

NJI COURSE DESCRIPTIONS

APRIL 2019 – MARCH 2020

MASTER LIST – covers all programs in which NJI was involved in planning

COURT REQUESTED PROGRAMS

Court of Queen's Bench of New Brunswick New Judges Program

Date: September 3, 2019

Overview:

This seminar was intended for the new judges appointed to the Court over the previous two years and was designed to supplement the national training provided in the Seminar for Recently Appointed Judges. This program focused on providing participants with specific information on substantive, procedural and administrative issues applicable to trial judges in New Brunswick.

Objectives:

The objectives of this course were to support newly appointed judges in making a successful transition from lawyer to judge, to equip them with tools, resources, and information pertinent to the Court, and to benefit from the experience and advice of senior judges in an open forum.

Summary:

Led by senior judges from the Court of Queen's Bench of New Brunswick, participants engaged in discussions covering a wide range of practical issues including judicial ethics and the types of behaviours that could trigger judicial complaints, and advice from senior judges on best practices within the courtroom and chambers. In addition, the program provided a venue for experienced judges of the Court to share information with their newly appointed colleagues on the particular rules, practices, and procedures of the Court as well as the resources available.

Court of Queen's Bench of New Brunswick Fall Education Program 2019

Date: September 3, 2019 – September 6, 2019

Overview:

This seminar involved a range of topics related to substantive law, courtroom and trial management, and the social context of law.

Objectives:

The objectives of this course were to improve the participants' substantive knowledge and skills with regard to significant criminal and family law developments, as well as courtroom management.

Summary:

Led by senior judges, experienced practitioners, and legal academics, and presented through a combination of presentations and interactive discussions, the program addressed developments in criminal and family law; including; conducting jury trials, injunctions and *habaes corpus* applications; issues in spousal support, domestic violence; as well as examining bankruptcy law issues. In addition, the program explored the evolving role of the judge and examined the concepts of implicit bias and conscious objectivity.

Joint Federal Court of Appeal and Federal Court Bill C-59 Education Seminar

Date: May 23, 2019

Overview:

This program focused on Bill C-59, the *National Security Act, 2017*.

Objectives:

The objective of this course was to provide an essential update, prior to Royal Assent, on new legislation of relevance to national security matters.

Summary:

Led by senior judges, lawyers and academics experienced in national security proceedings, sessions provided background information on the policy impetus and implications of Bill C-59, datasets and justification regimes, review agencies, threat reduction measures, international law and privacy implications.

Tax Court of Canada Court Meeting and Education Seminar

Date: June 19, 2019 – June 20, 2019

Overview:

This seminar focused on ethical guidelines and practical advice in cases with unrepresented litigants, and oral judgments.

Objectives:

The objectives of the seminar were to enhance participants' understanding and approaches to managing cases with unrepresented litigants and to further develop oral judgment skills.

Summary:

Led by senior judges and experienced lawyers, sessions explored best practices, ethical guidelines and communication skills in cases with unrepresented litigants; practical advice for preparing for and delivering oral judgements.

Federal Court of Canada Education Seminar

Date: September 25, 2019 – September 27, 2019

Overview:

This seminar focused on practical updates on the Court's core substantive law areas of immigration, administrative law, and intellectual property, federal corrections and human rights, and judicial decision-making.

Objectives:

The objectives of the seminar were for participants to review case law developments in the Court's core substantive law areas, to enhance their understanding of human rights and correctional facilities and to explore unconscious bias in judicial decision-making.

Summary:

The program content was presented through a mix of presentations and interactive question and answer sessions, with faculty consisting of senior judges of the Court, experienced counsel, government representatives, and multi-disciplinary academics. Sessions included significant developments in intellectual property with an emphasis on PM(NOC) regulation updates and trademark issues; human rights issues arising in correctional facilities; judicial review and artificial intelligence; and decision-making and strategies to base decisions on critical thought processes that promote reasoned decisions.

Federal Court Oral Judgments Education Seminar

Date: October 10, 2019 – October 11, 2019

Overview:

This seminar focused on delivering oral judgments in the context of the Federal Court's caseload. Developed in collaboration with senior judges and pedagogical and communications experts, this program helped participants learn and practice how to better structure their judgments, organize the evidence and law before and during a hearing, and communicate effectively.

