

# NJI COURSE DESCRIPTIONS

JANUARY – DECEMBER 2024

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

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## COURT REQUESTED PROGRAMS

### British Columbia

**TITLE: Supreme Court of British Columbia Education Seminar: New Judges Program**

**PROVIDER: Supreme Court of British Columbia**

Date: May 21, 2024

**Overview:** This one-day program for new judges of the Supreme Court of British Columbia was delivered by senior members of the court. It provided an overview of practical considerations related to the role of a judge.

**Objective:** The objective of the seminar was to assist new appointees to the court in transitioning from practice to serving on the bench.

**Summary:** Senior judges addressed various topics of interest including managing chambers, unique challenges in family law, and strategies for managing reserves. The program ended with practical tips for judges on circuit and an opportunity for new appointments to ask questions to senior judges.

**TITLE: Supreme Court of British Columbia Education Seminar**

**PROVIDER: Supreme Court of British Columbia**

Date: May 22-24, 2024

**Overview:** This two-day seminar for the judges of the Supreme Court of British Columbia explored a variety of topics including judicial review; wills and estates law; criminal jury trials and jury charges; bail and detention reviews; approaches to imputing income for child or spousal support and how retirement affects spousal support; and public policy challenges surrounding current Charter litigation. At a wrap-up session, senior/retiring members of the Court provided their tips and perspectives on judging and what cases or issues had left lasting impacts on their judicial careers.

**Objective:** The objectives of this seminar were to enhance participants' substantive knowledge and skills to address emerging trends in administrative, constitutional, criminal, family, and wills and estates law. Further objectives were to provide practical approaches to imputing income in child or spousal support calculations, to prepare for unpredictable criminal jury cases, and to provide insight from senior members of the bench, an experienced practitioner, and a legal academic on various Charter issues.

**Summary:** The seminar covered wide-ranging areas of interest for the judges and masters (now associate judges) of the court. The program explored difficult financial calculations in the context of family matters, including imputing income in child and spousal support and the impact of retirement on spousal support. Other sessions focused on addressing substantive law issues and emerging trends in wills and estates law and applications/petitions for judicial review. For the latter, a presentation was offered by a judge from the Federal Court of Appeal. There was also a discussion with senior members of the bench on a variety of criminal matters, from assembling a charge to pre-charge conferences, as well as conducting bail and detention review. Finally, the seminar included a review of current Charter litigation before the superior courts and the significant public policy challenges raised by these cases.

**TITLE: Supreme Court of British Columbia Education Seminar**

**PROVIDER: Supreme Court of British Columbia**

Date: November 13-15, 2024

**Overview:** This two-day seminar for the judges of the Supreme Court of British Columbia explored a variety of topics including intimate partner violence; interim applications in family law proceedings; the origin, evolution and application of the doctrine of the honour of the Crown; high-stakes real estate applications, certificates of pending litigation and subject clauses; practical and effective civil trial management; Charter voir dres for warrantless police actions; Charter voir dres for search warrants and other judicial authorizations; and an introduction to PG DNA evidence and issues in admissibility.

**Objective:** The objectives of this seminar were to enhance participants' substantive knowledge of emerging issues in family, civil, Aboriginal and criminal law, and to enhance judicial skills for handling chambers applications and conducting effective trial management. Further objectives were to provide insights from academics and psychologists working in the area of intimate partner violence and with children whose families are going through divorce so that judges are better equipped to identify and

address coercive control and to make orders, including those dealing with therapy, to support children and their parents.

**Summary:** The seminar covered wide-ranging areas of interest for the judges and associate judges of the court. The program explored intimate partner violence and coercive control, with insights from a legal academic working in this field using a case study as well as videos shared from the Judicial College of England and Wales. This was followed by a practical session on interim applications in family law proceedings, which was accompanied by information from a therapist on the types of therapy options available. There was a presentation on the history and evolution of the constitutional principle of the honour of the Crown, and how this concept is raised in Aboriginal proceedings before the courts. A presentation on CPLs and subject clauses gave helpful insight into complicated and high stakes real estate transactions. There was a practical session offered by senior members of the bench that provided tips on effective civil trial management. Finally, there were sessions offered by senior members of the bar and bench dealing with various criminal law matters, including Charter voir dres for warrantless police searches, Charter voir dres for search warrant, and emerging issues with admissibility of DNA evidence.

## Alberta

**TITLE: Court of King's Bench of Alberta Education Seminar: 101**

**PROVIDER: Court of King's Bench of Alberta**

Date: January 30, 2024

**Overview:** This one-day seminar focused on the financial considerations in family law matters and the basics of running a criminal law trial. The seminar was geared towards newly appointed judges from the Court of King's Bench of Alberta but was attended by judges of all levels of seniority.

**Objective:** The objectives of the seminar were to enhance participants knowledge of common applications, issues, and challenges arising from family law and criminal law matters.

**Summary:** This program was led by experienced trial judges, local legal practitioners, and academics. Through a combination of substantive lectures and panel discussion, the program started by providing judges with tools to assess and to understand financial statements in complex family law disputes. Sub-topics included: i) how to impute income?, ii) how much pre-corporate tax should be attributed to shareholders?, iii) what is the appropriate tax treatment of the division of RRSPs or spousal support?, and iv) how are personal benefits being attributed to directors or employees of incorporations? The seminar then addressed the nuts and bolts of running a criminal law trial, including arraignments, pre-trial conferences, self-represented accused's, mistrials, objections, and more. The seminar concluded with a presentation on sections 10(a) and 10(b) of the *Charter* including voluntariness *voir dres* and evidentiary issues.

**TITLE: Court of King's Bench of Alberta Education Seminar**

**PROVIDER: Court of King's Bench of Alberta**

Date: January 31 – February 2, 2024

**Overview:** This seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench of Alberta.

**Objective:** The objectives of the seminar were to improve participants' awareness of current issues facing the court, to refine their skills and further their knowledge on a variety of topics.

**Summary:** Led by experienced judges, legal academics, and other practitioners, through a mix of lectures, panel discussions, and interactive activities, the seminar explored: medical and education related decision making in family law matters, corrections & sentencing, judicial mediation skills and restorative justice.

**TITLE: Court of Appeal of Alberta Education Seminar**

**PROVIDER: Court of Appeal of Alberta**

Date: January 31 – February 2, 2024

**Overview:** This education seminar covered a variety of topics relevant to appellate judges in Alberta.

**Objective:** The objectives of the seminar were to improve participants' awareness of current issues facing the court, to refine their skills, and to further their knowledge on a variety of topics.

**Summary:** Led by subject matter experts on each topic, this two-day in-person education program considered: artificial intelligence, corrections & sentencing, disability rights, family law procedures, and the life of a judge in Northern Canada.

**TITLE: Court of King's Bench of Alberta Education Seminar**

**PROVIDER: Court of King's Bench of Alberta**

Date: May 7, 2024

**Overview:** This half-day seminar focused on estate litigation.

**Objective:** The objectives of the seminar were to improve participants awareness and TO expand their knowledge base on relevant issues involving estate litigation matters.

**Summary:** Drawing on the expertise of experienced trial judges and local legal practitioners, sessions focused on how to navigate complex matters in estate litigation. Topics included: i) rectifying, interpreting and validating a will, ii) trust variations, iii) relevant accounting requirements, iv) family maintenance/dependent claims, v) personal representative considerations, and vi) relevant procedural tips and updates.

**TITLE: Court of King's Bench of Alberta Education Seminar: 101**

**PROVIDER: Court of King's Bench of Alberta**

Date: September 25, 2024

**Overview:** This half-day seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench of Alberta. The seminar was geared towards newly appointed judges from the Court but was attended by judges of all levels of seniority.

**Objective:** The objectives of the seminar were to enhance participants knowledge of pre-trial conferences in criminal and family matters, as well as managing substantive issues in civil chambers.

