

Understanding the Judicial System in Canada

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Abstract

This paper aims to explain the major aspects of the judicial system in Canada. It begins by looking at the judiciary on the federal level, discussing foundational documents like the Charter of Rights and Freedoms. It explains Canada's use of both civil and common law as well as how international treaties and customs interact with our legal system. Focusing on the proceedings of the legal system, it discusses key players in the judicial process (e.g., judges, lawyers, and prosecutors) as well as the various ways disputes can be resolved both in and outside of court. The report also takes a look at the courts at the provincial and territorial levels, explaining the major courts within each of Canada's thirteen provinces and territories. It concludes with a list of resources, organized by province and territory, that those attempting to navigate the judicial system may use.

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Introduction

According to Statistics Canada (2021), about one in five Canadians will face a serious legal problem during their lifetime. Navigating the judicial system is difficult, especially considering how confusing it can be to everyday people. This guide attempts to demystify Canada's judicial system by exploring how its structure has developed over the years. This includes foundational documents such as the *Constitution Acts* of 1867 and 1982 and the impact of common law and international legal commitments.

Please keep in mind that this guide is meant to be a brief overview of Canada's legal system and that nothing in these pages should be construed as legal advice. Please seek out the relevant professional for assistance with any legal issues that may arise. For a list of a few helpful legal resources, see the appendix of this document.

Foundational Law

Charter of Rights and Freedoms (1982)

The *Charter* was passed by the Liberal government of Prime Minister Pierre Elliot Trudeau as part of the 1982 *Constitution Act*. It set out a list of rights and freedoms that Canadians are entitled to, including that to life, liberty, and security of the person; freedom from unreasonable or arbitrary arrest; and the right to vote.

Laws passed by any level of government must conform with the rights enshrined in the *Charter*, with two exceptions. Section 1 of the *Charter*, also known as the 'reasonable limits' clause, states that if a law violates a right but can be "demonstrably justified in a free and democratic society," the law is allowed to stand. To determine whether a law meets that criteria, judges will apply the Oakes test, which asks whether the law is "pressing and substantial" (i.e. that its objectives are important) and whether the law's infringements on one's rights are proportionate to the law's public benefit.

If a court rules that a law is unconstitutional and cannot be justified under section 1, it will either make minor adjustments to the law itself, allow the enacting legislature to change the law, or strike down the law completely. However, legislatures can use Section 33 of the *Charter* (the "notwithstanding" clause) to prevent the court from striking the legislation down for being unconstitutional. Though it is rare that the government will invoke the notwithstanding clause, several provincial governments have done so recently (Centre for Constitutional Studies, n.d.).

Constitution Act 1867 and 1982

The *Constitution Act* of 1867 was passed by the British Parliament and created the Dominion of Canada, which included the Province of Canada (Ontario and Québec), Nova Scotia, and New Brunswick. Along with several other pieces of legislation, it provides a framework for the way Canada is governed. For example, sections 91 and 92 set out the division of powers between the provincial and federal governments. While the federal government is responsible for defence, the postal service, and criminal law, provinces are in control of healthcare, education, and provincial taxation. Municipalities are not expressly considered in the Constitution and are instead created and regulated by provincial governments.

In 1982, the Liberal government under Pierre Elliot Trudeau amended the *Constitution Act* to include the *Charter of Rights and Freedoms*. It also includes section 35, which grants select rights to Indigenous peoples and codifies existing treaty rights. Finally, and importantly, the 1982 Constitution included the formula to amend the Constitution in the future: at least seven provinces, representing at least 50 per cent of Canada's population, must agree to most changes. It also allowed for the Constitution to be amended without approval from Britain, which was a requirement in the past.

Criminal Code and the Youth Criminal Justice Act

The *Criminal Code* (1867) sets out the majority of criminal offences and their consequences in Canada. The Code was originally passed in 1867 alongside the Constitution and has since been regularly amended to reflect society's changing social values. The Code outlines procedures—which include the limits of police powers and requirements for fair trials—as well as offences. It also provides the defences available to offenders and provides judges guidance for sentencing. The Code is not the only source of criminal law, however. Criminal offences are also outlined in other legislation such as the *Cannabis Act* (2018) and the *Firearms Act* (1995). Only Parliament, rather than provincial and territorial legislatures, has the jurisdiction to create criminal law as per section 91 of the 1867 *Constitution Act*.

The *Youth Criminal Justice Act* (2003) applies to those between the ages of 12 and 18 who are alleged to have committed a criminal offence. The *Youth Criminal Justice Act* acknowledges that youth typically are less morally blameworthy for their actions and that society has an additional obligation to address the needs of youth. It attempts to avoid incarcerating youth by directing judges to consider forms of sentencing other than imprisonment, such as a formal reprimand or fine.

Common and Civil Law

Most of Canada uses the *common law* tradition (Government of Canada, 2021a). Common law is law that comes from decisions made by courts. These decisions are called *precedents* and must be followed by courts of the same level or lower when deciding similar issues. Judges thus use these building precedents to decide on cases over time. This ensures that the law is applied equally to everyone, and allows the law to adapt easily to changing times and norms.

Common law stems from the English tradition and is the primary type used in Canada after the Battle of Québec in 1759 (Government of Canada, 2021a). However, the Canadian system blends the English and French legal traditions due to Québec's continued use of civil law. Civil law has a comprehensive civil code (a written set of rules) that judges apply to cases. In Québec's case, this is the Québec Civil Code which sets out the rules for addressing disputes. Precedent can still serve as a useful guide for ensuring consistency in decisions, but it isn't binding. In Québec, judges primarily refer to specific legislation rather than relying solely on precedent.

International Law

Canada is also subject to a number of international legal obligations. There are two types of international law: that codified in treaties and customary international law (Carasco, 2012).

Treaties

Canada has signed numerous treaties which subject it to rules regarding everything from human rights to membership in organizations such as the United Nations (Carasco, 2012). Once treaties are ratified, they become binding (Barnett, 2021). When Canada adopts a treaty that is already consistent with its laws, Canada cannot pass legislation that contradicts it without violating the treaty. If Canada signs a treaty that is not yet consistent with Canada's domestic law, the Parliament or the relevant provincial legislatures must pass legislation to adopt the new treaty.

Customary International Law

Customary international law is composed of a series of principles to which the international community, as a whole, have agreed (International Committee of the Red Cross, 2023). These are not written down, but include broad principles such as prohibiting the use of force against other countries and non-interference in the affairs of other countries.

Who is Involved in the Judicial System?

Lawyers

Lawyers are perhaps the most visible members of the legal community. Lawyers can provide legal advice and represent clients in legal disputes (Canadian Judicial Council, n.d.-a). They do this by interpreting and applying legislation and the common law to the situations of their clients. Canada is home to an adversarial legal system, meaning lawyers on opposing sides collaborate in a process in which they present arguments and evidence to arrive at the truth (Roesch et al., 2013). To become a lawyer, one must attend law school and attain a Juris Doctor degree before training with licensed lawyers for a period of several months known as "articling" and then passing a standardized exam (University of Waterloo, n.d.). Lawyers are held to high standards of professionalism, set by provincially-regulated law societies which oversee the profession.

Prosecutors

Prosecutors are attorneys employed by the government who bring criminal cases to trial (Government of Canada, 2021c). In preparing for court, a prosecutor's duties include researching the law; gathering and reviewing evidence, exhibits, and preparing paperwork for the Court; and interviewing witnesses.

