

# CANADIAN BAR ASSOCIATION ALBERTA



SENT VIA FAX

June 12<sup>th</sup>, 2006

Mr. John M. Morcari, Q.C.  
Commissioner  
The Judicial Compensation Commission  
310 9<sup>th</sup> Street NW  
Calgary, Alberta  
T2N 1T4

Dear Mr. Morcari:

**Re: Alberta Judicial Compensation Commission**

The Canadian Bar Association - Alberta welcomes the opportunity to provide input to the Alberta Judicial Compensation Commission and voice support for the judges of The Provincial Court of Alberta and the masters in chambers appointed under the *Court of Queen's Bench Act*.

As a national organization representing over 35,000 lawyers, judges, law teachers, and law students from across Canada, including 4,600 members from Alberta, the CBA's principal objectives include improvement in the administration of justice and the maintenance of a high quality judicial system. Our commitment includes the protection of the independence of the judiciary, a cornerstone of our justice system.

We support the work of the Commission and the three year review process. The method for determining judicial compensation must not erode judicial independence. Our judiciary must remain free from political interference and never be seen as beholden to the other branches of government. The public must see judges to decide their cases free from economic and political influences.

The judiciary deals with stressful and controversial cases spending long hours preparing for many varied and complex matters. They must be given the opportunity for careful research, study, decision writing and continuing professional development. As the Alberta population grows their caseload will also increase and each working day becomes longer. Self represented litigants and non-lawyer agents are becoming more and more common, resulting in added challenges for Alberta's judges.

Over the past decade, Alberta has experienced the highest rate of economic growth in Canada. At present, Albertans have the highest disposable income in Canada. Experts predict Alberta will continue to have one of Canada's top performing economies in the future.

The Alberta government recorded the highest surplus as a percentage of GDP in 2004-05 of all the provinces. Alberta is the only provincial government in Canada with total financial assets that exceed total liabilities. Alberta is the top province in Canada for credit worthiness. It is rated "Triple A", the highest possible rating. The high ratings reflect Alberta's strong economic performance, high income levels and low debt burden.

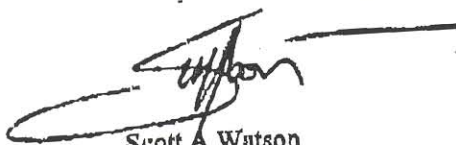
We urge the commission to include in their considerations the changing working conditions of the judiciary, the vibrant Alberta economy and the state of the government's financial position.

Alberta is fortunate to have diligent, highly competent and dedicated judges and masters in chambers that are hard working, caring and professional. Salaries, pensions, benefits and allowances must be reasonable, fair and sufficient to attract and retain highly qualified members of our judiciary. Their compensation must be set in an objective, dispassionate and rational manner.

Our main concern is to ensure that the process for determining compensation takes into account the appropriate comparable factors such as the salaries of those from whom judges are likely to be drawn and other factors relevant to the matters in issue.

Thank you for your consideration.

Respectfully submitted,



Scott A. Watson  
President  
Canadian Bar Association Alberta