Objectives:

The objectives of this program were to assist participants in developing improved skills in structuring a judgment, making it more direct, efficient and easy to follow; preparing oral judgments; structuring and communicating credibility assessments; and delivering clear oral judgments.

Summary:

This seminar applied an experiential skills-based approach to teaching oral judgment skills to participants. Throughout the seminar, short lectures from experienced judges and experts on writing and communications taught the core advanced skills involved in structuring and delivering effective oral judgments. These lectures were supplemented by intensive small group work, where judges had the opportunity to practise these skills and receive individualized feedback both from their peers and from trained facilitators. The program ended with participants delivering a full oral judgment, which was followed by feedback.

Federal Court of Appeal Education Seminar

Date: October 23, 2019 – October 25, 2019

Overview:

This program focused on updates in administrative, patent, privacy, tax and Aboriginal law, judicial reasoning and judicial wellness.

Objectives:

The objective of this program was to provide participants with timely updates on relevant case law and to promote optimal judicial wellness and productivity.

Summary:

With a multi-disciplinary faculty led by senior judges, lawyers and legal academics, the seminar used a combination of presentations and interactive sessions to explore topics including: recent developments in tax law including changes to income splitting rules; the impact of technology and the Patent Act; standard of review in administrative law; privacy and the courts; Aboriginal law and the institutional protections afforded to Indigenous Peoples under s.35; securing human rights through legislation; and managing energy for peak judicial performance and sustainability.

Tax Court of Canada Education Seminar

Date: December 5, 2019 – December 6, 2019

Overview:

This program focused on case management for general and complex appeals and group appeals.

Objectives:

The objective of this seminar was to enhance participants' approaches to case management in general and complex appeals and to examine process issues in group appeals.

Summary:

Led by experienced judges, the seminar used a combination of presentations, case scenarios, demonstrations and interactive questions and answers to share experiences and deliver practical advice on case management for general and complex appeals in the Court and to discuss the issues and process with reference to group appeals.

NATIONAL PROGRAMS

Communicating Effectively in Your Courtroom

Date: March 6, 2019 - March 8, 2019

Overview:

This seminar focused on developing judicial communication skills in the courtroom. Developed in collaboration with senior judges and communications experts, this program helped judges from a range of experience levels effectively communicate with the people who appear in front of them and to better manage their courtrooms.

Objectives:

The objectives of this program were to assist judges to: communicate authentically with the people who appear in their courtrooms, within the scope of the judicial role; develop core communication skills, focusing on voice, content, non-verbal communication, and effective listening; recognize and counteract unconscious biases; employ communication tools to manage difficult litigants and challenging courtroom environments; and ensure that courtroom communications do not further traumatize those appearing in court.

Summary:

This seminar used a highly interactive skills-based approach to teach and practice communication skills in the courtroom. Throughout the seminar, short lectures from experienced judges and communications experts taught core communication skills, as well as skills around recognizing and counteracting implicit bias and communicating with individuals who have experienced trauma. These lectures were supplemented by intensive small group work, where judges were given an opportunity to practice these skills and receive personalized feedback from their peers and from the faculty.

Seminar for Chief Justices, Chief Judges and Associates

Date: March 31, 2019 – April 2, 2019

Overview:

This program was designed for Chief Justices and Chief Judges who have specific additional court administration responsibilities. The seminar focused on developing productivity, management and leadership skills to better equip Chief Justices and Judges in carrying out their duties.

Objectives:

The objectives of this seminar were to enhance the participants' leadership skills, problem-solving techniques and to provide an opportunity for sharing best practices among new and experienced chief judges from across the country.

Summary:

This seminar for court leaders addressed topics pertinent to the work of Chief Justices in a transforming justice climate. Several broad themes were examined: providing supportive leadership to the court and the judicial complement; forming an effective relationship with the Executive which includes developing an effective communication model to create alignment with the public and the Executive; and maximizing productivity for effective leadership. The Seminar for Chief Justices began with a keynote address by Mr. Robert Prichard who reflected upon the attributes of leadership.