Self-Represented Litigants

Hiring lawyers is expensive, and while there are resources available to help with the high costs, hiring professional legal representation may not always be possible. In those cases, individuals may represent themselves in court (Canadian Judicial Council, n.d.-b). It must be noted that in certain situations, it is strongly discouraged for individuals to represent themselves in court due to the complexity of legal rules that trained lawyers are better equipped to handle. It may be beneficial to consider options such as pro bono services and public defenders.

Legal Clinics

Legal clinics in Canada typically offer a range of services, including providing free legal information, offering brief advice, coaching, and representing low-income clients who meet specific criteria

(Government of Canada, 2022b). While these core services may be available in any clinic, there isn't a nationally mandated model dictating the type or extent of services provided by clinics across Canada.

Judges

Judges are appointed by the federal and provincial/territorial governments (Government of Canada, 2021d). Their primary responsibility is to examine the arguments presented before them by lawyers and come to decisions based on existing case law, legislation, and evidence. Judges' decisions then become part of case law, and should generally be adhered to in similar cases. In civil claims, the judge must determine whether a claim has been established on a balance of probabilities. It is essential to clarify that the term "balance of probabilities" is used to describe the method by which judges determine outcomes for certain legal matters (Bayda, n.d.). Demonstrating that something is true on the balance of probabilities signifies that it is more probable than not that it is true.

In criminal law, that standard is raised to "beyond a reasonable doubt;" in other words, the prosecution's obligation is to establish the case so thoroughly that any rational individual would be persuaded of the defendant's guilt (Pyzer, 2024). In addition to coming to a verdict, judges also decide which remedy should be imposed.

There are two primary ways that the judicial system ensures judges are held accountable (McLachlin, 2006). Firstly, judges are required to write out the reasoning behind their decisions, including describing how existing case law applies to the issue at trial. Secondly, court decisions can be appealed to higher courts. If someone is unsatisfied with their ruling, they can take their case to a higher court for another opinion, with the Supreme Court of Canada being the highest possible court.

Justices of the Peace

In pursuit of the development of constitutional requirements for judicial independence, provincial courts were created in Canada. This led to the existence of provincial legislation regarding justices of the peace, leading to significant variations in terminology and categories of justices of the peace across different jurisdictions (Gelinas & Brosseau, 2016). When a member of the public comes into contact with the court system, it generally involves a justice of the peace. Justices of the Peace perform a variety of functions in courts (Ontario Court of Justice, 2023). They oversee most bail hearings, preside over some small claims hearings, and work in court registries. They also rule on the majority of claims involving municipal by-laws. Justices of the Peace are appointed by an Advisory Committee.

Juries

When individuals are accused of having committed certain crimes, they may have the right to request a trial by jury, rather than with a judge (Government of Canada, 2021e). Juries consist of twelve individuals belonging to the community selected at random through a list of eligible voters. Prospective jurors are then interviewed by both lawyers for signs of bias.

After hearing the arguments, the jury will deliberate until it comes to a unanimous decision in which all twelve jurors agree as to whether or not the individual is guilty (Government of Canada, 2021e). If the jury determines that the alleged offender has committed an offence beyond a reasonable doubt, the judge will set an appropriate sentence, ranging from a fine to imprisonment.

Bailiffs

Bailiffs are law enforcement officers employed by courts. They are permitted to enforce court orders from civil cases (Government of British Columbia, 2024). This may involve collecting debts, evicting tenants, or serving legal documents.

Resolving Disputes

Despite its prevalence in popular culture, going to court is not the only way to resolve legal disputes. In reality, very few disputes actually go to court (Canadian Judicial Council, n.d.-c). While this document provides an outline of Canada's court system, it will briefly explain some alternate ways Canadians can go about solving legal issues without the costs, waiting period, and stress often brought about by litigation.

Litigation

Litigation refers to the process of bringing a dispute before court. While it is the most common to see represented in media, very few cases, both criminal and civil, actually go to trial. In fact, only two per cent of civil disputes actually go to court (Government of Canada, 2021c). This is because going to court is often prohibitively expensive for both parties. Due to backlogs in the court system, disputes can often take years to be resolved (Gruske, 2023). Going to court is also associated with higher stress levels, which can have negative impacts on one's relationship with their family and loved ones (Clemente & Padilla-Racero, 2020). As such, litigation is often viewed as a last resort, and is often used in cases involving violence, where face-to-face reconciliation is not possible.

Negotiation

Negotiation, much like its common definition suggests, involves the two parties entering a discussion to find a solution that is mutually beneficial (Government of Canada, 2022a). Should it be necessary, parties may hire lawyers to provide advice or to negotiate on their behalf.

Mediation

Mediation is a voluntary process in which a neutral, third-party observer is appointed to help facilitate an agreement between the parties (ADR Institute of Canada, n.d.). The mediator discusses with the relevant stakeholders, sometimes individually, and sometimes together, to eventually come to a voluntary agreement to the issue. In most cases, mediation is confidential (ADR Institute of Canada, n.d.). Unless parties sign a formal settlement, mediation is not legally binding. Individuals may or may not hire legal counsel for advice or representation throughout the mediation process.

Arbitration

Arbitration is the most formal and structured of the aforementioned two processes. In arbitration, the parties gather with a neutral, third-party arbiter, who hears each side and makes a final and binding decision. In Canada, every province and territory has its own separate arbitration legislation and at the federal level, the *Commercial Arbitration Act* (1985) governs commercial arbitration in Canada. Although arbitration was by its very nature developed as a binding process, it can also be non-binding. It is generally voluntary and parties normally can only be involved in an arbitration if they have agreed to be bound by that process (Department of Justice, 2022a). To resolve the dispute, parties are

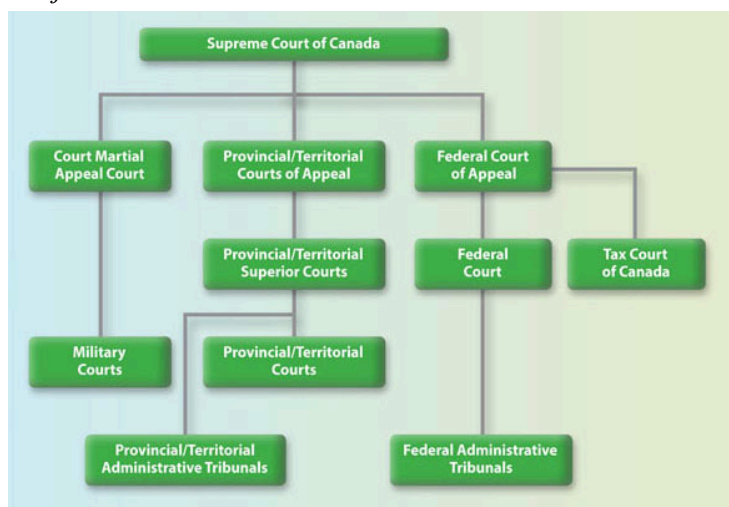
permitted to choose an arbitrator who may have specialized knowledge in the area. For that reason, arbitration is often used to settle commercial disputes.

