



Access to Justice in the Language of your Choice

IT'S YOUR RIGHT!



A lawyer who speaks your language

Did you know that New Brunswick has the distinction of being the only officially bilingual province in Canada, a special status that imposes obligations on government such as the duty to publish proceedings of the Legislative Assembly, Acts and regulations as well as the major court decisions of the Province in both official languages? And, did you know that every person has the right to go to court in his or her language of choice? This right is embodied in section 17 of the *Official Languages Act*:

Every person has the right to use the official language of his or her choice in any matter before the courts, including all proceedings, or in any pleading or process issuing from a court.

Exercising this right begins however by requesting legal services in the language of your choice, French or English. So go ahead and take advantage of this unique opportunity in the language of your choice!

in a nutshell Your language rights

Sections 16 to 22 of the Canadian Charter of Rights and Freedoms provide as follows:

- 16 (1) English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of the Parliament and government of Canada.
- 16 (2) English and French are the official languages of New Brunswick and have equality of status and equal rights and privileges as to their use in all institutions of the legislature and government of New Brunswick.

Section 530 of the Criminal Code reads as follows:

- 530. On application by an accused whose language is one of the official languages of Canada, [...] the accused [may] be tried before a [...] judge or judge and jury, as the case may be, who speak the official language of Canada that is the language of the accused or, if the circumstances warrant, who speak both official languages of Canada.

The Official Languages Act of New Brunswick contains the following provisions:

- 16. English and French are the official languages of the courts.
- 17. Every person has the right to use the official language of his or her choice in any matter before the courts, including all proceedings, or in any pleading or process issuing from a court.
- 18. No person shall be placed at a disadvantage by reason of the choice made under section 17.



An Act Recognizing the Equality of the Two Official Linguistic Communities in New Brunswick provides as follows:

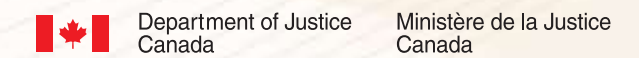
- 1. Acknowledging the unique character of New Brunswick, the English linguistic community and the French linguistic community are officially recognized within the context of one province for all purposes to which the authority of the Legislature of New Brunswick extends, and the equality of status and the equal rights and privileges of these two communities are affirmed.

The Official Languages Act of Canada also provides as follows:

- 14. English and French are the official languages of the federal courts, and either of those languages may be used by any person in, or in any pleading in or process issuing from, any federal court.



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AJEFNB Who We Are

The Association des juristes d'expression française du Nouveau-Brunswick (AJEFNB) is a non-profit association of French-speaking lawyers devoted to the integration of French in the administration of and access to justice in New Brunswick. Since its inception in 1987, the AJEFNB has been busy:

-  promoting the availability of French-language legal services to the public in the province of New Brunswick and in Canada;
-  making sure that all reference materials and legal precedents are readily available to lawyers in French;
-  promoting the use of French in conveyancing and other solicitorial work;
-  informing French speakers of their rights to justice and legal services in their language;
- advocating law reform;



The AJEFNB is proud to pursue its work aimed at making New Brunswickers more aware of their language rights by launching a new service point sign, allowing law firms who provide services in both official languages to display the availability of such services, as well as this informational pamphlet. Whenever you see the sign as illustrated, don't hesitate to ask for legal services in the language of your choice.