

COURT OF APPEAL OF ALBERTA

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

PLAINTIFF/APPLICANT:
STATUS ON APPEAL:

DEFENDANT/RESPONDENT
STATUS ON APPEAL:

DOCUMENT: **FACTUM**



Appeal from the Order/Judgment/Conviction/Decision/Acquittal of
The Honourable Mr./Madam Justice _____
Dated the ____ day of _____, 20____
Filed the ____ day of _____, 20____

FACTUM OF THE APPELLANT/RESPONDENT

For the Appellant
Appellant/Counsel's Name
Name of Firm
Address
Telephone Number
Fax Number

For the Respondent
Appellant/Counsel's Name
Name of Firm
Address
Telephone Number
Fax Number

TABLE OF CONTENTS

| | | |
|----------------------|--|---|
| PART 1 | FACTS (List any subheadings) | 1 |
| PART 2 | GROUNDINGS OF APPEAL (List any subheadings) | 2 |
| PART 3 | STANDARD OF REVIEW (List any subheadings) | 3 |
| PART 4 | ARGUMENT (List any subheadings) | 4 |
| PART 5 | RELIEF SOUGHT (List any subheadings) | 5 |
| Table of Authorities | | 6 |
| Appendices (if any) | | 7 |

(See Rule 14.25(1) addressing the contents of factums.)

PART 1 – FACTS

In the appellant's factum, this is a statement of facts including, if desired, a concise introductory statement of the legal issues raised.

In the respondent's factum, this is a statement of the respondent's position on the facts as stated by the appellant, and any other facts considered relevant.

PART 2 – GROUNDS OF APPEAL

In the appellant's factum, this is a concise statement of the grounds for appeal.

In the respondent's factum, this is a statement of the respondent's position in regards to the stated grounds, and any other points that may properly be put in issue.

PART 3 – STANDARD OF REVIEW

In both the appellant's and respondent's factums, this is a statement on the relevant standard of review. Among other resources, see Hon. Roger P. Kerans & Kim W. Willey, *Standards of Review Employed by Appellate Courts*, 2nd ed. (Edmonton: Juriliber, 2006).

PART 4 – ARGUMENT

In both the appellant's and the respondent's factums, this is a discussion addressing the questions of law or fact raised by the appeal.

PART 5 – RELIEF SOUGHT

In both the appellant's and the respondent's factums, this is a statement of the relief sought, including any special direction with respect to costs.

Estimate of time required for the oral argument: _____ minutes.¹

¹ Rule 14.32(4) provides that unless the panel otherwise permits, oral argument must not exceed 45 minutes for each separately represented party in the appeal, with any consolidated appeals to be treated as one appeal.

Table of Authorities

The Table of Authorities is a list of the legal authorities referred to in the factum and reproduced in the Book of Authorities. Each authority should be listed separately and identified by tabs or otherwise. Any neutral citation assigned to the authority by the court that decided it should be provided along with at least one print citation where available. See Rules 14.30 and 14.31 for other requirements.

Attach appendices (if any)

Appendices can include extracts from any statute, enactment or rule necessary for the disposition of the appeal, unless they are reproduced elsewhere in the materials to be filed.