



Questionnaire for the Supreme Court of Canada Judicial Appointment Process Summer 2016

IMPORTANT INFORMATION

All candidates who wish to be considered for appointment as a Justice of the Supreme Court of Canada must complete this Questionnaire. In addition to the completion of this Questionnaire, all candidates must submit the attachments requested in PART 7, and PART 8, if applicable. In order for their Application Package to be considered complete, candidates must submit it by e-mail to the Office of the Commissioner for Federal Judicial Affairs (OCFJA) at the following address: SCCBoard-ComiteCSC@fja-cmf.gc.ca. The Application Package will consist of the following documents sent in multiple e-mails in the manner indicated below:

- a completed [Questionnaire](#), (the last page of which must be printed, signed, dated, scanned and returned with the Questionnaire)
- a completed [Authorization Form](#), and
- a completed [Background Check Consent Form](#)

If possible, these first three documents should be sent in one e-mail.

AND, in separate e-mails:

- five decisions, legal documents or publications (see Part 7, Skills Assessment)
- relevant documentation (if applicable) (see Part 8)

NOTE 1: The subject line of all e-mails should read as follows: SSC Nomination Process - <Last Name, First Name>. (Ex. SCC Nomination Process - Doe, Jane)

NOTE 2: Candidates must provide their responses within the space provided within the Questionnaire, except as specifically provided above.

Please DO NOT provide any of the following: reference letters, photographs, separate *curriculum vitae*

Please note: It is strongly recommended that candidates inform themselves of any e-mail size restrictions that are imposed by their Internet Service Providers (ex. Courthouse-provided e-mail system, Rogers, Bell, etc.) as this may cause technical difficulties in transmitting large documents to OCFJA. If candidates experience technical difficulties when attempting to submit their Questionnaire, they should contact the FJA Service Desk (1-888-495-8849) for immediate assistance. OCFJA will issue a confirmation message to acknowledge receipt of all e-mails that are successfully received.

Additional information is available on the Office of the Commissioner for Federal Judicial Affairs Website.

PRIVACY NOTICE

All information collected in an Application Package is collected by OCFJA for the Independent Board for Supreme Court of Canada Judicial Appointments (Advisory Board), pursuant to the authority conferred by the Order in Council establishing the Advisory Board. The personal information collected is used to support the Advisory Board's mandate to assess applications received from candidates and provide a list of qualified candidates to the Prime Minister for appointment as Justices of the Supreme Court of Canada. Personal information collected is protected in conformity with the Privacy Act. The personal information collected may be used and disclosed to other government institutions and organizations, including the Privy Council Office, the Department of Justice and the Office of the Prime Minister as well as to third parties, for the purposes of this assessment and the recommendation of candidates for appointment. Personal information collected may be used and disclosed for other purposes in conformity with the *Privacy Act*. In any other instance, personal information will only be used or disclosed with the consent of the individual.

While confidentiality will be maintained to the extent possible, if a candidate is chosen as the nominee of the Prime Minister, it is important to be aware of the fact that it is intended that at that time the information, including personal information, contained in PARTS 3, 4, 5, 6, 7 and 10 of this Questionnaire is to be disclosed to the public. The nominee will be asked to consent to the release of any personal information contained in those Parts prior to its release.

DEADLINE

Only Application packages received by the deadline will be considered by the Advisory Board. It is the responsibility of candidates to ensure that their applications are complete and that all materials have been successfully delivered to the OCFJA no later than 23:59 Pacific Daylight Time on August 24, 2016. Late or incomplete application packages may not be considered by the Advisory Board.

PART 1 - PERSONAL INFORMATION

Name: _____

Address: _____

Date of Birth: _____ Phone Number: _____ E-mail address: _____

Citizenship: _____

Gender: Male Female Other Official Language of Preference for Correspondence: English French

Self-Identification Regarding Diversity (Optional)

In carrying out its work, the Advisory Board will seek to support the achievement of gender balance and a reflection of diversity of the member of Canadian society on the Court. You are encouraged to provide information about yourself that you feel would assist in this objective.

