



THE CANADIAN  
BAR ASSOCIATION  
L'ASSOCIATION DU  
BARREAU CANADIEN

May 22, 2024

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

The Honourable Arif Virani, P.C., M.P.  
Minister of Justice and Attorney General of Canada  
284 Wellington Street  
Ottawa ON K1A 0H8

Dear Minister Virani:

**Re: CBA Residency Requirement Resolution & the 2024 Budget**

On behalf of the Canadian Bar Association's Residency Requirement Resolution Working Group (CBA Working Group), we write to thank you for the government's announcement in Budget 2024 of its intention to launch consultations on repealing the residency requirements for Federal Court of Canada and Tax Court of Canada judges<sup>1</sup>. We agree that eliminating these residency requirements would allow for a wider and more diverse pool of applicants and increase diversity amongst these important federal institutions.

The CBA is a national association of 38,000 lawyers, Québec notaries, law teachers and students, with a mandate to promote improvements in the law and the administration of justice. The CBA Working Group comprises a cross-section of members drawn from diverse areas of expertise, including intellectual property, commodity tax, young lawyers and the Federal Courts Bench and Bar Liaison Committee.

As you may know, the CBA adopted a resolution at its 2024 Annual General Meeting to urge the federal government to repeal these residency requirements<sup>2</sup> for both Federal Courts and the Tax Court. We agree with your plans to launch consultations on repealing residency requirements for the Federal Court and Tax Court judges only.

Eager to see the government commence the consultations necessary to repeal or revisit these residency requirements, the CBA organized the present working group of interested members, representing a broad spectrum of practitioners who appear before both the Federal Court and Tax Court of Canada.

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<sup>1</sup> *Federal Courts Act* (R.S.C., 1985, c. F-7) and *Tax Court of Canada Act* (R.S.C., 1985, c. T-2)

<sup>2</sup> [Residency Requirement for Judges of the Federal Courts and Tax Court](#), (CBA: Ottawa, 2024)

The CBA Working Group recognizes that consultations with various stakeholders must be undertaken, and a possible report provided to you with recommendations. We are ready and willing to assist in this consultation process, be it through contribution of the work and research already undertaken by members through to coordinating the consultations should your government require such assistance.

We look forward to working with you and your officials. Many thanks for making this important change a priority in Budget 2024.

Yours truly,

*(Original letter signed by Julie Terrien for the CBA Residency Resolution Working Group)*

CBA Residency Resolution Working Group

cc. François Giroux  
DOJ Judicial Affairs ([Francois.Giroux@justice.gc.ca](mailto:Francois.Giroux@justice.gc.ca))