

New Justices of the Peace Education Plan

The Provincial Court of Alberta (the Court) embraces a culture of excellence and is committed to ensuring that new Justices of the Peace feel welcome, are integrated into the Court and become proficient in their role as early as possible in their career. The Court has established the New Justices of the Peace Education Plan to facilitate the transition of new Justices of the Peace to the bench.

It is the duty of every Justice of the Peace to address their professional development needs throughout their career. The Deputy Chief Judge of the Provincial Court of Alberta and the Administrative Justice of the Peace for each area will ensure that new Justices of the Peace receive the initial help, information and training that they require, according to the elements of this plan and in view of the individual background and needs of each particular Justice of the Peace.

Plan Overview

The plan incorporates the following components:

- A shadowing program, which allows new Justices of the Peace to accompany senior Justices of the Peace and observe their work. The shadowing program is adjusted to the experience and background of each new Justice of the Peace.
- A mentoring relationship. Mentors provide a forum for discussion, advice and collegiality. Both the shadowing program and the mentoring program facilitate the integration of the new Justice of the Peace into the judicial community.
- Materials of interest, including library materials, training manual, bench books and administrative materials.
- Court internal resources sessions organized during the first three months after appointment.
- Individual education plans for the first five years.
- Ongoing relationship with the Judicial Education Manager to establish the education plans. The Judicial Education Manager is the Court's specialist in judicial education and can help the Justices of the Peace organize educational activities as well as find and select educational resources.

1.0. Shadowing program

- 1.1. Upon appointment, new Justices of the Peace are scheduled to observe different senior, more experienced Justices of the Peace performing their various functions. This helps new Justices of the Peace become familiar with the Court and its practices and establish closer relationships with their colleagues. The Administrative Justice of the Peace will take into account the new Justice of the Peace's background and experience when establishing shadowing schedules and length of participation. The initial schedule should allow for one or two chamber days a week for reading purposes.
- 1.2. Justices of the Peace will shadow the following proceedings :
 - 1.2.1. Hearing Office
 - 1.2.2. Traffic Court
 - 1.2.3. Bail Court in Provincial Court
 - 1.2.4. Criminal Courts with Provincial Court Judges presiding
- 1.3. All Justices of the Peace will spend time with a senior Justice of the Peace to observe some of the functions and duties prescribed by s. 4(1) of the *Justice of the Peace Regulation* (Alta. Reg. 6/99):
 - (a) processing judicial interim release orders that have previously been made by a judge, or a justice of the peace;
 - (b) qualifying sureties on judicial interim release orders;
 - (c) receiving informations, except under section 810 of the Criminal Code (Canada);
 - (d) subject to subsection (2), confirming or cancelling an appearance notice, promise to appear or recognizance under section 508(1) of the Criminal Code (Canada);
 - (e) REPEALED: Alta. Reg. 39/2006 s3 (a) effective February 22, 2006 (Alta. Gaz. March 15, 2006)
 - (f) issuing subpoenas;
 - (g) taking affidavits;
 - (h) ordering the disposition of seized items;
 - (i) with respect to offences under the statutes, regulations, bylaws and orders referred to in section 3, dealing with first appearances and with applications for extension of time to pay, except
 - (i) the taking of guilty pleas on mandatory court appearances, and
 - (ii) the issuing of warrants for arrest;
 - (j) dealing with the following:

- (i) uncontested adjournments;
- (ii) elections as to the mode of trial by an accused;
- (iii) Crown elections;
- (iv) setting dates for trial or summary dispositions;
- (v) setting dates for early case resolution;
- (vi) accepting requests for preliminary inquiries;
- (vii) setting preliminary inquiry dates;
- (viii) setting sentencing dates;
- (ix) issuing summonses;
- (x) taking not guilty pleas.

