

CANADA

COURT OF APPEAL OF QUEBEC

PROVINCE OF QUEBEC
DISTRICT OF [MONTRÉAL ou QUÉBEC]

[YOUR NAME],
domiciled and residing at [your address],
district of [name of district]

N° : C.A. : [leave empty]

[C.Q. or S.C.] : [file number in first
instance]

APPELLANT – Accused

v.

HER MAJESTY THE QUEEN

RESPONDENT – Prosecutrix

**NOTICE OF APPEAL FROM A CONVICTION ON A GROUND THAT INVOLVES A
QUESTION OF LAW ALONE**

(Article 675(1)a)(i) of the *Criminal Code*)

On [date on which the pleading is signed]

I – FACTS

1. On [date on which you appeared], the appellant appeared in [city where you appeared], district of [name of district], regarding the file number [file number] of the [trial court] to face the following charges :
 - a) **Count n° 1** : [insert the text of the offence];
 - b) **Count n° 2** : [...].
2. On [date on which you stood trial], the appellant stood trial for the charges mentioned in the previous paragraph before the Honourable [name of judge] of the [trial court] of [name of city], district of [name of district].
3. On [date of judgment], the trial judge found the appellant :
 - a) **Count n° 1** : [indicate the judge's verdict on each count];
 - b) **Count n° 2** : [...].
4. The trial lasted for [precise the duration of the trial] days.

5. On [date of sentencing], the appellant was sentenced to :

a) **Count n° 1** : [sentence imposed for each count];

b) **Count n° 2** : [...].

[OR]

At the time of drafting of this notice of appeal, the sentence had not yet been imposed.

6. The present file does not contain confidential information.

[OR]

The present file contains confidential information: [indicate which aspects of the file are confidential and set out the legal provision or order that is the basis of the confidentiality (attach a copy of the order, if applicable)].

II – GROUNDS OF APPEAL

7. The appellant wishes to appeal [this OR these] conviction[s] entered on the following grounds [provide a detailed statement of the grounds that you intend to raise]:

7.1 The trial judge erred in law by concluding that [...];

7.2 The trial judge erred in law by concluding that [...].

8. At trial, the appellant was represented by Mtre [name of counsel], whose offices are located at [counsel's address];

[OR]

At trial, the appellant was not represented by counsel;

9. At trial, the respondent was represented by Mtre [name of counsel], [title], whose offices are located at [address of the respondent's counsel].

FOR THESE REASONS, MAY IT PLEASE THE COURT TO :

GRANT the appeal;

ANNUL the conviction entered by the trial judge on [date of judgment];

SUBSTITUTE an acquittal for the judgment rendered by the trial judge;

[OR]

ORDER a new trial;

RENDER any order that comply with the standards of justice.

On [date on which the pleading was signed], in [name of city].

[your signature]

[your name]

Appellant

[your address]

[your phone number]

[your fax number, if applicable]

[your email address]

N° : CA : [leave empty]
[SC or CQ] ([indicate file number(s) in first instance])

COURT OF APPEAL OF QUEBEC
DISTRICT OF [MONTREAL or QUEBEC]

[YOUR NAME]

APPELLANT – Accused

v.

HER MAJESTY THE QUEEN

RESPONDENT – Prosecutrix

**NOTICE OF APPEAL FROM A CONVICTION ON A GROUND
THAT INVOLVES A QUESTION OF LAW ALONE**

(Article 675(1)a)(i) of the *Criminal Code*)

On [date on which the pleading is signed]

[ORIGINAL or COPY]

[your name]
[your address]
[your phone number]
[your fax number, if applicable]
[your email address]

REMARKS

Format

- The pleadings shall be drafted on a good quality white letter paper (21.5 cm by 28 cm) (art. 18 Rules of the *Court of Appeal of Quebec in Criminal (R.C.a.Q.c.m.)*);
- The text shall be reproduced on one side only of each sheet, with a minimum of one and one-half spaces between the lines, except for the quotations which shall be single-spaced and indented. The typeface shall be 12-point Arial font for the entire text. Exceptionally, 11-point Arial font may be used for quotations and 10-point Arial font may be used for footnotes (art. 18 *R.C.a.Q.c.m.*);
- The margins shall be no less than 2.5 cm (art. 18 *R.C.a.Q.c.m.*);
- All pleadings shall be signed by the party or that party's counsel (art. 18 *R.C.a.Q.c.m.*);
- The facts and the grounds of appeal shall be written concisely, in a maximum of 10 pages (art. 24 f) *R.C.a.Q.c.m.*)

Confidentiality

- The notice of appeal shall include an express reference that the file contains no confidential information. If any part of a file is confidential, the pleadings shall include an express reference to this effect, clearly indicate which aspects of the file are confidential and set out the legal provision or order that is the basis of the confidentiality. The respondent shall indicate any correction it deems necessary (art. 9 *R.C.a.Q.c.m.*).
- Each pleading which refers to something confidential must call attention to confidentiality with the word "CONFIDENTIAL" written beneath the court record number (art. 9 *R.C.a.Q.c.m.*).

Service

- If the appellant or the applicant is the accused and is not represented by counsel, the clerk serves the notice of appeal to the respondent (art. 23 and 26 *R.C.a.Q.c.m.*).

Institution of the appeal

- The notice of appeal shall be filed at the appropriate Office of the Court of Appeal within 30 days from the judgment (art. 23 *R.C.a.Q.c.m.*).
- If the **appellant is the accused and is not represented by counsel**, the notice of appeal shall be filed in 1 original and 4 copies (art. 25 *R.C.a.Q.c.m.*);
- If the **appellant is represented by counsel**, it shall be filed in 1 original and 3 copies (art. 25 *R.C.a.Q.c.m.*).

WARNING: THIS TEMPLATE DOES NOT EXEMPT THOSE WHO USE TO IT FROM READING THE RELEVANT LEGAL PROVISIONS. IT IS AVAILABLE TO FACILITATE THE CONFECTION OF PROCEEDINGS IN APPEAL. EVERY PROCEEDING IS VERIFIED BY THE CLERK OF THE COURT OF APPEAL AND MAY BE REFUSED OR SUBJECT TO MODIFICATIONS IF IS NOT CONFORM.