**Summary:** This program was led by experienced trial judges. Through a combination of substantive lectures and panel discussion, the program began with a panel discussion on important considerations in pre-trial conferences for both family and criminal matters. Topics included scheduling logistics, procedural issues and pathways to resolution.

**TITLE: Court of King's Bench of Alberta Education Seminar**

**PROVIDER: Court of King's Bench of Alberta**

Date: September 25-27, 2024

**Overview:** This seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench of Alberta.

**Objective:** The objectives of the seminar were to improve participants awareness of current issues facing the court, to refine their skills, and to further their knowledge on a variety of topics.

**Summary:** Led by experienced judges, legal academics, and other practitioners, through a mix of lectures, panel discussions, and interactive activities, the seminar explored: security in and out of the courtroom, case law updates, judicial review and statutory appeals, contempt of court, dealing with objections, hearsay, and the admissibility of prior statements by a witness.

**TITLE: Court of Appeal of Alberta Education Seminar**

**PROVIDER: Court of Appeal of Alberta**

Date: September 25-27, 2024

**Overview:** This education seminar covered a variety of topics relevant to appellate judges in Alberta.

**Objective:** The objectives of the seminar were to improve participants awareness of current issues facing the court, to refine their skills and further their knowledge on a variety of topics.

**Summary:** Led by subject matter experts on each topic, this two-day in-person education program considered: knowledge transfer from retired or soon-to-be retired judges, judgment writing & editing, generational differences in the workplace and dealing with professional self-governance matters.

## Saskatchewan

**TITLE: Court of King's Bench for Saskatchewan Education Seminar**

**PROVIDER: Court of King's Bench for Saskatchewan**

Date: June 4-6, 2024

**Overview:** This three-day seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench for Saskatchewan.

**Objective:** The objectives of the seminar were to improve participants awareness of current issues facing the court, to develop their substantive skills, and to enhance their knowledge on a variety of topics.

**Summary:** Led by experienced judges and legal practitioners, through a mix of lectures, panel discussions and interactive sessions, the seminar explored an overview of criminal matters, judicial case conferencing in family files, and an overview of local legal services available to self-represented litigants in the province.

**TITLE: Court of Appeal for Saskatchewan Education Seminar**

**PROVIDER: Court of Appeal for Saskatchewan**

Date: September 25-27, 2024

**Overview:** Participants visited a federal correctional institution where they met with both inmates and staff. This first-hand experience was accompanied by a presentation on the realities of sentencing and incarceration in Canada. Participants were then invited to share their observations, experiences and "best practices" with their peers throughout the seminar.

**Objective:** This program's purpose was to allow participants to explore the context in which they execute their decision-making responsibilities and to better understand the realities of those affected by their decisions by allowing them to step out of the conference room and into a federal correctional facility.

**Summary:** This program brought together the judicial participants, the inmates and staff of the federal correctional facility and a criminologist for a day of learning.

**TITLE: Court of King's Bench for Saskatchewan: National Day of Truth and Reconciliation**

**PROVIDER: Court of King's Bench for Saskatchewan**

Date: September 30, 2024

**Overview:** This half-day virtual program focused on issues and stories related to truth and reconciliation in Saskatchewan.

**Objective:** Responding to the Calls to Action of the Truth and Reconciliation Commission of Canada, this half-day program addressed what judges see in their courtroom, explored the unique dynamics of Indigenous peoples in Saskatchewan, and discussed the path forward towards reconciliation.

**Summary:** With presentations from both a sitting judge from a different jurisdiction and a local legal practitioner, this program focused on Indigenous lived experience and ways in which Truth and Reconciliation can take place in meaningful ways through participants' roles in the justice system.

**TITLE: Court of King's Bench for Saskatchewan Education Seminar**

**PROVIDER: Court of King's Bench for Saskatchewan**

Date: December 3-5, 2024

**Overview:** This three-day seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench for Saskatchewan.

**Objective:** The objectives of the seminar were to improve participants' awareness of current issues facing the court, to develop their substantive skills, and to enhance their knowledge on a variety of topics.

**Summary:** Led by experienced judges, academics and legal practitioners, through a mix of lectures, panel discussions and interactive sessions, the seminar explored how to best deal with sometimes challenging self-represented litigants, intimate partner violence, health & wellness, and updates to probate rules.

## Manitoba

**TITLE: Court of King's Bench of Manitoba Education Seminar**

**PROVIDER: Court of King's Bench of Manitoba**

Date: April 4-5, 2024

**Overview:** This seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench of Manitoba.

**Objective:** The objectives of the seminar were to improve participants' awareness of current issues facing the court, to develop their substantive skills, and to enhance their knowledge on a variety of topics.

**Summary:** Drawing on the expertise of experienced judges, academics, and other professionals, this seminar began with sessions on the United Nations Declaration on the Rights of Indigenous People and a solutions-based approach to engaging with Indigenous laws. The seminar then offered concurrent sessions for General Division and Family Division judges. The General Division included a comprehensive session on homicide, while the Family Division focused on the implementation of Bill C-92 and its implications on current issues and cases. All participants attended sessions on dealing with digital evidence and surreptitiously obtained evidence.

**TITLE: Court of King's Bench of Manitoba Education Seminar**

**PROVIDER: Court of King's Bench of Manitoba**

Date: October 17-18, 2024

**Overview:** This seminar focused on a variety of legal and practical topics relevant to the work of the Court of King's Bench of Manitoba.

**Objective:** The objectives of the seminar were to improve participants' awareness of current issue facing the court, to develop their substantive skills, and to enhance their knowledge on a variety of topics.

**Summary:** Drawing on the expertise of experienced judges, academics, and other professionals, this seminar began with sessions on dealing with difficult litigants and contempt of court. Other topics included changing demographics inside the courtroom, as well as the relevance and admissibility of evidence on culture.

## Ontario

**TITLE: Superior Court of Justice (Ontario) Spring Education Seminar**

**PROVIDER: Superior Court of Justice (Ontario)**

Date: May 8-10, 2024

**Overview:** This judicial education seminar focused on a variety of topics in civil, family, and criminal law, with a focus on evidentiary issues that arise in all types of proceedings.

**Objective:** The objectives of this seminar were to enhance participants' knowledge, skills and understanding of social context in relation to a variety of topics relevant to the role of a judge of the Superior Court of Justice (Ontario).

**Summary:** Using lecture presentations, panel discussions, and interactive elements, this two-day in-person program considered discrete issues in evidence, including hearsay, judicial notice, statements against interest, similar fact evidence, and the disclosure of crown briefs from criminal proceedings in civil and family cases. The program also explored artificial intelligence in the courtroom, information technology policy in Ontario, and judicial security. The program concluded with updates relating to French language services, as well as recent developments in civil, family, and criminal case law.

**TITLE: Superior Court of Justice (Ontario) Family Court Branch Heidi S. Levenson Polowin Education Seminar**

**PROVIDER: Superior Court of Justice (Ontario)**

Date: November 5, 2024

**Overview:** The seminar was intended primarily for Family Court judges of the Superior Court of Justice (Ontario) and was held immediately prior to the court's fall education seminar. In particular, the seminar focused on understanding children's voices and working with children's evidence.

**Objective:** The primary objectives of the seminar were to educate Family Court judges on issues related to evidence in the context of children and to enhance their skills managing cases in this area.

**Summary:** Featuring sessions combining lectures, panel discussions and interactions with participants, this one-day seminar considered various aspects of children's evidence, including voir dire, alienated children's evidence, and openness applications. Participants also heard from leading experts, practitioners, and experienced judges on these issues. The seminar concluded with a unique opportunity for the judiciary to hear firsthand from the youth of the Children's Aid Society Teens.

