

## **CSCJA Board Meeting, Chateau Laurier, Ottawa**

**Saturday, April 30, 2022, commencing at 9:00 a.m.**

### **Minutes**

1. President Groves called the meeting to order. Thank you to Stephanie for all of her hard work.
2. Approval of minutes from November 2021. Approval moved by Justice Edmond. Seconded by Justice McKelvey. Passed unanimously.
3. Justice Lynch moves acceptance of Dominique Lafleur as compensation committee co-chair. Seconded by Justice Gormley. Passed unanimously.
4. Justice Cyr moved acceptance of Kent Davidson as Board member from Alberta. Seconded by Justice Phelan. Passed unanimously.
5. President Groves delivers his report. Topics covered: (a) Turcotte Commission and delay by the Government in implementing the recommendations, including the increase in the incidental allowance and its commencement date; (b) a committee of our Association dedicated to the parameters of the incidental allowance and what claims are permitted; (c) informal meetings with Chief Justice of Canada, Wagner; (d) Commissioner Giroux will be speaking at our meeting today; (e) the Minister of Justice's tribunal on wrongful convictions and the role of our Independence of the Judiciary Committee; (f) the work of the Planning Committee further to the working sessions that we had in Montreal; (g) initiatives for our retired judges members; and (h) vacancies on the judicial counselling program of the CJC.
6. Justices Branch and Lafleur, on compensation – it is important to start early in gathering data for the next Commission; the choice of our counsel for the next Commission – Pierre Bienvenu and Audrey Boctor, potentially.
7. Conduct Committee report by Justice Lynch – no update to Bill C-9; no decisions yet on the inquiries involving Judge Spiro and Judge Dugre; roster of puisne judges for review panels is being used by the CJC.
8. Term Limits, Tom Cyr – very recent meeting with Chief Justice Wagner and the resolution just passed by the CJC, which resolution is not in favour of term limits; where should we go from here? President Groves suggested that we should get the actual wording of the resolution, in writing, and distribute it to the Board and to the members of the Reflections Committee. It was agreed by everyone that we proceed in that way.
9. Treasurer's Report, by Mona Lynch – please see the audited financial statements, including the special treatment for the "reserve fund", and including a discussion of our QuadCom expenses and recovery thereof; the statements will be approved at the AGM in July 2022. Moved by Justice Lynch, and seconded by Justice Edmond – the auditor's report was accepted,
10. Report by Commissioner Marc Giroux – (a) IAI means that \$372,200.00 is new salary for puisne judges; (b) because some judges have asked the Commissioner's Office when is the best time of the year to retire, the Commissioner will be sending out a letter to all judges with some information in that regard – generally best to retire after April 1 and on the last day of any given month, due to the way that the retirement annuity is indexed, but keep in mind that the specific date of retirement after April 1 will not make that much of a difference, for example, about \$10,000.00 over twenty years of receipt of the annuity – please refer to the letter and the table

of calculations to come from the Commissioner to all judges; (c) per diem rates for some expenses were increased last week, expense claims can now be emailed, and a true digital signature is acceptable; (d) it **IS** the understanding that the increase in the incidental allowance will be retroactive, in some way; (e) summary of the number of judicial appointments over the last several months, current vacancies, the work of the appointments advisory committees, and the current process of appointing a Supreme Court of Canada judge on the retirement of Justice Moldaver; (f) a Cloud-based Judicom platform is being worked on; (g) French-language training for judges is continuing, including immersion sessions, though during COVID-19 the majority has been done virtually; (h) international judicial training is ongoing, including a project in Ukraine that was underway before the recent invasion by Russia; (i) Bill C-9 update; and (j) a new Executive Director for the CJC is being sought currently, and some interviews have been held.

11. Insurance Committee, Justice Gormley – there is likely to be an increase in the Sun Life premiums this year, and we can discuss that in November 2022; as of January 2023, we will no longer have a travel insurance carrier, but Brenda Brown will find an alternative if necessary; the Committee will meet to discuss the issue of judges keeping their LTD coverage after their appointment.
12. Independence of the Judiciary Committee, Justice Monast – (a) the Miscarriage of Justice Commission initiated by the Minister of Justice will be discussed by the Committee two days from now; (b) the growing problem of judges being the subject of public internet and social media smear campaigns, and how that relates to the security of judges, is a topic for the Committee; and (c) another topic for the Committee is administrative support and wellness and how a lack of proper support impacts judicial independence. Item (b) has been raised directly with Chief Justice Wagner and the CJC, and the Chief Justice is very sympathetic to the issue.
13. Access to Justice Committee, Justice Conlan – (a) our most recent newsletter from Alberta, authored by Justices Marriott and Eidsvik; (b) the upcoming Summit of the National Action Committee on Access to Justice in Civil and Family Matters, to be attended by Justice McMurtry in Saskatoon in May 2022; and (c) work with the National Self-Represented Litigants Project of the University of Windsor.
14. Planning Committee – Justice O’Brien and Stephanie Lockhart:
  - Mission Statement* – passed unanimously as captured on screen, without amendment;
  - Vision Statement* – passed unanimously as captured on screen, after amendment;
  - Committee Structure* – passed unanimously as captured on screen, without amendment;
  - Governance Model*, and a discussion of the Bylaws that need to be amended to be consistent with that Governance Model – passed unanimously as captured on screen, without amendment;
  - Bilingualism Policy* – passed unanimously as captured on screen, with the changes tracked in red type;
  - Confidentiality Policy* – passed unanimously as captured on screen, with the changes tracked in red type;
  - Financial Policy* – passed unanimously as captured on screen, without amendment;
  - Orientation Policy* – passed unanimously as captured on screen, without amendment;
  - Advocacy Policy* – passed unanimously as captured on screen, with the changes tracked in red type;
  - Strategic Plan* – three strategic goals approved unanimously, after amendment, as captured on screen, with further details to come from the Planning Committee.

15. International Relations Committee – see written report.
16. Membership Committee – see written report, and see the lapsed members lists provided by Stephanie.
17. Retired Judges Committee – nothing further besides what was included in the President's Report.
18. Counselling Program – nothing further besides the need to fill the current vacancies.
19. Education Committee – see written report.
20. Communications Committee – the newsletters have been very well received by members across the country.
21. Other Business – please ensure that incoming President Monast is invited to regional meetings of judges across Canada. Justice Lynch raised the issue of minimum standards across Canada for judicial security; a joint Committee will be struck with the CSCJA, the CJC, and the Commissioner's Office. That Committee could deal with judicial security issues generally. Justice Lynch also spoke of the new Judicom portal being developed. Next meetings: July 14 in St. John's, Newfoundland, and November 19 in Montreal. Stephanie has been working on joint membership in the CSCJA and the Association of Federal Retirees. It was agreed that we will have an option for our members to join the FRA, moved by Justice Phelan and seconded by Justice Cyr. Carried unanimously.
22. Adjournment of meeting, 3:25 p.m.