

APPLICATION PROCESS FOR PROVINCIAL COURT JUDGE CANDIDATES

EXPRESSION OF INTEREST AND ELIGIBILITY

- Qualified lawyers who wish to be considered for appointment as a Provincial Court Judge should complete a **Judicial Candidate Information Summary** which provides the basic data for the subsequent assessment of, or comment on the candidature by the Judicial Council. Applicants should ensure this form is completed in full and in accordance with the instructions provided. All information received is treated confidentially.
- **Applicants are required to have a minimum of 10 years at the Bar.**
- No person other than a Canadian citizen may be appointed as a judge.
- Applicants are responsible for providing their criminal record/security clearance check. Those with an unpardoned criminal record will not be considered.
- Applicants will not be reimbursed for any expenses incurred in connection with their application or with the interview process.

JUDICIAL COUNCIL REVIEW

- Judicial Council consists of the Chief Justice of Alberta or designate, Chief Justice of the Court of Queen's Bench or designate, Chief Judge of the Provincial Court or designate, President of the Law Society of Alberta or designate, and two persons appointed by the Minister of Justice and Solicitor General. Judicial Council is chaired by the Chief Provincial Judge. The names of the two members appointed by the Minister of Justice can be found at <https://www.alberta.ca/public-agency-appointees.cfm>
- Judicial Council contacts the Alberta Law Society as part of their reference check to ensure there are no outstanding insurance claims or complaints against the applicant.
- Judicial Council interviews the applicant. Following the interview, Judicial Council provides the Minister of Justice with its recommendation as to the suitability of the applicant.
- The Ministry of Justice will advise the applicant in writing as to the status of their application (i.e. recommended/not recommended/not recommended at this time).

PROVINCIAL COURT NOMINATING COMMITTEE (PCNC)

- An applicant, who has been approved by Judicial Council, must also be interviewed and recommended by the PCNC before they can be deemed eligible for an appointment.
- The PCNC consists of eleven members. It has representatives from the Alberta Provincial Court, the Law Society of Alberta, the Canadian Bar Association (Alberta Branch), other members from the legal profession, and public members. The names of the eight members appointed by the Minister of Justice can be found at <https://www.alberta.ca/public-agency-appointees.cfm>
- The PCNC considers applicants on the basis of criteria such as integrity, professional excellence, community involvement, appropriate personal characteristics and representative of the population. The full criteria is set out on page 2 attached. The PCNC will determine those applicants to be interviewed by them, and conduct interviews for the purposes of adding names to the Appointment Eligibility List. The Minister of Justice will select a name from the Appointment Eligibility List to fill a vacancy in Provincial Court. A recommendation will be made to the Lieutenant Governor in Council and, if there is agreement, an Order in Council is issued appointing the new judge.

PROVINCIAL COURT NOMINATING COMMITTEE
Criteria used to select and recommend candidates
for appointment as Provincial Court Judges

Professional excellence

- A high level of professional achievement in the area(s) of legal work in which the candidate has been engaged.
- Leadership involvement in professional activities that keep one up to date with changes in the law and in the administration of justice. Contribution to the profession such as through writing, instructing or effective change.
- An interest in or some aptitude for the administrative aspects of a judge's role.
- Good writing and communication skills.

Community awareness

- A commitment to public service.
- Awareness of and an interest in knowing more about the social problems that give rise to cases coming before the courts.
- Interest in methods of dispute resolution, alternatives to formal adjudication and in community resources available for participating in the disposition of cases.

Personal characteristics

- An ability to listen.
- Respect for the essential dignity of all persons regardless of their circumstances.
- Politeness and consideration for others.
- Moral courage and high ethics.
- An ability to make decisions on a timely basis.
- Patience.
- Punctuality and good regular work habits.
- A reputation for integrity and fairness.
- Compassion and empathy.
- An absence of pomposity and authoritarian tendencies.

Demographics

- The provincial judiciary should be reasonably representative of the population it serves. This requires addressing any under-representation in the judicial complement of women, visible, cultural, and racial minorities and persons with a disability.

INSTRUCTIONS:

- **Please Note:** To use this form, you must have Adobe Reader installed on your computer. Please click here to obtain a free copy of Adobe Reader. <https://get.adobe.com/reader/>
- If you are using Google Chrome or Mozilla Firefox as your browser and are unable to open PDF forms, see the [Adobe Help](#) for a solution.
- The completed **Judicial Candidate Information Summary**, an original **passport-type photograph** and the **criminal record check** must be submitted to:

Carole Yarrow
Judicial Selection and Appointments Coordinator
Resolution and Court Administration Services
Alberta Justice and Solicitor General
9th Floor South, John E. Brownlee Building
10365 - 97 Street
Edmonton, AB T5J 3W7

- A *curriculum vitae* may also be submitted but not as a substitute for the application form.
- Handwritten applications will not be accepted.
- The Judicial Candidate Information Summary and other material received will be submitted to the Judicial Council for a preliminary assessment of suitability. Applicants will be contacted directly by the Office of the Chief Judge regarding an interview with Judicial Council.

For questions related to this form or the application process, please contact:

Carole Yarrow
Judicial Selection and Appointments Coordinator
Telephone: (780) 422-9625
Email: carole.yarrow@gov.ab.ca

Provincial Court of Alberta
Judicial Candidate Information Summary

Date: _____

- New Applicant
- Previous Applicant - Dates of previous applications: _____

1. Personal Information

Surname: _____

Given Names: _____

Residential Mailing Address: _____

- Use residential address as mailing address.

Home Phone: _____ Cell Phone (Optional): _____

Date of Call to Alberta Bar: _____ Number of years in actual practice: _____

Past or present membership in other Bars: _____ Dates of Membership: _____

Current Position/Firm Name: _____

Current Business Address: _____

- Use business address as mailing address.

Office Phone: _____

Email Address: _____

Languages spoken or written other than English (indicate level of proficiency):

Are you a Canadian citizen?

- Yes
- No

2. Formal Education

Secondary School: _____

Date Commenced: _____ Date Completed: _____

Degree/Diploma/Certificate: _____

University: _____

Degree: _____

Major: _____ Minor: _____

Date Commenced: _____ Date Completed: _____

Awards: _____

Law School: _____

Degree: _____

Date Commenced: _____ Date Completed: _____

Areas of Special Interest: _____

Awards: _____

Post Graduate Studies in Law: _____

Degree/Diploma: _____

Date Commenced: _____ Date Completed: _____

Areas of Special Interest: _____

Awards: _____

Professional Development

List any courses or activities in furtherance of continuing professional development that you have taken in the past five years:

From	To	Details

3. Professional History

Practice areas in the past five years:

Criminal _____% Family _____% Civil Litigation _____% Other _____%

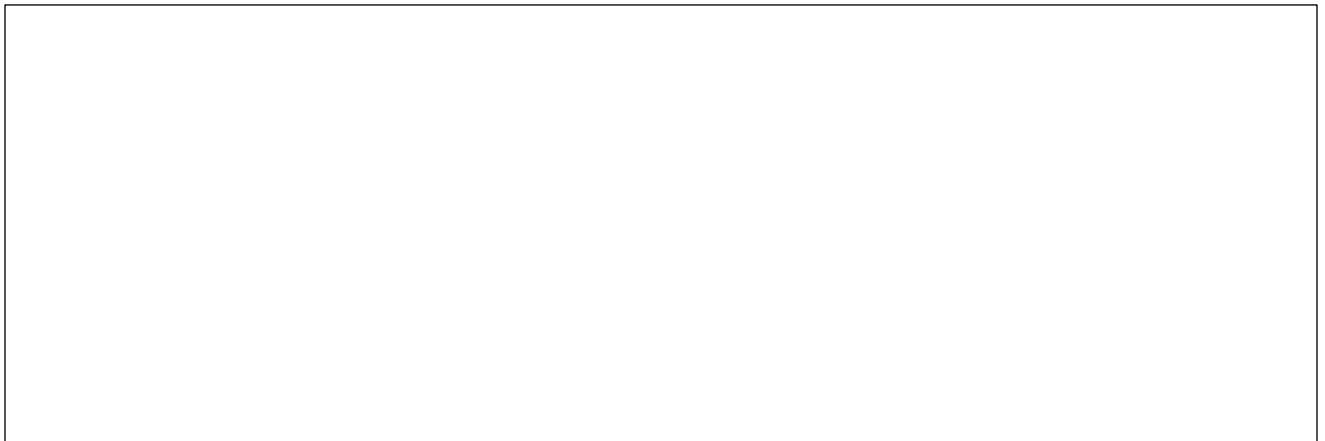
Professional and Employment Experience

Starting with the most recent, give a brief account of each position you have held. Indicate the years you held it and describe the general nature of the work you did and the experience you gained. Please advise of any leaves taken from the practice of law and include the reason.

