

## Court of Appeal of Alberta

### Factum – Mandatory Requirements and Check/Return Form

(NOTE: This form contains only minimum requirements and should not be relied upon as a comprehensive resource. Filing of a document does not confirm compliance with all aspects of the Rules of Court. For a complete list of all document requirements, please consult the [Rules of Court](#).)

#### A. Filing Restriction

Further to the correspondence from the Case Management Officer, the Factum cannot be filed until the appropriate application (permission to appeal or extend time to appeal) is filed and granted.

#### B. Filing Deadline

The factum has been stamped Filed Late.  
 The appeal has been struck and the factum may not be filed until the appeal is restored.

#### C. Cover Page (Rules 14.26(4), 14.87 and 16.37(2))

The prescribed form for a cover page is Form AP-5 for a civil appeal and Form CRA-K for a criminal appeal.

**The factum has been filed on the condition that you provide 1 copy of a new card stock cover page by [Click here to enter a date](#)** Failure to meet the above deadline will result in your document being marked non-compliant.

Or

**The factum has been marked Non-Compliant** because:

- the cover page is missing:
  - the Court of Appeal file number (1)
  - a style of cause (2)

**The factum has been filed on the condition that you provide 1 copy of a new card stock cover page by [Click here to enter a date](#)** Failure to meet the above deadline will result in your document being marked non-compliant. b The cover page should be (3):

- beige/ivory (for appellants and respondents on a cross appeal)
- green (for respondents and appellants on a cross appeal)
- blue (for intervenors)

#### D. Content (Rules 14.25(1) and 16.17)

**The factum has not been filed and is being returned for correction** because:

- The Table of Contents is missing, or
- The Table of Contents is missing the following parts:
  - Part 1 – Facts
  - Part 2 – Grounds of Appeal
  - Part 3 – Standard of Review
  - Part 4 – Argument
  - Part 5 – Relief Sought

The authorities or extracts attached to the factum make the factum too lengthy. (Books of Authorities or Extracts of Key Evidence appended to a factum should not be longer than approximately 30 pages each.)

It is missing a Sentence Questionnaire. (CRA-E) (The Questionnaire must be included in the Appellant's Sentence Factum [if the appellant is represented] or in the Respondent's Factum [if the appellant is unrepresented].)

**The factum has been filed on the condition that you provide 1 copy of the Table of Authorities by [Click here to enter a date](#)** Failure to meet the above deadline will result in your document being marked non-compliant. (4)

or

**The factum has been filed but has been marked Non-Compliant** because the Table of Authorities is missing. (5)

**The factum has been stamped Time Limit Applies** because the maximum time limit for oral argument is 45 minutes.

**E. Respondent's Factum Where Cross Appeal Filed (Rule 14.25(2))**

The factum has not been filed and is being returned for correction because:

- The respondent's factum on the cross appeal is missing the sections "factum on the appeal" and "factum on the cross appeal".
- The Table of Contents for each section is either missing or is incomplete. See section C. above.

**F. Format (Rules 14.26(1) and 16.18)**

The factum has been marked Non-Compliant because, or

The factum has not been filed and is being returned for correction because:

- the format is incorrect. It does not have (6):
  - 12 point font
  - One inch margins
  - One and one-half line spacing (except for quotations)
  - Single-sided printing
  - Binding along the right hand side of the page so the printed text is to the left of the binding

it is not 8.5" x 11" inches in size (7)

NOTES:

Completed by:

**G. Page limits (Rules 14.26(2) and 16.18(2))**

The factum has not been filed and is being returned for correction because it exceeds the following page limit:

- 30 for the parties in a standard appeal
- 40 for a respondent who has filed a cross appeal in a standard appeal
- 10 for an appellant's factum in response to a cross appeal
- 30 for an intervenor
- 12 for every party in a fast track appeal

Date: