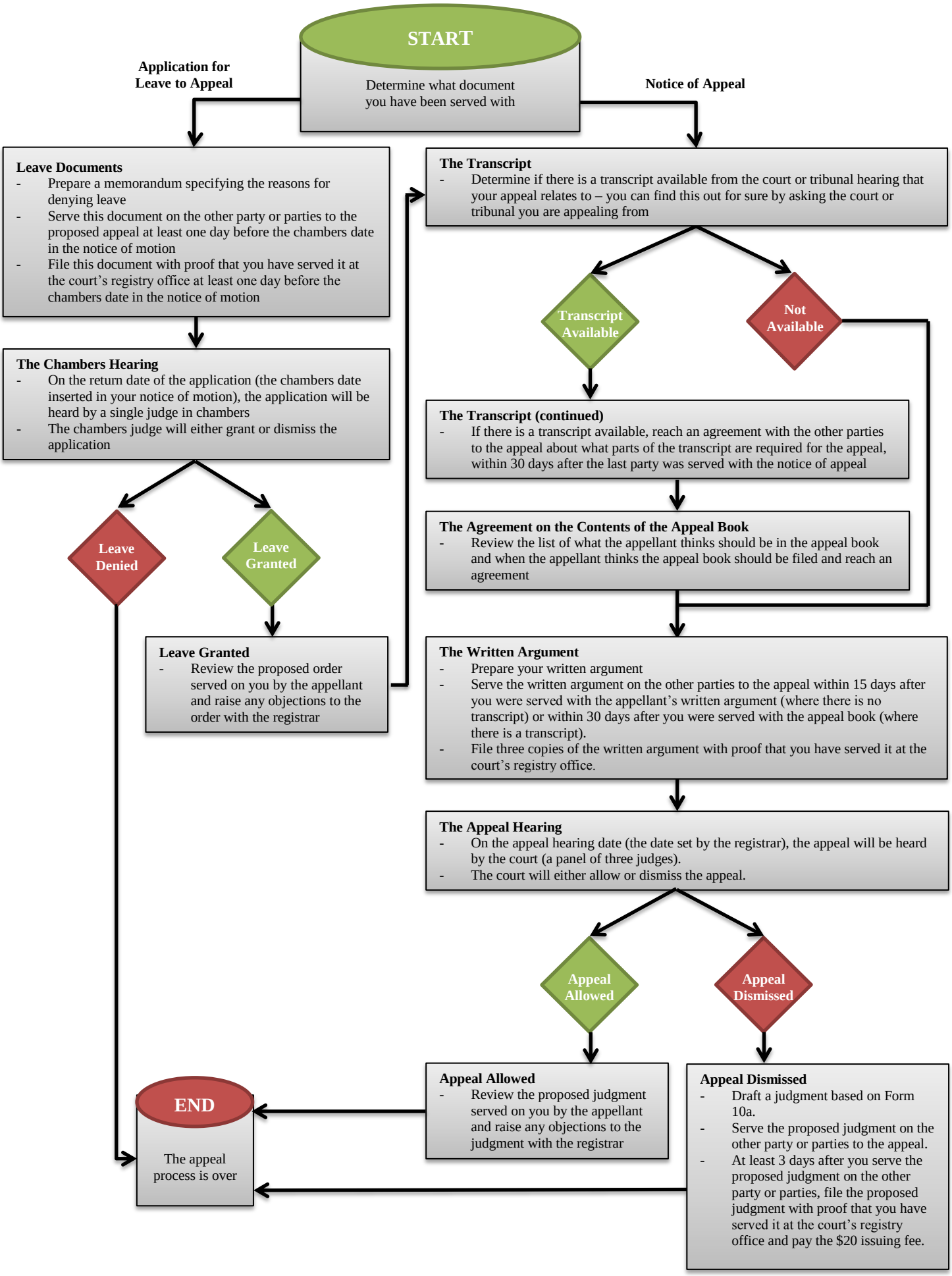
START
Determine what document you have been served with
Application for Leave to Appeal
Notice of Appeal
Leave Documents
- Prepare a memorandum specifying the reasons for denying leave
- Serve this document on the other party or parties to the proposed appeal at least one day before the chambers date in the notice of motion
- File this document with proof that you have served it at the court's registry office at least one day before the chambers date in the notice of motion
The Chambers Hearing
- On the return date of the application (the chambers date inserted in your notice of motion), the application will be heard by a single judge in chambers
- The chambers judge will either grant or dismiss the application
Leave Denied
Leave Granted
Leave Granted
- Review the proposed order served on you by the appellant and raise any objections to the order with the registrar
The Transcript
- Determine if there is a transcript available from the court or tribunal hearing that your appeal relates to – you can find this out for sure by asking the court or tribunal you are appealing from
Transcript Available
Not Available
The Transcript (continued)
- If there is a transcript available, reach an agreement with the other parties to the appeal about what parts of the transcript are required for the appeal, within 30 days after the last party was served with the notice of appeal
The Agreement on the Contents of the Appeal Book
- Review the list of what the appellant thinks should be in the appeal book and when the appellant thinks the appeal book should be filed and reach an agreement
The Written Argument
- Prepare your written argument
- Serve the written argument on the other parties to the appeal within 15 days after you were served with the appellant's written argument (where there is no transcript) or within 30 days after you were served with the appeal book (where there is a transcript).
- File three copies of the written argument with proof that you have served it at the court's registry office.
The Appeal Hearing
- On the appeal hearing date (the date set by the registrar), the appeal will be heard by the court (a panel of three judges).
- The court will either allow or dismiss the appeal.
Appeal Allowed
Appeal Dismissed
Appeal Allowed
- Review the proposed judgment served on you by the appellant and raise any objections to the judgment with the registrar
Appeal Dismissed
- Draft a judgment based on Form 10a.
- Serve the proposed judgment on the other party or parties to the appeal.
- At least 3 days after you serve the proposed judgment on the other party or parties, file the proposed judgment with proof that you have served it at the court's registry office and pay the $20 issuing fee.
END
The appeal process is over