2.0. Mentoring program

- 2.1. The Chief Judge's Office supports a mentoring program for new Justices of the Peace. Access to a mentor facilitates the transition to the position, increases the confidence of the new Justice of the Peace, establishes positive relations amongst colleagues and provides individualized educational and social support to new Justices of the Peace.
- 2.2. Some of the objectives of the mentoring program are to:
 - 2.2.1. Clarify and convey a vision of the role of a Justice of the Peace;
 - 2.2.2. Provide encouragement and constructive feedback;
 - 2.2.3. Assist Justices of the Peace in achieving high standards;
 - 2.2.4. Support the sharing of knowledge and experience;
 - 2.2.5. Facilitate integration into the role;
 - 2.2.6. Identify learning needs and develop a learning plan accordingly;
 - 2.2.7. Involve experienced Justices of the Peace in the development of their profession; and
 - 2.2.8. Create a network of Justices of the Peace.
- 2.3. Role of the Administrative Justices of the Peace. They
 - 2.3.1. Facilitate a mentoring relationship between the new Justice of the Peace and a willing senior Justice of the Peace. Mentors are selected by their willingness and

availability to serve as a mentor, their experience and knowledge, and their good listening and constructive feedback skills;

- 2.3.2. Take into account the needs or preferences expressed by the mentor and the new Justice of the Peace, the skills to be developed by the new Justice of the Peace and the corresponding expertise of the mentor, and the personal characteristics of the Justices of the Peace when suggesting a pairing;
 - 2.3.3. Explain the mentoring process to the new Justice of the Peace, including benefits of the program and expectations of participation;
 - 2.3.4. Recognize that mentors need some extra time to fulfill the requirements of the mentorship relationship;
 - 2.3.5. In conjunction with the new Justice of the Peace's mentor, ensure that new Justices of the Peace receive information on the following topics as soon as possible after appointment:
 - 2.3.5.1. Judicial conduct and ethics in and out of the courtroom;
 - 2.3.5.2. Courtroom and Hearing Office demeanor;
 - 2.3.5.3. Administrative procedures, including an orientation to the work of the clerks;
 - 2.3.5.4. Traffic Court Procedures
- 2.4. Role of the mentors. They:
- 2.4.1. Are involved in determining the suitability of the match;
 - 2.4.2. Commit to the objectives of the mentoring program;
 - 2.4.3. Liaise with the Administrative Justice of the Peace to ensure that the goals and objectives of the program are met;
 - 2.4.4. Initially show leadership in the relationship and then share the responsibility for the relationship with the new Justice of the Peace;
 - 2.4.5. Introduce the new Justice of the Peace to key personnel in the court system;

- 2.4.6. Encourage and challenge the new Justice of the Peace;
 - 2.4.7. Help new Justice of the Peace identify his/her learning needs for the development of the education plan;
 - 2.4.8. Provide constructive feedback;
 - 2.4.9. Share knowledge and experience; and
 - 2.4.10. Maintain confidentiality of mentoring conversations.
- 2.5. Role of the new Justices of the Peace. They:
- 2.5.1. Assume responsibility for their own learning and development;
 - 2.5.2. Share the responsibility for the relationship with mentor;
 - 2.5.3. Are involved in selecting a mentor;
 - 2.5.4. Help identify what they want to learn/know/be able to do;
 - 2.5.5. Request and act on feedback;
 - 2.5.6. Develop and revise their learning plan;
 - 2.5.7. Commit to the objectives of the mentoring model and to the mentoring protocol; and
 - 2.5.8. Maintain confidentiality of mentoring conversations.
- 2.6. Mentors and new Justices of the Peace should have an orientation session to define mutual expectations. They can use the “Checklist for Mentors and New Justices of the Peace” as a guideline. It is a good idea at this time to schedule the meetings for the next few months. The number of meetings between mentors and new Justices of the Peace is at the discretion of the pair. They should, however, aim to meet at least once a week during the first month, once every two weeks during the next five months and about once a month after the first six months.
- 2.7. The length of the mentoring program is expected to be up to twelve months. During this period, mentors and new Justices of the Peace will gather information and suggestions on how to improve the mentoring program.

