

Court of Appeal of Alberta
Criminal Appeal Rules

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Part 16

Criminal Appeal Rules

These Rules are made by the Court of Appeal pursuant to section 482 of the Criminal Code, and are included with the civil rules for convenience.

Division 1

Interpretation and Application

What this Part applies to

16.1 This Part applies to all criminal appeals to the Court of Appeal of Alberta, including those arising from or under the appeal procedures set out in:

- (a) the *Criminal Code*;
- (b) the *Extradition Act*;
- (c) the *Youth Criminal Justice Act*; and
- (d) the *Provincial Offences Procedure Act* (Alberta).

Definitions

16.2(1) Unless otherwise specified in this Part, and as the context requires, terms used in this Part have the same meaning as in the *Criminal Code* or the *Provincial Offences Procedure Act* (Alberta).

(2) In this Part:

“Attorney General” has the meaning set out in section 2 of the *Criminal Code*;

“civil rules” means the *Alberta Rules of Court* (AR 124/2010);

“conviction appeal” means an appeal from a conviction, acquittal or stay, or any decision that otherwise concludes criminal proceedings, other than a sentence appeal, including

- (a) any decision described in section 672.72, subsection 675(3), and sections 676, 784 and 839 of the *Criminal Code*,
- (b) an appeal from a costs order in a criminal matter,
- (c) an appeal or review of a decision under the *Extradition Act*,
- (d) an appeal from a decision that a person is unfit to stand trial or is not criminally responsible on account of mental disorder under Part XX.1 of the *Criminal Code*, and

- (e) any appeal with respect to a finding that an offender is a dangerous offender or long-term offender;

“Court” means the Court of Appeal of Alberta;

“criminal appeal” means an appeal to which this Part applies;

“file” means to present the correct document and obtain an acknowledgement from the Registrar that the document is part of the Court record;

“permission to appeal” means

- (i) an application for leave to appeal,
- (ii) an application for a certificate of sufficient importance justifying a further appeal, and
- (iii) an application under section 680 of the *Criminal Code* for review of an interim release decision;

“Registrar” means a person appointed as a Registrar of the Court under the *Court of Appeal Act* (Alberta) and includes a Deputy Registrar of the Court and any person designated by a Registrar or the Chief Justice of Alberta to act for a Registrar;

“self-represented appellant” means an appellant who is not represented by counsel; and

“sentence appeal” means an appeal from a sentence, direction respecting parole, or other disposition following conviction, including the declarations, orders and dispositions listed in section 673, paragraph 675(1)(b) and paragraph 676(1)(d) of the *Criminal Code*, but not an appeal with respect to a finding that an offender is a dangerous offender or long-term offender.

(3) A reference in this Part to a form is a reference to the forms in the Schedule of Criminal Appeal Forms, varied to suit the case, or a form to the like effect.

Application of civil rules

16.3(1) Subject to this Part, to any enactment, and to any direction by a case management officer or a single appeal judge, if this Part does not deal with a matter, the provisions of Part 14 of the civil rules respecting standard civil appeals (including rule 14.2) apply to criminal appeals, subject to any modifications or exceptions required to make them appropriate for the administration of criminal justice.

(2) For greater certainty, the following provisions of the civil rules do not apply to criminal appeals:

- (a) Part 5 [*Disclosure of Information*];
- (b) Part 10, Division 2 [*Recoverable Costs of Litigation*];

- (c) Part 14, Division 1, Subdivision 2 [*Appeals as of Right*];
- (d) Part 14, Division 1, Subdivision 3 [*Appeals with Permission*];
- (e) Part 14, Division 1, Subdivision 4 and rule 14.11 [*Cross appeals*];
- (f) Part 14, Division 5, Subdivision 3 [*Settlement Using Court Processes*];
- (g) Part 14, Division 5, Subdivision 4 [*Judicial Dispute Resolution on Appeal*]; and
- (h) Part 14, Division 5, Subdivision 7 [*Security for Costs*].

Division 2

Starting an Appeal

Permission to appeal

16.4(1) Where an appellant requires permission to appeal because

- (a) leave to appeal to the Court is required under the *Criminal Code* in a summary conviction matter,
- (b) a direction is required under section 680 of the *Criminal Code* for review of an order respecting judicial interim release,
- (c) a certificate of sufficient importance is required to appeal under the *Provincial Offences Procedure Act*, or
- (d) the appeal is of an order respecting costs,

the appellant shall bring an application for permission to appeal pursuant to rule 16.24 [*Application for permission to appeal*] and Form CRA-C.

(2) If permission to appeal is granted the appellant shall file a notice of appeal pursuant to rule 16.7 [*How to start an appeal*].

(3) In any case referred to in subsection (1), the application for permission to appeal must be brought within

- (a) the time stated in any enactment for commencing the appeal, and
- (b) if paragraph (a) does not apply, one month after the date of the decision.

(4) Where permission to appeal is required in a case not referred to in subsection (1), the appellant shall file a notice of appeal pursuant to rule 16.7 [*How to start an appeal*], and unless otherwise ordered the application for permission to appeal is deemed to be included in the notice of appeal, and will be heard at the same time as and by the panel hearing the appeal.

Date of decision

16.5 In this Part, “date of decision” means the later of

- (a) the date that the decision being appealed is made, and
- (b) for a conviction appeal, where the sentencing occurs later than the conviction decision, the date that the sentencing decision is made.

Self-represented appellants

16.6(1) A self-represented appellant who is in custody may start an appeal by filing with a senior officer of the institution in which the appellant is in custody, within the time specified in rule 16.7 [*How to start an appeal*], 3 copies of a notice of appeal in Form CRA-A.

(2) The senior officer must endorse on the notice of appeal the date it was received, return a copy to the appellant, retain a copy, and forthwith forward a copy to the Registrar.

How to start an appeal

16.7(1) An appeal, other than an appeal by a self-represented appellant in custody referred to in rule 16.6, must be started by filing with the Registrar 3 copies of a notice of appeal

- (a) using Form CRA-A for an appeal by a self-represented appellant, or
- (b) using Form CRA-B for all other appeals.

(2) The notice of appeal must be filed within

- (a) 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 paragraphs (a) and (b) do not apply, one month after the date of decision,

and subject to rule 16.8 [*Service of the notice of appeal*] an additional filed copy must be served on the respondent within those time limits.

Information note

The deadline for appealing a disposition under section 672.72 of the *Criminal Code* is 15 days after receipt of a copy of the placement or disposition decision. The deadline for appealing under section 50 of the *Extradition Act* is 30 days from the decision.

