



The Provincial Court of Alberta

## Strategic Plan 2018 – 2021

### **STRATEGIC PRIORITIES OF THE PROVINCIAL COURT OF ALBERTA**

- 1. A Progressive, Independent, Accountable and Responsive Court**
  - 2. Access to Justice, Judicial Management and Judicial Services**
  - 3. Technology, Infrastructure, and Resources**
  - 4. Judicial Education**
  - 5. Specialized Needs**
  - 6. Public Respect and Awareness**
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## VISION AND MISSION

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The Provincial Court of Alberta plays a fundamental role in the daily lives of Albertans. The Court maintains the Rule of Law by which and through which citizens can order their lives.

**VISION: A modern, independent and responsive Court respected and trusted by Albertans to uphold the Rule of Law.**

This Vision is achieved by delivering fair, effective and accessible proceedings to all who appear before the Court. A professional bench of Judges and Justices of the Peace support and affirm the Rule of Law, providing a respected and trusted place where legal issues can be resolved.

This Vision can best be maintained and preserved by a Court striving to promote a culture of excellence. Indispensable to that culture are the conditions necessary to maintain knowledgeable, professional, and skilled Judges and Justices of the Peace, who manage and control the judicial process in accordance with the Court's Core Values, and who endeavour daily to reflect its Vision and Mission statements.

**MISSION: Deliver justice on a fair, accessible and timely basis.**

The Court pursues its Mission through a direct and continuous connection to the diverse communities it serves.

## CORE VALUES

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Courts are fundamental to Canadian democracy. They have unique constitutional responsibilities and a unique role to play. For that reason, they are given a constitutionally protected place in society. A Court must epitomize judicial independence, integrity, and fairness. It is, therefore, critical for a Court to express the foundational values that will guide it as it carries out its unique responsibilities.

Core values guarantee fair procedure and equal protection under the law to all those who appear before the Court. They define the principles for a corresponding Court culture, providing direction for Judges, Justices of the Peace and all support staff to ensure a properly functioning Court. The Provincial Court of Alberta will strive to embody these values in all the work it performs:

**Equality before the Law, Integrity, and Transparency** – The values of equality before the law, integrity, and transparency include the propriety of the process, the reasons for the decision made, and the neutrality of the decision maker. Justice must not only be done but must also be seen to be done.

**Fairness and Impartiality** – The values of fairness and impartiality set the standards by which Judges and Justices of the Peace conduct themselves.

**Independence and Competence** – These values refer to the ability of Judges and Justices of the Peace to make independent decisions based upon a thorough understanding of the applicable law and the facts of each case.

**Respect** – The Court embodies the culture of respect that must govern all interactions between members of the Court, its support staff, and all those who appear before the Court.

**Accountability** – The value of accountability reflects the responsibility that all Judges have to the Court, to the public and to one another, to work diligently to provide the best possible adjudicative services to all who come before the Court.

**Accessibility** – The value of accessibility incorporates the ease of gaining entry to the legal process (including reasonable filing fees and other costs, access to counsel, and, if needed, an interpreter) and using Court resources effectively. The ability to obtain accurate and complete information about the judicial process, the law applicable to a particular case and the results of individual cases is also essential to accessibility.

**Timeliness and Certainty** – The value of timeliness reflects the balance between the time required to properly obtain, present, and weigh the evidence, law and arguments, and the unreasonable delay that is caused by inefficient processes and insufficient resources. No less important is the value of the guarantee of certainty that a decision will be considered final, whether at first instance or, where necessary, through an appeal process.

# OBJECTIVES AND ACTION ITEMS – Achieving the Strategic Priorities

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## STRATEGIC PRIORITY 1 – A Progressive, Independent, Accountable and Responsive Court

Improve and preserve a progressive, independent, accountable and responsive Court, trusted and respected by Albertans, that reflects a culture of excellence and upholds the Rule of Law by delivering just, effective, accessible, and timely judicial proceedings through a professional bench of Judges and Justices of the Peace.

