



# How to Set a Trial Date in Vancouver Provincial Court (Arraignment Hearings)

Make sure that you have exhausted all possibilities of getting a lawyer to represent you. If you can only pay a small amount, a lawyer can still help you by giving you advice before your trial. If you are unable to afford a lawyer, apply for Legal Aid. If you don't qualify, ask whether you can get a University of British Columbia law student to assist you.

If you want to plead not guilty, you will have to go to trial. This means you will need to fix a trial date. You do this at an **arraignment hearing**.

Arraignment hearings are normally held in Court 307. Before you go to Court 307, you should make sure you ask for the following papers in court at your first appearance and read them carefully:

- the **particulars** (which lists the charges and contains the police report and witness statements)
- Crown's **initial sentencing**

**position** (a pink piece of paper that lists the sentence Crown Counsel will suggest if you plead guilty)

You should think about whether you will be taking the witness stand at your trial to give your story, and whether you will be calling any other witnesses to testify for you. When you've done this, you can tell the Judge that you are ready to fix a trial date in Court 307.

You should get legal advice before you do anything in court. You can often get advice from **duty counsel** (a Legal Aid lawyer at the courthouse). Tell the sheriff you want to speak with duty counsel.

## Court 307 (Arraignment Court)

When you come to Court 307, tell the sheriff that you are present. The Crown will call your case and the Judge will have some questions for Crown Counsel and

for you. You will be asked whether you intend to plead not guilty. You may be asked whether you will be calling any witnesses, but you do not have to tell the Crown or the court who you will be calling as a witness. The Judge will decide how much court time is needed for your trial. The court clerk will give you a paper to take to the Judicial Case Management Office. Go there to arrange your trial date.

The Judicial Case Managers will give you two dates, usually about a month apart. The first date is for your **trial confirmation hearing**, and the second date is your **trial date**. You must appear on the first date to confirm that you are ready for trial. You must appear on the second date for your trial.

You will receive some papers from the Judicial Case Managers. You need to take these back to Court 307 to confirm the two dates with the Judge. You also need to give the papers to the sheriff to give to Crown Counsel. The Crown will call your name again, and the Judge will adjourn you to those dates.

If you are going to represent yourself, you should ask duty counsel, Legal Aid staff, or staff at the Court Orientation Office for the following publications:

- *Summary offence fact sheets* (information for people charged with assault, a drinking and driving offence, mischief, possession of an illegal drug, possession of property under \$5,000 obtained by crime, or theft under \$5,000)
- *Representing Yourself in a Criminal Trial*
- *Speaking to the Judge Before You Are Sentenced*