If convictions are entered, or sentences are imposed simultaneously by a trial judge in connection with both a summary conviction matter and an indictable matter, both matters may be appealed together to the Court of Appeal: *Criminal Code*, subsections 675(1.1) & 676(1.1).

Service of the application for permission to appeal or notice of appeal

16.8(1) If the appellant is not the Attorney General or prosecutor, the Registrar must forthwith forward a copy of the application for permission to appeal or notice of appeal to the Attorney General or prosecutor.

(2) In all other cases the appellant must serve a filed copy of the application for permission to appeal or notice of appeal on the respondent in accordance with rule 16.9 [*Method of service*], within the time specified in rule 16.7 [*How to start an appeal*].

Method of service

16.9(1) Subject to any enactment, an application for permission to appeal and a notice of appeal as of right filed by the Attorney General must be personally served on the respondent.

(2) An application for permission to appeal and a notice of appeal as of right filed by a convicted person must be served on the Attorney General.

(3) Any documents other than an application for permission to appeal or a notice of appeal as of right subsequently required to be served on a party to a criminal appeal may be served at the address for service provided by that party, or on the lawyer of record for that party.

Variation of a sentence

16.10 If a sentence appeal is started by a convicted person, and the Attorney General proposes to argue on appeal that the sentence should be varied, the Attorney General must file and serve a Notice of Variation of Sentence in Form CRA-D on or before filing the respondent's sentence factum.

Types of appeal

16.11 Unless otherwise ordered, where an appeal is started from both conviction and sentence,

- (a) the two components of the appeal are to proceed as separate appeals,
- (b) the appeal respecting conviction is to be adjudicated first, and
- (c) the appeal respecting sentence, or an appeal respecting a dangerous offender or long-term offender finding is to be adjudicated second.

Division 3

Appeal Documents

Preparation of Appeal Record

16.12(1) The appellant must,

- (a) within 10 days after filing a notice of appeal
 - (i) order or commence preparation of the Appeal Record, and
 - (ii) order from Transcript Management Services the transcripts required by paragraph 16.13(d) or 16.14(d), and
- (b) within five days after ordering the appeal record and transcripts, file a copy of the order and serve a filed copy on the respondent.

(2) Subject to rule 16.13 [*Contents of Appeal Record – conviction appeals*], rule 16.14 [*Contents of Appeal Record – sentence appeals*] and rule 16.15 [*Format of Appeal Record*], the appellant must file 5 copies of the Appeal Record, and serve on the respondent an additional filed copy of the Appeal Record and an electronic copy of the Transcripts.

(3) The Appeal Record and Transcripts must be prepared promptly and filed and served forthwith after they are available, and

- (a) in an appeal from sentence only where the net sentence is 6 months or less, not later than 2 months after the date on which the notice of appeal was filed,
- (b) in an appeal from sentence only where the net sentence is greater than 6 months, not later than 3 months after the date on which the notice of appeal was filed,
- (c) for the sentencing part of any appeal as to both conviction and sentence, not later than 2 months after the date on which the conviction appeal was dismissed or abandoned, or
- (d) in all other appeals, not later than 4 months after the date on which the notice of appeal was filed.

(4) If the Appeal Record is not filed and served within the applicable deadline, and an extension is not obtained

- (a) if the appellant is a self-represented appellant and is in custody, the Registrar may refer the appeal to a single appeal judge for directions, and
- (b) in all other cases, the appeal will be struck by the Registrar.

Contents of Appeal Record - conviction appeals

16.13 The Appeal Record for conviction appeals must contain the following:

- (a) A table of contents at the beginning of each volume
 - (i) listing separately each document in every volume and showing the page number where the document can be found,
 - (ii) including a copy of the table of contents for the transcripts required by subparagraph (d)(i), and
 - (iii) containing a list and description of all the exhibits entered in the trial court, and the page in the transcripts where the entry of the exhibit is shown.
- (b) Part 1 - Pleadings, consisting of
 - (i) the Information, Indictment or other originating document, and endorsements, and
 - (ii) for a further appeal in a summary conviction matter,

- (A) the written or transcribed reasons of the Provincial Court of Alberta, and
 - (B) the notice of appeal to the Court of Queen’s Bench of Alberta.
- (c) Part 2 - Final Documents, which must include
 - (i) the written or transcribed reasons
 - (A) that led to the decision being appealed, and
 - (B) for any decision rendered during the trial that is relevant to the disposition of the appeal,
 - (ii) the charge to the jury, and the verdict of the jury,
 - (iii) any formal record of the decision, including any certificate of conviction, order of acquittal, report of criminal trial, or report of criminal appeal,
 - (iv) any restricted court access order,
 - (v) for appeals referred to in subrule 16.4(1), the order and reasons granting permission to appeal,
 - (vi) the notice of appeal,
 - (vii) when an enactment requires service on the Attorney General for Alberta or the Attorney General for Canada, or both, proof of that service, and
 - (viii) if there is no oral record that can be transcribed for Part 3, a notation to that effect in the table of contents.
- (d) Part 3 - Transcripts, which must contain the following information
 - (i) a table of contents at the beginning of every volume, listing separately each part of the transcript, the name of each witness and questioner and showing the page number where the part or the testimony of the witness or questioner begins,
 - (ii) all oral evidence, but only such part of the argument that is necessary to determine the appeal, and
 - (iii) in the case of an appeal from a judgment in a jury trial, the address to the jury of each party, the judge’s charge to the jury and the answers given to any questions from the jury.

Contents of Appeal Record - sentence appeals

16.14 The Appeal Record for sentence appeals must contain the following:

- (a) A table of contents as required by paragraph 16.13(a),

- (b) Part 1 - Pleadings, consisting of the Information, Indictment or other originating document, and endorsements,
- (c) Part 2 - Final Documents, which must include
 - (i) any written or transcribed reasons for conviction, and the reasons for the sentence,
 - (ii) any formal record of the decision, including the certificate of conviction, report of criminal trial, or report of criminal appeal, and any resulting orders, prohibitions, authorizations or warrants arising from the sentencing,
 - (iii) the notice of appeal,
 - (iv) any Notice of Variation of Sentence in Form CRA-D, and
 - (v) any restricted court access order.
- (d) Part 3 - Transcripts, which must include:
 - (i) a table of contents as required by subparagraph 16.13(d)(i),
 - (ii) the plea and particulars, and any oral evidence given at the sentencing, and
 - (iii) speaking to sentence,
 - (A) in the case of a guilty plea, from the time of the plea, and
 - (B) in other cases, from the time of conviction.