The Courts of Canada

Canada is a *federation*, meaning we are a union of several provinces and territories with a central government. This implies that Canada's judicial system is structured to address federal and provincial issues. As Figure 1 shows, the legal framework in Canada is structured hierarchically, featuring various levels of courts and panels (Government of Canada, 2021c). We can observe that the Supreme Court of Canada resides at the top, where it is entrusted with the role of interpreting the Constitution and addressing key national issues. Just beneath it are the Federal Courts—this includes the Federal Court of Appeal, the Federal Court, and the Tax Court of Canada, which deal with issues related to federal legislation. Military judicial concerns are managed by Military Courts, including the Court Martial Appeal Court. On the provincial and territorial level, there are appellate courts, superior courts, and other lower courts, all responsible for addressing different aspects of civil, criminal, and administrative law. Furthermore, there are various specialized administrative boards and tribunals, at both the federal and provincial/territorial levels, dedicated to resolving specific administrative law issues and ensuring adherence to regulations.

Figure 1

The judicial structure in Canada.



(Government of Canada, 2021c)

The Supreme Court of Canada

The Supreme Court of Canada (SCC) is the highest court in the country. It is composed of nine justices, including the Chief Justice of Canada (Supreme Court of Canada, 2023). The court sits in Ottawa, and it is currently the only bilingual court, operating in French and English, in the world. The role of the SCC is set out in the *Supreme Court Act* (1875).

The SCC serves as the court of final appeal, meaning that once the Court has ruled on a case, there is no further recourse (Supreme Court of Canada, 2024). Governments can also request that the Supreme Court write a legal opinion on an issue that has yet to come before the court in a case—this is called a reference question. This was the case in the *BC Motor Vehicles Act Reference* (1985), which held that Canadians cannot be imprisoned for an offence for which there is no intent. Not every case can be

appealed to the Supreme Court, the SCC will only decide to hear an appeal if it is regarding an issue that is considered of importance to the entire country.

The SCC has ruled on many important issues since it was created. Some of the rights Canadians hold dear today exist because of the rulings of the SCC. For example, in the case *Egan v. Canada* (1995), the court prohibited discrimination on the basis of sexual orientation. *R v. Morgentaler* (1988) held that laws criminalizing abortion were unconstitutional.

Landmark Supreme Court Cases

Saving Unconstitutional Laws: *R v. Oakes*, 1986

In Canada, all individuals are entitled to the right to be innocent until proven guilty (Krusse Law, n.d.). That means, in court, the Crown prosecution is tasked with proving the defendant's guilt, instead of the defendant being forced to prove their own innocence. While this may seem like a subtle difference, it is an important attribute of our judicial system which protects Canadians' right to a fair trial. In *R v. Oakes* (1986), Oakes challenged a provision of the *Narcotic Control Act* (1961) that forced the defendant to prove that he had not committed the listed crime, violating the presumption of innocence that Canadians are entitled to. In the decision, the Supreme Court elaborated the test for determining whether a law that defies a *Charter* right can be justified in a free and democratic society, as per section 1 of the *Charter*. Termed the Oakes test, this has been used in most *Charter* cases since then to evaluate whether unconstitutional laws should be struck down.

Same-Sex Marriage: *Reference Re Same-Sex Marriage*, 2004

Preceded by important other cases for LGBTQ+ rights such as *Vriend v. Alberta*, the *Reference re Same-Sex Marriage* (2004) was the Supreme Court's response to Parliament's question as to whether its proposed civil marriage statute was constitutional. The Court determined that it was, paving the way for the legalization of same-sex marriage.

Right to a Fair Trial: *R v. Stinchcombe*, 1991

R v. Stinchcombe (1991) was a criminal law case involving a lawyer who was charged with fraud and theft. During his trial, the Crown declined to introduce witness statements which supported Stinchcombe's case, and the trial judge refused to have the documents provided to his defence counsel beforehand. The Supreme Court declared that the trial judge's refusal was unconstitutional and violated Stinchcombe's right to a fair trial. Now, all evidence collected by the Crown must be disclosed to the defence counsel prior to trial.

Medical Assisted Dying: *Carter v. Canada*, 2015

In *Carter v. Canada* (2015), the Supreme Court ruled that the *Criminal Code*'s prohibition on assisted-physician dying violated individuals' rights to life, liberty, and security under section 7 of the *Charter*. The case was brought to court by a number of parties, including individuals suffering from life-threatening, painful diseases and families of such individuals. The Court gave Parliament 12 months to draft new laws in accordance with the decision. Now, individuals who are mentally competent and suffering intolerably may be permitted a physician's assistance in dying.

Religious Freedom: *R v. Big M Drug Mart*, 1985

Big M Drug Mart, a drug store in Calgary, was charged with failing to abide by the 1906 *Lord's Day Act*, which required all stores to close on Sundays. The Supreme Court ruled that the Act violated section 2(a) of the *Charter*, which protects freedom of religion because it forced businesses to observe the Christian rest day. This was the first time it applied the section, and laid important groundwork for future cases involving freedom of religion.

Provincial Courts

With the exception of Nunavut, every province and territory in Canada has three levels of court: a provincial or territorial court (lower courts), a higher-level trial court, and a court of appeal (superior courts) (Government of Canada, 2021f). The lower and higher-level trial courts both hear a variety of criminal, civil, and family law cases, though those heard at lower-level courts are typically less severe, and jurisdiction varies depending on the province. In Nunavut, both trial-level courts are combined into one (Government of Canada, 2021f). The court of appeal, the second type of superior court, hears appeals from both trial courts. Lower court judges are appointed by the province or territory, and superior court judges are appointed by the federal government, though the courts are administered by the province or territory to which they belong.

British Columbia

Provincial Court of British Columbia

The Provincial Court of BC, with 42 staffed locations across the province, hears small claims (defined as civil lawsuits regarding amounts between \$5,001 and \$35,000), most criminal cases involving both youth and adults and about half of all family law cases (Provincial Court of British Columbia, 2020). In total, the court is home to approximately 150 judges who sit at over 80 court locations across the province.

Supreme Court of British Columbia

The Supreme Court of BC is authorized by the *Supreme Court Act* and hears both civil and criminal cases. It also hears appeals from the Provincial Court and various tribunals in the province (The Courts of British Columbia, n.d.-a). A total of 97 judges, including the Chief Justice and the Associate Chief Justice, sit on the court, which has 29 locations.

British Columbia Court of Appeal

As the highest court in the province, the BC Court of Appeal hears appeals from both the Provincial Court, the BC Supreme Court, and certain administrative boards and tribunals (The Courts of British Columbia, n.d.-b). Established in 1910, it has four main locations in Vancouver, Victoria, and Kamloops. The court has 15 justices, including the Chief Justice.

Alberta

Alberta Court of Justice

All criminal cases start in the Alberta Court of Justice, and 95 per cent conclude there (Alberta Courts, n.d.). Most of the civil cases also take place in the Court of Justice, including cases between landlords and tenants, as well as claims under \$100,000. The Court is accessible from anywhere in Alberta, with 21 base points, and 51 circuit points in the province.

The Court of King's Bench

The Court of King's Bench operates in 13 locations across Alberta. It has 11 base points that offer all common court services and 2 circuit points for additional coverage. The Court of King's Bench is Alberta's superior court of criminal jurisdiction, handling the most serious criminal cases. It also deals with a variety of civil matters and hears appeals from the Alberta Court of Justice for civil cases under \$100,000. (Alberta Courts, n.d.). The Court is the only Alberta court to hear matters of divorce and property division. It also reviews the legality of actions taken by the Alberta government and various administrative tribunals. It is governed by the provincial *Court of Queen's Bench Act*.

