

Respondent's Checklist

If Appellant applies for leave to appeal

Step 1: Prepare notice of appearance

Within 10 days from the date the appellant serves you with a notice of application for leave to appeal:

- Prepare notice of appearance using Form 2.
- File one copy for the court, one for yourself, plus one copy for each appellant.
- Serve a copy of the notice of appearance on the appellant.

Step 2: Prepare reply book

If you intend to participate at the appellant's hearing for leave to appeal, you must:

At least 5 business days before the application for leave to appeal is heard, you must:

- Prepare a reply book using Form 5.
 - File one copy for the court, one for yourself, plus one copy for each appellant.
 - Serve a copy of the reply book on the appellant at least one business day before the application will be heard.

If the appellant is granted leave to appeal, you continue as in a regular appeal.

Step 3: Prepare a factum

Within 30 days of being served with the appellant's factum:

- Prepare a factum using Form 10, and bind it with a green cover. It must contain:
 - An index.
 - A chronology of the relevant dates in the litigation.

- An opening statement.
 - Part 1: Statement of facts.
 - Part 2: Errors in judgment.
 - Part 3: A legal argument.
 - Part 4: Nature of the order sought.
 - A list of authorities.
- File 4 copies of the factum for use by the court, one copy for yourself, and one for each appellant.
 - Serve the factum on the appellant.

Step 4: Prepare the appeal book (optional)

Within 30 days of being served with the appellant's factum:

- Prepare an appeal book, using Form 12. It must that contain:
 - exhibits;
 - affidavits; and
 - other documents that relate to evidence.
- File 4 copies of the appeal book for use by the court, one copy for yourself, plus one copy for each appellant.
- Serve the appeal book on the appellant

Step 5: Prepare transcript extract book

Within 30 days of being served with the appellant's factum:

- Prepare a transcript extract book if your factum contains a reference to oral testimony.
 - Use Form 13.
 - Bind it in a red cover.

- File 4 copies of the transcript extract book for use by the court, one copy for yourself, plus one copy for each respondent.
- Serve the transcript extract book on the appellant.

Step 6: Attend the hearing

- Prepare for the hearing:
 - organize your documents; and
 - prepare speaking notes.

Step 7: Draft or approve the court order