Format of Appeal Record

16.15(1) The Appeal Record in criminal appeals must comply with rule 16.37 (*Requirements for all documents*) and

- (a) be printed single-sided and bound together along the right edge of the page so that the printed text is to the left of the binding,
- (b) number the Pleadings starting with page P1, and the Final Documents with page F1,
- (c) have red cardstock covers, front and back, and
- (d) be divided into numbered volumes of approximately 200 pages each.

(2) The Transcripts must

- (a) be prepared by an official court reporter or be in a format satisfactory to the Registrar,
- (b) be prepared in an electronic format approved by the Registrar and uploaded before the paper copy is filed,
- (c) be paginated and printed double-sided,
- (d) have grey cardstock covers, front and back, and
- (e) be divided into numbered volumes of approximately 200 pages each.

(3) With the consent of all parties, or by order, an Appeal Record may be completed in an electronic format approved by the Registrar.

(4) A case management officer may set or vary the contents or format of the Appeal Record as the nature of the appeal requires, including giving direction respecting transcripts.

Information note

If any document required to be included in the Appeal Record is not available at the time of preparation, it can be appended to the factum, the Extracts of Key Evidence, or the Book of Authorities: subrule 16.19(5).

Factums in criminal appeals

16.16(1) The appellant must file 5 copies of an appellant's factum that meets the requirements of rule 16.17 [*Contents of factums*], rule 16.18 [*Format of factums*] and rule 16.37 [*Requirements for all documents*].

(2) The appellant's factum must be filed and served as follows:

- (a) for a conviction appeal, before the earlier of
 - (i) 2 months after the filing of the Appeal Record, and
 - (ii) 6 months after the filing of the notice of appeal;
- (b) for an appeal of sentence only, before the earlier of
 - (i) 2 months after the filing of the Appeal Record, and
 - (ii) 4 months after the filing of the notice of appeal;
- (c) for the sentencing part of any appeal as to both conviction and sentence, no later than 3 months after the conviction appeal was dismissed, struck or abandoned.

(3) If the appellant's factum is not filed and served by the applicable deadline, and an extension is not obtained,

- (a) if the appellant is a self-represented appellant and is in custody, the Registrar may refer the appeal to a single appeal judge for directions, and
 - (b) in all other cases, the appeal will be struck by the Registrar.
- (4) The respondent must file and serve 5 copies of a respondent's factum that meets the requirements of rule 16.17 [*Contents of factums*], rule 16.18 [*Format of factums*] and rule 16.37 [*Requirements for all documents*], or a letter of intention not to file a factum
- (a) for any conviction appeal, no later than 2 months after service of the appellant's factum.
 - (b) for any sentence appeal, before the earlier of
 - (i) 1 month after service of the appellant's factum, and
 - (ii) 10 days before the opening day of the sitting at which the appeal is to be heard.
- (5) A respondent that does not file a factum is not permitted to present oral argument unless the panel of the Court hearing the appeal orders otherwise.

Contents of factums

16.17(1) A factum must include the following:

- (a) a table of contents, including page numbers;
- (b) Part 1 – Facts: in the appellant's factum, a statement of facts (including, if desired, a concise introductory statement of the legal issues raised), and in the respondent's factum, its position on the facts as stated by the appellant, and any other facts considered relevant;
- (c) Part 2 – Grounds of Appeal: in the appellant's factum, a concise statement of the grounds for appeal, and in the respondent's factum, its position in regards to the stated grounds, and any other points that may properly be put in issue;
- (d) Part 3 – Standard of Review: a statement on the relevant standard of review;
- (e) Part 4 – Argument: a discussion addressing the questions of law or fact raised by the appeal;
- (f) Part 5 – Relief Sought: a statement of the relief sought;
- (g) the estimated time required for the oral argument, not exceeding 45 minutes for each separately represented party in the appeal;

- (h) Table of Authorities: a list of the legal authorities referred to in the factum,
 - (i) listing separately each authority, and
 - (ii) providing any neutral citation assigned to the authority by the court that decided it, and at least one print citation where available;
 - (i) an Appendix containing extracts from any enactment or rule necessary for the disposition of the appeal, unless they are reproduced elsewhere in the materials to be filed.
- (2) A factum in a sentence appeal must include a Sentence Appeal Questionnaire in Form CRA-E immediately following the table of contents
- (a) in the appellant’s sentence factum, or
 - (b) where the appellant is a self-represented appellant and that party’s factum does not include the Sentence Appeal Questionnaire, in the respondent’s sentence factum.
- (3) A case management officer may vary the format requirements of or dispense with the preparation of a factum.

Information note

Rule 16.37 [*Requirements for all documents*] contains format requirements for all documents. Rule 16.37(1)(f) permits attaching authorities and Extracts of Key Evidence to the factum if they are not bulky.

Format of factums

16.18(1) Factums must be

- (a) formatted using at least 12 point font, one-inch margins and at least 1.5 line spacing, except for quotations, and
 - (b) be printed single-sided and bound together along the right hand edge of the page so that the printed text is to the left of the binding.
- (2) Parts 1 to 5 of a factum must not exceed 30 pages in length for each separately represented party or intervenor.
- (3) Factums must contain precise references to the location, page numbers and paragraph numbers or lines of the Appeal Record, Extracts of Key Evidence and authorities referred to.
- (4) Each factum must have cardstock covers, front and back, prepared as required by rule 16.37 [*Requirements for all documents*], in the following colours:

- (a) appellants – beige or ivory;

- (b) respondents – green;
- (c) intervenors – blue.

Other appeal documents

16.19(1) Where needed to resolve the issues in the appeal, each party must file Extracts of Key Evidence

- (a) containing extracts of the transcripts, exhibits and other material on the record needed to resolve the issues in the appeal,
- (b) excluding any evidence, exhibits and other materials unlikely to be needed, and
- (c) not containing any comment, argument, trial briefs, legal authorities or new evidence.

(2) Extracts of Key Evidence must be prepared as required by rule 16.37 [*Requirements for all documents*] and

- (a) have a table of contents at the beginning of every volume, listing separately each document, including each exhibit to any affidavit, and showing the page number where the document can be found;
- (b) be numbered sequentially throughout, commencing with
 - (i) page A1 for the appellant's Extracts of Key Evidence,
 - (ii) page R1 for the respondent's Extracts of Key Evidence, and
 - (iii) page I1 for the intervenor's Extracts of Key Evidence;
- (c) have cardstock covers, front and back, in the following colours:
 - (i) appellants – yellow;
 - (ii) respondents – pink;
 - (iii) intervenors – blue.

