

## What Are My Filing Deadlines?

### Civil Appeal Deadlines

DOCUMENT	DEADLINE	CONSEQUENCE OF MISSING	RULE	CPD
<b>Notice of Appeal</b>	Counsel/parties are responsible for determining own appeal deadlines, which differ between types of matters and the acts that govern. Parties are advised to seek legal advice.			
<b>Transcripts (in appeal format) and Appeal Digest</b>	Must be ordered within <b>10 days</b> after a Notice of Appeal is filed and a copy of the order must be filed with the Registrar within 5 days of placing the order.		530.1(1)  530.1(3)	
<b>Appeal Record (Transcripts and Appeal Digest)</b>	Must be prepared promptly and filed and served:  - <b>forthwith after prepared</b> , and  - be filed <b>no later than 15 weeks</b> from the date the Notice of Appeal was filed	...or appeal will be struck.	530.5(4)	
<b>Appellant's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	Must be filed on or before: - <b>60 days</b> have elapsed from date Appeal Record was prepared, or - <b>7 months</b> from the date Notice of Appeal was filed, <b>whichever is earliest.</b>	...or no costs for preparation of factum/extracts of key evidence	538(1)(a)  538(1)(b)  538(4)/ 537.1(5)	
<b>Respondent's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	<b>45 days</b> after service of the Appellant's Factum	...or no costs for preparation of factum/extracts of key evidence	538(2)  538(4)/ 537.1(5)	
<b>Appellant's Reply Factum</b> (Where Cross-Appeal or Notice of Intention to Vary has been filed)	<b>10 days</b> after service of Respondent's Factum	... or no costs for preparation of factum	538(3)  538(4)	

<b>Hearing</b>	The earliest an appeal can be set is <b>6 weeks</b> from the date the Respondent's Factum was filed			
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## Part J Appeal Deadlines

DOCUMENT	DEADLINE	CONSEQUENCE OF MISSING	RULE	CPD, Part J
<b>Notice of Appeal</b>	Counsel/parties are responsible for determining own appeal deadlines, which differ between types of matters and the acts that govern. Parties are advised to seek legal advice.			
<b>Appeal Record</b>	Appellant must order any necessary transcripts <b>within 7 days</b> of filing of the appeal.  Must file and serve the Appeal Record within: - <b>1 month</b> after Notice of Appeal is filed, or - <b>1 business day</b> after the Appeal Record is ready, <b>whichever is the earliest.</b>	... or appeal will be struck.		J.5(a)  J.5(b)  J. 12(b)
<b>Appellant's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	Must be filed on or before: - <b>6 weeks</b> after Notice of Appeal is filed, or - <b>2 weeks</b> after the Appeal Record is filed, <b>whichever is earliest.</b>	... or appeal will be struck.		J.7(e)(i) J.7(e)(ii)  J. 12(b)
<b>Respondent's Factum, Authorities and Extracts of Key Evidence (if applicable) or Letter of Intention Not to File a Factum</b>	Must be filed on or before <b>12:00 noon within</b> : - <b>30 days</b> from service of the Appellant's Factum, or - <b>14 days</b> before the opening day of the sittings, <b>whichever is earliest.</b>	... or no oral argument, no costs		J.7(f)  J. 7(g)

<b>Consented to Adjournment</b>	Filed in writing, on or before the 20th day before the opening of the sittings: - with consent, no later than <b>4:30 p.m.</b> , or - without consent, no later than <b>12:00 noon.</b>			J.9(a)
<b>Opposed Adjournment</b>				J.9(d)
<b>Hearing</b>	The Fixed Hearing List is created <b>17 days</b> before the opening day of sittings.  Appeals are set on the list, when the Appeal Record, the Appellant's Factum and the Appellant's Extracts of Key Evidence (if applicable) have been filed <b>21 or more days</b> before the opening day of the sittings, or if ordered on by a Justice of Appeal.			J.4(b)
				J.4(c)

### Conviction Appeal Deadlines

<b>DOCUMENT</b>	<b>DEADLINE</b>	<b>CONSEQUENCE OF MISSING</b>	<b>RULE</b>	<b>CPD</b>
<b>Notice of Appeal</b>	To be filed <b>30 days</b> from the date of sentencing, acquittal, finding or verdict.		843	
<b>Appeal Record</b>	Not specified			
<b>Appellant's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	Not specified	...appeal is deemed abandoned if 4 months pass since Appeal Books/Appeal Record readied and Appellant's factum not filed and served	840(6.1)	
<b>Respondent's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	Not specified			
<b>Hearing</b>	The earliest an appeal can be set is <b>6 weeks</b> from the date the Respondent's factum was filed.			

## Sentence Appeal Deadlines

DOCUMENT	DEADLINE	CONSEQUENCE OF MISSING	RULE	CPD
<b>Notice of Appeal</b>	To be filed and served within <b>30 days</b> from the date of sentencing.		843	
<b>Appeal Record</b>	<p>Must be ordered, or preparation begun, before the expiration of <b>3 clear days</b> from the filing of the Notice of Appeal.</p> <p>Must be prepared promptly and filed and served <b>forthwith</b> after being prepared.</p> <p>On sentence appeals of six months or less; be filed no later than <b>6 weeks</b> from the date the Notice of Appeal was filed.</p> <p>The Appeal Record (and Appellant's Factum and Extracts of Key Evidence (if applicable)) must be filed within:            - <b>4 months</b> of the filing of the Notice of Appeal, or            - <b>3 months</b> of the dismissal or abandonment of the conviction appeal.</p>	... or the appeal will be struck		I.4(k)(ii)  I.4(k)(i)  I.4(k)(iii)  I.15
<b>Appellant's Factum, Authorities and Extracts of Key Evidence (if applicable)</b>	<p>The Appellant's Factum and Extracts of Key Evidence (if applicable) (and Appeal Record) must be filed within:            - <b>4 months</b> of the filing of the Notice of Appeal, or            - <b>3 months</b> of the dismissal or abandonment of the conviction appeal.</p>	... or the appeal will be struck		I.15
<b>Respondent's Factum, Authorities and Extracts of Key Evidence (if applicable) or Letter of Intention Not to File a Factum</b>	<p>Must be filed and served by <b>12:00 noon, at least 7 days prior</b> to the opening day of the sittings.</p>	... or the Court has discretion not to consider factum		I. 9(a)  I.9(c)

<b>Adjournments</b>	Filed in writing, with consent, no later than <b>4:30 p.m. at least 12 days prior</b> to opening of sittings.			I.11
<b>Hearing</b>	<b>11 days</b> before the opening day of any sitting, those matters which meet the conditions set out in: - I.2(a) <b>will be moved</b> , or - I.2(b) <b>will not be moved</b> , to the Fixed Hearing List <a href="http://www.albertacourts.ab.ca/ca/c/a/practicenotes/i_june09.pdf">http://www.albertacourts.ab.ca/ca/c/a/practicenotes/i_june09.pdf</a>			I.2

Updated: January 25, 2010