

APPEAL CHECKLIST for Section 116 Provincial Offences Act Appeals (Part III proceedings commenced by Summons)

Check when you have completed each step

Step 1 <input type="checkbox"/>	IS THE CONVICTION DATE WITHIN 30 DAYS? <ul style="list-style-type: none"> • if YES, go to Step 3 • if NO, go to Step 2
Step 2 <input type="checkbox"/>	COMPLETE <u>SCHEDULE 2</u> (EXTENSION OF TIME TO APPEAL) <ul style="list-style-type: none"> • now proceed to step 3
Step 3 <input type="checkbox"/>	HAS THE FINE BEEN PAID IN FULL? <ul style="list-style-type: none"> • if YES, go to step 5 • if NO, pay the fine or, if can't pay the fine, go to step 4
Step 4 <input type="checkbox"/>	COMPLETE <u>SCHEDULE 3</u> (FILE APPEAL WITHOUT PAYING THE FINE) <ul style="list-style-type: none"> • now proceed to step 5
Step 5 <input type="checkbox"/>	COMPLETE THE NOTICE OF APPEAL <u>AND SCHEDULE 1</u> <ul style="list-style-type: none"> • now proceed to step 6
Step 6 <input type="checkbox"/>	HAVE YOU ORDERED TRANSCRIPTS OF THE PROCEEDING? <ul style="list-style-type: none"> • If YES, go to step 7 • If NO, go to step 8
Step 7 <input type="checkbox"/>	ORDER TRANSCRIPTS OF PROCEEDINGS THAT RESULTED IN CONVICTION (<i>Order form and instructions included in package</i>) <ul style="list-style-type: none"> • Now proceed to step 8
Step 8 <input type="checkbox"/>	SERVE THE PROSECUTOR WITH NOTICE OF APPEAL AND/OR APPLICATIONS (<i>Note: If the prosecutor was from another government agency other than the County of Dufferin or Town of Caledon, you must serve the correct agency or Ministry. <u>It is your obligation to serve the correct prosecutor!</u></i>) <ul style="list-style-type: none"> • Now proceed to step 9
Step 9 <input type="checkbox"/>	FILE THE NOTICE OF APPEAL AND/OR APPLICATIONS AND TRANSCRIPT ORDER (where applicable) <u>WITH PROOF OF SERVICE</u> <ul style="list-style-type: none"> • Ontario Court of Justice, 2nd Floor, 10 Louisa Street, Orangeville L9W 3P9 (519) 941-5802

- **If you have not completed steps 1 through 8 as applicable, you might not be permitted to file your Appeal documents until you have done so correctly. The Court staff cannot give you any legal advice. Please contact a lawyer or licensed paralegal for assistance.**
- After you have correctly filed your Appeal documents, the Court will send you a Notice of Appeal stating the date and time your Appeal will be heard. This date will be a Status Hearing to determine whether or not the appeal can be resolved, and if not, what other materials or information are needed before setting an actual hearing of the Appeal.