



**Action Committee
on Modernizing
Court Operations**

**Progress Report
2024-2025**

Canada

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Message from Chief Justice Wagner

As we celebrate the fifth anniversary of the creation of the Action Committee on Modernizing Court Operations, it is timely to note its continued evolution and ongoing relevance. Over the past half-decade, the Action Committee has served as a vital forum for information sharing and collaboration among members of the judiciary and the executive, bringing together diverse perspectives towards a common goal: modernizing court operations and enhancing access to justice.

In the past year, the Action Committee reaffirmed its commitment to providing practical guidance to help courts address both longstanding and emerging challenges. With the rapid rise of artificial intelligence, the Action Committee developed three publications examining both the potential benefits and the risks of using AI tools in the administration of justice. This work aims to ensure that courts and court users are well equipped to navigate technological changes responsibly. This latest guidance aligns with the Canadian Judicial Council's guidelines on the topic, reinforcing a unified vision of the use of AI in Canadian courts. By harmonizing our efforts, we continue to support a justice system that is both principled and adaptive, meeting the needs of all those who rely on it, without creating new barriers nor worsening or perpetuating existing ones.

The Action Committee's work also continued to focus on incorporating modern technology in the courts, improving user-centred justice, and promoting reconciliation by optimizing court operations for Indigenous Peoples. These efforts underscore the need for justice to evolve to remain both effective and accessible. Through its ongoing engagement with judicial and justice partners, the Action Committee has played a key role in fostering innovation while upholding the fundamental values that define our system.

I extend my sincere gratitude to the members of the Action Committee, as well as to all those who contribute to this shared mission. As we look ahead, I am confident that our collective efforts will continue to drive meaningful progress in ensuring a justice system that is responsive, resilient, and reflective of the people it serves.

Message from Minister Fraser

It is a privilege and a pleasure to join the Right Honourable Richard Wagner as co-chair of the Action Committee on Modernizing Court Operations. The Action Committee continued to produce much of value in 2024-2025, advancing meaningful guidance to assist improvements to court operations nationwide, with a focus on enhancing access to justice for all court users.

The past year marked the second year of operations for the Indigenous Advisory Group (IAG) chaired by the Honourable Shannon Smallwood, which brings together Indigenous judges and courtworkers from across Canada to share their expertise and perspectives. Their work, including the development of guidance on the incorporation of Indigenous practices in the courts, is helping to address historic barriers faced by Indigenous people in the justice system. This aligns closely with the Government of Canada's commitment to Reconciliation and the implementation of the *United Nations Declaration on the Rights of Indigenous Peoples Act*. I am proud of the strong partnership between the Action Committee and the IAG, and I am confident that their contributions will continue to drive positive change.

I also value the Action Committee's expansive view of modernization that prioritizes user-centred justice considerations – these efforts are central to ensuring respect for our democratic institutions and all Canadians' faith in them. By focusing on the needs and experiences of court users, we are better equipped to identify innovative practices and address systemic challenges. This approach has clearly been central to the Committee's work, and I am inspired by the progress the Action Committee has made in advancing practical, non-prescriptive guidance that supports courts at all levels and in all types of matters.

I am grateful for the opportunity to collaborate with such a dedicated group of individuals and organizations from a diversity of backgrounds and experiences, and I am confident that the Action Committee will remain a driving force for positive change in Canada's justice system.

What We Do

The Action Committee on Modernizing Court Operations (the Action Committee) develops non-prescriptive, practical guidance for addressing challenges, and highlights opportunities and innovative practices to modernize court operations and improve access to justice for court users. Its work targets all levels of Canadian courts, in all types of court matters, including criminal, civil and family. The Action Committee also acts as a hub for information sharing, coordination and collaboration among judicial and justice partners who work in court operations across the country. Additionally, it identifies areas of further study that may interest policy-makers, academics, and training providers in the field of court operations.

In carrying out its mandate, the Action Committee upholds the constitutional principle of judicial independence and recognizes the primary responsibility of provinces and territories for the administration of justice.

Highlights from the Past Years

This year was the Action Committee's fifth year of operations. Following on the foundation laid since the Committee transitioned away from pandemic recovery, we continued to take a user-centred approach to supporting court modernization that considered both the tools and processes that could improve court operations and meet the diverse needs of the people the courts serve. This work has included exploring the critical and ever-changing field of artificial intelligence: complementing the work of the Canadian Judicial Council in this area, we developed four connected pieces of guidance on the use of AI in the courts.

Our Indigenous Advisory Group (IAG) continued to draw from their lived and professional experiences working with Indigenous court users to incorporate invaluable Indigenous perspectives into the Action Committee's ongoing work. In April 2024, the IAG had the opportunity to meet with each other and the Action Committee's co-chairs in Ottawa to chart out their workplan for this year.

Publishing Guidance: Our Latest Work

We continued our focus from previous years on integrating modern technology in the courts; enhancing user-centred justice; and enhancing reconciliation by improving court operations for Indigenous people.

3.1 Integrating Modern Technology

This year's work on the topic of technology focused on the rapidly evolving field of artificial intelligence. Starting with guidance entitled "demystifying AI", which presents key terms and concepts in simplified terms to help those with limited tech literacy begin to engage with this topic, these publications in addition to *Guidelines for the Use of Artificial Intelligence in Canadian Courts* published by the Canadian Judicial Council, support the judiciary and court decision-makers in both responsibly integrating AI tools into court operations and responding to these tools' use by litigants and other court users.

- [Demystifying Artificial Intelligence in Court Processes](#): This document aims to foster a common understanding of key terms and fundamental concepts surrounding AI. It outlines general ways in which AI can be used by either the court or its users, briefly describes specific tools that courts may have heard of and covers basic definitions of AI.
- [Use of AI by Courts to Enhance Court Operations](#): This document examines benefits and challenges, sets out guiding principles, and highlights key steps in the adoption of AI tools by courts. It focuses on AI tools used for administrative or legal research and analysis purposes, rather than on AI tools and issues related to decision making, evidence, electronic disclosure or substantive law.
- [Use of AI by Court Users to Help them Participate in Court Proceedings](#): This document examines the benefits and challenges of using AI by court users to assist them in participating in court proceedings. It addresses considerations relevant to the development and monitoring of guidelines by courts on this subject, and responsible use of AI by court users.
- [Artificial Intelligence in Common Legal Research Tools](#): Managing the risks associated with the use of Artificial Intelligence in the legal context requires understanding how tools commonly used by courts and court users incorporate this technology. This publication provides information to court users on how three commonly used legal research tools use AI to enhance their functionalities. The publication is not meant as an endorsement of the specific tools.
- [Virtual and Hybrid Hearings and Court Services – Tools and Resources \(updated\)](#): As technology in the courts continues to evolve, this repository has been updated to reflect new and current tools and resources to support the effective rollout of virtual and hybrid hearings and court services. It includes descriptions of tools, and links to resources from Canadian and foreign courts, tribunals, and justice stakeholders.

3.2 Enhancing User-Centred Justice

The Action Committee continued to provide guidance on user-centred justice. In addition to providing tips and examples for improving the accessibility of court services and resources for all users, this work included practical tips and examples for designing court websites and adopting judicial dispute resolution processes.

- **Meeting the Diverse Needs of Court Users – Orienting Principles:** Equitable court modernization requires an approach that acknowledges, makes room for, and responds to the needs of all who are seeking justice. This publication consolidates the Action Committee's previous guidance in this domain and shifts its focus beyond the pandemic-specific lens in which it was originally drafted. In doing so, it provides key principles to help those working in the courts build their understanding of court users to both better meet the needs of those they serve and incorporate their diverse perspectives into all innovations.
- **Meeting the Diverse Needs of Court Users – Operating Practices:** This companion piece to Meeting the Diverse Needs of Court Users – Orienting Principles consolidates practical steps from the Action Committee's previous guidance on responding to the varied needs of those seeking justice; shifts its focus beyond the pandemic-specific lens in which it was originally drafted; and provides a broad overview of practical steps those working in the courts can take to both better meet the needs of those they serve and incorporate their diverse perspectives into all innovations.
- **Designing User-Centred Court Websites:** A user-friendly website can improve access to justice by providing clear and accessible information on how legal needs can be addressed; what to expect if participating in a court process as a litigant or witness; and when, where, and how a matter will be heard. This tip sheet outlines orienting principles and key considerations in preparing for, designing, testing, launching, and maintaining a user-friendly court website. It includes concrete examples and lessons learned from Canadian courts who have redesigned their websites with users in mind.
- **User-Centred Justice – Some Canadian Examples:** To achieve equitable access to justice for litigants, victims, and witnesses, the needs and perspective of these court users should guide modernization efforts and day-to-day service delivery. Building on the Action Committee's guidance on Understanding User-Centred Justice, this non-exhaustive repository provides concrete examples of user-centred initiatives from across the country.
- **Improving Access to Justice through Judicial Dispute Resolution:** Judicial Dispute Resolution (JDR) and Alternative Dispute Resolution (ADR) play a critical role in modernizing court processes by both reducing backlog and delays and increasing access to justice for litigants, especially self-represented parties. This resource highlights common elements of successful JDR and ADR initiatives across Canadian courts and provides insight into proactive judicial involvement, simplified processes, and early intervention strategies. It also includes practical guidance on design and implementation, with examples of successful models from across the country, to support courts that wish to implement or expand JDR or ADR programs.

