

Education Plan 2019-2022¹

The Provincial Court of Alberta (the “Court”) embraces a culture of excellence and is committed to providing opportunities for Judges and Justices of the Peace to continue to develop expertise and skills throughout their careers. It is the duty of every Judge and Justice of the Peace to address their individual professional development needs and select their educational activities.

The Court established the Judicial Education sub-Committee of the Chief Judge and Council (the “Committee”) in the fall of 2014 to formalize its commitment to professional development. The *Education Plan 2019-2022* establishes measurable and concrete goals for the next three fiscal years, to provide the Judges and Justices of the Peace with the broadest possible range of educational opportunities.

1.0. Areas of Judicial Education

- 1.1. The Education Plan is founded on the four areas of judicial education established by the *2015-16 Judicial Education Framework*: substantive law, judicial skills, social context and judicial development.
- 1.2. Substantive law encompasses criminal, civil and family and youth matters, evidence, administrative and constitutional law and procedure. New Judges and Justices of the Peace are expected to acquire expertise in all substantive law areas within their judicial role. All Judges and Justices of the Peace need periodic review of concepts and procedures in areas that they encounter on a less frequent basis and must keep current with new developments in case law and legislation.
- 1.3. Judicial skills include court communication and court management skills, caseload management skills, judgment preparation and delivery skills, judicial dispute resolution skills and computer skills. New Judges and Justices of the Peace can develop these abilities through specific seminars for new Judges and Justices of the Peace, as well as through shadowing and mentoring opportunities. Judges and Justices of the Peace in

¹ This plan covers the fiscal years 2019-20, 2020-21 and 2021-22

their mid and late careers benefit from reviewing and rethinking their judging craft and are encouraged to assume the role of educators for less experienced Judges and Justices of the Peace. All Judges and Justices of the Peace may need computer training as new programs and devices are introduced in the Court.

- 1.4. Social context education enhances the understanding by Judges and Justices of the Peace of the parties appearing before the Court. It includes issues such as, cultural and ethnic backgrounds, including unconscious bias, aboriginal teachings and impact of cultural challenges; mental health challenges; self-represented litigants; the special needs of children and families; and addictions. Continuous new knowledge and evolution of thought in these social fields determines the need for regular updates, and the opportunity to discuss issues amongst peers can lead to useful strategies to apply in court.
- 1.5. Judicial development encompasses education, personal wellness, and a solid grounding in expected judicial conduct and ethics. It includes education for Judges and Justices of the Peace interested in, or recently assuming administrative positions within the Court, as well as education for Judges and Justices of the Peace interested in becoming mentors or educators. It also includes matters such as time and stress management, mental wellness, avoidance of or treatment for post-traumatic stress syndrome, and retirement planning issues. Among other matters, judicial conduct and ethics encompass the topics of diligence, conflicts of interest, bias, courtroom demeanor, and impartiality. Experience has shown that relevant educational programs and resources can motivate Judges and Justices of the Peace to discuss and clarify personal and courtroom ethical dilemmas as well as conduct and ethical issues arising as a result of current trends such as social media, judicial resolution, and interaction with self-represented litigants.

2.0. Education for Judges and Justices of the Peace

- 2.1. Subject to the French Judges leave policy, the New Judges Education Plan and the New Justices Education Plan, the education leave provided for full time Judges and full time Justices of the Peace is ten days per calendar year, plus necessary travel time. Judges

and Justices of the Peace are expected to use four of these days to attend the conferences organized by the Alberta Provincial Judges' Association ("APJA") and the Society of the Justices of the Peace in Alberta ("SJPA"), and are encouraged to identify and attend other educational programs of interest throughout the year using the remaining six days of educational leave. Part-time Judges, Supernumerary Judges, part-time Justices of the Peace and ad hoc Justices of the Peace are encouraged to attend the APJA and SJPA Conferences. Educational leave is subject to the approval and discretion of the Assistant Chief Judges and Administrative Justices of the Peace.

- 2.2. Occasionally, the Office of the Chief Judge will organize programs whose attendance does not require the use of Educational Leave.
- 2.3. The Office of the Chief Judge funds some of the educational programs available to the Judges and Justices of the Peace. The APJA/SJPA conferences are partially financed through government grants to the Associations. For other educational costs, Judges and Justices of the Peace can use the Professional Development Allowance up to the allowed amount and in accordance with the *Provincial Court Judges and Masters in Chambers Compensation Regulation* (Alta Reg 176/1998), the *Justice of the Peace Regulation* (Alta Reg 6/1999) and the guidelines administered through the Office of the Chief Judge.
- 2.4. Judges and Justices of the Peace should create learning goals, select appropriate programs, book time and obtain approval for these programs on an annual basis. Learning goals may include taking the roles of educators or presenters in internal and external law conferences and relevant public forums on the law and justice. New Judges and Justices of the Peace need to establish five year individual education plans.
- 2.5. The *New Judges Education Plan* sets the framework for the education of new Judges during their first five years on the bench. New Judges are encouraged to participate in as many education initiatives as possible.
- 2.6. The *New Justices of the Peace Education Plan* sets the framework for the education of new Justices of the Peace during their first five years on the bench. New Justices of the Peace are encouraged to participate in as many education initiatives as possible.

