

Judicial Review (JR) merit assessment

Bill C-12 eligibility case

Lawyers must use this form to provide an assessment of the legal merits of a judicial review application challenging the decision of an officer who has determined a client's refugee claim ineligible to be referred to the Refugee Protection Division under one of the Bill C-12 eligibility restrictions. **LAO does not require a detailed opinion letter.**

Basic information

Lawyer's name:

Client's name:

JR certificate number:

Basic information

Is this a judicial review challenging the decision of an officer who has determined the client's refugee claim ineligible to be referred to the Refugee Protection Division under one of the two new eligibility restrictions from Bill C-12?

Yes

No

If not, do not use this form. Use the [judicial review \(JR\) merit assessment form](#) available in the LAO forms library.

Has an application for leave and for judicial review (ALJR) been filed?

Yes

No

If not, submit this form only after the ALJR has been filed.

Merit assessment

Coordinated Federal Court test cases are challenging the legality of the two new eligibility restrictions from Bill C-12 on constitutional and other legal grounds. While those proceedings are ongoing, individual cases may be filed through an application for leave and for judicial review. The Federal Court has agreed to hold cases in abeyance pending the outcome of the test case litigation.

Please confirm that this judicial review relies on constitutional and other legal arguments being advanced in the lead test cases, will be held in abeyance pending their resolution, and does not require further funding from Legal Aid Ontario at this time.

I confirm that the above statement of merit is accurate. Yes No

If not, and if additional services are required, email immigrationandrefugee@lao.on.ca.

Submitting the form

Please attach a copy of the Application for Leave and for Judicial Review (ALJR) filed with the Federal Court.

I certify that the information included in this form is complete, true and accurate.

Name:

Date:

Signature:

Please use Legal Aid Online to submit this form and any attachments through the portal under the Certificate Amendment / Authorization page. Select “materials for JR authorization” as the document type.

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Personal information contained on this form is collected under the authority of the Legal Aid Services Act, 2020 and will be used for the purpose of delivering legal aid services under the Legal Aid Services Act.

Questions about this collection should be directed to the privacy and access to information officer at fippa@lao.on.ca or 1-800-668-8258.



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