

The Court of Queen's Bench of Alberta
Annual Report
2016 to 2017



October 17, 2017



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COURT OF QUEEN'S BENCH OF ALBERTA

ANNUAL REPORT 2016 - 2017

Our Vision: A leader in innovative, responsive and accessible justice.

Our Mission: To provide an impartial forum for the just and proportional resolution of legal disputes, to preserve the Rule of Law and to protect the rights and dignity of all.

Message from the Honourable Chief Justice Mary Moreau and the Honourable Associate Chief Justice John D. Rooke

2016/17 has been an exciting, albeit challenging, year for the Court of Queen's Bench of Alberta. Although we continue to struggle with resource gaps, we have achieved a number of accomplishments in the past 12 months. Among those accomplishments was the execution of a Memorandum of Understanding between former Chief Justice Neil Wittmann and the Attorney General. The completion and execution of the MOU is an historic event for the Court and it will help clarify expectations between the Court and the Government of Alberta going forward in a number of critical areas, including the Court's budget and the sharing of Court data and business intelligence.

We also completed the Court's second Strategic Plan which will guide the Court's organizational planning over the next 5 years. As with the first Strategic Plan, we sought feedback from the Justices, Masters and Staff at the Court on a number of identified strategic issues. As a result of the thoughtful feedback we received and after careful review and consideration by the Strategic Planning Committee, the Executive Board and the Steering Committee Co-Chairs we have once again created a Plan that is sensitive to the challenges we anticipate over the next business cycle and focused on seizing opportunities to improve services to Albertans.

The Court received from the Federal Government the addition of 11 judicial positions to the Court's complement. The Court had only received two additional judicial positions since 1996, despite massive population and case volume increases. The eventual appointments into these 11 new positions will be a tremendous relief to a system that has been seriously



overburdened for decades. We are hopeful that those positions will be filled before the end of 2018.

The eventual addition of 11 new Justices to the Court's complement creates judicial training and education challenges. As you will read below, both the Education and New Judges Training Committees continue to offer extensive training and continuing education programs to ensure that the Justices of our Court are well-prepared to meet their responsibilities to Albertans.

The increase to the judicial complement will undoubtedly improve access to justice for Albertans and assist us in reducing what have become unacceptable lead times for some hearings. The Court, through its Steering Committees, has also begun a number of other initiatives designed to reduce time to hearing and to assist litigants in finding other avenues for issue resolution that may be appropriate. Those are also outlined later in this document.

We would like to take this opportunity to again thank the Honorable Neil Wittmann, now retired, who served as the Associate Chief Justice and later the Chief Justice of our Court from January 2005 to October 2009 and October 2009 to April 2017, respectively. During his tenure the Court accomplished much and it is a credit to his successful leadership.

All of our Court's accomplishments are the result of tremendous effort on the part of our entire Queen's Bench team of Justices, Masters and Judicial Staff. We are very proud of everything that the Court has accomplished this past year and we look forward to all that can and will be achieved in the coming year.

A handwritten signature in blue ink, appearing to read "M. T. Moreau".

The Honourable Mary T. Moreau

A handwritten signature in blue ink, appearing to read "J.D. Rooke".

The Honourable J.D. Rooke



About the Court of Queen's Bench of Alberta

1. Jurisdiction

The Court of Queen's Bench ("the Court") is constituted by the *Court of Queen's Bench Act* which provides for a Chief Justice and 2 Associate Chief Justices of the Court of Queen's Bench (the second Associate Chief Justice not yet appointed by the Federal Government) and 74 other (puisne) Justices, as well as for Supernumerary Justices. The Act also provides for the appointment of Masters in Chambers, who are judicial officers with the authority to hear and determine certain applications to the Court. Their jurisdiction is set out in the *Act* and a Notice to Profession issued by the Court (NP 2015-07, found online at: <https://albertacourts.ca/docs/default-source/Court-of-Queen's-Bench/ntp-2015-07-masters-jurisdiction>). Sections 16.1 to 18 of the *Act* provide for the appointment of Case Management Counsel, and all other officers and employees that the business of the Court requires.

The Court has jurisdiction over criminal matters, civil proceedings (including family and surrogate proceedings) and the judicial review of government and tribunal action in Alberta.

The Court is a superior court of criminal jurisdiction, with the power to try any indictable offence under the Criminal Code of Canada, including murder, manslaughter, sexual offences and drug trafficking, or conspiracy to commit one of these offences. The Court has joint jurisdiction with the Provincial Court of Alberta on other criminal offences as legislated by the Criminal Code.

Additionally, the Court hears civil proceedings, including commercial matters, personal injury, bankruptcy and insolvency cases, and litigation involving wills and estates and dependent adults. It also hears appeals from the Provincial Court of Alberta in respect of civil cases under \$50,000.

The Court has sole jurisdiction over divorce and the division of property in the Province of Alberta. It also presides over matters involving child and spousal support and child custody and access, in some cases with joint jurisdiction with the Provincial Court of Alberta.

As a court of inherent jurisdiction, the Court also functions as the primary forum for judicial review of government and tribunal actions in Alberta and hears statutory appeals from the decisions of certain provincial administrative tribunals.



2. Governance

The Court's internal governance structure includes an Executive Board, nine steering committees and ad hoc committees as required.

The internal governance structure is intended to:

- lead to consensus;
- provide for collegial and decentralized decision making;
- foster leadership and project management skills;
- align the Court's strategic planning, policy work and initiatives;
- delegate authority; and
- optimize efficiencies by ensuring work is being done at the appropriate levels.

The function and interrelationship of the Executive Board and the committees are outlined below.

3. The Executive Board

The Executive Board consists of:

- The Chief Justice (Chair) and the Associate Chief Justices;
- One elected member representing each of Calgary, Edmonton, Red Deer and Lethbridge; and
- One elected member representing Supernumerary Justices.

The elected representatives on the Executive Board are elected every three years. Currently, the elected members of the Executive Board are Justices Paul Belzil (Edmonton), Bryan Mahoney (Calgary), Monica Bast (Red Deer) and Dallas Miller (Lethbridge). Corinne Jamieson, Executive Director and General Counsel, acts as the corporate secretary to the Board.

The Executive Board operates on a consensual model to provide advice to the Chief and Associate Chief Justices in relation to Court policy and operations that do not conflict with the authority of the Council of judges.¹

¹ The Council of judges is a body that exists in accordance with s.24 of the *Court of Queen's Bench Act* and includes all Justices of the Court.



The Executive Board is responsible for developing and monitoring Court policy and may refer issues to the appropriate steering committee. Where the issue is outside of the mandate of a steering committee, the Executive Board may strike an ad hoc committee. The Executive Board may create or disband steering committees as required.

4. Steering Committees

Steering committees are standing committees of the Court. Currently there are nine steering committees that include in their membership Justices, Masters and members of the Judicial Staff. There is a maximum of six Justices on each of the steering committees.

The members of the steering committees are selected by the Chief Justice and the Associate Chief Justices in accordance with identified skills required for membership.

The term of appointment for steering committee members is three years, subject to renewal for one term. Justices may only hold membership on one steering committee at a time, unless otherwise approved by the Executive Board. A member of the Executive Board sits on each of the substantive law steering committees.

The primary purpose of the steering committees is to identify issues or initiatives within their mandate that require consideration. The steering committees may strike ad hoc committees to consider specific issues and provide recommendations:

a. Criminal Law Steering Committee

Mandate

The role of the Criminal Law Steering Committee ("CLSC") is to advise the Executive Board on aspects of criminal law governance in the Court. The CLSC also promotes the Court's relationship with Resolution and Court Administration Services, the Justice Ministry and members of the Bar with respect to criminal law administration and practice.

Membership

Co-Chairs: David Gates J. and Paul Belzil J.

John Rooke A.C.J. (Executive Board)	Keith Yamauchi J.
Heather Manweiller	Suzanne Vickers



b. Family Law Steering Committee

Mandate

The Court of Queen's Bench Family Law Steering Committee ("FLSC") has primary responsibility for policy development in the area of family law. The mandate of the FLSC is to provide support and assistance to Justices so that they may fairly adjudicate the legal issues in family law cases in a just, efficient and appropriate manner.

Membership

Co- Chairs: Charlene Anderson J. and Debbie Yungwirth J.

Donna Read J.

Kim Nixon J.

Peggy Kobly, QC

Nicky Brink

Bryan Mahoney J. (Executive Board)

John Hopkins J.

Corinne Jamieson, QC

Heather Manweiller

c. Civil Law Steering Committee

Mandate

The Civil Law Steering Committee:

- Considers policy and operational issues associated with the litigation of civil (non-family) matters at the Court;
- Makes decisions and provides advice in a manner that is consistent with the Court's Mission and Vision;
- Brings a Province-wide perspective to the determination of issues and/or advice provided to the Executive Board.

