

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 caseflow 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.