(3) Each party to any appeal shall prepare, if necessary, a Book of Authorities

- (a) containing extracts of any enactments or bylaws necessary for deciding the appeal,
- (b) including the headnote and relevant pages (or, only when appropriate, the entirety) of any authority likely to be referred to during oral argument or essential to the disposition of the appeal, and
- (c) excluding well-known authorities, authorities of secondary importance and other non-essential authorities not likely to be referred to during oral argument.

(4) Books of Authorities must be prepared as required by rule 16.37 [*Requirements for all documents*] and

- (a) have a comprehensive Table of Authorities as required by subparagraph 16.17(1)(h), reproduced at the beginning of every volume,
- (b) separate or identify each authority, by tabs or otherwise, and highlight or otherwise identify in legible form the key passages in the authority to be relied on,
- (c) where the authority has been reproduced from an electronic source, contain paragraph or page numbers from an official or printed source, or otherwise identify the various parts of the authority, and
- (d) have cardstock covers, front and back, in the same colour as the party's factum.

(5) If any document required by rule 16.13 [*Contents of Appeal Record – conviction appeals*] or 16.14 [*Contents of Appeal Record – sentence appeals*] is not available at the time of preparation of the Appeal Record, a copy must be included in the Extracts of Key Evidence or appended to the factum.

(6) A party preparing Extracts of Key Evidence or Books of Authorities must file 5 copies with the Registrar, when or before filing that party's factum, and must file and serve one additional copy on every other party to the appeal.

(7) The clerk of a trial court must, on request of the Attorney General or counsel for the Attorney General, supply certified copies of any exhibits or records in the clerk's possession that are required for an appeal.

(8) On request of the Court, the trial judge must provide a report on any matter related to the case.

Division 4

Scheduling Oral Argument

Scheduling conviction appeals

16.20(1) Subject to any enactment, no later than 20 days after the deadline for the filing of the last factum in any conviction appeal,

- (a) the parties must contact the Registrar to schedule the oral hearing, and
- (b) the Registrar must, after consulting with the parties, schedule the appeal at a suitable time on the Criminal Appeal Hearing List.

(2) A case management officer may at any time place any conviction appeal on the Unscheduled Criminal Appeals List.

(3) All the parties to each appeal on the Unscheduled Criminal Appeals List must appear at the time scheduled for the calling of the List, and

- (a) unless adjourned, appeals on the Unscheduled Criminal Appeals List will be scheduled for oral hearing and placed on the Criminal Appeal Hearing List, or

(b) directions may be given for advancing the appeal.

(4) If the appellant in an appeal referred to in subrule (3) does not appear at the time scheduled for the calling of the List, the appeal may be struck.

Information Note

Section 672.72(3) of the *Criminal Code* provides that appeals from dispositions (after findings of not criminally responsible by reason of mental disorder) are to be expedited. Sections 51(1) and 57(5) of the *Extradition Act* require that appeals be heard at an early date.

The procedure for speaking to the Unscheduled Criminal Appeals List is set out in the Consolidated Practice Directions.

Unscheduled conviction appeals

16.21 If oral argument of a conviction appeal is not scheduled within 9 months of the filing of the notice of appeal, and no extension or direction has been received from a case management officer

- (a) if the appellant is represented by counsel, the appeal will be struck by the Registrar, and
- (b) if the appellant is a self-represented appellant, the Registrar will schedule the appeal for oral argument.

Scheduling sentence appeals

16.22(1) Subject to the direction of a case management officer, 20 days before the opening day of each scheduled sitting for sentence appeals the Registrar will set down at that sitting every sentence appeal where

- (a) the appeal record and appellant's factum have been filed,
- (b) the appeal record has been filed in a sentence appeal started by a self-represented appellant,
- (c) the appeal record has not been ordered in a sentence appeal started by a self-represented appellant who is in custody, or
- (d) the net sentence is 6 months or less, the appellant is in custody, and judicial interim release has not been granted.

(2) The Registrar must advise any self-represented party of the scheduled date of the sentence appeal.

(3) Unless otherwise ordered, the sentence appeal must proceed in accordance with the deadlines in this Part, notwithstanding that an appeal of the conviction appeal decision or an application for leave to appeal the conviction appeal decision has been filed with the Supreme Court of Canada.

Information Note

Sentence appeals are heard every month in Edmonton and Calgary, except in July and August. Parties who wish to schedule matters (such as appeals of sentences of short duration) during the sittings in July should contact a case management officer for advice.

A case management officer can defer oral argument on sentence appeals where a self-represented party is awaiting confirmation of Legal Aid coverage, where a self-represented party intends to file a factum, or where other circumstances make the default scheduling rules inappropriate.

Division 5

Applications

Bringing applications

16.23(1) Subject to subrule 16.4(2), the applicant must

- (a) for an application to a single appeal judge, at least 10 days before the application is scheduled to be heard file 3 copies of an application and the other material required by subrule (2),
- (b) for an application to a panel of the Court, at least 20 days before the application is scheduled to be heard file 5 copies of an application and the other material required by subrule (2), and
- (c) within those same times, file and serve one additional copy of the application and other materials on every other party to the appeal.

(2) Subject to rule 16.24 [*Application for permission to appeal*], the applicant must file and serve

- (a) an application in Form CRA-F that must
 - (i) state briefly the grounds for the application,
 - (ii) identify the material or evidence intended to be relied on,
 - (iii) refer precisely to any applicable provision of an enactment or rule, and
 - (iv) state the remedy sought,
- (b) any accompanying affidavit, if required,
- (c) other material to be relied on, even if previously filed, and
- (d) a memorandum of argument prepared in compliance with subrule 16.23(4).

(3) The respondent to an application

- (a) to a single appeal judge must, at least 5 days before the application is scheduled to be heard, file

- (i) 3 copies of a reply memorandum of argument and any accompanying affidavit (if required) and any other materials to be relied on, or
 - (ii) 3 copies of a letter indicating that no additional materials will be filed by the respondent.
- (b) to a panel of the Court must, at least 10 days before the application is scheduled to be heard, file
 - (i) 5 copies of a reply memorandum of argument and any accompanying affidavit (if required) and any other materials to be relied on, or
 - (ii) 5 copies of a letter indicating that no additional materials will be filed by the respondent,

and

- (c) must within those same times, file and serve one additional copy of those materials on every other party to the appeal.

