JUDICIAL EDUCATION COURSE CALENDAR AND EDUCATION RESOURCES

BUILDING BETTER JUSTICE THROUGH LEADERSHIP IN JUDICIAL EDUCATION
CONTRIBUER À UNE MEILLEURE JUSTICE EN AGISSANT COMME CHEF DE FILE EN FORMATION DE LA MAGISTRATURE

www.nji-inm.ca
## Alphabetical Course Listings

### About this Calendar

Please consult the National Judicial Institute’s website at [www.nji-inm.ca](http://www.nji-inm.ca) for the authoritative and most up-to-date information on programs. The NJI reserves the right to make changes to the information contained in this publication without prior notification.

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“Led by dedicated and visionary professionals, the National Judicial Institute’s general philosophy affirms a strong commitment to strive continuously for ways to better serve the judiciary.”

PROFESSOR ROSALIE JUKIER, FACULTY OF LAW, MCGILL UNIVERSITY
NJI SENIOR ADVISOR, 2005-2007

« Seul un organisme dirigé des juges, tel que l’INM, saura créer les programmes nécessaires pour guider les juges et les préparer à affronter les défis qui se présentent à eux. »

THE HONOURABLE MICHEL BASTARACHE
RETIRED JUSTICE, SUPREME COURT OF CANADA
FORMER VICE-CHAIR OF THE BOARD OF GOVERNORS, NJI
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FROM THE CHIEF JUSTICE OF CANADA

THIS EDITION OF THE JUDICIAL EDUCATION COURSE CALENDAR AND EDUCATION RESOURCES comes as the National Judicial Institute (NJI) marks its first 20 years.

The NJI has become one of the acknowledged world leaders in the design and delivery of judicial education, known for offering dynamic and relevant programming to judges in Canada. The organization is also recognized for its contribution to a global judicial dialogue and its support for rule of law and judicial strengthening initiatives in many parts of the world. I offer my congratulations to the NJI on this milestone and on its remarkable achievements.

Bolstering this milestone is the NJI’s partnership with the judiciary—and with other organizations providing education to the judiciary—in a shared commitment to effective judging that is responsive to our continually changing world.

While Canada’s social mosaic was already richly textured in 1988 when the NJI was founded, continuing technological, cultural, environmental and economic changes have rendered the landscape of judging ever more complex. I firmly believe that to respond to the constancy of change, judges require a steady commitment to lifelong learning. The NJI’s general philosophy affirms a strong commitment to strive for ways to serve the judiciary through timely, innovative programming. As a result, Canadian judges benefit from excellent, ongoing opportunities to learn about the law and the communities it serves as they move through their careers.

The development of such a progressive curriculum would not be possible without the commitment and hard work of the many volunteer judges and other key contributors. On behalf of the Board of Governors, I thank them for their generous gift of time and expertise.

THE RIGHT HONOURABLE BEVERLEY MCLACHLIN, P.C.
CHIEF JUSTICE OF CANADA
CHAIR, BOARD OF GOVERNORS, NATIONAL JUDICIAL INSTITUTE

www.nji-inm.ca
I AM DELIGHTED TO WELCOME YOU TO THE FOURTH EDITION OF THE NATIONAL JUDICIAL INSTITUTE’S JUDICIAL EDUCATION COURSE CALENDAR AND EDUCATION RESOURCES.

This year, the NJI celebrated its 20th anniversary, a milestone in the development of judicial education in Canada. The NJI is dedicated to the development and delivery of educational programs for all federal, provincial and territorial judges, and is committed to maintaining and strengthening its leadership role in national and international judicial education. We work closely with the judiciary, the courts and other judicial education organizations to ensure that high-quality education is available to every judge in Canada. In doing so, we have been fortunate to benefit from the support of the Chief Justice of Canada and her predecessors in office.

The programs and learning resources that you will find in the Calendar are designed to respond to the evolving needs of the Canadian judiciary; their breadth reflects a commitment to timely, practical and innovative education on a wide range of subjects. You will find programming dealing with criminal, family and civil law issues; with issues facing contemporary Canadian society; with science and medicine; with the Charter; with evidence; with judicial administration, trial management, settlement conferences, mental health and a host of other topics for judges at all stages of their judicial career. Many courses address not only national, but also international, perspectives. All NJI programs seek to integrate substantive law, skills development and awareness of social context. For up-to-date information on these courses and on other upcoming seminars, please visit our website at www.nji-inm.ca.

To take full advantage of the rich array of opportunities, the NJI encourages judges to develop an education plan suited to their needs and interests with the assistance of their Chief Justice or Chief Judge and their Associates.

Judges, academics, lawyers and other professionals play an essential role in the conception, development, design and delivery of judicial education programming. Judges are our education leaders, without whose assistance and support the NJI could not function. I would like to express my heartfelt appreciation to all.

The NJI values your interest in and support of these programs. We also appreciate receiving your feedback when you attend different NJI programs, so that we can continue to develop and adapt our programming to meet your needs and those of your colleagues on the bench.

I look forward to meeting you at our programs.

THE HONOURABLE JUSTICE BRIAN W. LENNOX
EXECUTIVE DIRECTOR

www.nji-inm.ca
The National Judicial Institute (NJI) website provides judges with up-to-date information on courses, judicial education news, and information about domestic and international operations. The website also serves as a gateway to education resources, including the Judicial Library, Electronic Bench Books, and planning tools. Plan to visit www.nji-inm.ca at least once a month for updates and news.

**SCHEDULE OF JUDICIAL EDUCATION**

The Schedule of Judicial Education is a chronological listing of courses available to Canadian judges from the NJI and other judicial education organizations. Judges receive it twice a year by email, and it is also available on the NJI website.

**JUDICIAL LIBRARY**

The Judicial Library houses more than 9,000 documents online, including course materials from the NJI, Electronic Bench Books, and resources from the Office of the Commissioner for Federal Judicial Affairs (FJA) and other judicial education organizations.

For support or account information, or to obtain a username and password, please send an email to eresources@judicom.ca. For training on the Judicial Library, please contact the NJI’s Training Coordinator at ctp-pfi@judicom.ca, or by telephone at (613) 237-1118, ext. 285.

**JUDICOM**

JUDICOM is a communications and collaboration tool developed by the Office of the Commissioner for Federal Judicial Affairs (FJA). It provides the Canadian judiciary with secure email; secure, restricted-access forums for judges to exchange information and opinion; scheduling and other capabilities.

To set up a JUDICOM account, retrieve your username/password or to obtain support, please contact the JUDICOM Service Desk at judicom.support@judicom.ca or by telephone at 1-888-495-8849 / (613) 995-5160.

For training on JUDICOM, please contact the NJI’s Training Coordinator at ctp-pfi@judicom.ca or by telephone at (613) 237-1118, ext. 285.
HOW TO READ THIS CALENDAR

The Judicial Education Course Calendar and Education Resources helps the NJI meet one of its major objectives: to inform judges across Canada about the variety of educational opportunities available to them. It serves as a tool for judges to use to actively plan their ongoing education in consultation with their chief justices or chief judges and their mentors. The print version of the Calendar is published every few years. For the most up-to-date course listings, please visit the NJI website, www.nji-inm.ca. An alphabetical index of courses is available on the front inside cover of the Calendar.

The Calendar has four sections:

Part I. OVERVIEW OF JUDICIAL EDUCATION
The first section contains information on organizations that provide judicial education, and explains how judges can access courses and resources. It also introduces planning tools, such as the Judicial Learning Plan (for individual judges) and the Court Education Plan (for courts). It outlines recurring NJI course offerings, as well as the recommended core curriculum for newly appointed judges. This section also describes the NJI’s “judge-led, judging-focused” model of education.

Part II. JUDICIAL EDUCATION PORTFOLIO: MANY WAYS TO LEARN
The full portfolio of judicial education is made up of a continuum of courses and resources that use a variety of formats (e.g., in-person, online, self-learning). This section discusses the judicial education portfolio and introduces the NJI’s standing curriculum and Modules of Education.

Part III. JUDICIAL EDUCATION COURSES
This section contains descriptions for judicial education courses offered over the next two to three years in Canada by the NJI and other judicial education organizations. Courses are arranged by subject area (law, judicial skills and social context) and by area of interest related to the judicial career. Each course listing includes information on language, format and enrolment. For dates and locations, please refer to the NJI website (www.nji-inm.ca) and the NJI’s Schedule of Judicial Education, emailed to judges twice a year.

Part IV. INTERNATIONAL JUDICIAL EDUCATION
Canadian judges have a range of opportunities in international judicial education. This section provides information on courses and conferences offered outside Canada. It also outlines some of the roles that Canadian judges can play in international judicial reform initiatives. Some recent international initiatives are profiled.
The first section contains information on organizations that provide judicial education, and explains how judges can access courses and resources. It also introduces planning tools, such as the Judicial Learning Plan (for individual judges) and the Court Education Plan (for courts). It outlines recurring NJI course offerings, as well as the recommended core curriculum for newly appointed judges. This section also describes the NJI’s “judge-led, judging-focused” model of education.
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Chief Justice of Canada

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*on secondment from the Ontario Court of Justice
NATIONAL JUDICIAL INSTITUTE

Based in Ottawa, the National Judicial Institute (NJI) is an independent, not-for-profit institution committed to building better justice through leadership in the education of judges in Canada and internationally. Since its inception in 1988, the NJI has continued to develop and deliver stimulating programs and a variety of electronic resources that foster judicial excellence. Alone or in partnership with courts and other organizations, the NJI is involved in the delivery of the majority of education taken by judges in Canada.

The NJI’s reach spans Canada — touching all courts in all provinces, in both official languages and attentive to the bijural nature of the Canadian legal system. It is committed to producing and delivering outstanding judicial education programs and resources; upholding Charter values, judicial independence and the rule of law; and acting with integrity, reliability and consistency in fulfilling its mandate.

THE NJI PROVIDES THE CANADIAN JUDICIARY WITH:

- In-person and online courses, delivered across the country
- Programming in English and French, reflective of common law and civil law
- A curriculum that encompasses substantive law, judicial skills development and social context awareness
- A comprehensive set of course modules that can be used for self-learning or adapted by courts for their programs
- An extensive network of electronic resources
- A computer training program to complement judicial functions
- Connection to a national network of expert faculty members, including judges, academics and community members
- Expertise in principles and processes of course design for judicial educators and court education committees and
- Logistical support for court-based program delivery in venues throughout Canada

Through its International Cooperation Group, the NJI connects Canadian judges to international judicial reform initiatives, with a particular focus on judicial education capacity-building across five continents. This work includes designing and delivering judicial education projects, collaborating with partner judicial-education bodies, and responding to requests for judicial expertise (see “International Judicial Education,” p. 69).
THE COURTS

A significant portion of the education available to judges in Canada takes the form of court-based seminars. These include full court meetings and smaller regional or specialized jurisdictional meetings. The NJI is a key partner in the development and delivery of much of this education. The NJI offers support in planning the content, pedagogy and logistics of court-based education, working in a flexible manner with courts upon request. The NJI also makes available education resources such as the Court Education Plan, the Modules of Education and the course inventory. In many cases, a court and the NJI collaborate; a court may deliver an NJI module as part of its seminar, or the court may develop educational programming on a topic that then becomes a permanent part of the NJI curriculum.

Each of the courts in Canada offers education to its judges, generally at meetings of the court. Many also hold short education sessions over the lunch period or at the end of the day. All courts have a judge or judges who serve as education chairs or liaisons. Some larger courts have dedicated education secretariats.

The NJI’s Judicial Education Leaders’ Seminars for those who lead education in their courts — alternating years between provincial courts and superior courts — foster exchange between and among the NJI and court education chairs.

“The NJI has been invaluable to Newfoundland and Labrador in every respect in the preparation and presentation of our judicial education programs.”

THE HONOURABLE JUSTICE JAMES P. ADAMS
SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
OTHER JUDICIAL EDUCATION ORGANIZATIONS

CANADIAN ASSOCIATION OF PROVINCIAL COURT JUDGES
www.judges-juges.ca  Tel.: (709) 729-6272

The Canadian Association of Provincial Court Judges (CAPCJ) is a federation of provincial and territorial judges’ associations. Founded in 1973, its membership now includes most of the thousand-plus provincial and territorial judges in Canada. In most jurisdictions, CAPCJ membership is automatic with membership in a provincial judicial association.

A core part of CAPCJ’s mandate is to develop and offer judicial education to newly appointed provincial, territorial and military court judges and to its membership generally, and to assist in planning and coordinating judicial education with other education providers. CAPCJ holds a national annual conference each year that includes a substantial judicial education program. It also supports a number of regional judicial education programs for its members, including the Atlantic Education Conference, the Prairie Education Conference and periodic programs on selected topics offered in French.

CANADIAN CHAPTER OF THE INTERNATIONAL ASSOCIATION OF WOMEN JUDGES
www.iawj.org  http://www.nji-inm.ca/nji/Public/partner_organizations.cfm

The Canadian Chapter of the International Association of Women Judges (CCIAWJ) was formed in 1994. The CCIAWJ and NJI have partnered to offer several courses, starting with the 2001 conference on Emerging Challenges: Applications of International Law in Canadian Courts. In April 2005, a conference entitled Judging Across Borders: Canadian Judges and International Law was offered and, in November 2007, the chapter co-hosted the Emerging Issues conference with the NJI on Why Gender Equality Still Matters. In November 2009, the two organizations will co-host the conference Women, Girls, and the Justice System: Convergence, Divergence and Intersection in Ottawa.

The CCIAWJ is affiliated with the International Association of Women Judges (IAWJ), a non-profit, non-partisan organization of more than 4,000 members at all judicial levels in 87 nations. Since its establishment in 1991, the IAWJ has united women judges from diverse legal-judicial systems who share a commitment to equal justice and the rule of law. Through pioneering judicial education programs and worldwide collaboration, the IAWJ is working to advance human rights, eliminate discrimination on the basis of gender, and make courts accessible to all. Membership is open to all judges.
Since its inception in 1974, the Canadian Institute for the Administration of Justice (CIAJ) has explored leading-edge issues likely to improve the administration of justice and preserve a strong and independent judiciary. The CIAJ takes a multidisciplinary approach to identify emerging needs, and to promote research and educational endeavours towards these ends.

