



Action Committee on Modernizing Court Operations

TERMS OF REFERENCE TECHNICAL WORKING GROUP

1. Overview

The Action Committee on Modernizing Court Operations ("Action Committee") is a national leadership body co-chaired by the Chief Justice of Canada, the Right Honourable Richard Wagner, and the Minister of Justice and Attorney General of Canada, the Honourable Arif Virani. It provides guidance for addressing challenges, and highlights opportunities and innovative practices to modernize court operations and improve access to justice for court users. The Committee is supported by a Technical Working Group (TWG) to ensure that national perspectives are reflected in the Action Committee's work and by an Indigenous Advisory Group to ensure that Indigenous perspectives are adequately reflected.

2. Mandate

To support the Action Committee in fulfilling its mandate, the TWG:

1. Develops non-prescriptive guidance and practice tools on topics and within parameters identified by the Action Committee. This guidance may target various judicial and justice partners who support court operations.
2. Ensures that all guidance and practice tools developed take into account a diversity of perspectives and respect judicial independence and the jurisdiction of provinces and territories for the administration of justice.
3. Consults with various partners to ensure that it has current and relevant information and is aware of best practices for Action Committee consideration. This outreach may include Chief Justices, sitting judges, the Heads of Court Administration, the Canadian Centre for Occupational Health and Safety, court staff, and legal professionals from the public and private bar.
4. Advises the Secretariat of the Action Committee in developing the agenda for each Action Committee meeting, drafting documents for the Action Committee's approval, identifying appropriate experts, conducting legal and policy research and analysis, and consulting with relevant judicial and justice partners to develop proposed work plans and publications for the Action Committee's consideration.

3. Composition

The TWG is chaired by the Honourable Michael MacDonald, former Chief Justice of Nova Scotia. In addition to the Chair, membership consists of high-level officials from justice institutions across Canada, including:

- The Chief Justice of the Supreme Court of the Northwest Territories, in her capacity as the Chair of the Indigenous Advisory Group of the Action Committee
- The Executive Legal Officer of the Supreme Court of Canada



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- The Commissioner for Federal Judicial Affairs, in his capacity as Director of the Canadian Judicial Council
- Representatives of the federal Courts Administration Service and of the Heads of Court Administration
- Officials from provinces or territories whose Minister or Deputy Minister responsible for justice sits on the Action Committee
- Officials from the Canadian Centre for Occupational Health and Safety
- Employees of Justice Canada

4. Meetings and Timelines

The TWG meets by teleconference or videoconference. While meetings normally occur on a monthly basis, the schedule of meetings may vary, as determined by the Chair. Between meetings, TWG members may advance their work by e-mail or other means agreed upon by the Chair. Agendas for TWG meetings are developed by Secretariat of the Action Committee.

As the Action Committee has agreed to continue to operate until at least the fall of 2024, the TWG will also operate until that date.

5. Operational Support

The Department of Justice Canada, through the Secretariat of the Action Committee, provides operational support to the Action Committee as well as to the TWG and Indigenous Advisory Group.