Criminal Jury Charge Workshop

Date: April 3, 2019 – April 5, 2019

Overview:

This skills-based seminar focused on writing jury instructions, with hands-on and intensive sessions requiring participants to craft jury instructions in response to the factual and legal issues generated using a hypothetical detailed criminal jury trial scenario.

Objectives:

The objectives of this seminar were to provide judges assigned criminal jury cases the fundamental skills necessary to craft effective jury instructions.

Summary:

Led by senior judges with expertise in criminal law jury trials, this workshop-style seminar combined short lectures, panel discussions and small-group exercises covering the following topics: selecting the jury and preliminary instructions, trial management powers after Jordan, dealing with the under-represented accused in a jury trial, mid-trial instructions, essential components of final instructions, pre-charge conferences, form of final instructions and the use of aids, hearing objections to the charge, discharging a juror during deliberations, and responding to jury questions.

Seminar for New Federally Appointed Judges

April 6, 2019 – April 12, 2019

October 26, 2019 – November 1, 2019

Overview:

The CJC mandates that all new federally appointed judges attend this pair of seminars shortly after their appointment. They amount to nearly two full weeks of training for new judges – one held in the spring,

the other in the fall – and are organized jointly by the National Judicial Institute and the Canadian Institute for the Administration of Justice.

Objectives:

The objectives of these seminars are to orient participants in their new role as judges and to initiate their efforts to maintain and enhance their legal knowledge and judicial skills throughout their years on the bench.

Summary:

These seminars were led by senior judges, with input from legal academics and experienced lawyers. A number of learning tools – including lectures, courtroom roleplay videos and small-group discussions – were deployed to help convey the knowledge and skills judges require to be effective in their new role. Some of the sessions were addressed to all judges, while some were tailored to common law judges, and others to civil law judges.

All participants jointly attended sessions on judicial independence and judicial ethics, the *Canadian Charter of Rights and Freedoms*, judgment writing, strategies for ensuring equal access to justice for persons with disabilities, as well as the relationship between judging and social context, with a particular focus on the law of sexual assault and cases involving Indigenous peoples. Judges from all jurisdictions also attended sessions on family law, applications for injunctions, the preparation and delivery of oral judgments, the law of evidence, civil procedure, judicial review of administrative action, self-represented litigants, and courtroom and trial management. Finally, a suite of sessions for common law judges dealt with criminal law topics ranging from jury selection to sentencing, while civil law judges spent time working on effective communication in the courtroom and reviewed the law relating to regulatory offences and consent to medical care.

Oral Judgments 2019

April 10, 2019 – April 12, 2019

Overview:

Developed in collaboration with senior judges and pedagogical and communications experts, this program helped participants learn and practice how to better structure their judgments, organize the evidence and law before and during a hearing, and communicate effectively.

Objectives:

The objectives of this program were to assist participants in developing improved skills in structuring a judgment, making it more direct, efficient and easy to follow; preparing oral judgments; structuring and communicating credibility assessments; and delivering clear oral judgments.

Summary:

This seminar applied an experiential skills-based approach to teaching oral judgment skills to participants. Throughout the seminar, short lectures from experienced judges and experts on writing and communications taught the core advanced skills involved in structuring and delivering effective oral judgments. These lectures were supplemented by intensive small group work, where judges had the opportunity to practice these skills and receive individualized feedback both from their peers and from trained facilitators. The program ended with participants delivering a full oral judgment, which was followed by feedback.

The Modern Court: Adapting to Judging in a Complex Age (Joint CCIAWJ and NJI Program)

April 29, 2019 – May 2, 2019

Overview:

This program was designed and delivered collaboratively with the Canadian Chapter of the International Association of Women Judges (CCIAWJ, an organization open to both men and women) and focused on challenges with respect to the changing role of the judge, and to strategize ways to adapt to these new roles.

Objective:

The objective of the seminar was to provide a greater understanding of the current context judges must work in today. Sessions were designed to encourage judges to confidently respond to these changes and strategize ways to adapt using a variety of interactive tools.

Summary:

Led by senior judges, academics, practitioners and community groups, the program used a combination of panels, plenary and small group discussions to explore the changing roles of the judges, examine the current context in which judges work, identify and incorporate tools and approaches to ensure assumptions are checked and people appearing before the Court are being heard, understood, and responded to in an appropriate and culturally sensitive manner. In addition, throughout the program, our speakers provided ways in which judges can continue to stay confidently informed in the future.