**TITLE: Superior Court of Justice (Ontario) Fall Education Seminar**

**PROVIDER: Superior Court of Justice (Ontario)**

Date: November 6-8, 2024

**Overview:** This seminar explored a variety of relevant and timely issues in all areas of jurisdiction of the Superior Court of Justice (Ontario).

**Objective:** The objective of the education program was to enhance participants' awareness of key developments in civil, criminal and family law matters before the Court and to develop practical skills to address current and emerging issues for the judiciary.

**Summary:** Led by experienced judicial faculty, the program used brief lectures, panel discussions and interactive elements to consider a wide variety of issues relating to publication bans, sealing orders, privilege, and circumstantial evidence and inferences. The program also offered practical guidance on the court's library resources. Participants heard from experienced judges on the topics of judicial ethics, contempt, parenting orders, jury trials, and ineffective assistance of counsel. Participants also received case law updates in all areas of the court's jurisdiction, judicial security, and French language services.

## Québec

**TITLE: Court of Appeal of Quebec - Spring Education Meeting**

**PROVIDER: Court of Appeal of Québec**

Date: May 21-24, 2024

**Overview:** This program for judges of the Court of Appeal of Québec focused on artificial intelligence and international criminal justice.

**Objective:** The judges gained new insight on artificial intelligence and its impact on the legal system as well as on international criminal justice.

**Summary:** This program focused on two distinct topics: artificial intelligence and international criminal justice. Judges learned from experts about available and upcoming AI tools and the related evidentiary issues and ethical problems. Participants also heard from experts in international criminal law, with particular reference to the International Criminal Court, and were given an overview of contemporary geopolitical realities.

**TITLE: Superior Court of Québec: Divisional Meeting (Montréal)**

**PROVIDER: Superior Court of Québec**

Date: May 29-31, 2024

**Overview:** In this education meeting, participants explored a broad range of subjects relevant to the performance of their duties. The topics were chosen to be of interest to all judges of the Court, whether they hear civil or criminal matters, or both.

**Objectives:** This seminar relied on various learning methods (lectures, clicker questions, small group discussions) to help participants gain new insight on various topics, develop new skills and acquire tools they can apply in their daily work. Participants were also made aware of the social context surrounding some of these subjects.

**Summary:** This divisional meeting focused on the three facets of judicial education, namely acquiring knowledge, developing skills and competencies, and gaining awareness of the social context relating to various law and justice issues. The first topic was *amici curiae*, including lawyers acting in *Lavallee* protocols or *Anton Piller*, *Norwich* or *Mareva* injunctions, as well as independent supervising lawyers. Participants also discussed lawyers appointed by the court to cross-examine a vulnerable party under section 486.3 of the *Criminal Code* and article 278 of the *Québec Code of Civil Procedure*. This theme provided an opportunity to discuss family and domestic violence and sexual assault cases. Finally, participants collectively brainstormed the best ways to deal with difficult lawyers in sessions that combined testimonials, lectures, clicker questions and small group discussions.

**TITLE: Superior Court of Québec: Divisional Meeting (Québec)**

**PROVIDER: Superior Court of Québec**

Date: May 29-31, 2024

**Overview:** This spring education meeting dedicated to collegiality enabled the Court's judges to work on cohesion and collaboration in their day-to-day practice.

**Objective:** The objective of the meeting was to provide a forum where the judges of the Court can exchange and connect with each other for more effective collaboration.

**Summary:** This education meeting focused on the theme of collegiality. Judges took part in several discussion and exchange workshops aimed at strengthening ties and encouraging closer collaboration. They also heard from an expert on the law of evidence regarding the rise of emojis and from another expert who described the issues facing Québec's regions.

**TITLE: Superior Court of Québec: Annual General Meeting**

**PROVIDER: Superior Court of Québec**

Date: October 2-4, 2024

**Overview:** In this meeting, participants explored a broad range of subjects relevant to the performance of their duties as Superior Court of Québec judges.

**Objectives:** This training featured various learning methods (lectures, clicker questions, guided exercises in breakout groups, interviews) to help participants gain new insight on various topics, develop new skills, and acquire tools they can apply in their daily practice. Participants were also made aware of the social context surrounding some of these subjects.

**Summary:** This annual general meeting focused on the three facets of judicial education, namely acquiring knowledge, developing skills and competencies, and gaining awareness of the social context surrounding various law and justice issues. The first day was entirely devoted to a current hot topic: artificial intelligence and its repercussions (both positive and negative) on the judicial system and its actors. It concluded with a series of practice-oriented sessions presenting various AI tools that judges should be familiar with. On the second day, participants first examined the important issue of cognitive bias before taking part in an interactive workshop designed to familiarize them with the IT tools developed as part of Lexius, the project for digital transformation of the justice system.

**TITLE: Court of Appeal of Québec 175th Annual General Meeting**

**PROVIDER: Court of Appeal of Québec**

Date: October 15-18, 2024

**Overview:** In this major symposium marking the 175<sup>th</sup> anniversary of the Court of Appeal of Québec, members of the legal community in Québec and Canada were invited to examine the Court's institutional and jurisprudential history and to reflect on its future.

**Objective:** The objective of the symposium was to promote a better understanding of the Court's institutional and jurisprudential history, how it influenced the development of law in Québec and Canada, and what the future holds for the Court.

**Summary:** Participants were taken on a journey through time, reflecting on the Court's past, evaluating its current realities, and envisioning its future. The symposium consisted of three successive half-day sessions. In the first session, historians provided an overview of the Court's evolution. The second focused on some of the Court's landmark civil, contract, family, criminal, administrative, and constitutional case law. The last panel looked at the actors involved in the Court, from judges to lawyers, and how the Court's culture and practices have evolved.

**TITLE: Superior Court of Québec: Judicial Settlement Conferencing**

**PROVIDER: Superior Court of Québec**

Date: October 29-31, 2024

**Overview:** This three-day skills-based program was an introduction to settlement conferences. It allowed participating judges to familiarize themselves with the procedural framework for settlement conferences and, more importantly, to learn and apply techniques to effectively preside settlement conferences.

**Objectives:** This program aimed to help judges develop useful skills for conducting settlement conferences, including identifying parties' issues and interests, managing the process effectively and fairly, taking different approaches to negotiation, recognizing ethical issues, following the rules of conduct, and helping the parties overcome resistance.

**Summary:** This seminar used case studies to help judges develop and practise skills relevant to settlement conferences. Through presentations by experienced judges, interactive demonstrations and breakout exercises, the first part of the seminar familiarized participants with the process for presiding settlement conferences and went over useful techniques and strategies. The second part focused on role-playing, allowing judges to apply these techniques and receive feedback from the instructors. The last part examined ethical issues related to settlement conferences through case studies that were discussed in breakout groups and plenary sessions.

## Atlantic Provinces

**TITLE: Supreme Court of Newfoundland and Labrador Education Seminar**

**PROVIDER: Supreme Court of Newfoundland and Labrador**

Date: May 28-31, 2024

**Overview:** This seminar covered a combination of topics relating to substantive law, social context, and judicial skills, including injunctions, gender diverse terminology, s. 276 and s. 278 applications in sexual assault matters, and the interpretation of financial statements.

**Objective:** The objectives of this seminar were to: enhance participants understanding of gender diverse terminology; develop skills in assessing applications pursuant to s. 276 and s. 278 of the Criminal Code in sexual assault matters; develop their awareness of how AI might impact the role of the judge; increase the competence of judges dealing with various injunctions; and to develop skills in assessing financial documents in family law matters.

