



Office of the Commissioner
for Federal Judicial Affairs

Bureau du commissaire
à la magistrature fédérale



Canada

Canada



Canada's Political System



Canada's Legal System



Canada's Judicial System



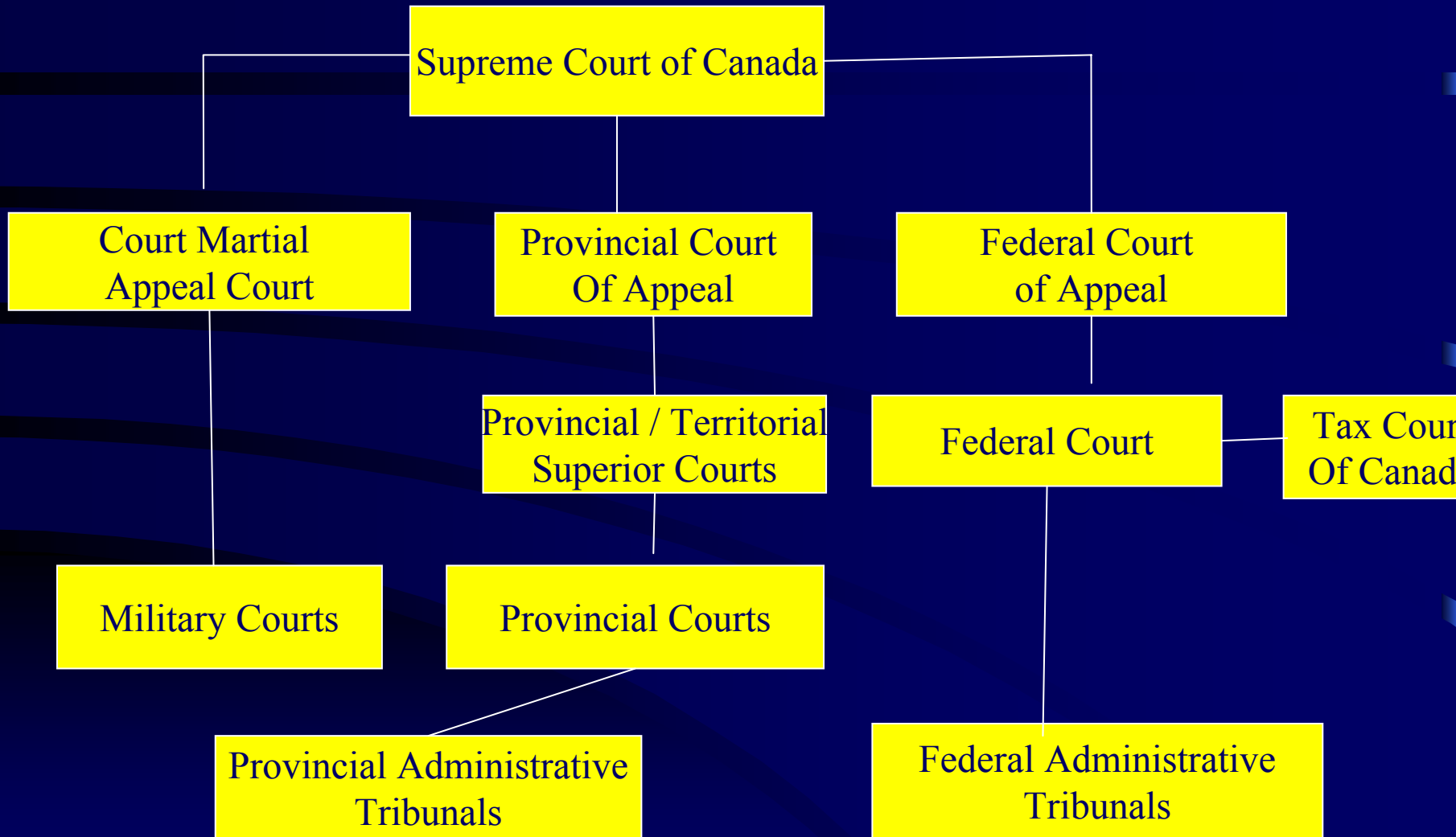
Judicial Independence in Canada

- Freedom to make judicial decisions without interference or influence from any source;
- Constitutional right of every Canadian to have his or her legal issues decided by a fair and impartial judicial decision-maker;
- A special protection that society guarantees to judges so that if judges make what they think is the fair and “right” decision, they don’t have to worry about being fired, or getting a pay decrease.

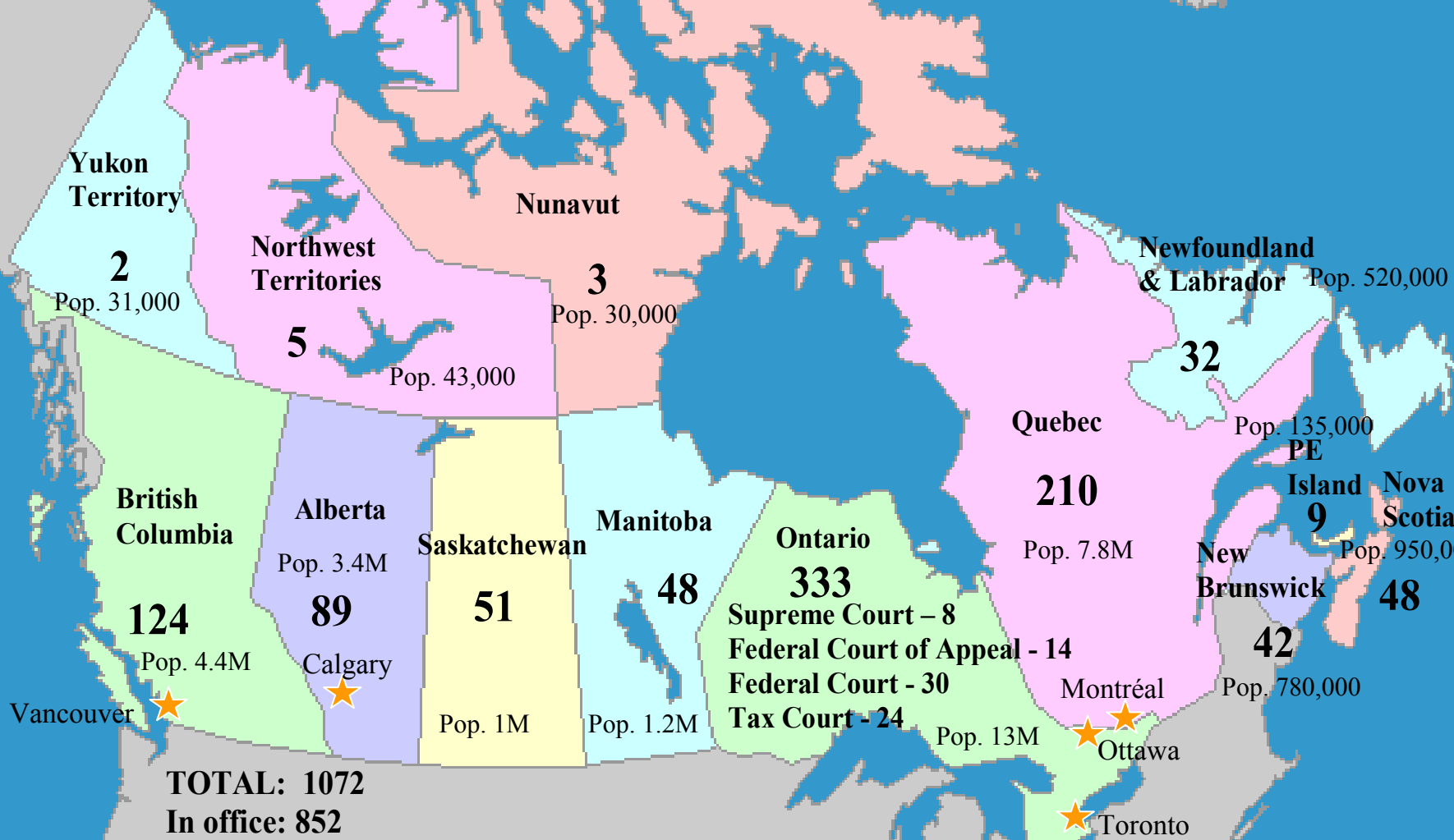
Main Precepts of Judicial Independence in Canada

- Security of Tenure
- Financial Security
- Administrative Independence

Canadian Court System



Federally appointed judges As of October 1, 2008



TOTAL: 1072
In office: 852
Supernumeraries: 220
Women judges: 337

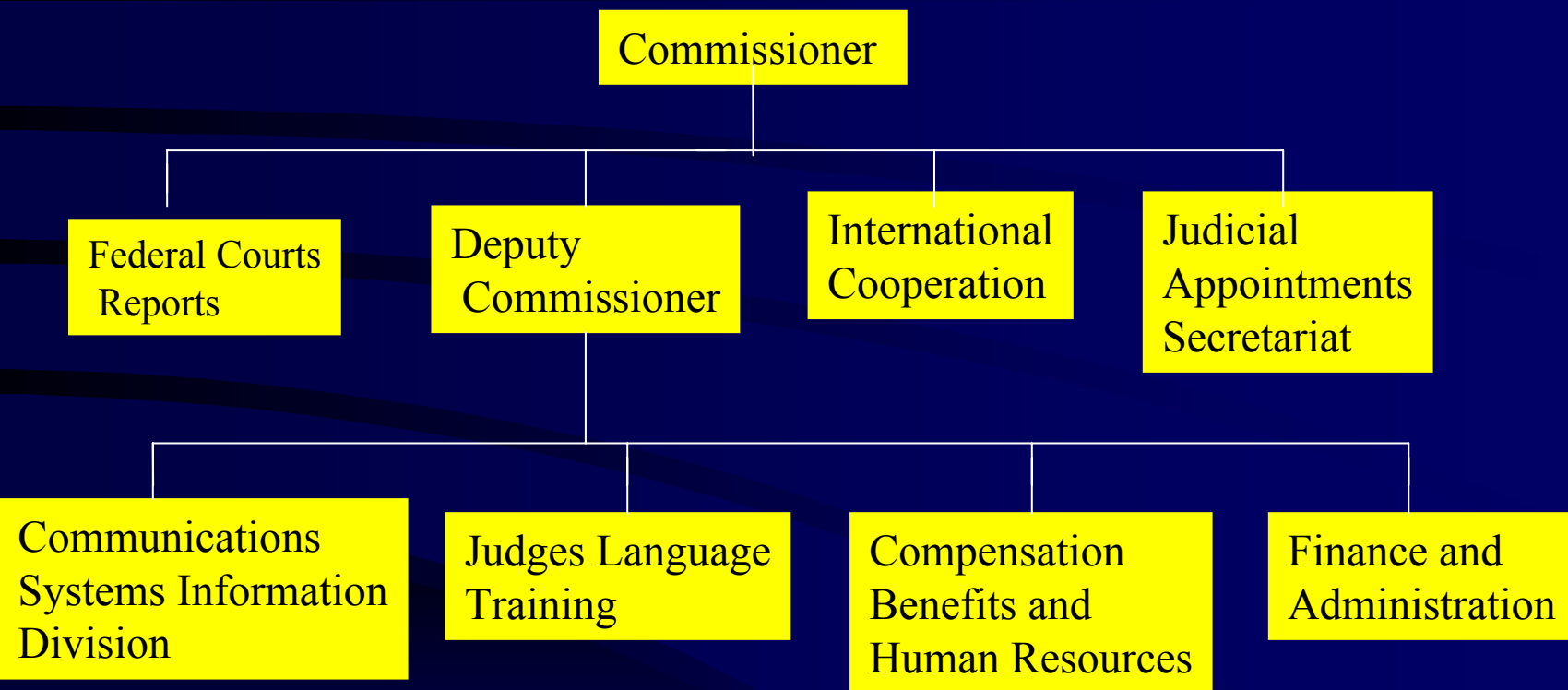
Supreme Court – 8
Federal Court of Appeal - 14
Federal Court - 30
Tax Court - 24