Judging Outside Urban Centres

May 14, 2019 – May 16, 2019

Overview:

This new national seminar was developed to respond to the needs of judges who work in rural or remote communities. The context and impact of the substantive legal issues that judges are asked to

decide in these locales often differ from those arising in urban centres. The Canadian justice system also looks different outside urban centres, with fewer resources available to address systemic problems, rising numbers of self-represented litigants and overcrowded correctional facilities. Judges themselves face a host of challenges when they live or sit in small communities, from everyday interactions with community members who may appear before them to a shortage of colleagues with whom they can discuss their work.

Objectives:

The objectives of this seminar were to offer training on the legal, procedural, social context and ethical issues that judges deal with most often in non-urban settings, and to offer a forum for learning to manage social and professional isolation and to share strategies for working in a context of limited resources.

Summary:

The seminar began with a judicial panel discussion and an academic exposition about the isolation experienced by judges working in small or remote communities. Next followed a half-day on the application of the CJC's *Ethical Principles for Judges* in small or remote communities, including exercises that focused on the law and ethical guidelines governing judicial impartiality and the reasonable apprehension of bias, community and political involvement, and recusal and disqualification.

The seminar proceeded with academic presentations on the social context underlying intergenerational trauma in Indigenous communities, and the science underlying Fetal Alcohol Spectrum Disorder, including key skills for communicating with individuals living with this condition. A judicial panel also canvassed the challenges of obtaining expert and other specialized reports outside urban settings and which information-gathering techniques might serve as alternatives to formal reports in these communities.

Rounding out the seminar were a judicial panel discussion and a clinical psychologist's perspective on the fine balance to be struck between learning about the needs of a particular small or remote community and remaining within the bounds of the judicial role. These sessions explored key differences in dynamics depending on whether a judge resides in a small or remote community or whether she or he circuits among various such communities.

The Art and Craft of Judging: Your "Sophomore Years" 2019

June 9, 2019 – June 14, 2019

Overview:

This program was designed for judges with 5 to 10 years of experience on the Bench. The program, developed in collaboration with senior judges as well as academics, addressed several dimensions of judging relevant to judges at this stage of their careers.

Objectives:

The objective of this program was to support participants with the understanding of the role of deliberation in judicial decision-making, identifying the range of ways in which cultural elements come into play in the courtroom, responding to ethical issues occurring mid-career, and developing strategies for maintaining optimum productivity. The course also explored strategies to increase resilience and well-being in the judicial role.

Summary:

Led by faculty members consisting of senior judges, judicial peers, and academics from the fields of law, neuroscience, psychology, diversity and pluralism, this program addressed several dimensions of judging including: judging at the conceptual level (decision-making and the context of judging), at the level of judicial identity (ethics), productivity (strategies to complete and issue timely judgments) and resilience, wellness and professional growth over the judicial career. It also focused on the process of judgment and decision-making and considered both the interaction of social context in cases (intercultural competence, judging in a diverse society) and the widening range of ethical questions affecting judges at this point of their career.

Your Supernumerary Years and Beyond

June 12, 2019 – June 14, 2019

Overview:

This program covered a range of issues of importance to judges approaching retirement within five to seven years. It canvassed the ethical issues which are faced by judges retiring from the bench, whether seeking to re-enter private practice or in other professional and non-professional roles. It also addressed several other personal and professional issues and decisions relevant to retirement and pre-retirement.

Objectives:

A key objective of this program was to ensure judges are fully aware of their ethical obligations upon retirement, particularly if they engage in the practice of law afterwards.

Summary:

Members of the faculty and presenters included senior judges and academics skilled in ethics, mentoring, health and well-being. The program addressed a wide range of topics including: ethical issues faced by retiring judges, mentoring, volunteering, and health-related matters.

Evidence Workshop

July 21, 2019 – July 26, 2019

Overview:

This intensive program was a practical and applied course providing judges with an update on the state of the law of evidence in the criminal, civil and family domains.

Objective:

The objective of this seminar was to increase substantive knowledge and develop strong practical skills relating to the assessment of evidence. To ensure an applied and practical focus, participants were provided with opportunities throughout the program to address situations and scenarios that frequently occur in court.