3.3 Reconciliation – Improving Court Operations for Indigenous People

The Action Committee, under the leadership of its Indigenous Advisory Group, completed and expanded on work that had started the previous fiscal year on Indigenous Courtworkers, as well as providing guidance on Indigenous practices in the courts, trauma-informed approaches to *Gladue* processes, and best practices and practical tips for working with Indigenous Elders.

- [Indigenous Practices in the Courts](#): Understanding, incorporating, and honouring Indigenous practices in the courts can help to advance reconciliation. This publication captures guiding considerations, lessons, and concrete examples from consultations with both Indigenous and non-Indigenous judges, court administrators, Indigenous Courtworkers, Indigenous justice organizations and other justice actors about incorporating Indigenous practices meaningfully and respectfully in the existing court system.
- [Indigenous Practices in the Courts: Repository of Canadian Examples](#): Incorporating Indigenous practices in the courts creates space for Indigenous identity to be honoured, fosters innovation, and enriches modernization efforts. Building on the Action Committee's [Indigenous Practices in the Courts](#) publication, this non-exhaustive repository provides additional concrete examples of Indigenous practices being incorporated in courts across the country.
- [Trauma-Informed Approaches to Gladue Processes](#): Taking a trauma-informed approach when sentencing Indigenous individuals is an important way judges can minimize additional harm to those who appear before them. This publication provides suggestions for concrete ways sentencing judges can respect an Indigenous offender's right to have their *Gladue* factors considered while minimizing the trauma this process can cause the individual, their family and community, and any victim or witness involved in the process.
- [Role of Indigenous Courtworkers in Family Law or Child Welfare Proceedings](#): Building on the Action Committee's previous publication on Indigenous Courtworkers (ICWs) in criminal matters, this publication examines the role of ICWs in family law and child welfare matters. In this context, ICWs facilitate interaction between Indigenous people and family justice or child welfare system participants by helping Indigenous clients navigate the family justice system, understand their rights, and access legal and social resources. ICWs also assist courts by providing insight into Indigenous values, customs, language, socio-economic conditions and lived experiences, ensuring decisions consider the best interests of Indigenous children.

