

What Are My Filing Deadlines?

Parties to an appeal should not take the approach that they are automatically entitled to the maximum time permitted by the Rules of Court to complete each step of the appeal process. Deadlines prescribed in the rules are merely the default outside time limit at which point consequences for failure to act in time will be imposed. It is an underlying objective of the Rules of Court to try and ensure that all appeals are dealt with as diligently as possible. See *Fort McKay First Nation v. Alberta Energy Regulator*, 2013 ABCA 396.

Conviction, Acquittal and Decision Appeal Deadlines

DOCUMENT	DEADLINE	CONSEQUENCE OF MISSING	RULE
<p>Notice of Appeal A Notice of Appeal must be in Form CRA-A when the appellant is not represented by counsel and in Form CRA-B when the appellant is represented by counsel. See Rule 16.7(1)</p>	<p>Must be filed and served:</p> <ul style="list-style-type: none"> a) within the time for starting an appeal stated in an enactment, b) if the appellant is granted permission to appeal, 10 days after permission to appeal is granted, or c) if (a) and (b) do not apply, within one month after the date of decision. (See Rule 16.5 for the definition of “date of decision”) 	<p>Appellant must bring an application to extend the time to appeal after the Notice of Appeal is filed.</p>	<p>16.7(2)</p>
<p>Transcripts & Appeal Record</p>	<p>Must be ordered or preparation commenced within 10 days after filing the Notice of Appeal and a copy of the order must be filed and served on the respondent within 5 days after ordering.</p> <p>Must be filed and served forthwith after they are available, and not later than 4 months from the date on which the Notice of Appeal was filed.</p>	<p>If the appellant is self-represented and is in custody, the Registrar may refer to the appeal to a single appeal judge for directions, or</p> <p>In all other cases, the appeal will be struck.</p>	<p>16.12(1)</p> <p>16.12(3)(d) 16.12(4)</p>

<p>Appellant's Factum, Extracts of Key Evidence and Book of Authorities</p>	<p>Must be filed and served before the earlier of:</p> <p>a) 2 months after the Appeal Record is filed, and b) 6 months after the Notice of Appeal is filed.</p>	<p>If the appellant is self-represented and is in custody, the Registrar may refer to the appeal to a single appeal judge for directions, or</p> <p>In all other cases, the appeal will be struck.</p>	<p>16.16(2)(a) 16.16(3)</p>
<p>Respondent's Factum, Extracts of Key Evidence and Book of Authorities (or letter of intention not to file a factum)</p>	<p>Must be filed and served within 2 months of service of the appellant's factum</p>	<p>... or the respondent will not be permitted to present oral argument unless the panel orders otherwise.</p>	<p>16.16(4)(a) 16.16(5)</p>
<p>Hearing</p>	<p>No later than 20 days after the deadline for the filing of the last factum, the parties must contact the Registrar (in practice, the contact is with the Case Management Officer) to schedule the oral hearing.</p> <p>Note: The earliest an appeal can be set is 6 weeks from the date that the last factum was filed.</p> <p>See Rule 14.35 which addresses the rescheduling of appeals.</p>	<p>If a conviction appeal has not been scheduled for oral argument within 9 months of filing the Notice of Appeal:</p> <p>a) the appeal will be struck if the appellant is represented by counsel, or b) the Registrar will schedule the appeal for oral argument if the appellant is self-represented.</p>	<p>16.21</p>