Summary:

Led by senior judges and academics, the seminar used lectures, panel presentations, role-play scenarios and facilitated small group exercises. Topics covered included the following: relevance and inference-drawing; opinion evidence; hearsay; confessions; character and similar fact evidence; the examination of witnesses in sexual assault trials; the collateral facts rule; credibility assessments; and evidentiary issues in family cases.

Participants had the opportunity to draft rulings in a small group setting with facilitators. One of the fact patterns used to apply the evidentiary principles under discussion was a sexual assault case. This hands-on seminar helped participants develop enhanced skills in addressing evidentiary problems as they occur.

Judging Better, Judging Smarter

Date: July 31, 2019 – August 2, 2019

Overview:

This program explored the impact on, the opportunities for and the challenges of technology in the day to day work of judges. The first day was devoted to two areas of technology that raise questions about society in general and for judges in particular: privacy and artificial intelligence. Is anything private anymore? Do people care about their privacy? What part of a judge's job can be done by a machine? On the second and third days, participants explored the use of technology in the courtroom, what is happening now and what is possible for courtrooms across the country.

Objectives:

Throughout this two-and-a-half-day program, participants acquired new skills and tools – from use and integration of technology into their practice and within the court room – to help judge better and judge smarter.

Summary:

This seminar assisted judges in becoming more comfortable with the technological tools at their disposal, which will ultimately help them judge better and judge smarter. One segment of the Judging Better, Judging Smarter seminar focused on privacy and included sessions such as: the impact of technology and social media on youth and businesses; privacy from a criminal perspective; and the evolving constitutional right to privacy in the Digital Age. The program also explored topics of artificial intelligence and the judiciary, paperless trials, e-discovery, and the developments of e-court – a forum for online hearings.

Transitioning to the Appellate Court

Date: September 23, 2019 – September 24, 2019

Overview:

Being an appellate judge requires different skills and ways of working than trial judging. It is collegial, in some ways more limited and in others more expansive than the work of a trial judge. It usually comes after a judge has worked on the trial bench for some years. This program is designed to offer newer appointed appellate judges the opportunity to explore the work that appellate courts do, share best practices for working on a collegial court, examine some of the ethical issues that arise for appellate judges and address some challenging legal issues that 21st century intermediate appellate judges face.

Objectives:

The objectives of the course included equipping judges with best practices in preparing for a hearing, how to best utilise students and law clerks, and how to effectively communicate amongst the panel, ensuring best practices for collegial decision making and writing.

Summary:

This seminar for new appellate judges addressed topics pertinent to their roles. The seminar offered an opportunity for judges to explore how to best prepare for hearings, address questions on procedure before, during and after the hearing, and discussions on how to address the values underlying appellate decision-making, the post-hearing conference, the writing process on a collegial court, commenting and editing judgments and dissents and concurring judgments. The program had sessions relating to the powers of the appellate court in criminal cases as set out in the *Criminal Code* of Canada and discussions of recent Supreme Court of Canada Decisions.

Appellate Courts Seminar

Date: September 25, 2019 – September 26, 2019

Overview:

This two-day program addressed the specific needs of appellate judges. It provided not only an in-depth analysis of important areas of law but also permitted judges to exchange ideas and best practices about emerging legal issues and the craft of appellate judging.

Objectives:

The objectives of the Appellate Court seminar were to permit discussion about areas of law frequently addressed by appellate judges and permit judges to share their experiences in effective appellate decision making.

Summary:

This two day seminar was divided into two general areas – the first day addressed areas of law relevant to appellate judges. These areas included an overview of indigenous legal principles, substantive updates on the law of sexual assault and sentencing, class actions and judicial review. The second day was dedicated to appellate skills. It examined the role of the appellate court in mediation, self-represented litigants, and an update on technology in appellate courts. The seminar concluded with a conversation between bar and bench on emerging topics.

Criminal Jury Trials Seminar

Date: October 30, 2019 – November 1, 2019

Overview:

This course was intended for new judges and built on the jury training provided during the ***Seminar for New Federally Appointed Judges***.

Objectives:

The objective of this seminar was to provide judges with comprehensive training on the evidentiary, procedural and substantive law challenges which emerge in criminal jury trials, from pre-trial applications through to the taking of the verdict.