(4) Memoranda filed on an application must be formatted as required by rule 16.18(1)(a) and

- (a) must not be longer than 10 pages on an application for permission to appeal and 5 pages for any other application, and
- (b) may in addition attach a chronology, where that is relevant to the application.

(5) A respondent who fails to respond to an application or who elects not to file a memorandum in response to an application may not present oral argument at the hearing of the application unless the single appeal judge or the panel of the Court otherwise permits.

(6) Unless otherwise permitted,

- (a) subject to paragraph (b), oral argument on an application, including a reply, before a single appeal judge or a panel of the Court may not exceed 15 minutes for each party to the application,
- (b) oral argument on an application for permission to appeal, including a reply, may not exceed 30 minutes for each party to the application, and
- (c) consolidated applications are to be treated as one application for the purpose of this rule.

Information Note

All of the materials should be filed simultaneously, unless the application must be filed first to preserve a time limit. If in urgent matters the applicant wishes to

abridge the time limits, a case management officer should be consulted for directions.

Application for permission to appeal

16.24(1) An application for permission to appeal must

- (a) be in Form CRA-C and comply with rule 16.23 [*Bringing applications*],
- (b) state the exact questions of law on which permission to appeal is requested, and
- (c) include the written or transcribed reasons of the Provincial Court of Alberta and the Court of Queen's Bench of Alberta.

(2) Subject to any enactment, no appeal lies from an order of a single appeal judge granting or denying permission to appeal.

(3) An application for permission to appeal that has not been heard within 6 months from the date of the filing of the application is deemed to have been abandoned unless a case management officer otherwise directs.

Judicial interim release

16.25(1) An application for judicial interim release may not be brought until

- (a) a notice of appeal or an application for permission to appeal has been filed, and
- (b) the Appeal Record has been ordered, or counsel undertakes to order the Appeal Record within 10 days of the hearing of the application.

(2) An application for judicial interim release in an appeal against sentence only is deemed to include an application for permission to appeal sentence.

(3) Unless otherwise ordered, an application for judicial interim release pending appeal must be based on an affidavit of the applicant deposing to any facts relevant and material to the application, which must include:

- (a) particulars of the applicant's criminal record and any pending criminal charges, including any pending criminal charges outside Canada, and
- (b) an undertaking to surrender into custody in accordance with the terms of any order granted.

(4) Unless otherwise ordered, an order granting judicial interim release must be in form CRA-G.

(5) An appellant who is granted judicial interim release must diligently prosecute the appeal, must comply strictly with all appeal deadlines, and must keep the Registrar informed of any changes of address or contact information.

(6) If an appellant is granted judicial interim release and the appeal is struck or abandoned a warrant for arrest may issue without further order.

Information Note

The affidavit in support of judicial interim release should generally disclose the prior and proposed place of residence and employment of the applicant, and any other information likely to be pertinent to the application.

Application to admit new evidence

16.26(1) An application to admit new evidence must be filed and served prior to the filing of, and prior to the deadline for filing, the applicant's factum.

(2) In addition to the documents required by subrule 16.23(2), the applicant must file

- (a) 5 copies of the proposed new evidence, and
- (b) 5 envelopes large enough to contain a copy of the new evidence, marked "New Evidence" and with the appeal number and style of cause.

Application to reconsider a previous decision

16.27 An application to reconsider a previous decision of the Court must be filed and served and must be returnable prior to the filing of, and prior to the deadline for filing, the applicant's factum.

Application to restore

16.28 An application to restore an appeal that has been struck or an application for permission to appeal that has been deemed abandoned must be filed, served and granted within 6 months after having been struck or deemed abandoned.

Summary determination of appeals

16.29(1) The Registrar may refer to the Court for summary determination any appeal that

- (a) does not show a substantial ground of appeal,
- (b) appears to be frivolous or vexatious, or
- (c) can be determined without a full hearing.

(2) The Registrar may refer to a single appeal judge for summary determination any appeal that does not show a substantial ground of appeal, or that should have been filed with another court.

Division 6

General Rules

Presence at appeals

16.30(1) Subject to subrule (2), an appellant or respondent in custody is entitled to be present at the hearing of the appeal.

(2) An appellant who is in custody and who is represented by counsel is not entitled to be present on the hearing of any appeal on a question of law alone, or any application unless the right to be present is granted by an enactment, or a single appeal judge orders the appellant to be present.

(3) A single appeal judge may order that an appellant or respondent who is entitled to be present at an application or appeal appear instead by means of a telecommunication device, closed-circuit television, or other suitable method of communication.

Information Note

Subject to the direction of a single appeal judge, the entitlement of an appellant who is in custody to be present at the hearing of the appeal is specified in section 688 of the *Criminal Code*.

Duties of counsel

16.31(1) Counsel who are retained to represent a party in a criminal appeal must forthwith advise the Registrar in writing of

- (a) counsel's retainer or its termination,
- (b) any intention to abandon the appeal, and
- (c) any change in whether a party in custody is or is not to be present in court for any application or appeal.

(2) A lawyer of record in a criminal appeal must apply to a single appeal judge, on notice to the client and the Attorney General, for permission to withdraw from the record unless a Notice of Change of Representation in Form CRA-H is filed by another lawyer.

(3) A lawyer of record in a criminal appeal who is given permission to withdraw from the record shall within 10 days after permission was granted file with the Registrar and serve on the Attorney General a statement setting out an address for service or the last known address and contact information of the client.

Abandonment of appeals

16.32 An appellant may abandon the appeal by filing and serving a Notice of Abandonment in Form CRA-I.

Restoring criminal appeals

16.33(1) An appeal that has been struck or an application for permission to appeal that has been deemed to have been abandoned may be restored with the filed written consent of the parties, or by order of a single appeal judge granted under rule 16.28 [*Application to restore*], but no fee is payable for restoring a criminal appeal.

(2) An order or written consent restoring an appeal must set deadlines and directions for the filing of any outstanding materials, and if the appellant fails to comply with any of those deadlines or directions, the appeal is deemed to have been struck again.

New trials

16.34 Unless otherwise ordered, where the Court orders a new trial

- (a) the presiding judge is deemed to have directed that the person charged is remanded to appear at the next sitting of the court appealed from that has jurisdiction in the case, and
- (b) if the person charged was on judicial interim release at the time of the judgment of the Court, the order for judicial interim release is deemed to be continued until the person charged reappears in the trial court.

Scope of sentence appeals

16.35 In any sentence appeal the Court on its own motion may treat the whole matter of sentence as open to variation, but if the Court intends to vary a sentence pursuant to this rule, notice and an opportunity to be heard must be provided to the parties.

