

Sudbury Community Service Centre

Justice Case Management Program

The Sudbury Community Service Centre provides specialized support to adults involved in the Criminal Court process who have a suspected or confirmed Intellectual Disability, a Dual Diagnosis, or an acquired brain injury prior to the age of 18.

Our team provides case management, coordination, advocacy, and support to help individuals navigate the justice system and ensure their needs are appropriately identified and addressed throughout the court process.

Justice Programs

- **Dual Diagnosis Justice Case Manager (DDJCM):** The DDJCM program operates differently across regions, with some communities providing case management and others providing case coordination. In Sudbury, the DDJCM provides case management and oversight to individuals participating in the Wellness/Mental Health Diversion Stream. This includes supporting individuals throughout the diversion process, coordinating services, and working collaboratively with community and justice partners.

- **Justice Case Manager (JCM):** The Justice Case Manager provides case management to individuals involved in the criminal court system at various stages of the legal process. This may include assisting with bail planning, first appearances, pleas, trials, and ongoing court-related needs. The JCM works collaboratively with individuals, legal representatives, and community service providers to promote appropriate supports and successful engagement with the justice system.

Barriers and Challenges

Limited reading and writing skills

May have difficulty understanding legal documents, court forms, release conditions, or written instructions. They may need help completing forms or understanding and providing written information.

Understanding legal language

Court terms and legal information can be difficult to understand. The person may need help understanding their charges, court orders, bail conditions, or legal agreements, including what these mean and what could happen if they are not followed.

Processing and retaining information

May need extra time to understand questions and information. They may also have difficulty remembering information discussed in court, especially when a lot of information is given at once.

Communication difficulties

May have difficulty explaining what happened, expressing themselves, or answering questions clearly. They may say “yes” or agree even when they do not fully understand, especially when they feel pressured or overwhelmed.

Barriers and Challenges continued

Difficulty understanding consequences

May have difficulty understanding the short- and long-term consequences of decisions, including entering a plea, agreeing to conditions, or failing to comply with court orders.

Court environment can be overwhelming

Courtrooms can feel unfamiliar, stressful, or intimidating. Noise, many people speaking, long waits, and formal procedures can make it harder to concentrate, understand information, and communicate clearly.

Difficulty following court conditions

Conditions may be difficult to understand, remember, or follow, particularly when they involve multiple requirements, appointments, restrictions, or deadlines.

Dependence on others

May rely heavily on family members, support workers, or other trusted individuals to understand information, attend appointments, arrange transportation, and comply with conditions.

An intellectual disability does not mean an individual cannot participate in the court process. It may mean that information needs to be presented differently—with plain language, additional time, repetition, and appropriate supports—to ensure meaningful understanding and participation

What do we do?

We advocate and provide support to individuals through:

Discussions with the crown attorney's office	Applying for screening forms and disclosures	Legal aid applications	Finding counsel, corresponding with counsel throughout the duration of a clients matters.
Provide counsel with letters of support and background information.	Judicial Pre-Trials And Self Represented Judicial Pre-Trials	Community Referrals, transportation, and support during programming	Pleas, Trials, and sentencing
Wellness Court	Bail Planning	Release from custody planning	Court attendances with an accused

Wellness Court and Mental Health Diversion

- The **Wellness Stream** provides an alternative approach to criminal court by connecting eligible individuals with mental health, community, and justice supports. In Sudbury, **SCSC, CMHA, and the Crown Attorney's Office** collaborate to facilitate Mental Health Diversion. Eligibility requires connection with SCSC or CMHA and is determined by the individual's circumstances and the nature of their charges, as not all offences qualify.

- Once identified as a potential candidate, the supporting agency submits an application to the **Wellness Crown**. An individualized diversion agreement is developed based on the individual's **charges, needs, abilities, and circumstances**, with eligibility for **Track 1, Track 2, or no diversion** determined accordingly.

- Once a matter is approved to Wellness Court, SCSC provides ongoing oversight and support throughout the six-month diversion agreement. This includes facilitating referrals to required programming, assisting individuals in accessing and completing services, maintaining regular contact, and collaborating with community and justice partners to support successful completion of the diversion agreement.

Types of Mental Health Diversions

- **Track 1 Diversion** provides an opportunity for the individual's charges to be withdrawn upon successful completion of the six-month diversion agreement and all required programming.

- **Track 2 Diversion** involves a guilty plea to specified charges, with the Crown Attorney seeking a reduced sentencing position in recognition of the individual's participation in the diversion process and successful completion of the agreed-upon requirements.

Justice Case Management

Through our **Justice Case Management Program**, we provide specialized support to individuals involved in the criminal justice system, including those facing more serious charges.

Our support may include:

- **Bail Planning and Support:** Supporting individuals throughout the bail process, including attending bail court, developing individualized bail plans, identifying and contacting potential sureties, connecting individuals with the Bail Supervision Program, and assisting with Fitness assessments when required.
- **First Appearance and Domestic Violence Court:** Attending court with individuals and assisting them in obtaining and reviewing their disclosure and screening packages. Individuals are also connected with Duty Counsel to discuss their legal options and next steps. Legal Aid applications may be completed when appropriate.
- **Ongoing Court and Legal Support:** Providing reminders for upcoming court appearances, assisting individuals in connecting with legal counsel, and, when appropriate, attending appointments with counsel and the Bail Supervision Program. We also support individuals in attending required appointments, assessments, and programming.

Justice Case Management

- **Gathering Supporting Documentation:** Assisting individuals and counsel in obtaining relevant documentation that may support their defence or inform the court, including psychological assessments, educational and school records, medical or other relevant records, and letters of support.

- **Collaboration with Justice Partners:** Working collaboratively with defence counsel, the Crown Attorney's Office, court personnel, community agencies, and other service providers to ensure individuals receive coordinated and appropriate support throughout their involvement with the justice system.

Overall, the Justice Case Management Program aims to reduce barriers to accessing and navigating the justice system while ensuring that individuals are connected to the supports and services necessary to promote meaningful participation in their legal matters.

For Justice Case Management Support please contact the Sudbury Community Service Centre.

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