

# COURT OF APPEAL FOR BRITISH COLUMBIA

## Paper 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 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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<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"/>

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Requirement	Instructions	Completed																
<b>Cover and Back</b>  <b>Page Colours</b>	<table border="1"> <thead> <tr> <th data-bbox="378 348 1052 401">Factum Type</th> <th data-bbox="1052 348 1258 401">Colour</th> </tr> </thead> <tbody> <tr> <td data-bbox="378 401 1052 464">Appellant’s Factum, Reply</td> <td data-bbox="1052 401 1258 464">Buff</td> </tr> <tr> <td data-bbox="378 464 1052 527">Respondent’s Factum</td> <td data-bbox="1052 464 1258 527">Green</td> </tr> <tr> <td data-bbox="378 527 1052 583">Intervener’s Factum</td> <td data-bbox="1052 527 1258 583">Yellow</td> </tr> </tbody> </table>	Factum Type	Colour	Appellant’s Factum, Reply	Buff	Respondent’s Factum	Green	Intervener’s Factum	Yellow	<input type="checkbox"/>								
Factum Type	Colour																	
Appellant’s Factum, Reply	Buff																	
Respondent’s Factum	Green																	
Intervener’s Factum	Yellow																	
<b>Binding</b>  <b>Cerlox</b>	<p>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.</p> <p>Remaining pages with text will be on the left side of the binding with blank pages on the right side for judges to make notes.</p> <table border="1"> <thead> <tr> <th data-bbox="378 804 467 856">Step</th> <th data-bbox="467 804 1258 856">Action</th> </tr> </thead> <tbody> <tr> <td data-bbox="378 856 467 961">1</td> <td data-bbox="467 856 1258 961">Print cover page only on to colour paper and set aside with same colour back page.</td> </tr> <tr> <td data-bbox="378 961 467 1035">2</td> <td data-bbox="467 961 1258 1035">Print entire factum single-sided.</td> </tr> <tr> <td data-bbox="378 1035 467 1140">3</td> <td data-bbox="467 1035 1258 1140">Remove the white cover page and table of contents then set aside (you will need these later.)</td> </tr> <tr> <td colspan="2" data-bbox="378 1140 1258 1192" style="text-align: center;"><b>To Bind Booklet:</b></td> </tr> <tr> <td data-bbox="378 1192 467 1402">4</td> <td data-bbox="467 1192 1258 1402">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 judges to write notes on the blank page to the right).</td> </tr> <tr> <td data-bbox="378 1402 467 1518">5</td> <td data-bbox="467 1402 1258 1518">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)</td> </tr> <tr> <td data-bbox="378 1518 467 1602">6</td> <td data-bbox="467 1518 1258 1602">Bind factum on the left side including colour cover page and back page.</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.)	<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 judges 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.	<input type="checkbox"/>
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## 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:</b> <b>Saving</b> <b>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:</b> <b>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:</b> <b>Deleting Tables</b>	Delete template instruction tables when your factum is complete.	<input type="checkbox"/>														
<b>Step 4:</b> <b>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:</b> <b>Table of</b> <b>Contents</b> <b>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 Filing Paper Court Records

Court staff will approve all paper copies by applying a filing stamp at the Registry.

Filing/Service	Requirements	Completed
<b>Paper Copies</b>	You will be required to file 1 copy for each judge and 1 copy for the court, 1 copy for your records, 1 copy to be served on each party	<input type="checkbox"/>
<b>Minimum Total</b>	6 copies	
<b>Electronic copy</b>	The court requires an electronic factum with filing stamp submitted to the Registry (see instructions below)	

#### 3.2 Submission of Electronic Factum or Reply

The below procedures must be followed when submitting electronic factums and replies for the Court.

Requirement	Instructions	Completed
<b>Submitting Electronic Factums with Filing Stamp</b>	<p>A paper factum or reply with registry filing stamp must be:</p> <ul style="list-style-type: none"> <li>scanned in <b>PDF</b> format and <a href="#">optical character recognized</a> (OCR) to make the factum text searchable and to enable copying and pasting from the electronic factum or reply.</li> <li>*e-mailed to <a href="mailto:appealrecords@bccourts.ca">appealrecords@bccourts.ca</a> with subject line example: <b>CA12345 Smith v. Jones – appellant’s factum</b></li> </ul> <p>*Please note in body of e-mail paper copies have been filed</p>	<input type="checkbox"/>
<b>Deadline</b>	The Court requires the electronic factum no more than <b>2 weeks</b> after filing the paper factums.	<input type="checkbox"/>
<b>Factum = 1 electronic file</b>	Factums must be saved as <u>one PDF electronic file/document</u> including cover page, table of contents and appendices.	<input type="checkbox"/>

History: New

Last Updated: February 2, 2023