

# REOPENING APPLICATION/AFFIDAVIT (EARLY RESOLUTION / TRIAL)

ONTARIO COURT OF JUSTICE  
PROVINCE OF ONTARIO

Under subsection 11(1) of the *Provincial Offences Act*

**Form 102.1**  
*Courts of Justice Act*  
R.R.O. 1990  
Reg. 200

I, \_\_\_\_\_  
(name)

of \_\_\_\_\_  
(street number) (street) (apt. number) (municipality) (postal code)

\_\_\_\_\_ (phone) \_\_\_\_\_ (email)

make an application to strike out the conviction entered against me. In support I confirm and assert as follows:

1. I was convicted without a hearing of

Offence Description	File No.
Offence Date	Conviction Date

2. Through no fault of my own,

(a) I did not have the opportunity to (*check the appropriate box*):

- dispute the charge at trial, or
- attend an early resolution meeting

(*explain or attach other evidence or information to be relied upon in support of your application*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OR**

(b) I did not receive delivery of a notice or document relating to the offence, namely (*check the appropriate box*):

- Offence Notice

And I wish to exercise one of the following options:

- Early Resolution – Meet with Prosecutor** (by choosing this option you **do not** forego the right to trial)  
**NOTE:** *You may be convicted in your absence if you do not attend the scheduled meeting.*
- Trial Option:** I intend to appear in court to enter a plea of not guilty at the time and place set for the trial.  
**NOTE:** *You may be convicted in your absence if you do not attend the trial.*

- Early Resolution Meeting Notice
- Notice of Trial

(*explain or attach other evidence or information to be relied upon in support of your application*)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR INFORMATION ON ACCESS  
TO ONTARIO COURTS  
FOR PERSONS WITH DISABILITIES, CALL  
**1-800-387-4456**  
TORONTO AREA **416-326-0111**



POUR PLUS DE RENSEIGNEMENTS SUR L'ACCÈS  
DES PERSONNES HANDICAPÉES  
AUX TRIBUNAUX DE L'ONTARIO, COMPOSEZ LE  
**1-800-387-4456**  
RÉGION DE TORONTO **416-326-0111**

3. The conviction first came to my attention on the \_\_\_\_\_ day of \_\_\_\_\_, yr. \_\_\_\_\_.

4.  I have made a previous application for reopening in relation to this matter.

Sworn / Affirmed before me at

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
A Commissioner, etc.

\_\_\_\_\_  
Signature of defendant

**NOTE:** Section 86 of the *Provincial Offences Act* provides:

Every person who makes an assertion of fact in a statement or entry in a document or form for use under this Act knowing that the assertion is false is guilty of an offence and on conviction is liable to a fine of not more than \$2,000.

Subsections 11 (2) and (3) authorize the clerk of the court or justice to strike out a conviction on affidavit of the defendant or on other evidence or information that through no fault of the defendant, the defendant was unable to participate in the proceeding.

**The court may contact you regarding this application using the phone number or e-mail address provided.**

**FOR COURT USE ONLY**

**ORDER OF THE CLERK**

- Application forwarded to justice.
- Conviction struck, re-opening granted. Certificate of striking out conviction and early resolution meeting notice to be given to defendant and prosecutor.
- Conviction struck, reopening granted. Certificate of striking out conviction and notice of trial to be given to defendant and prosecutor.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Clerk of the Court

**ORDER OF THE JUSTICE**

- Conviction upheld, reopening denied.  
Reason:
- Conviction struck, re-opening granted. Certificate of striking out conviction and early resolution meeting notice to be given to defendant and prosecutor.
- Conviction struck, reopening granted. Certificate of striking out conviction and notice of trial to be given to defendant and prosecutor.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Justice of the Peace

FOR INFORMATION ON ACCESS  
TO ONTARIO COURTS  
FOR PERSONS WITH DISABILITIES, CALL  
1-800-387-4456  
TORONTO AREA 416-326-0111



POUR PLUS DE RENSEIGNEMENTS SUR L'ACCÈS  
DES PERSONNES HANDICAPÉES  
AUX TRIBUNAUX DE L'ONTARIO, COMPOSEZ LE  
1-800-387-4456  
RÉGION DE TORONTO 416-326-0111

# CERTIFICATE OF STRIKING OUT CONVICTION

(Under section 11 or 19 of the *Provincial Offences Act*)

**Form 103**  
*Courts of Justice Act*  
R.R.O. 1990  
Reg. 200

**TO:** (Defendant)  
Name and Full Address Below

Offence Number \_\_\_\_\_

Offence Date \_\_\_\_\_

Statute \_\_\_\_\_

Section \_\_\_\_\_

If the reopening is granted and you need an interpreter at your trial or early resolution date, specify the language below (leave blank if inapplicable):

Language: \_\_\_\_\_

I certify that the conviction entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, against the defendant in respect of the offence described above was struck out by me on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Clerk of the Court/Justice of the Peace in and for the Province of Ontario

FOR INFORMATION ON ACCESS  
TO ONTARIO COURTS  
FOR PERSONS WITH DISABILITIES, CALL  
1-800-387-4456  
TORONTO AREA 416-326-0111



POUR PLUS DE RENSEIGNEMENTS SUR L'ACCÈS  
DES PERSONNES HANDICAPÉES  
AUX TRIBUNAUX DE L'ONTARIO, COMPOSEZ LE  
1-800-387-4456  
RÉGION DE TORONTO 416-326-0111