

Small Claims Appeal Checklist for Appellants

Timeline	Action	Forms
<p>Within 40 days from the date the Small Claims Court decision was given</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Read Standard Directions for Appeals from Provincial Court <input type="checkbox"/> Complete Notice of Appeal (Form 74) <input type="checkbox"/> File it at the Supreme Court registry <i>closest</i> to where the Small Claims Court order was made <input type="checkbox"/> Pay required fees and deposits 	<p><u>Standard Directions</u></p> <p><u>Notice of Appeal</u> Form 74</p>
<p>Within 7 days of filing the Notice of Appeal,</p>	<p>Personally serve the Notice of Appeal and the Small Claims Appeal Standard Directions on each party to the Small Claims case who will be affected by the appeal.</p>	<p>Supreme Court Civil <u>Rule 4-3 — Personal Service</u></p>
<p>Within 14 days of filing the Notice of appeal:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Order and pay for transcripts of oral evidence given at trial and the judge's reasons for judgement. <input type="checkbox"/> File proof that: <ul style="list-style-type: none"> • the Notice of Appeal has been served on respondents (Affidavit of Service) • the transcript has been ordered <input type="checkbox"/> File and serve a Notice of Hearing of Appeal (Form 75) on 	<p><u>Notice of Hearing of Appeal</u> in Form 75</p>

	<p>the Respondent by ordinary service.</p> <p>Schedule hearing date with the registrar and pay fee.</p>	
<p>Within 45 Days of filing the notice of Appeal:</p>	<ul style="list-style-type: none"> <input type="checkbox"/> File original transcript with court <input type="checkbox"/> Serve copy of original transcript on respondents <input type="checkbox"/> File and serve statement of argument (schedule A) <input type="checkbox"/> Serve Copy on the respondent by ordinary service 	<p>Schedule "A" which is attached to the Standard Directions for your Statement of Argument</p>

Small Claims Appeal Checklist for Respondents

Timeline	Action	Forms
<p>Within 7 days of being served with the Notice of Appeal</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Read Standard Directions. <input type="checkbox"/> If the respondent wishes to oppose the appeal and to receive notice of the hearing date, he or she must: <ol style="list-style-type: none"> a. file a Notice of Interest in Form 70 b. promptly serve a copy of the filed Notice of Interest on the appellant by ordinary service 	<p><u>Standard Directions</u></p> <p><u>Notice of Interest</u> - Form 70</p>
<p>Not less than 14 days before the hearing,</p>	<ul style="list-style-type: none"> <input type="checkbox"/> File statement of argument (Schedule B) <input type="checkbox"/> Serve a copy on the appellant by ordinary service 	<p>Schedule "B" which is attached to the <u>Standard Directions</u> for your Statement of Argument</p>