Membership

Co-Chair: Glen Poelman J. and (vacant)

Rob Graesser J.

Dallas Miller J. (Executive Board)

Jodi Mason M.

Lori Mattis

Richard Neufeld J.

Darryl Ruether

Jane Fagnan

d. Commercial Law Steering Committee

Mandate

The Commercial Law Steering Committee considers policy and operational issues associated with Insolvency and Commercial law matters consistent with the Court's Mission and Vision.



f. Information Management and Technology Steering Committee

Mandate

The role of the IMT Steering Committee is to advise the Executive Board on all matters relating to information management and technology management that affect the Court, including:

- Making recommendations on matters concerning court and judicial information, information technology, the Court's web site, information security, and related topics which impact the Court.
- Performing functions and having specific authority as may be delegated to it, from time to time, by the Executive Board.

Membership

Chair: Kristine Eidsvik J.

Monica Bast J.

Corina Dario J.

Keri Stevenson

Wayne Renke J.

Corinne Jamieson, QC

Heather Manweiller

g. Access to Justice Steering Committee

Mandate

The Access to Justice Steering Committee has primary responsibility for policy development for the Court in the area of access to justice, in keeping with the Court's Vision and Mission.

Access to justice is defined broadly, as including both the variety of out-of-court services through which the public seeks assistance with their legal problems, as well as access to formal dispute resolution processes through tribunals, the Courts and effective enforcement mechanisms.

For our Court's purposes, access to justice initiatives will focus specifically on:

- processes that are meaningful, which include affordable, understandable, geographically available, and that are timely and effective;
- resolution processes which are, or can be made, available within the formal justice system;
- information services and resources which can be made available to ensure public understanding; and
- encouraging the availability of legal advice and representation.



The Committee makes recommendations and provides advice in a manner that is consistent with the principle of judicial independence as well as the Court's Mission and Vision statements. While the role of the Court is unique, the work of the Committee is undertaken with a Province-wide perspective, and takes into account the public, the judiciary, staff working in the Court and the broader justice community.

Membership

Co- Chairs: Rod Jerke J. and Joanne Goss J.

Sandra Hunt McDonald J.

John Gill J.

Sandra Schulz M.

Diana Lowe, QC

Julie Laliberte

h. Education Steering Committee

Mandate

The mandate of the Education Steering Committee is to design and deliver programs of study, education seminars and courses for the judiciary in collaboration with the National Judicial Institute. Judicial education has four dimensions: substantive law, skills, social context and judicial well-being. The subjects taught alone or integrated together are intended to ensure that judges have the ability to judge fairly and impartially thereby serving all Albertans.

Membership

Co-Chairs: Elizabeth Hughes J. and Robert Graesser J.

Craig Jones J.

Larry Ackerl J.

Wayne Renke J.

Benga Shoyele

Michelle Somers

i. Communications Steering Committee

Mandate

The role of the Communications Steering Committee is to advise the Executive Board on governance matters relating to communications that enable the management and operation of the Court's business.

Membership

Chair: Peter Michalyshyn J.

Michelle Somers



5. Budget

The Court's budget for fiscal 2017/18 is slightly higher than it was the previous year to accommodate the hiring of two new Judicial Assistants. Going forward we expect to receive an additional Judicial Assistant for every three new judicial positions that are added to the Court's complement as the new Justices are appointed.

We will also receive funding to hire a Knowledge Management Officer this year. This position will assist in improving the collection, storage, retrieval and archiving of Court information and support the coordination of judicial education. The position description is being classified following which the Court will recruit to the position.

6. Justices of the Court of Queen's Bench²

<p style="text-align: center;">The Honourable Madam Justice M.T. Moreau Chief Justice</p>	<p style="text-align: center;">The Honourable J.D. Rooke Associate Chief Justice</p>
Puisne Justices	
The Honourable Madam Justice S.M. Bensler*	The Honourable Madam Justice B.L. Rawlins*
The Honourable Madam Justice C.A. Kent*	The Honourable Mr. Justice D. Lee*
The Honourable Madam Justice C.S. Phillips*	The Honourable Mr. Justice J.H. Langston*
The Honourable Mr. Justice S.J. LoVecchio*	The Honourable Mr. Justice W.P. Sullivan*
The Honourable Madam Justice C.L. Kenny*	The Honourable Mr. Justice R.P. Belzil
The Honourable Mr. Justice C.S. Brooker*	The Honourable Mr. Justice S.M. Sanderman*
The Honourable Madam Justice B.E.C. Romaine*	The Honourable Madam Justice D.A. Sulyma
The Honourable Madam Justice R.E. Nation*	The Honourable Mr. Justice B.R. Burrows*
The Honourable Mr. Justice G.A. Verville*	The Honourable Mr. Justice T.D. Clackson*
The Honourable Madam Justice A.B. Moen*	The Honourable Mr. Justice B.E. Mahoney*

² * Indicates that the Justice is Supernumerary



The Honourable Madam Justice E.A. Hughes	The Honourable Mr. Justice E.F. Macklin
The Honourable Mr. Justice V.O. Ouellette	The Honourable Madam Justice D.C. Read*
The Honourable Madam Justice K.M. Horner	The Honourable Mr. Justice S.D. Hillier
The Honourable Madam Justice J.E. Topolniski	The Honourable Mr. Justice A.W. Germain
The Honourable Madam Justice J.M. Ross	The Honourable Mr. Justice J.J. Gill
The Honourable Mr. Justice D.R.G. Thomas*	The Honourable Mr. Justice A.D. Macleod*
The Honourable Mr. Justice R.A. Graesser	The Honourable Madam Justice D.L. Shelley
The Honourable Mr. Justice D.K. Miller	The Honourable Madam Justice K.M. Eidsvik
The Honourable Mr. Justice K.G. Nielsen	The Honourable Mr. Justice E.C. Wilson
The Honourable Mr. Justice D.J. Manderscheid	The Honourable Mr. Justice K.D. Yamauchi
The Honourable Mr. Justice P.R. Jeffrey	The Honourable Madam Justice M.R. Bast
The Honourable Madam Justice S.L. Hunt McDonald	The Honourable Madam Justice B.A. Browne*
The Honourable Mr. Justice J.T. McCarthy	The Honourable Mr. Justice W.A. Tilleman
The Honourable Madam Justice J.H. Goss	The Honourable Mr. Justice R.J. Hall
The Honourable Mr. Justice G.H. Poelman	The Honourable Mr. Justice R.A. Jerke
The Honourable Mr. Justice P.B. Michalyshyn	The Honourable Mr. Justice M.D. Gates
The Honourable Mr. Justice C.M. Jones	The Honourable Mr. Justice B.A. Millar
The Honourable Madam Justice C.S. Anderson	The Honourable Madam Justice K.D. Nixon
The Honourable Madam Justice G.A. Campbell	The Honourable Mr. Justice E.J. Simpson
The Honourable Madam Justice C. Dario	The Honourable Madam Justice D. Pentelechuk
The Honourable Mr. Justice J.S. Little	The Honourable Madam Justice D.A. Yungwirth
The Honourable Mr. Justice D.B. Nixon	The Honourable Mr. Justice L.R.A. Ackerl
The Honourable Mr. Justice R.A. Neufeld	The Honourable Mr. Justice W.N. Renke
The Honourable Mr. Justice J.T. Henderson	The Honourable Mr. Justice J. W. Hopkins



The Honourable Madam Justice G. D. Marriott	The Honourable Mr. Justice D.R. Mah
The Honourable Mr. Justice K.P. Feehan	The Honourable Madam Justice A. B. Inglis
The Honourable Madam Justice J. Antonio	The Honourable Mr. Justice J.T. Eamon
The Honourable Madam Justice B. Bokenfohr	The Honourable Mr. Justice G. Fraser
The Honourable Madam Justice R. Khullar	The Honourable Madam Justice M. D. Slawinsky
The Honourable Mr. Justice W.T. deWit	The Honourable Madam Justice M. H. Hollins
The Honourable Madam Justice J. R. Ashcroft	The Honourable Madam Justice J.C. Kubik

7. Masters

Edmonton	Calgary
W. Breitzkreuz, QC	K.R. Laycock
R.P. Wacowich, QC	J.B. Hanebury, QC
L.A. Smart, QC	J.T. Prowse, QC
W.S. Schlosser, QC	J.L. Mason
S. Schulz, QC	A.R. Robertson, QC
	J.R. Farrington

8. Judicial Staff³

Calgary

Executive Director & General Counsel - Corinne Jamieson, QC

Executive Counsel - Darryl Ruether

Executive Legal Officer - Michelle Somers

Director of Technology & Court Coordination - Keri Stevenson

Executive Assistant - Christine Urquhart

Administrative Assistant to Executive Staff - Katarina Duke

³ The staff members listed in the Annual Report include staff members that report to more than one Court or whose positions are funded through various budgets. They have been included in this document to acknowledge their support and to thank them for their contribution to the Court. In addition to these people, the Court would also like to recognize the contributions of the Court Technology Services staff.



Legal Counsel

Lauren Warrack	Julie Laliberte
Suzanne Vickers	Nicky Brink
Paige Coulter	Lori Mattis
Rosalia Nastasi	

Review and Assessment Officer – Michael Ellery

Case Management Counsel - Susan Borsic-Drummond, QC

Case Management Counsel - Catherine Christopher, QC

Assistant to Case Management Counsel – Lynda McIntosh

Judicial Assistants

Supervisor - Barb Harris	Supervisor - Corinne Chilton
Maria Mancia	Rowena Ednilao
Laura Traquair	Laura Cho
Paula Safadi	Chelsea Scott
Shauna Turnbull	Wendy Kapler
Sia Stanwell	Tyra Shupe

Court Coordinators

Civil Trials - Ashley Perry	JDRs/Commercial- Brent Dufault
Case Management - Sheila O'Brien	Criminal Trials - Susan Quesnelle
Assistant - Ena Zima-Skokun	

Law Students 2016 - 2017

Komal Jatoi	Matthew Summers
Matthew Schneider	Allyson Cairns-Walji
Kris Hyslop	

Edmonton

Executive Counsel and Deputy Executive Director - Diana Lowe, QC

Executive Counsel - Heather Manweiller

Director of Scheduling and Court Coordinators - Brent Rosin

Executive Assistant - Laurie Traverse

Administrative Assistant to Executive Staff - Christine Chapman



Legal Counsel

Jane Fagnan	Benga Shoyele
Peggy Kobly	Donald Netolitzky
Jennifer Taylor	

Review and Assessment Officer - Dennis Pawlowski

Assistant to Review and Assessment Officer - Marlene Brown-Crichlow

Case Management Counsel - Brenda Kaminski, QC

Case Management Counsel - Michelle Pidhirney

Assistant to Case Management Counsel - Elisa Sharkey

Judicial Assistants

Supervisor - Carol Gelinias	Supervisor - Krystle Fuller
Brenda Friesen	Barb Noon
Stacy Adams	Denise Sutton
Patricia Amer	Nicole Stansky
Ginette Goldenberg	Elise Russell
Joy Jarvis	Jill Roppelt
Aimee Fader	Kathy Kaufman
Deanna Friesen	

Court Coordinators

Civil - Bonnie Mitchell	Criminal - Kathy Runnels
JDR / Special Chambers - Peggy Lewis	Case Management/Commercial - Sharon Hinz
Assistant - Victoria Turner	Case Conferences - Stephanie Eschak

Law Students 2016 - 2017

Lauren Chalaturnyk	Brendan Dzioba
Brooklyn LeClair	Allison Purdon
Adam Cembrowski	

Judicial Orderlies

Wendy Trenn	Joan Lavergne
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Lethbridge

Legal Counsel - Tammy Perlich

Court Coordinator - Carla Vossler

Judicial Assistant - Amanda O'Keeffe

Red Deer

Legal Counsel - Oliver Jull

Court Coordinator - Chrystle Hurley

Judicial Assistant - Tanya Ring

Regional Court Coordinators

Drumheller

Dana Lee

Fort McMurray

Michelle Reagan (Acting)

Grande Prairie

Pauline Frank

Medicine Hat

Shauna Jobagy

Peace River

Carol Drescher

St. Paul

Terry Chamberland

Wetaskwin

Kimberly Bishop

2016-2017 The Year In Review

1. Strategic Plan 2016 to 2022

The Court began efforts to develop a new Strategic Plan in late 2015 in anticipation of the end of its first organization planning cycle and the retirement of its first Strategic Plan at the end of 2016.

The Strategic Planning Committee ("SPC") began by identifying four strategic priorities that would guide the Court towards its Vision, namely to be a leader in innovative, responsive and accessible justice. The Strategic Priorities are listed below:

Strategic Priority #1:

Better integrate technological solutions into our Court operations and the work of the Court and streamline or reinvent our processes in order to alleviate pressure on available resources.



Strategic Priority #2:

Critically review the role of the Court in the justice system and align existing services with that defined role to address the current crisis in lead times and facilitate timely access to the Court where appropriate.

Strategic Priority #3:

Define reasonable workloads by the capacity of available resources, rather than by the demands that continue to grow and outpace available resources.

Strategic Priority #4:

Achieve greater autonomy for the Court in order to ensure judicial independence and adequate resourcing to preserve the rule of law and confidence in the administration of justice.

The SPC then circulated strategic planning surveys to the Justices, Masters and Judicial Staff asking for their input on how to address the strategic priorities. As with the first strategic planning survey in 2010, we again achieved an impressive response rate of 71% among the Justices and Masters and 95% from the Judicial Staff.

The responses to the surveys were carefully reviewed, considered and ultimately distilled into a number of short, medium and long term goals. The short term goals combine to create the Court's Operations Plan 2016 – 2017. The Strategic Plan is attached as Appendix 1.

Much work has already started on meeting the short term goals and we are confident that the Court will be as successful in implementing its new Strategic Plan as it was with its first.

2. Memorandum of Understanding

On January 30th, 2017, then Chief Justice Neil Wittmann and Kathleen Ganley, the Attorney General for Alberta, executed the first ever Memorandum of Understanding (“MOU”) between the Court and the Province of Alberta. As the first MOU between the Court and the Government of Alberta this was an historic event. The MOU sets out the obligations of the parties to one another, including consultation concerning the Court budget and the role of the Court as the guardian of Court Information.

3. Increase to the Court's Complement

The Court submitted its first request for more Justices to the Provincial and Federal Governments in 2012, having only received two additional judicial positions since 1996



despite massive population and case volume increases. After 5 years of constant advocacy, funding for 11 new puisne positions was finally provided under s.208 of the *2017 Budget Implementation Act No.1* in late June 2017. The Court's complement has been increased to provide for these positions under amendments to the *Court of Queen's Bench Act* made by the Government of Alberta in Order in Council O.C. 270/2016.

Only one appointment (Kubik J.) has been made into the 11 new positions. We are hopeful that the Federal Government will appoint into the remaining positions as soon as possible along with filling vacancies as they arise.

In addition, the Government of Canada has also announced its intention to proceed with the creation of a second Associate Chief Justice position. We anticipate that the Government will take the necessary steps to appoint into that position in 2018.

4. Judicial Appointments 2016 - 2017

October 20, 2016

Mister Justice Kevin P. Feehan
Mister Justice James T. Eamon
Madam Justice Jolaine Antonio
Mister Justice George Fraser
Madam Justice Bonnie Bokenfohr

March 24, 2017

Madam Justice Marilyn D. Slawinsky
Madam Justice Ritu Khullar
Madam Justice Michele H. Hollins
Mister Justice William T. de Wit

May 12, 2017

Madam Justice Johnna C. Kubik

June 23, 2017

Madam Justice Janice R. Ashcroft



5. Retirements

In addition to the Justices that have retired over the last year or are retiring in the near future, the Court also acknowledges the Judicial Staff members that have retired and thank them for their years of service and valuable contributions to the Court. These include Julia Forbes (Judicial Assistant), Darlene Walker (Judicial Assistant) and Terry Cranston (Masters Assistant).

Retired	Justice	Appointed
September 9, 2017	Joanne B. Veit	June 18, 1981
August 31, 2017	Marsha C. Erb	November 15, 2001
July 31, 2017	Gerard C. Hawco	June 20, 1996
June 25, 2017	Alexander G. Park	December 1, 1998
April 30, 2017	Neil C. Wittmann	CA June 8, 1999 QB ACJ January 18, 2005 QB CJ October 22, 2009
January 3, 2017	Kirk L. Sisson	October 26, 2006
January 5, 2016	Peter J. McIntyre	November 29, 1994
January 3, 2016	Darlene L. Acton	December 1, 1998
December 31, 2015	Richard P. Marceau	December 19, 1995

Key Initiatives

1. Jordan Initiatives – Reducing Times to Trial

The Chief Justice and Associate Chief Justice, at the request of the Criminal Law Steering Committee, issued a Notice to the Profession and Public (“NPP”) to assist in dealing with criminal cases that may be vulnerable to the 30 month presumptive limit on reasonable delay between the time of charge and the date of trial.⁴ The NPP dictates a formal process with deadlines for defence counsel who want to bring a section 11b *Charter* application. The notice was approved by the Executive Board and was issued on April 25th.

Prior to issue, the Court consulted with the Bar Province-wide about the NPP and held Town Hall meetings in Calgary, Edmonton, Red Deer and Lethbridge to gain additional input. The

⁴ *R v. Jordan*, 2016 SCC 27, [2016] 1 S.C.R. 631.



Court used this consultation process as an opportunity to engage the Bar in a broad discussion relating to the issue of delay in our Province and the "culture of complacency" that was described by the Supreme Court in *R v. Jordan*.

The Court had also previously implemented Criminal Rules of Court dealing with the timing and procedure around pre-trial conferences and we have introduced a comprehensive form to be completed by Crown and Defence in advance of each pre-trial conference. The Court also meets regularly with representatives from the Criminal Bar and these meetings have been used extensively to discuss delay and enhance the process and procedures around the scheduling of trials and the management of our criminal work generally.

There have also been criminal law duty week projects implemented in both Edmonton and Calgary whereby a small group of dedicated Justices handle all pre-trial conferences with a view to developing some expertise in this area. Many of our supervising Justices in outlying judicial centres handle all of the criminal pre-trial conferences arising in those judicial centers for this same reason. Effective pre-trial conferences can lead to streamlined trials or settlement thereby reducing lead times for criminal matters overall.

In April and September, 2017 Justices Belzil and Gates, Co Chairs of the Court's Criminal Law Steering Committee, represented the Court at the Alberta Justice Summit which was convened to address delays in the Criminal Justice system.

The Court will remain closely involved in the ongoing Summit process including participating in working groups which have been formed relating to improving and enhancing pre-trial conferences and improving the management of jury trials

2. New Judges Training

The Report on Initial Judicial Training for Alberta Queen's Bench Justices is a critical piece of work that was undertaken by the New Judges Committee, an ad hoc committee of the Executive Board. The Committee's work was informed by survey results from the Court's 2014 Fall education seminar and a strong consensus in favour of increased and mandatory judicial education for new appointments, including the introduction of subject matter rotations. The Committee's report recommended that the Court adopt, as both a practice and culture, mandatory training commencing immediately upon judicial appointment and that this be expressly supported by the Court.

The Committee also recommended that all new Justices engage in 6 weeks of orientation, largely comprised of extensive shadowing. The shadowing is then followed by a series of



closely mentored, month long rotations in each of civil, family and criminal law, usually starting with the area closest to the new appointment's practice experience. The Committee also recommended that new Justices be given some extra time in their schedule for ongoing training and learning in at least the balance of their first year.

All of the recommendations made by the New Judges Committee were approved by the Executive Board in 2016. Several improvements were made following a program review in 2017, including that the subject matter rotations will each increase to 6 weeks from 4 weeks in length. Since its implementation 15 Justices are in or have completed the program. By all accounts the program has been a tremendous success.

The New Judges Training Committee has also developed a separate IT training program for new Justices. The program starts by (a) confirming the existing commitment by Court Technology Services and the Court to equip and connect the new Justice soon after appointment. Once equipped and connected, the program (b) requires the new Justice to be briefed/trained in a variety of core IT skills. Finally, (c) the program seeks to hold the new Justice accountable to complete the training within a reasonable period of time.

3. Judicial Education

The Court is dedicated to the continuing education of its Bench. The Canadian Judicial Council expects Superior Court Justices to devote a minimum of 10 days per year towards education. The Justices of the Court are given one week per year of scheduled time to attend a course and can take other courses during judgment weeks. The Court also hosts annual education conferences for three days each in January and September. The agendas for the education seminars are developed by the Education Steering Committee.

The Education Steering Committee has also responded to the changing demographics and new positions that have been added to the Court complement by creating "101 Seminars". These seminars are a full day and are intended to provide recent appointments with an overview of important procedural and substantive issues in a particular area of law, over and above what is provided by the National Judicial Institute and the Canadian Institute for the Administration of Justice New Judges Program. They also provide the new appointments with useful materials and checklists. These are of immense value, particularly for Justices who have come from other areas of practice. Last year the course covered criminal law and this year the subject area will be family law. In January 2018, there will be another Criminal Law 101 seminar.



In 2016, the Education Steering Committee was expanded from two judicial members to five, reflecting the enormous effort required in developing and implementing these courses.

4. Mandatory Early Intervention Case Conferences

Phase one of the Early Intervention Case Conference (“EICC”) pilot project began on September 1, 2017 and it will run for two years in the judicial centres of Calgary, Edmonton, Red Deer, Lethbridge, and Medicine Hat. The directing of files into the project (including files for a control group) commenced on July 17, 2017 in Edmonton and Calgary and on earlier dates deemed appropriate in the 3 smaller centres.

The objectives of the EICC pilot project include:

- creating a culture of early resolution in the realm of family law at the Court of Queen's Bench;
- assisting parties in achieving resolution of as many issues as possible with the assistance of a case conference Justice and without the need for ongoing litigation;
- reducing the number of applications that family law litigants are required to make to achieve the objectives for the family as they restructure, including resolution done in a manner that is in the best interests of children;
- reducing the number of files that require case management; and
- for those matters that must go to trial, ensuring that they get to trial within a reasonable period of time.

Files are selected for diversion into the EICC pilot project from files in regular family chambers that are being adjourned to special family chambers and where parenting is in issue. In each of Edmonton and Calgary there is a roster of eight Justices who will be responsible for conducting the EICC's. The three smaller centres have also selected roster Justices for the project.

When a matter is directed to a mandatory EICC from chambers, the litigants are provided with a letter, a copy of the related NPP, and a Case Conference Summary form. The chambers clerk prepares an Order with the Case Conference date and any required orders for disclosure prior to the Case Conference. The Case Conference Summary and all necessary financial disclosure must be provided to the opposing party and to the Court prior to the scheduled EICC, failing which costs consequences may apply.

EICC's take place in a courtroom and the parties must be present. The EICC has two components: a procedural component, for which an Order may be made; and a settlement discussion component, which are without prejudice. Agreements on substantive issues are



be put into a Consent Order. A report is then completed by the EICC Justice and provided to the parties following the EICC.

Parties to EICCs are asked to complete a short survey following the completion of their conference. A letter is also provided to the parties at the conclusion of the Case Conference, directing them to the survey on-line. The survey is intended to measure key performance indicators and ultimately to assess or refine the EICC process following the pilot.

5. Intranet and Internet Site Redesign

a. Intranet Re-Organization

An ad hoc Committee of the IMT and Communications Steering Committees was struck in 2016 to begin work on reorganizing and updating the content on the Court's internal website. This work is being done internally.

To date, some very preliminary work has been completed on a "test site" and on identifying existing content for migration to the new site. Work has also commenced on gathering new content that has not previously existed in an electronic form and on gathering old Judicial Directives (and other guidance from the Chief Justice or Associate Chief Justice), policies and protocols for posting on the new intranet site. In the past, these directives, policies and protocols were communicated on a one-time basis but, since 2001, have not been catalogued or kept in a central repository.

An intranet governance policy has been drafted to maintain control over the posting and proper maintenance of content once the new site is completed. This is designed to avoid issues we now see on the current site, such as an inability to find material (especially new material), lack of oversight, and content remaining on the site long after it has ceased to be relevant. The policy gives the Steering Committees control over substantive legal content posted and sets out guidelines for posting.

b. External Website Redesign

Since early 2017, the External Website Redesign ad hoc Committee has been working with a web development agency on the redesign of the Court of Queen's Bench, the Provincial Court and the Court of Appeal's external websites. Ultimately, there will be a common landing page for the three courts, with each court having their own distinct site. The new site will include more user-friendly site navigation and a more responsive site design, as well as



desktop and mobile versions. The content on the site will be re-organized and new content will be added.

The design of the new site has now been approved by the Executive Board and we are moving into the development phase. It is anticipated that the new site will be completed by the end of 2017.

6. Family Law Practice Notes

a. Practice Note 2 - Family Law Chambers

The Court is amending Practice Note 2 in response to feedback from the Bar and Bench. The purpose of Practice Note 2 is to facilitate the filing of proper application documents, in a timely manner, in the appropriate court venue, providing only the evidence necessary to decide the issue(s). The improvements to the Practice Note seek to streamline instructions and clarify expectations and are based on feedback and meetings with the Family Bar before the draft Practice Note 2 was prepared. The Court sought further feedback on the draft from the Family Bar and received a number of helpful responses. The draft is now being revised and, once finalized, will be referred to the Council of judges for approval.

b. Practice Note 7 - Interventions

An ad hoc committee of the Family Law Steering Committee has been tasked with revising Practice Note 7. This Practice Note allows the Court to make an order appointing a Parenting Expert to conduct an Intervention in cases where families are experiencing a state of high conflict and the Court requires assistance from a Parenting Expert to provide insight into the family dynamics (evaluative intervention and/or therapeutic intervention).

In revising the Practice Note the ad hoc Committee has been consulting with various stakeholders including the Family Law Subsection of the CBA, the College of Alberta Psychologists, Alberta College of Social Workers, and Legal Aid (Family Law Office). A number of problems have been identified concerning Practice Note 7, including that it is too long and ambiguous. In response to the concerns, the Practice Note itself will be significantly reduced to a short overview. Additionally, links will be provided to the Association of Family and Conciliation Courts and the Association of Social Workers both of which have agreed to post a roster for all Parenting Experts.



c. Practice Note 8 - Parenting Time/Parenting Responsibilities Assessments

This Practice Note is for use in a small minority of separated and divorcing families where the families are experiencing an impasse, an assessment is required for the Court, and the Court requires assistance from Parenting Experts. The Assessment provides an objective evaluation of the family by a Parenting Expert and assists the Court by making recommendations as to what the Parenting Expert feels is in the best interests of the children.

In its current form, the Practice Note has been the subject of concern for a number of reasons, including the fact that there is an average cost of \$20,000-\$30,000 for a Practice Note 8 assessment, which is beyond the means of most families.

The ad hoc committee expects to have their recommendations for Practice Notes 7 and 8 sent to the Family Law Steering Committee by the end of 2017. Those recommendations will be considered and ultimately put before the Executive Board for comment and thereafter to the Council of judges for approval.

d. New Practice Note 10 - Access to Family Law Files

In September, 2017 the Council of judges approved a Practice Note that addresses access to family related court files by the public. Essentially, the Practice Note only allows access to the court file by the parties and their counsel (and anyone authorized by them), the media, and government employees in the course of their employment. Any other parties that would like access to the court file are required to provide notice to the parties. If the parties wish to prevent access to the file they are required to bring an application under Part 6, Division 4 of the Alberta Rules of Court. The practice is modelled after the process that is used in Nova Scotia. The Court sought input from the Bar and from the media (through Counsel) on this proposed new Practice Note and that input has been considered.

7. Emergency Protection Process Review

Following a number of concerns that were raised about the efficiency and responsiveness of the current processes, a review of the protection order system is being undertaken by the Court through an ad hoc committee of the Family Law Steering Committee.

The ad hoc committee has invited input from affected stakeholders, including the Family Law Bar, Legal Aid Alberta and police services. Ultimately, we hope to reconsider internal processes and to recommend legislative and regulatory amendments in an effort to



rationalize the protection order system and make it more responsive to the needs of applicants, respondents and internal and external stakeholders.

8. Reforming the Family Justice System (RFJS)

The Court plays a leadership role in this province-wide initiative. Justice Andrea Moen is one of three Co-Convenors for the RFJS, and Executive Counsel and Deputy Executive Director Diana Lowe, QC has been seconded to Co-Lead the initiative. The Court adopted the Theory of Change for the RFJS in its 2016-21 Strategic Plan, recognizing that many of the issues before the Courts in family matters are not legal in nature, but involve relationship, social and financial matters that can better be resolved outside of the adversarial processes of the Court.

In September 2016 and 2017, the Access to Justice Steering Committee held facilitated sessions to promote a culture shift, with the Court's Executive Board, Strategic Planning Committee and Co-Chairs of each of the other Steering Committees. These sessions build on the earlier work and help to accelerate the culture shift that is needed to bring about the systems change envisioned by the RFJS.

The Access to Justice Steering Committee, working with the Education Steering Committee, arranged an education session for the Justices of the Court on brain science. Science on brain development is a foundation for the RFJS, and confirms that unresolved conflict in family disputes can have significant negative impact on the healthy development of children. Conflict between parents actually harms the development of children's brains, changes the endocrine system and even the DNA of the child. The harm can continue throughout a child's development, from birth into puberty and adulthood, and can impact both physical and mental health throughout the child's life.

Over the past year, the Access to Justice Steering Committee has worked to identify access to justice challenges, opportunities, policy and priorities that arise out of the work of the RFJS initiative. The Committee plays an advisory role in the work of the Ministry of Justice and Solicitor General on Enhanced Early Resolution of Disputes (EERS), and provided feedback to ensure that the EERS program aligns with the Court's Strategic Plan and RFJS Theory of Change supported by the Court. The Committee contributed to the joint proposal of the Ministry of Justice, Court of Queen's Bench and Provincial Court on an Alberta Unified Family Court, helping to ensure that this proposal embeds the knowledge of brain science and the RFJS Theory of Change, leading to incorporation of family wellness outcomes throughout the proposal. Similarly, the Committee assisted in the development of the Ministry of Justice



Business Case for frontline staff in Resolution Services, helping to ensure that the proposal aligns with the RFJS Theory of Change and the goal of improving family wellness, through increased focus on the social, relationship and financial needs of families. The Committee is also exploring opportunities for the incorporation of brain science and the RFJS Theory of Change, within policies and practices of the Court.

9. Expansion of Mandatory Triage, Intake and Caseflow

Triage, Intake and Caseflow are available to litigants whose actions are proceeding under the *Family Law Act*. Triage is the first step, providing assistance to individuals with their *Family Law Act* applications in person or by phone. This step involves staff spending about 10 minutes with each client, providing information about alternatives to going to court, such as mediation, or information about how to proceed, as well as a safety screening.

Where there is no urgent need for a court application, the litigant is then scheduled for a one-hour Intake appointment with staff who have a minimum of a Bachelors degree in social work. During the Intake appointment another safety screening is completed, information and options including mediation are discussed, and (if necessary) court forms are completed.

Following Intake, in those instances where a court application remains necessary, the litigant (and counsel) may appear before a Caseflow Coordinator who can discuss the potential for settlement and, in the event some issues are settled, can assist with the preparation of a detailed consent order specific to their agreement.

These processes are particularly critical to helping self-represented litigants get the assistance they need to resolve their family restructuring issues. They also ensure that litigants who do ultimately need to proceed to court are prepared and that any issues that can be resolved among the parties have been so resolved.

In 2014, the Court implemented Triage, Intake and Caseflow procedures in Calgary. This year these services were expanded to Red Deer and we hope to implement them in Edmonton and Fort McMurray over the coming year. Where implemented, this process has provided assistance to the parties and to the Court by increasing the number of consent matters and reducing the number of contested applications.

Recently a Business Case was prepared for more funding to expand the scope of Resolution Services, including to begin providing Triage, Intake and Caseflow services for litigants under the *Divorce Act*. Resolution Services is the division that provides, among others, Triage, Intake and Caseflow services. It is contemplated that this would be phase one of a larger



project that would allow Resolution Services to provide more up front services, in keeping with the philosophy of the RFJS initiative. This proposal is being provided to the Provincial Government for consideration in the next annual budget.

10. E-Filing of Commercial Documents

In July, 2016, the Executive Board approved a proposal put forward by the Commercial Law Steering Committee to mandate the filing of electronic documents in all commercial matters.

Initially, there were some problems with compliance in that lawyers were not providing all the information electronically. These problems have since been overcome and we are now at almost 100% compliance.

The success of electronic documents in the commercial area is encouraging since one of the Court's medium term goals in the Court's Strategic Plan is to have the IMT Steering Committee make recommendations on other documents that the Court can accept electronically.

11. Statistics and Business Intelligence

The Court, through the IMT Steering Committee, is currently involved in a number of projects designed to enhance the Court's statistical data quality, develop a Business Intelligence Strategy, and determine the Court's data capture and reporting requirements. This work is part of larger projects that are being undertaken either across Resolution and Court Administration Services or, more broadly, the Ministry of Justice and Solicitor General, including:

- E-Courts Business Case – This is a planning project dedicated to transforming the Court system into a fully digital environment. The planning project ends in March, 2018 at which time we hope to secure funding for the fiscal year beginning April 2018 and to move forward with implementation.
- Business Intelligence and Analytics Strategy - Through this project the Ministry will develop a comprehensive Business Intelligence and Analytics (BIA) strategy in order to generate and analyze meaningful data that will assist in decision making. The purpose of this project is to develop a collaboratively-defined Vision and Strategy, and supporting recommendations, for growing and enhancing the Courts and Ministry's capabilities in BIA.

The convergence of these projects has provided the Court with a unique opportunity to review its data needs, undertake a gap analysis in terms of data generation, analysis and reporting and endeavor to fill those gaps. This will in turn provide the Court with better data



which will assist in making evidence based decisions in an effort to optimize the Court's operations.

To that end the IMT Steering Committee has created an ad hoc Statistics and Business Intelligence Committee which is working with the Steering Committee Co-Chairs to compile their data needs and business intelligence objectives. This is only the first step in what promises to be a complex, collaborative and highly valuable exercise.

12. Changes to Family Law Disclosure Practice

The disclosure process in Alberta is not working. Disclosure applications consume approximately 30% of court room time in morning family chambers. This wastes scarce resources and thereby negatively impacts lead times for all hearings.

Accordingly, the Family Law Steering Committee has implemented some short-term solutions and is working on specific recommendations for longer terms solutions. The key objective is to move away from the current system of demands for disclosure towards a system of automatic, mandatory disclosure upon filing any originating document in which corollary relief is sought, and in any event prior to bringing any application for financial relief in family proceedings.

