



Pre-booking a General Appeal

When the appropriate materials¹ have been filed, when a timetable has been approved by the Court, or when the Court so orders, a General Appeal² may be pre-booked on the General Appeal Hearing list as follows:

- I. The Appellant, or on occasion the Respondent, must take the following steps to set a general appeal down for hearing:
 - A. Contact the appropriate Court of Appeal Registry and obtain the next available hearing dates on the General Appeal Hearing list.

- Notes:**
1. You will be asked to provide the total estimate of time required to argue the appeal when you call, so have that information readily available. Pursuant to Part A.9 of the Consolidated Practice Directions, unless otherwise ordered by the panel hearing the appeal at the hearing, the maximum time for oral argument (including reply) will be 45 minutes per separately-represented party.
 2. The dates you obtain are filled on a first-come, first-served basis. Therefore, you will need to take the next steps as quickly as possible in order to secure the desired hearing date.
 3. If you would like to have your appeal dealt with sooner than the next available hearing dates provided, and if all counsel/parties are in agreement, you should consider:
 - (a) proceeding by way of No Oral Argument as provided for in Court of Appeal Consolidated Practice Direction C.8, or
 - (b) after securing a hearing date, asking to be placed on a standby list in the event an earlier date becomes available. A consent letter to this effect must be filed and must indicate specific hearing dates that

¹ In Edmonton - the appropriate materials consist of the Appeal Record and all Facts and Extracts of Key Evidence (if applicable) on Conviction Appeals and Civil Appeals. In Calgary - the appropriate materials consist of the Appeal Record for Conviction Appeals, or the Appeal Record and the Appellant's Factum, Extracts of Key Evidence (if applicable) and Authorities for Civil Appeals.

² These pre-booking procedures do not apply to Part J. or Sentence Appeals.

counsel/parties have agreed they would be available.

- B. Contact all other counsel/parties involved and determine if they are available to argue the appeal on the next available dates provided.
- C. Once all counsel/parties have agreed to an appropriate date (or dates), contact the appropriate Court of Appeal Registry and ask if the date you have selected on the General Appeal Hearing list is still available for pre-booking. If the date is available, the clerk will insert your matter onto the hearing list.

Note: You will be asked to provide the following information orally: the appeal number, style of cause, proper spelling of counsel names and law firms, total estimate of time to argue the appeal and whether the appeal record has been prepared in electronic or document format.

- D. Within three (3) clear business days of pre-booking the matter, fax a letter addressed to the appropriate Deputy Registrar, setting out the following information:
 - 1. the appeal number and style of cause,
 - 2. the hearing date which the counsel/parties and the Registry have agreed to,
 - 3. the total estimated time to argue the appeal,

Note: If any of the time estimates have been increased or decreased from what was provided for in the original facta, or if counsel/parties are asking for more than 45 minutes for oral argument, this letter must set out those changes/requests. A copy of this letter will be distributed along with the other appeal materials to the panel, and where counsel/parties have asked for more than 45 minutes for oral argument, the panel hearing the appeal will decide whether or not the request will be granted.

- 4. the names of all counsel and on whose behalf they will be appearing, their respective law firms, telephone and fax numbers, and second counsel, if applicable, and
- 5. whether Part III of the appeal record has been prepared in electronic or document format.

Notes: (a) This letter must be copied to all other counsel/parties.
(b) If this letter is not received by the Registry within three (3) clear business days, the hearing date provided may be forfeited.

- II. Once a matter is pre-booked, and the letter confirming same has been faxed to the Registry, the matter will be removed from the Speak-to list and counsel/parties will not be required to attend any future speak-to lists, unless otherwise directed.