Professional and Employment Experience, continued

A large, empty rectangular box with a thin black border, intended for the candidate to provide details of their professional and employment experience.

Describe your knowledge level and experience with computer applications and your use of them in your current legal work.

A rectangular box with a thin black border, intended for the candidate to describe their knowledge and experience with computer applications in their current legal work.

Participation in Professional Associations

Provide information on your involvement in any professional associations, including those associated with the legal profession, in which you have been more than a fee-paying member (e.g. serving on committees, holding an executive position).

5. Community and Civic Activities

Give an account of any community or civic activities in which you have been involved outside of those associated with the legal profession, particularly those which in your view shed light on your suitability for a judicial appointment.

Community and Civic Activities, continued

6. Preference for Residence

If you were appointed, in what areas of the Province would you be willing to reside? (Please rank your preference)

- a) First Choice: _____
- b) Second Choice: _____
- c) Third Choice: _____
- d) Fourth Choice: _____

7. Preference for a Division of the Court

Do you have a preference for a particular division of the Court? (**Applies to Calgary and Edmonton only** - e.g. Civil, Criminal or Family and Youth)

8. Personal Suitability

Please answer “Yes” or “No” to the following questions. **Provide a brief explanation of each “Yes” answer.**

- a) Have you ever been disciplined by any Law Society?

Yes No

If yes, explain:

b) Are there any matters such as business interest, civil claims, or personal matters which might embarrass you on the Bench?

Yes No

If yes, explain:

Are you aware of any matters that might lead to a perception of a conflict if you were appointed to the Bench?

Yes No

If yes, explain:

c) Have you ever been convicted or convicted and granted a pardon?

Yes No

If yes, explain:

Applicants must attend at their local police agency to obtain a criminal record check and return it with this application. The completed criminal record check is attached.

Yes No If no, explain:

d) Has the Law Society ever found you guilty of conduct deserving of sanction?

Yes No

If yes, explain:

(i) To your knowledge, does the Law Society presently have any open complaints or discipline proceedings against you?

Yes No

If yes, explain:

(ii) Has any insurer paid a claim in excess of \$5,000.00 (not including the deductible amount) in respect of your law practice?

Yes No

If yes, explain:

(iii) Have you been reported (including self-reporting) to any insurer in respect of your law practice within the last 10 years?

Yes No

If yes, explain:

e) Do you consent to our verifying the matters raised in questions 8.d) to 8.d)(iii) with the Law Society?

Yes No

If yes, please complete the attached Authorization for Disclosure of Information form.

f) Section 9.41 of the *Provincial Court Act* states:

“Unless otherwise authorized by the Lieutenant Governor in Council, a judge who is employed as a full-time or part-time judge shall not carry on or practice any other business, profession, trade or occupation”.

In view of section 9.41, are there any occupational, professional, or business concerns in which you would propose to stay involved after appointment?

Yes No

If yes, please list them.

g) Are you or have you ever been insolvent or in serious financial difficulties?

Yes No

If yes, explain:

h) Are you a signatory to any personal guarantees?

Yes No

If yes, explain:

i) Have you in the past 10 years, had any physical, mental, or emotional health problems, including those related to substance abuse, which interfered with your work? Please describe and explain the extent to which they may affect your duties on the Bench.

- Yes No

If yes, explain:

j) What judges have you frequently appeared before in recent years?

- (i) _____
- (ii) _____
- (iii) _____
- (iv) _____

k) What tribunals, agencies or boards, if any, have you appeared before in recent years?

- (i) _____
- (ii) _____
- (iii) _____
- (iv) _____

9. **Optional**

Given the goal of ensuring the development and maintenance of a judiciary that is representative of the diversity of Alberta's society, if you so choose, please provide information about yourself that you feel would assist in this objective.

10. **Reasons for Seeking Appointment**

Please explain your reason for seeking this appointment and how your education, experience, culture, personal life and character would assist you in discharging your judicial duties. **(2 page maximum)**

Reasons for Seeking Appointment, continued

[Empty text box for providing reasons for seeking appointment]

11. **References**

List a minimum of 8 references, 4 legal and 4 non-legal, including the information requested below for each reference. Please ensure your references are aware that they may be contacted regarding your application. **Home telephone numbers are mandatory, unless your reference is a judge. Do not include members of Judicial Council or the Provincial Court Nominating Committee as references. Letters of reference are not required.**

LEGAL REFERENCES

Name: _____
Occupation/Firm Name: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____

Name: _____
Occupation/Firm Name: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____

Name: _____
Occupation/Firm Name: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____

Name: _____
Occupation/Firm Name: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____

NON-LEGAL REFERENCES (Individuals who are familiar with you outside of the legal community).

Name: _____
Occupation/Company: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____
Nature of Relationship: _____
Years Known: _____

Name: _____
Occupation/Company: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____
Nature of Relationship: _____
Years Known: _____

Name: _____
Occupation/Company: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____
Nature of Relationship: _____
Years Known: _____

Name: _____
Occupation/Company: _____
Address: _____
Business Phone: _____ Home Phone: _____
Email: _____
Nature of Relationship: _____
Years Known: _____

12. **Colleagues**

In addition to your references, please list the names and telephone numbers of professional colleagues who are familiar with your work. Depending on the nature of your legal career, this could include judges before whom you have appeared, co-counsel or opposing counsel familiar with your work, lawyers, academics, government officials, business persons or other professionals who have an understanding of the nature of your work and who have had the opportunity to observe the application of your professional skills and abilities.

NOTE: Indicate here whether you authorize the Provincial Court Nominating Committee to consult your law partners or other close associates in addition to any that may be listed in this form.

- Yes No N/A

13. **Publications**

DATED this _____ day of _____, _____.
(Month) (Year)

Signature

Authorization for Disclosure of Information Concerning Candidate

I, _____
(Full Names)
of _____, Alberta, in consideration of the review and
assessment of my application for appointment as an Alberta Provincial Court Judge do hereby:

1. Authorize the Law Society of Alberta to provide to the Alberta Judicial Council, to the Provincial Court Nominating Committee and to the Minister of Justice and Solicitor General of Alberta full information respecting my membership in the Law Society of Alberta, including where applicable, information respecting complaints against my professional conduct, my insurance record, reports on my practice prepared by the Law Society of Alberta, any disciplinary proceedings taken against me or any records relating to a bankruptcy taken by me; and

2. Release, remise and forever discharge the Law Society of Alberta and its staff, the Alberta Judicial Council and their members, the Provincial Court Nominating Committee and their members, the Minister of Justice and Solicitor General of Alberta and staff, and all individuals consulted in respect of my aforesaid candidature, from any and all claims, causes of action, suits, actions and liabilities of every nature and kind whatsoever arising from, as a result of, or in any way related to the release of the aforementioned information, and/or the consideration and assessment of my said application and candidature.

3. Should I be a member of any other Law Society in Canada, I hereby authorize such similar body handling such matters in that jurisdiction to provide such information in sub-paragraph 1 and release all parties, including such similar body and staff as in sub-paragraph 2.

DATED this _____ day of _____, _____.
(Month) (Year)

Signature

Authorization Concerning Reference Consultations

All information will be kept in confidence. The Provincial Court Nominating Committee consults widely, both within and outside the sources provided in this form and in making enquiries will make every effort to maintain confidentiality.

I understand that some or all of my listed references may be contacted. I further understand that discreet reference enquiries as to my suitability for a judicial appointment may be made to members of the community, Bar and Judiciary.

I authorize the Provincial Court Nominating Committee to make these enquiries. Given its wide consultations, I acknowledge that the Committee cannot, however, accept responsibility for any unauthorized disclosure of an applicant's name.

DATED this _____ day of _____, _____.
(Month) (Year)

Insert Name

Signature