



The Provincial Court of Alberta

Strategic Plan 2021 – 2024

Strategic Priorities of the Provincial Court of Alberta

1. **Judicial Independence**
2. **Access to Justice**
3. **Judicial Education and Supports**
4. **Technology and Infrastructure**
5. **Indigenous Initiatives**
6. **Therapeutic and Specialized Courts**
7. **The Role of Justices of the Peace**
8. **Public Respect and Awareness**

Table of Contents

Vision, Mission and Core Values.....	4
The Chief Judge.....	4
Why have a Vision and Mission?	5
More about our Core Values	6
Strategic Priorities	8
STRATEGIC PRIORITY 1 – Judicial Independence.....	8
STRATEGIC PRIORITY 2 – Access to Justice	9
STRATEGIC PRIORITY 3 – Judicial Education and other Judicial Supports	10
STRATEGIC PRIORITY 4 - Technology and Infrastructure	11
STRATEGIC PRIORITY 5 - Indigenous Initiatives	12
STRATEGIC PRIORITY 6 – Therapeutic and Specialized Courts	12
STRATEGIC PRIORITY 7 – The Role of Justices of the Peace.....	13
STRATEGIC PRIORITY 8 – Public Respect and Awareness	13

Introduction

The Provincial Court of Alberta has a tradition of developing strategic plans. This plan covers the period 2021-2024 and incorporates much of the work from previous plans. It also incorporates the results from both an internal and external survey as well as suggestions and feedback received from meetings with Judges, Justices of the Peace, and stakeholders.

This was a planning process that occurred during a global pandemic that has affected, in some way, every person on this planet. We will learn from our experiences and will make some changes – not simply for the sake of change but because in some circumstances we have accepted that there is a more effective way to fulfill our mandate and to realize our Mission and Vision.

This plan begins with an articulation of our Mandate, our Vision, our Mission, and our Core Values and then sets out the Court's focus over the next 3 years by stating broadly our strategic priorities, followed by our objectives and action items.

It is not intended to be a detailed description of activities but rather a roadmap that helps direct our activities and assists in making decisions about where to focus our energies and resources.

Mandate

The Provincial Court of Alberta came into being on July 1, 1973 when the *Provincial Court Act*, S.A. 1971, c. 86, came into force. It is a statutory Court of record that exercises jurisdiction in five main areas of law: Adult Criminal, Provincial Offences and Inquiries, Civil, Family (including Child Protection) and Youth Criminal. It is a constitutionally protected independent Court that assists persons in resolving their legal disputes and adjudicates matters in accordance with the Rule of Law.

The Court operates in 73 locations throughout the Province and acts as the adjudicating tribunal for the vast majority of legal disputes in the Province. Over the last number of years the volume of cases has risen significantly: by over 20% in Adult Criminal, Family and Child Protection cases and by 8% in Civil cases. The annual number of cases commenced on an average over the last 3 fiscal years are: Adult Criminal – 128,358 cases; Civil – 13,210 cases; Family – 11,743 cases; Child Protection – 8,512; and Youth – 6,957.

The Court operates a number of specialized therapeutic Courts and many of its Judges sit in specialized divisions.

Vision, Mission and Core Values

Vision

An independent and effective Court committed to the Rule of Law, respected and trusted by all Albertans.

Mission

To provide a fair, accessible and timely system of justice for all Albertans.

Core Values

Accountable and Transparent

Accessible

Effective and Efficient

Excellence

Equality before and under the Law

Fairness and Impartiality

Independent

Innovative and Responsive

The Chief Judge

The Chief Judge supports the Court by:

1. Preserving and protecting Judicial Independence
2. Providing strategic leadership
3. Advocating for sufficient resources for the Court
4. Working with the Deputy Chief and Council to lead long-term planning and policy development

5. Providing educational opportunities supplemental to those provided by the Alberta Provincial Judges' Association and the Society of the Justices of the Peace in Alberta
6. Developing, administering and reporting on the Court's budget
7. Directing and managing the Court Administrative Staff
8. Scheduling and assigning Judges and Justices of the Peace
9. Handling complaints in accordance with the *Provincial Court Act* and the *Judicature Act*

Why have a Vision and Mission?

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

In re-examining the Court's Vision, Mission and Core Values we first considered what these terms meant and whether, as a Court, we needed them. After all, is it not self evident what we are and what we are mandated to do? These concepts began with private organizations, moved to the not-for-profit sector and finally to government. Along the way Courts began to adopt planning processes and the creation of Visions and Missions became common – most provincial Courts have them – even the Supreme Court of Canada describes, in writing, its mandate and vision.