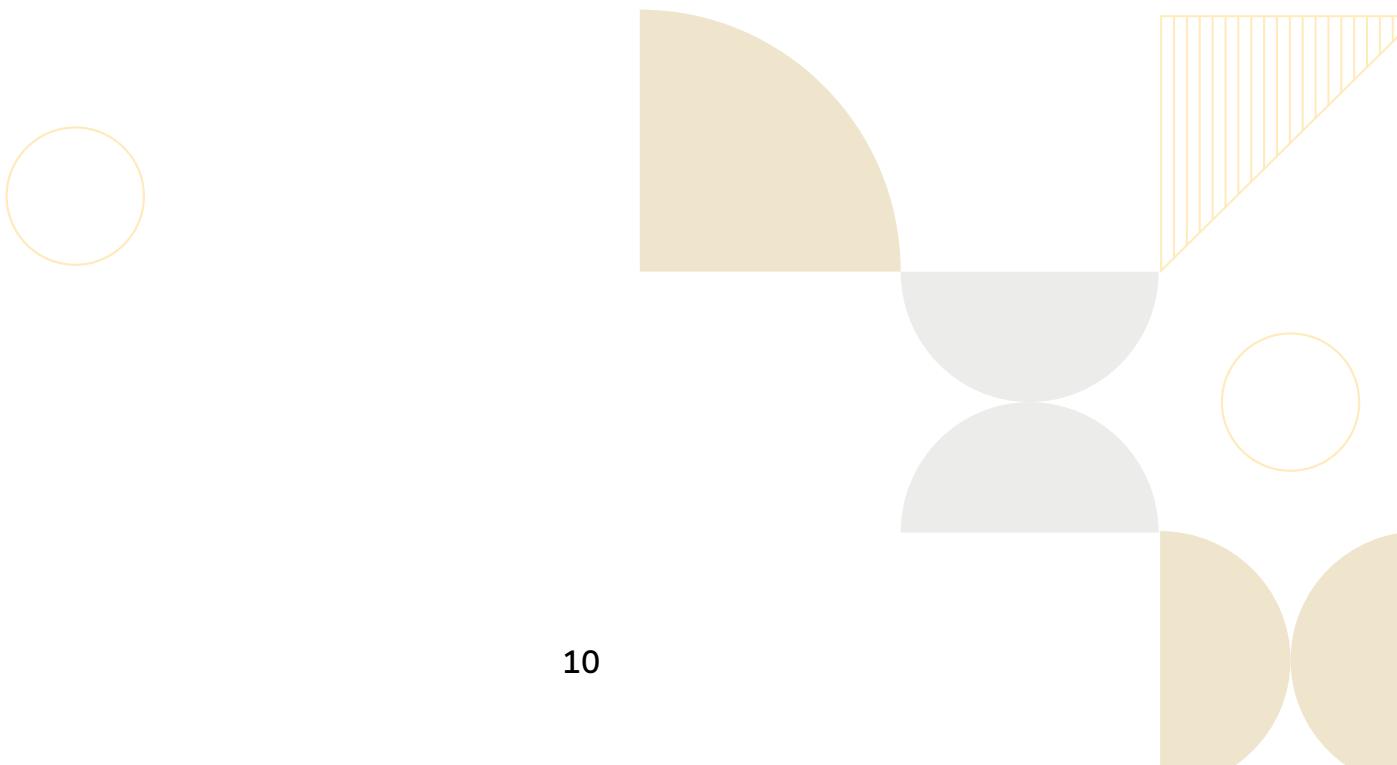
- **Working With Indigenous Courtworkers – Useful Tips (Updated):** Collaborating effectively with Indigenous Courtworkers can help create a more welcoming, inclusive and accessible environment for Indigenous court users and help ensure that these users' unique cultural values, their experiences, and the challenges they have historically faced in accessing the Canadian justice system are properly considered. This publication, which was originally drafted to offer practical insights on how judges and justice actors can collaborate effectively with Indigenous Courtworkers to enable them to assist both their clients and the courts most efficiently in criminal proceedings, has now been expanded to include family and child welfare matters as well.
- **Indigenous Elders in the Courts:** It is likely courts will interact with Indigenous Elders or Knowledge Keepers either as participants in litigation or as interested parties in any initiative aimed at reconciliation and improving Indigenous people's experiences in the justice system. Everyone can benefit if those in the system understand Elders' importance in their communities and what they can offer to the court system. This guidance outlines the different ways courts might work with Elders and Knowledge Keepers and provides considerations to help judges and court administrators engage with them in respectful and culturally appropriate ways.



Visibility

We continued to work on increasing awareness of our guidance. In addition to publishing a newsletter that highlights the new publications arising from each Action Committee meeting, which anyone can sign up to receive, we strengthened our relationships and laid the groundwork for future collaboration with key partner organizations. We also developed plain-language templates on key topics on which we have provided guidance to the courts. These templates can be modified and used by courts or other service-delivery organizations who wish to share information about the topics covered in these publications in a more accessible format that targets court users.

- [The Role of Indigenous Courtworkers in Criminal Proceedings – Plain Language Template](#): Using plain language, this publication explores the role of Indigenous Courtworkers (ICWs), who act as bridges between Indigenous accused persons and the Canadian justice system by providing their clients information and assistance and connecting them to relevant legal and social resources. It has been developed as a template for adaptation and use by courts and other organizations that may wish to provide information about ICWs to Indigenous people who are involved with the criminal courts.
- [Use of Artificial Intelligence by Court Users – Plain Language Template](#): Using plain language, this document examines the benefits and challenges of using AI by court users to assist them in participating in court proceedings. It provides an overview of key concepts and AI tools that court users may be familiar with and addresses considerations relevant to responsible use of AI by court users. It has been developed as a template for adaptation and use by courts and other organizations that may wish to provide information about AI to people who are involved in the court.



What Lies Ahead

As the Action Committee enters the coming year, it will continue to define court modernization broadly, ensuring all its guidance supports courts to both leverage modern technology effectively and put the needs of court users at the forefront of all their reform efforts. This work will include 1) considering how courts manage and control their data and 2) building on past guidance on how courts can best serve their users who have been under-served or over-represented in the justice system by looking at the challenges specific equity-deserving groups face and providing tips on how courts can improve the experience for these users. It will also continue to build on the relationships it has developed this year to enhance the visibility of its work and draw from their valuable experiences.

The Action Committee will continue to consult key partners to achieve these objectives. This will include continued collaboration with the Indigenous Advisory Group, whose contributions will remain an integral part of the Committee's efforts to ensure that all its guidance is inclusive, culturally sensitive, and aligned with the unique needs of Indigenous court users.