Summary:

Led by senior judges with expertise in this area, and delivered by using a combination of short lectures, panel discussions and small-group exercises, this seminar examined the jury trial process from pre-trial applications through to the taking of the verdict, as well as a variety of evidentiary and substantive law issues trial judges will likely encounter. The program emphasized recent statutory changes and jurisprudential developments. Topics included:

- Preparing the self-represented accused for a jury trial
- Conducting a challenge for cause, and other jury selection issues after Bill C-75
- *Charter* voir dires and the s. 24(2) analysis after *R. v. Le*

- The *Corbett* application
 - Multi-accused trials and limited use instructions
 - The air of reality standard
 - Jury instructions on consent and honest but mistaken belief in communicated consent
 - Dealing with juror misconduct during deliberations
-

Dialogues on Judging: Challenges and Rewards of a Long-Serving Career (Joint CIAJ and NJI program)

November 13, 2019 – November 15, 2019

Overview:

The program was designed specifically for judges with at least 10-15 years of experience to take stock of their collective experience and enhance their skills and approaches to judging.

Objectives:

The objective of this program was to allow judges with similar years of service to share the benefit of their experiences with peers and other experts relating to decision-making, leadership, mentorship, contemporary role of decision-makers and relationship with the public.

Summary:

With the participation of senior judges, interdisciplinary academics drawn from psychology, education, and community representation, the course employed interactive lectures and small group and plenary discussions to explore the following themes: adapting to the changing realities in society and in access to justice; characteristics, roles and responsibilities of judges as decision-makers; the changing relationship between judges and the public; lifelong learning, intellectual refreshment and reinvigoration; and the evolution of decision-making and implications for the modern judge.

Hearing and Deciding Charter Issues

November 26, 2019 – November 29, 2019

Overview:

This seminar was intended to provide judges with practical skills and tools to manage common applications under the Canadian Charter of Rights and Freedoms as well as the complex procedural issues arising from these types of cases.

Objectives:

The objectives of this seminar were to provide participants with an enhanced understanding of the principles of the Charter, awareness of key jurisprudential developments, procedural skills to manage

Charter proceedings, practical information on procedural issues, and analytical frameworks to assist judges in deciding cases under Charter provisions (in both criminal and civil matters).

Summary:

Through a combination of lectures, presentations, small group work, analytical frameworks and other interactive learning activities, participants worked through two fact scenarios with the assistance of faculty and facilitators to address topics that included: general principles underlying the Charter; protection against unreasonable search or seizure; detention and the right to counsel; the right to a trial within a reasonable time; sentencing; the right to life, liberty and security of the person; reasonable limitations on Charter rights; procedural issues in Charter cases; and remedies in case of Charter breach. This hands-on seminar helped participants enhance the skills needed to address Charter issues effectively as they occur in the courtroom.

Judging in Your First Five Years: Criminal Law

January 20, 2020 – January 24, 2020

Overview:

This national seminar has been made mandatory by the CJC and builds on the training provided to newly appointed judges in the spring and fall of each year. Over five days of intensive and interactive work, it provides participants with a comprehensive overview of the process of conducting a criminal trial and, in particular, a sexual assault trial.

Objectives:

The main objective of this seminar is to equip new judges with the knowledge and skills they need in order to manage a criminal trial from the pre-trial stage to sentencing. As sexual assault trials pose some of the greatest challenges for the judicial role, the seminar also serves to ensure that participants understand this complex area of the law and can conduct these trials effectively, efficiently and fairly.

Summary:

This seminar was led by senior judges drawn from across Canada, with input from legal academics. Two sexual assault fact scenarios helped anchor the issues and allowed participants to practise the relevant skills in small groups, using a blend of courtroom roleplay videos, live submissions by Crown and defence counsel, and sample written filings.

Participants received training in substantive and procedural law and the law of evidence, including the statutory regimes governing third party records and sexual history evidence, as well as *Charter* motions by the accused. They also developed skills in managing examination-in-chief and cross-examination, exercising the judicial gatekeeping function in respect of expert evidence, making credibility assessments and ensuring the sufficiency of reasons for judgment. A session on myths and stereotypes enabled participants to understand the social context in which sexual assault takes place and to identify prohibited lines of reasoning.

A special session on the victimization of Indigenous women and Indigenous experiences of the criminal justice system helped participants appreciate the import and ramifications of the *Barton* judgment rendered by the Supreme Court of Canada and the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Family Law Seminar: Evidence and Procedure

Date: February 12, 2020 – February 14, 2020

Overview:

This seminar focused on the broadening knowledge of various family law topics for current sitting family law judges.

Objectives:

This program provided family court judges with the substantive knowledge and skills to effectively manage and decide jurisdictional issues, costs, domestic violence and procedure occurring in family law chambers. Updates on developments in family law matters were discussed. This program was designed to deepen the understanding of the procedures when setting matters down for hearing and explore the issues around family law.

Summary:

Led by experienced family law judges, academics, and senior lawyers who shared their practical insights on a variety of relevant topics such as: child development and protection, social media in family law, the Intersection of high-tech stalking and domestic violence, managing cultural evidence in family law, costs in family court, and developing parenting plans.

Survive and Thrive: Decision-Making and Judicial Productivity Seminar 2020

February 4, 2020 – February 7, 2020

Overview:

The program focused on providing judges with tools and skills to ensure optimal levels of productivity when facing heavy caseloads.

Objectives:

The objective of this program was to assist judges in developing effective strategies and strong practical skills in allowing them to manage their workload and optimize their time to deliver prompt judgments.

Summary:

Judicial leaders from courts across Canada, in collaboration with experts in productivity and energy management, led this interactive and workshop-based program. Program sessions focused on optimizing time, maximizing energy and productivity and developing new habits to support and maintain high performance. Particular emphasis was placed on resiliency training in the context of exposure to toxic evidence given the negative effect this can have on judicial productivity and well-being. Participants worked with judicial mentors on the development of strategies tailored to their work environment and circumstances. The hands-on learning environment with multidisciplinary judicial and non-judicial faculty members enhanced and expanded individual strategies.

Insolvency Seminar

February 5, 2020 – February 6, 2020

Overview:

This seminar was intended for judges who hear insolvency cases and provided an overview of both substantive and procedural law developments.

Objectives:

The objective of this course was to provide an update on the law of insolvency through interactive sessions.

Summary:

Developed and led by experienced judges, academics, and senior practitioners, the program delivered practical advice and best practices for conducting insolvency proceedings. Drawing on leaders from the judiciary, academia and practitioners, and using a combination of case studies, interactive questions and debate, the seminar covered a broad range of issues including: key jurisprudential decisions from the Supreme Court of Canada; order of insolvency priorities; Bankruptcy and Insolvency Act/Companies' Creditors Arrangement Act amendments; conflicts; and receivership.

Court Martial Appeal Court of Canada

February 19, 2020 – February 21, 2020

Overview:

This seminar was intended for judges who are designated to hear appeals to the Court Martial Appeal Court of Canada.

Objectives:

The objective of this course was to provide relevant updates on the law and context of military justice.

Summary:

With a multidisciplinary faculty led by senior judges, this program delivered essential updates, practical advice and social context on appeals before the Court including: military justice and concurrent jurisdiction; investigations and Court Martial processes; summary trials and their impact on the Court's proceedings; military detention systems; human rights and international humanitarian law; and the law and social context of sexual assault cases in the military justice system.

Gatekeeping Expert Evidence

Date: February 26, 2020 – February 28, 2020

Overview:

This program had as its objective to assist judges to better manage the various forms of evidence that may arise during a trial.

Objectives:

This program reviewed the analytical framework for the management and admission of expert evidence in civil and criminal cases and also addressed particular areas of science that come into a court.

Summary:

The program used a mix of information sessions, break-out discussions and exercises to help develop skills in managing expert evidence. The program covered a range of topics including an overview of the current state of the law in Canada on the judicial gatekeeping function for expert evidence, addressing novel neuroscientific evidence, and unconscious bias in experts opinions. The seminar looked at specific areas of science including DNA, specifically probabilistic genotyping and likelihood ratios, and fingerprint and pattern recognition. The program concluded with a discussion amongst the judges of the way forward for judicial gatekeeping including discussion of a toolbox for judges in performing this role.