



COURT OF APPEAL

**British Columbia Court of Appeal
Practice Directive (Civil & Criminal)
Title: Citation of Authorities**

Issued: 30 May 2013

Effective: Immediately

Cite as: *Citation of Authorities* (Civil & Criminal Practice Directive, 30 May 2013)

Parties preparing factums or submissions to the Court of Appeal are asked to observe the following:

I. Citation of Authorities

1. The Court requires the use of the citation standards in the *Canadian Guide to Uniform Legal Citation* (7th Edition), known as the *McGill Guide*. Where there is an inconsistency between this practice directive and the *McGill Guide*, this practice directive prevails.
2. Always use periods within citations where omitted by the *McGill Guide*. Cite as precisely as possible to all authorities, for example, to paragraph or section numbers rather than pages or chapters. Never cite to court summaries or headnotes, as they do not form part of a court's judgment.
3. Cite Canadian cases to their neutral citation first. Where no neutral citation is available, cite to a printed reporter or electronic service first. Additional (parallel) citations are optional. Use no more than two.
 - ✓ *Green v. Red*, 2013 BCCA 212 at para. 10
 - ✓ *Green v. Red* (1977), 3 B.C.L.R. 20 at 21 (Co. Ct.)
 - ✓ *Green v. Red*, 2011 BCSC 212 at para. 10, [2011] 2 W.W.R. 212
 - x *Green v. Red*, [2001] S.C.R. 3, 2001 SCC 1
4. If a case is from outside Canada or is not easily found or available at all electronically, provide at least one parallel citation.
 - ✓ *Green v. Red*, [1996] SGCA 78, 1 S.L.R.(R) 212 at 213
 - ✓ *Green v. Red*, [1925] 4 D.L.R. 212, 31 W.L.R. 212 at 213 (B.C.C.A.)

5. Omit the term “(available on...)” when using only a neutral citation, contrary to the *McGill Guide*.
 - ✓ *Green v. Red*, 2011 BCSC 2012
 - x *Green v. Red*, 2011 BCSC 212 at para. 10 (available on WL Can)
6. Omit abbreviated publisher information from the citation when citing Canadian authorities to commonly used electronic services such as CanLII, Quicklaw, or Westlaw Canada.
 - ✓ *Red v. Green*, 2007 CarswellBC 212 (C.A.)
 - x *Red v. Green*, 2007 CarswellBC 212 (C.A.) (WL Can)
7. When relying on an authority cited by another party, always cite to the version within that party’s factum or book of authorities and omit it from your book of authorities. To eliminate unnecessary flipping between books, the Court strongly prefers joint books of authority and/or joint appeal books.
8. Ensure any version of an authority included in a book of authorities matches the format of the version cited in the parties’ factums, particularly with respect to pagination and paragraph numbers.
9. Use the following format for unreported judgments.
 - ✓ *Green v. Red* (30 April 1981), Victoria 79/0123 (B.C.S.C.)
10. When citing a case decided in chambers, include the term “Chambers” or “in Chambers” at the end of the citation within any bracketed information.
 - ✓ *Green v. Red* (1986), 1 B.C.L.R. (2d) 190 (C.A. Chambers)
 - ✓ *Green v. Red*, 2010 BCCA 212 (in Chambers)
11. Add the name of the judge at the end of the citation only when relevant.
 - ✓ *Green v. Red* (1986), 1 B.C.L.R. (2d) 212 (C.A.), Purple J.A., dissenting
12. Do not give the full citation to the rules of the various courts in British Columbia.
 - ✓ *Supreme Court Civil Rules*, R. 15-1
 - ✓ *Supreme Court Family Rules*, R. 15-1
 - ✓ *Court of Appeal Rules*, R. 5
 - ✓ *British Columbia Court of Appeal Criminal Appeal Rules*, 1986, R. 5
 - x *Supreme Court Civil Rules*, B.C. Reg. 168/2009, R. 15-1

13. Use the following format for books that are continually updated, such as loose-leaf services. Do not provide the “date of consultation,” contrary to the *McGill Guide*. Include the last revision update instead.
- ✓ J.D. Green, *The Law of Tort* (Toronto: Thomson Reuters, 2011) (loose-leaf updated 2013, release 20), ch. 5 at 71.

II. Stylistic Considerations

14. Use 12-point Arial font for all text, including citations and footnotes. With the exception of quotations from authorities or enactments, all submissions to the Court, including footnotes (when used), must be one-and-a-half spaced. Do not use endnotes.
15. Do not capitalize the names of documents, the titles of pleadings, or the status of litigation parties unless required in a court form.
- ✓ “The appellant’s notice of civil claim states a power of attorney...”
 - x “The Appellant’s Notice of Civil Claim states a Power of Attorney...”
16. Capitalize “court” only when it refers to a specific court.
- ✓ “The British Columbia Supreme Court held in *Green* that ...”
 - ✓ “The Court in *Green* ...”
 - ✓ “The case before this Court is about ...”
 - x “There is no Court in Canada except the supreme court of Canada...”
 - x “No Courts have yet adopted...”
17. Capitalize “judge” or “justice” only when naming a particular judge or justice. Do not capitalize “judge” or “justice” in descriptive phrases.
- ✓ “Justice Smith wrote in *Green v. Red* that...”
 - ✓ “The trial judge...”
 - x “The Chambers Judge ...”
18. When including citations within paragraphs, do not use *supra*, *ibid.*, hereinafter or similar terms. When referring to an authority several times, use a short form in brackets, but only when the authority must be distinguished from other, similarly named authorities. Otherwise, just use a shortened form in subsequent references.
- ✓ *The Red Act of British Columbia*, R.S.B.C. 1995, c. 22, is referred to in both *Green v. Red*, 2007 BCSC 543 (“*Green #1*”) and *Green v. Red*, 2007 BCSC 212 (“*Green #2*”). In both *Green #1* and *Green #2*, the *Red Act* was upheld as constitutional.

19. Avoid overly formalistic language, such as “this Honourable Court,” “hereinafter,” “heretofore,” “aforesaid,” or “learned”. Use Latin phrases only when necessary.
20. When printing or copying authorities, provide legible and/or enlarged authorities of at least 12-point font, printed on both sides of the page.
21. The Court encourages the use of hyperlinks in electronic versions of factums. Hyperlink Supreme Court of British Columbia or Court of Appeal for British Columbia case citations to [the Superior Courts judgment database](#) or [CanLII](#). Hyperlink Supreme Court of Canada case citations to the [LexUM website](#).
22. When referring to a practice directive or practice note, follow the citation style prescribed on each directive or note.



The Honourable Chief Justice Finch
for the Court of Appeal of British Columbia

History:

Replaces *Citation of Authorities* (Civil & Criminal Practice Directive, 19 September 2011) which replaced the civil and criminal Practice Directives titled *Citation of Authorities*, both dated 18 June 2007.