The CIAJ delivers a number of important judicial education programs, including a basic and advanced judicial writing program. With the NJI, it is also responsible for the two-part seminar for newly appointed federal judges and a seminar for longer-serving judges.

This non-profit organization’s mandate extends beyond the judiciary and encourages discussion and the exchange of views and perspectives from all spheres of the justice system. It sponsors an annual multidisciplinary conference and a fellowship program to promote research on the administration of justice in Canada, and publishes research papers, conference proceedings and books. It also organizes regular seminars for the legislative drafting community and administrative tribunals.

The Canadian Institute for Advanced Legal Studies (CIALS) is an important forum for the discussion of issues facing legal institutions. It provides scholarships to Canadian law students and fosters debate on current legal and related issues. The Institute holds conferences attended by judges and others every other year at Queen’s College, Cambridge, England, and every four years in Strasbourg, France.
FEDERATION OF LAW SOCIETIES OF CANADA
www.flsc.ca       Tel.: (613) 236-7272

The Federation of Law Societies of Canada (FLSC) brings together the law societies of the provinces and territories under one banner for projects and priorities that are national in scope. Its member law societies set and enforce standards of admission to the legal profession, as well as codes of conduct. They require members of the profession to maintain their competence throughout their careers and make sure that adequate insurance is available to the public in the event of professional negligence.

The Federation is the national and international voice of the law societies on important matters relating to the rule of law and the administration of justice in Canada, and sponsors continuing legal education with its National Family Law and National Criminal Law Programs.

OFFICE OF THE COMMISSIONER FOR FEDERAL JUDICIAL AFFAIRS
www.fja.gc.ca / www.cmf.gc.ca       Tel.: (613) 995-5140

The Office of the Commissioner for Federal Judicial Affairs (FJA) was created in 1978 to safeguard the independence of the judiciary and to put federally appointed judges at arm’s length from the Department of Justice. The FJA exists to promote the better administration of justice and focuses its efforts on providing sound administrative support to the federal judiciary. The FJA also provides language training for federally appointed judges (in both official languages).

The Commissioner is responsible for the administration of salaries, allowances and annuities, and surviving beneficiaries’ benefits for the judges of the Federal Court of Appeal of Canada, the Federal Court of Canada, the Tax Court of Canada and federally appointed judges of superior courts. In its role of supporting federal judicial activities, the FJA strives to meet four priorities: the protection of the administrative independence of the judiciary; the achievement of greater efficiencies in the conduct of judicial business through the use of up-to-date technology; the Commissioner’s statutory obligation to properly support judicial activities, and the provision of central administrative services to judges.
PARTICIPATING IN JUDICIAL EDUCATION

ELIGIBILITY
With reference to federally appointed judges, the Canadian Judicial Council has repeatedly affirmed the importance of judicial education as an essential part of the judicial role. For more information, see: www.cjc-ccm.gc.ca/cmslib/general/Edu_Guidelines_April_08_FINAL_EN.pdf.

Eligibility and registration processes for judicial education courses or programs vary among judicial education providers, and is indicated on promotional material.

Any judge can apply to attend NJI courses, although funding arrangements for federally and provincially appointed judges differ (see “Costs,” below). Generally, a limited number of judges can register for any one program. Some programs have allocations by province, and some courses give priority to certain groups (e.g., newly appointed judges or judges with involvement in judicial education). This information will be indicated in the detailed course information in this Calendar or in individual course flyers (available at www.nji-inm.ca).

Many courts have their own processes for establishing eligibility for seminar attendance; the office of the chief justice or chief judge will be able to provide this information.

If a course is offered by a court, generally only the members of that court can attend. Special invitations can, however, be issued to international judges or to judges of other provinces.

REGISTRATION
NJI Programs: For all programs associated with the NJI, registration forms in PDF format and additional information are available on the NJI website. Registration forms can be completed and returned to the NJI by fax (at (613) 237-6155) or by mail (250 Albert St., 4th Floor, Ottawa, Ontario, K1P 6M1). In many cases, registration can also be completed online at www.nji-inm.ca.

Language Training: The Office of the Commissioner for Federal Judicial Affairs offers English and French language training, and strongly encourages judges to attend. For more information, please contact the FJA’s Director, Judges’ Language Training, at (613) 992-9300, or toll-free at 1-877-583-4266.

COSTS
The cost of court-based education is generally assumed by the court in question without additional cost to judges.

Expenses incurred by federally appointed judges to attend NJI seminars are generally reimbursed according to guidelines issued by the FJA. Provincially appointed judges are required to pay a registration fee and to cover the travel, accommodation and other expenses associated with attending the course. These costs are usually fully eligible for professional development allowances. Registration forms provide information on costs.

VISITING INTERNATIONAL JUDGES
International judges interested in attending an NJI seminar may inquire about availability via email to nji@judicom.ca. International judges pay a registration fee and are responsible for all of their travel, accommodation and other expenses while attending. Funding may be available in a judge’s country of origin through the local Canadian embassy or high commission, or through international development project assistance funds.
LANGUAGE OF COURSES
Judicial education courses are offered in both of Canada’s official languages. NJI court-based programs are offered in the language of the court. NJI national seminars are bilingual (including documents, audiovisual materials and presentations). Generally, simultaneous translation is available. In some instances, courses will be passively bilingual (in which judges can speak and be understood in English or French). Courses may also be unilingual (English or French).

The language of instruction is indicated on the Schedule of Judicial Education and on the NJI website at www.nji-inm.ca.

PEDAGOGY: STYLE OF JUDICIAL EDUCATION
JUDGE-LED, JUDGING-FOCUSED, EXPERIENTIAL LEARNING

In recent years, judicial education has grown to encompass a variety of adult learning methods. While lectures remain part of NJI courses, they have become only one element of a broader array of activities, including group discussion, simulations drawn from real-life experiences, and practice sessions.

At programs, judges will often draw on their experience with the subject at hand and then share perspectives and observe good practice. Judges may explore the appropriate application of judicial principles or develop skills related to the practical tasks or processes of judging. The NJI aims to provide skills and knowledge that judges can apply immediately on the bench.

The NJI and many other judicial organizations also embrace the principle of peer education. Judges take leadership roles in designing educational programs, and as instructors and facilitators. This principle recognizes two important dimensions of judicial education: the need to ensure that programs are relevant and responsive to judicial experience, and the need to ensure judicial independence. Non-judges are also frequently involved, bringing particular research expertise or community knowledge to the table.
“The NJI’s commitment to integrating social context in judicial education is truly progressive and cutting-edge. It guarantees programming that is well rounded and gives judges that essential social perspective on today’s complex society.”

THE HONOURABLE J. MICHAEL MACDONALD, CHIEF JUSTICE
NOVA SCOTIA COURT OF APPEAL
Judicial education is seen as career-long professional learning. Because judges have different learning needs, depending on their experience and jurisdiction, it is important that they be able to shape their own learning processes. The NJI has made a commitment to judges that, over time, they will have access to a full range of relevant education in each area of their role.

In addition to the NJI website, this Calendar and the Schedule of Judicial Education, the NJI has developed several ways through which judges can plan their own education. These include:

- New Judges’ Education Plan: a menu of courses and resources for judges in their first four years on the bench
- Recurring judicial education seminars for all judges
- Computer training plan (see p. 28)
- Education Plan for International Judicial Educators: a menu of courses and resources for judges interested in contributing to international cooperation activities
- The Judicial Learning Plan (JLP), which judges can complete online (see p. 21)
- The Court Education Plan (CEP), a tool designed to help court education committees obtain information about the learning priorities of judges in their courts and match these to the NJI’s course offerings

NEW JUDGES’ EDUCATION PLAN

In 2002, the NJI and the Canadian Institute for the Administration of Justice (CIAJ) reviewed the education needs of new judges, and developed a New Judges’ Education Plan, which was approved by the Canadian Judicial Council for federally appointed judges. This plan has been steadily implemented. Pursuant to it, education for new judges consists of four core components:

1. Orientation education for newly appointed judges through court and national programs
   - For federally appointed judges, see p. 53.
   - For provincially appointed judges, see p. 53.
2. Mentoring and immediate connection to online resources
   - Handled at the court level via the office of the chief justice or chief judge
   - A wide range of electronic resources, including the Judicial Library, e-Letters in family and criminal law, and Electronic Bench Books are available at www.nji-inm.ca (see p. 28). Please contact eresources@judicom.ca for a username and password to access these resources.
3. A core curriculum for newly appointed judges
   Core courses include:
   - Computer Effectiveness and Skills Training Program for Judges (NJI) (see p. 47)
   - Criminal Jury Trials (NJI) (see p. 38)
   - Evidence Workshop (NJI) (see p. 41)
   - Hearing and Deciding Charter Issues (NJI) (see p. 38)
   - Judgment Writing Seminar (CIAJ) (see p. 45)
   - Judicial Ethics (NJI) (see p. 50)
   - Judicial Settlement Conferencing (NJI) (see p. 46)
   - Managing the Trial Process (NJI) (see p. 45)
   - Oral Judgments (NJI) (see pp. 44-45)
   - Preventing Wrongful Convictions (NJI) (see p. 39).

As they near five years on the bench, judges are also encouraged to attend the newly developed seminar on The Art and Craft of Judging: Your “Sophomore Years.” This five-day intensive program will be held each summer, starting in 2009 (see p. 51).
4. Release time to attend orientation programs and an intensive period of education in the first four years after appointment

The resolution for new judges’ education provides that 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.

RECURRING JUDICIAL EDUCATION SEMINARS

The NJI, the courts and other judicial education organizations coordinate dozens of courses each year. However, a small selection of core programs is offered each year, with continually updated subject matter. Judges may find it useful to anchor their plan of judicial education around one or more of these core programs:

NJI National Seminars
- Appellate Courts Seminar (held every 18 months, for appellate judges only)
- Civil Law Seminar (held each spring)
- Criminal Law Seminar (held each winter)
- Challenges in Judging Seminar (held each spring)
- Family Law Seminar (held each winter)
- Criminal Jury Trial Workshop (held each fall)

CIAJ Seminars
- Judgment Writing Seminar (held each June)
- The annual CIAJ conference (held each October)

Federation of Law Societies Seminars
- Family Law Intensive (held every other year in the summer)
- Criminal Law Seminar (held each year in the summer)

CAPCJ Seminars
- The CAPCJ National Education Seminar is offered each year, generally in the fall.

EDUCATION PLAN FOR INTERNATIONAL JUDICIAL EDUCATORS

Judges who are interested in contributing to international cooperation activities (for more information, see Part IV), are encouraged to become active faculty members in Canadian judicial education programs. To express interest in doing so, please register and provide information about your expertise and interest on the Canadian Judicial Faculty Roster (online at http://jednet.nji.ca). You can also contact the Executive Director at 613-237-1118.

A number of courses will help judges to develop their skills as educators and to refine these skills for the international context. These courses include:

- Judicial Faculty Development Seminar (see p. 55)
- International Judicial Faculty Development Seminar (see p. 57)
- Communication Skills in the Courtroom (see p. 44)

Resources:
- Judicial Education Guides (see p. 27)
- Modules of Education (see p. 27)
“...first and foremost was the belief that the NJI should exist for both provincially and federally appointed judges, and that it must reflect the bilingual, bijural makeup of the Canadian judiciary.”

THE HONOURABLE FRANK IACOBUCCI, RETIRED SUPREME COURT OF CANADA JUSTICE
HONORARY MEMBER, BOARD OF GOVERNORS

JUDICIAL LEARNING PLAN

The NJI’s Judicial Learning Plan (JLP) is a web-based interactive tool to help judges identify their learning priorities and create a long-term judicial education plan. The JLP matches judges with NJI courses that correspond with their learning priorities, interest and availability. Judges then work with their mentors and chief justice or chief judge to develop a plan that suits their needs and future interests, and that recognizes the expertise they bring to the bench.

The JLP was developed to:
- Guide the development of judicial education programming to ensure that, over time, judges have access to the full range of education in each area
- Guide judges through the NJI curriculum in a systematic way to meet their learning goals
- Foster judicial commitment to education as a career-long process of professional learning
- Provide a feedback loop to the NJI to ensure that program offerings meet judges’ needs
- Allow judges to share their judicial education experiences
- Identify potential faculty members by allowing judges to indicate their areas of existing expertise

The JLP can be completed online at http://www.nji-inm.ca/nji/Public/IEP/IEP.cfm.

COURT EDUCATION PLAN

The NJI developed the Court Education Plan (CEP) to help court-based education committees identify their judges’ learning priorities and to identify existing courses (the NJI’s Modules of Education; see p. 27) that address those priorities.

Judges indicate areas of interest by completing an online inventory of subjects related to law, skills and social context. The CEP then allows the education committee to identify priority areas and match those with NJI modules. Education committees can then review the modules and materials, and adapt relevant choices for the court’s education seminars.

Chairs of court-based education committees have access to the CEP on the NJI website at www.nji-inm.ca. For more information on Modules of Education, also visit www.nji-inm.ca.
The full portfolio of judicial education is made up of a continuum of courses and resources that use a variety of formats (e.g., in-person, online, self-learning). This section discusses the judicial education portfolio and introduces the NJI’s standing curriculum and Modules of Education.
“The NJI’s multidimensional approach to judicial education keeps Canadian judges knowledgeable in the law, skilled in its application and aware of legal and social developments that impact on our role. This approach has undoubtedly contributed to the high regard in which the Canadian justice system is held worldwide.”

THE HONOURABLE DEBORAH J. MCCAWLEY
COURT OF QUEEN’S BENCH OF MANITOBA
Judicial education encompasses many facets. To meet the fullest possible range of judges’ needs in a country as large and complex as Canada, courses and resources — the judicial education “portfolio” — are available in a variety of formats. At one end of the continuum are course-based activities. At the other end are educational resources that judges can access online at any time. This array responds to the need identified by judges to have not only courses, but also learning resources available between courses, and for “just-in-time” or self-directed learning. This section describes the various formats of judicial education courses and resources under the headings Courses, Modules of Education, NJI Publications, Electronic Resources and Dialogues with the Community.

**COURSES**

Several kinds of judicial education courses are available to judges.

