



COURT OF APPEAL

**British Columbia Court of Appeal
Practice Directive (Criminal)
Title: Summary Conviction Appeals**

Issued: 6 September 2013

Effective: Immediately

Cite as: *Summary Conviction Appeals* (Criminal Practice Directive, 6 September 2013)

1. Pursuant to the *British Columbia Court of Appeal Criminal Appeal Rules, 1986*, an appellant must file an original and four copies of an application for leave to appeal in Form 1A, or Form 2 (where the appellant is unrepresented) within 30 days after the decision being appealed was pronounced. The registrar will forward a copy of the Form 1A or 2 to the prosecutor.
2. Within 30 days of filing the application for leave to appeal, the appellant shall file three copies of the following:
 - (a) the reasons for judgment (or reasons for sentence if the sentence is appealed) from the original trial judge;
 - (b) The reasons for judgment of the summary conviction appeal judge;
 - (c) Order of the summary conviction appeal judge; and,
 - (d) A short outline of argument setting out the question of law proposed to be argued on appeal
3. The appellant shall deliver one filed copy of the material set out in paragraph two to the respondent.
4. At the time of filing material set out in paragraph two, the appellant shall also set an agreed date for the hearing of the application, which date shall be within 60 days of the filing of the application for leave to appeal.
5. The respondent shall file three copies of a short outline of argument together with any further material the respondent regards as necessary to the hearing of the application for leave to appeal, at least two weeks prior to the date the

application is set to be heard. The respondent shall deliver a copy of this material to the appellant.

6. Where leave to appeal is granted, the appellant shall forthwith set a hearing date for the appeal which is not more than 180 days from the date leave is granted.
7. Within 60 days of leave to appeal being granted, the appellant shall file six copies of a factum and serve one copy on the respondent.
8. At the same time the appellant shall file six copies of any appeal book and transcript which is necessary to argue the appeal and deliver one copy of this material to the respondent. The appellant shall also file one copy of an electronic transcript.
9. Within 60 days of receiving the appellant's factum, the respondent shall file six copies of a factum and deliver one copy to the appellant. At the same time the respondent shall file six copies of any further appeal book and transcript, in addition to the material filed by the appellant, which is necessary to argue the appeal. The respondent shall deliver one copy of this further material to the appellant.
10. Any party to the appeal may request case management at any time.
11. This practice directive does not apply to appeals filed on or before the date this practice directive is issued.

A handwritten signature in black ink, appearing to read 'A. Bauman C.J.B.C.', is written over a horizontal line.

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

History: This is a new practice directive.