

COURT OF APPEAL FOR BRITISH COLUMBIA

E-Filing

Completion Instruction:

Appeal Record - Rule 23

Appeal records contain copies of initiating documents, orders, judgments/decisions and the notice of appeal or leave.

1.0 Appeal Record

1.1 Appeal Record 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: Initiating Documents	Please include the following initiating documents based on where appeal is being initiated from:	<input type="checkbox"/>
Trial	If the appeal is from a trial, include the most recently amended: <ul style="list-style-type: none"> • notice of civil claim • response to civil claim • counterclaim (if any) 	
Chambers	If the appeal is from a chambers order (excluding Judicial Review of a Tribunal), include the most recently amended: <ul style="list-style-type: none"> • notice of civil claim • response to civil claim • counterclaim (if any) • notice of application • application response 	
Tribunal (by judicial review)	If the appeal is from a chambers order judicially reviewing a tribunal decision, include the most recently amended: <ul style="list-style-type: none"> • the petition and petition response relating to the order under appeal 	
Tribunal (direct appeal)	If the appeal is directly from a tribunal, provide the most recently amended record that initiated and responded to the proceeding before the Tribunal	

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PART 2: Order Under Appeal	<p>A copy of the entered order under appeal,</p> <p>If the order under appeal is not yet entered:</p> <ul style="list-style-type: none"> • Create a page stating that the “order will be submitted when available. • Indicate in Table of Contents: order to be submitted at a later date. <p>In the case of an appeal or judicial review from a tribunal, a copy of that tribunal’s order if separate from the reasons.</p> <p>NOTE: an appeal cannot be scheduled for hearing until the copy of the entered order is provided.</p>	<input type="checkbox"/>
PART 3: Reasons for Judgment or Decision Under Appeal	<p>If you have appealed a decision from a tribunal to the Supreme Court include a copy of that tribunal’s decision and the Supreme Court’s decision.</p>	<input type="checkbox"/>
PART 4: Notice of Appeal or Leave	<p>A copy of the notice of appeal and a copy of the entered order granting leave to appeal if applicable.</p> <p>If the order granting leave has not yet been entered:</p> <ul style="list-style-type: none"> • Create a page stating the “order will be submitted when available.” • Indicate in the Table of Contents: the order will be submitted at a later date 	<input type="checkbox"/>
PART 5: Notice Under the Constitutional Questions Act	<p>A copy of any notice required under this Act.</p>	

1.2 Format and Technical Requirements for Appeal Record eBook

This is a checklist of all requirements for electronic 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	<p>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.</p>	<input type="checkbox"/>

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Scanned Records: Optical Character Recognized - OCR	<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) This allows the PDF to be copied from and pasted into another document and text to be searchable. 	<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. 	<p>The combined files (documents) must also contain bookmarks, which <u>consistently, meaningfully, and clearly</u> describe the individual documents or sections of the book.</p> <p>For example, Bookmarks should describe the contents of the Exhibit (e.g. “Exhibit 1 – June 1, 2019 Letter from John to Jane Doe.”)</p>	<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"/>
Cover Page	<p>You may use this Word template to create your cover page with header style applied to document name. Example: “Appeal Record”</p>	<input type="checkbox"/>
Security Settings	<p>Disable any security settings that might restrict or prevent the Court from viewing, printing, saving, annotating, or searching the electronic document.</p>	<input type="checkbox"/>

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Requirement	Instructions	Completed
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. 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 per volume	<p>Files greater than 100 MB:</p> <ul style="list-style-type: none"> • Can be split into volumes based on file size not number of pages. <p>For example: an 150MB appeal book, could be split into two 75MB volumes</p> <ul style="list-style-type: none"> • try not to split exhibits between volumes <p>Files less than 100 MB: one (1) file:</p> <ul style="list-style-type: none"> • do not spilt into separate files based on number of pages per volume. 	<input type="checkbox"/>

2.0 Copies for Filing and Service

2.1 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"/>
Paper Copies for the Court	<p>You are required to provide the Court with three (3) paper copies of the e-filed stamped appeal record.</p> <p>You must do this no more than two (2) weeks after e-filing</p>	

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3.2 Submission of Paper Appeal Records

This is a list of format requirements for creating paper appeal record books.

Requirement	Instructions	Completed
True Copies	Must be an identical or true copy of the original document. Print electronic appeal record with filling stamp.	<input type="checkbox"/>
Cover and Back Page Colours	Blue	<input type="checkbox"/>
Printed	Double sided	<input type="checkbox"/>
Binding	Cerlox plastic comb bound in booklet form	<input type="checkbox"/>
Cover Page	Required Cover page template	<input type="checkbox"/>
Volumes	<ul style="list-style-type: none"> • Maximum 500 pages (250 sheets of paper) per volume • Full Table of Contents in each volume • Volume number on cover page – handwritten or add text with PDF tool (e.g. 1 of 3 volumes) • Sequential page numbering from first volume to last volume 	<input type="checkbox"/>

History:

Replaces Completion instructions in previous Rules and Forms

Last Updated: July 18, 2022