**Summary:** Led by experienced judges and legal academics, this program used a combination of lectures, discussion, and interactive elements. Sessions included a "primer" on injunctions, including a review of the steps required of judges to determine true urgency and strategies for effective decision-making; an interactive discussion on the tests judges must use when analyzing applications pursuant to s. 276 and s. 278 of the Criminal Code; a session on the correct use of gender diverse terminology and the impact on litigants; and practical strategies for reviewing financial documents. The program also included a presentation from a former Supreme Court of Canada judge on judges' role in upholding democracy and the rule of law.

**TITLE: Supreme Courts of Nova Scotia and Prince Edward Island Education Seminar and Annual Meetings**

**PROVIDER: Supreme Court of Nova Scotia and Supreme Court of Prince Edward Island**

Date: May 29-31, 2024

**Overview:** This seminar covered a combination of substantive, social context, and practical topics relevant to the work of the supreme courts of Nova Scotia and Prince Edward Island. Senior judges, academics, and professionals engaged in the community addressed these topics through presentations, panel discussions, and practical exercises with participants.

**Objective:** The seminar aimed to equip judges with a better understanding of how vicarious trauma can impact them in their judicial functions. Moreover, it aimed to engage participants with complex questions of judicial ethics, conduct, and public confidence. The seminar also sought to explore timely issues around the impact of AI and the courts. Concurrent substantive sessions also brought participants up to speed on criminal and family law jurisprudence. The last sessions focused on judicial wellness by discussing health, balance and resilience in the judicial role.

**Summary:** On the first day, participants heard from senior forensic psychologists on vicarious trauma's impact on various actors within the judicial system, particularly judges. The faculty discussed strategies to detect and address signs of trauma. Switching to judicial ethics, the faculty led participants through several scenarios which raised ethical issues while sitting as judges and after retirement. To end the day, NJI staff gave participants a practical overview of the Institute's digital resources. The second day began with an interactive presentation on the unique challenges and opportunities AI poses for the judiciary. The morning continued with a session on judicial conduct and public confidence. During the afternoon, participants split between concurrent sessions tailored to members of the General and Family Divisions. These sessions were substantive, focusing on family and criminal case law, habeas corpus, and unjust enrichment. The seminar closed with a presentation on balance and resilience as foundations of judicial wellness

**TITLE: Court of Appeal and Court of King's Bench of New Brunswick: Re-imagining the Family Justice System: A New Story from Alberta**

**PROVIDER: Court of Appeal and Court of King's Bench of New Brunswick**

Date: June 5, 2024

**Overview:** This seminar provided a forum for New Brunswick judges to evaluate the roles of courts within their family justice system and identify avenues for its improvement.

**Objective:** Based on reform initiatives in Alberta, this seminar invited participants to reflect on the state of the family justice system in New Brunswick and how courts and individual judges can become actors in its improvement.

**Summary:** The seminar began with a discussion about the nature of concerns about the family justice system and recommendations to improve the system. Then, the faculty delivered a presentation on brain science showing that the experiences we have early in life affect life course trajectories and how those experiences are of profound importance to participants in the family justice system. Participants then took part in a facilitated discussion during which they analyzed the different layers that contribute to how the current family justice system operates, including embedded social structures and deeply held beliefs that shape the family justice system. Guided discussion further invited participants to consider options to support the family justice system they want to enable for the future. Throughout the seminar, the faculty referred to insights gained from reform initiatives in Alberta.

**TITLE: Court of King's Bench of New Brunswick: Family Division**

**PROVIDER: Court of King's Bench of New Brunswick**

Date: June 6, 2024

**Overview:** This one-day seminar focused on the reforms to the child protection adjudication model in New Brunswick.

**Objective:** The seminar aimed to present, explain, and familiarize participants with the new child protection adjudication model.

**Summary:** Because the *model* is based on the *Manitoba child protection model*, the Chief Justices of the Manitoba Court of King's Bench and the Manitoba Court of Appeal were invited to speak in depth on their courts' experience with this model. The afternoon then focused on the NBKB's adaptation of this new framework.

**TITLE: Court of Appeal of New Brunswick Education Seminar: St. Andrews Lectures 2024 XVII**

**PROVIDER: Court of Appeal of New Brunswick**

Date: June 6-7, 2024

**Overview:** This program brought together judges from the Court of Appeal of New Brunswick, the Court of King's Bench of New Brunswick, and the Provincial Court of New Brunswick. It focused on five main

areas: evidentiary issues, deciding & sentencing, impaired driving, *Charter* updates, and Supreme Court of Canada jurisprudence.

**Objective:** The objectives of this seminar were to provide the judicial participants with important and evolving updates involving the five topics of study while providing an opportunity for interactive discussions.

**Summary:** Leading criminal law experts from the bench, the Crown and Defence delivered focused and practical presentations on recent developments and current complexities in relation to each of the five main topics, while interactive activities and discussions reinforced participants adjudication skills in the areas of detention and stereotypical reasoning. The seminar was subdivided into five sections: presentations on evidentiary issues, including prior consistent statements, corroborative evidence and hearsay, adaptive admissions, etc.; presentations on deciding and sentencing, including the limits of common-sense reasoning in light of *Kruk*, *Gladue* factors and other statutory sentencing requirements; sessions on impaired driving including DRE evidence and the scope of *Basque*; short sessions on *Charter* updates and a concluding panel on recent Supreme Court of Canada jurisprudence.

**TITLE: New Brunswick Court of King's Bench Robert Tuck Educational Conference 2024**

**PROVIDER: New Brunswick Court of King's Bench**

Date: August 28-30, 2024

**Overview:** The Seminar focused on various legal and practical topics relevant to the work of the Court of King's Bench of New Brunswick.

**Objective:** The objectives of the seminar were to improve participants awareness of current issues facing the Court and to expand on substantive skills and future knowledge on various topics.

**Summary:** Led by experienced judges, academics, and legal professionals, the seminar included sessions on Indigenous law, the role of emergency shelters, bail reviews, *amicus*, the year's important jurisprudence in criminal, civil and family law, and a guided workshop on meditation by a fellow judge and certified mediation instructor. It also included a session that focused on LGBTQ+ issues and highlighted the importance of addressing individuals appropriately, including the importance of the proper use of pronouns. The seminar featured a mix of lectures, panel discussions, and interactive activities.

**TITLE: Atlantic Appellate Seminar**

**PROVIDER: Prince Edward Island Court of Appeal, Nova Scotia Court of Appeal, Court of Appeal of New Brunswick and Court of Appeal of Newfoundland and Labrador**

Date: October 2-4, 2024

**Overview:** This seminar focused on a variety of legal and practical topics relevant to the work of the appellate courts in the Atlantic provinces, including artificial intelligence in the courts, developments in sexual assault law and family law, and a comparative discussion among the Chief Judges of the four provinces on a variety of issues.

**Objective:** The objectives of the Seminar were to enhance participants' knowledge of key jurisprudential developments in the law around sexual assault and family law from an appellate perspective, as well as to increase awareness of the key challenges, evidentiary and otherwise, posed by AI in the courtroom. Moreover, the Seminar aimed to provide a forum for Chief Justices to exchange on various topics common to the four Atlantic provinces.

**Summary:** On the first morning of the Seminar, faculty provided a sweeping sexual assault law touching on complex issues such as intoxication, capacity, consent, mistaken belief, and the latest jurisprudence on s. 276 of the Criminal Code. The afternoon opened with a panel on AI and the courts led by two experts in the field, which explored the evidentiary and ethical ramifications of AI's advent in the legal profession. The day closed with a comparative moderated discussion between the four Chief Justices on topics such as court outreach, processes, innovations, and the role of the Chief Justices. The second day began with an update on major family law decisions in the Atlantic region and at the Supreme Court of Canada. The Seminar closed with a presentation on the ways courts can respond to challenges posed by abusive litigants.