**IN-PERSON COURSES**

The core activity of judicial education remains “in-person courses,” held away from the courthouse and for varying lengths of time. NJI national seminars are typically held over three days. A program may begin with a reception the night before and will generally conclude mid-afternoon on the final day. Longer (six-day) courses include the NJI “summer intensives”:

- *Hearing and Deciding Charter Cases*
- *Evidence Workshop*
- *The Art and Craft of Judging: Your “Sophomore Years”*

Orientation programs for new judges are one week long and take place in the fall and spring. They are the *Seminars for New Federally Appointed Judges* (with CIAJ) (see p. 53), the *Newly Appointed Provincial and Territorial Judges Skills Seminar* (with CAPCJ) (see p. 53), and CAPCJ’s *New Judges’ Training Program*.

**INSTRUCTOR-LED ONLINE COURSES**

Online courses offer a number of advantages, including enhanced access and lower costs, and the ability to participate unhindered by distance. They bring together judges from across Canada and internationally, and promote the sharing of a wide range of materials. Online courses also allow judges to drill down into a broad range of learning resources on topics of particular interest.

The NJI has developed an active online learning capacity designed to complement, but not replace, in-person learning. Online courses use a variety of formats and media, including audio-video conferencing and webcasting, video streaming, two-way text communications, video and electronic database tools. They may be synchronous (where everyone is online at the same time, interacting with the instructor and each other) or asynchronous (where judges can come online at any time and post comments to a “judicial lounge” for discussion).

Online courses offered by the NJI use a web-based course site to facilitate discussion and collaborative learning under the guidance of a law professor. Registrants spend approximately two hours per week reviewing course materials and responding to discussion questions. Each course is online for a four- or five-week period, with each instructor-moderated discussion lasting two to three weeks. The courses are problem-based, and enrolment is limited.

Registrants can participate as their schedules permit. For more information, please contact eresources@judicom.ca.
ONLINE COURSES (continued)

Upcoming Courses
- The Law of Impaired Driving
- Sufficiency of Reasons

Previous Courses
- Problems in Child Protection (April 2008)
- Problems in Section 7 of the Charter (September 2008)
- International Perspectives: Aboriginal Courts (Fall 2008)
- Responding to Young Offenders: Detention and Sentencing Under the YCJA (Spring 2007)
- Problems with the Under- and Self-Represented in the Criminal Trial (Winter 2007)
- Privacy, Technology and the Criminal Code (Fall 2006)
- Sexual Assault Trial (Fall 2006)

SHORT PROGRAMS

A number of courts offer short programs. These can include “lunch-and-learn” programs or end-of-day programs. The court’s education chair will have information on these opportunities for learning.

SELF-LEARNING

Judges are always learning — whether they are on the bench, talking with colleagues or reading. The NJI offers judges several opportunities for directed self-learning.

The Judicial Library at http://library.nji.ca contains materials from courses offered by the NJI from 2001 and onward. Effective January 29, 2009, all documents previously stored within the JUDICOM Library were transferred and consolidated in the Judicial Library. Also available in the Library are Electronic Bench Books and e-Letters on family law and criminal law (see “Electronic Resources,” p. 28).

Technology-guided self-learning resources include the Understanding Sentence Calculation course, which is available online at www.nji-inm.ca/Sentence/home.cfm.

The NJI also offers Modules of Education for self-learning or court use (see p. 78 for a complete list). These standalone units of education programming are extracted from seminars delivered by the NJI or courts. For example, the NJI’s sentencing program, originally offered through the Criminal Law Seminar, has been divided into available modules, which include: The Sentence Process; Principles of Youth Sentencing; Sentencing Options for Sex Offenders; What a Difference a Day Makes; and Community Sentences: Supervising the Offender.

Finally, for judges with an interest in international judicial reform and education, the JEDNET website at http://jednet.nji.ca contains a set of papers on relevant topics.

WEB-STREAMED CONTENT

The NJI has recorded content for the web on a range of issues. Judges can access these videos, as well as a list of programs, via the NJI website, www.nji-inm.ca. Topics include “Computer Security,” “Sufficiency of Reasons and Oral Judgments,” “The Conduct of the Trial,” “Documentary Evidence,” “Statutory Interpretation” and “Expert Witnesses.” For more information, please send an email to eresources@judicom.ca.
MODULES OF EDUCATION

In addition to scheduled courses, the NJI maintains a standing curriculum of education “modules,” drawn from the best of previous programming. More than 90 of these standalone units of education are available on the NJI website. Court education committees building their own programs are the primary users of the Modules of Education. Judges may also find them useful for self-learning. Each module is packaged with a complete list of materials (e.g., papers, PowerPoint presentations, hypothetical situations) available for download. Videos that go with each session can also be previewed.

Each module includes a short description of the content and format of the program (e.g., exercises, lectures), learning objectives, suggested options for duration, a list of potential presenters and the language in which the module was developed and previously presented.

The modules are available online at www.nji-inm.ca. They can be searched by category and title words. Judges must log in to view detailed information.

Examples of relevant modules appear throughout the course listings. For a complete list, see p. 78 or visit the NJI website.

For help navigating through module offerings, please contact eresources@judicom.ca. For questions regarding course content, please contact the NJI Academic Director at 613-237-1118.

NJU PUBLICATIONS

The NJI regularly commissions and issues publications of interest to the judiciary. These publications are available electronically on the NJI website at www.nji-inm.ca. For assistance, please contact eresources@judicom.ca.

Publications include:
- The Most Important Thing is to Begin (on the judgment-writing process)
- The Law Simply Stated (extracted from online course summaries)
- Judging for the 21st Century: A Problem-solving Approach (on therapeutic jurisprudence)
- Literacy in the Courtroom: A Guide for Judges
- Literacy and Access to the Canadian Justice System Casebook
- People with Intellectual Disabilities and the Courtroom: A Guide for Judges
- Judicial Education Guides (on developing education programs)
The Judicial Library houses more than 9,000 documents, including course materials from the NJI and from the Office of the Commissioner for Federal Judicial Affairs. The collection is expanding to include papers from the Canadian Institute for the Administration of Justice and the Canadian Association of Provincial Court Judges, as well as documents from other judicial organizations.

Members of the judiciary can access the secure site to perform and save searches using functions such as full text, keyword, author, date and conference searches. All Electronic Bench Books are now available in the Judicial Library.

The Library application permits users to:
- Preview and search within documents without having to download them
- See search terms highlighted within documents
- Browse by document type (e.g., e-Letters)
- Quickly access papers from courses they've attended using a link from the Library home page

The Library can be accessed through links in both the NJI's website and JUDICOM, or directly at http://library.nji.ca.

For support or account information, please send an email to eresources@judicom.ca.
ELECTRONIC BENCH BOOKS

The NJI, in collaboration with judges and academics, has created a library of Electronic Bench Books (EBBs). EBBs generally consist of short summaries of the law, checklists, access to relevant legislation and cases, as well as access to papers and other electronic resources. In addition to these features, EBBs can easily be searched and personalized with annotations.

The following is a list of EBBs available as of July 2008 (more are added periodically):

- Bench Book for Sitting Judges : Bench Book for Sitting Judges : Self-represented Litigants and Self-represented Accused: Cahier d’audience électronique à l’intention des juges : les plaideurs et les accusés non représentés par un avocat
- Child Witnesses
- DNA Data Bank Handbook / Le guide d’utilisation de la banque de données génétiques
- Evidence / La preuve
- Family Law (Ontario)
- Language Rights of the Accused / Les droits linguistiques de l’accusé en matière de langues officielles
- Mentally Disordered Offenders
- Sexual Offenders
- Youth Criminal Justice Act / Loi sur le système de justice pénale pour les adolescents

For support or account information, send an email to eresources@judicom.ca.

DIALOGUES WITH THE COMMUNITY

Judicial independence requires judges to remain impartial and free of improper influence. At one time, this was thought to mean that judges should live a somewhat removed existence, separate from the community. Today, the NJI’s “Three Pillars” principle recognizes the benefits of exchange and learning between judges and non-judges, particularly in relation to judicial education planning. It provides:

- Judges and non-judges can usefully collaborate on program planning and delivery; indeed, programming is enhanced by involvement of legal practitioners, legal and other academics and members of the wider community.

The Three Pillars principle recognizes that judges, academics, lawyers, and community-based experts or practitioners offer diverse and valuable knowledge about the functioning legal system. Tapping into community-based knowledge in ways that uphold judicial independence helps to ensure appropriate understanding of issues, high-quality content and widespread credibility of programming from the point of view of judges and non-judges alike.

In addition to obtaining and sharing information relevant to judicial education, community-judicial dialogue provides a forum through which the community can better understand what judges do, and the contexts and constraints within which they work. Such dialogue can build respect for, and confidence in, the administration of justice. As such, this form of dialogue is another form of judicial education.

Examples of community-judicial dialogue include two education programs developed by judges’ associations:

- Try Judging (Canadian Superior Courts Judges Association): Available at www.tryjudging.ca, this bilingual, multimedia education program for Canadian high-school students explores the role of judges and key concepts such as the rule of law and judicial independence. Conceived, designed and produced by judges, Try Judging has been adopted as part of the curriculum for social studies, law or civics courses in several provinces.

- Judicial Independence: What It Means to You (Canadian Judges Forum): Available in both English and French, this 20-minute video was produced by the Canadian Judges Forum and examines how and why judicial independence is so important to Canadian democracy. Featuring prominent expert leaders, the video is ideal for upper-level high school students, but can also be useful to lawyers and judges who are speaking to the public on the issue of judicial independence.

www.nji-inm.ca
This section contains descriptions for judicial education courses offered over the next two to three years in Canada by the NJI and other judicial education organizations. Courses are arranged by subject area (law, judicial skills and social context) and by area of interest related to the judicial career. Each course listing includes information on language, format and target audience. For dates and locations, please refer to the NJI website (www.nji-inm.ca) and the NJI’s Schedule of Judicial Education, emailed to judges twice a year.
“It is exciting to see how the NJI has moved from a lecture-based approach to new methods of judicial education that include teaching judging as a skill as well as an art. This new experiential style of learning has become a hallmark of the NJI. NJI’s high standards are influencing the development of judicial education beyond Canada’s borders.”

THE HONOURABLE JUSTICE GEORGINA R. JACKSON
COURT OF APPEAL FOR SASKATCHEWAN
This section contains descriptions of many of the judicial education courses (from all providers) available to judges in the next two to three years. Related modules of education are also listed.

COURSES ARE PRESENTED IN THREE MAIN SECTIONS:

- Courses offered by the NJI and other organizations, by subject
- Courses by judicial career phase or specialized judicial work and
- Courses offered by individual courts

Additional information on scheduling, agendas and materials can be accessed via the NJI website at www.nji-inm.ca.

THE NJI CURRICULUM

The NJI has developed an overall curriculum of judicial education. This curriculum guides the Institute's course development and scheduling to ensure that judicial education meets the learning needs of judges over time.

The curriculum is organized using two approaches: first, by subject or theme; and second, by judicial focus, such as career or leadership roles.

1. SUBJECT OR THEME

The subject curriculum has three sections, focusing on: content of judging, craft of judging, and context of judging. While most courses begin with one dimension, increasingly, every course will include all three dimensions.

I. CONTENT OF JUDGING (see p. 37)

This area of the curriculum includes courses that address specific bodies of substantive law or knowledge from other disciplines. It is subdivided into three groupings:

A. Substantive law
B. Evidence law and procedure
C. Knowledge from other disciplines

II. CRAFT OF JUDGING (see p. 44)

Courses in this area of the curriculum focus on criteria for effective performance of key judicial skills and tasks, and provide hands-on opportunities for judges to enhance their skill sets. Craft of judging is subdivided into three groupings:

A. Judge craft: skills and tasks relevant to the judicial role, such as judgment writing or communication
B. Court craft: skills and tasks inherent to managing court and settlement processes (e.g., the trial process)
C. Profession craft: skills that assist judges to perform their work (e.g., research and computer skills)
III. CONTEXT OF JUDGING (see p. 49)
This area of the curriculum includes courses that address the environment and institutions within which judging occurs. These courses tend to be thematic, cutting across a range of substantive law and engaging various judicial skills. These courses are organized into three groupings:

A. Social context
B. Judging and the judicial role, including judicial ethics, impartiality and judicial philosophy
C. Judicial institutions, including court administration and the role of the courts in an open society, including questions about the media and community

2. JUDICIAL FOCUS: CAREER AND LEADERSHIP
The judicial career curriculum is organized around elements of the judicial career, and leadership roles undertaken by judges. These courses are designed to address knowledge, skills and social context in a range of subject areas according to particular judicial experience. Courses fall into three main categories: judicial career, court leadership and judicial education leadership.

I. JUDICIAL CAREER (see p. 53)
Courses focused on judicial career include seminars for new judges, longer-serving judges and judges approaching retirement.

II. COURT LEADERSHIP AND SPECIALIZATION (see p. 54)
Courses focused on court leadership and specialization focus on particular roles that judges may play over their careers: as chief justices, as judges presiding in specialized courts, and as appellate judges.

III. JUDICIAL EDUCATION LEADERSHIP (see p. 55)
The curriculum is geared toward judges interested in judicial education. It addresses the different roles that judges undertake as educators, from facilitation or presentation to planning and curriculum design.

3. COURSES OFFERED BY COURTS (see p. 59)
Programs offered by courts tend to include a wide range of subjects and resist easy categorization into themes or judicial functions. They form an important part of ensuring that judges have access to comprehensive education.
COURSES ORGANIZED BY SUBJECT OR THEME

This section contains descriptions of courses designed to address a particular subject or theme in depth. Courses designed for judges at particular career stages or by specialized roles are listed beginning on p. 53.

All judges may attend courses offered by the NJI or other judicial education organizations. Some subject-based seminars offered by courts are included in this section, although registration is limited to members of that court.

References to relevant modules of education are included with the course listings in each main area of law. They can be used by judges for self-learning or by court education committees when planning future court programs.

EACH ENTRY CONTAINS A QUICK REFERENCE GUIDE THAT INDICATES:

- Scheduling
- Language (English, French, bilingual with simultaneous interpretation (B/SI), passively bilingual (PB))
- Mode (in person, online, self-learning)
- Length (number of days)
- Provider (NJI, court [identified], other organization [identified])
- Target audience
“The leaders of the NJI have all been willing to experiment, to consult with judges, and to accept new ideas about the art and craft of judging.”

THE HONOURABLE JUSTICE C. ADÉLE KENT, COURT OF QUEEN’S BENCH OF ALBERTA, NJI JUDICIAL ASSOCIATE
ABORIGINAL LAW

ABORIGINAL LAW SEMINAR (NJI - B/SI)
SPRING 2009  THREE DAYS  IN PERSON
SUPERIOR COURT

Cases involving Aboriginal persons require special legal knowledge and cultural awareness. This three-day seminar will assist judges in addressing a broad range of issues that may arise in court, including constitutional Aboriginal rights, conflict management and child protection. The seminar will look to the future and discuss innovative approaches to the sentencing of Aboriginal offenders.

TOPICS MAY INCLUDE
- The Constitution and Aboriginal rights
- Understanding relevant treaties
- The constitutional framework for decision-making
- Evidence and language in Aboriginal cases
- Conflict management and injunctions
- Métis, non-status issues
- Aboriginal family, community and culture: the context of decision-making
- Child protection: current issues and new approaches
- Innovative approaches to the sentencing of Aboriginal offenders

ABORIGINAL LAW: GOVERNANCE ISSUES AND JUDICIAL REVIEW (NJI - B/SI)
SPRING 2009  ONE DAY  IN PERSON
FEDERAL COURT

Through a mix of presentations by academics, practitioners and judges, and through plenary discussions, participants will have an opportunity to review procedural and substantive issues and best practices in relation to Aboriginal law proceedings in the Federal Court. The presentations and discussion will be divided between substantive presentations on law-making authority and governance issues, and practical discussions regarding litigation practice.

TOPICS MAY INCLUDE
- Law-making authority (customary and non-customary law)
- Procedural and substantive aspects of proceedings involving Aboriginal law
- Best practices

ABORIGINAL LAW MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Administrative Law Update

CIVIL LAW

CIVIL LAW SEMINAR (NJI - B/SI)
EVERY SPRING  THREE DAYS  IN PERSON
ALL JUDGES
SPRING 2009 THEME: CONTRACT LAW

The Civil Law Seminar is one of the NJI’s annual national seminars. It is available to all courts. Programming follows a three-year cycle: torts, contract law and commercial and corporate law. In turn, each of these themes follows another three-year program cycle. The first program is directed to general concepts, with the second and third years providing more in-depth analysis on specific topics. The cycle of themes and a sampling of illustrated topics is:

Year 1: Torts
- New developments in tort law
- Duty of care and causation
- Damage assessment
- New areas in tort law (e.g., cyber torts)

Year 2: Contract Law
- Growth of the judicial role in interpreting contracts
- Contracts in a global context
- Impact of human rights on contracts

Year 3: Corporate and Commercial Law
- Liabilities of public regulators in capital markets
- Duties and powers of directors in difficult situations
- Inherent jurisdiction

INSOLVENCY SEMINAR (NJI - B/SI)
WINTER 2010  ONE DAY  IN PERSON
ALL JUDGES

This one-day seminar is held in conjunction with the annual UBC insolvency seminar, offered by the University of British Columbia’s National Centre for Business Law. The seminar covers current and future issues, with a view to improving the conduct of insolvency proceedings, including proceedings under The Bankruptcy Act and the Companies’ Creditors Arrangements Act.

CIVIL LAW MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Civil Law: Corporate Law Issues and the Insolvent Corporation
- Corporate Issues in Family Law
- Automobile Insurance and Personal Injury Claims
- Emerging Issues in Civil Law: The Impact of Charter Values
COURSE LISTINGS

I. CONTENT OF JUDGING CONTINUED

COMPARATIVE LAW AND BIJURALISM

- COMPARATIVE LAW MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Bijuralism

CONSTITUTIONAL LAW

(INCLUDING THE CANADIAN CHARTER OF RIGHTS AND FREEDOMS)

- HEARING AND DECIDING CHARTER ISSUES
  (INTENSIVE) (NJI - B/SI)
  SUMMER  FIVE DAYS  IN PERSON
  ALL JUDGES

This intensive, five-day workshop gives judges practical experience in dealing with Charter issues. Participants learn about a variety of Charter rights and freedoms in criminal and civil contexts, procedural issues, equality rights and the role of the judge in Charter cases. Using diverse teaching methods and small-group work animated by judges and other experts, the course revolves around mock fact situations in civil and criminal law matters. Generally, each day begins with a session that introduces general concepts, followed by demonstrations, discussion and the opportunity to apply these concepts to the problem. At the end of each day, time is devoted to a rolling case study, which summarizes the material learned that day and its application.

TOPICS MAY INCLUDE
- Overview of the Canadian Charter of Rights and Freedoms
- Remedies available under the Charter
- Search and seizure under section 8
- Investigative detention under section 9
- Right to counsel issues
- Overview of section 7: life, liberty and security of the person
- Equality framework: section 15 — equality rights conceptual overview
- The role of perspectives and values in judgment
- Reasonable limits, section 1 and freedom of expression (section 2(b))
- Procedure in dealing with motions to exclude evidence in criminal cases
- Framework for criminal and civil law judgments

- CONSTITUTIONAL LAW AND CHARTER MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Emerging Issues in Civil Law: The Impact of Charter Values
  - Criminal Charter Intensive (for provincial courts)

CRIMINAL LAW

- CRIMINAL LAW SEMINAR (NJI - B/SI)
  SPRING  THREE DAYS  IN PERSON
  ALL JUDGES

This three-day, annual, national NJI seminar focuses on new and emerging criminal law issues from a judicial perspective. Programming generally follows a three-year cycle: substantive criminal law, criminal procedure and criminal law evidence. The cycle of themes and a sampling of illustrated topics is:

Year 1: Substantive Criminal Law
- Economic crimes
- Search and seizure
- Sentencing

Year 2: Criminal Procedure
- The judge’s role in case management
- The preliminary inquiry
- Pre-trial procedures
- Charter and trial motions
- Unrepresented accused
- Youth sentencing
I. CONTENT OF JUDGING CONTINUED

Year 3: Criminal Law Evidence
- The Charter on the streets
- Sufficiency of reasons
- Language rights and interpreters
- Conditional sentencing

- PREVENTING WRONGFUL CONVICTIONS (NU - B/SI)
  WINTER 2009 THREE DAYS IN PERSON
  ALL JUDGES

This intensive, skills-based seminar focuses on the causes of wrongful convictions. Trial court judges will have the opportunity to enhance their skills in identifying problematic areas, reviewing the legal options available and applying the legal tools to specific fact situations. This is a limited-enrolment course designed to provide hands-on experience.

TOPICS MAY INCLUDE
- Overzealous prosecution
- Ineffective counsel
- Eyewitness identification evidence
- Use of suspect circumstantial evidence
- False confessions
- Expert evidence

- CRIMINAL LAW PROGRAM (FEDERATION OF LAW SOCIETIES OF CANADA) (B/SI)
  SUMMER FIVE DAYS IN PERSON
  JUDGES AND LAWYERS

The Federation of Law Societies of Canada presents an annual, five-day seminar for lawyers, judges and others on criminal law issues. The seminars address a range of topics in panels, lectures, unique presentations and group workshops, and participants receive comprehensive materials.

TOPICS MAY INCLUDE
- Section 7 of the Charter
- Lectures on ethics
- Privacy in the electronic age

- THE LAW OF IMPAIRED DRIVING (NU - ENGLISH)
  2009 FIVE WEEKS ONLINE
  ALL JUDGES

This five-week online program will explore some of the many issues that arise during an impaired/over .08 trial focusing on the recent amendments to the Criminal Code. The course will benefit all judges who sit in criminal courts. It is problem-based, and participants will learn by applying the principles to specific fact patterns.

TOPICS MAY INCLUDE
- Charter issues under the new legislation
- Evidence to the contrary
- Technicalities

- UNDERSTANDING SENTENCE CALCULATION (NU - ENGLISH)
  ONLINE ANYTIME
  ALL JUDGES

This self-taught course reviews the complex set of laws that determine the effect of criminal sentencing decisions. It includes summaries of the law, short self-tests and easy-to-follow examples to illustrate the effect of various sentencing decisions. This course will help members of the judiciary avoid unwanted or anomalous results when imposing sentences of imprisonment. This resource is located on the NJI website at www.nji-inm.ca/nji/Sentence/home.cfm. For more information or to obtain your username and password, please contact eresources@judicom.ca.

TOPICS MAY INCLUDE
- Types of sentences
- Warrants of committal
- Concurrent and consecutive sentences
- Conditional release
- Expiration of sentence and release by warrant expiry date

- CRIMINAL LAW MODULES

Additional education modules are available for court-requested programs or self-learning, including:
- Pre-Trial Process: Criminal Law
- Bail conditions
- Dealing with the Mentally Disordered Defendant
- Managing the Sexual Assault Trial
- Credibility Assessment and Frailties of Testimony
- Admissibility of Confessions
- Judicial Safeguards for the Prevention of Wrongful Convictions
- Technology and Internet Pornography
- Gun Offences
- Sex Offenders
- Violence and Abuse in Intimate Relationships
- Ins and Outs of Sentencing
- Special Issues in Sentencing

www.nji-inm.ca
COURSE LISTINGS

I. CONTENT OF JUDGING CONTINUED

- CROWN LIABILITY MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Crown Liability

- ENVIRONMENTAL LAW MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Environmental Law Workshop (International Law)
  - Environment and Sustainable Development Law: Climate Change (online module)

- FAMILY LAW
  - FAMILY LAW SEMINAR (NJI- B/SI)
    Spring Three Days In Person
    All Judges
    Spring 2010 Topic: Children

  The cycle of topics for this three-day, annual, national program rotates each year, to cover evidence and procedure, financial and property issues, and children. The cycle of themes and a sampling of illustrated topics is:

  Year 1: Evidence and Procedure
  - Immigration
  - Cultural conflict
  - Self-represented litigants

  Year 2: Financial and Property Issues
  - Child support
  - Spousal support guidelines
  - Property division
  - Determination of income and costs
  - Subsequent marriages and families

  Year 3: Children
  - Custody and access issues
  - Child protection issues

- FAMILY LAW PROGRAM (FEDERATION OF LAW SOCIETIES OF CANADA) (FLSC - B/SI)
  Summer, Biennial Four Days In Person
  Judges and Lawyers

  This four-day program, held every two years, offers a comprehensive review of current and cutting-edge family law issues for lawyers and judges.

  TOPICS MAY INCLUDE
  - Domestic violence
  - Evidence primer
  - Tax principles for family law lawyers
  - Child welfare
  - Professional responsibility
  - Estate and insurance issues
  - Law office management tips
  - Bankruptcy

- CHILD DEVELOPMENT AND BEST INTERESTS DECISIONS (NJI- ENGLISH)
  Summer 2008* 1.5 Days In Person
  All Judges
  *Prior to Federation of Law Societies of Canada’s Family Law Seminar

  This 1.5-day program examines how child development issues intersect with judges’ actions in family law proceedings.

  TOPICS
  - Neuroscience, psychiatry and psychology — what can and can’t they tell us about child development?
  - What is “best interests decision-making”?
  - How do issues such as domestic violence, absent parents, substance/alcohol abuse, emotional abuse, overnights and uncertainty affect child development?
  - What are the implications for best interests decision-making?
  - How does knowledge of child development affect individual cases?

- FAMILY LAW MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Child Development and Best Interests Decisions (online module)
  - Problems in Child Protection (online module)
  - Evidence and Child Protection
  - Rules of Evidence in Family Law
  - Family Law Issues and Case Management
  - Children as Witnesses
  - Child Support
  - Corporate Issues in Family Law
  - Using Child Development Research to Resolve Difficult and High-Conflict Access Issues
  - The Interim Care and Custody Motion
  - The Debate Over Visitation and Open Adoption: Present and Future
  - Early Termination of Crown Wardship
  - Hague Convention (International Adoption)

- IMMIGRATION AND REFUGEE LAW MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Federal Court Annual Education Seminar: Immigration Law and Administrative Law Update

- INTELLECTUAL PROPERTY MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Intellectual Property
  - Update on Patents, Trademarks and Copyrights

- STATUTORY INTERPRETATION MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Statutory Interpretation
I. CONTENT OF JUDGING CONTINUED

- **TAX LAW MODULES**
  Additional education modules are available for court-requested programs or self-learning, including:
  - New Tax Issues in Family Law

- **YOUTH CRIMINAL JUSTICE**

- **JUDGING EFFECTIVELY UNDER THE YOUTH CRIMINAL JUSTICE ACT** *(NJII, ACPJ - B/5I)*
  **WINTER 2009**
  **THREE DAYS**
  **IN PERSON**
  Judges with significant youth court caseloads, or who are involved in youth justice issues

  Participants will learn about the impact of the Youth Criminal Justice Act since it took effect in 2003, and about the youth who are charged with criminal offences. The seminar will discuss some of the more controversial issues in the interpretation of the Act, and consider a number of fact scenarios reflecting many of the more challenging issues that judges face in Youth Court proceedings. The program will be of interest to judges who have a significant Youth Court caseload or who are responsible for judicial education and youth justice issues in their jurisdictions.

  **TOPICS MAY INCLUDE**
  - Understanding the context of Youth Court proceedings
  - Bail/pre-trial custody
  - Arrest, search and questioning of youth
  - False confessions and admissibility of confessions
  - Records, confidentiality and publication bans
  - The systemic impact of the youth criminal justice system

- **YOUTH JUSTICE MODULES**
  Additional education modules are available for court-requested programs or self-learning, including:
  - YCJA and the Principles of Youth Sentencing:
    - The Controversy over Deterrence, Rehabilitation and Risk Assessment

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**B. EVIDENCE AND PROCEDURE**

**CLASS ACTIONS**

- **CLASS ACTIONS SEMINAR FOR JUDGES (IN CONJUNCTION WITH THE OSGOODE HALL NATIONAL SYMPOSIUM ON CLASS ACTIONS)** *(NJII/OSGOODE - B/5I)*
  **SPRING**
  **ONE DAY**
  **IN PERSON**
  All Judges

  Class action litigation is a complex and expanding area of the law, often giving rise to difficult jurisdictional issues and competition among lawyers. This seminar brings together judges, as well as academics and seasoned counsel, to discuss issues of particular interest to judges, and to provide opportunities for participants to hone their skills in the management of class actions.

  **TOPICS MAY INCLUDE**
  - Case management of class actions
  - Certification
  - Settlement approval
  - Counsel fee approval motions

**EVIDENCE**

- **EVIDENCE WORKSHOP (INTENSIVE)** *(NJII - B/5I)*
  **SUMMER**
  **FIVE DAYS**
  **IN PERSON**
  All Judges

  In this interactive, skills-based workshop, judicial participants identify and work with the animating principles of the law of evidence. Participants use diverse fact patterns to strengthen skills in analyzing evidentiary issues and in applying the law to those issues. Leading experts present updates on major areas and facilitate working sessions. The seminar uses videotaped scenarios and live simulations of evidentiary arguments, as well as problem-solving exercises in facilitated small groups.

  **TOPICS MAY INCLUDE**
  - Drawing of inferences: relevance and weight
  - Examination of witnesses
  - Character/similar fact evidence
  - Hearsay
  - Opinion evidence
  - Privilege

- **EVIDENCE MODULES**
  Additional education modules are available for court-requested programs or self-learning, including:
  - Evidence and Child Protection
  - Admissibility of Confessions
  - Evidence Issues in Family Law
  - Expert Evidence/Expert Witnesses
  - Identification Evidence
  - Opinion Evidence
  - Privilege
  - Relevance
  - Similar Fact Evidence

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I. CONTENT OF JUDGING CONTINUED

EVIDENCE MODULES CONTINUED
- Exclusion of Evidence on Policy Grounds
- Use of Suspect Evidence in High-visibility Cases
- Evidence Workshop

JURY TRIALS AND JURY PROCEDURE

CRIMINAL JURY TRIALS SEMINAR (NJI - B/5)
FALL
THREE DAYS
IN PERSON
ALL JUDGES
This is an intensive criminal law seminar focusing on most aspects of criminal jury practice and law, from pre-trial conferencing to receiving the verdict. A portion of the program will involve critiquing selected preliminary, mid-trial and final jury instructions.

TOPICS MAY INCLUDE
- Pre-trial issues
- Selecting the jury
- Jury instructions
- Changes of plea and directed verdicts
- The unrepresented accused

CRIMINAL JURY CHARGE WORKSHOP (NJI - B/5)
SPRING
THREE DAYS
IN PERSON
ALL JUDGES
This three-day, skills-based seminar focuses on the writing of jury instructions. This hands-on, intensive workshop requires participants to craft jury instructions in response to the issues generated during a hypothetical detailed criminal jury trial scenario, with many opportunities to obtain advice and feedback from judicial experts.

TOPICS MAY INCLUDE
- Instructing jurors on a challenge for cause
- Preliminary instructions to the jury
- Mid-trial instructions
- Assembling the charge to the jury
- Delivery of the charge to the jury
- Post-charge instructions

SUFFICIENCY OF REASONS (NJI - ENGLISH)
2009
FIVE WEEKS
ONLINE
ALL JUDGES
This five-week online program will explore the law on the sufficiency of reasons, focusing on recent Supreme Court of Canada decisions, including R. v. R.E.M. The course will benefit all judges who sit in criminal courts. It is problem-based, and participants will learn by applying the principles to specific fact patterns.

“The Internet is now firmly entrenched in our world, and the NJI will, and should, continue to use this technology to reach out to the Canadian judiciary and beyond to assist judges with the complex and demanding task of judging.”

THE HONOURABLE JEAN R. LYTWN
SENIOR JUDGE, PROVINCIAL COURT OF BRITISH COLUMBIA,
NJI JUDICIAL ASSOCIATE
C. KNOWLEDGE FROM OTHER DISCIPLINES

Courses listed in this section relate to knowledge from disciplines other than law that may underpin issues in litigation or interface with the judicial process.

SCIENCE

■ SCIENCE SEMINAR: NEUROSCIENCE IN THE COURTROOM – WHAT JUDGES NEED TO KNOW  
   (NJI - B/SI)  
   WINTER 2010  THREE DAYS  IN PERSON  
   ALL JUDGES

Neuroscience can impact the work of judges in many ways, and recent research is changing our understanding of how the brain works and how it can change. This seminar — which includes lectures and demonstrations on neuroscience from scientists and related professionals — will consider how recent developments in this field relate to areas of criminal, family and tort law, and how neuroscience relates to end-of-life issues that come to court. Additionally, judges will consider how to manage this evidence in the context of particular cases, using hypothetical situations.

■ JUDGING THROUGH PUBLIC EMERGENCIES AND EMERGENCY PREPAREDNESS PLANNING  
   (ATLANTIC COURTS SEMINAR)  
   FALL 2009  THREE DAYS  IN PERSON  
   JUDGES FROM THE ATLANTIC PROVINCES

Through lectures and interactive sessions, this three-day seminar informs judges of the science, ethics and law related to public emergencies, with special attention to infectious disease outbreaks (pandemics) and natural disasters. It also informs judges of models for court system emergency preparedness planning and the role of judges in effective planning processes. The seminar brings together expert scientists, academics, lawyers, judges and public health and emergency planning officials.

TOPICS MAY INCLUDE
- Arrest and detention
- Entry onto property, quarantine, freedom of movement
- Release of medical information
- Rights and obligations of workers
- Planning for the operation of the judicial system during a pandemic, within the context of all-hazards planning

■ SCIENCE MODULES
   Additional education modules are available for court-requested programs or self-learning, including:
   - Scientific Evidence in the Courtroom
   - Science Module: Genetics
A. JUDGE CRAFT

Courses listed in this section relate to skills inherent to judicial functions.

COMMUNICATION SKILLS

COMMUNICATION SKILLS IN THE COURTROOM
(NJI - ENGLISH)
SPRING THREE DAYS IN PERSON
ALL JUDGES

This seminar is designed for judges who wish to improve their communication skills in the courtroom. After some initial work on the elements of good communication — voice, listening skills, clarity of content and non-verbal communication — the bulk of the seminar provides judges with the opportunity to manage some of the most difficult communication challenges they face.

TOPICS MAY INCLUDE
- Charging a jury
- Delivering a difficult decision in a highly emotional courtroom environment
- Responding to unexpected statements from parties and counsel
- Delivering a difficult sentencing decision
- Intercultural communications
- Communicating with children and with persons with cognitive disabilities
- Managing communications with self-represented litigants

COMMUNICATION SKILLS MODULES

Additional education modules are available for court-requested programs or self-learning, including:
- Elements of Good Communication
- Communicating with Counsel/Litigants and Communication Findings
- Voice and Non-verbal Communication
- Workshops on Unique Communication Challenges
II. CRAFT OF JUDGING

CRAFTING JUDGMENT

- JUDGMENT WRITING SEMINAR (CIAJ - B/ SI)
  SUMMER  FOUR DAYS  IN PERSON
  ALL JUDGES (CORE CURRICULUM FOR NEW JUDGES)

This seminar is designed to assist judges in improving their judgment-writing skills. Since writing is a skill that, like all skills, can be improved only through practice, much of the seminar will centre on written exercises and judgments. The academic faculty members are chosen for their own writing abilities as well as for their experience in teaching legal writing.

TOPICS MAY INCLUDE
- The nature of good prose
- Gender-neutral language
- Special requirements and problems of judicial writing

- JUDGE CRAFT MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Oral Judgments (2.5-day course option)
- Oral Judgments for the Quebec Courts
- Judgment Writing Process
- Appellate Judgment Writing
- Depersonalizing (Anonymizing) Judgments
- Intensive Seminar on Legal Terminology and Judgment-writing Techniques

LEGAL REASONING

- LEGAL REASONING MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Legal Reasoning

B. COURT CRAFT

CREDIBILITY ASSESSMENT

NOTE: Credibility assessment is considered in a number of seminars, including the Seminars for Newly Appointed Judges; Preventing Wrongful Convictions and Managing the Domestic Violence Trial.

- CREDIBILITY ASSESSMENT MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Credibility Assessment
- Credibility Assessment and Frailties of Testimony

MANAGING THE TRIAL PROCESS

- CRIMINAL TRIAL MANAGEMENT: TRIAL JUDGES’ TRIAL MANAGEMENT POWERS (NJJ/ONTARIO COURTS - B/ SI)
  FALL 2009  FOUR DAYS  IN PERSON
  ONTARIO JUDGES

Judges are particularly concerned about their role in maintaining fairness and complying with Charter values while managing an effective trial. This program seeks to provide a structured forum in which to discuss these issues. Judges will be given the opportunity to share ideas on the many ways that judges are currently managing issues within their respective courts, with the objective of identifying best management practices.

- MANAGING THE COMPLEX TRIAL (NJ - B/ SI)
  FALL 2009  THREE DAYS  IN PERSON
  ALL JUDGES

During this three-day seminar, judges learn how to respond to the most difficult courtroom situations, including dealing with lawyer conflict, vulnerable witnesses and self-represented litigants. Judges receive individual feedback on how to improve their courtroom skills and learn how to manage long and complex trials. This seminar highlights the broader theme of changes in the trial process and their impact on judges.

TOPICS MAY INCLUDE
- The trial judge as manager
- Difficult trial issues and how to manage them
- Preparing for trial
- Technology at a trial
- How shorter trials become longer trials
- Mid-trial issues
- Relationship issues in the long trial

- MANAGING THE FAMILY LAW DOMESTIC VIOLENCE TRIAL (NJ - B/ SI)
  WINTER 2010  2.5 DAYS  IN PERSON
  JUDICIAL FACULTY

The unique dynamics of domestic violence cases create significant challenges for the judiciary. During this 2.5-day, skills-based program, each of the key stages in a family court proceeding involving domestic violence allegations will be simulated; judges will be asked to manage the case, with feedback from expert facilitators. Through live simulations, videotaped exercises and plenary discussions, judges will have the opportunity to develop their skills and further their understanding of the social context of domestic violence in order to deal with these complex cases effectively. Both custody/access and child protection contexts will be considered.

TOPICS MAY INCLUDE
- The judge's role in the adversarial process
- The impact of violence on children
- Risk assessment in family law cases
- Use of judicial notice and expert evidence
- Credibility assessments
- Cultural considerations
- The self-represented litigant
- Crafting and delivering an oral judgment

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II. CRAFT OF JUDGING

MANAGING THE TRIAL PROCESS MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Bail Conditions
- Dealing with Lawyers and Lawyer Conflict
- Managing Difficult Trials
- Preparing for Trial: Managing the Trial Process
- Time and Case Management
- Managing and Resolving Multi-party Cases
- Therapeutic Jurisprudence and Problem Solving

SELF-REPRESENTED PARTIES
Educational sessions on self-represented litigants and accused have been included in numerous NJI seminars and also in many court-based programs. Further sessions are planned. This topic was, for example, a focus for the November 2008 program of the Supreme Court of British Columbia, and will feature in the 2009 annual meeting of the Canadian Association of Provincial Court Judges. The annual Communication Skills in the Courtroom Seminar also features a workshop on communication and self-represented litigants.

SELF-REPRESENTED PARTIES MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Self-represented Litigants
- Managing Trials with Self-represented Litigants

SETTLEMENT CONFERENCING (JUDICIAL DISPUTE RESOLUTION AND MEDIATION)
The NJI has designed two programs to enhance judges’ knowledge of dispute resolution, negotiation theory and skills, and alternative judicial roles. These courses feature small-group exercises and simulations. To maximize the effectiveness of each seminar, the course sizes are small.

JUDICIAL SETTLEMENT CONFERENCING (NJI - ENGLISH)
WINTER THREE DAYS IN PERSON
ALL JUDGES
This three-day program aims to foster judges’ knowledge and understanding of conflict, and to enhance their skills in facilitating settlements. Designed to be of interest to all judges, the program focuses on the judge’s role in judicial settlement conferencing, different approaches and techniques judges can apply, and the ethical issues involved in settlement conferencing. The program will provide ample practical opportunities for participants to develop techniques and skills through demonstrations and exercises.

TOPICS MAY INCLUDE
- History of settlement conferencing in Canada and of comparative jurisdictional processes
- Negotiation and conflict theory

Role of the judge in judicial settlement conferencing
An adaptable framework and techniques for judicial settlement conferencing
Enhanced skills in negotiation and communication

Participants will also learn how to continually assess and improve their own judicial dispute resolution practices.

JUDICIAL SETTLEMENT CONFERENCING: CLINICS (NJI - ENGLISH)
SPRING THREE DAYS IN PERSON
ALL JUDGES
This course is aimed at judges experienced in settlement conferencing techniques and focuses on refining skills in specific areas, such as family law cases.

TOPICS MAY INCLUDE
- High-conflict situations
- Power imbalance among parties
- Dealing with self-represented litigants
- Ethics

JUDICIAL SETTLEMENT CONFERENCING MODULES
Additional education modules are available for court-requested programs or self-learning, including:
- Settlement Conferencing: Basic Principles and Skills
- The Elements of Good Communication
- Criminal Dispute Resolution

C. PROFESSION CRAFT
Courses in this section relate to “non-legal” or ancillary skills that help judges carry out their functions. Such skills include working with computers, legal research, language training and more.

COMPUTER TRAINING PROGRAM
The NJI has a Computer Training Program (CTP) through which judges can learn how to use technology to support their functions. Individual programs can be tailored to the particular needs of judges, combining brief sessions with scheduled seminars:

- Each participant receives a personalized training plan developed to take into account goals, computing environment, experience level and schedule.
- Courses can be presented in a series of brief (typically one-hour) sessions to suit participants’ availability and learning preferences.
- These sessions can be conducted over a prolonged period (e.g., weekly over a period of months) with progress tracked by CTP to ensure continuity. Time to complete the courses will vary according to a judge’s aptitude as well as the duration and frequency of the actual training sessions.
- Security-related issues will be addressed in each course, where relevant.

www.nji-inm.ca
Ⅱ. CRAFT OF JUDGING

COMPUTER SKILLS

- COMPUTER EFFECTIVENESS AND SKILLS TRAINING PROGRAM FOR JUDGES
  (NJI - ENGLISH, B/SI)
  OFFERED INTERMITTENTLY THREE DAYS IN PERSON
  ALL JUDGES (REGIONAL ATTENDANCE)

This three-day intensive computer training program provides hands-on training and individualized coaching on a wide range of subjects. Participants must complete a skills assessment as part of the registration process. Each participant will receive a personalized course schedule at registration. Courses will be taught by computer experts in small groups. Demonstrations will be offered during breaks as optional topics of interest to the judiciary.

TOPICS MAY INCLUDE
- Using the computer to perform judicial tasks
- How to research case law and legislative intent
- Identifying and guarding against computer security risks

- COMPUTER SECURITY
  (NJI - B/SI)
  OFFERED INTERMITTENTLY THREE DAYS IN PERSON
  ALL JUDGES

This program provides information on security issues relevant to the use of computers by the judiciary. The program includes demonstrations of security vulnerabilities and appropriate responses. It then considers these vulnerabilities and responses from the perspective of the Judges Technology Advisory Committee Blueprint on the independence and security of judicial computing and local implementation of its recommendations.

TOPICS MAY INCLUDE
- Common security vulnerabilities
- Best practices
- Update on the JTAC Blueprint
- How to get help with computer security

- FOUNDATIONS OF COMPUTING FOR JUDGES SEMINAR
  (NJI - B/SI)
  SPRING THREE DAYS IN PERSON
  ALL JUDGES

This three-day, intensive computer-training program provides hands-on, individualized instruction on a wide range of subjects. It is geared toward judges with minimal or no computing skills or experience, or to judges who would like to refresh their computer skills. Each participant will receive a personalized course schedule at registration. Courses will be taught by computer experts in small groups. Optional demonstrations of topics of interest to the judiciary will be offered during breaks.

TOPICS MAY INCLUDE
- How technology can facilitate aspects of judging
- How to perform essential email and word-processing tasks
- Creating and managing a personal electronic filing system

COURSE LISTINGS

- Accessing and using essential websites and judicial electronic tools such as the NJI Judicial Library
- Using a computer when away from chambers (e.g., when on circuit or at a hotel)

- COMPUTER SKILLS MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Computers in the Courtroom
  - Security Features of Court-Based Technology
  - Language Skills

LANGUAGE TRAINING

- JUDGES’ LANGUAGE TRAINING PROGRAM:
  OFFICE OF THE COMMISSIONER FOR FEDERAL JUDICIAL AFFAIRS
  ENGLISH LANGUAGE TRAINING: ANNUAL, TWO WEEKS, FALL
  FRENCH LANGUAGE TRAINING: ANNUAL, TWO WEEKS, WINTER

The Office of the Commissioner for Federal Judicial Affairs (FJA) offers language training for judges in both official languages. The Judges’ Language Training Program strives to increase judges’ level of comprehension and expression of their second language, thereby enabling them to communicate more effectively in that language. French legal terminology courses are also offered to francophone judges from common law provinces at the proficiency level.

The FJA strongly encourages judges to attend the various levels of language training offered. While not all participants will eventually be able to preside in court in their second language, all will be able to increase their knowledge and thus contribute to the advancement of bilingualism at the very heart of the Canadian judicial system.

“The NJI has brought home to us all the importance of technology as a tool to assist judges in performing and enhancing our judicial functions. I believe that the computer training program is one of the most useful and practical programs available to the judiciary.”

THE HONOURABLE JUSTICE MICHAEL TULLOCH
SUPERIOR COURT OF JUSTICE (ONTARIO)
A. SOCIAL CONTEXT

Social context is a broad term that encompasses the aspects of the decision-making milieu that are linked to social diversity. Diversity is often associated with disadvantage and stratification. The Ethical Principles for Canadian Judges provide that “ Judges should conduct themselves and proceedings before them so as to assure equality according to law.”

This approach requires that judges take into account the social context of the cases they are hearing, and “not be influenced by attitudes based on stereotype, myth or prejudice. They should, therefore, make every effort to recognize, demonstrate sensitivity to and correct such attitudes.”

Social context education seeks to examine the fundamentals of the judicial role on which varying perspectives exist. It addresses difficult and contentious legal and social issues; it asks questions that do not necessarily have “right” answers; it brings into focus the people in the courtroom and their varying backgrounds, capacities and expectations of the judicial process; and finally, it necessarily brings the person and perspectives of the judge — the decision maker — into the frame.

The NJI offers courses and resources in the area of social context using two main approaches: first, standalone courses or modules addressing social context themes; and secondly, integration of social context into courses addressing substantive knowledge and judge/court craft. The judicial career-focused course, The Art and Craft of Judging: Your “Sophomore Years,” also provides an introduction to social context in Canada. From time to time, courts also schedule sessions focused on social context.

CHALLENGES IN JUDGING SEMINAR

This annual national seminar is available to judges in all courts and addresses broad themes from multiple angles of law, skills, and social context. The programs also include a “book club,” where judges meet with the author of a recent novel touching on course themes. Programming between 2006 and 2011 focuses on in-depth examination of social context in judging.

THEMES INCLUDE

2006 Judging in the Context of Diverse Faiths and Cultures
2007 Why Gender Equality Still Matters
2009 Race, Law and Judging [see description that follows]
2010 Disability and Health Status
2011 Environment (to be confirmed)
JUDGES TO JAIL PROGRAM: ONTARIO COURT OF JUSTICE EDUCATION SEMINAR (OCJ – ENGLISH)
SUMMER FIVE DAYS IN PERSON
ONTARIO COURT OF JUSTICE

This program gives judges the opportunity to visit a number of correctional institutions and to meet with professionals in the fields of mental health and addictions, all in the aim of achieving a better understanding of the criminal justice process. Classroom sessions provide an opportunity for participants to explore issues such as sentencing and parole through simulations, group discussions and lectures.

TOPICS MAY INCLUDE
- Tour of several institutions
- Parole board hearings
- Sentencing tools: principles, methods and objectives
- Access to information and prisoner documentation
- Dos and don’ts for judges
- Federally sentenced women, Aboriginal peoples and older offenders
- SOCIAL CONTEXT MODULES

Additional education modules are available for court-requested programs or self-learning, including:
- Impact of Race, Culture and Religion in Child Custody and Access
- Judging in the Context of Diverse Faiths and Cultures
- Poverty and Participation in the Court System
- Faith-based Tribunals and Sharia Law
- Children as Witnesses
- Domestic Violence
- Different Abilities: Equal Access to Justice

B. JUDGING AND JUDICIAL ROLE

Courses listed in this section relate to the profession of judging and the examination of judicial roles and judicial process.

JUDICIAL ETHICS (NJI-B/51)
FALL THREE DAYS IN PERSON
ALL JUDGES

This program addresses the ethical issues challenging today’s judge. Sessions will focus on practical issues — controlling the courtroom, dealing with email and other computer matters, communicating effectively, employing dispute resolution techniques — all considered within an ethical framework. Ethical Principles for Judges, which has been the guiding document for Canadian superior court judges for 10 years and has been adopted by certain provincial courts, will serve as a model for discussion.

TOPICS MAY INCLUDE
- Ethical issues for judges
- Developing frameworks for working through ethical issues
- Ethical problems in mediation and case management settings, and how to deal with them
- How technology raises new and difficult ethical questions
- How evolving ethical issues in business, government and other professions can affect judicial ethics
- How a judge’s own religious and moral convictions affect the decision-making process
THE ART AND CRAFT OF JUDGING:
YOUR “SOPHOMORE” YEARS (NJI-B/SI)
SUMMER SIX DAYS IN PERSON
JUDGES WITH FIVE YEARS OF EXPERIENCE

This new seminar, offered as a summer intensive, ties
the practical skills and experience of judges to concep-
tions of the judicial role. It offers judges the opportunity
to reflect on their experiences since appointment.
Designed for judges with about five years since
appointment, the program will use interactive, skills-
based learning methods — case studies, exercises and
discussion — to explore a number of themes, includ-
ing judicial ethics and the judicial role, social context,
approaches to judging, and strategies for continuous
learning throughout the judicial career.

TOPICS MAY INCLUDE
- Awareness of the social realities that are part of the
cases and challenges judges face, against the
backdrop of Charter values and equality analysis
- Frameworks for ethical practice; judicial role morality
and judicial independence
- Practical and personal philosophies of judging and
judicial method
- Personal management of the judicial role
- Relationships with the community and media; feedback

THE SPLENDID IDEA: JUDGING AND JUDICIAL
EDUCATION IN OUR TRANSFORMING WORLD
(NJI-B/SI)
SPRING 2009 TWO DAYS IN PERSON
BY INVITATION

This conference, marking the first 20 years of the NJI,
will focus on the future, exploring the challenges
that living together in an increasingly diverse society
presents to the judiciary. The symposium is designed
to foster active conversation among participants about
the issues and opportunities facing judging in the next
20 years.

TOPICS MAY INCLUDE
- Communications, new media and technology
- Governance, citizenship and global security
- Social contexts and multiple social orders
- Environments in which we live: physical, economic
and cultural, our cities and their infrastructures, our
changing communities

JUDGING AND JUDICIAL ROLE MODULES
Additional education modules are available for court-
requested programs or self-learning, including:
- Judicial Ethics (General)
- Judicial Ethics in Action: Impartiality and Equality
- Ethical Issues Outside the Courtroom

MODELS OF COURT ADMINISTRATION
(Upon Request)
THREE DAYS IN PERSON
BY INVITATION

This seminar considers the different approaches taken
to the design and leadership of the courts administra-
tion function in Canada and other jurisdictions, includ-
ing consideration of a recent Canadian Judicial Council
Report that proposes a more autonomous model of
judicial leadership. It includes analysis of the present
executive model and variations on it in Canadian courts,
consideration of constitutional requirements and a
review of methods of maintaining judicial indepen-
dence while also ensuring appropriate accountability.

TOPICS MAY INCLUDE
- The current model of court administration in Canada
- Incremental moves towards autonomy
- Deconstructing myths and stereotypes of the limited
autonomy model
- Making autonomy work: How other jurisdictions have
found success with this model
- How to move forward: Strategies for change

COURTS AND THE JUDICIARY MODULES
Additional education modules are available for court-
requested programs or self-learning, including:
- Courts in an Open Society
- Future Orientations of the Court
- Models of Court Administration
« L’INM sait reconnaître tous ses partenaires et leur confier un rôle très important dans la réalisation de son mandat. »

THE HONOURABLE JUDGE ODETTE PERRON, COUR DU QUÉBEC
CO-EDITOR, PROVINCIAL JUDGES’ JOURNAL, CAPCJ
FORMER NJI JUDICIAL ASSOCIATE, 2005-2007
I. JUDICIAL CAREER

A. NEWLY APPOINTED JUDGES

The recommended course of study for newly appointed judges is outlined in Part I of this Calendar. This section describes courses specifically designed for judges upon appointment.

- **SEMINAR FOR NEW FEDERALLY APPOINTED JUDGES (WITH THE CANADIAN INSTITUTE FOR THE ADMINISTRATION OF JUSTICE)** (NJI - B/SI)
  - FALL AND SPRING SIX DAYS IN PERSON
  - NEW FEDERALLY APPOINTED JUDGES

The NJI partners with the CIAJ to deliver this seminar, offered annually in two six-day blocks (one in the spring, one in the fall). It is designed so that a judge can begin with either part. Throughout the week, seminar subjects are divided between those that apply to common law jurisdictions, those that apply to civil law jurisdictions or both. Where common law and civil law jurisdictions overlap, the groups have been combined and translation services will be provided.

**TOPICS MAY INCLUDE**

**Spring Program**
- Pre-trial and trial management: criminal and civil
- Self-represented litigants and accused
- Pre-trial motions
- Evidentiary issues: privilege and hearsay
- Open courts and publication bans
- Decision making
- Judgment writing
- Judicial independence, impartiality, judicial ethics and conduct

**Fall Program**
- Judicial independence, impartiality, judicial ethics and conduct
- Judicial education, mentoring and learning plans
- Family law overview
- Child support guidelines
- Educational resources in family law
- Oral judgments
- Elements of good communication
- Remedies
- Judgment writing
- *Charter of Rights and Freedoms*
- Judicial review
- Evidence

- **NEW JUDGES' TRAINING PROGRAM (CAPCJ - B/SI)**
  - SPRING SIX DAYS IN PERSON
  - NEW PROVINCIAL, TERRITORIAL AND MILITARY JUDGES

CAPCJ presents this six-day program every spring. Largely substantive in nature, this intensive program is oriented principally to the area of criminal law, with some reference to areas of family law.

B. LONGER-SERVING JUDGES

- **THE ART AND CRAFT OF JUDGING: YOUR “SOPHOMORE YEARS”**
  - FALL FIVE DAYS IN PERSON
  - NEWLY APPOINTED PROVINCIAL AND TERRITORIAL JUDGES

This course, designed primarily for judges with about five years of experience since appointment, is described on p. 51.

- **DIALOGUES ON BEING A JUDGE: CHALLENGES AND REWARDS OF A JUDICIAL CAREER (NJI / CIAJ - ENGLISH)**
  - FALL THREE DAYS IN PERSON
  - JUDGES WITH 10+ YEARS OF EXPERIENCE

This seminar, jointly offered every second year by the CIAJ and the NJI, is directed to judges with 10 or more years of experience on the bench, and provides the opportunity to reflect on and to draw lessons from a continuing judicial career. It permits experienced judges to examine subjects of particular interest to them, and to engage in an ongoing conversation on the judicial career. Past participants have found that sharing their experiences and expertise is both worthwhile and energizing.

**TOPICS MAY INCLUDE**

- The impact of long service in the judicial role on the individual judge
- How longer-serving judges might use their experience and skills for the benefit of their younger colleagues, their courts and their communities
- How a judge's decision-making style, approach and perspectives change over time
- Maintaining one's health and well-being while on the bench, with particular attention to stress management
- Sharing experiences with other judges with similar years of service in courts across Canada
II. COURT LEADERSHIP AND SPECIALIZATION

A. APPELLATE JUDGING

APPELLATE COURTS SEMINAR (NJI - B/SI)
SPRING OR FALL 2.5 DAYS IN PERSON
APPELLATE JUDGES

This 2.5-day annual seminar addresses different themes specific to appellate court judges.

TOPICS MAY INCLUDE
- Technology and appellate judging
- Statutory interpretation: language vs. policy
- How we do our work
- Self-represented litigants

B. SPECIALIZED COURTS

A number of specialized court processes have developed in Canada in recent years. These include drug treatment courts, domestic violence courts, Aboriginal offender courts and mental health courts.

- SPECIALIZED COURTS MODULES
  Additional education modules are available for court-requested programs or self-learning, including:
  - Therapeutic Jurisprudence and Problem-solving Court Processes
  - Problem-solving skills for Judges in Aboriginal Sentencing and Mental Health
  - Problem-solving Courts
  - Judges as Problem Solvers

C. CHIEF JUSTICES

SEMINAR FOR CHIEF JUSTICES, CHIEF JUDGES AND ASSOCIATES (NJI - B/SI)
WINTER 2009 FOUR DAYS IN PERSON
CHIEF AND ASSOCIATE CHIEF JUSTICES AND JUDGES

This program will provide a forum to discuss the challenges and opportunities facing courts. Judges will consider changes in the “business” and work of courts, reflect upon best practices and develop a community of practice among the leaders of the courts in Canada. Participants will have an opportunity to learn new leadership skills and refine existing ones.

TOPICS MAY INCLUDE
- Evolution of ethics
- The work of the court: Changes and challenges
- What’s happening in your court?
- Charting the path: Initiatives courts will learn from
- Developing and refining leadership skills

www.nji-inm.ca
An animating principle of judicial education in Canada is that it is judge-led. Judges undertake a number of education roles: as presenters and facilitators; as course planners through membership on court and NJI planning committees; and as education leaders as Chairs of Court Committees and as NJI Judicial Associates. Judges who are interested in becoming judicial educators should identify themselves to their court education committees or to the Executive Director of the National Judicial Institute. It is planned to expand the Canadian Judicial Roster to receive registrations from judges interested in contributing in Canada as well as internationally. To support judges as educators, the NJI offers a comprehensive curriculum focused on the skills relevant to achieving high-quality education design and delivery.

A. COURT EDUCATION CHAIRS

- **JUDICIAL EDUCATION CHAIRS’ SEMINAR:**
  - **PROVINCIAL AND TERRITORIAL EDUCATION CHAIRS (WITH THE CANADIAN ASSOCIATION OF PROVINCIAL COURT JUDGES)**
  - **NJI / CAPCJ - ENGLISH**
  - **WINTER* THREE DAYS IN PERSON**
  - **PROVINCIAL EDUCATION CHAIRS**
  - *OFFERED EVERY TWO YEARS. NEXT SEMINAR SCHEDULED FOR 2010.*

This program, offered by the NJI in partnership with the Canadian Association of Provincial Court Judges, is offered to provincial and territorial court judges who lead or are part of court education committees. With a focus on becoming more familiar with education design principles and practices, the seminar helps judges develop their skills as educators through hands-on activities and workshops. Participants are encouraged to share their individual experiences.

**TOPICS MAY INCLUDE**
- How different provinces or regions organize court-based education
- How to create “experiential, judging-focused” programs that colleagues will find relevant and engaging
- The role of the NJI in judicial education
- How to access and use NJI resources in support of court-based education

- **JUDICIAL EDUCATION CHAIRS’ SEMINAR:**
  - **FEDERAL EDUCATION CHAIRS**
  - **NJI - B/SI**
  - **WINTER* THREE DAYS IN PERSON**
  - **COURT EDUCATION CHAIRS**
  - *OFFERED EVERY TWO YEARS. NEXT SEMINAR SCHEDULED FOR 2011.*

This seminar provides an opportunity for federally appointed judges who are responsible for judicial education within their courts to: share experiences and resources related to court-based education; enhance their skills as judicial education designers; and learn about how the NJI can support their work. The seminar is also a learning opportunity (or refresher) on the principles, processes and resources for judicial education design and delivery.

B. JUDICIAL EDUCATION PLANNERS, FACULTY AND FACILITATORS

The NJI offers the Judicial Faculty Development program at a national level. On request, the NJI can also provide training for education committees and training on presentation and facilitation skills for judges.

- **JUDICIAL FACULTY DEVELOPMENT SEMINAR – PARTS I AND II**
  - **NJI - B/SI**
  - **FACTOR 2009 THREE DAYS**
  - **IN PERSON**
  - **JUDICIAL EDUCATORS**
  - *EACH PART; OFFERED EVERY TWO YEARS*

This ‘hands-on’ seminar in two parts provides an opportunity for judges to deepen their knowledge and practice of judicial education design and delivery in order to provide leadership in the delivery of high-quality judicial education in Canada. In different years, selected areas of the curriculum will be addressed. The program also works with judges to refine their presentation and facilitation skills.

**TOPICS MAY INCLUDE**
- Adult learning principles and program design (experiential learning)
- Applying concepts in reviewing education design in selected theme areas
- Planning skills in the design of revised courses or modules
- Facilitator skills
- Presentation skills
« Notre Institut s’est doté d’un service pour la formation de juges à l’étranger qui vise à mettre à leur disposition les cours et techniques développées pour les juges canadiens, cours et techniques qui seront adaptées en fonction des besoins du pays d’accueil. »

THE HONOURABLE MICHEL BASTARACHE, RETIRED SUPREME COURT JUSTICE
FORMER VICE-CHAIR OF THE NJI BOARD OF GOVERNORS
Canadian judges and legal professionals have made a major contribution to international judicial training and reform for more than 25 years. Judges in Canada have consistently shown a willingness to devote time and energy to collaborating with their peers around the world. To make this work sustainable over the longer term, the NJI’s International Judicial Faculty Development Seminar builds judicial skills for judges interested in international work. Part I prepares judges to contribute to the international judicial reform/education processes of partner countries.

**TOPICS MAY INCLUDE**
- Relating personal experiences and interests to the broader conceptual and policy contexts of international development
- Lessons learned from international judicial cooperation work
- Intercultural effectiveness
- Project design
- Framework for accepting assignments (including ethical considerations)

Part II overlaps over one day with Part I of the program to foster exchange of views and experiences, and to work concretely on curriculum design; judges will share lessons learned and apply these to forthcoming initiatives.

**TOPICS MAY INCLUDE**
- Judicial leadership and mentoring in relation to international judicial reform
- Adult learning principles
- Intercultural issues and different learning styles
- Preparation and planning for particular assignments
- How to access and use curriculum resources
- Examples of curriculum or courses developed, with constructive feedback

**JUDICIAL EDUCATION DEVELOPMENT MODULES**
Additional education modules are available for court-requested programs or self-learning, including:
- Judges as Adult Learners: Planning Effective Judicial Education
- Facilitator Skills Training
“As education chair for the CAPCJ… I believe that the NJI brings invaluable service to our Association in terms of their expertise in service delivery, quality of programming, knowledge in the various fields of education and accessibility to provincial court judges.”

THE HONOURABLE JUDGE RONALD LEBLANC, PROVINCIAL COURT OF NEW BRUNSWICK
EDUCATION COMMITTEE CHAIR, CANADIAN ASSOCIATION OF PROVINCIAL COURT JUDGES
PART IV INTERNATIONAL JUDICIAL EDUCATION

Canadian judges have a range of opportunities in international judicial education. This section provides information on courses and conferences offered outside Canada. It also outlines some of the roles that Canadian judges can play in international judicial reform initiatives. Some recent international initiatives are also profiled.
“As judges, we recognize that the administration of justice is a cooperative venture, and that strengthening the rule of law in one country strengthens the rule of law everywhere.”

THE HONOURABLE JUSTICE MARC ROSENBERG, COURT OF APPEAL FOR ONTARIO
NJi JUDICIAL ASSOCIATE
I. COURSES OFFERED INTERNATIONALLY

THE CAMBRIDGE LECTURES AND LES JOURNÉES STRASBOURGEOISES
www.canadian-institute.com
Email: info@canadian-institute.com

Both the Cambridge Lectures and Les Journées Strasbourgeoises are run by the Canadian Institute for Advanced Legal Studies.

The Cambridge Lectures address, and give judges and lawyers the opportunity to discuss, some of the critical issues of the day in both legal and non-legal domains. Held every odd-numbered year at Queens' College, Cambridge, in England, the Lectures attract speakers of renown from around the world. Les Journées Strasbourgeoises are a similar series of lectures in the French language, held every four years in Strasbourg, France. The next series will be held in 2012.

II. CONFERENCES ORGANIZED BY INTERNATIONAL ASSOCIATIONS

ASSOCIATION OF FAMILY AND CONCILIATION COURTS
www.afccnet.org
Email: afcc@afccnet.org

The Association of Family and Conciliation Courts (AFCC) is an interdisciplinary and international association of professionals dedicated to the resolution of family conflict. AFCC promotes a collaborative approach to serving the needs of children among those who work in and with family law systems, encouraging education, research and innovation, and identifying best practices.

The AFCC holds an annual conference. The 46th Annual Conference will be held May 27-30, 2009, in New Orleans: Children, Courts & Custody: Back to the Future or Full Steam Ahead? For more information, please visit http://www.afccnet.org/conferences/afcc_conferences.asp.

COMMONWEALTH JUDICIAL EDUCATION INSTITUTE
www.cjei.org
Email: cjei@dal.ca

The Commonwealth Judicial Education Institute (CJEI) is a network of judicial educators knowledgeable in judicial education techniques and methodology to create curricula in support of contemporary judicial reform. The CJEI holds a meeting of members every two years. The next meeting will be held in 2011. In addition, a summer institute on judicial education is held each year for judges from developing Commonwealth countries.

COMMONWEALTH MAGISTRATES’ AND JUDGES’ ASSOCIATION
www.cmja.org
Email: info@cmja.org

The Commonwealth Magistrates' and Judges' Association (CMJA), an international association that brings together judicial officers from more than 68 jurisdictions in the Commonwealth and beyond, seeks to advance the administration of the law by promoting the independence of the judiciary. The Association aims to advance education in the law, the administration of justice, the treatment of offenders and the prevention of crime within the Commonwealth, and to disseminate information and literature on legal topics of interest within the various countries of the Commonwealth.

The CMJA holds triennial conferences. The next conference will be held between September 26 and October 3, 2009, in Turks and Caicos. Entitled Justice for the Next Generation, the Conference will be co-sponsored by UNICEF. For information on CMJA's conferences, please visit www.cmja.org/conferences.htm.
INTERNATIONAL ASSOCIATION OF JUDGES
www.iaj-uim.org
Email: secretariat@iaj-uim.org

The International Association of Judges (IAJ), a professional, non-political, international organization, comprises 70 national associations of judges and seeks to safeguard the independence of the judiciary, which is fundamental to the judicial function and to ensuring human rights and freedom. Periodically, the association organizes an International Congress. The next meeting of the Central Council and of the Study Commissions of IAJ will be hosted in Morocco by the Amicale Hassania des Magistrats in 2009.

INTERNATIONAL ASSOCIATION OF WOMEN JUDGES
www.iawj.org
Email: office@iawj.org

The International Association of Women Judges (IAWJ) is a non-profit, non-partisan organization of more than 4,000 members at all judicial levels in 87 nations. Since forming in 1991, the IAWJ has brought together women judges from diverse legal-judicial systems who share a commitment to equal justice and the rule of law. Through judicial education and worldwide collaboration, the organization works to advance human rights, eliminate discrimination on the basis of gender, and make courts accessible to all.

The IAWJ holds biennial conferences. The 10th Biennial Conference is scheduled for May 10-14, 2010, in Seoul, South Korea. Please visit www.iawj.org/what/intconf.asp for more information.

INTERNATIONAL COMMISSION OF JURISTS
www.icj.org
Email: info@icj.org

The International Commission of Jurists (ICJ) is dedicated to the primacy, coherence and implementation of international law and principles that advance human rights. The Commission was founded in Berlin in 1952 and its membership is composed of 60 eminent jurists who are representatives of the different legal systems of the world. The ICJ is distinguished by its impartial, objective and authoritative legal approach to the protection and promotion of human rights through the rule of law. The ICJ provides legal expertise at both the international and national levels to ensure that developments in international law adhere to human rights principles and that international standards are implemented at the national level. The ICJ hosts a Centre for the Independence of Judges and Lawyers (CIL).

The International Commission of Jurists held its World Congress in December 2008, in Geneva, Switzerland on the theme “The Judiciary in Times of Crisis”. The next World Congress will be held in 2011. For more information on ICJ’s conference, please visit http://www.icj.org/news.php?id_article=4282%E3%80%88=en.

INTERNATIONAL ORGANIZATION FOR JUDICIAL TRAINING
www.iojt.org
Email: IOJT@supreme.court.gov.il

The International Organization for Judicial Training (IOJT) was established to promote the rule of law by supporting the work of judicial education institutions around the world. This mission is realized through conferences and other exchanges that provide opportunities for judges and judicial educators to discuss strategies for establishing and funding training centres, designing effective curricula, developing faculty capacity and improving teaching methodology.
IOJT conferences are held biennially and follow the tradition of bringing together judges and judicial educators from around the world to explore strategies for developing and implementing effective training programs for the judicial branch. The next conference will be held in Sydney, Australia, between October 26 and 30, 2009. The theme will be “Justice Through Professional Development.”


III. INTERNATIONAL COOPERATION

INvolvement by Canadian Judges

The Canadian judiciary has earned an international reputation for being socially aware, ethical and progressive. Canada’s bilingual and bĳural legal system, based in a multicultural society, has provided Canadian judges with the ideal background for collaborating with their counterparts from around the world. The rising number of requests for Canadian judges to share their expertise abroad reflects this. Canadian judges have been involved with judicial reform efforts in countries as diverse as Russia, Ukraine, Philippines, Serbia, Ethiopia, Guatemala, China, Rwanda and Ghana. Generally, this work has taken place under the aegis of a development project funded by an agency such as the Canadian International Development Agency.

The NJI’s International Cooperation Group (ICG), formed in 2003, focuses on strengthening the judiciary as a key institution of democratic governance in developing countries. Through the ICG, the NJI has executed a number of judicial strengthening projects in which judicial education has been a key component. The NJI is also committed to efforts to enhance coordination among judicial bodies active in international cooperation initiatives and developing Canadian expertise in support of effective and sustainable cooperation initiatives.

A number of Canadian organizations have undertaken roles to implement these projects. In addition to the National Judicial Institute, the Office of the Commissioner of Federal Judicial Affairs, the International Commission of Jurists and CUSO have been active. Projects in the area of youth justice have been implemented by the Association of Colleges and Universities of Canada. Legal projects with smaller components touching upon the judiciary have been implemented by the Department of Justice Canada, the Law Courts Education Society of British Columbia and by the Canadian Bar Association. Private development firms are also involved in this area.

