



July 5, 2017

Via email: [mcu@justice.gc.ca](mailto:mcu@justice.gc.ca)

The Honourable Jody Wilson-Raybould, P.C., M.P.  
Minister of Justice  
284 Wellington Street  
Ottawa, ON K1A 0H8

Dear Minister:

**Re: Court Funding and Judicial Independence**

I write on behalf of the Canadian Bar Association to express our support for a mechanism that ensures adequate ongoing funding of the Federal Court, Court Martial Appeal Court, Tax Court and Federal Court of Appeal while also safeguarding judicial independence. Chief Justice Crampton's recent public statements about the many budgetary pressures facing the Federal Court illustrate the untenable situation confronted by all four Courts. This situation should be promptly and permanently remedied.

Last year, we wrote to express our support for a Courts Administration Service (CAS) initiative to modernize its technological infrastructure to create a fully electronic-based system for the Federal Court, Tax Court and Federal Court of Appeal. The Federal Court Strategic Plan for 2014-2019 also included discussion of the e-court system and the benefits of improving and modernizing the available technologies. While your government has undertaken to modernize and improve the efficiency and effectiveness of the criminal justice system, including improved use of information technology to make the system more efficient and timely, the same support has not been apparent in the context of the Federal Courts, Court Martial Appeal Court and Tax Court. As a result, the Chief Justice describes having to come, 'cap in hand', to the federal government for adequate funds to simply keep pace, for example, with technological improvements, for necessary translation costs and for the costs associated with retaining its files. This situation is particularly troubling given the role these Courts play in adjudicating disputes that involve the federal government.

The Canadian Bar Association supports a model of court administration that fully respects judicial independence. We have suggested, and again propose that consideration be given to the various options canvassed in the Canadian Judicial Council's 2006 report called *Alternative Models of Court Administration*, in full consultation with the judiciary and the organized bar.

Yours truly,

*(original letter signed by René J. Basque)*

René J. Basque, c.r./Q.C.