



What is an appeal book?

The appeal books are the documents that the Court of Appeal has before it when it hears the appeal. They contain copies of the documents that the Court will need to decide the questions of fact and law that are raised in the appeal.

There are three appeal books before the Court of Appeal in each appeal.

- A White Appeal Book; containing the papers which have been prepared for the appeal;
- A Blue Appeal Book; containing the basic documents from the primary court which gave rise to the appeal; and
- A Green Appeal Book; containing the evidence from the primary court, including any relevant transcript or exhibits.

How do I know what to put in the appeal books?

Rule 38 of the *Supreme Court (Court of Appeal) Rules 2005* lists what documents should be included in each appeal book.

When you file the Appellant's Case, you must attach the draft appeal book indexes. When the respondents file their answer they will reply to your draft indexes. The Registrar will then settle the final form and content of the indexes. The Registrar may either settle the indexes at an appointment or by mail.

The Registrar has the final decision on what is or is not included in any appeal book. The documents included in the appeal books must be only those, or parts of those documents, that are needed to decide the issues in the appeal specified in the documents filed by the parties.

How many copies of the books do I need to file?

Usually the Court asks you to file four copies of the appeal books. You will need to serve a copy on the respondent and have a copy for yourself.

The Registrar will confirm the number of books that you need to file and what date they have to be filed by when the indexes are settled.

How are the appeal books prepared?

The appellant prepares the appeal books, unless the Court orders otherwise.

The technical requirements of preparing an appeal book are set out in Rule 39 the Court of Appeal Rules. An information sheet is available from the Court of Appeal Office or the Supreme Court website.

Where do I get copies of the documents to go in the appeal books?

The documents to be included in the appeal book are mostly those filed by the parties either in the Court of Appeal or the primary court so you should have copies of most documents already.

If you need a copy of the transcript or any other document from the file you should request a copy from the Court of Appeal Office or the Registry of the primary court as soon as possible. The Court usually charges fees for copying documents, unless the Registrar or a Judge has directed that the copy be provided free of charge.