*These application and response books contain copies of a brief written argument and the materials needed to decide an application to vary or cancel an order made by a Justice.*

# 1.0 Application and Response Book Content Requirements

## 1.1 Application Books

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Cover Page | Required  You may use this Word template to create your cover page |  |
| Table of Contents | Required |  |
| Part 1: Reasons for Judgment | Include a copy of the reasons for judgment you are seeking to vary |  |
| Part 2: Order | Include the entered order you are seeking to vary. |  |
| Part 3: Affidavits | Include affidavits (or parts of affidavits) necessary for the application |  |
| Part 4: Written Argument | See content instructions in 2.0  Maximum 10 pages |  |
| Part 5: Table of Authorities | A table of the authorities, arranged alphabetically including cases and sections of enactments to be referred to in the application book. |  |

## 1.2 Response Books

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Cover Page | Required  You may use this Word template to create your cover page. |  |
| Table of Contents | Required |  |
| Part 1: Affidavits | Included affidavits (or parts of affidavits) necessary for the application |  |
| Part 2: Written Argument | See content instructions in 2.0  Maximum 5 pages |  |

# 2.0 Written Argument Content Requirements

* Application Books: **Maximum 10 pages**
* Response Books: **Maximum 5 pages**

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Part 1: Facts | A brief statement of facts |  |
| Part 2: Issues | A statement of the points in issues on the application |  |
| Part 3: Analysis | A brief argument setting out why the Justice erred in making the decision under review |  |
| Part 4: Order Sought | The nature of the order (or orders) requested  Enter name of lawyer(s) or party(ies) who prepared the filing |  |

## 2.1 Written Argument Document Format Requirements

Word template is here.

|  |  |  |
| --- | --- | --- |
| Format | Requirements | Completed |
| Font | Arial 12 (including citations) |  |
| Line Spacing | Lines spaced 1.5 lines apart |  |
| Margins | No less than 2.5 cm. (1 in) |  |
| Paragraph Numbering | Paragraphs numbered consecutively starting from Part 1: Statement of Facts |  |

# 3.0 Format and Technical Requirements

## 3.1 Format Requirements for Application eBook

This is a checklist of all requirements for electronic application and response books; combining multiple files into one PDF (eBook or portfolio) requires a PDF tool. Please see this checklist with technical instructions

|  |  |  |
| --- | --- | --- |
| Requirement | Instructions | Completed |
| True Copies | Must be an identical or true copy of the original document, whether that original is scanned from paper or saved into PDF from another program, such as Microsoft Word. |  |

|  |  |  |
| --- | --- | --- |
| Requirement | Instructions | Completed |
| Scanned Records: Optical Character Recognized - OCR | * If scanning is necessary because the original text-based document is paper or requires a handwritten signature (ex. affidavits), the scan must be Optical Character Recognized (OCR’ed) * This allows the PDF to be copied from and pasted into another document and allows text to be searchable. |  |
| Page Numbering  (or [Bates Numbering](https://ca.practicallaw.thomsonreuters.com/9-621-2336?transitionType=Default&contextData=(sc.Default)&firstPage=true#:~:text=A%20unique%20numeric%20or%20alphanumeric,page%20easily%20identifiable%20and%20retrievable.)) | * page numbered sequentially (or Bates numbered) * top centre of page * can start after Table of Contents * page numbering (or Bates numbering) must match the Table of Contents * page numbering (or Bates numbering) must be updated in PDFs for searching (otherwise page 1 will be the cover page when searching) |  |
| Bookmarking  Bookmarks must be:   * consistent; * clear and; * meaningful. | The combined files (documents) must also contain bookmarks, which consistently, meaningfully, and clearly describe the individual documents or sections of the book.  For example, bookmarks should describe the contents of the exhibit (e.g. “Exhibit 1 – June 1,2019 - Letter from John to Jane Doe.”) |  |
| Cover Page | You may use this Word template to create your cover page with header style applied to document name.  Example: “Application Book: Vary an Order” |  |
| Table of Contents | * Create Table of Contents in **Word** based on sequential page numbers (or Bates numbering) in eBook (PDF portfolio) and with header style applied for title “Table of Contents” * Page numbering (or Bates numbering) in Table of Contents must align with sequential Bates page numbering of the eBook (PDF portfolio). |  |
| Security Settings | Disable any security settings that might restrict or prevent the Court from viewing, printing, saving, annotating, or searching the electronic document. |  |
| E-Filing File size limit:  maximum 100 megabytes (MB) | Court Services On-Line e-filing will accept one (1) PDF file (including cover page and Table of Contents) with a file size maximum of 100MB.   * If the document is larger than 100MB, the material cannot be electronically filed and **may be filed in paper** (or see volumes below) |  |

|  |  |  |
| --- | --- | --- |
| Requirement | Instructions | Completed |
| Volumes  100 megabytes (MB) maximum | **Files greater than 100 MB:**   * Can be split into volumes based on file size **not** number of pages. * For example: an 150MB appeal book, could be split into two 75MB volumes * try not to split exhibits between volumes   **Files less than 100 MB:** one (1) file   * **do not** spilt into separate files based on number of pages. |  |

# 4.0 Copies for Filing and Service

## 4.1 E-filing

Court staff will electronically apply registry filing stamp when approved through the e-filing system.

|  |  |  |
| --- | --- | --- |
| Filing/Service | Requirements | Completed |
| Electronic Copies | Save 1 copy with filing stamp for your records, 1 copy with filing stamp (paper or electronic) to be served on each party |  |

History:

Replaces Completion instructions in previous Rules and Forms

Last Update: July 18, 2022