



ACTION PLAN

Enhancing the Bilingual Capacity of the Superior Court Judiciary

1. The Minister of Justice will announce that the assessment of the applications of candidates for superior court appointment will be enhanced in two ways:

 - Questionnaires will include an additional two questions for candidates who have self-identified as having bilingual capacity.
 - The Judicial Advisory Committees (JACs) will be directed to verify the answers to these questions to ensure they align with the candidates' declared language ability. The Commissioner for Federal Judicial Affairs (CFJA) will also be authorized and encouraged to conduct language assessments and/or spot checks.
2. The CFJA will be asked to develop recommendations for the Minister of Justice for an assessment tool that could be implemented in the future to objectively assess all candidates who self-identify as having bilingual capacity, with a view to identifying relative levels of proficiency. The CFJA's recommendations will address any additional resources required to operationalize the assessment tool.
3. The CFJA will examine the delivery of existing language programs, including enhancement of the applied component focused on courtroom-based skills.
4. The CFJA will make available training and information to JACs on linguistic rights of litigants. The Department will provide support as appropriate.
5. The Minister will ask the Canadian Judicial Council to develop training modules for federally-appointed judges on the linguistic rights of litigants, to be delivered through the National Judicial Institute.
6. The Department will work with interested jurisdictions and the courts to develop the means for assessing existing bilingual capacity of superior courts.
7. The Department will consult with provinces and territories to examine possible ways of assessing the needs of Canadians in accessing superior courts in both official languages.