### OBJECTIVES AND ACTION ITEMS

- 1. Maintain an administratively independent Court.**
  - 1.1 Continue to work collaboratively with the Attorney General of Alberta under the Memorandum of Understanding to address areas of mutual interest and concern.
  - 1.2 Achieve a change of the name of the Court from “The Provincial Court of Alberta” to “The Alberta Court of Justice”, a name that more aptly describes the relationship between our citizens and the justice they seek from our Court.
  - 1.3 Achieve a change in the formal title for Judges of the Court from “Judge of The Provincial Court of Alberta” to “Justice of The Alberta Court of Justice”.
  - 1.4 Work with Government to effect the necessary legislative modifications to implement the key changes and priorities outlined in the Strategic Plan.
- 2. Identify areas of responsibility and staff positions required to administer the Court under a more institutionally independent model of Court administration.**
  - 2.1 Define areas of responsibility for management and administrative functions within the Court.
  - 2.2 Ensure to the extent appropriate all financial and human resource delegations required for the independence of the Court.
- 3. Maintain effective strategic, business planning and reporting processes and procedures.**
  - 3.1 Annually review and update the Provincial Court’s 3-year Strategic Plans.
  - 3.2 Prepare annual Provincial Court operational budgets.
  - 3.3 Prepare biennial reports of Court operations.

- 3.4 Continuously update policies and procedures for Court administration expenditures to ensure the effective stewardship of financial resources and compliance with Government of Alberta regulations.
4. **Maintain the joint committee with Alberta Justice and Solicitor General to develop evidence-based criteria to determine the judicial complement required to respond to Alberta's rapidly growing population and increasing caseloads.**
5. **Together with the Minister, review the judicial appointments process to attract highly-qualified applicants for judicial positions and to identify ways to expedite the timing of appointments when a judicial vacancy occurs.**
6. **Review support staff requirements to ensure that Assistant Chief Judges have the necessary support to carry out their administrative and caseload management duties.**
  - 6.1 Implement annual performance management plans for support staff.
7. **Ensure the maintenance and enhancement of library services and librarians and conduct a review of the research services in all areas of the Province.**

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## **STRATEGIC PRIORITY 2 – Access to Justice, Judicial Management and Judicial Services**

Enhance access to justice, judicial management and judicial services through excellence in caseload management, enhanced dispute resolution options, improved policies and procedures, and increased consistency and uniformity of practice and procedures, to ensure the timely, efficient and effective delivery of services provided by the Court throughout the Province.

### **OBJECTIVES AND ACTION ITEMS**

8. **Design and implement strategies and measures to improve caseload, improve efficiency, and prevent delay in Court proceedings.**
  - 8.1 Establish time-to-trial targets for Criminal, Civil, Family, Child Protection, and Youth Justice Courts.
  - 8.2 Maintain the Judicial Caseload Management Committees for Criminal, Civil and Family Courts.
  - 8.3 Hire and maintain a complement of Caseload Managers across the Province.
  - 8.4 Develop and implement a modern, integrated provincial trial coordination/case and judicial scheduling system to ensure optimum use of Courtroom and judicial resources.

- 8.5 Work with Court staff and local stakeholders to develop community-specific strategies in all Court locations to reduce delay and improve lead times.
- 8.6 Work to reduce “last-minute” trial collapses and trial adjournments in those areas over which the Court can exercise control in order to minimize loss of Court time and judicial resources.
- 8.7 Provide mechanisms for better individual judicial control for complex, multi-party, lengthy, or delayed proceedings.
- 8.8 Work with Alberta Justice and Solicitor General to develop improved business intelligence and information to better track and evaluate the use of judicial time and Courtroom space, and to improve the flow of all cases through the Court.
- 9. Establish clear expectations and guidelines for practice in The Provincial Court of Alberta.**
- 9.1 Set out the Court’s expectations for lawyers, agents and self-represented litigants by enacting *Criminal Rules of Court* and refining the Practice Directives to ensure that parties appear before the Court prepared to conduct Criminal litigation fairly.
- 9.2 Establish uniformity and consistency of the Civil, Family and Criminal Court Orders and forms.
- 10. Continue a leadership role in the Reforming Family Law Committee responding to the recommendations in the *Cromwell Report: Access to Civil and Family Justice*.**
- 10.1 Work with Government to expand early resolution opportunities in Civil and Family cases across the Province.
- 10.2 Work with Alberta Justice and Solicitor General and lawyers to expand alternate dispute resolution options and mechanisms in Civil and Family matters.
- 10.3 Apply the concept of judicial triage in Civil and Family Courts.
- 10.4 Encourage consistency of service delivery in Family Law matters across the Province including:
- (a) Enhanced availability of mediation services;
  - (b) Expansion of Family Justice Services (Court workers), caseflow and intake management services;
  - (c) Expansion of and training for Native Counselling services;
  - (d) Increased access to the Child Support Resolution Office.

**11. Maintain and Review Family Justice and Child Protection Strategies for the Court.**

11.1 Develop best practices, implement uniform practices, and establish uniformity in procedures in Family and Child Protection Proceedings.

11.2 Continue to develop strategies for dealing with increased volumes in Family Law claims, including:

(a) Providing additional early resolution services such as mediation, brief conflict interventions (BCI), and family resolution services;

(b) Increasing access to judicial dispute resolution options;

(c) Opening of additional Courtrooms and provision of required support staff;

(d) Assessing files for judicial case management.

11.3 Enhance access to third-party Court agencies assisting families experiencing conflict.

**12. Take a leadership role in establishing an Alberta Family Court in Alberta.**

**13. Improve Civil procedure in the Court.**

13.1 Implement the work of the Civil Claims Implementation Project (CCIP);

13.2 Monitor the impact of the increase to \$50,000 of the monetary jurisdiction of the Court;

13.3 Work with Alberta Justice to implement an electronic filing system for Civil matters.

**14. Continue developing and implementing Criminal Court initiatives including:**

a) Close monitoring of Criminal caseloads by the Criminal Caseflow Management Committee to ensure optimum use of judicial and Courtroom resources;

b) Taking a leadership role in the Justice Summit initiatives;

c) Monitoring the effectiveness and the implementation of the Criminal Trial Continuation Policy.

d) Improving the management of cases involving self-represented litigants.

**15. Ensure that a well-qualified bench of French-speaking Judges continues to be available for French language proceedings.**

15.1 Review and enhance the effectiveness of the Judicial French Language Training Program.

- 16. Enhance the Justice of the Peace Program after a comprehensive review of the legislation, jurisdiction, mandate, appointment and structure under the current Justice of the Peace Program.**
- 16.1 Work with Alberta Justice and Solicitor General to determine the Justice of the Peace complement required to respond to increasing workloads.
- 16.2 Review the application process for Justices of the Peace to attract highly qualified applicants and expedite appointments.
- 16.3 Work with Resolution and Court Administration Services (RCAS) to ensure a sufficient number of coordinators and clerks are maintained in the Hearing Offices and Traffic Courts.
- 16.4 Work with Alberta Justice and Solicitor General to ensure sufficient and appropriate security and infrastructure in the Hearing Offices and Traffic Courts.
- 16.5 Develop and maintain core statistics to promote the effective utilization of resources.
- 16.6 Explore options to ensure efficient scheduling of bail applications.

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### **STRATEGIC PRIORITY 3 – Technology and Infrastructure**

Ensure the availability and effective use of technology and infrastructure to maximize the use of judicial resources, optimize the use of Court facilities, protect and preserve judicial information, and improve informational and procedural access to the Court.

#### **OBJECTIVES AND ACTION ITEMS**

- 17. Develop an Information Technology Plan that will enhance the development, management, and use of technology in the Courtroom.**
- 18. Improve and enhance Judicial Information and Information Technology Administration and Management.**
- 18.1 Maintain an Information Technology Sub-Committee to report to the Chief and Council.
- 18.2 Develop and implement a Judicial Information Security Management System (ISMS), which conforms in principle to the Canadian Judicial Council Blueprint for Judicial Information Security (4th ed. 2013), and that is consistent with recognized information security and information management standards.

**19. Apply existing and new technology to enhance services and improve effectiveness of Court operations.**

19.1 Identify opportunities to expand in-Court use and applications of video conferencing for JDR's, Bail Hearings and Chambers' applications.

19.2 Partner with Alberta Justice and Solicitor General on the e-filing and digitization initiatives.

19.3 Support the implementation of Electronic Informations across the Province.

19.4 Continue to improve and renew the Court's internal and external websites.

**20. Improve the Infrastructure required to support Court operations and functions.**

20.1 Participate in capital projects planning with Alberta Justice and Solicitor General, Alberta Infrastructure, IT, and other Alberta Courts.

20.2 Continue to work with Government to support the planning, design and development of the Red Deer Courthouse.

20.3 Continue to work with Alberta Justice to complete the upgrades to provincial Court facilities.

20.4 Work with Government to ensure an appropriate level of Court security in every Court location.

**21. Update the Provincial Court Emergency Response Plan and Participate in the development of RCAS Court Facilities Emergency Response Plans.**

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## **STRATEGIC PRIORITY 4 – Judicial Education**

Enhance judicial education, training, and support to members of the Court to promote and embody a culture of professional development and continual improvement.

