



So You Want To Be a Judge? Eh!*

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* This document was provided courtesy of the Ontario Bar Association (www.oba.org) and first appeared in the Ontario Bar Association's December 2005 issue of *Briefly Speaking*.

You must first decide where you want to be a judicial officer, either in the Ontario Court of Justice (presiding over family and/or criminal matters) or in the Superior Court of Justice (all matters) or in the Federal Court and Tax Court presiding and residing in Ottawa. The remuneration of all courts is approximately the same. There is a separate and distinct process for federal and provincial appointments beginning with an application to a judicial advisory committee. This detailed application ought to be filled out accurately, succinctly and fully as this application is your introduction to each committee and ultimately is the only material received by the Attorney General (of Ontario or of Canada).

For provincial appointments there is one committee (seven lay persons, three judges and three lawyers) and for federal appointments in Ontario there are three committees (North and East, Toronto and South West) with each committee composed of seven persons with at least one lay person and the balance being lawyers and judges.

Federal Process

You may apply at anytime and your application is forwarded to the relevant committee who assess the application and make discreet inquiries amongst judges and your peers as well as your references. The committee then meets and decides whether they are "unable to recommend", "recommend" or "highly recommend". You are notified that the committee has made a decision and the decision is forwarded to the Attorney General and is valid for two years. The Attorney General then has a pool from which you may or may not be selected if you have been recommended or highly recommended. You may reapply at any time. You then either sit back, wait and hope or try to get some political action on your application. This process has been established since 1988.

Provincial Process

You can and must apply to an advertised vacancy for a judge. The ads are always placed in the Ontario Reports and in addition, all legal organizations are notified of every judicial vacancy. The committee receives and reviews all applications. Those applications (of which at least three members believe have merit for that vacancy) are further investigated by the committee members through the references and discreet inquiries of judges and lawyers who might know the applicant. The committee then meets and selects applicants for an interview for that vacancy. The applicant is then interviewed by the whole committee. The committee then considers these interviews and any interviews of persons in the last year who have applied for that particular vacancy. The committee then submits a short ranked list to the Attorney General who must select a name from that list if the Attorney General wishes to fill the vacancy. If another vacancy arises in the Ontario Court of Justice the same procedure applies and you must reapply (with a letter or new and/or revised application) if you wish to be considered for that vacancy. If you do not continue to apply for an advertised vacancy, you cannot be considered for a judicial appointment for that vacancy.

All provincial judges in Ontario must be appointed by this process. Over 75% of the judges in the Ontario Court of Justice have been appointed through this process established by Ian Scott in January 1989 and legislated effective February 28, 1995.

In each process your involvement in community activities and legal organizations as well as continuing legal education is considered, just as your non-involvement for justifiable circumstances.

For further details on the federal appointment process and information go to www.fja.gc.ca and for the provincial appointment process and information go to www.ontariocourts.on.ca.