

Eligibility for criminal law services



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Bail services

LAO provides bail services to all individuals without a requirement for financial or other eligibility testing.

Certificate services

Determining eligibility for legal aid certificate services in criminal law matters requires a financially eligible individual to be assessed as to whether there is sufficient likelihood that the individual will face a custodial sentence upon a finding of guilt. A custodial sentence does not include house arrest or conditional sentence.

Where LAO has determined that it is likely that an individual will face a custodial sentence after a finding of guilt, that individual is eligible for certificate services to defend:

- a criminal charge
- a Dangerous Offender application provided the Crown has indicated their intention to proceed
- a Long-term Supervision Order provided the Crown has indicated their intention to proceed
- charges under the *Provincial Offences Act* and the *Highway Traffic Act*

Legal aid services are not available to defend privately laid charges regardless of whether the individual would face a custodial sentence upon a finding of guilt.

Other services

Subject to financial eligibility, LAO may provide the following criminal law services without a determination of whether the individual would face a custodial sentence upon a finding of

guilt, including:

- legal advice
- in court assistance
- resolution services

Where available, individuals are eligible for the following services without regard to eligibility:

- legal education
- legal information
- referral services