

What to do before your criminal court first appearance

What is first appearance?

Your first court appearance is **not** your trial date. At your first appearance, make sure you go to the courthouse that is listed on your **release document**. At the courthouse, you can:

- get your disclosure (the police case against you)
- take your disclosure and show it to a free duty counsel lawyer provided by Legal Aid Ontario at the courthouse so you can find out about your options
- in many cases, find out what the Crown Attorney would recommend to the judge in terms of a sentence if you choose to plead guilty

Free interpretation services

If you are not comfortable communicating in English, you can call the court **before your first appearance** to have an interpreter there for you, free of charge. Please call the court where you will be attending and leave a message with:

- your full name
- the language you speak
- the date and time you are coming to court
- the courtroom number

If you are Francophone, you have the right to proceed in the official language of your choice throughout the proceedings.

What to bring to court

- any papers the police or anyone else gave you relating to your charge
- any papers you think might be important to your case (e.g. letters from doctors, counsellors, employers, schools, volunteer work)
- any papers relating to your income you may need to apply for legal aid if you can't afford a lawyer

How do I get a lawyer?

- If you are financially able to hire your own lawyer and wish to have a lawyer represent you, you should hire that lawyer as soon after being charged as possible. You may contact the Law Society Referral Service at 1-855-947-5255, as you are entitled to a lawyer of your choice. If you do hire a lawyer and he/she cannot come with you to court, ask your lawyer to give you a letter so that the court will know what your lawyer is recommending should happen at your court date.
- If you cannot afford to hire a lawyer, you should consider applying for legal aid.

When should you apply for legal aid?

You can either apply:

- **Before** your first appearance, you can call Legal Aid Ontario at **1-800-668-8258** to see if you qualify for a legal aid certificate, which guarantees that a private practice lawyer who accepts your case will get paid for providing you with full representation for a certain number of hours.
- **After** your first appearance at the courthouse. Depending on the case, duty counsel can give summary advice to anyone charged, whether or not they qualify for legal aid. Duty counsel can also give you information about what other options are available for free legal representation.

You will need the following documents for your legal aid application:

- If you are on Ontario Works benefits, Ontario Disability benefits, Employment Insurance, Workers Compensation, CPP, OAS or a private pension, bring a copy of your most recent cheque stub.
- If you are working, bring pay stubs or a letter from your employer that states your income and deductions.
- Documents showing assets and debts (e.g. bank statements, RRSPs, GICs).
- Any documents given to you by the police or the Crown Attorney.