

Court of Appeal of Alberta

Judgment/Order/Release Order – 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. Content

Precedents for a judgment, order and Release Order can be found at www.albertacourts.ab.ca under Court of Appeal > Registry > Filing, Fees and Forms.

The judgment or order has not been filed and is being returned for correction because it does not contain the following information:

- the Court of Appeal file number
- a style of cause that matches that on the notice of appeal; any order, fiat or direction amending the style of cause; or the written Reasons for Decision, Memorandum of Judgment or Reasons for Judgment Reserved.

B. Release Order – Form 11

The judgment or order has not been filed and is being returned for the following corrections:

- Form CRA-G is the prescribed form for a Release Order [(Criminal Code Form 11; Rule 16.25(4)] not used
- information in the preamble (paragraph #2) must reflect the correct information. i.e., the type of appeal and lower court information needs to be correct.
- the offence box needs to reflect the offences under appeal.
- Appellant Signature Page – Not to be completed prior to granting of the Release Order exemption.
- Surety Page – Not to be completed prior to granting of the Release Order
- Named Surety – Form 12 Surety Declaration or consent from the Crown exempting the Surety Declaration is required.
- Order is missing the General Condition(s) as per Form CRA-G.
- Order is missing a Reporting Condition as per Form CRA-G
- Order is missing Other Conditions(s) as per the Court's order.

C. Form (Rule 9.1)

The judgment or order has not been filed and is being returned for correction because it does not include:

- the date on which it was pronounced (if the decision was reserved, the date that the written reasons were filed is the date of pronouncement)
- the location at which it was pronounced
- the name(s) of the judge(s) who granted it
- the name of the dissenting justice and the grounds in law upon which the justice dissents (applicable in criminal matters only; section 677, Criminal Code and Rule 16.36(2))

D. Signature(s) Required (Rule 9.4)

The judgment or order has not been filed and is being returned for correction because it does not contain the signatures of all parties who attended the hearing.

Exception: Unless otherwise directed, where the Attorney General prepares the judgment or order, and the other party is self-represented, the approval of the other party is not required.

(If all parties do not approve or object to a draft order or judgment within 10 days of service, a request to file the order or judgment in the absence of all signatures may be made to the case management officer provided proof of service is established.)

E. Time to Enter Judgments and Orders (Rule 9.5(2))

The judgment or order has not been filed and is being returned for correction because it has been more than 3 months since it was pronounced and a fiat is required before it can be filed. (A letter addressed to the case management officer (and copied to all other parties) should be provided explaining the delay.)

Notes:

Click here to enter any additional notes

Completed by: «\$userInitials»

| Date: «\$systemDateLong»