The short-term solutions that have been implemented operate within the existing legislative and rule framework. They include:

- Strictly enforcing s. 21 of the Federal Child Support Guidelines, using remedies in ss 22-24 (*Divorce Act* applications);
- Strictly enforcing s. 21 of the Alberta Child Support Guidelines (*Family Law Act* applications);
- Creating a checklist of remedies so as to use the existing rules and guidelines more effectively (e.g. imputing income when disclosure is not provided, imposing costs on recalcitrant parties, prohibiting further applications until disclosure is provided, etc.);
- Creating guidelines for counsel and self-represented litigants reminding them of available remedies and informing them of the information that should be included in an application; and
- Creating a notation system on chambers court lists to document the number of times parties have appeared in court for disclosure related matters.

The longer-term recommendations will require legislative and regulatory amendment. The focus of the amendments will be to make disclosure mandatory and automatic before any



application for financial relief in the family law context. A business case outlining the required amendments and the anticipated outcomes is being completed and will be put before the Executive Board for approval in 2018.

Update of Courthouse Facilities

1. Red Deer Justice Centre

In March, the Provincial Government announced the construction of a new Justice Centre in Red Deer. The new Red Deer Justice Centre will address a prolonged space shortage in the current courthouse to help meet the region's needs. Since the existing courthouse was built in the 1980s, the city's population has almost doubled and the surrounding area's population has also increased substantially. The facility will increase the number of courtrooms in central Alberta from seven to twelve and create a Resolution Services wing. This section will provide dispute resolution, civil and family mediation, arbitration and other alternatives to going to court.

We are currently in the Pre-Design stage of the project, which began at the end of July 2017. This includes updating the functional programme, creating room data sheets, exploring site options, and updating the cost estimate. \$147M was approved in the 2017 Capital Plan for this project. The current estimate for the project is \$197M. It is anticipated that construction of this project will be complete in 2023.

2. Edmonton Law Courts Renovation

Unfortunately there are no plans by the Provincial Government in the near term to build a new courthouse in Edmonton despite acute space shortages. However, the courthouse is undergoing significant renovations and a number of “quick win” projects have been completed as part of this project. This work is required to address various issues identified in the Courthouse Planning Study completed in 2015. The project budget is \$13.1M. We are currently in the functional programming stage. The construction stage of this project is currently anticipated to be complete in 2019.



3. Hinton Courthouse Business Case

The Hinton Courthouse was studied as part of the Courthouse Planning Study completed in 2015. It included renovations to address various issues identified related to functionality, security and program space. Work with the prime consultant began in September 2016.

During schematic design, it was determined that the option from the Courthouse Planning Study did not fully address the issues with the courthouse, and it was determined another option should be explored. Once the additional option was created, and was reviewed by JSG, it was determined in May 2017 that the renovations to the existing courthouse should be substantially reduced and a business case for a new Hinton Justice Centre should be completed for submission to the Capital Plan in 2017/2018.

Alberta Infrastructure is currently working with a consultant to finalize the functional programme and business case. The business case is currently with the client group for review. It is anticipated that a submission to the Capital Plan will be made in the Fall of 2017. For renovations to the existing courthouse, it is anticipated that the design process will restart in January 2018, with construction completion in 2019. The overall budget for the Hinton Courthouse renovations is \$3.2M.



Appendices

1. Court of Queen's Bench Strategic Plan
2. Queen's Bench Activity Report – Provincial Totals
3. Lead Times as of August 1, 2017

The Court of Queen's Bench of Alberta

Strategic Plan

2016 to 2021





Introduction from the Chief Justice and the Associate Chief Justice

Our Vision:

A leader in innovative, responsive and accessible justice.

Our Mission:

To provide an impartial forum for the just and proportional resolution of legal disputes, to preserve the Rule of Law and to protect the rights and dignity of all.

On behalf of the Strategic Planning Committee, we are pleased to present the second Alberta Court of Queen's Bench Strategic Plan, which will guide our organizational efforts for the next five years.

The Alberta Court of Queen's Bench began a formalized strategic planning process in 2010. In 2011, the Court released its first ever Strategic Plan. The Plan was the product of responses to a survey that was completed by the Justices, Masters and Staff of the Court. That survey data was carefully reviewed, considered and ultimately incorporated into a Strategic Plan that would guide the Court towards its Vision. For the next 5 years, the Plan was reconsidered and amended to ensure that the goals identified in the document continued to move us towards our Vision despite a fluid context that continued to present new challenges. By the end of the first five years, we had achieved enormous success in relation to our express goals.

Our second Strategic Plan has been developed in a similar fashion. Co-Chairs of each Steering Committee were also given an opportunity to provide their input into a draft plan. However, much has changed in the intervening 5 years. The political, economic and social landscape is very different now than it was in 2011. Indeed, due to persistent resource starvation the Court has been in a crisis for some time. The criticality of the situation is now so acute that, at the time of writing, the lead times for some hearings are in excess of two years. In response, the Court's strategic priorities have necessarily shifted to meet the current crisis and the challenges we anticipate over the coming years.

The Court recognizes that many cases, particularly family matters, are not suited to the adversarial litigation model and are overwhelming our Court. Accordingly, the Court will lead efforts to refocus the litigation process, while at the same time improving the Court's existing processes. This will include operational changes, educational priorities, amendments to the Rules of Court and legislative amendments.

We would very much like to thank all of the survey respondents as well as those who have contributed to the Strategic Plan through the Court's Internal



Governance structure, namely the Court Committees and the Executive Board. Without the commitment of so many in our organization, we would not have met so many of the goals set in our previous Strategic Plan, nor would we have had the benefit of so many insights in creating our second.

A black ink signature of Chief Justice N. Wittmann, consisting of several overlapping, horizontal strokes.

Chief Justice N. Wittmann

A blue ink signature of Associate Chief Justice J.D. Rooke, written in a cursive style above a horizontal line.

Associate Chief Justice J.D. Rooke



Over the next 5 years, the Court will advance the following strategic priorities through the short, medium and long-term goals identified below.

Strategic Priority #1:

Better integrate technological solutions into our Court operations and the work of the Court and streamline or reinvent our processes in order to alleviate pressure on available resources.

Short Term Goals (12 months)

- a. Information Technology Training for New Justices – The New Judges Sub-Committee of the Education Steering Committee will develop an IT training plan for new appointments which will include Dragon Dictate software.
- b. Judicial Technology Training – The Education Steering Committee will consult with the National Judicial Institute on providing a judicial training seminar on Dragon Dictate and other software that may streamline processes.
- c. Internal Website – All Court policies will be accessible under Secure Resources on the Court's intranet.
- d. External Website – An ad hoc committee of the Communications and IMT Steering Committees will oversee the reorganization and redesign of the Court's external website to improve navigability for all users.

Medium Term Goals (1 to 3 years)

- a. Electronic Documents – The Information Management and Technology ("IMT") Steering Committee will make a recommendation to the Executive Board on which documents the Court will accept electronically, in what format and how and where the documents will be stored.
- b. Electronic/Video Proceedings – The IMT Steering Committee will review the Court's policy regarding electronic/video proceedings with a view to broadening their use where appropriate.
- c. Online Scheduling and Adjournments – The IMT Steering Committee, in conjunction with the Commercial Steering Committee Co-Chairs and the Court Coordinators, will make recommendations on the availability of online scheduling and adjournments for commercial matters and JDRs.



- d. Internal Website – The Intranet Website Committee, an ad hoc committee under the IMT and Communication Steering Committees, will redesign the internal website making it more user friendly.
- e. Electronic Statutes – The Education Steering Committee will prepare education programs for the judiciary on conversion to the use of electronic statutes only.
- f. Court Statistics – An ad hoc committee of the Executive Board will develop a consistent, transparent and accurate method to capture and record statistics of all matters brought before the Court across the province.
- g. Promote Use of Technology – The Education Steering Committee will promote the use of technology, including Dragon Dictate as part of the judicial technology training.

Long Term Goal (3 to 5 years)

- a. Online Scheduling and Adjournments – The IMT Steering Committee will make recommendations on online scheduling and adjournments for all court matters.
- b. Electronic Filing – The Court will investigate and consider the development and implementation of electronic documents and electronic filing for all Court documents.

Strategic Priority #2:

Critically review the role of the Court in the justice system and align existing services with that defined role to address the current crisis in lead times and facilitate timely access to the Court where appropriate.

Short Term Goals (12 months)

- a. Facilitated Session – The Executive Board will organize a facilitated session to build on the work done during an Access to Justice hosted session. This work will inform future iterations of the Strategic Plan over the five year planning cycle.
- b. Case Management Justices to Hear Trials – The ad hoc Case Management Committee of the Executive Board will conduct research and consider whether Case Management Justices should preside over trials of their Case Management matters in civil and/or family law cases as is done in other jurisdictions.