**TITLE: Nova Scotia All Courts Education Seminar**

**PROVIDER: Nova Scotia Court of Appeal, Nova Scotia Supreme Court, Nova Scotia Provincial Court**

Date: November 14-15, 2024

**Overview:** This seminar provided training on various legal, practical, and social-context-related topics relevant to all the levels of court in Nova Scotia. The sessions included a presentation from a survivor of human trafficking, a presentation on artificial intelligence, panels on cultural assessments in criminal and family matters, intimate partner violence, and trans-competency in the courtroom, as well as an update on the law of evidence in criminal and family matters.

**Objective:** The objectives of the Seminar were to enhance participants' awareness of current issues facing the courts and to expand on substantive knowledge and practical skills on a variety of topics.

**Summary:** On the first day of the Seminar, participants began by hearing from a survivor of human trafficking who underwent the court process as a witness. A presentation on AI and its impacts on the courts followed before the morning concluded with an expert panel on cultural assessments in criminal and family law. The afternoon focused on intimate partner violence from a social and legal perspective, including a discussion on the myths and stereotypes judges must be aware of when dealing with such cases. The day concluded with a presentation on developing the knowledge to properly interact with transgender litigants. The second day focused on developments in the law of evidence before concluding with a fireside chat with a recently retired Chief Justice of a court of appeal.

**TITLE: Supreme Court of Newfoundland and Labrador Education Seminar**

**PROVIDER: Supreme Court of Newfoundland and Labrador**

Date: December 4-6, 2024

**Overview:** This seminar covered a combination of topics relating to substantive law, social context, and judicial skills, including judicial ethics, pension benefit division in family law matters, criminal law case

management, evidentiary issues involving AI, preventing wrongful convictions, judicial review and settlement skills training.

**Objective:** The objectives of this seminar were to: enhance participants' understanding of situations that pose ethical issues for judges; develop skills in criminal law case management; develop awareness of how AI might impact the credibility of electronic evidence; increase the competence of judges in settling matters before trial; to develop skills in dealing with pension and other employment benefits in family law matters; and enhance competence in dealing with matters involving judicial review.

**Summary:** Led by experienced judges and legal academics, this program used a combination of lectures, discussion, and interactive elements. Sessions included a "primer" on the principles of judicial review, including a review of the steps required according to the Palmer test, and when it applies; an interactive session on how judges can help to prevent wrongful convictions; an interactive session on common situations that could trigger judicial ethics concerns such as community involvement and use of social media ; and practical strategies for effective settlement of matters before trial. The program also included a session highlighting the potential evidentiary impacts of AI.

## Northern Courts

**TITLE: Northern Courts Education Seminar**

**PROVIDER: Supreme Court of Yukon, Supreme Court of the Northwest Territories and Nunavut Court of Justice**

Date: May 28-31, 2024

**Overview:** The joint seminar of the Supreme Court of Yukon, Supreme Court of the Northwest Territories, and Nunavut Court of Justice covered a variety of topics relevant to the work of the courts: best practices for preparing for and hearing applications for judicial review, managing jury trials and drafting instructions to a jury, the use of technology in virtual hearings, and the use of artificial intelligence in the justice system.

**Objective:** The objectives of this seminar were to address topics of relevance to judges working in the North, including the social context in which they arise. Applications for judicial review, jury trials, and the use of technology are all topics of interest to judges working in the Yukon, the Northwest Territories, and Nunavut.

**Summary:** Led by experienced judges and academics, this seminar used a combination of lectures, discussion, and small group work. Participants learned best practices in preparing for, writing, and delivering decisions in applications for judicial review. They also had an opportunity to engage in small group discussions on managing jury trials and learn about how artificial intelligence is being used in the justice system and how it is being regulated. Finally, the seminar included a half-day component focused on the social context of judging in the North, in which participating judges met with members of the Inuit community to share food and engage in discussions about the hunting culture in which most Inuit participate.

## Federal Courts

**TITLE: Tax Court of Canada Court Meeting and Education Seminar**

**PROVIDER: Tax Court of Canada**

Date: June 19-20, 2024

**Overview:** This seminar featured practical and interactive sessions touching upon the three dimensions of judicial education: substantive law, judicial skills, and social context. Topics covered included artificial intelligence, the law of evidence, effective courtroom management and communication as well as judicial wellness.

**Objective:** The objectives of this seminar were to enhance judges' understanding of substantive legal questions and associated social context, to support the development of judicial skills when dealing with ethical issues and to provide judges with the skills required to effectively manage cases involving complex evidentiary issues.

**Summary:** Led by both experienced judicial faculty and subject matter experts, this seminar relied on lectures, case studies, and small group discussions to delve into relevant questions for members of the court, including emerging issues at the intersection of artificial intelligence and tax law, evidentiary issues such as credibility and hearsay, effective courtroom management, clear communication and judicial wellness.

**TITLE: Federal Court Annual Education Seminar**

**PROVIDER: Federal Court**

Date: October 16-18, 2024

**Overview:** This seminar focused on delivering practical updates on the Court's core substantive areas of the law.

**Objective:** The objectives of the Seminar were for participants to improve their knowledge base of immigration law and intellectual property law, to increase their practical skills with respect to delivering oral judgments, to discuss recent developments and emerging issues in administrative law, and to gain a broader perspective of issues related to Indigenous governance.

**Summary:** The Seminar was led by experienced judges, academics and legal practitioners and offered a mix of lectures, workshops, and panel discussions. It began with a presentation which brought together representatives of the Immigration Division, the Immigration Appeal Division, the Department of Justice, and the private Bar to discuss recent developments in immigration law and its institutional context. The following panel discussed several unresolved issues in administrative law. The second day began with a panel on intellectual property law, where three senior lawyers led an interactive discussion on emerging issues in the field. The next panel explored manners of dealing with systemic issues arising from various forms of unethical counsel conduct. Then followed a presentation regarding Indigenous governance, including aspects such as the interaction between various levels of representation and sources of legitimacy, the day-to-day challenges of Indigenous leaders and the role of the Federal Court in solving

governance conflicts. The Seminar ended with a workshop aimed at providing judges with tools to render oral judgments.

**TITLE: Federal Court of Appeal Education Seminar**

**PROVIDER: Federal Court of Appeal**

Date: October 16-18, 2024

**Overview:** This annual seminar delivered timely substantive law updates related to core areas of the Federal Court of Appeal's jurisdiction, including administrative law, intellectual property, tax and labour law. The seminar also explored the impacts of misinformation and the importance of judicial wellness.

**Objective:** The objective of the seminar was to increase participants' substantive knowledge, skills and understanding of social context when dealing with a variety of issues relevant to their work as judges of the Federal Court of Appeal, while also promoting their personal wellness.

**Summary:** Led by appellate court judges, experts and academics, and presented through a combination of presentations and interactive scenario-based discussions, this seminar included sessions on substantive legal issues in the areas of tax law, administrative law, labour law, copyright law, and environmental law. The seminar also examined the impacts of misinformation and the rise of populism for the justice system and discussed the importance of physical health for judicial performance, including by considering the relationship between sleep and cognitive function.

**TITLE: Tax Court of Canada Court Meeting and Education Seminar**

**PROVIDER: Tax Court of Canada**

Date: December 4-5, 2024

**Overview:** This seminar offered practical and interactive sessions encompassing substantive law, judicial skills, and social context. The topics covered included judgment writing and judicial ethics and complaint review procedures as recently updated by the Canadian Judicial Council.

**Objective:** The objectives of this seminar were to enhance participants' understanding to support the development of judicial skills when dealing with ethical issues and to provide judges with the skills, knowledge and practical information required to craft clear and concise decisions.

**Summary:** Led by both experienced judicial faculty and subject matter experts, this seminar utilized lectures, case studies, and discussions in delving into effective judgment writing and matters relating to judicial ethics, such as the recently update complaint review procedures.

