

Schedule A
Application Templates

Form 1

In the Provincial Court of Newfoundland and Labrador
St. John's

Between

Applicant

And Her Majesty the Queen

Respondent

Notice of Application

Take Notice that an application will be brought at 2:00 p.m. on the ____ day of _____, 20__, in Mental Health Court, Courtroom #8, 4th floor of Atlantic Place, 215 Water Street, St. John's, Newfoundland and Labrador, for an order granting:

- 1.** That the charges listed below be transferred from Courtroom #____ to Mental Health Court, Courtroom #8, pursuant to section 720(2) of the *Criminal Code of Canada* and Rule 6 of the *Rules of the Provincial Court*.

The Grounds for this Application are:

- 1.** That the applicant is charged with a breach(es) of section(s)

of the *Criminal Code*, alleged to have occurred on or about the ____ day(s) of _____, 20__, at or near _____ in the Province of Newfoundland and Labrador, which charge(s) is(are) currently on the docket of Courtroom #_____.

- 2.** That the applicant has a history of mental illness (disability).
- 3.** That the applicant can establish that his or her mental illness/disability is connected to the commission of the offence currently before the court.

4. Such further and other grounds as counsel may advise and this Honourable Court may permit.

In Support of this Application, the Applicant Relies on the Following:

- 1.** The affidavit of _____, counsel for the Accused.
- 2.** The report of Dr. _____ or other health care professional (where available).

The Relief Sought is:

- 1.** An Order allowing the Application and granting:
 - (a) The transfer of the above noted charge(s) to Mental Health Court, pursuant to section 720(2) of the *Criminal Code* and Rule 6 of the *Rules of the Provincial Court*.
 - (b) Such further and other relief as this Honourable Court may permit.

The Applicant may be Served with Documents Pertinent to this Application:

- 1.** By service in accordance with Rule 5, at the following address:

_____.

Dated at St. John's, Newfoundland and Labrador, this ____ day of _____,
20__.

To: Presiding Judge

To: Crown Attorney

Form 2

In the Provincial Court of Newfoundland and Labrador
St. John's

Between

Applicant

And Her Majesty the Queen

Respondent

ORDER

Upon hearing _____, counsel for the accused,

And after Considering the affidavit and material filed in support of the application for transfer of the within proceedings to the Mental Health Court,

And Upon _____, counsel for the Crown consenting,

It is this day Ordered that the charge(s) listed on the application be transferred to the Mental Health Court, Courtroom #8, 4th floor of Atlantic Place, 215 Water Street, St. John's, Newfoundland and Labrador.

**Dated at St. John's, Newfoundland and Labrador, this _____ day of _____,
20__.**

Form 1

In the Provincial Court of Newfoundland and Labrador
St. John's

Between

Applicant

And Her Majesty the Queen

Respondent

Notice of Application

Take Notice that an application will be brought at 2:00 p.m. on the ____ day of _____, 20__, in Family Violence Intervention Court, Courtroom #8, 4th floor of Atlantic Place, 215 Water Street, St. John's, Newfoundland and Labrador, for an order granting:

- 1.** That the charges listed below be transferred from Courtroom #_____ to Family Violence Intervention Court, Courtroom #8, pursuant to section 720(2) of the *Criminal Code of Canada* and Rule 6 of the *Rules of the Provincial Court*.

The Grounds for this Application Are:

- 1.** That the applicant is charged with a breach(es) of section(s) _____
_____ of the *Criminal Code*, alleged to have occurred on or about the ____ day(s) of _____, 20__, at or near _____ in the Province of Newfoundland and Labrador, which charge(s) is(are) currently on the docket of Courtroom #_____.

2. That the applicant desires to explore the possibility of being admitted into the Family Violence Intervention Court pilot project.

3. That the applicant is, at present, unaware of any reason why the applicant might be precluded from admission into the pilot project.

4. Such further and other grounds as counsel may advise and this Honourable Court may permit.

In Support of this Application, the Applicant Relies on the Following:

1. The affidavit of _____, counsel for the Accused.

The Relief Sought is:

1. An Order allowing the Application and granting:

(a) The transfer of the above noted charge(s) to Family Violence Intervention Court, pursuant to section 720(2) of the *Criminal Code* and Rule 6 of the *Rules of the Provincial Court*.

(b) Such further and other relief as this Honourable Court may permit.

The Applicant may be Served with Documents Pertinent to this Application:

1. By service in accordance with Rule 5, at the following address:

_____.

Dated at St. John's, Newfoundland and Labrador, this ____ day of _____,
20__.

To: Presiding Judge

To: Crown Attorney

Form 2

In the Provincial Court of Newfoundland and Labrador
St. John's

Between

Applicant

And Her Majesty the Queen

Respondent

ORDER

Upon hearing _____, counsel for the accused, and
_____, counsel for the Crown,

And after Considering the affidavit and material filed in support of the application for transfer of the within proceedings to the Family Violence Intervention Court,

It is this day Ordered that the charge(s) listed on the application be transferred to the Family Violence Intervention Court, Courtroom #8, 4th floor of Atlantic Place, 215 Water Street, St. John's, Newfoundland and Labrador.

**Dated at St. John's, Newfoundland and Labrador, this _____ day of _____,
20__.**