In 2007, the Canadian Judicial Council issued a statement on international activities by Canadian judges entitled Council Policy on International Judicial Activities. It is available from the Council. The policy lists six guiding principles as follows:

1. The primary obligation of judges is the discharge of judicial duties in the jurisdiction in which they are appointed.
“The NJI’s strong international impact comes not only from its collaborative approach to education, but from its distinctive commitment to skills training.”

EDWARD BERRY, PROFESSOR EMERITUS, UNIVERSITY OF VICTORIA, AND NJI FACULTY MEMBER, COMMUNICATION SKILLS IN THE COURTROOM
2. Judges should consult with their Chief Justice before agreeing to participate in an international judicial activity.
3. Before agreeing to participate in an international judicial activity, judges should seek to inform themselves about the proposed international judicial activity, the foreign jurisdiction, and relevant Canadian foreign policy.
4. Judges proposing to participate in an international judicial activity should seek appropriate education or training as necessary.
5. Judges should avoid participation in an international judicial activity that is, or that may reasonably appear to be, for a commercial purpose that would compromise judicial independence or impartiality.
6. A judge should not allow his or her name to be used in any competitive bidding process for an international judicial activity.

CANADIAN JUDICIAL FACULTY ROSTER

The National Judicial Institute has developed the Canadian Judicial Roster, which includes a section for judges who are interested in participating in international cooperation activities. The Roster contains comprehensive profiles, including judges’ academic and professional backgrounds, interests, availability and international experience. Judges are encouraged to register with the Canadian Judicial Roster online at http://jednet.nji.ca.

The Canadian Judicial Roster offers a neutral and comprehensive source of information on the skills and interests of Canadian judges. Organizations seeking judicial expertise are encouraged to contact the NJI to assist them in identifying well-matched judges who may be available for assignments. This service is of particular relevance to non-judicial organizations who have limited or restricted contact with judges.

EXAMPLES OF INTERNATIONAL JUDICIAL PROJECTS

Canada-China Judicial Linkages Project

The Canada-China Judicial Linkages Project (CCJLP) is a five-year, $4.5-million, CIDA-funded project that began in 2004. The project involves cooperation between the NJI and the Supreme People's Court (SPC) of the People's Republic of China. The goal of the project is to strengthen the rule of law and the implementation of international instruments supportive of human rights, democratic development and good governance in accordance with the Chinese government strategies and Millennium Development Goals. The purpose of the project is to increase the capacity of the SPC and targeted legal, judicial and government institutions in China to contribute to the improvement of the rule of law in conformity with international standards. The Office of the Commissioner for Federal Judicial Affairs (FJA) is a partner with the NJI in this project.

Justice Reform Initiatives Support Project — Philippines

The Justice Reform Initiatives Support Project was a five-year, $6.5 million, Canadian International Development Agency (CIDA)-funded project that began in February 2003. Its goal was to contribute to Philippine efforts to improve the quality of judicial services and access to justice, particularly for poor and marginalized groups, by supporting selected elements of the Philippines Action Program for Judicial Reform (APJR). This project was implemented by the National Judicial Institute.

Canada-Russia Judicial Partnership Project

The Canada-Russia Judicial Partnership Project (CRJPP) was a two-year, $350,000, CIDA-funded project that started in January 2005. The goal of the project was to strengthen the Russian judiciary’s practical understanding and application of the principles of the rule of law, constitutionalism, judicial independence and impartiality. This project was implemented by the FJA with the NJI as the judicial education partner, together with the Russian Academy of Justice.
Canada-Ukraine Judicial Cooperation Project
The FJA has received funding for Phase II of its judicial reform work in Ukraine. The project began in 2007 with CIDA funding ($4.5 million over four years) and has three focus areas:
1. Improved access to justice and enhanced efficiency, fairness and transparency of court operations and predictability of the judicial process in Ukrainian courts.
2. Judicial training — enhanced capacity of the Academy of Judges of Ukraine (AJU) and its regional branches to plan, design and deliver relevant judicial educational programs. The NJI is partnering with the AJU to implement this component as a sub-contractor to the FJA.
3. Transparency of justice — enhanced awareness by the public of the role of the judiciary and better communication between the courts and the public. The National Judicial Institute is the judicial education partner with the Academy of Judges of Ukraine.

Institutional Strengthening and Capacity-building of the Judicial Services of Ghana Project
This two-year, $600,000, CIDA-funded project was implemented by CUSO and Judicial Services of Ghana between January 2005 and May 2008. The National Judicial Institute was the judicial education partner. The goal of this project was to share Canadian methods, resources and experience with the newly formed Judicial Training Institute in Ghana (JTI). The project was a strategic intervention designed to work intensively in five key areas and lay the basis for a sustainable model for judicial education in Ghana. The five key elements were:
1. Knowledge exchange between Ghana and Canada.
2. Development of a strategic training plan based on needs assessment and analysis of judicial education on judicial reform.
3. Judicial faculty development through which judges in Ghana learned skills relevant to the design and delivery of judicial education.
4. Course delivery.
5. Public engagement, through which activities in support of judicial reform were brought to public attention.
OTHER PROJECTS INCLUDE:

- **Domestic Violence Training For Ethiopian Police, Prosecutors, Judges, and Health Professionals**
  The Law Courts Education Society of British Columbia has partnered with the Ethiopian Women Lawyers Association (EWLA), a non-profit women's advocacy group founded in 1996. EWLA's mission is to eliminate all forms of legally and traditionally sanctioned discrimination against women, and to ensure equal treatment of women in all areas of their lives.

- **The Bangladesh Legal Reform Project (Part B)**
  This project implemented by the Canadian Bar Association (CBA) is half of a two-part, five-year project to increase legal and judicial capacity. The goal of Part B is to enhance access to justice by the poor and disadvantaged, and to make advancements towards protection of individual rights. The purpose is to strengthen the capacity of the government of Bangladesh and civil society organizations to provide the disadvantaged with improved access to justice and to protect individual rights. CBA's partner in Bangladesh is the Ministry of Law, Justice and Parliamentary Affairs, with input from other governmental stakeholders.

- **The Project to Support the Independence and Impartiality of the Judiciary in the Southeast Adriatic Countries**
  This 27-month, CIDA-funded initiative implemented by the Canadian section of the International Commission of Jurists. The project used the Canadian model to facilitate a dialogue on judicial independence and impartiality among judges and other stakeholders in Bosnia and Herzegovina, Croatia, Macedonia, and the Federal Republic of Yugoslavia. The project included intensive regional workshops on specific issues identified by local judges, and the development of a strategy to promote and strengthen an independent and impartial judiciary. In Croatia, the project focused on: facilitating consensus on the appropriate national structure and mechanisms for long-term judicial training programs; elaborating a curriculum for law school education; providing selected training workshops; and promoting other stakeholder efforts to implement judicial reform.
We would like to thank NORR Limited, Architects and Engineers, and the Supreme Court of Canada for providing the majority of the photographs used throughout this Calendar.

**NORR Limited, Architects and Engineers**

**Calgary Courts Centre Interiors:**
Images of the Calgary Courts Centre Interiors are courtesy of NORR Limited, Architects and Engineers. NORR, as Associate Architect, is responsible for the building envelope and all interior public spaces; the firm is working with Kastian Architecture Interior Design & Planning Inc., who are the Principal Architect and are responsible for the remaining architecture of the building. The Design Consultant is Carlos Ott, and the Courthouse Consultant is Spillis Candela DMJM.

Photo Credit: Robert Lemermeyer of Lemermeyer Photography Inc. Photos of the Calgary Courts Centre appear on the front cover (at left), back cover (at right), and on pages 7 (as thumbnail on section cover), 12, 18 (at left), 23, 24 (at left), 35, 36 (top right), 38-39, 44 (top), 50-51 (all but the photo at left), 52 (top), 56 and 57.

**Renfrew County Courthouse Interiors:**
Images of the Renfrew County Courthouse are courtesy of NORR Limited, Architects and Engineers.

Photo Credits: Steven Evans Photography
Shai Gil of Insite Photography.

Photos by Steven Evans Photography appear on the front cover (middle), in the course listings (inside front cover, at middle and right), and on pages iv, 3, 9, 16, 17, 18, 20-21, 24, 36, 43, 44, 48, 52, 60, 61, 62, 62-63.

Photo by Shai Gil of Insite Photography appears on page 20 (at left).

**John Sopinka Courthouse**
Images of the John Sopinka Courthouse are courtesy of NORR Limited, Architects and Engineers. They appear on pages 24 (at right), 47, 50, 63 and 65.

**Supreme Court of Canada**
Photos of the Court’s interior design features appear on the back cover (crest), inside front cover (window), and pages 32 (staircase), 34 (crest), 42 (crest), 52 (marble floor) and 64 (staircase).

Photos courtesy of the Supreme Court of Canada Collection. Photographer: Philippe Landreville.

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Spiral staircase image on the cover and pages iv, 6, 36 and 77 courtesy of Getty Images, photographed by Javier Pierini.
The following modules are available for court-requested programs or self-learning. Please visit www.nji-inm.ca for more information.

**A**
Aboriginal Law  
Adjournments and Sureties  
Ancillary Orders  
Assessing the Assessment: Family Law  
Automobile Insurance and Personal Injury Claims

**B**
Bail: First Appearance and Wash Courts  
Bail Conditions  
Bijuralism

**C**
Child Development Research  
Child Support  
Child Witnesses in the Criminal Courts  
Children as Witnesses  
Civil Law: Corporate Law Issues and the Insolvent Corporation  
Civil Law: The Impact of Charter Values  
Collaborative Law  
Communicating in the Moment  
Communicating with Counsel/Litigants and Communication Findings  
Communicating with the Public and the Media  
Communication Challenges  
Communication, Elements of Good Communication Skills  
Community Sentences: Supervising the Offender  
Computers in the Courtroom  
Credibility Assessment  
Credibility Assessment and Failties of Testimony  
Criminal Judicial Dispute Resolution  
Criminal Law Seminar: Managing the Sexual Assault Trial  
Criminal Law: Ins and Outs of Sentencing  
Criminal Law: Overzealous Prosecutions  
Criminal Law: Technology and Internet Pornography  
Crown Liability  
Crown Wardship (Termination)

**D**
Demeanour  
Disability and Law: Different Abilities, Equal Access to Justice  
Disqualification of Judges and Adjournments  
Domestic Violence

**E**
Early Termination of Crown Wardship  
Environmental Law Workshop  
Ethical Issues Outside the Courtroom  
Evidence: Foundations  
Evidence and Child Protection  
Evidence Law: Admissibility of Confessions  
Evidence Law: Evidence Issues in Family Law  
Evidence Law: Exclusion of Evidence on Policy Grounds  
Evidence Law: Expert Witnesses  
Evidence Law: Identification Evidence  
Evidence Law: Identification of Hearsay  
Evidence Law: Opinion Evidence  
Evidence Law: Privilege  
Evidence Law: Relevance  
Evidence Law: Similar Fact Evidence  
Evidence Law: Use of Suspect Evidence in High Visibility Cases

**F**
Fact-Finding and Credibility  
Faith-Based Tribunals  
Family Law, Corporate Issues  
Family Law Issues and Case Management  
Family Law: Communication (Verbal and Non-verbal)  
Family Law: Financial Statements and Property Division  
Family Law: Impact of Race, Culture and Religion in Child Custody and Access  
Family Law: International Law – Application in Domestic Law  
Family Law: Rules of Evidence  
Family Law Seminar: Children

**G**
Gun Offences

**H**
Hate, Freedom and Security: Drawing the Lines

**I**
Identification of Hearsay  
Immigration Law  
Immigration Law and Administrative Law Update  
Impact of Race, Culture and Religion in Child Custody and Access  
Intellectual Property  
Intensive Seminar on Legal Terminology and Judgment Writing Techniques  
Interim Care and Custody Motion, The  
International Law: Application in Domestic (Canadian) Law
ALPHABETICAL MODULE LISTINGS

J
Judges as Problem-solvers
Judging in the Context of Diverse Faiths and Cultures
Judgment Writing: Intensive Seminar on Legal Terminology
and Writing Techniques
Judgment Writing Process, The
Judgments: De-identification
Judicial and Media Relations
Judicial Ethics (General)
Judicial Ethics in Action: Impartiality and Equality
Judicial Mediation for the Québec Court of Appeal
Judicial Notice
Judicial Reform
Judicial Safeguards for the Prevention of
Wrongful Convictions

L
Language Training Program, Judges’ Office
of the Commissioner for Federal Judicial Affairs
Lawyers and Lawyer Conflict
Legal Reasoning Modules
Legal Reasoning
Literacy in the Courts

M
Managing and Resolving Multi-Party Cases
Managing Difficult Trials
Managing High-Conflict Custody and Access Cases
Managing the Trial Process
Managing Trials with Self-Represented Litigants
Mentally Disordered Defendants
Mentoring Program (Court)

N
Negotiation: The Foundation of JDR/Settlement
Conferencing
New Judges Workshop
New Tax Issues in Family Law

O
Oral Judgments
Oral Judgments for the Québec Courts

P
Patents, Trademarks and Copyrights, An Update on
Plea Negotiations
Poverty and Participation in the Court System
Preparing for Trial: Managing the Trial Process
Pre-Trial Process: Criminal Law
Problem Solving Skills for Judges in Aboriginal
Sentencing and Mental Health
Problem-Solving Courts

R
Retirement Goals & Strategies

S
Science
Scientific Evidence in the Courtroom
Security Features of Court Based Technology
Self-represented Litigants
Sentencing and its Evolution
Sentencing Process, The
Sentencing, What a Difference a Day Makes
Settlement Conference Seminar
Settlement Conferencing: Basic Principles and Skills
Sex Offender
Spousal Support
Statutory Interpretation / Interprétation des lois

T
Terrorist Legislation, The New
Therapeutic Jurisprudence & Problem Solving Court
Processes
Third Parties in the Criminal Process, The Role of
Time and Case Management

V
Violence & Abuse in Intimate Relationships: Enhancing
Judicial Skills
Visitation and Open Adoption, The Debate Over: Present
and Future
Vulnerable Witnesses and Parties

Y
YCJA and the Principles of Youth Sentencing:
The Controversy over Deterrence, Rehabilitation
and Risk Assessment