

Court of Appeal of Alberta

Application – 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 Fee (Rule 14.89)

- The application for permission to appeal (civil only) has not been filed because a \$600.00 filing fee is required.
- The application to restore the appeal (civil only) has not been filed because a Choose one filing fee is required.
- The application (civil only) has not been filed because a \$50.00 filing fee is required.

Payment may be made by cash, Visa, MasterCard, American Express, Interac, certified cheque or money order payable to the “Government of Alberta”. In compliance with Credit Card Industry Standards, credit card payments over the phone, via fax or email cannot be accepted.

B. Filing Deadline

- The application has not been filed because there is less than 10/20 days before the application is scheduled to be heard. Please select a new date that provides for the required notice.
- The application to admit new evidence/reconsider a previous decision has not been filed because the deadline for the applicant’s factum has passed. An order extending the time within which to bring the application must first be granted.

C. Content (Rules 14.53, 14.87, 16.4(1) and 16.23(2)(a))

The prescribed form for an application is Form AP-3 (for civil applications), Form CRA-C (for criminal permission to appeal) and Form CRA-F (for all other criminal applications).

- The application has been marked Non-Compliant because it does not contain the following information:
 - the Court of Appeal file number (1)
 - a style of cause (2)

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

- it has the incorrect time
- it is scheduled on a date when the court does not sit
- it should be scheduled before a single appeal judge/Court of Appeal panel

(See Rule 14.37 for the types of applications that are heard by a single appeal judge and Rule 14.38 for the types of applications that are heard by a Court of Appeal panel. See also the document entitled “Who Will Hear My Application” located at www.albertacourts.ab.ca under Court of Appeal > Filing, Fees and Forms > Information Sheets.)

- it does not state the nature of the application

D. Other Materials (Rules 14.40(1), 14.42(1) and 16.23(2)(d))

The application has not been filed because it is not accompanied by a memorandum of argument.

(All materials [the application, memorandum of argument, any affidavit and any previously filed material – if being relied upon] must be filed simultaneously unless the application must be filed first to preserve a time limit.)

E. Application for Judicial Interim Release (Rule 16.25)

The application for judicial interim release has not been filed and is being returned for correction because:

- a notice of appeal or application for permission to appeal has not been filed
- the appeal record has not been ordered or counsel has not undertaken to order the appeal record within 10 days of the hearing of the application
- it is not accompanied by an affidavit in accordance with Rule 16.25(3)

F. Format (Rule 14.87)

- The application has been marked Non-Compliant because:
or
- The application has not been filed and is being returned for correction because:
 - it is not 8.5" x 11" inches in size. (3)

G. Number of Copies (Rules 14.40, 14.42, 14.45(2) and 16.23(1))

- The application has been filed on the condition that you provide [Select # additional copies by Click here to enter a date.](#) (The Court keeps 3 copies if the application is scheduled before a single appeal judge and 5 copies if the application is scheduled before a Court of Appeal panel. That does not include any copies required for yourself or for service.) (4)
- The application has been filed on the condition that you provide [Select # additional copies of previously filed materials by Click here to enter a date.](#) (5)

NOTES:

[Click here to enter any additional notes.](#)

Completed by: [Select name from list](#)

Date: [Select the date](#)

The application to admit new evidence has been filed on the condition that you provide:

- [Select # copies of the proposed new evidence \(6\)](#)
- [Select # labelled envelopes large enough to contain the proposed new evidence by Click here to enter a date. \(7\)](#)