**FORM 6 FACTUM**

*[Rule 10]*

**Cover Page**

**(Coloured buff for appellant's factum;**

**Coloured green for respondent's factum)**

COURT OF APPEAL FILE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ REGISTRY

**COURT OF APPEAL**

ON APPEAL FROM (Court or judge from whose order the appeal is brought, together with the date on which the order was pronounced)

(Style of Cause)

REX

***Respondent/Appellant***

vs.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Appellant/ Respondent***

**APPELLANT'S (RESPONDENT'S) FACTUM**

(Name of counsel for appellant)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Counsel

(Name of counsel for respondent)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Counsel

**INDEX**

*(The index is printed on the right side of the factum. All pages in the remainder of the factum are printed on the left. Pages should be numbered consecutively beginning at the first page of Part 1. The factum shall be double­ spaced, except for excerpts from authorities or reproductions of enactments, which shall be single-spaced.)*

INDEX

PART PAGE

(Page numbers on which

Parts begin only)

PART 1

STATEMENT OF FACTS

PART 2

ERRORS IN JUDGMENT (Appellant's Factum)

ISSUE(S) ON APPEAL (Respondent's Factum)

PART 3

ARGUMENT

PART 4

NATURE OF ORDER SOUGHT

APPENDICES (if any)

LIST OF AUTHORITIES

**PART 1**

(In Parts I to 4, each line shall be numbered consecutively in the left margin)

1 PART 1 - STATEMENT OF FACTS

2

3

4

5

6

7

8

9

10

11 (In the appellant's factum, this Part shall consist of a concise statement of the

12 course of the proceedings and the facts of the case. Each paragraph of this Part

13 shall be consecutively numbered.

14

15

16 In the respondent's factum, this Part shall consist of the respondent's position

17 with respect to the appellant's statement of facts, and a concise statement of any

18 other facts that the respondent considers relevant.

19

20

21 In each factum, the source relied on for a statement of fact (e.g., the testimony

22 and exhibit or the reasons for judgment) should be identified by referring to the 23 page and lines of the Appeal Book or Transcript.)

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

**PART 2**

1 PART 2

2

3 ERRORS IN JUDGMENT (Appellant's Factum)

4

5

6 OR

7

8

9 ISSUE(S) ON APPEAL (Respondent's Factum)

10

11 (In the appellant's factum, this Part shall consist of a concise statement that

12 sets out clearly and particularly in what respect the charge to the jury or the

13 judgment or order appealed from is alleged to be in error.

14

15

16 In the respondent's factum, this Part shall consist of a statement of the

17 respondent's position in regard to the points put in issue in the appellant's

18 factum and of any other points that the respondent may properly put in issue.)

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

**PART 3**

1 PART 3

2

3 ARGUMENT

4

5

6

7

8

9

10

11 (In each factum, this Part shall consist of a concise outline of the argument

12 setting out the points of law or fact to be discussed and making particular

13 reference to the page and lines of the Appeal Book or Transcript and the

14 authorities in support of each point.

15

16

17 Where an enactment is cited or relied on, it may be briefly reproduced in this

18 Part, but it shall be reproduced in whole

19 (a) as an appendix to the factum, or

20 (b) as a separate volume with covers the same colour as

21 the appropriate factum, and be Filed at the same time as that factum.)

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

**PART 4**

1 PART 4

2

3 NATURE OF ORDER SOUGHT 4

5

6

7

8

9

10

11 (This Part shall consist of a concise statement of the nature of the order

12 that the party preparing the factum desires the court to make.)

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

**LIST OF AUTHORITIES**

1 LIST OF AUTHORITIES PAGE(S)

2

3

4

5

6

7

8

9

10

11 (Following any appendices, there shall be listed in alphabetical order all

12 authorities that are referred to in the factum. After each authority, the page or

13 pages in the factum at which the authority is referred to shall be cited. All

14 citations of an authority that are known by counsel shall be given and, when an

15 authority is a decision of the Supreme Court of Canada, the *Supreme Court*

16 *Report* citation shall be given first.)

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47