Alberta Court of Appeal

The Alberta Court of Appeal is the highest court in the province and hears from both lower courts, to see if there have been any errors in their trials (Alberta Courts, n.d.). Justices from this Court are also appointed to the Court of Appeal for the Northwest Territories and the Court of Appeal for Nunavut.

Saskatchewan

The Provincial Court of Saskatchewan

The Provincial Court of Saskatchewan hears almost all criminal cases originating in the province, including youth criminal cases (Courts of Saskatchewan, 2024a). It also hears small civil claims amounting to less than \$50,000, as well as certain family matters. It is composed of a Chief Justice and 48 other justices, and operates in 12 permanent locations, including Regina, Saskatoon, and Prince Albert, with periodic travel to 60 other communities known as circuit points.

The Court of King's Bench

The Court of Queen's Bench is composed of 37 justices and one Chief Justice (Courts of Saskatchewan, 2024b). It hears the most serious criminal cases, civil claims involving more than \$50,000, and all family law matters (Courts of Saskatchewan, 2024a). The Court also hears the majority of appeals from the Provincial Court of Saskatchewan and various administrative tribunals.

Saskatchewan Court of Appeal

The Court of Appeal for Saskatchewan is the highest court in the province (Courts of Saskatchewan, 2024a). It hears appeals from both the Provincial Court and the Queen's Bench regarding both civil and criminal claims. It sits permanently in Regina and was created in 2000 through the *Court of Appeal Act* (Courts of Saskatchewan, 2024c). There are typically eight justices, including the chief justice, though the majority of cases are heard by panels of three judges.

Manitoba

The Provincial Court of Manitoba

The Provincial Court hears primarily criminal cases, though its jurisdiction partially overlaps with the Court of Queen's Bench for civil matters and certain family matters (Manitoba Courts, 2023a). 95 per cent of criminal cases in the province begin at the Provincial Court.

The Court of Queen's Bench

The Court of the Queen's Bench has two divisions: a *Family Division* and a *General Division*. As its name suggests, the Family Division hears cases relating to family law and child protection (Manitoba Courts, 2021). The General Division hears civil and criminal cases and sits in 11 Manitoba cities, including Winnipeg (Manitoba Courts, 2022). It also hears appeals from various administrative tribunals.

Manitoba Court of Appeal

The Court of Appeal is Manitoba's most senior court. Its 13 judges sit on panels of three or five, depending on the importance of the case, to hear appeals from the Provincial Court and the Court of Queen's Bench (Manitoba Courts, 2023b). The Court sits in Winnipeg.

Québec

Municipal Courts

Québec's Municipal Courts are permitted to hear cases involving the violation of municipal laws or the *Highway Safety Code* (Éducaloi, 2024). There are approximately 89 such courts offering services to over seven million people (Les Cours Municipales du Québec, 2020).

The Court of Québec

Most cases (civil and criminal) begin in the Court of Québec, which has 319 judges (LégisQuébec, 2022). The Civil Division includes both a small claims division, for claims involving less than \$15,000, while the Regular Division involves cases less than \$100,000 (Cour du Québec, 2020a). The Court also hears appeals of administrative tribunals' decisions.

The Criminal and Penal Division hears cases relating to offences under federal or provincial law, and includes a specialized court for sexual assault, called the Division des Accusations dans un Contexte Conjugal et Sexuel (Cour du Québec, 2020b).

The Youth Division presides over the prosecution of youth ages 12–18 who are accused of a federal offence and are being charged under the *Youth Criminal Justice Act*, and youth ages 14–18 who are charged with an offence of provincial law (Cour du Québec, 2020c). They also have protection over child safety and welfare under the *Youth Protection Act*, adoption, custody, and emancipation cases.

The Superior Court of Québec

The Superior Court hears all remaining cases not under the jurisdiction of the Provincial or Municipal courts (Superior Court of Québec, 2020). This generally includes civil cases involving amounts or

property valued at over \$75,000, serious criminal cases, and summary conviction appeals from the Court of Québec.

Québec Court of Appeal

The highest court in Québec hears most appeals unless they are explicitly assigned to another court (Court of Appeal of Québec, n.d.-a). There are two permanent locations, one in Montreal and one in Québec City, but in special circumstances, hearings may be held elsewhere in Québec (Court of Appeal of Québec, n.d.-b). There are 22 judges on the Court of Appeal, including the Chief Justice. Most appeals are heard by a panel of three judges, but this number may increase for a specific case at the discretion of the Chief Justice (Court of Appeal of Québec, n.d.-b).

Ontario

The Ontario Court of Justice

The Ontario Court of Justice hears cases involving the majority of criminal charges and many family law cases (Government of Ontario, 2023). Judges are appointed by the province and sit in more than 200 locations across Ontario.

The Superior Court of Justice

The Superior Court of Justice hears the majority of civil cases and most serious criminal law cases (Government of Ontario, 2023). Its duties are separated into several divisions, including small claims, family, and divisional courts. Small Claims Court hears civil claims relating to monetary/property claims of up to \$35,000 (Government of Ontario, 2023). Family Court hears all family matters including property division, divorce, custody, and child protection. Finally, the Divisional Court hears certain appeals of Ontario government's decisions and administrative tribunals.

Ontario Court of Appeal

The Ontario Court of Appeal rules on appeals of judgements from the Ontario Court of Justice and the Superior Court of Justice (Government of Ontario, 2023). Appeals are generally heard by panels of three judges drawn from 32 judges on the court. Together, the judges typically hear over 1000 appeals and 1000 motions every year (Ontario Courts, n.d.).

Newfoundland and Labrador

The Court of Newfoundland and Labrador

Criminal and regulatory cases are brought to the Provincial Court first. There are 22 judges, over 75 support staff, 10 permanent court centres and a circuit of 15 sites the court visits (Provincial Court of Newfoundland and Labrador, n.d.-a). A judge is on call 24/7, and remote court appearances are becoming more common.

The Provincial Court hears several different types of cases, divided into a number of courts all falling under the umbrella of the larger Provincial Court. This includes Adult Court, Youth Court, Traffic Court, and other specialized courts like the Mental Health and Family Violence Courts (Provincial Court of Newfoundland and Labrador, n.d.-b).

Supreme Court of Newfoundland and Labrador

The province's Supreme Court has the authority to hear civil, criminal, and family cases (Supreme Court of Newfoundland and Labrador, 2022). The jurisdiction of the Supreme Court is defined by the *Judicature Act*. The Supreme Court hears cases that have not previously been tried in Newfoundland and Labrador's Provincial Court (with a few exceptions).

The Supreme Court is separated into two divisions. The General Division hears civil law cases involving amounts or property valued at more than \$25,000 (those under that threshold are typically heard by the provincial court) (Supreme Court of Newfoundland and Labrador, n.d.-c). The Supreme Court also hears serious criminal cases (involving indictable offences) and administers all jury trials in the province. Finally, the court hears appeals arising from small claims and summary conviction offences heard in the Provincial Court (Supreme Court of Newfoundland and Labrador, n.d.-c). The second division is the Family Division which hears family law cases related to divorce, division of property, spousal and child support claims, child custody, adoption, and child protection (Supreme Court of Newfoundland and Labrador, n.d.-d).