We examined the Visions and Missions of many other Courts and reviewed literature on the difference between these terms. There was no consistent definition or use of these terms. Some Courts had both and some only one.

We adopted this working definition of a Vision and Mission: the distinction between the two terms is rooted in the difference between “being” and “doing”. Our Vision statement describes “who we are” or “what we are striving to be” and our “Mission statement” describes “what we want to do” or “what we do for whom”.

As we discussed where to direct the resources allocated to the Court over the next three years we contemplated what our fundamental purpose was and what our future might look like. In the end we found it helpful to continue to articulate the Court's Mission and Vision, and the Core Values we hold. We believed that this would help us in making decisions now and in to the future.

We have articulated our Vision, Mission and Core Values in a slightly different way than in earlier plans. We did this after we carefully considered the comments in the internal survey.

For example, we deleted the word “modern” from the Vision statement and we have given greater priority to the word “independent”. We concluded that the word “modern” is no longer very modern and we agreed with many of the survey comments that the concept of independence is central to all we do.

More about our Core Values

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

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

We have re-stated, re-organized and listed our Core Values in alphabetical groupings.

Accountable and Transparent

The Values of Accountability and Transparency include the propriety of the court process, the reasons for the decision made, and the neutrality of the decision maker. Justice must not only be done but must also be seen to be done.

Accessible

The Value of Accessibility recognizes that all Albertans irrespective of their background or circumstances can gain entry to the legal process (including reasonable filing fees and other costs, access to counsel, and an interpreter when needed) and use Court resources in a way that lets them feel this is their justice system. The ability to obtain accurate and complete information about the court and judicial process, the law applicable to a particular case and the results of individual cases is also essential to accessibility.

Excellence

Judges and Justices of the Peace must make decisions based upon a thorough understanding of the applicable law, the facts of each case, and the complexity of the society in which we live, and must convey their reasons in a thoughtful and understandable way.

Effective and Efficient

A reliable system of Justice must be effective and efficient. It must balance the time required to properly obtain, present, and weigh the evidence, law and arguments, and avoid the unreasonable delay that is caused by inefficient processes and insufficient resources.

Equality before and under the Law, Fairness and Impartiality

The Values of equality, fairness and impartiality set the standards by which Judges and Justices of the Peace conduct themselves. In doing so the Court must embody the culture of respect in all interactions between members of the Court, its support staff, justice stakeholders, and all those who appear before the Court.

Independent

Above all things, a Court must be truly independent. Judicial independence is a cornerstone of the Canadian judicial system. Under our system the judiciary is separate from, and independent of, the other two branches of government, the executive and the legislative. It is a guarantee that each and every Judge and Justice of the Peace is able to make decisions free of influence and based solely on fact and law. This also includes the ability of the Court as an institution to manage legal and administrative processes without interference. Other aspects of this foundational principle are respected and advanced through the Judicial Council and the Judicial Compensation Commission process.

Innovative and Responsive

The Core Value of Justice does not change, but the way in which Court services are delivered does. The Court must be aware of the processes and technologies that exist and be prepared to incorporate them when it is appropriate to do so.

Strategic Priorities

Objectives and Action Items - Achieving the Strategic Priorities

STRATEGIC PRIORITY 1 – Judicial Independence

The principle of judicial independence has three components: security of tenure, financial security and administrative independence. All strategic priorities must be actualized in a way that does not infringe upon judicial independence.

- 1.1 Support the Alberta Provincial Judges' Association (APJA) and the Society of the Justices of the Peace (SJPA) in their efforts before their respective Compensation Commissions;
- 1.2 Continue to foster a strong working relationship with the APJA and the SJPA;
- 1.3 Together with the Minister of Justice, review the judicial appointments process to attract highly-qualified applicants for judicial positions and identify ways to expedite the timing of appointments when a judicial vacancy occurs;
- 1.4 Work with Alberta Justice and Solicitor General to update the 2017 Judicial Complement Report to reflect current workloads and conditions faced by the Court;
- 1.5 Continue to work collaboratively with the Attorney General of Alberta under the Memorandum of Understanding to address areas of mutual interest and concern;
- 1.6 Achieve a financial structure where the Court is recognized as separate from Resolution and Court Administration Services (RCAS);
- 1.7 Prepare annual Provincial Court operational budgets;
- 1.8 Maintain policies and procedures for Court administration that safeguard this principle;
- 1.9 Annually review and update the Provincial Court's 3-year Strategic Plan;
- 1.10 Prepare biennial reports of Court operations;
- 1.11 Achieve a change of the name of the Court from "The Provincial Court of Alberta" to "The Alberta Court of Justice", a name that more aptly describes the relationship between our citizens and the justice they seek from our Court;
- 1.12 Achieve a change in the formal title for judges of the Court from "Judge of The Provincial Court of Alberta" to "Justice of The Alberta Court of Justice";
- 1.13 Define areas of responsibility for management and administrative functions within the Court and achieve a reorganization of staff and functions where appropriate;
- 1.14 Implement performance management plans for support staff and legal counsel.

STRATEGIC PRIORITY 2 – Access to Justice

The Court must enhance access to justice through excellence in Caseflow management, enhanced dispute resolution and improved processes and practices to ensure the timely, efficient and effective delivery of all services provided by the Court.

- 2.1 Support the ongoing work and mandate of the Judicial Caseflow Management Committees of Chief and Council for Criminal, Civil and Family & Youth;
- 2.2 Develop and implement strategies and measures to improve Caseflow to prevent delay and improve lead times in Court proceedings;
- 2.3 Develop and implement an enhanced, integrated provincial trial coordination/case scheduling system to ensure optimum use of Courtroom and judicial resources;
- 2.4 Establish achievable time-to-trial targets for Criminal, Civil, Family, Child Protection and Youth Justice Courts;
- 2.5 Work to reduce “last-minute” trial collapses and trial adjournments in those areas over which the Court can exercise control in order to minimize loss of Court time and judicial resources;
- 2.6 Incorporate technology and processes to implement effective virtual appearances for counsel, witnesses and other justice participants in procedural, pre-trial processes, motions, dockets and where appropriate, matter involving viva voce evidence;
- 2.7 Adopt a standard set of protocols and best practices for virtual appearances;
- 2.8 Implement the *Criminal Rules of Court*;
- 2.9 Continue to advocate for an increase in the Civil jurisdiction to \$100,000;
- 2.10 Ensure that a well-qualified bench of French-speaking Judges continues to be available for French language proceedings;
- 2.11 Continue to develop early intervention and alternative case resolution processes particularly in Family and Child Protection matters.

STRATEGIC PRIORITY 3 – Judicial Education and other Judicial Supports

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

- 3.1 Work with the Alberta Provincial Judges' Association (APJA), Society of the Justices of the Peace (SJPA), the National Judicial Institute and other partners to improve the opportunities for Judges and Justices of the Peace to become involved in education and training projects and initiatives;
- 3.2 Review and update the Judicial Education Plans for Judges and Justices of the Peace, particularly for those newly appointed Judges and Justices of the Peace;
- 3.3 Review and update the Judicial Education Plan Mentorship Checklist for newly appointed Judges and Justices of the Peace;
- 3.4 Liaise with all other Court committees to ensure the education needs in those areas are incorporated in the education planning;
- 3.5 In addition to the bi-annual conferences organized by the APJA, the Office of the Chief Judge will develop and hold educational conferences for existing and newly appointed Judges and Justices of the Peace to enhance judicial education initiatives;
- 3.6 Continue to support Judges and Justices of the Peace in arranging relevant lunch and learn education sessions;
- 3.7 Support the Internal Judicial Education website and ensure that the materials posted, including bench books, are updated on a regular basis;
- 3.8 Continue ongoing training for Judges and Justices of the Peace on effective and efficient management of: i) self represented litigants; and ii) disruptive and vexatious litigants;
- 3.9 Assess the role of and the need for additional legal counsel to support the work of Judges, Justices of the Peace, and the Court as a whole, and assess the supports required for legal counsel;
- 3.10 Continue to advocate for an appropriate level of Library Services to support the Court;
- 3.11 Develop a comprehensive internal communication plan to better inform Judges and Justices of the Peace about matters of interest and concern to them.

STRATEGIC PRIORITY 4 – Technology and Infrastructure

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

- 4.1 Support the ongoing work and mandate of the Technology Committee of Chief and Council;
- 4.2 Develop and implement a Judicial Information Security Management System (ISMS), which conforms in principle to the Canadian Judicial Council Blueprint for the Security of Judicial Information (6th Edition 2019), and that is consistent with recognized information security and information management standards;
- 4.3 Incorporate technology and processes to implement effective virtual appearances;
- 4.4 Develop and implement the Digital Judicial Authorization system;
- 4.5 Support the development and implementation of Justice Digital Initiatives including:
 - a. A new Judicial scheduling system
 - b. Case management
 - c. M365 migration
 - d. E-filing initiatives
 - e. Courtroom digital service
 - f. Electronic informations
 - g. Electronic payment of fees system
 - h. Digital adjournment system
- 4.6 Work with the new Executive Director of Court Technology Services to ensure that the needs of The Provincial Court are promptly reflected in upgrades to infrastructure and services;
- 4.7 Participate in capital projects planning with Alberta Justice and Solicitor General, Alberta Infrastructure, Information Technology and other Alberta Courts;
- 4.8 Work with facilities management and continue to work with Alberta Justice to complete the upgrades to provincial Court facilities;
- 4.9 Work with Government to ensure an appropriate level of Court security in every Court location.

STRATEGIC PRIORITY 5 – Indigenous Initiatives

The Court will work to provide a culturally relevant, restorative and holistic system of justice for Indigenous individuals including accused persons, offenders, victims, families, youth and children as well as those Indigenous communities impacted by the actions of those who find themselves before the Court.

- 5.1 Support the ongoing work and mandate of the Indigenous Justice Committee of Chief and Council;
- 5.2 Continue to engage local Indigenous communities to gather input into the establishment of restorative and holistic systems of justice that are unique to particular communities, including the feasibility of establishing and implementing additional Indigenous Courts for Criminal as well as Family and Child Protection matters;
- 5.3 Engage with Traditional Knowledge Keepers and Elders to assist the Court in understanding the unique cultural background and social circumstances of Indigenous individuals and communities to fulfill the sentencing principle in s. 718.2 of the *Criminal Code* and the Supreme Court of Canada direction in *R. v. Gladue & R. v. Ipeelee*;
- 5.4 Work collaboratively with Alberta Justice and Solicitor General to develop an Indigenous Justice Strategy;
- 5.5 Identify strategies to improve the effectiveness of available services to Indigenous participants including, but not limited to, those who are experiencing Fetal Alcohol Spectrum Disorder;
- 5.6 Engage local Indigenous communities to assist in establishing a list of interpreters who can provide interpretation in Indigenous languages.

STRATEGIC PRIORITY 6 – Therapeutic and Specialized Courts

The Court will continue to respond to the needs and challenges arising from matters that involve: (1) justice participants from other diverse language, cultural, and ethnic backgrounds; (2) children and families; (3) self represented litigants; as well as those experiencing (4) mental health challenges; (5) addiction issues; and (6) domestic violence.

- 6.1 Identify strategies to improve the effectiveness of services to those participants who experience addiction and mental health challenges;
- 6.2 Continue to support the expansion of Drug Treatment Courts in Alberta;
- 6.3 Continue to support the strategies to improve the expansion and effectiveness of Domestic Violence Courts;

- 6.4 Continue the work with Alberta Justice and Solicitor General to determine the need and feasibility of establishing and implementing additional Therapeutic Courts;
- 6.5 Develop and implement strategies to improve Court services for self represented litigants;
- 6.6 Develop and implement strategies to improve Court services for children and families;
- 6.7 Continue to work with Alberta Justice and Solicitor General to ensure that there is effective and timely access to qualified interpreters for Court proceedings.

STRATEGIC PRIORITY 7 – The Role of Justices of the Peace

The role of the Justice of the Peace has evolved over time. They are a dedicated, knowledgeable group of individuals and there is a need to consider how to use their skills and experience in more diverse ways to enhance the Court’s ability to carry out its mandate.

- 7.1 Conduct a comprehensive review of the legislation, jurisdiction, mandate, appointment and structure of all aspects of the current work of Justices of the Peace;
- 7.2 Explore opportunities to have Justices of the Peace provide services to the full extent of their legislative authority;
- 7.3 Work with Alberta Justice and Solicitor General to determine the Justice of the Peace complement required to respond to current and anticipated workloads and conditions;
- 7.4 Together with the Minister of Justice review the application and appointment process for Justices of the Peace to attract highly qualified applicants and identify ways to expedite the timing of appointments;
- 7.5 Work with Resolution and Court Administration Services (RCAS) to ensure sufficient resources are maintained to support the work of Justices of the Peace.

STRATEGIC PRIORITY 8 – Public Respect and Awareness

Enhance public understanding, and community awareness of the Court and its critical role in maintaining respect for the Rule of Law and in the provision and delivery of judicial services to Albertans.

- 8.1 Develop a comprehensive external communication and outreach plan;
- 8.2 Continuously update and refresh the Court’s public website to make it more informative and user-friendly to the public and participants;
- 8.3 Develop and implement Court processes that support clear communication of expectations and decisions to the Public;

- 8.4 Work with the Alberta Branch of the Canadian Bar Association, the Law Society of Alberta and local Bar Associations to ensure that practitioners are fully informed of the Court’s initiatives;
- 8.5 Work to achieve a diverse and inclusive environment that respects all Court staff and participants;
- 8.6 Encourage judicial support for, and participation in, law conferences and relevant public forums on law and justice matters;
- 8.7 Continue to support school and other educational programs that foster knowledge of the role of the Court and its Judges.