- c. Condominium Property Act – An ad hoc committee of the Executive Board will lobby to have the *Condominium Property Act* amended to divert claims less than \$50k to the Provincial Court.
- d. Provincial Court Civil Limit – The Executive Board will continue its efforts to increase the monetary limit on civil actions in Provincial Court.
- e. DRO/CSR Program – The Family Law Steering Committee will make a recommendation to the Executive Board as to whether DRO/CSR meetings should be on a with or without prejudice basis.
- f. Mandatory Case Conferences – The Family Law Steering Committee will implement a mandatory early intervention case conferencing pilot project in family cases to assess their impact on interlocutory applications, create an environment of pre-trial resolution and ensure that cases going to trial are ready.
- g. Emergency Protection Orders – An ad hoc committee of the Family Law Steering Committee will review the process for obtaining and reviewing protection orders, including both EPOs and restraining orders to ensure the best use of Court resources and to ensure more timely access to the Court.
- h. Criminal Docket Matters – The Criminal Law Steering Committee will provide recommendations to the Executive Board on how to optimize the efficiency and effectiveness of the Court.
- i. Managing Criminal Applications and Trials - The Criminal Law Steering Committee will provide the Executive Board with recommendations on managing criminal applications and trials, with a view to making more efficient and effective use of court time through the streamlining of court proceedings.
- j. Refocusing the Court's Role in Family Matters – The Reforming the Family Justice System (RFJS) initiative is Co-Convened by the Court, the Ministry and the legal profession, and is a large collaborative effort to improve the family justice system in Alberta. As one of the leaders of this initiative, the Court supports the RFJS theory of change, which recognizes that many of the issues before the Courts in family matters are not legal in nature, but involve relationship, social and financial matters that can better be resolved outside of the adversarial processes of the Court. The RFJS is seeking both to empower service providers to develop practices that will better serve the relationship, social and financial needs of families outside of the Courts, and for Court processes to focus on legal matters that require judicial determination. The Access to Justice Steering Committee will provide



advice to the Executive Board on access to justice challenges, opportunities, policy and priorities that arise out of the work of the RFJS initiative.

- k. Managing the Courtroom – The Education Committee in conjunction with the Criminal, Civil and Family Steering Committees will develop a training program for Justices, particularly more recent appointments, that focuses on how to improve management of the courtroom.

Medium Term Goals (1 to 3 years)

- a. Review/Reconsider Judicial Dispute Resolution (“JDR”) – An ad hoc committee of the Executive Board which will include Court Staff representation will review/reconsider JDRs. Reconsideration should include scheduling of JDRs, whether they should be a fee based service, whether matters can be ordered to ADR, and whether to reinstate the mandatory ADR rule while significantly reducing JDRs.
- b. Appeals on Interim Applications – The Chief Justice and the Associate Chief Justice will consult with the Chief Justice of the Court of Appeal on foreclosing access to interim appeals. This initiative will be referred to the Rules Committee.
- c. Promote Summary Trial Processes – The Civil and Family Law Steering Committees will identify means of promoting summary trial processes with the Bar province-wide and present their recommendations to the Executive Board.
- d. Court Generated Order (“CGO”) Clerks – The Family and Civil Law Steering Committees will work with Resolution Services to have CGO clerks servicing all chambers courtrooms.
- e. Civil and Family Pre Trial Conferences – The issue of reinstating family and civil Pre Trial Conferences will be assigned to the Family Law and Civil Law Steering Committees for consideration and recommendations to the Executive Board.
- f. Child Support Resolution and Dispute Resolution Office (“CSR/DRO”) Program – The Family Law Steering Committee will review the CSR/DRO programs and make any recommendations on amendments to the service delivery to the Executive Board.
- g. Mandatory Intake and Triage – The Family Law Steering Committee will continue to lobby for additional resources to expand the mandatory intake and caseload processes to include Edmonton and actions under *The Divorce Act* in Calgary.



- h. Criminal Law Capacity - The Criminal Law Steering Committee will make recommendations to the Executive Board on building and sustaining the Court's criminal law capacity.
- i. Bar Calls – An ad hoc committee of the Executive Board will be struck to reconsider individual Bar calls at the Court of Queen's Bench.

Long Term Goals (3 to 5 years)

- a. Unified Family Court – The Chief Justice will work with the Provincial Court and the Federal and Provincial Governments to implement an Alberta Unified Family Court.
- b. Appeals from Masters – The Civil Law Steering Committee will consider and make a recommendation to the Executive Board as to whether appeals from Masters should be on the record or *de novo*, whether additional material is permitted to be filed and whether a change to the Rules should be considered to have Masters appeals heard directly by the Court of Appeal.

Strategic Priority #3:

Define reasonable workloads by the capacity of available resources, rather than by the demands that continue to grow and outpace available resources.

Short Term Goals (12 months)

- a. Limit Adjournments – Limiting adjournments on individual applications will be referred to the Motions Court Practice Committee for further consideration and specific recommendations.
- b. Mandatory Duplicate Hard Copy Briefs – Mandatory duplicate hard copy briefs will be required (excluding attachments/cases) for all special chambers matters.
- c. More Resources – The Chief Justice and Associate Chief Justice will continue pressure and collaborate with the Federal and Provincial Governments in an effort to ensure sufficient Court resources are made available.

Medium Term Goals (1 to 3 years)

- a. Enforce Rules/Deadlines with Costs and Other Sanctions – Specific examples of resource issues arising from rules and deadlines not being enforced will be solicited from staff. A Justice will be appointed



to consider these issues and make recommendations to the Executive Board.

- b. Maximum Page/Time Limits for Applications – An ad hoc committee of the Civil, Family and Criminal Law Steering Committees will be struck to identify page limits for written arguments and time limits for oral arguments of all types, starting with civil.

Long Term Goals (3 to 5 years)

- a. Training to Enforce Rules/Deadlines with Costs and other Sanctions – This issue will be referred to the Education Steering Committee to deliver training on costs and other available sanctions when parties fail to comply with Rules and/or Court imposed deadlines.

Strategic Priority #4:

Achieve greater autonomy for the Court in order to ensure judicial independence and adequate resourcing to preserve the rule of law and confidence in the administration of justice.

Short Term Goals (12 months)

- a. Execute the Memorandum of Understanding between the Chief Justice of the Court of Queen's Bench of Alberta and the Attorney General of Alberta.

Medium Term (1 to 3 years)

- a. Increase effective collaboration with the Federal and Provincial Governments for sufficient Court resources.

Long Term (3 to 5 years)

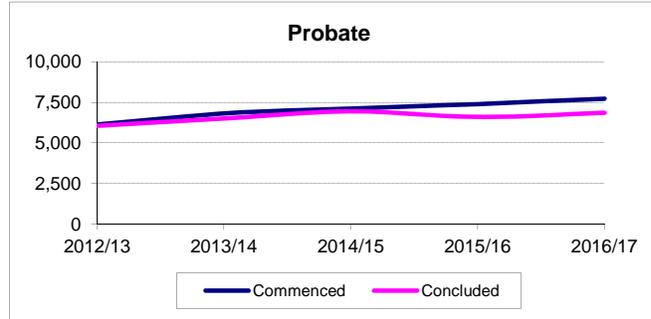
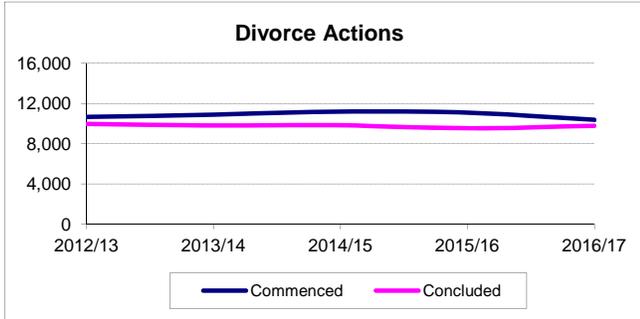
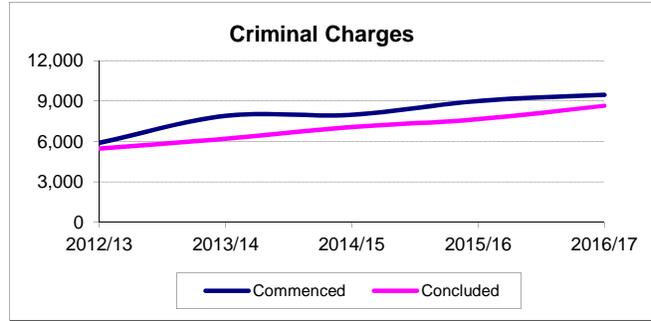
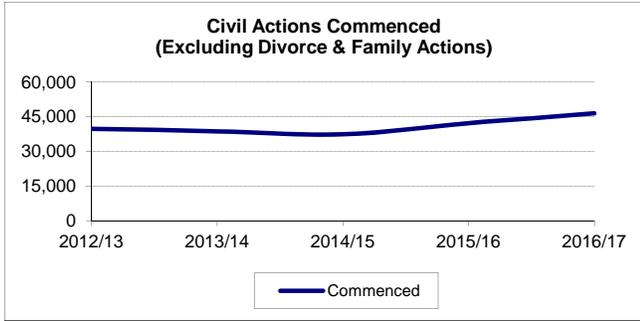
- a. Work towards a limited autonomy model of Court administration, allowing the Court to achieve greater administrative independence and thereby ensure appropriate resource allocation, the preservation of judicial independence and enhanced public accountability for spending.

