



APPEARING IN YOUTH PROVINCIAL COURT

Step 1: You're Charged

The police will give you an appearance notice, which tells you the date, time and place you are to appear in docket court. Check the bottom of your notice to see whether you are also required to appear for fingerprinting.

Step 2: Know Your Type of Offence

It is important to know whether you have been charged with a summary conviction offence or an indictable offence.

Summary Offence

- Are considered to be less serious than indictable offence.

Indictable Offence

- Are considered to be more serious than summary offences.

Dual or Hybrid Offences

- Offences that may be classed as either summary or indictable offences at the election of the Crown Prosecutor

Step 3: Getting Legal Assistance

- All youth will benefit from receiving legal advice from a lawyer. It is strongly recommended that youth see Duty Counsel on a first appearance.
- The lawyers from the Youth Criminal Defense Office take turns in acting as Duty Counsel each weekday morning.
- The youth will then obtain legal counsel from Legal Aid who will contact them to advise them of the assigned lawyer prior to their next court appearance.

Step 4: Choosing a Plea

- **Reserve Plea**

The matter would be put over for 1-2 weeks so that the assigned Legal Aid lawyer can begin representation of the youth.

- **Plead Guilty**

Youth would probably be sentenced at that time, or a Presentence Report would be ordered prior to a sentencing.

- **Plead Not Guilty**

A trial date would be set, and the case would be heard at that time before a Provincial Youth Judge.

Step 5: Appearing in Court

Failure to appear in court would result in a warrant being issued for the youth's arrest, and an additional charge of "Failure to Appear" would be laid.

The Elizabeth Fry Society of Edmonton's Courtworkers are available to assist youth and accompanying adults

- Available 1/2 hour (9:00 a.m.) before courtroom #444
- Provide information on court procedures, plea options, referrals, and assist with Duty Counsel Intake.

Step 6: Sentencing

The Judge has the option of sentencing by way of a probation order, extrajudicial sanctions, fine, community service hours, restitution, reprimand, or a custodial sentence.

The Youth Criminal Justice Act

- Replaced the Young Offender's Act, and promotes accountability, responsibility and meaningful consequences for youth crime.
- It makes a distinction between violent and non-violent crime and ensures that youth face consequences that reflect the seriousness of their offence.
- Encourages community-based sentences, where appropriate, such as compensation or restitution to the victim, community service or probation.
- The Act requires police to consider all options, including informal alternatives to the court process, before laying charges.
- These measures help to ensure that the more formal court process is reserved for youth crimes that warrant it.