Judgment in appeals

16.36(1) Unless otherwise directed, a formal judgment is not required in a criminal appeal unless an appeal to the Supreme Court of Canada is filed, applied for or contemplated.

(2) Where a judge of the Court dissents from the decision of the Court on a point of law, any judgment of the Court that is prepared must specify the grounds on which the dissent is based.

(3) Unless otherwise directed, where the Attorney General prepares a formal order or judgment resulting from an application or appeal, and the other party is self-represented, the approval of the other party is not required.

Requirements for all documents

16.37(1) All materials prepared for an appeal must

- (a) be succinct, legible and divided into a single series of consecutively numbered paragraphs,
- (b) include the names of the parties in a style of cause in Form CRA-J,
 - (i) as set out in the notice of appeal, unless amended,
 - (ii) listed in the same order in which they were listed in the style of cause in the court appealed from, and
 - (iii) showing the status of the party in the appeal and in the court appealed from,
- (c) identify the nature of the material, the name of the party filing it, and that party's status on the appeal,
- (d) provide an address for service,

- (e) provide the name, address and contact information of the person who prepared the material,
- (f) be divided into volumes of approximately 200 pages each, provided that if the Book of Authorities or Extracts of Key Evidence do not exceed 30 pages, they may be included as an appendix to the factum or combined together, and
- (g) be 8.5” x 11” in size.

(2) The Appeal Record, factums, Extracts of Key Evidence and Books of Authorities must have a cover page in Form CRA-K that includes the name of the Court, the location of the office of the Registrar of the Court and the appeal number assigned by the Registrar.

Coming Into Force

Coming into force

16.38 These Rules come into force and

- (a) the *Bail Rules – Appellate Division of Alberta*, (1972) C Gaz I, 2898-9, and
- (b) the *Rules of the Appellate Division of the Supreme Court of Alberta as to Criminal Appeals*, SI/77-174, (1977) C Gaz II, 4270

are repealed on August 1, 2018.

Schedule of Criminal Appeal Forms

CRA-A - Notice of Criminal Appeal - Self-Represented Appellant

CRA-B - Notice of Criminal Appeal

CRA-C - Application for Permission to Appeal

CRA-D - Notice of Variation of Sentence

CRA-E - Sentence Appeal Questionnaire

CRA-F - Application

CRA-G - Order for Judicial Interim Release Pending Appeal

CRA-H - Notice of Change of Representation

CRA-I - Abandonment of Criminal Appeal

CRA-J - Criminal Appeal Style of Cause

CRA-K - Cover Page

COURT OF APPEAL OF ALBERTA

Form CRA-A
[Rule 16.6]

To be used when Appellant is not represented by counsel

Registrar's Stamp

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

RESPONDENT: Her Majesty the Queen

APPELLANT: _____

DOCUMENT: **Notice of Criminal Appeal**

1. On _____ at _____, I was convicted on charges of:
(date) (place)
(Set out details of charges)

2. The proceedings took place in *(check one)*:
 Provincial Court Court of Queen's Bench

3. The name of the Judge was: _____

4. I pleaded *(check one)*: Guilty Not Guilty

5. On _____ I was sentenced to: _____
(date)
(Set out details of sentence)

6. My address or institution is: _____ *(Note: This address will be used to serve appeal documents and must be kept current by the Appellant.)*

7. I give notice that I desire to appeal, and if necessary for me to do so, to apply for permission to appeal against (*check one*):

Conviction only Sentence only Both conviction and sentence

8. My reasons for appealing are:
(*Set out details for appealing*)

9. I intend to:

represent myself on the appeal apply to Legal Aid for a Lawyer hire my own lawyer.

10. At the hearing of the appeal (*check one*):

I wish to be present I do not wish to be present

11. If a new trial is ordered and I have the right to trial by judge and jury (*check one*):

I wish trial by judge and jury I do not wish trial by judge and jury

12. My date of birth is: _____

Dated on: _____

Appellant's Signature: _____

IF APPELLANT IS IN CUSTODY 3 copies of this Notice of Appeal are to be served on a senior officer of the institution in which the appellant is in custody within one month of the sentence being imposed on him.

IF APPELLANT IS NOT IN CUSTODY 3 copies of this Notice of Appeal are to be filed in the office of the Registrar within one month from the date of sentencing.

NOTICE TO APPELLANT Take notice that on an appeal from conviction, the Appeal Record is essential. The Appeal Record is to be ordered by the Appellant from Transcript Management Services, at the expense of the Appellant. On the filing of this Notice of Appeal, the Registrar can advise about legal aid procedures available if the Appellant does not have the funds to pay for the Appeal Record. The estimated cost of the Appeal Record may be obtained from Transcript Management Services.

COURT OF APPEAL OF ALBERTA

Form CRA-B

[Rule 16.7]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty The Queen

RESPONDENT/APPELLANT:

DOCUMENT: Notice of Criminal Appeal

Registrar's Stamp

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT:

AND CONTACT INFORMATION OF ALL OTHER PARTIES:

1. The Appeal is in respect of: [] an indictable offence, or [] by way of further Appeal from the Court of Queen's Bench in respect of a summary conviction offence

2. Place of Trial _____

3. Name of Judge _____

4. Name of Court _____

5. Name of Crown Prosecutor at Trial _____

6. Name of Defence Counsel at Trial _____

7. Offences of which Appellant convicted or acquitted (Summarize each charge the appellant is appealing as it appears in the information or indictment, the plea, and the sentences imposed.)

Table with 4 columns: Offence Name, Section, Plea, Sentence

8. Date of Sentence or Acquittal _____

9. If the Appellant is in custody, place of incarceration _____

TAKE NOTICE that the Appellant: (check all of the following that are applicable)

- appeals against conviction (or acquittal) on grounds involving a question of law alone
- applies for permission to appeal his conviction on grounds involving a question of fact alone, or a question of mixed law and fact, and if permission is granted, hereby appeals against conviction
- applies for permission to appeal against sentence, and if permission is granted, appeals against the sentence.

10. The grounds of Appeal are attached.

11. The relief sought is:

The Appellant *wishes* *does not wish* to be present at the hearing of the Appeal (s. 688).

If a new Trial is ordered and the Appellant has a right to trial by judge and jury, the Appellant

wishes *does not wish* the new trial to be by judge and jury (s. 686(5)).

Dated on _____

at _____, Alberta.

