

# Education Plan 2022-2025<sup>1</sup>

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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 Committee of the Chief Judge and Council (the “Committee”) in the fall of 2014 to formalize its commitment to professional development. The *Education Plan 2022-2025* 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.

The Provincial Court is continuously monitoring legal and societal developments and revises and refines the three-year plan annually to adjust the educational requirements for Judges and Justices of the Peace as appropriate.

## **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, 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.

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<sup>1</sup> This plan covers the fiscal years 2022-23, 2023-24 and 2024-25

- 1.3. Judicial skills include court communication and court management skills, working with self-represented litigants and dealing with vexatious litigants, caseflow management skills, judgment writing and oral decisions skills, judicial dispute resolution skills, and technology 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 their mid and late careers benefit from reviewing and rethinking their judging craft and are encouraged to assume the role of educators and mentors for less experienced Judges and Justices of the Peace. Technology training must be available to Judges and Justices of the Peace as new programs and devices are introduced in the Court. With the advent of the pandemic, the pace of technological change has increased, in particular in the area of remote hearings, making it even more important for Judges and Justices of the Peace to keep up to date with technology.
- 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, Indigenous history, teachings, and TRC recommendations, diversity and inclusion, unconscious bias, anti-racism, trauma-informed judging, mental health challenges, the special needs of children and families, and addictions. Continuous new understanding and evolution of thought in these social fields determine the need for regular updates. The opportunity to discuss issues amongst peers, as well as establishing conversations with the various communities, 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 of the Peace Education Plan, the education leave provided for full-time Judges and full-time and part-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 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 for which 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 2022-2025**

- 3.1. The Education 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 promoting education for all Judges throughout the province.
  - 3.1.7. Focus on promoting education for all Justices of the Peace throughout the province.

- 3.1.8. Encourage Judges to sit in locations and divisions other than their own, to promote consistency 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 when appropriate to supplement the Court's view or to get a more scholarly perspective on a topic.
- 3.1.10. Be responsive to public and the media inquiries about education initiatives for the Court.

#### 4.0. **Education Initiatives for 2022-2025**

- 4.1. The Committee will provide education on all areas of judicial education as described above through one-day sessions, lunch and learns or collaboration with other associations and/or provinces.
- 4.2. The Committee collaborates with the APJA and the SJPA Education Committees through their Chairs or designates to address educational topics and identify speakers which the Associations could offer at the spring and fall conferences.
- 4.3. The Committee will continue to promote external judicial education opportunities and encourage Judges and Justices of the Peace to establish annual personal plans to take advantage of the many courses available to them in the four areas of judicial education according to their interests and their individual needs.
- 4.4. The Committee will continue to assist mentors to new Judges and new Justices of the Peace in their role.
- 4.5. The Committee will continue to develop regular programs for new Judges and new Justices of the Peace.
- 4.6. As part of the New Judges Education Plan, the Committee will maintain and evaluate an orientation program for new Judges.

- 4.7. 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.
- 4.8. The Committee will make recommendations and assist the Chief and Council Committee in maintaining the New Administrative Judges Education Plan.
- 4.9. The Judicial Education Manager will continue to work with education chairs and presenters and update documentation on best practices in facilitation.
- 4.10. The Committee will promote the collection, consolidation, and update of existing Bench Books. Bench Books are available on the Judicial Education website.

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

- 5.1. The following resources 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 programs for new Judges and the in-house sessions. They explore 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. Case and Legislative summaries.
    - 5.1.2.4. Materials and recordings from in-house presentations.
    - 5.1.2.5. Materials from the APJA and SJPA conferences.

- 5.1.2.6. Quarterly “Education Matters” Newsletters, created by the Judicial Education Manager, highlight educational opportunities, news, and developments.
- 5.1.3. Legal Counsel and articling students for the Court assist the judiciary in their education needs by preparing case summaries, assisting in lunch and learn presentations, conducting legal research, preparing memos, and providing legal opinions.
- 5.1.4. The library offers database and research training and recommendations on textbook purchases to Judges and Justices of the Peace. In particular, the library:
  - 5.1.4.1. Administers database information and passwords.
  - 5.1.4.2. 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.
  - 5.1.4.3. Offers training to Judges and Justices of the Peace in the use of legal databases.
- 5.1.5. Court Technical Services assist Judges and Justices of the Peace in the development of their computer skills.
  - 5.1.5.1. Ongoing training in M365.
  - 5.1.5.2. Help with Dragon, VPN and FTR.
- 5.1.6. The NJI website gives access to:
  - 5.1.6.1. Program materials (collection of presentations and documents from past seminars)
  - 5.1.6.2. The NJI Bench Books
  - 5.1.6.3. Subject Collections
  - 5.1.6.4. New Judges Resource Page
  - 5.1.6.5. Sexual Assault Trial Videos
  - 5.1.6.6. Podcasts and webinars
  - 5.1.6.7. Note-Taking template

5.1.6.8. 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.