

In civil actions (lawsuits), the Court of Queen's Bench employs the "one judge model". Under this model, one judge is responsible for actively managing both the pre-trial conduct of the action and managing the trial itself, in a manner that facilitates the just, most expeditious and least expensive determination or disposition of the action as informed by principles of access to justice and proportionality. Such disposition may be by way of settlement or adjudication.

As part of this model, once an action proceeds to a pre-trial or case management conference, the same judge will:

- handle all procedural steps;
- hear any motions, including summary judgment motions;
- hear any appeals from masters' decisions; and
- preside over the trial.

This judge must also explore the possibility of settlement with the parties. In doing so, it may be expected the judge comments on the strengths and weaknesses of some or all of the case with a view to either settling the action as a whole or settling discrete issues within the action. If a matter is not settled, this same judge will preside at the trial and/or adjudicate any motions, including motions for summary judgment.

In light of a judge's dual role with regard to both settlement and adjudication, concerns respecting actual or perceived bias on the part of the judge who explores settlement and who also adjudicates a matter (where settlement is not achieved) need be taken seriously but they do not in themselves result in the recusal or disqualification of the judge from the case. Judges in Canada benefit from a "presumption in integrity", which acknowledges that

they are bound by their oaths and will carry out their duties independently and impartially in accordance with their legal responsibilities. Nevertheless, where in the course of settlement discussions, with all of the attendant compromises and accommodations, the focus turns to the necessary “give and take” of financial negotiations, another judge may also be made available to undertake that more specific settlement conference aimed at the financial side of the resolution. While it may be that in some cases, given the extent and nature of the discussions or negotiations, another judge becomes involved in settlement efforts, again, the fact that a judge, under the one-judge model, engages in settlement discussions does not inevitably lead to a finding of bias (real or apprehended) and it does not necessarily result in the recusal or disqualification of this same judge from then adjudicating a matter where settlement is not achieved.