



Alberta Court of Justice

Practice Direction

Language Choice of the Accused

Effective: May 23, 2025

Purpose

Section 530 of the *Criminal Code* provides the right to anyone charged with a criminal offence in Canada to have their trial conducted in the official language of Canada that is the language of the accused (French or English) or, if the circumstances warrant, both official languages of Canada. This right is not merely procedural but is a fundamental safeguard that affirms the accused's linguistic and cultural identity, ensuring equal access to justice for both of Canada's official language communities.

The purpose of the Language of Accused Form is to ensure that every accused person has been advised of their rights pursuant to Section 530 of the *Criminal Code* and that they understand them. This form provides clear notice to the Court of the accused's language choice, facilitating the timely allocation of resources to conduct trials in the chosen official language.

Application and Effective Date

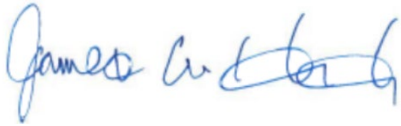
This Practice Direction will apply to all *Criminal Code* matters as of May 23, 2025.

Procedure

1. As of the effective date of this Practice Direction, all persons charged with a *Criminal Code* offence in Alberta will be required to complete the Language of Accused Form (the Form) unless the Accused has appeared personally before the Court and made their language choice on the record or the requirement to file the Form has been waived by the presiding Judicial Officer.
2. The Form can be found on the Court of Justice website. Copies of the Form will also be available at Case Management Offices (CMOs) in the province, as well as in docket courtrooms where CMOs do not exist.
3. The Form must be signed by the Accused personally and cannot be signed by Counsel or an agent for the Accused. Digital signatures are acceptable.

4. The signed Form is to be filed:
 - a. For adult criminal matters, at the CMO or filing counter for criminal matters if the CMO is closed, and for youth criminal justice matters, at the filing counter for youth criminal justice matters;
 - b. Electronically at the proxy email address assigned for the relevant Court location; or
 - c. With the Clerk in the courtroom.
5. The Form must be filed at the earliest opportunity but no later than the date on which a trial date is set, unless the Accused has personally made their language choice on the record or the requirement for filing the Form has been waived by the presiding Judicial Officer.
6. Discretion to dispense with the filing of the Form remains with the presiding Judicial Officer at all times.

Issued this 23rd day of May, 2025 by direction of



**The Honourable J.A. Hunter
Chief Justice
Alberta Court of Justice**