## NATIONAL PROGRAMS

**TITLE: Judging in Your First Five Years: Criminal Law (Federally Appointed Judges)**

**PROVIDER: National Judicial Institute**

Date: January 29 – February 2, 2024

**Overview:** This intensive five-day program for recently appointed judges was designed to build their competence in managing criminal trials, from the pre-trial stage through to sentencing. As sexual assault trials pose some of the greatest challenges for the judicial role, the seminar used a sexual assault fact scenario to anchor the issues and allowed participants to practice the relevant skills, with social context training integrated throughout.

**Objective:** The objectives of this seminar were: (1) to train participants in substantive and procedural law and the law of evidence, including the statutory regimes governing third party records, sexual history evidence and records in the possession of the accused; (2) to equip participants to adjudicate Charter applications by the accused, manage direct examination and cross-examination, deal with self-represented accused, make credibility assessments, and ensure the sufficiency of their reasons for judgment; and (3) to situate the law governing sexual offences and intimate partner violence more broadly in their respective social contexts.

**Summary:** The program was led by a multi-disciplinary faculty of experienced judges, practitioners, academics, other justice system participants and experts, and was addressed to judges having between one and five years of experience. Participants engaged in a mix of presentations and breakout exercises based on a sexual assault fact scenario from the pre-trial stage through to sentencing, with emphasis placed on the skills of trial management. Throughout the seminar, participants also learned about myths and stereotypes in sexual assault cases, the statistical realities and social dynamics of intimate partner violence, testimonial accommodations for vulnerable witnesses, and the experiences of Indigenous women and girls in the criminal justice system.

**TITLE: Insolvency Seminar**

**PROVIDER: National Judicial Institute**

Date: February 1, 2024

**Overview:** This seminar addressed issues relevant to judges who hear insolvency matters.

**Objective:** The objective of this seminar was to enhance judges' knowledge of the law of insolvency and to improve their ability to deal effectively with insolvency proceedings.

**Summary:** Developed and led by experienced judicial faculty with the assistance of academics and legal practitioners, the program delivered key jurisprudential updates, explored the use of artificial intelligence in the context of insolvency law, considered the different types of remedies available in

insolvency proceedings, and examined environmental reclamation obligations and the policy concerns they raise.

**TITLE: Family Law Seminar: Evidence and Procedure**

**PROVIDER: National Judicial Institute**

Date: February 7-9, 2024

**Overview:** This seminar focused on evidentiary and procedural issues arising in the family law context, particularly with respect to matters involving intimate partner violence, electronic evidence, cost determinations, and restrictions on the publicity of family proceedings.

**Objective:** This program was intended to provide family court judges with the substantive knowledge and skills to effectively decide complex evidentiary and procedural issues, and to strengthen the analytical approach judges use when assessing evidence and making evidentiary rulings.

**Summary:** Led by experienced family law judges, academics, and practitioners, this seminar explored practical and relevant evidentiary topics such as assessing credibility in matters involving intimate partner violence, analyzing electronic evidence, assessing costs, and balancing transparency and privacy concerns.

**TITLE: Survive and Thrive: Decision-Making and Judicial Productivity Seminar**

**PROVIDER: National Judicial Institute**

Date: February 13-16, 2024

**Overview:** This program provided judges with tools and skills to ensure optimal levels of productivity when facing heavy caseloads.

**Objective:** The objective of this program was to assist judges in developing effective strategies and practical skills to manage their workload and to optimize their time to deliver prompt and fair judgments.

**Summary:** Judicial leaders from across Canada, in collaboration with productivity and energy management experts, 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. Emphasis was placed on resiliency training to maintain emotional health and to increase emotional competence. 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.

**TITLE: Gatekeeping Expert Evidence**

**PROVIDER: National Judicial Institute**

Date: February 21-23, 2024

**Overview:** Through case studies and comparative presentations, this program delved into the gatekeeping function of judges when it comes to expert evidence.

**Objective:** The program aimed to provide judges with a better understanding of their gatekeeping role when it comes to expert evidence, and to equip judges with the skills and social context knowledge to fulfill that role effectively.

**Summary:** This workshop provided judges with a better working knowledge of the scope and limitations of their gatekeeping responsibilities under contemporary Canadian case law and court rules. It also explored developments in other jurisdictions, to consider how Canadian judges can best fulfill their gatekeeping function. The course included small group discussions and scenarios regarding the admissibility of evidence and provided a social science-based framework for assessing expert evidence. The final day of the program focused on evidentiary issues linked to the increased use of artificial intelligence.

**TITLE: Advanced Criminal Law Workshop**

**PROVIDER: National Judicial Institute**

Date: March 18-19, 2024

**Overview:** This program examined a selection of emerging criminal law issues relevant to the work of the judiciary.

**Objective:** This program offered a unique and novel opportunity for judicial experts in Canadian criminal law to examine emerging criminal law issues and their implications for the judiciary.

**Summary:** This two-day workshop was divided into four main areas of the law: substantive law, the law of evidence, the *Charter*, and sentencing. Each half-day was anchored in a new work of scholarship prepared and presented by an expert legal academic, followed by commentary by a judicial faculty member. Against this backdrop, having read the papers and having turned their mind to the issues they raised, participants discussed and identified the implications for the Canadian legal system in general and the work of the judiciary in particular.

**TITLE: Criminal Law Seminar**

**PROVIDER: National Judicial Institute**

Date: March 20-22, 2024

**Overview:** This annual seminar brought together criminal law experts from across Canada to canvass recent developments in the field, provide guidance on essential trial management skills, and enhance awareness of social context issues relevant to the criminal justice system.

**Objective:** This seminar was intended for judges who hear criminal cases. The objectives of this seminar were to update participants on recent developments in criminal law, enhance trial management skills, and engage with relevant social context issues, including addiction.

**Summary:** Led by experienced judges and other criminal law experts, the seminar used a combination of presentations and interactive discussions to examine substantive and practical issues relating to homicide trials, the *Kruk* decision, sentencing and addiction, judicial ethics, and confidential informants. Participants worked with fact scenarios, answered interactive polling questions, and engaged in small-group discussions with their peers.

**TITLE: Court Martial Appeal Court of Canada Education Seminar**

**PROVIDER: National Judicial Institute**

Date: April 3-5, 2024

**Overview:** This seminar was intended for judges who hear appeals of decisions from Courts Martial and focused on important updates on developments in the law and context of the military justice system, including in sexual assault cases.

**Objective:** The objectives of this seminar were to deliver critical updates on the law and context of military justice and thereby enhance judges' ability to deal with issues arising in military justice cases effectively and fairly.

**Summary:** The program was led by experienced judges, including members of the Court Martial Appeal Court of Canada, with the assistance of Canadian Armed Forces representatives and legal academics. It relied on a combination of presentations and interactive question-and-answer sessions to examine relevant topics, which included jurisprudential developments in military law, military operations, international humanitarian law, and culture change in the military.

**TITLE: Seminar for New Federally Appointed Judges: Joint CIAJ and NJI Spring and Fall Program (Common Law and Civil Law)**

**PROVIDER: Canadian Institute for the Administration of Justice and National Judicial Institute**

Date: April 7-12, 2024

Date: October 20-25, 2024

**Overview:** All federal judges appointed over the past year attended these two seminars. One was held in the spring and the other in the fall. They were organized jointly by the National Judicial Institute and the Canadian Institute for the Administration of Justice.

**Objectives:** The purpose of these seminars was to guide participants in their new role as judges, to encourage them to maintain and enhance their knowledge of the law, and to develop their judicial skills.

