

## JUDICIAL EDUCATION GUIDELINES FOR CANADIAN SUPERIOR COURTS

### IMPORTANT NOTE

These guidelines are aspirational in nature and aimed at helping courts develop their own policy.

### A. PRINCIPLES

1. The preservation of public confidence and trust in the Canadian judiciary as an institution depends upon Canadian judges maintaining high standards in the performance of their judicial work.
2. Continuing competence and the achievement of excellence require judges to participate in ongoing professional education.
3. The first priority of courts is to provide the highest quality judicial services to the public. The primary obligation of a judge is to hear cases and render decisions in a timely manner, impartially and consistent with the law and the evidence.
4. Participation in judicial education will assist judges in better fulfilling their primary obligation, as well as other aspects of their judicial role.
5. The Canadian Judicial Council has taken the position that:

As a goal, where possible, Chief Justices credit 10 days per year of ss. 41(1) authorized educational programs attended by judges against their sitting time. That 10 days includes the educational component of meetings 'required by law'.

New judges develop individual education plans, receive mentoring, and attend the integrated seminar for newly-appointed judges. The education of newly-appointed judges is to be seen as a four-year process requiring 10 to 15 days of education per year, involving a mix of sitting and non-sitting time which time includes the integrated seminar for newly-appointed judges.

## B. POLICIES

1. Judges are encouraged to undertake judicial education (through participation in programs, and utilizing print and electronic resources) so far as is consistent with the fulfillment of their primary obligation.
2. Judges are encouraged to work on the planning and delivery of judicial education so far as is consistent with the fulfillment of their primary obligation.
3. In general, judges are free to attend education seminars during time that is non-sitting time, subject to the approval of Chief Justices or their delegates. Approval may be withheld at the discretion of Chief Justices for reasons such as space limitations in the program or other matters relating to the workload of the court.
4. Judges who wish to take judicial education programs which will specifically prepare them to undertake duties assigned to them by the court, or which will improve their judicial skills in significant ways, at the discretion of Chief Justices or their delegates may be given some time to do so, from what would otherwise be sitting time, insofar as this is possible and consistent with the needs of the court.
5. Attendance at judicial education programs is encouraged for all judges. With respect to court-based programs, a judge who does not attend will be expected to sit unless the program is scheduled during that judge's non-sitting time.
6. Each newly-appointed judge will be assigned a mentor.
7. The newly-appointed judge with their mentor, or with the Chief Justice or their delegate, will develop an education plan for their first four years.
8. Judges at all stages of their careers are encouraged to prepare a judicial education plan and Chief Justices may give special consideration to attendance requests based on such plans.
9. In general, judges are free to participate in planning or delivery of judicial education programs in non-sitting time, subject to the approval of the Chief Justice. At the discretion of Chief Justices or their delegates, judges who participate in the planning or delivery of judicial education programs may be given some time to do so, from what would otherwise be sitting time, insofar as this is possible and consistent with the needs of the court. Approval may be withheld at the discretion of Chief Justices for reasons such as space limitations in the program or other matters relating to the workload of the court.

10. Judges who are asked to serve in roles where a significant time commitment to judicial education is expected, such as Judicial Associate of the NJI, or other, similar roles with other organizations, may do so with the approval of their Chief Justice.
11. At the discretion of Chief Justices or their delegates, judges who serve as Judicial Associates of the NJI or in other, similar roles with other organizations, may be given some time to do so from what would otherwise be sitting time, insofar as this is possible and consistent with the needs of the court.