Office of the Commissioner for Federal Judicial Affairs

- Office created in 1978
- Status of government department
- To ensure judicial independence (arm's length from the Department of Justice)



Federal Judicial Affairs



Office of the Commissioner for Federal Judicial Affairs

FUNCTIONS

- Financial Administration, Compensation and Benefits
- Appointment of Judges
- Federal Courts Reports
- Language Training
- Technology, Development and Support
- Administration of the Canadian Judicial Council
- Secretariat to the Quadrennial Committee on Judges' Compensation and Benefits
- Other functions as instructed by the Minister
 - International Cooperation

Office of the Commissioner for Federal Judicial Affairs

FINANCIAL ADMINISTRATION

- Salaries
- Pensions
- Allowances

Office of the Commissioner for Federal Judicial Affairs

- APPOINTMENT OF JUDGES
- 17 Committees representing:
 - the provincial or territorial law society;
 - the Canadian Bar Association;
 - the Chief Justice of the province or territory;
 - The Minister of Justice of the province or territory;
 - the law enforcement community;
 - And 3 nominees of the federal Minister of Justice representing the general public

Office of the Commissioner for Federal Judicial Affairs

APPOINTMENT OF JUDGES

- Evaluate applications on given criteria
- Report to Minister
- 500+ applications per year; 50% not recommended
- 40-50 appointments per year

Office of the Commissioner for Federal Judicial Affairs

FEDERAL COURTS REPORTS

- Review decisions
 - 2000 per year
- Publish decisions
 - 5 % of 2000
- Publish digests
 - 20 % of 2000

Office of the Commissioner for Federal Judicial Affairs

LANGUAGE TRAINING

- Official languages
- Continuous language training (general and legal terminology):
 - Immersion sessions: 5 per year
 - Private tutoring
 - Private classes
 - Distance learning (pilot project)
 - Bi-juralism

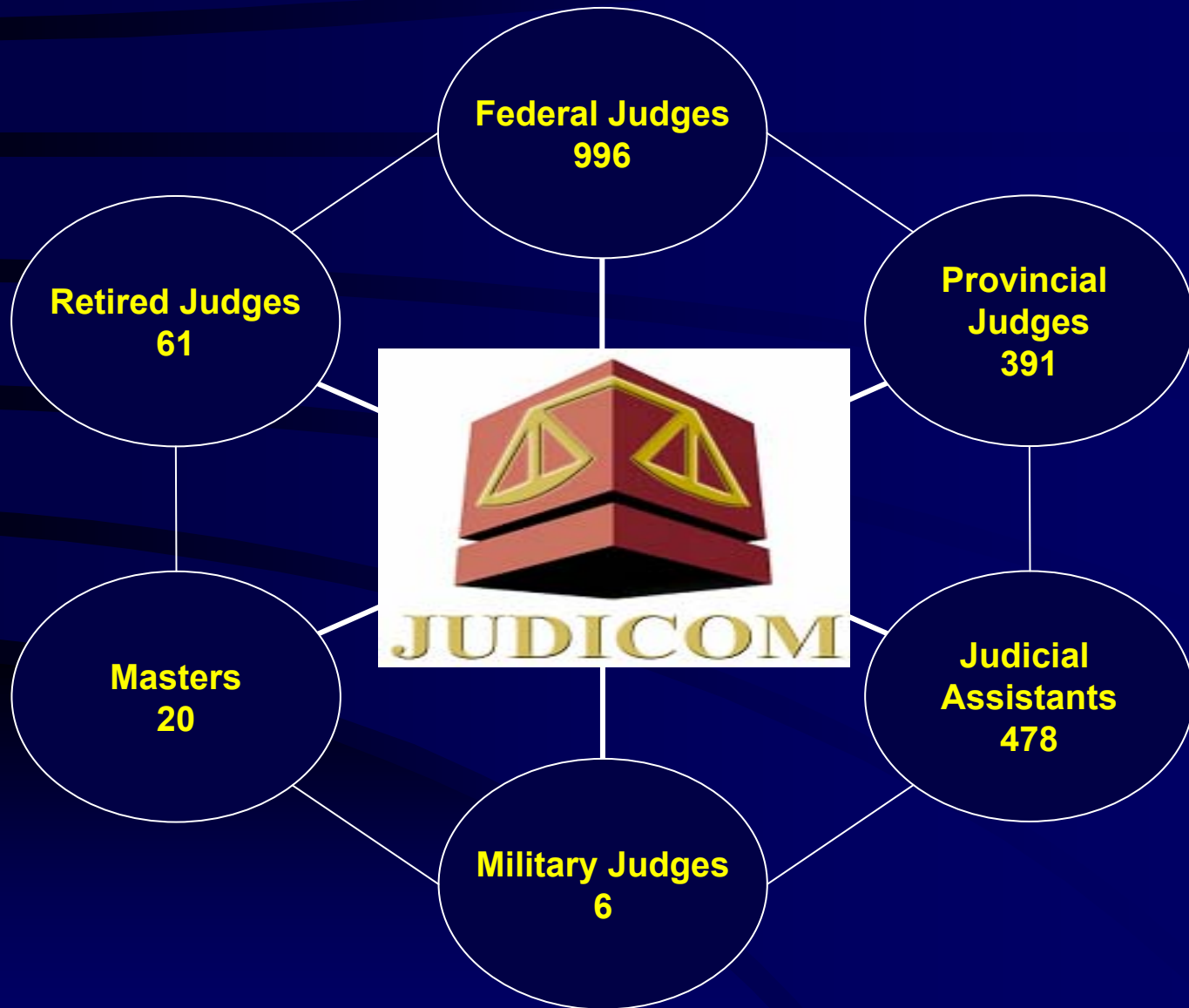
Office of the Commissioner for Federal Judicial Affairs JUDICOM