The Court of Appeal of Newfoundland and Labrador

The Court of Appeal is the highest court in the province. It hears appeals from Supreme Court decisions and some Provincial Court decisions (Court of Appeal of Newfoundland and Labrador, 2024).

Newfoundland's Court of Appeal was a division of the Supreme Court until 2018 when the *Court of Appeal Act* separated the two courts (Court of Appeal of Newfoundland and Labrador, 2018). It was the last appeal court in Canada to become an independent institution from its trial division.

Nova Scotia

Nova Scotia Provincial Court

With the exception of some of the most serious indictable offences, the majority of criminal cases are heard here (The Courts of Nova Scotia, n.d.-a). All summary conviction offences are within the exclusive jurisdiction of the Provincial court.

The NSPC contains several divisions specialising in various areas of law. This includes the Youth Justice Court which tries youth between the ages of 12 and 17 accused of criminal offences under the *Youth Criminal Justice Act* (The Courts of Nova Scotia, n.d.-b). Another example is the Wellness Court programs designed to address situations when social issues influence or contribute to an individual's contact with the law (The Courts of Nova Scotia, n.d.-c). The court develops unique support programs for each participant, which emphasize a collaborative model rather than the adversarial approach of traditional trials. These include the Mental Health Court Program, the Domestic Violence Court Program, the Drug Court Program, and the Alcohol Court Program. These programs are only accessible in some geographical areas and participants must reside and work or study in one of these areas to be eligible for the programs.

The Nova Scotia Supreme Court

The NSSC has the authority to hold jury trials, grant divorces, and divide matrimonial property (The Courts of Nova Scotia, n.d.-d). It hears appeals from the Provincial Court, the Small Claims Court, and judicial Tribunals.

The Nova Scotia Court of Appeal

The Court of Appeal is the highest court in Nova Scotia. It hears civil and criminal appeals from the Supreme Court as well as criminal appeals from the Provincial Court and the Youth Justice Court (The Courts of Nova Scotia, n.d.-e).

New Brunswick

Provincial Court of New Brunswick

The Provincial Court hears cases related to offences under provincial or federal statutes, including the *Criminal Code* (The Courts of New Brunswick, n.d.). The Court has the authority to try most indictable offences, except for the case of an adult charged with murder.

The Provincial Court includes first appearances in front of a judge for those who have been arrested, a youth criminal court, and a specialized Mental Health Court (The Courts of New Brunswick, n.d.).

The Court of King's Bench

The Court hears some civil and criminal matters, and appeals of non-jury cases from the Provincial Court (Courts of New Brunswick, 2024a). It is home to 23 judges (including the Chief Justice) and nine supernumerary (semi-retired) judges and operates in eight locations. It contains both a trial division, which hears civil and criminal law, as well as a family division (Courts of New Brunswick, 2024a).

The Court of Appeal of New Brunswick

The highest court in New Brunswick (Courts of New Brunswick, 2024b). There are eight judges (including the Chief Justice), and generally three judges preside over each case. The court usually hears appeals in Fredericton, although occasionally sits elsewhere.

Prince Edward Island

The Provincial Court of PEI

The Provincial Court hears civil and criminal cases. While more serious criminal offences are tried in the Supreme Court, all defendants make their first appearance in the Provincial Court (The Courts of Prince Edward Island, n.d.). Criminal trials involving both youth (between the ages of 12 and 16) and adults are heard in the Provincial Court. The Court's three judges sit in three locations on the Island (The Courts of Prince Edward Island, n.d.-a).

The Supreme Court of PEI

The Supreme Court hears civil and criminal cases as well as some appeals from the Provincial Court or administrative tribunals (The Courts of Prince Edward Island, n.d.-b). It also has jurisdiction over family law. There are five Supreme Court judges (including the Chief Justice).

The PEI Court of Appeal

The highest court in PEI. It hears all appeals from the Supreme Court and some criminal appeals from the provincial court (The Courts of Prince Edward Island, n.d.-c).

Yukon

Territorial Court

The Territorial Court hears the majority of criminal cases for both adults and young offenders (Yukon Courts, 2022a). It is also the only court in Yukon to have jurisdiction over child protection cases, though the majority of family law cases are heard in the Supreme Court. Its three judges and 27 deputy judges sit permanently in Whitehorse but travel to 14 other communities (Yukon Courts, 2022a).

The Territorial Court is home to the Justice of the Peace Court, which provides a range of legal services such as issuing warrants, receiving pleas, and hearing matters relating to youth (Yukon Courts, 2022a).

Small Claims Court

The Yukon Small Claims Court hears civil cases relating to amounts of money or property valued at less than \$25,000 (Yukon Courts, 2022b). The Court sits in three locations (shared with the Territorial Court): Whitehorse, Dawson City, and Watson Lake.

Supreme Court of Yukon

The Supreme Court of Yukon has the authority to hear serious criminal cases and civil claims falling outside the threshold of the Small Claims Court (Yukon Courts, 2022c). The Supreme Court is also authorized to hear cases involving divorce and custody. While the Supreme Court has three resident judges, a panel of ten judges from the Northwest Territories and Nunavut can also be called to hear cases in the event of scheduling issues or conflicts of interest (Yukon Courts, 2022c). There are also 45 deputy judges from across Canada that may be called to hear cases.

Court of Appeal of Yukon

The Court of Appeal hears both criminal and civil appeals from both the Territorial Court and the Supreme Court of Yukon (Yukon Courts, n.d.). Its judges are residents of the three territories and British Columbia. While the Court sits in Whitehorse for two weeks each year, the majority of cases are heard in Vancouver.

Northwest Territories

Territorial Court of the Northwest Territories

The Territorial Court hears civil matters regarding property and money worth up to \$35,000, as well as many criminal trials that do not involve juries (Courts of the Northwest Territories, n.d.-a). It also hears preliminary inquiries into serious criminal matters. The court has permanent registries in Yellowknife, Hay River, and Inuvik, but sits in many other communities (Courts of the Northwest Territories, n.d.-b).

The Territorial Court presides over a number of different courts and programs. These include the Youth Justice Court which hears criminal cases for defendants between the ages of 12–18, the Justice of the Peace Court which is the court of first appearance for most criminal cases in the Territory, and the Wellness Court which offer alternatives to criminal court focused on addressing the underlying issues associated with the offence (Courts of the Northwest Territories, n.d.-b).

Supreme Court of the Northwest Territories

The Supreme Court hears serious criminal trials, including those involving a jury, and divorce hearings (Courts of the Northwest Territories, n.d.-c). It also hears appeals for summary conviction rulings by the Territorial Court. Its four judges are appointed by the federal government.

Court of Appeal for the Northwest Territories

The Court of Appeal is the highest court in the Territory. It hears appeals from the Supreme Court, various tribunals and boards, and occasionally, from the Territorial Court (Courts of the Northwest Territories, n.d.). Judges are appointed from the Northwest Territories, Yukon, Nunavut, and Alberta, and are based in Yellowknife.

Nunavut

Nunavut Court of Justice

The Nunavut Court of Justice is Canada's only single-level court, meaning that it shares the jurisdiction of what would normally be two courts in other provinces (for example, the single court replaces both the Territorial Court and Supreme Court in the Northwest Territories) (Department of Justice Canada, 2015). It hears criminal and civil cases. The Court is based in Iqaluit but travels to 25 out of the Territory's 27 communities based on need.

