



# Today's judicial justices may surprise you!

If you think of a BC Provincial Court judicial justice as a person without legal training who decides cases of little importance, you're out of date.

Today's judicial justices are almost all legally trained judicial officers appointed to decide both in-person and virtual proceedings around the province. Their work includes managing busy courtrooms with cases involving challenging legal issues and self represented litigants. To do this they need first-class organizational and people skills and technological proficiency.

## **Legal practice experience**

Judicial justices are an important part of the Provincial Court judiciary. They go through a rigorous appointment process. Since 2007, the criteria for appointment of judicial justices have included legal practice experience.

Most judicial justices have extensive experience as lawyers. Of the last five judicial justices appointed, four had spent more than thirty years practising law. The fifth had sixteen years' legal practice experience.

Their combined experience includes work as prosecutors and criminal defence counsel and as personal injury, family, civil, environmental, intellectual property, employment, and collections lawyers, as well as investigating and advising on workplace sexual harassment and racism allegations, serving in the military Judge Advocate General's (JAG) office, and representing people facing barriers. One had been appointed King's Counsel and another had earned a Master's degree.

## **Duties**



Judicial justices' duties include judging traffic offence trials and ticketable offences under provincial laws, as well as municipal bylaw matters. They also consider search warrant and judicial authorization applications and conduct bail hearings at the Justice Centre. In addition, they may conduct small claims payment hearings.

Their jurisdiction and responsibilities complement those of judges. Although the two have different responsibilities, some of their duties overlap. Together, the two kinds of judicial officers cover all the BC Provincial Court's adjudicative responsibilities, including evening, weekend and statutory holiday bail hearings.

Judicial justices dealt with 40% of the Court's 133,700 new cases in 2022/23, and that doesn't include the 21,000 warrant and production applications they dealt with at the Justice Centre. They are often the public face of the justice system in BC, making decisions at the front end of the court process that embody "access to justice" for ticket disputants, police officers, and lawyers.

They are a crucial part of "the people's court". A recently appointed judicial justice observed that they had encountered more people in the eight months they had been sitting as a judicial justice than in thirty years of legal practice. That provides some insight into the high volume of cases that judicial justices hear and resolve.

Most judicial justices are part-time judicial officers who may continue to practise law (anything but criminal law) or care for children or enjoy semi-retirement hobbies when they are not

performing judicial duties.

Those assigned to the Justice Centre, which operates 365 days a year, may work daytime, afternoon, or midnight shifts. Some work remotely from home offices outside the Lower Mainland.

## **Challenges**

Except in bail hearings, most people appear before judicial justices without lawyers. Dealing with self-represented litigants is challenging for any judicial officer. In these cases judicial justices must educate and assist disputants and do so efficiently without compromising fairness. They must decide factual and legal issues without the help of lawyers' research and submissions. And at the end of the day, they want people to feel they've been heard and have had "their day in court".

When lawyers attend, they may present complex legal arguments on issues that are important to the public, to community safety, and to protect the parties.

Because they preside without court clerks, judicial justices must also record the outcomes of all proceedings and maintain files while simultaneously managing long court lists and adjudicating the matters unfolding before them. Precision in this work is absolutely crucial, because the data entered into the record of proceedings is used to update driving records.

Ann Rounthwaite, the Court's Digital Communications Coordinator, spent almost thirty years as a Provincial Court Judge. After attending a recent education program for the Court's judicial justices, she said:

"Today's judicial justices are knowledgeable, energetic, and engaged in their work. I found their discussions stimulating and informative. The mood in the room was warm, lively, and energizing. There's an obvious camaraderie and mutual respect among British Columbia's judicial justices.

I was tremendously impressed by their enthusiasm for their work, and I left the conference full of respect for them and the work they do."

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