Court of Queen's Bench

Annual Court Activity Report

APRIL 2016 – MARCH 2017

Court of Queen's Bench of Alberta ¹



Civil

Incoming Volumes

	2012/13	2013/14	2014/15	2015/16	2016/17	Average
Civil Actions Commenced (excl. Divorce & Family Actions)	39,734	38,645	37,286	42,112	46,381	40,832
Divorce Actions Commenced	10,664	10,901	11,198	11,099	10,376	10,848
Family Actions Commenced ²	7,629	7,674	7,726	7,857	6,670	7,511

Outgoing Volumes

Civil Trials Heard	264	283	296	320	236	280
Divorce Judgments Granted	9,964	9,819	9,834	9,540	9,779	9,787
Solicitor Client Taxations Heard	1,333	1,229	831	933	677	1,001
Justice Chambers Matters Heard	42,874	43,563	42,045	39,972	34,436	40,578
Master Chamber Matters Heard	27,043	20,567	17,763	19,921	27,221	22,503
Bankruptcy Matters Heard	5,715	5,139	5,351	3,798	3,884	4,777
Pre-trial Conferences Heard	7	24	21	16	34	20
Civil Appeals Heard	88	58	43	47	33	54
Judicial Dispute Resolutions Heard	1,018	726	528	406	302	596

Criminal

Incoming Volumes

Charges Commenced	5,892	7,901	7,979	9,007	9,465	8,049
Summary Conviction Appeals Filed	521	450	433	433	421	452
Cases Commenced	1,328	1,723	1,694	1,763	1,767	1,655

Outgoing Volumes

Charges Concluded	5,477	6,209	7,071	7,651	8,649	7,011
Criminal Trials Heard	393	468	501	525	543	486
Summary Conviction Appeals Heard	422	354	355	348	278	351
Pre-trial Conferences Heard	524	743	849	826	849	758
Cases Concluded	1,329	1,441	1,527	1,624	1,773	1,539

Surrogate Court

Incoming Volumes

Applications for Probate/Letters of Admin.	6,132	6,812	7,120	7,395	7,728	7,037
Dependent Adult Applications Filed	1,137	1,287	1,383	1,695	1,453	1,391

Outgoing Volumes

Grants of Probate Issued	6,051	6,503	6,947	6,594	6,853	6,590
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Court of Queen's Bench - Lead Times - Calgary

Matter	Next Available Date D/M/Y	Lead Time 08/01/17	Lead Time 07/01/17	Lead Time 06/01/17	Lead Time 05/01/17	Lead Time 04/01/17	Lead Time 03/01/17	Lead Time 02/01/17	Lead Time 01/01/17	Lead Time 12/01/16	Lead Time 11/01/16	Lead Time 09/01/16	Lead Time 06/01/16
Long Civil/Family Trial (>5 days)	4 Jan 21	178 Weeks	183 weeks	183 weeks	185 weeks	185 weeks	159 weeks	152 weeks	150 weeks	154 weeks	149 weeks	138 weeks	97 weeks
Short Civil/Family Trial (<5 days)	11 Jan 18	44 Weeks	49 weeks	52 weeks	53 weeks	49 weeks	51 weeks	52 weeks	46 weeks	50 weeks	54 weeks	52 weeks	42 weeks
Long Criminal Trial (>5 days)	3 Dec 18	69 Weeks	71 weeks	70 weeks	74 weeks	74 weeks	78 weeks	63 weeks	61 weeks	65 weeks	66 weeks	63 weeks	55 weeks
Short Criminal Trial (<5 days)	9 Nov 17	14 Weeks	15 weeks	13 weeks	36 weeks	36 weeks	40 weeks	41 weeks	37 weeks	22 weeks	22 weeks	31 weeks	40 weeks
Half Day Civil/ Family Application	11 Sep 17	5 Weeks	52 weeks	52 weeks	50 weeks	49 weeks	23 weeks	5 weeks *	52 weeks	23 weeks	56 weeks	54 weeks	46 weeks

* Brent Dufault, Acting Justice chambers Supervisor, was directed to remove afternoon chambers or remove one hour specials and book half days specials in their place to help with the backlog. This explains the drastic decrease in lead times from January 2017 to February 2017.

Court of Queen's Bench - Lead Times - Edmonton

Matter	Next Available Date D/M/Y	Lead Time 08/01/17	Lead Time 07/01/17	Lead Time 06/01/17	Lead Time 05/01/17	Lead Time 04/01/17	Lead Time 03/01/17	Lead Time 02/01/17	Lead Time 01/01/17	Lead Time 12/01/16	Lead Time 11/01/16	Lead Time 09/01/16	Lead Time 06/01/16
Long Civil/Family Trial (>5 days)	9 Dec 19	122 Weeks	118 weeks	117 weeks	122 weeks	111 weeks	105 weeks	106 weeks	101 weeks	95 weeks	96 weeks	69 weeks	66 weeks
Short Civil/Family Trial (<5 days)	29 Oct 18	64 Weeks	68 weeks	66 weeks	58 weeks	56 weeks	58 weeks	61 weeks	52 weeks	57 weeks	61 weeks	60 weeks	66 weeks
Long Criminal Trial (>5 days)	3 Dec 18	69 Weeks	71 weeks	71 weeks	74 weeks	63 weeks	62 weeks	62 weeks	52 weeks	66 weeks	61 weeks	62 weeks	55 weeks
Short Criminal Trial (<5 days)	4 Sep 18	57 Weeks	50 weeks	48 weeks	47 weeks	46 weeks	49 weeks	47 weeks	64 weeks	51 weeks	50 weeks	52 weeks	43 weeks
Half Day Civil/ Family Application		**No dates provided	36 weeks	37 weeks	35 weeks	39 weeks	36 weeks	X	31 weeks	33 weeks	33 weeks	31 weeks	21 weeks

** No clear dates for 2017 and 2018 calendar not yet available.

Court of Queen's Bench - Lead Times - Lethbridge

Matter	Next Available Date	Lead Time 08/01/17	Lead Time 07/01/17	Lead Time 06/01/17	Lead Time 05/01/17	Lead Time 04/01/17	Lead Time 03/01/17
Long Civil/Family Trial (>5 days)	30 Apr 18	38 Weeks	41 weeks	39 weeks	43 weeks	44 weeks	44 weeks
Short Civil/Family Trial (<5 days)	30 Apr 18	38 Weeke	41 weeks	39 weeks	43 weeks	32 weeks	44 weeks
Long Criminal Trial (>5 days)	30 Apr 18	38 Weeks	41 weeks	39 weeks	43 weeks	44 weeks	44 weeks
Short Criminal Trial (<5 days)	30 Apr 18	38 Weeks	41 weeks	39 weeks	43 weeks	32 weeks	44 weeks
Half Day Civil/ Family Application	10 Apr 18	36 Weeks	36 weeks	37 weeks	37 weeks	35 weeks	23 weeks

Court of Queen's Bench - Lead Times - Red Deer

Matter	Next Available Date D/M/Y	Lead Time 08/01/17	Lead Time 07/01/17	Lead Time 06/01/17	Lead Time 05/01/17	Lead Time 04/01/17	Lead Time 03/01/17	Lead Time 02/01/17
Long Civil/Family Trial (>5 days)	19 Feb 19	81 Weeks	85 weeks	76 weeks	81 weeks	78 weeks	82 weeks	70 weeks
Short Civil/Family Trial (<5 days)	19 Feb 19	81 Weeks	85 weeks	76 weeks	77 weeks	78 weeks	82 weeks	70 weeks
Long Criminal Trial (>5 days)	19 Feb 19	81 Weeks	85 weeks	76 weeks	81 weeks	78 weeks	82 weeks	70 weeks
Short Criminal Trial (<5 days)	91 Feb 19	81 Weeks	85 weeks	76 weeks	77 weeks	78 weeks	82 weeks	70 weeks
Half Day Civil/ Family Application	2 Jan 18	22 Weeks	20 weeks	14 weeks	11 weeks	14 weeks	16 weeks	27 weeks