- 2.8. If new Justices of the Peace so desire, they can invite their mentor or the Administrative Justice of the Peace to observe them and offer feedback during their initial experiences on the bench or at the hearing office. Other members of the Court or judicial clerks may also be good sources of feedback.
- 2.9. The Judicial Education Manager will provide mentors the following materials to facilitate their role:
 - 2.9.1. Checklist for Mentors and New Justices of the Peace; and
 - 2.9.2. Mentoring in the Judiciary, a Guide for Judges (Ontario Court of Justice).

3.0. Feedback on program

- 3.1. In order to assist with the continuation and success of this plan as well as maintain a record of participation, the Administrative Justices of the Peace will, six months after the commencement of a mentorship, provide feedback to the Chair of the Education sub-Committee on the success of the mentorship and shadowing activities, including suggestions brought forward by the participants for the improvement of the program.

4.0. Materials distributed for new Justices of the Peace¹:

- 3.1. Administrative Orientation guide.
- 3.2. Judicial Ethics/Conduct material.
- 3.3. Access to the Justices of the Peace Education Webpage, which includes:
 - 3.3.1. Inventory of Learning Opportunities;
 - 3.3.2. Bench Books and Training Manual.
 - 3.3.3. Links to legislation.
- 3.4. Database passwords and information distributed by the library.

¹ Some of these materials still need to be developed.

- 3.5. Alberta Provincial Court Bench Books (accessible from the Justices of the Peace Education Webpage):
 - 3.5.1. Criminal Bench Book
 - 3.5.2. Child Protection Bench Book
 - 3.5.3. OPCA/Freeman Materials
 - 3.5.4. Search Warrant Manual
- 3.6. Full time Justices of the Peace also receive:
 - 3.6.1. Choice of a Criminal Code or Carswell's Alberta Provincial Offences, provided by the library.
 - 3.6.2. Suggested Titles List prepared yearly by the Alberta Law Libraries.

4.0. Materials recommended for new Justices of the Peace²:

- 4.1. Justice Hill's "Duty to manage a criminal trial" (Criminal and Family and Youth division Judges).
- 4.2. Managing high conflict people in court /Bill Eddy (High Conflict Institute Press, 2008).
- 4.3. Understanding Bail in Canada/ Gary T. Trotter (Irwin Law, 2015 – Available online through the Alberta Law Libraries)

5.0. Court internal resources sessions –first three months after appointment

- 5.1. These sessions will be organized by the Judicial Education Manager during the first three months after appointment:
 - 5.1.1. Library Orientation.
 - 5.1.2. GroupWise, Lync and email management.
 - 5.1.3. Court and Personal Security.
 - 5.1.4. Privacy in and outside the courtroom.

² Justices of the Peace may use their PDA to purchase these items.

6.0. Education plans – first five years on the bench

- 6.1. New Justices of the Peace are expected to create education plans during the first five years on the bench.
- 6.2. With assistance from the Judicial Education Manager, new Justices of the Peace evaluate the previous year's educational accomplishments, revise their educational needs and select appropriate educational materials and courses for the following year.
- 6.3. The plans should include:
 - 6.3.1. Attendance to the semi-annual SJPA conferences when possible.
 - 6.3.2. A selection of courses covering the four main areas of judicial education: substantive law, judicial skills, social context and judicial development. The Judicial Education manager will help new Justices of the Peace find seminars and courses, live or online, to address their needs on any of the areas of education.

7.0. Professional Development Allowance and Education Leave

- 7.1. The education leave provided for full time Justices of the Peace is up to ten days per calendar year, plus necessary travel time.
- 7.2. Justices of the Peace can use their annual Professional Development Allowance (PDA) to cover the cost of conferences and books, as prescribed by s.8.2 of the Justice of the Peace Regulation (Alta. Reg. 6/99).