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The legal system



Language Rights in Court in Quebec

Setting the Scene

What if you're involved in a court case, or are a witness, and you don't speak or understand the language used?

Learn more at educaloi.qc.ca:

- the court system
- language of work
- alternatives to court

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This pamphlet is up to date to November 11, 2019.

It has general information only. If you need legal advice on a specific situation, consult a lawyer or notary.

Criminal Cases

Right to Choose

If you're accused of a crime, you can choose English or French for important parts of your case, such as the trial.

Tell your lawyer, if you have one, or the office of the court, as soon as possible what language you want. Also, tell the first judge you see.

In Court and Documents

Important documents, such as the one saying what you're accused of, must be available in your chosen language.

Your lawyer and the prosecutor must use that language. The prosecutor is the government lawyer who brings your case to court.

The judge and jury members (if there is a jury) must speak that language.

Not everything that happens in your case will be in your chosen language. For example, some witnesses might speak another language.

You can have an interpreter for parts of the case that are in another language.

Judge's Decision

You must get the judge's final decision in your chosen language.

Civil Cases

Non-criminal cases are called civil cases. They deal with problems between people or companies, such as family problems or conflicts over a contract.

In Court and Documents

You can use English or French in court and for documents you give to the court.

Other people involved in the case don't have to use the same language. For example, the judge and the other side's lawyer might use French even if you use English.

If you don't speak or understand what is said in court, you have the right to an interpreter. You usually must pay for the interpreter, but the judge can order the losing side to pay.

Judge's Decision

Judges can give their decisions in English or French.

You have a right to a free translation. You usually must ask for it by filling out a form at the court office in the courthouse where your case was heard.

Special Courts

The rules for civil cases also apply to some cases in special courts. These courts deal with specific types of problems. Here are examples:

- The Régie du logement (rental board) hears cases involving landlords and tenants.
- The Tribunal Administratif du Québec (TAQ) hears expropriation cases, among others.
- The Commission des droits de la personne et des droits de la jeunesse (Quebec's human rights commission) hears cases about violations of rights.

If you need an interpreter, tell your lawyer, if you have one, or the office of the court as soon as possible.

Indigenous Languages

Some Crees, Inuit and Naskapis are covered by these land claims agreements:

- James Bay and Northern Quebec Agreement
- Northeastern Quebec Agreement

Crees, Inuit and Naskapis have these rights in all court cases in the regions covered by the agreements:

- speak their own language with the help of an interpreter
- free simultaneous interpretation
- free translations of the judge's written decisions
- be a juror in a criminal trial of another Cree, Inuit or Naskapi even if they don't speak English or French. (English or French is usually required for people on juries.)