Indigenous Visible Minority Ethnic/Cultural Group or Other Woman Disabilities LGBTQ2

PART 2 - REFERENCES

List six (6) references, both legal and non-legal, with their contact information. Please DO NOT send reference letters. Please ensure in choosing your references that they are made aware that they *may* be contacted by the Advisory Board regarding your application and that, if contacted, they will need to be available.

PART 3 - STATUTORY QUALIFICATIONS

Bar Membership(s):

Bars, Call dates, Reason for cessation of bar membership (i.e. resigned, appointed to the bench, other) and date of reinstatement (if applicable).

Judicial Experience (if applicable):

(Include all dates of appointment)

RESIDENCE

(Please confirm the following mandatory requirement statement)

- The *Supreme Court Act* requires that all justices shall reside in the National Capital Region or within 40 kilometers thereof. I confirm that I either currently meet this requirement or that if appointed, I will move my residence to the National Capital Region or within 40 kilometers thereof.

PART 4 - LANGUAGE

Please note that in addition to the answers to the questions set out below you may be assessed as to whether you are functionally bilingual.

Without further training, are you able to read and understand court materials in:	English	<input type="text"/>	French	<input type="text"/>
Without further training, are you able to discuss legal matters with your colleagues in:	English	<input type="text"/>	French	<input type="text"/>
Without further training, are you able to converse with counsel in court in:	English	<input type="text"/>	French	<input type="text"/>
Without further training, are you able to understand oral submission in court in:	English	<input type="text"/>	French	<input type="text"/>

PART 5 - EDUCATION

Name of Institutions, years attended, degree/diploma and year obtained:

Continuing Education:

Academic Awards:

PART 6 - PROFESSIONAL AND EMPLOYMENT HISTORY

Please include a chronology of work experience, starting with the most recent and showing employers' names and dates of employment. For legal work, indicate areas of work or specialization with years and, if applicable, indicate if they have changed.

Legal Work Experience:

Non-Legal Work Experience:

Other Professional Experience:

(List all bar associations, legal or judicial-related committees of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.)

Pro Bono Activities:

Teaching and Continuing Education:

(List all legal or judicial educational organizations and activities you have been involved with (e.g. teaching course at a Law Faculty, National Judicial Institute, Canadian Institute for the Administration of Justice, etc).

Community and Civic Activities :

(List all organizations of which you are a member and any offices held (with dates).

Honours and Awards:

PART 7 - LEGAL EXPERIENCE AND EXPERTISE

List and explain your areas of legal expertise:

List and explain other legal areas that you have experience in:

List all reported cases where you appeared as counsel (excluding routine matters, consent orders etc):

Provide citations for all published decisions you have written (including as arbitrator, or in other decision-making capacities), including and noting concurrences and dissents:

List all publications, including online and opinion editorials, with dates and citations or links, if available:

List all presentations that you have given over the past 10 years (that are not included under Teaching and Continuing Education; e.g. presentations to members of the public, etc):

SKILLS ASSESSMENT

1- List and forward, in separate e-mails for each document, five decisions, legal documents (factums, etc) or publications that you have written that demonstrate your analytical skills, your ability to resolve complex legal problems and your excellence in legal writing. Provide, below, a synopsis of no more than 300 words for each decision/document/publication and explain your reason for selecting it.

Synopsis 1:

Synopsis 2:

Synopsis 3:

Synopsis 4:

[Empty box for Synopsis 4]

Synopsis 5:

[Empty box for Synopsis 5]

2- Describe the five (5) most significant cases or matters that you dealt with while in legal practice or as a judge and how you dealt with them:

[Empty box for describing five significant cases or matters]

SUPREME COURT OF CANADA EXPERIENCE

List all cases in which you participated as counsel which were heard by the Supreme Court of Canada (appeals as of right, references and appeals by leave) and the result (include any pending cases). You may include significant participation in a case other than as named counsel (e.g. factum review committee). If so, describe precisely the nature of your participation:

List all Supreme Court of Canada leave applications in which you participated as counsel and their outcome (include any pending cases):

List all cases in which you participated as a judge which were heard by the Supreme Court (appeals as of right, references and appeals by leave) and the result (include any pending cases):

List all cases in which you participated as a judge where leave to appeal to the Supreme Court of Canada was requested or granted and their outcome (include any pending cases):

PART 8 - PERSONAL SUITABILITY AND INTEGRITY

For the questions below answer yes or no. If you answer yes to any questions, please provide a detailed explanation with any relevant documentation.

