



Overview of the Appeal Record & Transcripts

Civil Rules 14.15 – 14.22
Criminal Rules 16.12 – 16.15

Electronic Filing

On March 1, 2021, e-filing became mandatory. All documents must be formatted in accordance with the [Practice Direction on Electronic Filing](#) and filed via the Court of Appeal Management System ([CAMS](#)). Unless an exemption from e-filing is granted, paper documents at the counter and documents via email will not be accepted.

For more information about CAMS, including how to register for an account and how to format and file documents, view the [CAMS Manual](#) and [FAQs](#). To visit the CAMS e-filing website, click [here](#).

General

The Appeal Record consists of Part 1 (Pleadings), Part 2 (Final Documents) and Part 3 (Transcripts). Part 1 and Part 2 are commonly filed together in a “red book”, while Part 3 is filed as a stand-alone document.

Sample tables of contents for various types of appeal records are posted on the Court’s [website](#) under Court of Appeal > Registry > Filing Information > Appeal Record Requirements.

See also the Mandatory Requirements & Check/Return Form for an Appeal Record for a list of the minimum requirements that Registry staff will watch for when documents are filed. This form is located on the CAMS e-filing [website](#) under Manual/Tip Sheets > Mandatory Requirements & Check Return Forms.

Deadlines – Ordering Transcripts

Appeal Record (including transcripts)	Must be ordered, or preparation commenced, by the appellant within 10 days after filing a Notice of Appeal
Copy of Order Form	Must be filed and served on the respondent(s) within 5 days of placing the order

Transcripts can be ordered from Transcript Management Services (TMS) by clicking [here](#).

If the appellant prefers not to compile the Appeal Record itself, the entire Appeal Record may also be ordered from TMS by clicking [here](#).



TMS's contact information is as follows:

Transcript Management Services
Calgary Courts Centre
Suite 1901-N, 601-5th Street SW
Calgary, AB T2P 5P7

Phone: 403-297-7392

Fax: 403-297-7034

Email: tms.calgary@gov.ab.ca

Hours: 8:15 am - 4:30 pm (Monday to Friday, closed statutory holidays)

Deadlines - Filing

Standard Appeal	4 months from the date that the Notice of Appeal was filed	
Fast Track Appeal	1 month from the date that the Notice of Appeal was filed	
Conviction Appeal (includes acquittal and decision appeals)	4 months from the date that the Notice of Appeal was filed	
Sentence Appeal	<i>Where the appeal is as to Sentence only and the net Sentence is</i>	
	6 months or less	2 months after the date on which the Notice of Appeal was filed
Sentence Appeal	More than 6 months	3 months after the date on which the Notice of Appeal was filed
	<i>Where the appeal is as to Conviction and Sentence</i>	
2 months after the date on which the conviction appeal was dismissed, struck or abandoned		



Missed Deadlines

If the deadline for filing the Appeal Record is missed:

Standard or Fast Track Appeal	The appeal will be struck	
Conviction Appeal or Sentence Appeal (includes acquittal and decision appeals)	<i>If the appellant is represented by counsel or is self-represented and not in custody</i>	The appeal will be struck
	<i>If the appellant is self-represented and in custody</i>	The Registrar may refer the appeal to a single appeal judge for directions

Transcripts Required

The following transcripts must be ordered for a civil appeal:

Civil Appeal (includes Standard and Fast Track Appeals)	<ul style="list-style-type: none"> • all oral evidence (what the witnesses said) • all oral argument (what the lawyers said) from a chambers application, if that application did not exceed one-half day (if it exceeded one-half day, transcripts of oral argument are optional) • only such part of the oral argument (what the lawyers said) from a trial as is necessary to decide the appeal • any oral reasons for the decision under appeal (what the judge said) and for any other ruling that will be an issue in the appeal
Conviction Appeal (includes Acquittal and Decision Appeals)	<ul style="list-style-type: none"> • all oral evidence (what the witnesses said) • only that part of the oral argument (what the lawyers said) that is necessary to determine the appeal • any oral reasons for the decision under appeal (what the judge said) • in the case of an appeal from a judgment in a jury trial, the address to the jury of each party, the judge’s charge to the jury and the answers given to any questions from the jury



Sentence Appeal

- the plea and particulars
- all oral evidence (what the witnesses said)
- speaking to sentence:
 - in the case of a guilty plea, from the time of the plea,
 - and in all other cases, from the time of conviction
- any oral reasons for the decision under appeal (what the judge said)

Content

Every appeal record must have a Table of Contents is required listing each document separately and showing the page number where the document can be found. The Table of Contents must include a copy of the table of contents from the transcripts (unless there are no transcripts).

Every appeal record consists of three parts. The following chart sets out the rule which contains a complete list of the contents for each part depending on the type of appeal.

	Civil Appeals (includes Fast Track and Standard Appeals)	Conviction Appeals (including Acquittal and Decision Appeals)	Sentence Appeals
Part 1 (Pleadings)	Rule 14.18(1)(b)	Rule 16.13(b)	Rule 16.14(b)
Part 2 (Final Documents)	Rule 14.18(1)(c)	Rule 16.13(c)	Rule 16.14(c)
Part 3 (Transcripts)	Rule 14.18(1)(d)	Rule 16.13(d)	Rule 16.14(d)

Missing Documents

If any document that should have gone in to the Appeal Record is not available at the time of preparation (e.g., the order under appeal), a note to that effect must be inserted in the Appeal Record. A preparer’s note in the Table of Contents will suffice. The missing materials can then be included in the Extracts of Key Evidence or as an appendix to the Factum.



Documents Not to Be Included

The following documents do **not** belong in an Appeal Record: affidavits, exhibits, agreed statements of fact, expert reports, correspondence, transcripts of questioning, etc. All of these documents properly belong in the Extracts of Key Evidence.

Format

The Appeal Record has a prescribed cover page (Form AP-5 for **civil** appeals and Form CRA-K for **criminal** appeals). These forms are available on the Court's [website](#) under Court of Appeal > Registry > Filing Information > Filing, Fee and Forms. The forms for civil matters and criminal matters are grouped separately on the website. Ensure that you use the correct one.

An Appeal Record must be formatted in accordance with the [Practice Direction on Electronic Filing](#). This includes such things as coloured covers, bookmarks, pagination, hyperlinking and so on. For complete information, see the Formatting section of the [CAMS Manual](#) and the section entitled Electronic Filing Formatting Requirements Overview.

Parts 1 and 2 of the Appeal Record must have red covers. Part 3 does not require a cover page.

Part 3, Transcripts, must be uploaded to the Court's [website](#) (located under Court of Appeal > Electronic Filing) and approved before the hard copy is filed. Allow at least 3 business days for this step. If TMS has prepared the Appeal Record, they will complete this step. If TMS has prepared only the Transcripts, it is the appellant's responsibility to complete this step.

A sample formatted Appeal Record is available on the on the CAMS e-filing [website](#) under Manual/Tip Sheets > Sample Formatted Documents.

NOTE

If an exemption from the requirement to file documents electronically is granted, the content, format, filing and other requirements of the [Alberta Rules of Court](#) apply except that only one paper copy is required to be filed, and it must be an unbound copy containing no staples or binding other than easily removable clips or rubber bands.