J U D I C O M

- ✓ E-Mail
- ✓ Calendar
- ✓ Contacts
- ✓ Document Storage
- ✓ E-Conferences
- ✓ Discussion Forums
- ✓ Instant Messaging
- ✓ Legal Research Links

Membership Groups and Number of Accounts:



Administrative Support to the Canadian Judicial Council

- Promotes efficiency, uniformity, and accountability, and improves the quality of judicial service.
- Investigates [complaints](#) about the conduct of judges.
- Can make recommendations, including removing a judge from office.
- The Commissioner provides administrative support to the CJC

Office of the Commissioner for Federal Judicial Affairs: International Cooperation Directorate

- Established in 1996 to coordinate initiatives related to the involvement of Canadian judges in international technical cooperation initiatives;
- As a governmental organization responsible to both the federal government and the judiciary in Canada, FJA coordinates and facilitates the transfer of knowledge, know-how and expertise abroad by drawing on its core business functions and the core functions of other judicial organizations in Canada (CAS, NJI, ACCA, etc.).

Office of the Commissioner for Federal Judicial Affairs: International Cooperation Directorate

- Executing Agent for multi-year multi-million Judicial Reform Projects in:
Ukraine (from 1996 to the present) Russia (from 1999 to the present); Ethiopia (2000-05) China (2002-03, 2005 to the present)
- Short or one-time assignments and delegations from, and missions to: Argentina, Chad, India, Singapore, Pakistan, Japan, Rwanda, Philippines, Organization of the Eastern Caribbean States, the Francophonie, etc.
- Projects are funded by the Canadian International Development Agency (CIDA)

Office of the Commissioner for Federal Judicial Affairs: Conclusions and Contact Information

Federal Judicial Affairs:

<http://www.fja.gc.ca>

Telephone: (1613) 992-5531

Court Administration Services

<http://www.cas-satj.gc.ca>

Telephone: (1613) 992-8850

Canadian Judicial Council

<http://cjc.gc.ca>

Telephone: (1613) 288-1566

National Judicial Institute:

<http://www.nji@judicom.gc.ca>

Telephone: (1613) 237-1118

Questions / Comments