

COURT OF APPEAL FOR BRITISH COLUMBIA
E-Filing
Completion Instructions:
Application and Response Book Security for Costs - Rule 58

These application and response books contain copies of a brief written argument and the materials needed to decide an application to pay into court (1) security for costs of the appeal and/or (2) costs of proceedings in the court appealed from and/or (3) an amount under the order being appealed.

1.0 Application and Response Books

1.1 Application Book Content Requirements

Requirement	Instructions	Completed
Cover Page	Required You may create cover page using this Word template .	<input type="checkbox"/>
Table of Contents	Required	<input type="checkbox"/>
Part 1: Reasons for Judgment	Include a copy of the reasons for judgment you are seeking to appeal	<input type="checkbox"/>
Part 2: Order	Include the entered order, if available, or the form of order agreed to by counsel or parties	<input type="checkbox"/>
Part 3: Evidence and Exhibits or Affidavits	Include those parts of the evidence, exhibits or affidavits necessary for the application Include those parts of the evidence and exhibits that the applicant intends to refer in argument	<input type="checkbox"/>
Part 4: Written Argument	See content instructions in 2.0. Maximum 10 pages	<input type="checkbox"/>
Part 5: Table of Authorities	A table of the authorities, arranged alphabetically including cases and sections of enactments to be referred in the application book	

1.2 Response Book Content Requirements

Requirement	Instructions	Completed
Cover Page	Required You may use this Word template to create your cover page	<input type="checkbox"/>
Table of Contents	Required	<input type="checkbox"/>
Part 1: Evidence, Exhibits or Affidavits	Include evidence, exhibits, or affidavits (if any) relevant to the application and not otherwise included in the application book or in the response book of any other respondent.	<input type="checkbox"/>
Part 2: Written Argument	See content instructions in 2.0. Maximum 5 pages	<input type="checkbox"/>

1.3 Application & Response Book Format and Technical Requirements

This is a checklist of all requirements for electronic application books; combining multiple files into one PDF (eBook or portfolio) requires a PDF tool. [Please see this checklist with technical instructions.](#)

Requirement	Instructions	Completed
True Copies	Must be an identical or true copy of the original document whether that original is scanned from paper or saved into PDF from another program, such as Microsoft Word.	<input type="checkbox"/>
Scanned Records: Optical Character Recognized – OCR DPI - 300	<ul style="list-style-type: none"> If scanning is necessary because the original text-based document is paper or requires a handwritten signature (ex. affidavits), the scan must be Optical Character Recognized (OCR'ed) with a minimum resolution setting of 300 DPI. <p>This allows the PDF to be copied from and pasted into another document and allows text to be searchable.</p>	<input type="checkbox"/>
Page Numbering	<ul style="list-style-type: none"> page numbered (1, 2, 3) sequentially (or Bates numbered) top centre of page can start after Table of Contents or on cover page Table of Contents <u>must</u> match page numbering (or Bates numbering) Page searching <u>must</u> match page numbering (or Bates numbering) (if page numbering starts after the table of contents this is done using the Page Labels function in Adobe otherwise page 1 will be the cover page when searching – see Technical Instructions) 	<input type="checkbox"/>
Bookmarking Bookmarks must be: <ul style="list-style-type: none"> consistent; clear and; meaningful.	The combined files (documents) must also contain bookmarks, which <u>consistently, meaningfully, and clearly</u> describe the individual documents or sections of the book. For example, bookmarks should describe the contents of the Exhibit (e.g. "Exhibit 1 – June 1, 2019 - Letter from John to Jane Doe.")	<input type="checkbox"/>
Table of Contents	<ul style="list-style-type: none"> Must be consistent, clear and meaningful Create Table of Contents in Word based on sequential page numbers (or Bates numbering) in eBook (PDF portfolio) and with header style applied for title "Table of Contents" Page numbering (or Bates numbering) in Table of Contents must align with sequential page numbering of the eBook (PDF portfolio). 	<input type="checkbox"/>

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Requirement	Instructions	Completed
Cover Page	You may use this Word template to create your cover page with header style applied to document name. Example: "Application Book: Leave to Appeal"	<input type="checkbox"/>
Security Settings	Disable any security settings that might restrict or prevent the Court from viewing, printing, saving, annotating, or searching the electronic document.	<input type="checkbox"/>
File Naming	Use this file naming standard: record-title-party.pdf For example: Application-Book-Leave-to-Appeal-Smith-John.pdf or Response-Book-Leave-to-Appeal-Jones-Mary.pdf	<input type="checkbox"/>
E-Filing File size limit: maximum 100 megabytes (MB)	Court Services On-Line e-filing will accept one (1) PDF file (including cover page and Table of Contents) with a file size maximum of 100MB. <ul style="list-style-type: none"> If the document is larger than 100MB, the material cannot be electronically filed and may be filed in paper (or see volumes below) 	<input type="checkbox"/>
Volumes 100 megabytes (MB) maximum	Files greater than 100 MB: <ul style="list-style-type: none"> Can be split into volumes based on file size not number of pages. For example: an 150MB appeal book, could be split into two 75MB volumes try not to split exhibits between volumes Files less than 100 MB: one (1) file: do not spilt into separate files based on number of pages.	<input type="checkbox"/>

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2.0 Written Arguments

2.1 Written Argument Content Requirements

Application Book: **Maximum 10 pages**

Response Book: **Maximum 5 pages**

Requirement	Instructions	Completed
Cover page	Required You may use this Word template including cover page.	<input type="checkbox"/>
Part1: Facts	A brief statement of facts	<input type="checkbox"/>
Part 2: Issues	A statement of the points in issues on the application	<input type="checkbox"/>
Part3: Analysis	Include a brief statement setting out the reasons why payment of security should or should not be ordered, including your position regarding: (a) the financial position of the appellant; (b) the merits of the appeal; (c) the timeliness of the application; (d) whether the costs will be readily recoverable; (e) whether it is in the interests of justice to order security for costs.	<input type="checkbox"/>
Part 4: Order Sought	The nature of the order (or orders) requested Enter name of lawyer(s) or party(ies) who prepared the filing	<input type="checkbox"/>

2.1 Written Argument Document Format Requirements

Word template is [here](#).

Requirement	Instructions	Completed
Font	Arial 12 (including citations)	<input type="checkbox"/>
Line Spacing	Lines spaced 1.5 lines apart	<input type="checkbox"/>
Margins	No less than 2.5 cm. (1 in)	<input type="checkbox"/>
Paragraph Numbering	Paragraphs numbered consecutively starting from Part 1: Statement of Facts	<input type="checkbox"/>

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3.0 Copies for Filing and Service

3.1 E-filing

Court staff will electronically apply registry filing stamp when approved through the e-filing system.

Filing/Service	Requirements	Completed
Electronic Copies	Save 1 copy with filing stamp for your records, 1 copy with filing stamp (paper or electronic) to be served on each party	<input type="checkbox"/>

History:

Replaces Completion instructions in previous Rules and Forms

Last Updated: July 18, 2022