A branch of this Court is the Nunavut Youth Justice Court which hears cases of offences committed under the *Criminal Code* and *Youth Criminal Justice Act* by those between the ages of 12 and 18 (Nunavut Courts, n.d.-a). The Justice of the Peace Court is where first hearings and bail hearings in criminal matters occur, as well as other functions like issuing warrants and presiding over marriage ceremonies.

Nunavut Court of Appeal

The Nunavut Court of Appeal hears appeals from the Nunavut Court of Justice (Nunavut Courts, n.d.-b). It is presided over by judges from the Northwest Territories, Yukon, and Alberta, and sits twice every year.

Indigenous Peoples and the Law

This section does not mean to provide a comprehensive overview of the systemic legal issues contributing to the historical and present discrimination against Indigenous peoples. Rather, it aims to provide an introduction, as well as resources for further reading, to the situation of Indigenous peoples in Canada's present-day legal system, and detail certain Indigenous legal traditions that have been adopted into Canadian law.

Indigenous peoples today operate primarily in the same legal system as Canadians. However, the Canadian legal system has historically mistreated and discriminated against Indigenous peoples (Wilson, 2018). Most famously, the *Indian Act* attempted to assimilate Indigenous peoples into Canadian settler society when it was passed in 1867 (Parrott, 2022). It banned Indigenous cultural practices, prevented Indigenous individuals from hiring lawyers, and required Indigenous children to attend residential schools, where many died due to abuse and the failure of the government and clergy to provide safe conditions (De Bruin et al., 2024).

The *Indian Act* (1876), which has been amended on numerous occasions since then, has remained the government's primary mechanism of legislating on issues pertaining to Indigenous peoples. It involves provisions for the regulation of reserves, the designation of Indian Status, and the management of band elections (Parrott, 2022). Additionally, section 35 of the *Constitution Act*, 1984, "affirms" the rights of Canada's Aboriginal peoples (Hanson, 2009). Section 35, which was not part of the original proposal for the *Constitution Act* of 1984, was included due to the work of many Indigenous groups.

One consequence of Canada's oppression and over-policing of Indigenous peoples is that Indigenous peoples are highly overrepresented in prisons across the country (Assembly of First Nations, n.d.). To attempt to rectify the dramatic overrepresentation of Indigenous individuals in Canadian prisons, the Supreme Court, in the decision *R v. Gladue* (1999), established that Indigenous defendants have the right to have a Gladue report submitted to the judge. A Gladue report is a document that details the context surrounding the alleged offence. It includes interviews with friends, family, or community members. While the report is an important attempt at implementing principles of restorative justice, it is important to note ongoing criticisms of its inconsistent application and the ongoing issue of over-incarceration (Department of Justice Canada, 2023).

Restorative justice emphasizes preventing future offences through bringing the offender together with their community, the victims, or mental health professionals (Department of Justice, 2022).

Retributive justice, on the other hand, focuses on ensuring that lawbreakers are made to suffer in compensation for committing a crime, generally through imposing fines or prison sentences. While restorative justice is not synonymous with Indigenous legal traditions, aspects of restorative justice are often present in them (Chartrand & Horn, 2016). Sentencing circles and healing circles are two of the most common practices, originating in Indigenous communities in what is now Western Canada, that have been imported into Canada's current criminal legal system. Sentencing circles are available for certain offences with sentences between six months and two years and involve consultation with the community to determine an appropriate sentence (Community Legal Education Ontario, 2016). This sentence is then recommended to the judge presiding over the case, who makes a final decision based on the recommendations.

5 Common Myths About Canada's Judicial System

MYTH: During criminal trials, lawyers are competing against each other to "win" the case.

REALITY: Canada has an adversarial legal system, meaning that lawyers, representing each side of a dispute, present evidence relating to the case (Roesch et al., 2013). The judge, a neutral observer, weighs the evidence to attempt to determine the truth and pass the relevant sentence. While this may

seem like a competitive process in which there is a winner and a loser, in reality, both lawyers are working together towards the greater pursuit of justice, with the judge straddling the line between active participant and neutral observer.

MYTH: If I have a legal problem, going to court is the only way I can solve it.

REALITY: The vast majority of legal disputes are settled out of court (ADR Institute of Canada, n.d.). Long waiting times and the high costs (both economic and mental) of litigation mean that more and more people are looking towards alternative ways of solving disputes, such as mediation and arbitration, which often generate high satisfaction rates without some of the drawbacks of going to court. For more information, see our section on alternative dispute resolution.

MYTH: Canada’s Constitution cannot adapt to changing social norms.

REALITY: Canada’s Constitution has often been referred to as a “living tree” by scholars, meaning that it is capable of growth and adapting to new social norms while still acknowledging its writers’ intentions (Centre for Constitutional Studies, 2019). The living tree concept was acknowledged by Chief Justice Beverley McLachlin in the *Reference Re Same-Sex Marriage* (2004) decision, in which the definition of “marriage” was expanded to include same-sex couples. The living tree approach may be contrasted with the originalist approach to constitutional interpretation, which is less permissive of evolution (Calabresi, n.d.).

MYTH: Police officers have to read your Miranda rights before arresting you.

REALITY: Canada does not have an equivalent to the United States’ Miranda rights, which are read to individuals before they are arrested (Oykhman, 2024). That doesn’t mean that Canadians do not have legal rights when apprehended by law enforcement. If a police officer approaches you and begins to ask you questions, in most cases you do not have to answer (Canadian Civil Liberties Association, n.d.). However, the police officer should inform you that you have the right to speak to a lawyer and provide you with an opportunity to do so, and it may be a good idea to consult with a legal professional before speaking with the police.

MYTH: The police can only enter my home if they have a warrant.

REALITY: Canada has a rule of hot pursuit, in which a police officer already chasing a suspect can follow them into a building. In addition, if the police have a good reason to suspect that a crime is taking place inside a home, they are authorized to enter without a warrant (Community Legal Education Ontario, 2019).

Conclusion

This guide has attempted to bring clarity to the judicial system of Canada, a system which can be, at times, confusing and opaque. The setup of Canada’s legal system means that the first court you interact with likely does not have to be the last, considering the existence of appeal courts (Government of Canada, 2021c). We have also aimed to illustrate the various means of conflict resolution without undergoing a potentially costly and lengthy trial process. While there is much more to learn about the judicial system, there are great resources available to help everyday Canadians

interact with the legal system. For a list of helpful resources, consult the Appendix at the end of this document.

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Appendix: Additional Resources

The [Free Access to Law Movement](#) provides and facilitates access to legal information around the world in accordance with the [Montreal Declaration on Free Access to Law](#), which declares that legal information is common property and should be available free of charge, and maximizing access to information will promote justice and the rule of law. The Canadian Legal Information Institute (CanLII) is a founding member.

In this section, you will discover various resources serving as initial points of access to address their specific issues.

Canada

[Canadian Legal Information Institute \(CanLII\)](#): An online database of court judgements from all Canadian courts since the early 2000s along with significant historical cases, the statutes and regulations of every jurisdiction in Canada, and a collection of relevant books, journals, and articles.

[CanLII Connects](#): Publishes legal commentary from scholars and attorneys.

[Canadian Judicial Council](#): Governing body for judges in Canada. Allows individuals to [file complaints](#) against judges and contains an extensive resources centre for better understanding the judicial system.