**Summary:** The seminars were led by experienced judges with the help of seasoned academics and lawyers. A variety of learning methods—including lectures, courtroom role-playing videos, and small-group discussions—were used to impart the knowledge and develop the skills judges need to perform their new duties effectively. Some of the sessions were designed for all judges, while others were

specifically for common law or civil law judges, or for judges of the Federal Court or the Federal Court of Appeal. All participants attended sessions on well-being and stress management on the bench, judicial independence, ethics, judgment writing, courtesy and effective communication in the courtroom, unconscious biases, strategies to ensure equal access to justice for persons with disabilities, and the relationship between the judge's role and the social context, with particular emphasis on sexual assault, racial discrimination, and cases involving Indigenous people. They also attended sessions on family law, injunctions, oral judgments, judicial review of administrative decisions, the law of evidence, civil procedure, self-represented litigants, case management, and courtroom management. Sessions for common law judges focused on criminal law topics, from jury selection to sentencing to specific issues in sexual assault trials. The civil law judges explored issues relating to statutory criminal law and applications for care and learned more about the practical aspects of being a judge. Finally, the Federal Court judges attended sessions on Federal Court jurisdiction, citizenship, immigration and refugee law, Aboriginal law, and intellectual property.

**TITLE: Criminal Jury Charge Workshop**

**PROVIDER: National Judicial Institute**

Date: April 17-19, 2024

**Overview:** This hands-on, intensive seminar provided participants with the opportunity to practice drafting jury instructions in all stages of a jury trial, from jury selection and opening remarks, through the presentation of evidence, to the final charge and responses to questions from the jury.

**Objective:** The objectives of this seminar were to provide participants with the skills needed to prepare legally correct, yet concise, plain language jury instructions in criminal law cases.

**Summary:** This hands-on seminar on jury instructions was organized around a detailed criminal jury trial scenario. Issues that were addressed include: procedure and instructions on a challenge for cause, mid-trial instructions, assembling the charge to the jury, charging the jury, and post-charge instructions. The seminar was led by experienced judges, and delivered using a combination of brief lectures, panel presentations, table exercises, and small group discussions.

**TITLE: Oral Judgments**

**PROVIDER: National Judicial Institute**

Date: April 17-19, 2024

**Overview:** This three-day seminar was focused on oral judgments. Developed in collaboration with experienced judges, academics and other experts, this program assisted participants in organizing, preparing, and delivering an effective oral judgment.

**Objective:** The objectives of the seminar were to improve the skills of participants when it comes to structuring a judgment logically, preparing effectively before and during hearings, making and explaining credibility findings using oral reasons, and delivering a clear and concise oral judgment.

**Summary:** This seminar applied an experiential skills-based approach to teach participants how to render oral judgments effectively. Throughout the seminar, short lectures from experienced judges and communication experts emphasize the core skills involved in structuring and delivering effective oral judgments. These lectures were supplemented by intensive small group work, in which judges practised skills and received individualized feedback both from their peers and from trained facilitators. The program ended with participants delivering a full oral judgment, upon which they receive feedback from assigned facilitators.

**TITLE: Judging in Your First Five Years: Family Law (Federally Appointed Judges)**

**PROVIDER: National Judicial Institute**

Date: April 22-26, 2024

**Overview:** This program designed specifically for judges with one to five years of experience on the bench was intended to enhance their knowledge and skills relating to family law matters.

**Objective:** The objective of this program was to help recently appointed judges develop useful strategies and practical skills to manage family law proceedings fairly and effectively.

**Summary:** Led by judicial leaders from courts across Canada, legal experts, and interdisciplinary academics drawn from psychology and social work, this intensive course focused on the skills judges need to manage family matters fairly and effectively. These skills include communicating with individuals in crisis, settlement conferencing, managing a file over the long term, identifying the needs of litigants and their families, and other relevant considerations when making decisions affecting families. The course included an examination of family violence, intimate partner violence, and high conflict disputes.

**TITLE: Justice in Motion 2024: NJI's National Seminar in French**

**PROVIDER: National Judicial Institute**

Date: May 1-2, 2024

**Overview:** *Justice in Motion* was a national seminar conceived by French-language judges from across Canada.

**Objectives:** Throughout the two-day seminar, which featured various learning methods, participants acquired not only new knowledge about a wide range of subjects but also new skills they can apply in their daily work. They were also made aware of the social context for a number of these subjects.

**Summary:** The overarching theme was access to justice. This all-important topic was examined through two main lenses: official languages and innovation. Day 1 opened with an exploration of citizens' expectations and needs from an empirical standpoint. A panel of experts then addressed the issues and practical challenges of judging in both official languages. The day closed with a session on the teaching of common law in French and tools to help draft and translate judgments. Day 2 explored access to justice through the lens of innovation. The morning featured a comparative examination of the use of single joint experts. In the afternoon, participants reflected on the positive and negative effects of artificial intelligence on access to justice.

**TITLE: Mastering the Skill of Judgment Writing: Joint CIAJ and NJI Program**

**PROVIDERS: Canadian Institute for the Administration of Justice and National Judicial Institute**

Date: May 12-16, 2024

**Overview:** This program, presented jointly by the Canadian Institute for the Administration of Justice (CIAJ) and the National Judicial Institute (NJI), was an advanced-level seminar on judicial writing skills

**Objective:** The program was designed to enhance the ability of judges to craft clear, concise and persuasive reasons, ensuring that judicial decisions are understood and accepted by the parties, other courts and the public.

**Summary:** Throughout the week, judges participated in a series of workshops on creating effective overviews, structuring complex material by placing context before the details, organizing facts and law to create clearer, more concise judgments, refining their style to create more persuasive sentences, self-edit efficiently and effectively, and understanding their own writing process. The seminar featured extensive small group work, with participating receiving individualized feedback on writing problems from experienced judicial faculty and experts on judicial writing.

**TITLE: Class Actions Seminar**

**PROVIDER: National Judicial Institute**

Date: June 4, 2024

**Overview:** The seminar addressed topical issues relating to class action proceedings.

**Objective:** The objectives of this seminar were to enhance judges' knowledge and skills relating to class actions proceedings and help them to navigate complex matters arising in class actions effectively.

**Summary:** Led by experienced judges, experts and practitioners, this seminar reviewed class action fundamentals, provided participants with key jurisprudential updates, and delved into the practical considerations of managing class action cases. It also explored emerging issues in the field that are changing the nature of class proceedings, including alternatives to class actions and updates relating to privacy law.

**TITLE: Civil Law Seminar**

**PROVIDER: National Judicial Institute**

Date: June 5-7, 2024

**Overview:** This seminar addressed topical issues relating to civil litigation.

**Objective:** The program's purpose was to enhance judges' knowledge of issues and skills relating to civil litigation and help them to navigate complex matters arising in civil litigation effectively.

**Summary:** Led by both experienced judicial faculty and subject matter experts, this seminar utilized lectures, case studies, and discussions to examine emerging issues in civil proceedings arising in both common law and civil law jurisdictions. These included causation in complex tort cases, litigation funding, privacy law, the use of technology in the courtroom, and artificial intelligence at the intersection of tort and contract law.

**TITLE: Not Just a Label: Making Equity, Diversity, and Inclusion a Reality in the Justice System (Joint CCIAWJ and NJI Program)**

**PROVIDERS: Canadian Chapter of the International Association of Women’s Judges and National Judicial Institute**

Date: June 11-14, 2024

**Overview:** This joint seminar of the Canadian chapter of the International Association of Women Judges (IAWJ) and the National Judicial Institute (NJI) examined a variety of legal and social context topics that are relevant to making equal inclusion in the justice system a reality.

**Objective:** The objectives of the seminar were to enhance participants’ awareness of current barriers to equity, diversity, and inclusion in the legal system, particularly in the legal profession and in the judiciary, to develop skills such as creativity and innovation, and to explore practical strategies for contributing to equal inclusion in the justice system in accordance with the principles of judicial independence and ethical guidelines of the Canadian Judicial Council.