1. Have you ever been disciplined by a Law Society, judicial council or other professional associations or regulatory body? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

2. Are you aware of any current outstanding complaints or investigations against you? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

3. Have you ever been the subject of any complaint to a Law Society, judicial council or other professional association or regulatory body? How was it resolved? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

4. Have you ever been found guilty of a criminal or other offence by a court or tribunal? Are you currently defending a charge for such an offence? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

5. Are you currently involved in litigation as a party or as an intervenor in your personal capacity or as part of a group? Do you foresee commencing or defending any litigation in the foreseeable future (i.e. because you have received a demand letter or you otherwise have notice of a possible claim against you or because you are aware of a possible claim that you have against another party)? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

6. Have you previously been involved in litigation as a party or as an intervenor in your personal capacity or as part of a group? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

7. Are you insolvent, in financial difficulties or subject to potential financial claims against you, your partners or any business you may have? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

8. Have you ever declared bankruptcy? Yes No

If you answered YES, provide a full explanation with any relevant documentation:

9. Are you in arrears with taxes owed to a federal, provincial, territorial or municipal government?

Yes No

If you answered YES, provide a full explanation with any relevant documentation:

10. Are you in default of a family support obligation?

Yes No

If you answered YES, provide a full explanation with any relevant documentation:

11. Is there anything in your past or present which could reflect negatively on yourself or the judiciary?

Yes No

If you answered YES, provide a full explanation with any relevant documentation:

PART 9 - HEALTH AND WELLNESS

The work of a Supreme Court of Canada Justice is extremely demanding and stressful. Candidates must be in sufficiently good health in order to successfully do the job without sacrificing their physical or emotional well-being. For the questions below answer yes or no. If you answer yes to any questions, provide a full explanation with any relevant documentation.

1. Do you currently have, or have you had in the last 10 years, any serious physical or mental health problems? Yes No

If you answered YES, provide a full explanation with any relevant documentation.

2. Do you currently have, or have you had in the last 10 years, any problems with addiction, including alcohol, drugs or gambling problems? Yes No

If you answered YES, provide a full explanation with any relevant documentation.

3. Is there any impediment that could interfere with your ability to perform work as a Supreme Court Justice? Yes No

If you answered YES, provide a full explanation with any relevant documentation.

