
January 7, 2020

VIA E-MAIL ONLY

The Hon. Mark Furey
Minister of Justice & Attorney General
Nova Scotia Department of Justice
Halifax, NS
B3J 2L6

Dear Minister:

Re: Government of Nova Scotia
Professional and Educational Allowances, Per Diem Judges

The Tribunal has now had an opportunity to carefully consider the matter of proposed improvements to the professional and educational allowances of per diem judges which was deferred at the request of the parties to allow time for additional submissions. At the outset, we would like to thank Chief Judge Pamela S. Williams and Government and Association counsel for their thoughtful submissions on this important matter. The process continued to be respectful and non-adversarial.

In our view, a judge is a judge and requires, in that role, continuing judicial education. In particular, as acknowledged by both the Government and the Association, all judges require social context education to allow them to better understand and address the diverse interests and needs of Nova Scotians, including the impact of marginalization/systemic racism, not to mention the particular circumstances of newcomers. It is axiomatic that all judges – whether full-time or per diem – also require continuing legal education given their important roles and responsibilities particularly insofar as the liberty of the subject and family law matters are concerned. In our view, the current number of days allocated for continuing education (and the compensation and mileage arrangements for those days) is satisfactory especially when considered in the pan-Canadian context. However, we are of the view that per diem judges should be reimbursed for registration and incidental expenses for conference attendance. Accordingly, we recommend that the amount of \$500 annually be allocated for this purpose to each per diem judge subject in each case to the approval of the Chief Judge.

Minister, I am pleased to once again report that this recommendation is unanimously agreed upon by all of us.

Thank you once again for entrusting us with this important task. A statement of account is attached.

Yours truly,

“W. Kaplan”

William Kaplan

WK:lm

Attachment

cc. Letter only – Tribunal Members, Ronald Pink QC, Margaret Patricia Towler, Chief Judge Pamela S. Williams, Jeff Waugh, S. Bruce Outhouse, QC