**Summary:** This seminar explored how judges can appropriately address barriers to equal inclusion in the justice system by creative and innovative thinking. The program included presentations and discussions with judges, legal academics, and other experts about the use of innovative methods to address and overcome barriers and bias. Participants were also invited to learn about innovative approaches to dispute resolution for Indigenous peoples and how those approaches may help overcome barriers to access to justice. The seminar ended with an exploration of the efforts of the IAWJ to support women in leadership in law in six countries and promote inclusive justice in Botswana.

**TITLE: Judging Better, Judging Smarter (Joint CSCJA and NJI Program)**

**PROVIDERS: Canadian Superior Court Judges Association and National Judicial Institute**

Date: June 25-27, 2024

**Overview:** This seminar addressed the use of technology and its possible applications in the courtroom.

**Objectives:** Throughout the seminar, participants gained, through a variety of learning methods, not only new insights but also new skills in the field of justice and technology. The primary objective was to learn how to integrate technology into their practice and how to use it in the courtroom in order to judge better and smarter.

**Summary:** Judges learned more about justice and technology and familiarized themselves with the technological tools at their disposal in order to judge better and smarter. The first part of the program

was entirely devoted to a topical issue: artificial intelligence (AI). Among the subjects discussed were AI ethics and regulation, its uses and applications in the legal field, the Canadian Judicial Council's policies on AI, and automated decision-making by the government. The second part covered a variety of other important topics, including digital evidence, cryptocurrencies and blockchain technology, the new JUDICLOUD platform, digital assets, and the right to be forgotten. Finally, the last part of the program opened with an interactive session on tech stress and how to manage it, after which participants learned how to protect themselves against fraud and cybercrime.

**TITLE: Evidence Workshop**

**PROVIDER: National Judicial Institute**

Date: July 15-19, 2024

**Overview:** This intensive, practical program provided judges with an update on the state of the law of evidence in criminal, civil and family matters and focused on key skills required to resolve evidentiary issues correctly.

**Objective:** The objectives of this seminar were to increase participants' substantive knowledge and develop the practical skills they need to resolve evidentiary issues correctly. Participants were provided with opportunities throughout the program to address situations and scenarios that frequently occur in court.

**Summary:** In this interactive, skills-based workshop, judicial participants identified, learned about, and applied the animating principles of the law of evidence. Participants used diverse fact patterns to strengthen skills analyzing evidentiary issues and applying the law to those issues. Leading judicial and academic experts presented updates on major areas of evidence law and facilitated small group work sessions based on a hypothetical fact scenario and live simulations of evidentiary arguments. Participants also had the opportunity to discuss difficult evidentiary questions that they faced as judges with judicial colleagues from across Canada.

**TITLE: Family Law Seminar: Artificial Intelligence - a New Era in Judging**

**PROVIDER: National Judicial Institute**

Date: July 19-20, 2024

**Overview:** This program examined the implications of recent development in artificial intelligence for judges hearing family law cases.

**Objective:** The aim of this program was to provide participants with a better understanding of the uses and impacts of artificial intelligence in the area of family law, so that they could manage family proceedings more effectively. It was aimed at all judges, regardless of their level of familiarity with the subject.

**Summary:** Through interactive presentations and small group work, judges examined the impact of artificial intelligence on family law. The program included a session on the uses of technology in cases involving family violence or high levels of conflict, with particular attention to the possible use of

artificial intelligence to create deep fakes and modify text message evidence. The program also included an overview of recent case law in family matters touching on procedural and evidentiary issues relating to artificial intelligence. The program ended with a practical exercise inviting judges to reflect critically on the tools available to them to make sound judgments when it comes to digitally modified evidence.

**TITLE: Preventing Wrongful Convictions**

**PROVIDER: National Judicial Institute**

Date: October 7-8, 2024

**Overview:** This seminar focused on the circumstances surrounding wrongful convictions, exploring common contributors to wrongful convictions, and determining the appropriate judicial response.

**Objective:** The objectives of this seminar were to educate judges about wrongful convictions, help them to identify potential problems that may arise in the courtroom, and ultimately provide judges with the knowledge and tools to prevent wrongful convictions.

**Summary:** Experienced judges and legal academics led this seminar, which also brought together persons with lived experience of wrongful convictions to discuss their impacts on their lives. The program examined the scope of the problem and the social context surrounding wrongful convictions, including their intersection with gender and race. Practical sessions focused on confessions, perception memory, eyewitness identification, flawed forensic evidence, and assessing the credibility and reliability of testimonial evidence.

**TITLE: Criminal Jury Trials Seminar**

**PROVIDER: National Judicial Institute**

Date: October 9-11, 2024

**Overview:** This seminar focused on criminal jury practice and law, from pre-trial conferencing to the taking of the verdict, as well as a variety of evidentiary and substantive law issues trial judges will likely encounter.

**Objective:** The objective of this seminar was to provide judges with comprehensive training on the evidentiary, procedural, and substantive law challenges that arise in criminal jury trials, from pre-trial conferencing through to the taking of the verdict, and to prepare trial judges for addressing related evidentiary and substantive law matters they are likely to encounter, including issues related to consent and vitiating in sexual assault cases.

**Summary:** Criminal jury trials pose unique procedural, evidentiary, and substantive law challenges. Led by experienced judges, and delivered using a combination of brief lectures, panel presentations, table exercises, and small group discussions, this seminar covered a variety of topics including: effective pre-trial management, preparing for the jury trial, running an efficient jury selection, instructing on party liabilities, the admissibility of evidence for limited purposes, preparation and delivery of jury instructions, including instructing a jury on myths and stereotypes, jury instructions on selected defences, and post-charge jury instructions.

**TITLE: Judges and Jails: The Realities of Incarceration**

**PROVIDER: National Judicial Institute**

Date: October 20-25, 2024

**Overview:** This program focused on the judicial role in determining fit sentences for criminal offenders, considering the social context, the nature of programming and treatment available in provincial and federal correctional institutions, and the parole system. During this program, judges were invited to take part in various correctional institution visits and exchanges with staff and inmates. The program also included testimonials, presentations, and case studies.

**Objective:** This program aims to help judges consider the relevant circumstances of the offender before them and the resources available in federal and provincial institutions when determining sentences.

**Summary:** Over the course of this program, participants visited a variety of federal and provincial institutions where they met with both prisoners and staff. These first-hand experiences complemented skills-based education sessions, led by both judicial and non-judicial experts, on how to best implement the laws of custodial sentencing against the backdrop of the *Charter*, legislation, and relevant jurisprudence. Led by judges, legal academics, practising lawyers, and experts from within and outside the correctional system, this seminar covered the following topics: managing prisoner documentation during sentencing; parole board hearings; myths and assumptions about sentencing and corrections; proportionality and individualization in sentencing; mental health in prisons and sentencing; and the practical realities and legal framework of probation. Participants were also invited to share their observations, experiences and “best practices” with their peers.

**TITLE: Hearing and Deciding Charter Issues**

**PROVIDER: National Judicial Institute**

Date: November 26-29, 2024

**Overview:** This seminar provided judges with the knowledge, practical skills, and tools required to properly manage and resolve common applications relating to the *Canadian Charter of Rights and Freedoms*.

**Objective:** The objectives of this seminar were to provide participants with an enhanced understanding of the key principles underlining the *Charter*, increase awareness of key jurisprudential developments, and to develop their skills managing *Charter* proceedings in criminal and civil matters.

**Summary:** Through a combination of lectures, presentations, and small group work, participants worked through a fact scenario with the assistance of skilled facilitators to address topics that included: protection against unreasonable search or seizure; arbitrary detention; right to counsel; the right to life, liberty and security of the person; the right to a trial within a reasonable time; reasonable limitations on *Charter* rights; procedural issues; and remedies. This hands-on seminar helped participants enhance the skills they need to address common *Charter* issues arising in their courtroom.