

# COURT OF APPEAL FOR BRITISH COLUMBIA

## E-Filing

### Checklist: Criminal Factums and Reply

*Factums contain the written argument for an appeal.*

## 1.0 Factums and Reply

### 1.1 Types of Factums

This checklist applies to court records listed below. There are corresponding Word templates available for each type of factum or reply [here](#).

Title	Criminal Rule	Page Maximums: Part 1 to the end of Part 4
Appellant's Factum	10	30 pages
Respondent's Factum	10	30 pages
Appellant's Reply	10	5 pages
Intervener's Factum	10	10 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
<b>Cover Page</b>	Required see Factum Templates Enter Publication Ban (if any) as per this <a href="#">Practice Directive</a> referencing legislative provision (or inherent jurisdiction) that authorises the ban and the ban's precise terms.	<input type="checkbox"/>
<b>Table of Contents</b>	Required	<input type="checkbox"/>
<b>Part 1: Statement of Facts</b>	<a href="#">See Factum templates</a>	<input type="checkbox"/>
<b>Part 2: Errors in Judgment or Issues on Appeal</b>	<a href="#">See Factum templates</a>	<input type="checkbox"/>
<b>Part 3: Argument</b>	<a href="#">See Factum templates</a>	<input type="checkbox"/>
<b>Part 4: Nature of Order Sought</b>	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
<b>Appendices: Table of Authorities</b>	Authorities (case law, legal textbooks etc.) referred to in the factum must be listed in alphabetical order.	<input type="checkbox"/>
<b>Appendices: Enactments</b>	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
<b>True Copies</b>	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"/>
<b>Font</b>	Arial 12 (including citations) ( <i>pre-set in template</i> )	<input type="checkbox"/>
<b>Line Spacing</b>	Lines spaced 1.5 lines apart ( <i>pre-set in template</i> )	<input type="checkbox"/>
<b>Footnotes</b>	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"> <li>Footnotes can be single spaced.</li> </ul>	<input type="checkbox"/>
<b>Authorities</b>	How to cite authorities: <a href="#">Practice Directive</a>	<input type="checkbox"/>
<b>Excerpts of Authorities</b>	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"/>
<b>Margins</b>	No less than 2.5 cm. (1 in) ( <i>pre-set in template</i> )	<input type="checkbox"/>
<b>Page Numbering</b>	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. (page maximum does not include cover page, table of contents, or appendices)</i>	<input type="checkbox"/>
<b>Paragraph numbering</b>	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"/>
<b>Table of Contents</b>	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														
<b>Step 1: Saving Template</b>	To retain pre-set document formatting “Save as” factum Word templates to your computer and enter content to your factum.	<input type="checkbox"/>														
<b>Step 2: File Name</b>	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"/>														
<b>Step 3: Deleting Tables</b>	Delete template instruction tables when your factum is complete.	<input type="checkbox"/>														
<b>Step 4: Save As – PDF</b>	When complete and final: “Save As” in portable document format (PDF). <b>Avoid scanning.</b> If the factum is printed and scanned, it <b>must</b> be <b>Optical Character Recognized (OCR)</b> .	<input type="checkbox"/>														
<b>Step 5: Table of Contents Bookmarks</b>	To retain table of contents bookmarks in navigation pane: <table border="1"> <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"/>
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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
<b>Electronic Copies</b>	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"/>
<b>Paper Copies for Court</b>	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								
<b>Cover and Back Page Colours</b>	<b>Factum Type</b>	<input type="checkbox"/>								
	<b>Appellant's</b> Factum, Reply, Cross Appeal Response		Buff							
	<b>Respondent's</b> Factum, Cross Appeal Factum, Cross Appeal Reply		Green							
	<b>Intervener's</b> Factum		Yellow							
<b>Binding Cerlox</b>	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.	<input type="checkbox"/>								
	<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> <tr> <td>3</td> <td>Remove the white cover page and table of contents then set aside (you will need these later.)</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.	3	Remove the white cover page and table of contents then set aside (you will need these later.)	
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1	Print cover page only on to colour paper and set aside with same colour back page.									
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3	Remove the white cover page and table of contents then set aside (you will need these later.)									

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	<b>To Bind Booklet:</b>	
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: New

Last Updated: February 2, 2023