

Paper 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	<input type="checkbox"/>

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"/>

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1.3 Paper Format Requirements for Application and Response Books

This is a list of format requirements for creating paper application and response books.

Requirement	Instructions	Completed
True Copies	Must be an identical or true copy of the original document.	<input type="checkbox"/>
Page Numbering	<ul style="list-style-type: none"> pages numbered sequentially (or Bates numbered) may be stamped or handwritten 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) 	<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 numbering (or Bates numbering) of book Page numbering in Table of Contents must align with sequential page numbering (or Bates numbering) of the book 	<input type="checkbox"/>
Cover Page	Required You may create cover page using this Word template	<input type="checkbox"/>
Cover and Back Page Colours	Application Books: Buff Response Books: Green (no clear cover)	<input type="checkbox"/>
Printed	Double sided	<input type="checkbox"/>
Binding	Cerlox plastic comb bound in booklet form	<input type="checkbox"/>
Volumes	<ul style="list-style-type: none"> Maximum 500 pages or 250 sheets of paper per volume Full Table of Contents in each volume Volume number on cover page (e.g. 1 of 3 volumes) Sequential page numbering from first volume to last volume 	<input type="checkbox"/>
Tabs	Required for each part of the book	<input type="checkbox"/>

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2.0 Written Arguments Content Requirements

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"/>
Part 1: 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"/>
Part 3: 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](#).

Format	Requirements	Completed
Cover Page	Required See written argument Word template	<input type="checkbox"/>
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 Filing Paper Court Records

In civil appeals, e-filing is mandatory for lawyers and encouraged for self-represented parties. Registry staff will approve all paper copies by applying a filing stamp at the Registry.

Filing/Service	Requirements	Completed
Paper Copies	You will be required to file 2 copies for the Court, 1 copy for your records, 1 copy to serve on each party	<input type="checkbox"/>
Minimum Total	4 copies	

History:

Replaces Completion instructions in previous Rules and Forms

Last Updated: