

How To Choose Your Lawyer · If You Can't Afford To Pay For Your Lawyer · How To Find A Lawyer



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How to **CHOOSE YOUR** LAWYER

It is important to choose a lawyer who can work well with you.

Not every lawyer will suit you. Just like choosing a bicycle or running shoes, you must make sure that the fit is right.

You are buying a service and the service should be right for you.

Most importantly, you will need a lawyer who can do the job.

Not every kind of lawyer is good for every kind of case.

If you are in trouble with the law, you need a criminal lawyer. Criminal lawyers know the specific laws that apply to your case and the particular rules that must be followed in criminal cases. A lawyer who does a lot of criminal law is also more likely to know the police, the judge, and the Crown attorney. This can be helpful.

Youth court has rules and procedures that are different from adult court.

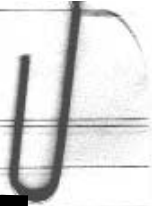
And **the law treats young people differently than it treats adults.**

The more experience your lawyer has with youth criminal law, the better they can defend you. Before you hire a lawyer ask how much experience they have had representing young people in criminal cases.



(definition)

The Crown attorney is a lawyer who works for the government. It is their job to present the case against you in court.



THINGS TO LOOK FOR
IN A

GOOD YOUTH CRIMINAL
LAWYER

- 1 Your lawyer should respect you.
- 2 Your lawyer shouldn't talk down to you because of your age.
- 3 Your lawyer should listen to what you have to say, and respect what you want to do.
- 4 Your lawyer should be someone you can trust and talk easily with.

Things To Ask A Lawyer



BEFORE
YOU HIRE THEM

- 1 Will they keep what you tell them private (even from your parents) unless you tell them it is okay to share it?
- 2 Will they do what you want done rather than what your parents or other adults want?
- 3 What would they do if the two of you disagreed about how your case should be handled?

If you don't like their answers to these questions, you might want to look for another lawyer.

Your lawyer doesn't
have to be your friend.

But it is important that you **trust** them
and **feel comfortable** in your
relationship with them.

Even if you choose a lawyer that a friend
used, **you should still ask questions.**
A successful working relationship with a
lawyer is a very individual thing.

Every case is different. **You should find
a lawyer who is right for your
case**, not for your friend's case. If you
decide to use the same lawyer your friend
used, it doesn't mean that you will get the
same result. Ask your lawyer what is likely
to happen in your case.



LEGAL AID

If you can't afford to pay for a lawyer

If you or your parent or guardian can't afford to pay for a lawyer, you can **get Legal Aid Ontario to pay for one**. The purpose of Legal Aid Ontario is to make sure that people who don't have the money to pay for a lawyer can still get the legal help they need. If your parents could pay but aren't willing to help you in this way, you still have a right to a lawyer. If you are refused legal aid in these circumstances, you should ask a criminal lawyer to help you get it. **You can also phone a legal clinic called Justice for Children and Youth and ask them for help.** Their phone numbers are **416-920-1633** in the Greater Toronto Area and **1-866-999-5329** from elsewhere in Ontario.

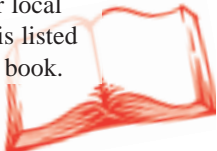


You should **take some form of identification**, such as your health card or driver's licence. Also take any papers related to your case, like your Promise to Appear or any bail conditions. Staff will give you an application form. They can help you fill it out, and can answer any questions you have.

You will have to give information about any income, property or savings that either you or your parent or guardian have. If you are in the care of the Children's Aid Society, you will only be asked for your own financial information.



טו To apply for legal aid, go to your local Legal Aid Ontario office, which is listed in the white pages of your phone book.



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LEGAL AID

If your application is accepted, you will be given a certificate to give the lawyer you hire. **The lawyer needs the certificate in order to be paid for working on your case.**



LEGAL AID ONTARIO
AIDE JURIDIQUE ONTARIO

1. CERTIFICATE NUMBER _____ ISSUE DATE _____

2. CLIENT NAME _____ LAST KNOWN ADDRESS _____

3. SOLICITOR NAME _____ NUMBER _____

4. (A) ACCOUNT TYPE Intake Final

(B) If the answer is no, why was it not completed? _____

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If your application is refused, you can appeal that decision.

You can also tell the judge at your first court date that you need a lawyer to represent you. The judge may order Legal Aid Ontario to give you a certificate if the judge agrees that you can't afford to hire a lawyer on your own and that your parents refuse to pay for one.



(definition)

Appeal means that you tell the person who made the decision that you disagree with their decision and want it to be reviewed by somebody else.

DUTY COUNSEL

duty counsel are

lawyers who provide free legal help at courthouses







If you haven't been able to get a lawyer by the time of your first court date, you can get help from duty counsel at the court. **Duty counsel are lawyers who give free legal help to people who don't have their own lawyers.**

Go to court much earlier than the time you have been told to be there. Ask to speak to duty counsel. They will help you with your first court appearance, although they can't represent you if you go to trial. **Ask duty counsel to tell the judge that you need a lawyer to represent you.** Tell them if you need legal aid. **Duty counsel can also ask the judge to set a later trial date so that you have time to get a lawyer.**





Duty Counsel continued

Duty counsel are there to help you when you appear in court, although they are limited in what they can do for you. Duty counsel can:

-  explain the charges against you and what the penalties might be,
-  describe what is going to happen in court and what to do when you appear before the judge,
-  find out what evidence the Crown has against you,
-  tell the court whether you are going to plead guilty or not guilty if you have already made up your mind,



 represent you at your first court appearance or in a bail hearing,

 tell you if there are any programs that you can apply for that allow you to take responsibility for what you did without going to court to be sentenced by the judge. If there are, they can help you apply.

It is a good idea to have a list of questions ready when you see duty counsel.



Duty counsel can't do as much for you as your own lawyer can do. Duty counsel can only give general information and basic advice. They can't take your case to trial.

How to find a lawyer

Duty counsel hotline

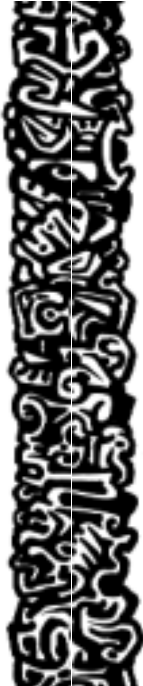
If you are being questioned by police or held in custody and don't know a lawyer to call, you can phone duty counsel. The toll-free number is

1-800-265-0451

from anywhere in Ontario. You can call 24 hours a day. Duty counsel can give you half an hour of free legal advice over the phone to help you until you can get your own lawyer.

Legal Aid Ontario

If you get a legal aid certificate, you will need a lawyer who does legal aid work. Not all lawyers will work on a legal aid certificate. While you are at the Legal Aid Ontario office, ask for their list of criminal lawyers in the area. Ask which of these lawyers do a lot of work for youth.





There is a legal clinic in Toronto called **Justice for Children and Youth**. Its phone numbers are:

416-920-1633

in the Greater Toronto Area

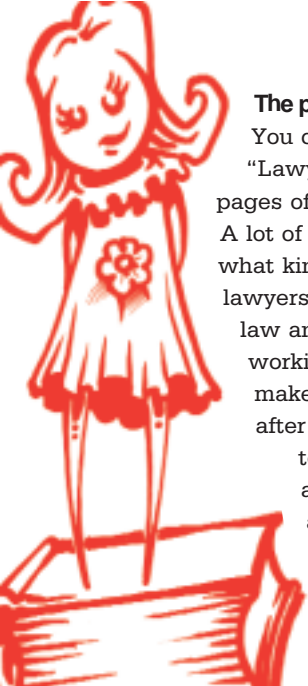
1-866-999-5329

from elsewhere in Ontario

Its staff can give you information about applying for legal aid and might be to help you find a lawyer, even if you live outside Toronto.

If you or your parents are paying for your lawyer, **you can hire any lawyer you choose**. You aren't limited to the list of lawyers who will work on a legal aid certificate. You can still find a lawyer from the Legal Aid Ontario list of lawyers. The lawyers on the list accept legal aid work, but also work for clients who can pay for their own lawyers.





The phone book

You can also look under the “Lawyers” listings in the yellow pages of your local telephone book. A lot of lawyers have ads that say what kind of law they do. Call the lawyers who say they do criminal law and ask about their experience working with youth before you make an appointment. If it is after office hours when you need to contact a lawyer, phone anyway. They might have an answering service or a message that can help you.

Lawyer referral service

There is also a lawyer referral service which is free for anyone under the age of 18. The numbers for the lawyer referral service are:



416-947-3330

in the Greater Toronto Area



OR 1-800-268-8326

from elsewhere in Ontario

Call between 9 a.m. and 5 p.m. on weekdays. They will give you the name of a lawyer to call and a reference number to give to the lawyer. You can talk with the lawyer for half an hour, get some answers from them, and decide whether you want to hire them.





Word of mouth

Your parents might be able to help you. They may have used a lawyer for other kinds of legal work. This lawyer will probably not be the best person for your case unless they do a lot of criminal work. But they might know a good criminal lawyer you could call.

Of course, it might be useful to ask other youth which lawyers they used and what they thought of them. But if you decide to use the same lawyer, don't expect that what happens in your case will necessarily be the same as what happened in theirs.

This pamphlet is part of a series produced by Community Legal Education Ontario (CLEO). CLEO has publications on other areas of law as well. Most are free. For an order form call **416-408-4420** or visit our Web site at **<www.cleo.on.ca>**.

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For help in finding a lawyer, you could call:

Duty counsel hotline

(if you are being held in custody or at the police station): **1-800-265-0451**
toll-free from anywhere in Ontario

Lawyer referral service

(free for anyone under the age of 18)
416-947-3330 in the Greater Toronto Area
1-800-268-8326 from elsewhere in Ontario
9 a.m. to 5 p.m. on weekdays

Legal Aid Ontario

Look in your local white pages under
"Legal Aid Ontario".

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