

## Minutes of CSCJA Board Meeting

Saturday, November 18, 2023, Fairmont The Queen Elizabeth Montreal, QC

### *In attendance:*

Lynch, M.  
Conlan, C.  
McMurtry, J.  
Monast, M.  
Edmond, J. (by video)  
Granosik, L.  
Quigg, K.  
Duncan, J. (by video left at 11:30 am)  
Gagné, S.  
O'Brien, K.  
Key, N. (by video from 11 am)  
Branch, W. (by video for compensation agenda item)

Tholl, J.  
Davidson, K.  
Lafleur, D. (by video)  
Farrar, D.  
McKelvey, M.  
Shaner, K.  
  
Lockhart, S. (Executive Director)  
Brown, B. (by video for Insurance agenda item)  
Dan MacMillan and Chris Playford, BMO  
Nesbitt Burns (for investment report)  
**Regrets:**  
Chappel, D.

### *9:10 am Call to Order – Mona Lynch*

#### *Approval of Minutes – April 2023*

Motion to approve the Agenda by Davidson J.

Monast J seconded.

Carried.

#### *New Board member*

Karan Shaner, from Yellowknife in the Northwest Territories.

Motion to approve by Lynch J.

Conlan J seconded.

Carried.

#### *Committee and Council composition updates – Mona Lynch*

Updates were made to every committee. Larry Landry was removed from two committees as he was appointed Associate Chief Justice. There were no objections and changes were unanimously approved by the Board.

A number of provinces and territories added or replaced their representatives on Council. The website has been updated.

Council members whose terms are expiring will be identified and notified. It was further clarified that once a Council Member becomes an Executive Officer (President, Past President, Vice-President, Secretary, Treasurer), they are no longer a representative for their jurisdiction on council. They will, however, remain a Director on the Board in their capacity as an Executive officer, but their spot as a director for that province/territory or court should be replaced/backfilled.

**Motion to approve the composition of Council and the committees by Lynch J**

**Seconded by Granosik J**

**Carried.**

***President's Report – Mona Lynch***

The President wrote to the Minister of Justice to express our concern regarding the number of vacancies on the bench in Canada and the lapsed judicial advisory committees and had to write again two weeks later to the new Minister. The answer was they are doing the best they can.

The President wrote to the Federal Judicial Affairs and met with the Commissioner regarding Canada Life transition concerns which were expressed by our membership everywhere.

The President was asked to speak to a delegation of judges and officials coming from Mongolia as the president of the Superior Courts Judges Association.

The President along with Jennifer Duncan, who is Chair of Conduct Committee, met with Chief Justice Hinkson, who chairs the Conduct Committee for the Canadian Judicial Council.

The President reminded everyone that the incidental increase carry over expires on March 31, 2024. / Report des faux-frais.

The President wrote to Mary Moreau to congratulate her on her appointment.

The Judging Better Judging Smarter conference and the AGM will be held from June 25th to 27th in Calgary.

Term limits: Chief Justice Hinkson of BC retired after 10 years and mentioned the CJC policy in his remarks as did the Chief Justice of Saskatchewan.

Staff support: the Executive Committee approved the hiring of part-time support for the Executive Director. Board members discussed the contract.

**Motion to approve the employment contract by Lynch J**

**Monast J seconded.**

**Carried.**

Council updates: Kate O'Brien presented the situation of term limits of 9 years, Board members moving to Executive Committee, number of Council and Board members. Members discussed specific Council members



and updated the list of members. All agree that members of the Executive Committee do not sit on the Council. New by-laws will be presented at the AGM.

### ***10:25 Break***

The President reported on the IAJ meeting in Taipei, Taiwan she attended along with Monast, Jacques, Granosik, Conlan and Goodridge.

The President expressed her appreciation for the work of the Executive Director whom she calls a “wonderful support to the president”.

