

PRACTICE DIRECTIVE

Citation of Authorities

(Amended June 18, 2007 - main Amendment underlined)

Counsel preparing factums for use in the B.C. Court of Appeal are asked to observe the following:

1. Whenever a decision is reported in the Supreme Court of Canada Reports (S.C.R.), that reference shall be given.
2. If a Supreme Court of Canada decision has a neutral citation, that neutral citation shall be used until the decision is reported in the S.C.R. and, once reported, the neutral citation shall appear as a parallel citation.
3. Although the Court of Appeal requires the citation of a Supreme Court of Canada case to the S.C.R., the copies reproduced for the Court may be reproduced from another reported series or from an electronic database (for example, QuickLaw, Westlaw/eCarswell, a superior court website, or CANLII). References to decisions appearing in an electronic database shall include the name of the database.
4. For cases other than decisions of the Supreme Court of Canada reported in the S.C.R., counsel may choose the reported series to which they wish to refer. Where more than one counsel relies on the same decision, all counsel shall refer to the same reported decision in their factums.
5. While citations must be to a reported series where available, copies provided to the Court may be from an alternate electronic database. However, copies from alternate electronic sources may be provided only if the decision published in the reporter series contains numbered paragraphs and the paragraph numbering is the same in the electronic source as in the reported series.
6. Where a decision is reported and has a neutral citation, the neutral citation shall be followed by a parallel citation to the reported series.

Example:

Sharab Developments Ltd. v. Zellers Inc., 1999 BCCA 39, 65 B.C.L.R. (3d) 67.

7. Where a decision is unreported and has a neutral citation, the neutral citation shall be used.

Example:

Sharab Developments Ltd. v. Zellers Inc., 1999 BCCA 39.

8. In citing unreported decisions of a court (prior to the introduction of neutral citations) the citation shall be as follows:

Name of decision (date of decision), registry location docket number (jurisdiction and court level).

Example:

MacMillan Bloedel Ltd. v. Sheila Simpson et al (12 November 1993), Vancouver C916306 (B.C.S.C.)

9. Where reference is to a judgment from a single judge in chambers, the term "chambers" shall be included in the citation.

Examples:

Hockin v. Bank of British Columbia (1999), 37 B.C.L.R. (2d) (C.A. Chambers), Wallace J.A.

10. Where reference is made to a particular passage in a decision, that reference shall be to a paragraph number where available. Where a paragraph number is not available, the reference shall be to a page number in a reported series.
11. Any reproduction of an electronic report shall be legible and printed in at least 12 point type and preferably printed on both sides of the page.

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

June 18, 2007