Counsel for the Appellant

Appendix: Grounds of Appeal

COURT OF APPEAL OF ALBERTA

Form CRA-C

[Rules 16.4, 16.24]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty the Queen

RESPONDENT/APPELLANT:

DOCUMENT: **Application for Permission to Appeal**

Registrar's Stamp

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT:

AND CONTACT INFORMATION OF ALL OTHER PARTIES:

NOTICE TO RESPONDENT

You have the right to state your side of this matter before the Court. To do so, you must be in court when the application is heard as shown below.

Date _____

Time _____

Where _____

WARNING

If you do not come to Court on the date and time shown above either in person or by your lawyer, the Court may give the applicant what it wants in your absence. You will be bound by any order that the Court makes. If you intend to rely on other evidence or a memorandum in support of your position when the application is heard or considered, you must file and serve those documents in compliance with the Rules. (Rule 16.23(3))

1. The proposed Appeal is a further Appeal from the Court of Queen's Bench in respect of a summary conviction offence.
2. Place of Provincial Court Trial _____
3. Name of Provincial Court Judge _____
4. Provincial Court File Number _____
5. Name of Queen's Bench Judge _____
6. Date of Queen's Bench decision _____

7. Offences of which Appellant convicted or acquitted

(Summarize each charge the appellant is appealing as it appears in the information or indictment, the plea, and the sentences imposed.)

Offence Name	Section	Plea	Sentence

8. (a) Reasons of Provincial Court unreported reported at _____
 (b) Reasons of Queen’s Bench unreported reported at _____
 (include a copy of the reasons in the filed materials)

TAKE NOTICE that the Appellant applies for: (check all of the following that are applicable)

- permission to appeal against conviction (or acquittal), on grounds involving a question of law alone
- a certificate of sufficient importance to justify a further appeal under the *Provincial Offences Procedure Act*

9. The questions of law on which permission to appeal is requested are:
 (set out the exact questions of law, or attach as schedule)

Dated on _____

at _____, Alberta

 Applicant, or Counsel for the Applicant

COURT OF APPEAL OF ALBERTA

Form CRA-D

[Rule 16.10]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

RESPONDENT: Her Majesty the Queen

APPELLANT:

DOCUMENT: **Notice of Variation of Sentence**

ADDRESS FOR SERVICE AND CONTACT
INFORMATION OF PARTY FILING THIS
DOCUMENT:

AND THE APPELLANT:

Registrar's Stamp

Take notice that on the hearing of the appeal of the sentence imposed, Her Majesty the Queen intends to argue that the sentence should be increased or otherwise varied.

COURT OF APPEAL OF ALBERTA
Form CRA-E
[R. 16.17(2)]

Sentence Appeal Questionnaire

This questionnaire should be placed as the first page of the sentence appeal factum, immediately after the table of contents. (R. 16.17(2))

1 Offences of which convicted and sentenced.

Offence Name	Section	Offence Date	Sentence

2 Amount of time in custody before sentence: _____,
and credit given: _____.

3 Total sentence then imposed: _____.

4 Any probation conditions? If so, found on p. ____ of the _____.

5 Guilty plea or trial?

6 Date released on bail pending appeal: _____.

7 Serving time for other offences also? No Yes

8 Does appellant have previous criminal record? No Yes
If so, is it on p. ____ of the _____.

9 Was the appellant on any form of release or supervision at the time of the offences? No Yes

10 Age at time of offence _____. Age now _____.

11 Employment history, including current job: found on p. ____ of the _____.

12 Any pre-sentence, psychological or other report? If so, found on p. ____
of the _____.

13 Any evidence of, or statement of effects of the offence on the victim? If so, found
on p. ____ of the _____.

COURT OF APPEAL OF ALBERTA

CRA-F

[Rule 16.23]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty the Queen

STATUS ON APPLICATION:

APPELLANT/RESPONDENT:

STATUS ON APPLICATION:

DOCUMENT: **Application of**
(name of party and status on appeal)

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT:

AND CONTACT INFORMATION OF
ALL OTHER PARTIES:

NOTICE TO RESPONDENT (Indicate name of respondent to this application, and their status on appeal.)

WARNING

If you do not come to Court on the date and time shown below either in person or by your lawyer, the Court may give the applicant what it wants in your absence. You will be bound by any order that the Court makes. If you intend to rely on other evidence or a memorandum in support of your position when the application is heard or considered, you must file and serve those documents in compliance with the Rules. (Rule 16.23)

NOTICE TO RESPONDENT:

You have the right to state your side of this matter before the Court.

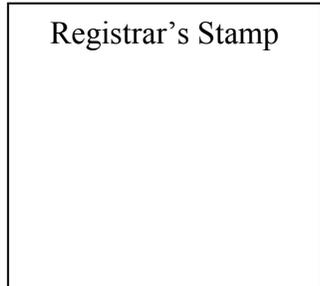
To do so, you must be in Court when the application is heard as shown below:

Date:

Time:

Where:

Before: single judge of the court panel of the court



Nature of Application and Relief Sought:

1.

Grounds for making this application:

2.

Material or evidence to be relied on:

3.

Applicable Acts, regulations and rules:

4.

COURT OF APPEAL OF ALBERTA
Form CRA-G
[Rule 16.25(4)]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

RESPONDENT: Her Majesty The Queen

APPLICANT/APPELLANT:

Registrar's Stamp

(appellant's name in full as it appears on information or indictment)

DOCUMENT: **Order For Judicial Interim Release**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT:

DATE ORDER PRONOUNCED:

_____, **Alberta**
LOCATION OF HEARING:

NAME OF JUDGE WHO GRANTED
THIS ORDER:
(Mr./Madam Justice First Initial(s), Surname)

UPON THE APPLICATION of the Appellant; AND UPON HAVING READ the Affidavit and Undertaking of the Appellant; AND UPON HEARING Counsel for the Appellant and Counsel for the Respondent;

AND IT APPEARING THAT the Appellant has filed a Notice of Appeal or Application for permission to appeal the applicant's conviction or sentence by *(name of Judge)*, in *(level of court)* of Alberta, at *(location)*, on *(date)*, on the following charges, NAMELY:

(Summarize each charge the appellant is appealing as it appears in the information or indictment, and the exact sentences imposed.)

Offence Name	Section	Sentence

1. IT IS ORDERED THAT the Application be allowed and the Appellant be released upon:

Use the most appropriate one of the following two paragraphs

(a) Entering into an Undertaking, with the following conditions, namely:

- (i) keep the peace and be of good behavior;
- (ii) report to Court in person as and when required by the Court;
- (iii) remain within _____;
- (iv) pursue the appeal with due diligence, and in particular comply with any deadlines and directions in the Rules of Court, in this Order, or as made respecting the appeal;
- (v) _____

(include any other conditions that the Court orders. Refer to the Schedule to this Form and Forms 11, 11.1, 12 & 32 of the Criminal Code.)