### ***Public Education & Access to Justice - Kathleen Quigg***

A written report was circulated. The Committee will again organize a Law Day program with the CBA, matching judges with high schools to talk about judicial independence in April 2024. No questions from the Board.

### ***Conduct Committee – Jennifer Duncan***

A written report was circulated. CJC procedures are being reviewed by the Committee. CJC decided to cap the roster of judges for review panels at 50 from 64 and the list is now cut down to 47. The term is of 4 years. The publish date to be determined by the CJC. Discussion regarding the process follows. Jennifer Duncan is looking for direction from the Executive Committee. Kate O’Brien offers to assist with finalizing the list as it is a governance/transparency issue.

### ***Independence Committee - Kent Davidson***

Kent Davidson presents the Survey results and will to get Portage to adjust report before distribution to members. Discussion regarding the upcoming steps and communication of results follows. All are happy with the feedback from judges and the actual response rate of 42% when 20 % was the anticipated goal.

Professor Paul Daly identified to provide a legal opinion on the constitutional obligation of governments to fund an independent judiciary with up to \$20k to pursue next steps.

Discussion tabled.

### ***BMO Nesbitt Burns Investment presentation - Dan MacMillan and Chris Playford***

A written report is circulated. Presentation is followed by questions from the Board members.

### ***12:40 Lunch***

### ***Quadcomm / Compensation Committee – Ward Branch***

The Committee recommends one ask only: salary increase, above the IAI adjustments.

**Motion by Ward Branch to instruct counsel to focus solely on the salary increase.**

**Seconded by McKelvey J**

**Carried.**

Dominique Lafleur explains the process of data collection and the exchanges with the CRA and Stat Can. Ward Branch informs the Board that the IAI projection is of 3%. Members discuss the need for a legal opinion regarding the Incidentals. The Board will have to appoint our representative on the Commission at the April meeting.

***Independence Committee resumed - Kent Davidson***

Motion discussed.

**Motion by Kent Davidson to approve a budget of \$20,000 for the independence committee to move forward and pursue next steps as a result of the survey.**

**Seconded by Farrar J**

**Carried.**

The Executive Committee to consult a PR firm if need be.

***Treasurer's Report – Janet McMurtry***

Stephanie Lockhart presents the outlook for 2024 budget. Questions and discussion follow, including regarding the printed directory.

**Motion by McMurty J to approve the draft budget.**

**Seconded by Davidson J**

**Carried.**

***Technology Committee***

A written report was circulated.

***International Relations – Clay Conlan***

A written report by Lynne Leitch regarding the CMJA was delivered by Clay Conlan. Clay Conlan provided a verbal report regarding IAJ. circulated and summarized in the President's report.

***Governance Committee – Kate O'Brien***

A written report was circulated. There may be need to update Terms of Reference to increase number of members on Council and Board of Directors.

**Motion by O'Brien J to approve the mandate of the Public education and access to Justice Committee**

**Seconded by McMurty J**

**Carried.**

**Motion by O'Brien J to approve the mandate of the Member Services & Wellness Committee**

**Seconded by Granosik J**

Carried.

Motion by O'Brien J to approve the mandate of the International Relations Committee

Seconded by Conlan J

Carried.

Motion by O'Brien J to approve the Terms of reference for the role of Council.

Seconded by Shaner J

Carried.

Motion by O'Brien J to approve the Investment policy.

Seconded by Tholl J

Carried.

***Member Services & Wellness - Michael McKelvey and Brenda Brown***

Michael McKelvey provided a verbal report. A written report was also circulated.

Brenda Brown explains different programs available. She will send a written report and a link to Canada Life benefits coverage. There will be no increase in Sun Life premiums for next year. Receipts now required to submit for eye wear/exams in addition to explanation of benefits. She will send a comparison chart regarding different benefits. Questions regarding the supplementary program follow.

***Other Business***

Mona Lynch explains the new Judicom regarding the retired judges.

**15:35 Adjournment**

Motion to adjourn by Lynch J,

seconded by Conlan J.

Carried.