### **OBJECTIVES AND ACTION ITEMS**

**22. Work with the Alberta Provincial Judges Association (APJA), Society of the Justices of the Peace (SJPA), the National Judicial Institute and other partners to improve the opportunities for Judges and Justices of the Peace to become involved in education and training projects and Initiatives.**

- (a) Continuously review and update the Judicial Education Plans for Judges and Justices of the Peace and the Judicial Education Plans for newly appointed Judges and Justices of the Peace.
- (b) Review and update the Judicial Education Plan Mentorship Checklist for newly appointed Judges and new Justices of the Peace.

22.1 Liaise with other Court committees, including the Indigenous Committee, the Web and Technology Committee and the Family Law Committee to ensure the education needs in those areas are incorporated in the education planning.

22.2 In addition to the bi-annual conferences organized by the APJA, the Office of the Chief Judge may develop and hold educational conferences for existing and newly appointed Judges to enhance judicial education initiatives.

22.3 Continue to support Judges and Justices of the Peace in arranging relevant lunch and learn education sessions.

22.4 Support the Internal Education website and ensure that the materials posted, including bench books, are updated on a regular basis.

**23. Continue ongoing training for Judges, Justices of the Peace, and all Court-related staff on effective and efficient management of disruptive and vexatious litigants.**

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## **STRATEGIC PRIORITY 5 – Specialized Needs**

Continue to respond effectively to emerging and specialized needs and challenges arising from matters that involve: (1) litigants drawn from Indigenous and other diverse language, cultural, and ethnic backgrounds; (2) mental health challenges; (3) domestic violence; (4) self-represented litigants; (5) children and families; and (6) addiction issues.

### **OBJECTIVES AND ACTION ITEMS**

**24. Enhance strategies to improve Court services to Indigenous participants including:**

- (a) Identify and assess programs and resources that currently exist for Indigenous people in all Court locations and work with stakeholders to access, modify or expand programs;
- (b) Support the ongoing work and mandate of the Indigenous Sub-Committee of the Chief and Council;

- (c) Continue to engage local Indigenous communities to resolve particular challenges concerning family related Court services and how to access them, including providing information about same;
- (d) Develop and hold judicial education programs that increase understanding of the Indigenous culture and history;
- (e) Encourage opportunities to provide Indigenous communities with easier access to the Court;
- (f) Determine the feasibility of establishing Indigenous Courts, including a structure of operations, support and locations;
- (g) Establish Indigenous Courts in Maskwacis and O’Chiese.

**25. Support and improve the organization, funding and operation of Drug Treatment Courts in Alberta.**

**26. Improve strategies for litigants and participants who interact with the Court System and who experience mental disorders, including Fetal Alcohol Spectrum Disorder (FASD).**

26.1 Continue to develop and evaluate the Mental Health Court in Edmonton, which will include defining strategies to respond to litigants who have FASD.

26.2 Continue to improve response strategies and case management initiatives for litigants who have FASD, having regard to the Alberta FASD 10-Year Strategic Plan (2008).

26.3 Continue to support the development of a Community Court in Calgary.

**27. Continue to support and improve the operation of Domestic Violence Courts.**

**28. Develop and implement strategies to improve services for self-represented litigants.**

**29. Continue the work with Alberta Justice and Solicitor General to ensure the availability of consistent and high-quality interpretive services throughout the Court.**

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## **STRATEGIC PRIORITY 6 – Public Respect and Awareness**

Enhance public respect, understanding, and community awareness of the Court and its significant role in the provision and delivery of judicial services to Albertans.

## **OBJECTIVES AND ACTION ITEMS**

- 30. Improve and enhance public awareness, information and confidence concerning the Court.**
- 30.1 Continuously update and refresh the Court’s public website to make it more informative and user-friendly to the public and participants.
- 30.2 Encourage judicial support for and participation in law conferences and relevant public forums on law and justice matters.
- 30.3 Continue to support school and other educational programs that foster knowledge of the role of the Court and its Judges.
- 30.4 Increase public awareness of the Court through the publication of biennial reports and other mechanisms.
- 30.5 Work with the Alberta Branch of the Canadian Bar Association, the Law Society of Alberta and local Bar Associations to ensure that practitioners are fully informed of the Court’s initiatives.
- 30.6 Hire a Communication’s Officer to improve information available to the public relating to the Court, its jurisdiction, processes and procedures.
- 30.7 Review the judicial complaint process in Part 6 of the *Judicature Act*.
- 30.8 Review and update the *Court Information Access Guide* for Alberta.
- 30.9 Review and update the Court’s *Media Access Policy* (2012).
- 30.10 Establish a social media presence.