

Associate Judge Appointment Process Manitoba Court of King's Bench

I. APPOINTMENT OF ASSOCIATE JUDGE TO THE COURT OF KING'S BENCH

a. Application Form

Persons interested in applying to be an associate judge of the Court of King's Bench are to complete the Application Form and will submit the application form with a cover letter and resume. One original application and eight copies are required ("the Application").

b. Submission of the Application

The Application can be submitted at any time or it can be submitted in response to a particular advertisement for an associate judge position. It is to be submitted to the attention of "The Administrator, Associate Judge Appointment Committee", 2nd Floor- 408 York Avenue, Winnipeg, MB, R3C 0P9. The entire Application Package must also be scanned and sent by email to the Administrator, Associate Judge Appointment Committee at the following email address: associatejudgeapplication@gov.mb.ca

An Application will remain on file with the Associate Judge Appointment Committee ("Committee") for a period of three years from the date when the application is evaluated. However, the applicant may advise the Committee that he or she no longer wishes to be considered for an appointment as an associate judge at any time prior to the end of that three-year period.

c. Interviewing and Assessment

The Committee will make any necessary inquiries of or related to an applicant to evaluate the applicant and determine whether the applicant meets the qualifications to serve as an associate judge. These inquiries may include judiciary, court officials, lawyers, law associations, community and social service organizations, plus the named references provided by the candidate.

When a specific associate judge position becomes vacant on the court, there may be an advertisement which will provide for a deadline for the submission of applications. The Committee will also review any applications received in response to the advertisement for the specific vacancy.

d. List of Qualified Candidates for Appointment

If the Committee determines an applicant has the professional and personal qualifications necessary to serve as an associate judge, the applicant will be placed on the list of qualified candidates for an appointment as an associate judge. The applicant will be notified of the date of his or her evaluation by the Committee but will not be advised as to whether they have been placed on the list of qualified candidates. The list of qualified candidates will be maintained in confidence.

e. List of Recommended Candidates

When the Minister advises the Chief Justice of the Court of King's Bench, who is the chair of the Associate Judges Appointment Committee, that the appointment of an associate judge is required, the Committee will meet and provide the Minister with a list of at least three and no more than six persons from the list of qualified candidates, whom the Committee recommends for appointment. At this time, the Committee may conduct interviews and make inquiries of qualified candidates. The names on the list of recommended candidates for appointment are not to be ranked. If the Committee is unable to recommend at least three candidates for appointment as an associate judge, the Committee must certify that to the Minister.

II. QUALIFICATIONS

a. Statutory Qualifications *The Court of King's Bench Act*

No person shall be appointed an associate judge unless the person

- is a member in good standing of the Law Society of Manitoba;
- is entitled to practise as a barrister and solicitor in Manitoba; and
- has practised as a barrister or solicitor in Manitoba for not less than five years, or has other equivalent experience.

b. Personal Suitability

- A reputation for integrity, fairness and respecting the dignity of all persons
- Patient, flexible and open minded
- Able to travel to Court of King's Bench centres throughout the province
- Able to make decisions promptly or within a reasonable period of time
- Not involved in serious, unresolved professional complaints, civil actions or outstanding financial claims such as unpaid taxes or insolvency proceedings

c. Professional Excellence

- A high level of professional achievement in area(s) of legal work in which the candidate has been engaged.
- Involvement in activities which keep one up to date with changes in the law and in the administration of justice.
- Good writing and communication skills.
- Professional excellence is still the paramount criterion in assessing candidates

d. Community Awareness and Understanding

- A commitment to public service.
- A sound understanding of the social problems which give rise to cases coming before the courts.

e. Diversity

- The Committee will make efforts to ensure the pool of candidates reflects the diversity of Manitoba.
- Candidates will be invited to self-identify as to their diversity

f. Language

- Candidates will be invited to indicate languages spoken, other than English, and their proficiency.

III. CONFIDENTIALITY

The Committee is committed to preserving the confidentiality of committee information in accordance with the following principles:

- (a) information about general committee process is open to any person,
- (b) information about particular candidates is confidential unless released by candidates themselves.

The Committee goes to great lengths to protect the privacy of the applicant. These measures include:

1. keeping sensitive information securely stored;
2. keeping applicants apart on interview days;
3. destroying or shredding applications and notes as soon as possible after appointment of a candidate;
4. advising references that all information received will be kept in confidence by the Committee;
5. advising lawyers, judges, court officials and community contacts approached for discreet inquiries that their names will not be associated with their confidential comments; and maintaining strict non-access to the applicants files, including government personnel not associated with the Committee