3.0. Guiding principles for 2019-2023

- 3.1. The Education Sub-committee and the Education Manager will:
 - 3.1.1. Work with the APJA and the SJPA to complement the educational initiatives organized by the Associations.
 - 3.1.2. Continue to develop relationships and collaboration with the NJI and other courts in educational initiatives.
 - 3.1.3. Maximize financial and educational benefits to Judges and Justices of the Peace by organizing activities in Alberta whenever possible.
 - 3.1.4. Present educational programs in a variety of formats and structures to address different learning styles.
 - 3.1.5. Promote online learning activities when appropriate.
 - 3.1.6. Focus on reaching Judges all throughout Alberta.
 - 3.1.7. Focus on education for Justices of the Peace, including updating the Justices of the Peace Bench Book.
 - 3.1.8. Encourage Judges to sit in locations and divisions other than their own, to promote homogeneity and exchange of ideas in the Court.
 - 3.1.9. As much as possible, encourage Judges and Justices of the Peace to participate as faculty when organizing educational activities. Consider external experts only when appropriate to supplement the Court's view or to get a more scholarly perspective on a topic.

4.0. Education Initiatives for 2019-2022

- 4.1. The Committee will promote education on topics including the following through one-day sessions, lunch and learns or collaboration with other provinces:
 - 4.1.1. Substantive Law

- 4.1.1.1. Families and children
- 4.1.1.2. Civil
- 4.1.1.3. Domestic violence
- 4.1.1.4. Criminal law, including conduct of a sexual assault trial

4.1.2. Judicial Skills

- 4.1.2.1. JDR and case management
- 4.1.2.2. Writing judgments
- 4.1.2.3. Oral Judgments

4.1.3. Social Context

- 4.1.3.1. Cultural competence
- 4.1.3.2. Indigenous issues
- 4.1.3.3. Self-represented litigants
- 4.1.3.4. Mental Health
- 4.1.3.5. Addictions

4.1.4. Judicial Development

- 4.1.4.1. Well-being sessions
- 4.1.4.2. Career progression
- 4.1.4.3. Computer skills
- 4.1.4.4. Ethics

4.2. The Committee will continue to assist mentors to new Judges and new Justices of the Peace in their role.

4.3. The Committee will establish regular Boot Camp programs for new Judges and new Justices of the Peace.

- 4.4. As part of the New Judges Education Plan, the Committee will maintain and evaluate an orientation program for new Judges.
- 4.5. As part of the New Justices of the Peace Education Plan, the Committee will maintain and evaluate an orientation program for new Justices of the Peace.
- 4.6. The Committee will make recommendations and assist the Chief and Council Committee in maintaining the New Administrative Judges Education Plan.
- 4.7. The Judicial Education Manager will continue to work with education chairs and presenters and update documentation on best practices in facilitation.
- 4.8. The Committee will promote the collection, consolidation and update of existing Bench Books. Bench Books will be available on the Judicial Education website.

5.0. Educational resources available to the Judges and Justices of the Peace

- 5.1. The following resources will continue to be developed to support the educational goals of the Judges and Justices of the Peace:
 - 5.1.1. The Judicial Education Manager is the Court's staff resource to promote education and assist Judges and Justices of the Peace in their selection of professional development activities. The Judicial Education Manager assists in the organization, promotion and broadcast of educational events, including the APJA/SJPA conferences, the boot camps and the in-house sessions. He or she explores educational opportunities and alerts the Judges and the Justices of the Peace of new opportunities through email messages and a bi-monthly newsletter.
 - 5.1.2. The Judicial Education Webpage, maintained by the Judicial Education Manager, provides access to educational tools and documentation including:
 - 5.1.2.1. Inventory of Learning Opportunities.
 - 5.1.2.2. In-house bench books and checklists.
 - 5.1.2.3. Legal and Legislative summaries.

- 5.1.2.4. Materials from in-house presentations.
- 5.1.2.5. Materials from the APJA and SJPA conferences.

- 5.1.3. The library offers database and research training and recommendations of textbook purchases to Judges and Justices of the Peace. In particular, the library:
 - 5.1.3.1. Administers database information and passwords.
 - 5.1.3.2. Distributes annual copies of the Criminal Code and the Rules of Court if ordered. Full time Justices of the Peace can choose to receive Carswell's Alberta Provincial Offences instead of a Criminal Code.
 - 5.1.3.3. Compiles an annual list of recommended books for purchase at the end of the fiscal year.
 - 5.1.3.4. Offers training to Judges and Justices of the Peace in the use of legal databases.

- 5.1.4. Court Technical Services can assist Judges and Justices of the Peace in the development of their computer skills.
 - 5.1.4.1. Training in Word, Power Point and other Microsoft software.
 - 5.1.4.2. Help with Dragon, VPN, GroupWise and Filr.

- 5.1.5. The NJI website gives access to:
 - 5.1.5.1. Program materials (collection of presentations and documents from past seminars)
 - 5.1.5.2. The NJI Bench Books
 - 5.1.5.3. Subject Collections
 - 5.1.5.4. New Judges Resource Page
 - 5.1.5.5. Sexual Assault Trial Videos
 - 5.1.5.6. Note-Taking template
 - 5.1.5.7. NJI Criminal and Family Newsletters

6.0. Review of the Plan

6.1. This plan will be reviewed and evaluated annually at the end of the fiscal year.