COURT OF APPEAL FOR BRITISH COLUMBIA

FORM 1 NOTICE OF APPEAL

Court of Appeal File No.
(For Registry Use Only)

The file number can be found on the upper right hand corner of the Notice of Appeal.

Supreme Court File No.

The file number can be found in the upper right hand corner of the Supreme Court documents.

Supreme Court Registry Location

[STAMP]

To the respondent(s)

A Court proceeding has been commenced against you in the Court of Appeal. See the final page of this form for details on how to respond.

1. PARTIES TO THE APPEAL

Appellant(s)

List the party or parties appealing the Supreme Court or tribunal order. Identify their role in the Supreme Court in brackets. E.g.: Jane Doe (plaintiff, petitioner, etc.)

Respondent(s)

List the other party or parties in the Supreme Court or tribunal order you are appealing affected by the appeal. Identify their role in the Supreme Court in brackets. E.g.: Jane Doe (defendant).

2. THE ORDER YOU ARE APPEALING

Is leave to appeal required?
Court of Appeal Rule X explains when you need leave to appeal. If you select 'Unsure' proceed as if you are applying for leave to appeal. Check only one box.

☐ Yes ☐ No ☐ Unsure

Name of Justice or decision maker
Name the justice or other decision maker who pronounced the order you are appealing.

What court and/or tribunal pronounced the order(s)?

☐ Supreme Court ☐ Tribunal

Name of tribunal

Date the Supreme Court order was pronounced
Include the day, month and year that the order being appealed was pronounced (not the date the order was entered).

City where the Supreme Court order was pronounced

Length of Supreme Court hearing
Indicate in days or hours the length of the hearing that led to the order you are appealing from. For example, if you are appealing a judgment from a trial that took two hours, enter "two hours."

What type of proceeding are you appealing from?
Check one only.

☐ Trial Judgment ☐ Order of a Statutory Body
☐ Summary Trial Judgment ☐ Chambers Judgment

3. RELIEF SOUGHT

Order you are seeking on appeal
Briefly list the order(s) you will ask this Court to make. For example: "Set aside the trial judgment and order a new trial". Include any order as to costs.
If you are seeking leave to appeal
start by asking that "leave be granted."

Part of the order being appealed
If you only want to appeal one part of a judgment, enter the part that is being appealed.

Leave to Appeal: Grounds of Appeal
Only complete this section if you are seeking leave to appeal. Enter the reasons you are appealing the decision. Be as specific as possible in describing the errors you say the trial judge made.

4. ADDITIONAL INFORMATION

Sealing Order
Is there an order sealing any part of the Supreme Court file? If yes, add date(s).

☐ Yes ☐ No Date

Anonymity Order/Publication Bans
Are there orders that protect a party or parties identity? If yes, add date(s).

☐ Yes ☐ No Date

Areas of law raised in the appeal
You may check more than one box if appropriate. For example, you should check "motor vehicle accidents" and "torts" for a personal injury claim involving a motor vehicle accident.

☐ Constitutional/Administrative ☐ Civil Procedure ☐ Commercial
☐ Motor Vehicle Accidents ☐ Municipal Law ☐ Real Property
☐ Torts ☐ Equity ☐ Wills and Estates
☐ Divorce Act ☐ Family Law Act ☐ Other

Appeals involving children
Does this appeal involve the rights or interests of a child?

☐ Yes ☐ No

5. SERVICE

Are you representing yourself?

☐ Yes ☐ No

Name and address for service of appellant(s)

Email address for service of appellant(s)
If you provide an email address, you are consenting to have documents served on you by email.

Phone number of appellant(s)

Date form completed
Day, month and year you or your lawyer complete this form.

Name of person completing the form

To the appellant(s):

You must file and serve this form on each respondent named in this document within the timelines required by the *Court of Appeal Act and Rules*.

You must file a Notice of Hearing **within one year** of filing this Form 1 or your appeal will be placed on the inactive list (Rule 48(1)(a)).

To the respondent(s)

IF YOU INTEND TO PARTICIPATE in this proceeding, YOU MUST GIVE NOTICE of your intention by doing the following WITHIN 10 DAYS of receiving this Notice of Appeal: (1) file a "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and; (2) serve the Notice of Appearance on the appellant.

If you fail to file a Notice Appearance:

(a) You are deemed to take no position on the appeal, or the application for leave to appeal (if leave is required).

(b) The parties are not obliged to serve you with any further documents related to the appeal, including an order granting leave to appeal (if leave is required).

YOU ARE DEEMED TO TAKE NO POSITION IF YOU FAIL to file and serve a Notice of Appearance within the time described above. The filing registries for the British Columbia Court of Appeal are as follows.

Central Registry:

B.C. Court of Appeal
Suite 400, 800 Hornby St.
Vancouver BC V6Z 2C5

Other Registries:

B.C. Court of Appeal
The Law Courts
P.O. Box 9248 STN PROV
GOVT 850 Burdett Ave.
Victoria BC V8W 1B4

B.C. Court of Appeal
223 - 455 Columbia St.
Kamloops BC V2C 6K4

Inquiries should be addressed to (604) 660-2468. Fax filings: (604) 660-1951.

Print Form

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