

# REOPENING APPLICATION/AFFIDAVIT (EARLY RESOLUTION)

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*)

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.

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**

Sworn/Affirmed before me

at \_\_\_\_\_  
this \_\_\_\_\_ 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