[Federation of Law Societies of Canada](#): Coordinates the law societies of each province territory (which are required by law) and runs the [National Committee on Accreditation](#), which assesses the credentials of individuals whose legal education experience comes from outside of Canada.

[The Canadian Superior Courts Judges Association \(CSJA\)](#): Represents federally-appointed judges who have served. The organization aims to protect judicial independence, provide continuing education for judges, and promote public understanding of the role of judges. Their website includes a basic outline of the Canadian justice system and a more in-depth overview of the roles and responsibilities of judges.

[Canadian Civil Liberties Association](#): Human rights organization dedicated to fighting for the rights and freedoms of Canadians.

[Elizabeth Fry Society](#): Advocacy organization working towards prison abolition in Canada. Provides support for women and gender-diverse individuals who have been incarcerated.

[John Howard Society](#): Advocates for criminal justice reform and works with individuals who are in conflict with the law.

[Women's Legal Education and Action Fund](#): Charitable organization that works towards ensuring the law guarantees substantive equality for women, girls, and gender-diverse people.

[Map of legal education organizations in each province](#)

Newfoundland and Labrador

[Newfoundland and Labrador Legal Aid Commission](#): Provides legal services in criminal and family law to low-income individuals, funded wholly or partly by the province. Youth charged with criminal offences [have the right](#) to legal counsel funded by the province.

[The Law Society of Newfoundland and Labrador](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[The Public Legal Information Association of Newfoundland and Labrador](#): Provides general legal information and education to those residing in Newfoundland and Labrador.

[Law Foundation of Newfoundland and Labrador](#): Provides funding to access to justice organizations in the province.

Nova Scotia

[Legal Aid Nova Scotia](#): Provides free legal advice over the phone to those in police custody and to those choosing to represent themselves in court regardless of financial need, and full legal representation for free to those who meet the requisite financial qualifications.

- [Nova Scotia Indigenous Justice Information](#)

[Independent Legal Advice](#): Provides 2 hours of free legal advice to sexual violence survivors to help them understand their legal options and make informed decisions about choosing to report or press charges for their assault.

[Halifax Refugee Clinic](#): Provides free immigration and settlement legal services to refugees.

[Nova Scotia Barristers' Society](#): Regulating body of lawyers in the province. Allows individuals to [file complaints](#) against lawyers.

[Legal Information Society of Nova Scotia](#): Provides legal information on an array of topics and referrals to legal services and has a legal information line.

[Association des Juristes d'Expression Française de la Nouvelle-Écosse \(AJEFNE\)](#): Provides tools, referrals, and resources to improve access to French-language legal services in Nova Scotia.

- [Centre Accès Justice](#): Provides free legal information and resources in English and French to Nova Scotia residents.

[Family Law Nova Scotia](#): Offers resources and information related to family law.

- Family Law Nova Scotia's [guide](#) to going to representing yourself in court in family law matters

[Pro Bono Dalhousie](#): Facilitates law students to volunteer to do legal research for organizations and individuals.

[Courts of Nova Scotia](#): Provides information on the three levels of courts in the province.

[East Coast Prison Justice Society](#): Non-profit working to advance the rights of incarcerated individuals.

[The Confederacy of Mainland Mi'kmaq Legal Services](#): Provides legal information on Mi'kmaq issues.

Québec

[Commission des Services Juridiques](#): Provides legal advice, consultation, and representation to those in financial need.

[Justice Pro Bono](#): Pairs non-profit organizations and citizens who cannot afford a lawyer but don't qualify for governmental legal aid with lawyers willing to provide free legal services. They also run free legal clinics in northern Indigenous communities.

[Young Bar of Montreal](#): Provides free legal advice including hearing preparation for self-represented parties, legal advice for entrepreneurs, the LET'S TALK LAW program (in which lawyers give advice on possible solutions and offer referrals to 12–20-year-olds with legal questions), an annual Call-in Legal Clinic, and a small claims court mediation service.

[Barreau du Québec](#): Regulating body of lawyers in the province.

[The Québec Law Network Directory](#): Provides detailed resumes of lawyers from across Québec and allows users to search by a variety of categories. Lawyers must choose to register with the directory and it does not list all practising lawyers in Québec.

[Juris Référence](#): Simplifies comparison and helps people choose the right lawyer.

- Individuals who have been arrested can call one of the listed numbers to speak with an emergency lawyer from the [Barreau du Québec](#).

Barreau de Montreal's [referral service](#): Provides referrals to a Montreal lawyer willing to offer a half-hour initial consultation for a fee of \$30. This can be accessed by anyone regardless of financial need or eligibility for legal aid.

[Centres de Justice Proximité](#): 11 centres offering free legal information regardless of financial need. The centres aim to help citizens navigate the justice system and make informed decisions, but they cannot offer legal advice.

[Éducaloi](#): Provides legal education resources, teaching guides, and workshops in French and English to schools and community groups.

[Centre d'Accès à l'Information Juridique \(CAIJ\)](#): An online database of Québec's legal libraries.

[Société Québécoise d'Information Juridique \(SOQUIJ\)](#): Publishes and analyzes decisions made by judicial and administrative tribunals.

[Tribunals in Québec](#)

Alberta

[Legal Aid Alberta](#): Provides free legal services to low-income individuals who qualify.

[Law Society of Alberta](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[The Centre for Public Legal Education Alberta](#): Maintains several websites dedicated to public legal education, including:

- [LawCentral Alberta](#): Provides educational resources on the legal system, specific issues/topics of law, preparing for court, resources for specific demographic groups, and where to find help for different kinds of legal issues.
- [Canadian Legal FAQs](#): Provides answers to more than 1000 questions about federal and Alberta laws.
- [LawNow](#): Posts articles reflecting on a legal perspective of various social and life issues. Aims to help citizens understand the role of law in society.
- [Laws for Landlords and Tenants in Alberta](#): Provides educational resources on all the legal regulations related to renting law in Alberta.
- [WillowNet](#): Provides legal information for individuals experiencing relationship violence or abuse (Alberta law).
- [OakNet](#): Provides legal information on topics relevant to seniors (federal law).
- [Charity Central](#): Provides resources to support organizations in complying with the finance and transparency required of registered charities (federal law).

[Law Foundation of Alberta](#): Provides funding to access justice organizations in the province.

[Gladue Rights Brochure](#): Contains information on Gladue rights and resources for Indigenous offenders.

[Native Counselling Services of Alberta](#): Provides services and programs to Indigenous individuals in Alberta.

[Indigenous Courtwork Program](#) (NCSA): Provides free-of-charge Courtworkers for Indigenous individuals in courts across Alberta.

[Alberta Courts](#): Provides information on the three levels of courts in the province.

[Community Legal Clinic](#): Provides free legal services to low-income individuals who do not qualify for Legal Aid in Medicine Hat, Central Alberta, Lloydminster, and Fort McMurray.

[Women's Centre of Calgary Legal Advice Clinic](#): Women can book appointments with female lawyers as a starting point to accessing the legal system (no legal advice provided).

[Edmonton Community Legal Centre](#): Provides legal advice and information to low to moderate-income individuals in Edmonton and the surrounding communities.

[Calgary Legal Clinic](#): Provides legal advice and information to low to moderate-income individuals in Calgary and the surrounding communities.

