

**COURT OF APPEAL OF ALBERTA
ORDER/JUDGMENT - CHECK/RETURN FORM**

This checklist return form provides an itemized summary of the most common problems when filing documents in the Court of Appeal. However, this form does not include each requirement of the Alberta Rules of Court and Practice Directions. Accordingly, you should rely on the appropriate authority when preparing a document for filing in the Court of Appeal.

- A. **General Format of Document:**
Refer to the General Format - Check/Return form for formal requirements of all documents.

- B. **Copies required:**
The Registry will keep the original order/judgment and return one certified copy (ARC 326(2)).

PARTICULARS OF ORDER/JUDGMENT:

- C. **Header:**
The header:
 - (i) shall show the day of the week, month, and year on which it was made, the name of the officer, justice, or justices making it, and the date of entry (ARC 317), and

Note: The justices' names must be set out in order of seniority. A list of seniority can be found in the Alberta Court Calendar which can be found on the Alberta Courts' website at www.albertacourts.ab.ca under Court of Appeal > Locations & Sittings > Justices of the Court of Appeal.

 - (ii) of every order/judgment is to be dated as of the day on which it was pronounced (ARC 322(1)).

Note: If the decision was reserved, the date that the reserved decision was signed is the date of pronouncement.

- D. **Preamble:**
The preamble of the order must set out the particulars of the hearing. Show the date on which the order/judgment being appealed was made, the name of the officer or justice who made it and the date of entry. If decision was reserved; the preamble must set out the date of hearing, the date the decision was reserved and the date the decision was rendered.

- E. **Body of Document:**
The body of the order/judgment must be divided into convenient paragraphs numbered consecutively (ARC 315).

- ❑ F. **Dissenting Opinion:**
If a dissenting opinion has been expressed on a criminal matter, the formal judgment must state the name of the justice that is dissenting and the grounds in law upon which the justice dissents (Criminal Code s. 677).
- ❑ G. **Signatures Required:**
The order/judgment must be approved as to form by all parties to the appeal, unless Rule 323(c) has been waived.
- ❑ H. **Labeling of Signature Line:**
 - ❑ (i) the Registrar shall sign the order/judgment (ARC 321(1)). In this case the signature line must be labeled “Registrar, Court of Appeal of Alberta”, but
 - ❑ (ii) where it has been specifically ordered that the justice(s) will sign the order, the signature line for each justice must be labeled “Justice of Appeal”.
- ❑ I. **Entered Area:**
Every order/judgment shall be entered by filing it with the officer entering it, who shall make a note of the entry and the date thereof at the foot of the order/judgment (ARC 326(1)). For this purpose provide a dated entry area with a signature line labeled “Registrar, Court of Appeal of Alberta”.
- ❑ J. **Order/Judgment Must be Entered Within One Year of Pronouncement:**
No order/judgment shall be entered more than one year after its pronouncement except by leave of the court, to be obtained upon notice (ARC 327).

Calgary Registry: (403) 297-2206
Edmonton Registry: (780) 422-2416

Form Revised: October 14, 2011

Access this form on the Alberta Court’s website at www.albertacourts.ab.ca under Court of Appeal > Publications & Forms > Check/Return Forms > Order/Judgment