

# AGENDA FOR JUSTICE BACKGROUND

## CANADIAN BAR ASSOCIATION ALBERTA BRANCH

### RESOURCES FOR THE JUSTICE SYSTEM

**Background:** The increase in Alberta's population has put a great deal of pressure on Alberta's court system, with higher case volumes and an increase in the number of self-represented litigants. Budgets for court infrastructure, prosecutions and court services have not kept up with this growth, leading to underfunding for the Courts (which has not kept up with spending pace for health and education). The recent Supreme Court of Canada decision in *R v. Jordan* has also significantly affected the Courts' operations, leading to further stress on judicial and prosecution resources and timing to get matters to trial. The overall stress on the court system, which does not have a full complement of judges and clerks, and prosecutions which is staffed at decades old levels and with resources being stretched to the limits significantly affects the efficient and effective operation of the justice system in Alberta. Furthermore, insufficient funding of Legal Aid Alberta means that more unrepresented litigants take up more court time and tax-payer funded resources when accessing the system. Also, a lack of capital investment in the justice system means needed innovations, including more efficient IT systems, which could dramatically improve the functioning of the system, are not pursued, and inadequate existing court buildings and infrastructure are not improved or replaced in a timely fashion leaving an additional crisis in our near future.

**The Issue:** Chronic underfunding of the justice system diminishes our Court's effectiveness and its tradition of delivering efficient and effective resolution of legal conflicts that interfere with their lives and businesses in Alberta.

**Why the CBA is Involved:** The justice system is an important underpinning of a healthy, functioning democracy. CBA members have an interest in ensuring that the justice system is as effective as it can be; as taxpayers and as legal professionals, CBA members have a very significant interest in the return on investment that is provided by an adequately funded and appropriately functioning justice system.

**Desired Outcome:** The justice system and in particular the court system needs to be adequately resourced. The court systems are made up of many parts and resourcing shortages have plagued legal aid, prosecutions, and the judiciary. Funding needs to be increased to bring sufficient staffing of clerks, sheriffs, prosecutors, and the judiciary at all levels of Court in Alberta including appropriate support staff, to allow the Courts to function properly, effectively and efficiently and deliver justice to Albertans. Capital investment in appropriate and required court infrastructure, including buildings and information technology capabilities, should be viewed as critical to effective functioning of the justice system and included in strategic planning.

