

New Judges Education Plan

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

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

The Provincial Court is continuously monitoring legal and societal developments and will revise and refine this plan on a regular basis to adjust the educational requirements for new Judges as appropriate.

Plan Overview

The plan incorporates the following components:

- A shadowing program
- A mentoring program
- New Judges Programs
- Recommended materials
- Court internal resources sessions
- Individual education plan for the first five years
- Ongoing relationship with the Judicial Education Manager
- Professional Development Allowance and Education Leave

1.0. Shadowing program

- 1.1. Upon appointment, new Judges are scheduled to observe senior, more experienced Judges in various proceedings. This helps new Judges become familiar with the Court and its practices and establish closer relationships with other Judges. The Assistant Chief Judge, in collaboration with the new Judge's mentor, will take into account the new Judge's background and experience when establishing shadowing schedules and length of participation. The schedules should allow for one or two days a week for reading purposes.
- 1.2. New Judges will shadow Judges from all divisions, and attend the following proceedings if available:
 - 1.2.1. Docket Courts;
 - 1.2.2. Trial Courts;
 - 1.2.3. Pre-Trial Hearings;
 - 1.2.4. Confirmation Hearings;
 - 1.2.5. Pre-preliminary Hearing Meetings;
 - 1.2.6. Judicial Dispute Resolution Hearings;
 - 1.2.7. Bail Hearings;
 - 1.2.8. Fatality inquiries;
 - 1.2.9. Drug Court;
 - 1.2.10. Mental Health Court;
 - 1.2.11. Indigenous Court;
 - 1.2.12. Mediation;

- 1.2.13. Pre-Trial Conferences;
- 1.2.14. Chambers List;
- 1.2.15. Assessments;
- 1.2.16. Employment Standards Hearings;
- 1.2.17. Hearing Office procedures; and
- 1.2.18. Other Chambers applications such as applications for warrants or emergency telephone apprehension calls under child protection legislation.

2.0. Mentoring program

- 2.1. The Chief Judge's Office supports a mentoring program for new Judges. Access to a mentor facilitates the transition to the Bench, increases the new Judge's confidence, establishes positive relations amongst the judiciary and provides individualized educational and social support to new Judges.
- 2.2. Some of the objectives of the mentoring program are to:
 - 2.2.1. Clarify and convey a vision of the craft of judging;
 - 2.2.2. Provide encouragement and constructive feedback;
 - 2.2.3. Assist Judges in achieving high standards;
 - 2.2.4. Support the sharing of knowledge and experience;
 - 2.2.5. Facilitate integration into the Judiciary;
 - 2.2.6. Identify learning needs and develop a learning plan accordingly;
 - 2.2.7. Involve experienced Judges in the development of their profession; and
 - 2.2.8. Create a network of Judges.
- 2.3. Role of the Assistant Chief Judges. They

- 2.3.1. Facilitate a mentoring relationship between the new Judge and a willing senior Judge. Mentors are selected by their willingness and availability to serve as a mentor, their experience and knowledge, and their good listening and constructive feedback skills;
- 2.3.2. Take into account the needs or preferences expressed by the mentor and the new Judge, the skills to be developed by the new Judge and the corresponding expertise of the mentor, and the personal characteristics of the Judges when suggesting a pairing;
- 2.3.3. Explain the mentoring process to the new Judge, including benefits of the program and expectations of participation;
- 2.3.4. Recognize that mentors need some extra time to fulfill the requirements of the mentorship relationship; and
- 2.3.5. In conjunction with the new Judge's mentor, ensure that new Judges receive information on the following topics as soon as possible after appointment:
 - 2.3.5.1. Judicial conduct and ethics in and out of the courtroom;
 - 2.3.5.2. Courtroom demeanor;
 - 2.3.5.3. Administrative procedures, including an orientation to the work of the clerks; and
 - 2.3.5.4. Procedures and law related to the issuance of out-of-Court orders, including warrants, production orders, and other documents.
- 2.4. Role of the mentors. They
 - 2.4.1. Are involved in determining the suitability of the match;
 - 2.4.2. Commit to the objectives of the mentoring program;
 - 2.4.3. Liaise with the Assistant Chief Judge to ensure that the goals and objectives of the program are met;

- 2.4.4. Initially show leadership in the relationship and then share the responsibility for the relationship with new Judge;
 - 2.4.5. Introduce the new Judge to key personnel in the Courts;
 - 2.4.6. Encourage and challenge new Judge;
 - 2.4.7. Help the new Judges identify their learning needs for the development of the education plan;
 - 2.4.8. Provide constructive feedback;
 - 2.4.9. Share knowledge and experience; and
 - 2.4.10. Maintain confidentiality of mentoring conversations.
- 2.5. Role of the new Judges. They
- 2.5.1. Assume responsibility for their own learning and development;
 - 2.5.2. Share the responsibility for the relationship with mentor;
 - 2.5.3. Are involved in selecting mentor;
 - 2.5.4. Help identify what they want to learn/know/be able to do;
 - 2.5.5. Request and act on feedback;
 - 2.5.6. Develop and revise their learning plan; and
 - 2.5.7. Maintain confidentiality of mentoring conversations.
- 2.6. Mentors and new Judges should have an orientation session to define mutual expectations. They can use the “Checklist for Mentors and New Judges” as a guideline. It is a good idea at this time to schedule the meetings for the next few months. The number of meetings between mentors and new Judges is at the discretion of the pair. They should, however, aim to meet at least once a week during the first month, once

every two weeks during the next five months and about once a month after the first six months.

- 2.7. The length of the mentoring program is expected to be up to twelve months. During this period, mentors and new Judges will gather information and suggestions on how to improve the mentoring program.
- 2.8. If new Judges so desire, they can invite their mentor or the Assistant Chief Judge to observe them and offer feedback during their initial experiences on the bench. Other members of the Court or judicial clerks may also be good sources of feedback.
- 2.9. The Judicial Education Manager will provide mentors and new Judges the following materials to facilitate their role:
 - 2.9.1. Checklist for Mentors and New Judges; and
 - 2.9.2. Mentoring in the Judiciary, a Guide for Judges (Ontario Court of Justice).
- 2.10. Feedback on program
 - 2.10.1. In order to assist with the continuation and success of this plan as well as maintain a record of participation, the Assistant Chief Judges will, six months after the commencement of a mentorship, provide feedback to the Chair of the Education Committee on the success of the mentorship and shadowing activities, including suggestions brought forward by the participants for the improvement of the program.

3.0. New Judges Programs

- 3.1. New Judges attend the in-house New Judges annual programs
 - 3.1.1. A JYFTY (Judging in Your First Three Years) one day virtual program on the Friday of the second full week of January.
 - 3.1.2. The half day programs organized in conjunction with the APJA Educational Conferences.

- 3.2. The New Judges programs are presented by members of the Court, provide tips and ideas on important topics, focus on the Alberta environment and are a forum for questions and discussion within the Court.
- 3.3. The New Judges Programs address the four areas of education, which include substantive, skills, social context and judicial development, with particular emphasis on sexual offences law, Indigenous Justice, case management, recent and ongoing legal or procedural developments and programs to understand cultural dimensions of judging.

4.0. Materials for new Judges (provided by Judicial Education Manager unless otherwise indicated):

- 4.1. Access to Judicial Administration materials provided by the Office of the Chief Judge, which include information such as:
 - 4.1.1. Professional Development Allowance rules;
 - 4.1.2. Security handbook; and
 - 4.1.3. Protocol for use of legal counsel.
- 4.2. Access to the Judicial Education Webpage, which includes:
 - 4.2.1. Policies and Education Plans;
 - 4.2.2. Inventory of Learning Opportunities;
 - 4.2.3. Bench Books and presentations;
 - 4.2.4. Judicial Ethics/Conduct materials;
 - 4.2.5. Sexual Offences Law materials;
 - 4.2.6. Justice Hill's article "Duty to manage a criminal trial"; and
 - 4.2.7. National Judicial Institute (NJI), "The most important thing is to begin: the art and craft of timely judgment writing."

- 4.3. Database passwords and information distributed by the library.
- 4.4. Access to NJI website.
- 4.5. Textbooks and articles:
 - 4.5.1. Criminal Code distributed by the library.
 - 4.5.2. Suggested Titles List prepared yearly by the Alberta Law Libraries.
 - 4.5.3. Writing reasons: a handbook for Judges, 5th ed / Edward Berry (LexisNexis, 2020 - available in the library at [KF 250 B47 2020](#)). Recommended.
 - 4.5.4. Managing high conflict people in court /Bill Eddy (High Conflict Institute Press, 2008. Available electronically at <https://www.highconflictinstitute.com/bookstores/managing-high-conflict-people-in-court>). Recommended.
- 4.6. Bench Books:
 - 4.6.1. Alberta Provincial Court Bench Books (accessible from Judicial Education Webpage); and
 - 4.6.2. NJI Bench Books (accessible from the NJI website).
- 4.7. Videos
 - 4.7.1. Access to the collection of in-house videos, including recordings from past New Judges' programs.
 - 4.7.2. Access to the NJI collection of webinars.

5.0. Court internal resources sessions

- 5.1. The following sessions are coordinated by the Judicial Education Manager during the first few months after appointment:

- 5.1.1. Library Orientation;
- 5.1.2. Privacy and Access session;
- 5.1.3. GroupWise, Lync and email management; and
- 5.1.4. Viewing of video-recordings of previous New Judges Programs when available.

6.0. Education plans – first five years on the bench

- 6.1. New Judges are expected to create an education plan during each of the first five years on the bench.
- 6.2. With assistance from the Judicial Education Manager, new Judges evaluate the previous year's educational accomplishments, revise their educational needs and select appropriate educational materials and courses for the following year.
- 6.3. The plans shall include :
 - 6.3.1. CAPCJ course – New Judges' Education Program (Bromont, QC, April)
 - 6.3.2. NJI course – Newly Appointed Provincial and Territorial Judges' Skills Seminar – (Niagara on the Lake, ON, November)
 - 6.3.3. An Evidence Seminar in the first 5 years on the bench (the NJI Evidence Workshop, the Evidence themed National Criminal Law Program, or another Evidence Seminar specifically approved by the Chief Judge)
 - 6.3.4. Indigenous Culture and/or Indigenous Justice learning
 - 6.3.5. Sexual Offences Law education if relevant.
 - 6.3.6. New Judges Programs offered by the Court.
 - 6.3.7. Attendance to the semi-annual APJA conferences; and

- 6.3.8. A selection of courses covering the four main areas of judicial education: substantive law, judicial skills, social context and judicial development.

7.0. Ongoing relationship with the Judicial Education Manager

- 7.1. The Judicial Education Manager is the Court's specialist in judicial education and can help the Judges plan educational activities as well as find and select educational resources.

8.0. Professional Development Allowance and Education Leave

- 8.1. The education leave provided for full time Judges is up to ten days per calendar year, plus necessary travel time.
- 8.2. Attendance to the CAPCJ New Judges' Education Program in Bromont and the NJI Newly Appointed Provincial and Territorial Judges' Skills Seminar is not included in the calculation of the annual ten days of Educational Leave.
- 8.3. Attendance to an Evidence Seminar in the first 5 years on the bench (the NJI Evidence Workshop, the Evidence themed National Criminal Law Program, or another Evidence Seminar specifically approved by the Chief Judge) is not included in the calculation of the annual ten days of Educational Leave.
- 8.4. Judges can use their annual Professional Development Allowance (PDA) to cover the cost of conferences and books, in accordance with the *Provincial Court Judges and Masters in Chambers Compensation Regulation* (Alta Reg 176/1998) and the guidelines administered through the Office of the Chief Judge.
- 8.5. Further information is available in the Judicial Administration drive, the Court's Education Plan and the Office of the Chief Judge Education Fund Policy.