Select either "with" or "without" as appropriate

(b) Entering into a Recognizance in the amount of \$ _____ with/without deposit of cash or other valuable security, and with/without sureties as deemed acceptable to the Court, with the following conditions, namely:

- (i) keep the peace and be of good behavior;
- (ii) report to Court in person as and when required by the Court;
- (iii) remain within _____;
- (iv) pursue the appeal with due diligence, and in particular comply with any deadlines and directions in the Rules of Court, in this Order, or as made

respecting the appeal;

(v) _____

(include any other conditions that the Court orders. Refer to the Schedule to this Form and Forms 11, 11.1, 12 & 32 of the Criminal Code)

2. Such Undertaking or Recognizance may be entered into by the Appellant before any Judge of the Provincial Court of Alberta or any Justice of the Peace.
3. Any Judge of the Provincial Court of Alberta or any Justice of the Peace may order that the Appellant be brought in for the purpose of entering into such Undertaking or Recognizance, and this Order shall be sufficient authority to any person having the custody of the Appellant in the Province of Alberta to have the Appellant brought before a Judge or Justice of the Peace.
4. If the Appellant is brought before a Judge or Justice of the Peace and enters into the Undertaking or Recognizance, the person having custody of the Appellant shall release the Appellant forthwith.
5. The Appellant is to attend personally and provide picture identification, at the opening of the next sittings of the Court of Appeal on *(day of week)* day, the *(date)*, between the hours of 8:15 a.m. and 10:00 a.m., at the Court of Appeal Registry Counter, *(on the main floor of the Law Courts Building/on the 26th floor of the TransCanada Pipeline Tower)*, in the City of *(Edmonton/Calgary)*, in the Province of Alberta, and at the opening of every sitting thereafter until such time as the appeal can be heard, subject to such further Order as a Judge of the Court may make.
6. On the hearing date, the Appellant shall attend the courtroom assigned for hearing of the appeal between the hours of 9:45 a.m. and 10:00 a.m., or any other such time as directed, and shall then and there surrender into the custody of any peace officer, pending the hearing of the appeal.
7. The appeal shall proceed in strict compliance with the Rules of Court, and the *(name of document)* must be filed by *(date of deadline)*, failing which the Crown may apply to revoke this order.

*If appropriate,
insert any other
deadlines imposed
by the Court*

8. Additionally, the following deadlines are hereby imposed:

(a) _____

(b) _____

(c) _____

Registrar, Court of Appeal

*[Or if the judge has indicated that he or she will be
signing the order (and not the Registrar), label this line
as "Justice of Appeal" as follows:*

Justice of Appeal]

**Approved As Being The Order Granted:
(Or Consented To By:)**

Schedule

All the conditions in the Order must be carried forward into the Undertaking or Recognizance. Refer to sections 515(4), (4.1), and (4.2) of the *Criminal Code*, and Forms 11 (recognizance before peace officer), 11.1 (undertaking to peace officer), 12 (undertaking to justice or judge) and 32 (recognizance). Where the Court imposes further conditions on release, the following wording may be used:

1. Reporting requirement, s. 515(4)(a):

Report in person commencing (*state time and date of first report*) to (*name of appropriate police service or police officer*) or designate, at (*address of police station*); and thereafter report as and when directed.

2. Territorial limitations, s. 515(4)(b):

Remain within (*describe territorial jurisdiction, e.g. City, Town, Province*).

3. Change of residence or employment, s. 515(4)(c):

Notify (*name of peace officer or other person designated*) of any change in address or employment or occupation.

4. Restrictions on communication, s. 515(4)(d):

Abstain from communicating, directly or indirectly, with (*name of witness, complainant or other person*), except in accordance with the following conditions:

5. Surrender passport, s. 515(4)(e):

Deposit his or her passport (*as the Judge or Justice of the Peace directs*).

COURT OF APPEAL OF ALBERTA
Form CRA-H
[Rule 16.31(2)]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

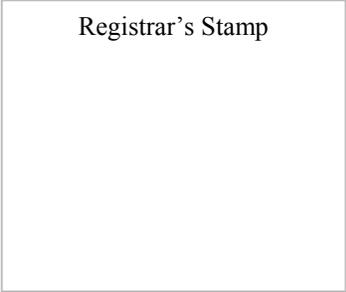
REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty The Queen

APPELLANT/RESPONDENT:

DOCUMENT: **Notice of Change of Representation of** (*name and status on appeal*)

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT:



[*Name and Status*] has changed the lawyer of record from [*Legal Counsel, Law Firm Name*] to [*Legal Counsel, Law Firm Name*].

OR

[*Name and Status*], formerly a self-represented litigant, has retained as lawyer of record [*Legal Counsel, Law firm Name*].

Legal Counsel for [*Name and Status*]:

Law firm name:

Per: _____

(*print name of lawyer signing*)

WARNING

This change of representation takes effect after the affidavit of service of this document on each of the other parties is filed. After that date, no delivery of a pleading or other document relating to the action is effective service on the former lawyer of record or at any address for service previously provided by the former lawyer of record, or on the self-represented litigant.

COURT OF APPEAL OF ALBERTA

Form CRA-I

[Rule 16.32]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty the Queen

APPELLANT/RESPONDENT:

DOCUMENT: **Abandonment of Criminal Appeal**

Registrar's Stamp

Address for Service and Contact Information
of Party Filing this Document:

The Appellant abandons the:

- conviction and sentence appeal.
- conviction appeal only.
- sentence appeal only.

The Appellant acknowledges that this abandonment ends the appeal that is being abandoned.

(signature of appellant or counsel)

(witness, unless signed by counsel)

(print name)

(print name)

Dated this _____ day of _____, 20 _____.

COURT OF APPEAL OF ALBERTA

Form CRA-J

[Rule 16.37(1)(b)]

COURT OF APPEAL FILE NUMBER:

TRIAL COURT FILE NUMBER:

REGISTRY OFFICE:

APPELLANT/RESPONDENT: Her Majesty The Queen

APPELLANT/RESPONDENT:

DOCUMENT: **Type of Document**

ADDRESS FOR SERVICE AND
CONTACT INFORMATION OF
PARTY FILING THIS DOCUMENT:

and

CONTACT INFORMATION OF ALL
OTHER PARTIES:

Registrar's Stamp