[Tribunals in Alberta](#)

British Columbia

[Legal Aid BC](#): Legal Aid provides free legal services to those who qualify. They also offer the [Brydges Line](#), which is a phone service for those who have been arrested.

[Lawyer Referral Service](#): Connects British Columbians with the appropriate legal counsel.

[Request a Gladue Report](#): Gladue reports are administered through the [BC First Nations Justice Council](#). You may have Gladue rights if you are First Nations, Métis, or Inuit.

[Access Pro Bono](#): Provides a number of different free legal services to residents of British Columbia, including the [Everyone Legal Clinic](#).

[Criminal Justice System Services and Resources](#): Includes resources for if you are implicated in the legal system as well as a database of provincially-administered services and resources.

[The Law Society of British Columbia](#): The governing body for lawyers in the province and includes information on launching complaints against lawyers and a lawyer database.

[The Courts of British Columbia](#): Provides information on the three levels of courts in BC, as well as information on rules and procedures and information for self-represented litigants.

[The Law Foundation of British Columbia](#): Provides resources on a number of legal clinics and specialized advocacy programs.

[Legal Help BC](#): Provides answers to frequently asked questions regarding BC law, organized by topic.

[Community Legal Assistance Society](#): Non-profit law firm providing legal assistance and self-help guides.

[List of Tribunals in BC](#)

Saskatchewan

[Legal Aid Saskatchewan](#): Provides legal advice and representation to those who qualify.

[Public Legal Education Fund of Saskatchewan](#) (PLEA): Provides free legal information and offers a number of legal resources.

[Community Legal Assistance Services for Saskatchewan Inner Cities](#) (CLASSIC): Provides free legal services, programming, and education for those living in Saskatoon who are experiencing poverty.

[Pro Bono Saskatchewan](#): Provides legal advice to low-income individuals in Saskatchewan.

[Law Foundation of Saskatchewan](#): Provides funds to organizations providing legal aid and education, and promoting law reform and access to justice. Also provides legal resources for those living in Saskatchewan.

[Law Society of Saskatchewan](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Gladue Rights Research Database](#): Provides Indigenous individuals and their legal representatives with information pertaining to their Gladue rights.

[Going to Adult Criminal Court](#): Explains procedure for individuals charged with offences.

[Saskatchewan Courts](#): Information about the three levels of courts in Saskatchewan.

[Tribunals in Saskatchewan](#)

Manitoba

[Legal Aid Manitoba](#): Provides legal advice and representation to those who qualify.

[Law Society of Manitoba](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[The Manitoba Law Foundation](#): Provides funds to organizations providing legal aid and education, and promoting law reform and access to justice. Also provides legal resources for those living in Manitoba.

[Legal Help Centre](#): Provides free information, advice, and referrals to resources for low-income individuals in Winnipeg.

[Community Legal Education Association](#): Charity that provides legal information and resources to residents of Manitoba.

[University of Manitoba Law Centre](#): Provides discounted legal services to individuals who qualify.

[The Criminal Case: Step-by-Step](#): Describes the criminal process in Manitoba.

[Tribunals in Manitoba](#)

Ontario

[Law Society of Ontario](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Law Foundation of Ontario](#): Provides funds to organizations providing legal aid and education, and promoting law reform and access to justice. Also provides legal resources for those living in Ontario.

[Legal Aid Ontario](#): Provides legal advice and representation to those who qualify.

[Ontario Courts](#): Provides information on each court in the Ontario legal system.

[Community Legal Education Ontario](#): Provides legal information and resources to individuals in Ontario.

[Gladue Reports in Ontario](#): Provides eligibility criteria and forms for Gladue Reports.

[Pro Bono Ontario](#): Provides a general free legal advice hotline, a legal hotline for inquiries relating to workplace sexual harassment, and an education law program.

[Ontario Legal Information Clinic](#): Provides free 30-minute meetings with lawyers and referral services.

[Steps to Justice](#): Contains educational guides regarding various areas of law.

[Downtown Legal Services](#): Legal clinic run by the University of Toronto law students providing free legal services to low-income individuals and University of Toronto students.

[Osgoode Hall Community Clinics](#): Links to six legal clinics staffed by Osgoode law students, including to the [Community Aid and Legal Services Program](#), which caters to low-income residents of Toronto.

[Community Legal Services of Ottawa](#): Provides free legal services to eligible Ottawa residents.

[University of Ottawa Community Legal Clinic](#): Provides legal services to eligible individuals within the City of Ottawa.

[Queen's Law Clinics](#): Law students at Queen's University staff a number of legal clinics providing reduced-cost legal services.

[Western Law Legal Clinics](#): Law students at the University of Western Ontario staff a number of legal clinics providing reduced-cost legal services.

[Guide for Accused Persons in Criminal Trials](#): Details the steps involved in criminal charges in Ontario.

[Tribunals Ontario](#)

Prince Edward Island

[PEI Legal Aid](#): Provides legal advice and representation to those who qualify.

[Community Legal Information](#): Helps individuals residing in PEI understand the law and navigate the province's judicial system.

[Law Society of PEI](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Native Council of PEI](#)

- [Coming Full Circle: Youth Justice](#): Provides Indigenous youth in conflict with the law with case planning and group Medicine Wheel sessions.
- [Indigenous Tenant Support Group](#): Offers Indigenous peoples on PEI with individual support and workshops related to eviction and tenant rights.

[Courts of Prince Edward Island](#): Provides information on each court in PEI's legal system.

[PEI Boards and Tribunals](#)

New Brunswick

[New Brunswick Legal Aid Services Commission](#): Provides legal assistance to qualifying low-income individuals in criminal and family law.

[Law Society of New Brunswick](#): Regulating body of lawyers in the province. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[University of New Brunswick Legal Clinic](#): Provides free legal services to individuals who live in the province and do not qualify for Legal Aid but cannot afford to hire legal counsel.

[New Brunswick Law Foundation](#): Not-for-profit organization dedicated to funding access to justice projects throughout the province.

[New Brunswick Courts](#): Provides information on each court in the New Brunswick legal system.

Nunavut

[Nunavut Courts](#): Provides information on each court in Nunavut's legal system.

[Law Society of Nunavut](#): Regulating body of lawyers in the territory. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Going to Court](#): Describes what to expect when going to court.

[Nunavut Law Foundation](#): Not-for-profit organization dedicated to funding access to justice projects throughout the territory.

[Nunavut Boards and Tribunals](#)

Yukon

[Yukon Courts](#): Provides description of each level of court.

[Law Society of Yukon](#): Regulating body of lawyers in the territory. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Council of Yukon First Nations Justice Programs](#): Information on numerous programs run by the Council of Yukon First Nations, such as the Indigenous Courtworker Program and the Reintegration Program.

[Yukon Law Foundation](#): Not-for-profit organization dedicated to funding access to justice projects throughout the territory.

[Find out what happens when a charge is laid](#)

[Yukon Boards and Tribunals](#)

Northwest Territories

[Courts of the Northwest Territories](#): Provides the descriptions of each court in the province.

[Legal Aid](#): Provides legal assistance to qualifying low-income individuals in criminal and family law.

[Law Society of Northwest Territories](#): Regulating body of lawyers in the territory. Includes a [public directory of lawyers](#) and allows individuals to [file complaints](#) against lawyers.

[Northwest Territories Law Foundation](#): Not-for-profit organization dedicated to funding access to justice projects throughout the territory.