

Understanding the Criminal Court Process

A Simple Guide for Victims and Witnesses in Alberta



The court process can feel confusing and stressful. This guide explains what usually happens, what docket court means, and what to expect next. Every case is different.



Did You Know?

Many criminal cases take several months or longer. It is normal for a case to have several court dates before anything major happens.



This guide covers:

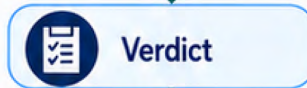
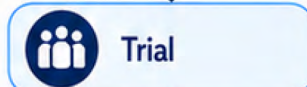
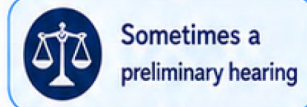
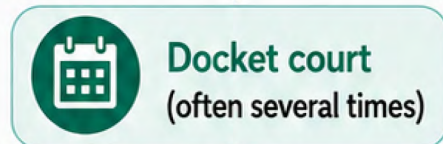
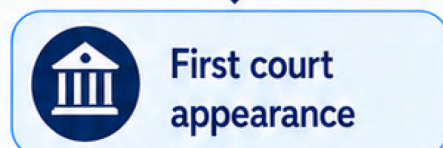
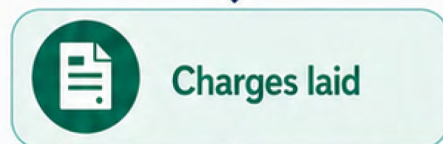
- The court journey
- Docket court
- Summary, indictable, and hybrid offences
- Preliminary hearings
- Trial and testifying
- Sentencing, Victim Impact Statements, and Restitution



The Court Journey

What usually happens in a criminal case

The accused is the person charged.
A charge does not mean guilt. The court process helps decide what happens next.



Frequently Asked Question

How will I know what's happening in court?

Victim Services Navigators can provide court updates and help answer questions about the court process.

Did You Know?

Some cases end with a guilty plea. Other cases continue to trial.





What Is Docket Court?

A short court appearance that helps move the case forward

Think of docket court as a progress or check-in court. These appearances are often short, sometimes just a few minutes.

It helps move the case forward and decide next steps.



What may happen at docket court



the judge checks how the case is progressing



the accused may ask for more time



lawyers may discuss next steps



a plea may be entered



another date may be set

Common reasons for delay or adjournment



waiting for disclosure



getting a lawyer



more time to prepare



scheduling issues



plea discussions

Frequently Asked Question



Do I need to attend court?

Not usually. You only need to attend court if you receive a subpoena requiring you to attend.



Did You Know?

10 to 15 docket appearances can be normal in some cases. Some cases have fewer appearances. Some have more.





Offence Types and Preliminary Hearings

Simple explanations of common court terms



Summary offences

Generally less serious offences. They usually have a simpler court process and lower maximum penalties.



Indictable offences

Generally more serious offences. They may involve more complex procedures and higher maximum penalties.



Hybrid offences

The Crown chooses whether to proceed as summary or indictable, depending on the case.

What is a preliminary hearing?

Only some indictable cases have a preliminary hearing. It is not the trial.

It helps decide whether there is enough evidence for the case to go forward to trial.

Victims may have to testify if they are called as a witness, but not always.



Did You Know?

A preliminary hearing is not a finding of guilt. It is a step that may happen before trial in some indictable cases.



FAQ

Does every indictable case have a preliminary hearing?

No. It only happens in some cases.

Trial and Testifying

What to expect if a case goes to trial



At trial, the Crown presents evidence and calls witnesses. The defence may also ask questions. The judge, or sometimes a judge and jury, decides whether the charge has been proven beyond a reasonable doubt.

What happens at trial

-  The Crown presents evidence.
-  Witnesses answer questions.
-  The defence may ask questions.
-  The judge or jury decides the verdict.

Tips for testifying

-  Tell the truth.
-  Speak slowly and clearly.
-  Ask for a question to be repeated if needed.
-  If you do not remember, it is okay to say so.

FAQ

-  **Will I have to testify?**
Only if you are needed as a witness.
-  **What if I need a break while I'm testifying?**
It's ok to ask for a break.
-  **Can I bring someone for support?**
Yes, you can bring family or a friend to support you.

Who's who in the courtroom



Did You Know?

Victim Services Navigators can attend court with you and help support you through the whole process.



Did You Know?

As a witness, you only go in the courtroom if/when it's time for you to testify.



Sentencing, Victim Impact Statements and Restitution

What happens after a finding of guilt



Sentencing

If the accused is found guilty, the judge decides the sentence. The judge may consider a Victim Impact Statement. Restitution may also be requested in some cases.

Possible outcomes may include:



probation



fine



jail



other court orders



Victim Impact Statements and Restitution



Victim Impact Statement

- A Victim Impact Statement tells the court about the impact the crime has had on you.
- It can describe emotional, physical, mental, and financial impacts.
- It is voluntary.
- It is only opened during sentencing.
- The accused will receive a copy.
- The judge may consider it at sentencing.



Restitution

- Restitution is a request for repayment for certain out-of-pocket losses caused by the crime.
- It may be ordered in some cases.



Frequently Asked Questions



What if I still have questions?

Contact your Victim Services Navigator, they are here to help!



You are not expected to remember everything. It is okay to ask questions.



You are stronger than you think.

