

COURT OF APPEAL FOR BRITISH COLUMBIA
E-Filing
Completion Instructions:
Factums and Replies

Factums contain the written argument for an appeal.

1.0 Factums and Replies

1.1 Types of Factums

These completion instructions apply to court records listed below. There are corresponding Word templates available for each type of factum or reply [here](#).

Title	Rule	Page Maximums: Part 1 to the end of Part 4
Appellant's Factum	25(1)	30 pages
Respondent's Factum	25(2)	30 pages
Appellant's Reply	25(3)	5 pages
Intervener's Factum	61(4)	10 pages
CROSS APPEALS		
Respondent's Cross Appeal Factum	29(1)	45 pages
Appellant's Cross Appeal Response Factum	29(2)	15 pages
Respondent's Cross Appeal Reply	29(3)	5 pages

1.2 Factum General Content Requirements

All factums require the below parts.

[Factum templates](#) have specific content requirements for each type of factum.

Requirement	Instructions	Completed
Cover Page	Required	<input type="checkbox"/>
Table of Contents	Required	<input type="checkbox"/>
Chronology	Enter brief, point form list or table of only critical events and dates (relevant to an issue on appeal).	<input type="checkbox"/>
Opening Statement	Enter concise statement of the nature of the appeal.	<input type="checkbox"/>
Part 1: Statement of Facts	See Factum templates	<input type="checkbox"/>
Part 2: Errors in Judgment or Issues on Appeal	See Factum templates	<input type="checkbox"/>
Part 3: Argument	See Factum templates	<input type="checkbox"/>
Part 4: Nature of Order Sought	Enter a concise statement of the nature of the order that is sought by the party preparing the factum.	<input type="checkbox"/>

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Requirement	Instructions	Completed
Appendices: Table of Authorities	Authorities (case law, legal textbooks etc.) referred to in the factum must be listed in alphabetical order.	<input type="checkbox"/>
Appendices: Enactments	The appendix is used for enactments (i.e., acts or regulations) only. No other documents may be added.	<input type="checkbox"/>

1.3 Document Format Requirements

These format requirements are pre-set in [factum templates](#).

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"/>
Font	Arial 12 (including citations) (<i>pre-set in template</i>)	<input type="checkbox"/>
Line Spacing	Lines spaced 1.5 lines apart (<i>pre-set in template</i>)	<input type="checkbox"/>
Footnotes	Footnotes are not explicitly subject to the above rules; however, a factum might be rejected if footnotes present a significant advantage (e.g., they take up half the page) or are in a font which make them difficult to read. <ul style="list-style-type: none">• Footnotes can be single spaced.	<input type="checkbox"/>
Authorities	How to cite authorities: Practice Directive	<input type="checkbox"/>
Excerpts of Authorities	Excerpts from an authority (case law, legal textbooks etc.) or a reproduction of an enactment (i.e., acts or regulations) indented and single-spaced	<input type="checkbox"/>
Margins	No less than 2.5 cm. (1 in) (<i>pre-set in template</i>)	<input type="checkbox"/>
Page Numbering	Pages numbered consecutively starting on the cover page (<i>pre-set in template</i>) <i>Page maximums are based on the page count from Part 1 to the end of Part 4. (does not include cover page, table of contents, chronology, opening statement or appendices)</i>	<input type="checkbox"/>
Paragraph numbering	Paragraphs numbered consecutively starting at Part 1 Statement of Facts in factums (or after table of contents in replies) (<i>pre-set in template</i>)	<input type="checkbox"/>
Table of Contents	Required and must be updated (see instructions in template) (<i>pre-set in template</i>)	<input type="checkbox"/>

2.0 How to Use Word Templates

Content instructions with examples and document format requirements are pre-set in the factum and reply templates available [here](#).

Step	Action	Completed														
Step 1: Saving Template	To retain pre-set document formatting “Save as” factum Word templates to your computer and enter content to your factum.	<input type="checkbox"/>														
Step 2: File Name	Save as: case#_factum_party’s role_name.pdf example: CA12435_factum_appellant_BC-Organization.docx CA12345_factum_respondent_Smith-John.docx	<input type="checkbox"/>														
Step 3: Deleting Tables	Delete template instruction tables when your factum is complete.	<input type="checkbox"/>														
Step 4: Save As – PDF	When complete and final: “Save As” in portable document format (PDF). Avoid scanning. If the factum is printed and scanned, it must be Optical Character Recognized (OCR) .	<input type="checkbox"/>														
Step 5: Table of Contents Bookmarks	To retain table of contents bookmarks in navigation pane: <table border="1" data-bbox="370 1115 1318 1575"> <thead> <tr> <th>Step</th> <th>Action</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Select “File” tab and then “Save As” (change filename)</td> </tr> <tr> <td>2</td> <td>Select PDF from “Save as” type drop down list.</td> </tr> <tr> <td>3</td> <td>Click Options.</td> </tr> <tr> <td>4</td> <td>Click Create Bookmarks Using: “ensure headings” is checked</td> </tr> <tr> <td>5</td> <td>Click OK.</td> </tr> <tr> <td>6</td> <td>Click Save.</td> </tr> </tbody> </table>	Step	Action	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.	<input type="checkbox"/>
Step	Action															
1	Select “File” tab and then “Save As” (change filename)															
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3.0 Copies for Filing and Service

3.1 E-filing Court Records

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 Court	You are required to provide the registry with three (3) paper copies with registry filing stamp for the Court. You must do this no more than two (2) weeks after e-filing.	

3.2 Submission of Paper Factums

The below procedures must be followed when submitting three (3) paper factums or replies to the Court.

Requirement	Instructions	Completed						
Cover and Back Page Colours	Factum Type	<input type="checkbox"/>						
	Appellant's Factum, Reply, Cross Appeal Response		Buff					
	Respondent's Factum, Cross Appeal Factum, Cross Appeal Reply		Green					
	Intervener's Factum		Yellow					
Binding Cerlox	The factum or reply will open like a book to a duplicate of the printed colour cover page then followed by the table of contents. Remaining pages with text will be on the left side of the binding with blank pages on the right side for justices 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 only 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></tbody></table>	Step	Action	1	Print cover page only on to colour paper and set aside with same colour back page.	2	Print entire factum single-sided.	<input type="checkbox"/>
Step	Action							
1	Print cover page only on to colour paper and set aside with same colour back page.							
2	Print entire factum single-sided.							

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3	Remove the white cover page and table of contents then set aside (you will need these later.)
To Bind Booklet:	
4	Remaining pages must be re-organized in a way that will set out the content of the factum on the page to the left of the binding and a blank page to the right of the binding (to allow justices to write notes on the blank page to the right).
5	Place colour cover page, white cover page and table of contents face up on top of the re-organized factum pages. (2 blank pages will follow the table of contents)
6	Bind factum on the left side including colour cover page and back page.

History:

Replaces Completion instructions in previous Rules and Forms and Practice Directives

Last Updated: August 22, 2022