

You have a
legal issue

You speak
French

Did you know that
you are entitled to
receive legal services
in French from a
lawyer or paralegal?

Know your rights



The Law Society
of Upper Canada

Barreau du
Haut-Canada



Ontario

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French and English are the official languages of the courts in Ontario.

Before which court may I proceed in French?

- Before the courts established by the federal government
- In a criminal case
- Before most courts in Ontario
- Before certain tribunals created by the government of Ontario

Am I entitled to receive legal services in French from a lawyer or a paralegal?

Yes. If your lawyer or paralegal cannot offer services in French, they should help you find a lawyer or a paralegal who can.

Do not hesitate to tell your lawyer or paralegal that you wish to receive your legal services in French.

How do I find a lawyer or paralegal who speaks French?

The Law Society Referral Service (LSRS) provides online referrals to lawyers or paralegals who are able to provide services in French. A crisis line is available Monday to Friday, 9:00 am to 5:00 pm. The line is for those in custody or who are otherwise unable to use the online service. You can request to be referred to a lawyer or paralegal who speaks languages other than English or French, or a lawyer who accepts legal aid certificates.

Requests: www.lawsocietyreferralservice.ca | Crisis Line - Toll Free: 1-855-947-5255 | Tel: 416-947-5255

The Law Society's online **Lawyer and Paralegal Directory** also includes information about the lawyer's or paralegal's capacity to offer the services in French: www.lawyerandparalegal.directory.

Association des juristes d'expression française de l'Ontario

ajefo  Association des juristes d'expression française de l'Ontario

Search the online directory of the Association des juristes d'expression française de l'Ontario (AJEFO), or contact them by phone, email or mail, at:

85 Albert Street, Suite 1400
Ottawa, ON Canada
K1P 6A4
Tel: 613-842-7462 ext. 230
Fax: 613-842-8389
Email: bureau@ajefo.ca
Web: www.ajefo.ca

Ontario Bar Association



ONTARIO
BAR ASSOCIATION
A Branch of the
Canadian Bar Association

L'ASSOCIATION DU
BARREAU DE L'ONTARIO
Une division de l'Association
du Barreau canadien

You can also search the online directory of members of the Ontario Bar Association, at:
www.oba.org/for-the-public/find-a-lawyer

CRIMINAL LAW

If I am accused of a crime, do I have a right to a court proceeding in French?

Yes. If you are accused of a crime, you are entitled to proceed in your official language of choice (English or French). If you speak French, you have the right to be tried in French, and you will be heard by a judge and jury (if it is a case with a jury) who speak French.

What happens if an accused person does not know that he or she is entitled to a criminal court proceeding in French?

If the accused person is represented by a lawyer, the lawyer has a duty to inform the client of their right to proceed in their language of choice. The justice of the peace or the judge of the court before which the accused appears for the first time must advise the accused of his or her right to request a criminal trial in French. The justice of the peace or judge must also inform the accused person of the deadline to make the request.

If I choose to be tried in French, will there be an interpreter?

If you choose to be tried in French, the judge must ensure that the trial proceeds in French, and he or she must speak and understand French. The jury (if there is one) and the Crown counsel must also speak and understand French. An interpreter would only be needed if one of the witnesses does not speak French.

CIVIL PROCEEDINGS (E.G. DIVORCE, FAILURE TO FULFIL A CONTRACTUAL OBLIGATION, NEGLIGENCE CLAIM)

If I am involved in a civil proceeding, can I request that the trial proceed in French?

French and English are the official languages of the courts in Ontario. Generally, hearings before the courts proceed in English, and court documents must be filed in English along with English certified translations. However, a French-speaking person involved in a civil proceeding is entitled to a bilingual proceeding.

What is a bilingual proceeding?

A person involved in a civil proceeding in Ontario is entitled to a bilingual judge and to file testimonies and submissions in French. In certain regions of the province, they are also entitled to a bilingual jury. You can find this list of regions online, at:

www.attorneygeneral.jus.gov.on.ca/english/justice-ont/french_language_services/rights/designated_region.asp

Can I file my documents in French for a bilingual civil proceeding?

The right to file documents written in French is dependent on:

- the court before which the proceeding is conducted (for example, French documents can be filed at all Family Court locations of the Superior Court of Justice);
- the region; or
- getting consent from the other parties.

MORE INFORMATION

For more information on your French-language rights, the Court system and the lawyers' and paralegals' responsibilities, you can consult Cliquez Justice, a public legal information resource in French, at:

www.cliquezjustice.ca



You can also consult our guides *Advising Clients of their French Language Rights – Lawyers' Responsibilities* and *Advising Clients of their French Language Rights – Paralegals' Responsibilities* online, at: www.lsuc.on.ca or contact the Law Society of Upper Canada's Equity Initiatives Department, at: 416-947-3300, ext 2153 to receive hard copies.