PART 10 - THE ROLE OF THE JUDICIARY IN CANADA'S LEGAL SYSTEM

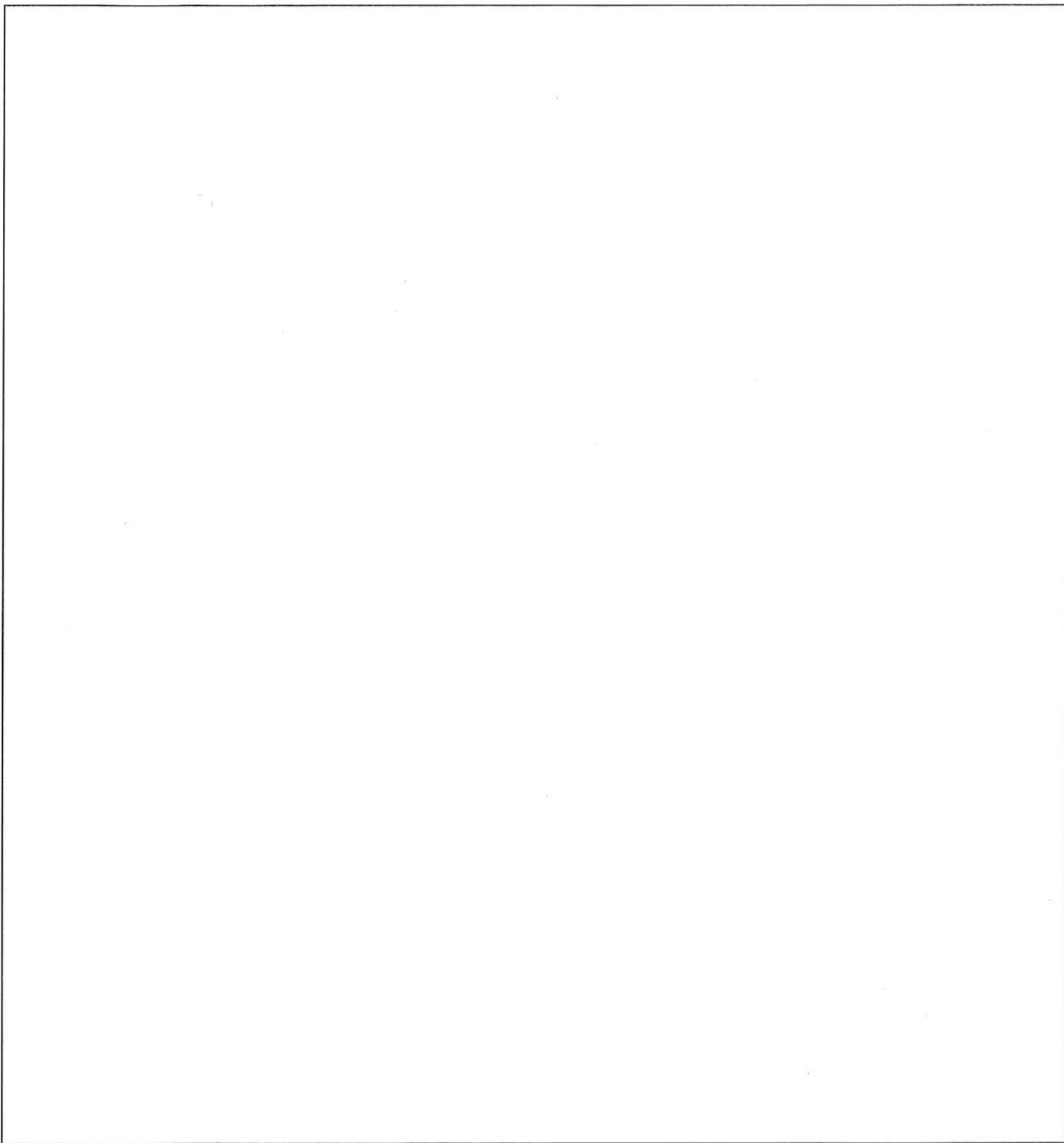
The Government of Canada seeks to appoint judges with a deep understanding of the judicial role in Canada. In order to provide a more complete basis for evaluation, candidates are asked to offer their insight into broader issues concerning the judiciary and Canada's legal system. For each of the following questions, please provide answers of between 750 and 1000 words.

1. What would you regard as your most significant contribution to the law and the pursuit of justice in Canada?

2. How has your experience provided you with insight into the variety and diversity of Canadians and their unique perspectives?

3. Describe the appropriate role of a judge in a constitutional democracy.

4. Who is the audience for Supreme Court of Canada decisions?



5. To what extent does the role of a Supreme Court of Canada Justice allow for the reconciliation of the need to provide guidance on legal questions of importance to the legal system as a whole with the specific facts of a case which might appear to lead to an unjust result for a party?

PART 11 - DECLARATIONS AND SIGNATURE

I undertake to respect the confidentiality of the Supreme Court of Canada appointment process, including the contents of my application, any communications with the Independent Advisory Board, the Prime Minister's Office, the Privy Council Office, the Office of the Minister of Justice or the Office of the Commissioner for Federal Judicial Affairs in relation to this appointment process. Yes No

I acknowledge that there will be additional security checks for which I will be required to consent prior to being recommended by the Advisory Board. Yes No

I acknowledge that it is my responsibility to ensure that my Application Package is complete, and that it includes all mandatory information and required supporting documentation, and that my failure to submit all required information may result in my candidacy not being considered. Yes No

CERTIFICATION

I certify that the information set out by me in this Questionnaire and in any attachment submitted in association with my Application Package is true and correct. Yes No

Signature: _____

Date: _____