Acknowledging Our Partners

The Action Committee thanks the following groups and individuals who contributed their time and expertise this past year to support its work in modernizing court operations and improving access to justice for court users. Your assistance has been invaluable:

- The many speakers who appeared before the Action Committee
- Indigenous Advisory Group
- Technical Working Group
- Heads of Court Administration (HoCA)
- Commissioner for Federal Judicial Affairs
- The numerous judges, legal professionals and other justice system actors consulted during the Action Committee's work

Membership of The Action Committee

As of March, 2025

**RIGHT HONOURABLE
RICHARD WAGNER**

Chief Justice of Canada (Co-Chair)

HONOURABLE ARIF VIRANI

Minister of Justice and Attorney General of Canada (Co-Chair)

HONOURABLE MANON SAVARD

Chief Justice of Quebec

Canadian Judicial Council

HONOURABLE GEOFFREY MORAWETZ

Chief Justice of the Ontario Superior Court of Justice

Canadian Judicial Council

HONOURABLE SHANNON SMALLWOOD

Chief Justice of the Supreme Court of the Northwest Territories

Canadian Judicial Council and Chair of the Indigenous Advisory Group

HONOURABLE MELISSA GILLESPIE

Chief Judge of the Provincial Court of British Columbia

Chair of the Canadian Council of Chief Judges

HONOURABLE NIKI SHARMA

Attorney General of British Columbia

HONOURABLE DOUG DOWNEY

Attorney General of Ontario

SHALENE CURTIS-MICALLEF

Deputy Minister of Justice and Deputy Attorney General of Canada

JEREMY AKERSTREAM

Deputy Minister of Justice and Deputy Attorney General of Manitoba

Representative of the Heads of Court Administration

STÉPHANIE BACHAND

Executive Legal Officer, Supreme Court of Canada



Support Structure

Throughout the year, the Action Committee continued to meet quarterly to develop and review guidance, collaborate, and share information among its members. To achieve these objectives, the Action Committee continued to rely on the experience and expertise of its Indigenous Advisory Group, its Technical Working Group, and its Secretariat.

Indigenous Advisory Group (IAG)

The IAG plays a dual role: it contributes to Action Committee work products by incorporating the perspectives of Indigenous persons, and leads work on select topics to improve court operations for Indigenous court users. The IAG is chaired by the Honourable Shannon Smallwood, Chief Justice of the Supreme Court of the Northwest Territories, and its membership includes, as of March, 2025:

- The Chief Justice of British Columbia
- Judges from the Ontario Superior Court of Justice, the Nova Scotia Supreme Court, and the Provincial Court of Manitoba
- Executives from the BC First Nations Justice Council and Aboriginal Legal Services (Ontario)
- Indigenous Courtworkers and Courtwork program coordinators from the Native Counselling Services of Alberta, Yorkton Tribal Council (Saskatchewan), Native Para-Judicial Services of Quebec, Makivvik Justice Department (Quebec), and the Carcross/Tagish First Nation (Yukon)
- A representative of the Elsipogtog Health & Wellness Centre (New Brunswick)

Technical Working Group (TWG)

The TWG ensures that the Action Committee's work aligns with its mandate; reflects national perspectives at various levels of court; upholds judicial independence; and respects provincial/territorial jurisdiction over the administration of justice. The TWG is chaired by the Honourable Michael MacDonald, former Chief Justice of Nova Scotia, and its membership includes, as of March, 2025:

- The Chief Justice of the Supreme Court of the Northwest Territories, in her capacity as the Chair of the Indigenous Advisory Group of the Action Committee
- The Executive Legal Officer of the Supreme Court of Canada
- The Commissioner for Federal Judicial Affairs, in his capacity as Director of the Canadian Judicial Council
- The Executive Legal Officer for the Chief Justice of the Provincial Court of British Columbia, in her capacity as support to the Chief Justice's role as chair of the Canadian Council of Chief Judges
- Representatives of the federal Courts Administration Service

- Representatives of the Heads of Court Administration
- Officials from provinces or territories whose Minister or Deputy Minister responsible for justice sits on the Action Committee
- Employees from the Judicial Affairs Section (JAS) of the Department of Justice Canada

Secretariat of the Action Committee (SAC)

The Action Committee, its IAG, and its TWG are supported by a Secretariat composed of legal counsel and other professionals from the Judicial Affairs Section (JAS) of the Department of Justice Canada. Guided by the Action Committee, the TWG, and the IAG, the SAC helps to identify topics of work, develop agendas for Action Committee meetings, identify appropriate experts as needed, and draft documents including the non-prescriptive guidance for the Action Committee and IAG approval published on the website of the Office of the Commissioner for Federal Judicial Affairs. To carry out this work, the SAC consults with various partners across the country to gather relevant information on current challenges and best practices.

