R. 67.
Correction of Books Filed with Court	<b>Rescinded.</b> See new R. 82
Costs	No change
Court of Appeal Practice Directives	<b>Rescinded.</b> See new R. 89.
Court Sittings in Kamloops and Kelowna	No change
Declarations in Court Orders	Updated
Electronic Media in Appeal Books   Appeal Books Checklist	<b>Rescinded.</b> See the new Registrar’s filing directive and Completion Instruction: Appeal Books
Expedited Appeals	<b>Rescinded.</b> See new R. 31.
Filing Written Argument in Court of Appeal Chambers	<b>Rescinded.</b> See Chambers Applications directive. Guidance on written argument is provided in completion instructions for applications.
Five Justice Divisions	<b>Rescinded.</b> See new R. 43.
Frequently Cited Authorities	<b>Rescinded.</b>
Guidelines for Protecting Privacy Interests in Reasons for Judgment	<b>Rescinded.</b> See Section 1.5 of the Court’s Record and Access Policy
Hague Protocol for Appeals Regarding the Inter-jurisdictional Abduction of Children	Updated. Streamlined to reflect current practice (e.g. availability of pre-hearing conference by telephone or video conference).
Judicial Settlement Conferences	No change. Judicial settlement conferences are available should a suitable case arise.
Order Made When Extension of Time Refused	<b>Rescinded.</b> See s.36 of the Court of Appeal Act

Practice Directives before July 18, 2022	Status beginning July 18, 2022
Preferred Filing Registry	<b>Rescinded.</b>
Publication Bans and Sealing Orders	Updated.
Submission of Electronic Factums and Statements   Factum Templates	<b>Rescinded.</b> See the completion instructions and word templates for factums.
Supplementary Arguments	No change
Transcripts of Proceedings	<b>Rescinded.</b> See new R. 24.
Use of the Facsimile in the Court of Appeal	<b>Rescinded.</b> See Registrar's new filing directive.

## 2.0 Status of COVID-19 Notices on July 18, 2022

The table below provides the status of current COVID-19 notices beginning on July 18, 2022. For a full history of COVID-19 Notices see the [History of COVID-19 notices](#).

COVID-19 Notices	Status beginning July 18, 2022
Notice Regarding Modified Court of Appeal Procedures and Access to Court Proceedings during the COVID-19 Pandemic	Updated. See also Chambers Applications directive and Remote Appearances directive.
Notice Regarding Modified Filing Directions for Civil and Criminal Appeals	Rescinded. See new Registrar's filing directive.
Notice Regarding Appearing by Video	Rescinded. See new Remote Appearances directive.

### 3.0 New Practice Directives

New Practice Directives	Description
Remote Appearances	<p>New: effective July 18, 2022</p> <p>Incorporates pandemic related changes to the process for requests to appear remotely, attending by Zoom, rules and decorum.</p>
Styles of Proceedings	<p>New: effective July 18, 2022</p> <p>Provides guidance for changing styles of proceedings to a format of appellant first, respondent second for all filings, court orders, and reasons for judgment.</p>
Case Presentation Compilation Software	<p>New: effective July 18, 2022</p> <p>Those who are interested in using case presentation compilation software may submit a proposal to the Registrar.</p>

### 4.0 Filing Directive

Directive	Description
Registrar's filing directive	<p>New: effective July 18, 2022</p> <p>Provides specific directions to litigants and lawyers for filing materials in civil and criminal appeals.</p> <p>Incorporates processes and procedures in current COVID-19 notice to the public regarding modified filing directions for civil and criminal appeals.</p>