

Did you know?

December 2001

CRIMINAL COURT PROCESS (PART 1)

If you have been charged with a crime, you must appear in a criminal court to deal with the charge.

What is the criminal court process?

The process includes one initial appearance and three appearances in front of a judge. The initial appearance is before a Justice of the Peace (JP), and not in front of a judge, in a setting other than a courtroom. This appearance is in the "initial appearance room" (IAR). The other consecutive appearances in front of a judge are:

- 1) arraignment hearing
- 2) trial confirmation hearing
- 3) trial

What exactly happens at the initial appearance?

At this appearance, the accused appears before a JP in the initial appearance room.

The Crown Counsel is also present, and sometimes a court clerk. The JP will help the accused in knowing what exactly the charge is, how to apply for legal aid, hiring one's own lawyer or getting legal advice and assistance from the duty counsel lawyer at the courthouse appointed by legal aid.

What if I am not eligible for legal aid at this stage of the process, and cannot afford to hire my own lawyer?

As mentioned previously, you can get legal advice from the duty counsel lawyer at the courthouse. If you require further assistance, you can contact the UBC Law Students to see if they can assist you. The law students can assist you if you do not have a criminal record, and the charge you are facing is not a serious charge. Their number is: **(604) 822-5791.**