



## QUEBEC COURT OF APPEAL

### Factum in Criminal Matters

#### Checklists for the Conformity of Factums and Arguments

***Please be advised***

The checklists below are those that the Clerk of the Court uses to verify the conformity of submitted factums and arguments with the *Rules of the Court of Appeal (RCAQ)* and the *Code of Civil Procedure (C.C.P.)*. They are made available in order to assist you in the preparation of your documentation that the Clerk of the Court is bound to apply.

These lists are provided for indicative purposes and your factum/arguments could be refused for other reasons. They neither commit the Court nor its judges and **do not relieve one from reading the pertinent articles of the *Code of Civil Procedure*, the *Rules of the Court of Appeal in Civil Matters* or the *Rules of the Court of Appeal in Criminal Matters***. These rules are found on our web site under the section "*Rules and Notices*". While a physical person may act alone, a company must be represented by an attorney; consultation with a member of the Bar is strongly recommended.

For more detailed information pertaining to the preparation of documents, please consult our "*Checklists and Frequently Asked Questions*" as well as our "*Models of Procedure*" on the Court's web site.

The Clerk of the Court of Appeal.

#### Checklist for the Presentation and the Filing of Factums in Criminal Matters

**File:** \_\_\_\_\_

**N° of the Quebec Court of Appeal:** \_\_\_\_\_

- Delay for filing factums (Art. 66 and 67 *RCAQ*);
- Proof of service (Art. 66 and 67 *RCAQ*);
- Number of copies: 7 copies (Art. 66 and 67 *RCAQ*);
- Format: 8 ½ x 11 (Art. 9 *RCAQ*);

- Cover:
  - Color (Art. 71 a) *RCAQ*;
  - File number (Art. 71 b i) *RCAQ*;
  - Facts concerning the file in first instance (Art. 71 b ii) *RCAQ*;
  - Names of parties and their positions (upper and lower case) (Art. 71 b iii) *RCAQ*;
  - Identification of the party filing the factum (Art. 71 b iv) *RCAQ*;
  - Name of the attorney (Art. 71 b v) *RCAQ*;
  
- Volume and page numbers (cover and bottom edge) (Art. 71 h) *RCAQ*;
  
- General table of contents + table of contents for subsequent volumes (Art. 71 c) *RCAQ*;
  
- Argument:
  - Number of pages (Art. 71 e) *RCAQ*;
  - Numbered paragraphs (Art. 71 g) *RCAQ*;
  - Line spacing (1.5 spacing) (Art. 71 f) *RCAQ*;
  - Characters (12 characters per 2.5 cm) (Art. 71 f) *RCAQ*;
  - Quotations (single spaced and indented) (Art. 71 f) *RCAQ*;
  - Argument in five parts (facts, issues in dispute, arguments, conclusions, sources) (Art. 69 *RCAQ*);
  - Signature of the proceeding (Art. 12 *RCAQ*);
  
- Appellant Schedules (Art. 70 *RCAQ*):
  - Schedule I: Judgment in appeal;
  - Schedule II: Notice of Appeal or motion for leave, other judgment and indictment;
  - Schedule III: Exhibits and depositions;
  
- Page Numbering (Art. 71 d) *RCAQ*:
  - Argument (upper left corner);
  - Schedules (top of the page);
  
- Description of the exhibits and depositions at the top of the page (Schedule III) (Art. 72 (1) and 73 (1) *RCAQ*);
  
- Printing:
  - Argument and Schedule I (left) Art. 74 *RCAQ*;
  - Schedule II and III (double sided) (Art. 74 *RCAQ*);
  - Depositions (4 pages in one allowed) (Art. 73 (2) *RCAQ*);
  
- Number of pages (225 pages per volume) (Art. 75 *RCAQ*);
  
- Attestation (signature and time required) (Art. 76 *RCAQ*)

**Signature of the Clerk:** \_\_\_\_\_ **Date:** \_\_\_\_\_