*These application and response books contain copies of a brief written argument and the materials needed to decide an application to pay into court (1) security for costs of the appeal and/or (2) costs of proceedings in the court appealed from and/or (3) an amount under the order being appealed.*

# 1.0 Application and Response Book Content Requirements

## 1.1 Application Books

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Cover Page | Required  You may create cover page using this Word template. |  |
| Table of Contents | Required |  |
| Part 1: Reasons for Judgment | Include a copy of the reasons for judgment you are seeking to appeal |  |
| Part 2: Final Order | Include the entered order, if available, or the form of order agreed to by counsel or the parties |  |
| Part 3: Evidence Exhibits or Affidavits | Include those parts of the evidence, exhibits or affidavits necessary for the application |  |
| Part 5: Written Argument | See content instructions in 2.0.  Maximum 10 pages |  |
| Part 6: Table of Authorities | A table of the authorities, arranged alphabetically including cases and sections of enactments to be referred in the application book. |  |

## 1.2 Response Books

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Cover Page | You many create cover page using this Word template. |  |
| Table of Contents | Required |  |
| Part 1: Evidence, Exhibits or Affidavits | Include evidence, exhibits, or affidavits (if any) relevant to the application and not otherwise included in the application book or in the response book of any other respondent. |  |
| Part 2: Written Argument | See content instructions in 2.0.  Maximum 5 pages |  |

# 2.0 Written Argument Content Requirements

Application Book: **Maximum 10 pages**

Response Book: **Maximum 5 pages**

|  |  |  |
| --- | --- | --- |
| Content | Requirements | Completed |
| Facts | A brief statement of facts |  |
| Issues | A statement of the points in issues on the application |  |
| Analysis | Include a brief statement setting out the reasons why payment of security should or should not be ordered, including your position regarding:   1. the financial position of the appellant; 2. the merits of the appeal; 3. the timeliness of the application; 4. whether the costs will be readily recoverable; 5. whether it is in the interests of justice to order security for costs. |  |
| 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 |  |

# 4.0 Format Requirements

## 4.1 Format Requirements for Application and Response Books

This is a list of format requirements for creating paper application and response books.

|  |  |  |
| --- | --- | --- |
| Requirement | Instructions | Completed |
| True Copies | Must be an identical or true copy of the original document |  |
| Page Numbering  (or [Bates Numbering](https://ca.practicallaw.thomsonreuters.com/9-621-2336?transitionType=Default&contextData=(sc.Default)&firstPage=true#:~:text=Bates%20numbers%20are%20used%20in,other%20parties%20in%20the%20case.)) | * pages numbered sequentially (or Bates numbered) * may be stamped or handwritten * top centre of page * can start after Table of Contents * page numbering (or Bates numbering) must match the Table of Contents |  |
| Table of Contents | * Must be consistent, clear and meaningful * Create Table of Contents in Word based on sequential page numbering (or Bates numbering) of book * Page numbering in Table of Contents must align with sequential page numbering (or Bates numbering) of the book. |  |
| Cover Page | Required  You may create cover page using this Word template |  |
| Cover and Back Page Colours | Application Books: **Buff**  Response Books: **Green** |  |
| Printed | Double sided |  |
| Binding | Cerlox plastic comb bound in booklet form |  |
| Volumes | * Maximum 500 pages (250 sheets of paper) per volume * Full Table of Contents in each volume * Volume number on cover page (1 of 3 volumes) * Sequential page numbering from first volume to last volume |  |
| Tabs | Required for each part of the book |  |

# 5.0 Copies for Filing and Service

## 5.1 Filing Paper Court Records

In civil appeals, e-filing is mandatory for lawyers and encouraged for self-represented parties. Registry staff will approve all paper copies by applying a filing stamp at the Registry.

|  |  |  |
| --- | --- | --- |
| Filing/Service | Requirements | Completed |
| Paper Copies  Minimum Total | You will be required to file 2 copies for the Court, 1 copy for your records, 1 copy to serve on each party  4 copies |  |

History:

Replaces Completion instructions in previous Rules and Forms

Last Updated: