

Court File No. A-XXX-XX

FEDERAL COURT OF APPEAL

BETWEEN:

NAME(S) OF PARTY(IES)

Appellant(s)

and

NAME(S) OF PARTY(IES)

Respondent(s)

[choose one: **APPELLANT'S/RESPONDENT'S**] **MEMORANDUM OF FACT
AND LAW**

NAME OF PARTY

Address for service

Tel:

Fax:

Email:

[Appellant/Respondent/etc.]

TABLE OF CONTENTS

OVERVIEW.....	3
PART I – STATEMENT OF FACTS	3
PART II – POINTS IN ISSUE.....	4
PART III – SUBMISSIONS.....	4
Standard of review	4
Heading – Be descriptive of the first submission you will make.....	4
Heading – Be descriptive of the second submission you will make	4
Heading – Be descriptive of the third submission you will make.....	5
PART IV – ORDER SOUGHT.....	5
PART V – LIST OF AUTHORITIES.....	6
LEGISLATION/REGULATIONS	6
CASE LAW	6
SECONDARY SOURCES	7

OVERVIEW

1. This section provides a high-level summary of what the proceeding is about.
2. An example would be:
3. The Appellant appeals from the order of [name of decision-maker] made on [date that the order was made]: [here you might provide the name of the decision, the citation, and a link to the decision if it is publicly available]. That order was about [provide a brief high-level description of what that decision was about]. For [reason 1, reason 2, reason 3], the [name of party] requests [what you are asking the Court to do].

PART I – STATEMENT OF FACTS

4. This section is used to describe relevant facts.
5. It may help to keep to one fact per paragraph, or, at least, to one group of related facts per paragraph.
6. When describing a fact, it helps to provide a reference to where that fact comes from.
7. An example would be:
8. The trial judge found that the contract was breached: Reasons for decision at para. 7.
9. Etc.
10. Etc.

PART II – POINTS IN ISSUE

11. This section is used to describe the issue(s) that the party believes the Federal Court of Appeal must address in order to make the right decision.
12. As an example:
13. The first issue is the standard of review.
14. The second issue is [describe the second issue].
15. The third issue is [describe the third issue, if there is one].
16. Etc.

PART III – SUBMISSIONS

Standard of review [or other heading]

17. The standard of review is [describe the standard(s) of review that apply to the issue(s) named above].

Heading – Be descriptive of the next submission you will make

18. Here is where you will make your submissions on the first issue.
19. Etc.
20. Etc.
21. Etc.

Heading – Be descriptive of the next submission you will make

22. Here is where you will make your submissions on the second issue.
23. Etc.
24. Etc.

25. Etc.

26. Etc.

Heading – Be descriptive of the next submission you will make

27. Here is where you will make your submissions on the third issue.

28. Etc.

29. Etc.

30. Etc.

31. Etc.

PART IV – ORDER SOUGHT

32. State briefly what order you are asking the Court to make.

33. As an example:

34. The [name of party] asks that the appeal be [granted/dismissed] with costs.

All of which is respectfully submitted, this [day] of [month], [year] at [city],
[province/territory].

[signature]_____
NAME OF PARTY
Address for service

Tel:
Fax:
Email:
[Appellant/Respondent/etc.]

PART V – LIST OF AUTHORITIES

LEGISLATION/REGULATIONS

1. Name of relevant law or regulation and the relevant sections of that law or regulation [or as the case may be].
2. Name of another relevant law or regulation and the relevant sections of that law or regulation [or as the case may be].
3. Etc.
4. As an example:
5. [*Interpretation Act*, R.S.C., 1985, c. I-21, s. 26.](#)
6. [*Access to Information Act*, R.S.C., 1985, c. A-1, s. 1.](#)
7. [*Migratory Birds Regulations*, 2022, SOR/2022-05, s. 3.](#)

CASE LAW

8. Name of relevant case and citation. Include a hyperlink to the decision if publicly available.
9. Name of second relevant case and citation. Include a hyperlink to the decision if publicly available.
10. Etc.
11. As an example:
12. *Housen v. Nikolaisen*, [2002 SCC 33](#).
13. *Canada (Minister of Citizenship and Immigration) v. Vavilov*, [2019 SCC 65](#).

SECONDARY SOURCES

14. Include any relevant secondary sources (such as books, articles, commentary, etc) here.

15. Etc.

16. Etc.