



THE HONOURABLE GLENN D. JOYAL
CHIEF JUSTICE
THE LAW COURTS
WINNIPEG, MANITOBA R3C 0P9

COURT OF QUEEN'S BENCH OF MANITOBA
COUR DU BANC DE LA REINE DU MANITOBA

L'HONORABLE GLENN D. JOYAL
JUGE EN CHEF
PALAIS DE JUSTICE
WINNIPEG (MANITOBA) R3C 0P9

April 15, 2016

DELIVERED VIA PUROLATOR

Mr. Gil Rémillard
Chairperson
Judicial Compensation and Benefits Commission
8th Floor – 99 Metcalfe Street
Ottawa ON K1A 1E3

Dear Mr. Chairperson, Members of the Commission:

I have been asked to write to you as the Chairperson of the Superior Courts Chief Justices Trial Forum, a national committee composed of all of Canada's Superior Court Chief Justices and Associate Chief Justices. This brief letter/submission follows from what you would have earlier received as the proposal for the appellate judges' salary differential.

I apologize on behalf of my committee whose members appreciate that the deadline for submissions has passed. However, we ask for the Commission's indulgence given that it was only recently that we were able, as a rather large committee, to convene to address the implications of the appellate judges' submission. We also understand the originally set hearing dates were postponed to April 28 and 29, 2016.

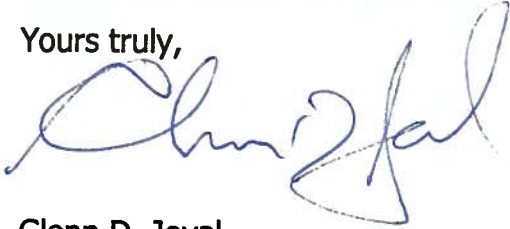
Although the Superior Court Chief Justices and Associate Chief Justices take no position respecting the proposal for the appellate salary differential, we make this submission in the event that you are persuaded that a salary differential ought to be recommended.

It is the position of Canadian Superior Court Chief Justices that it is important that the Commission remain aware that there has not traditionally been a salary differential as between appellate and Superior Court Chief Justices. It is equally important to remember what has long been a salary differential that has existed as between Superior Court Chief Justices and puisne appellate judges. We submit that that salary differential has existed in a manner so as to reflect the considerable and often onerous "24/7" responsibilities and workloads that attach to court leadership. Needless to say, most Chief Justices, to one extent or another, in addition to their administrative duties, continue to preside in court as s. 96 judges.

As we understand it, the principal basis upon which the submission is made for the appellate salary differential, is one of hierarchy. That being so, it is critical, Mr. Chairperson and Members of the Commission, that you note that in every province of the country, all "Orders of Precedent" position Chief Justices and Associate Chief Justices of the trial courts atop that of appellate puisne judges.

To repeat, while the Canadian Superior Court Chief Justices take no position with respect to the submission for appellate salary differential, we do respectfully urge that the Commission not make recommendations that would change the salary relationship or differential that currently exists as between Superior Court Chief Justices and appellate judges. Accordingly, if an appellate salary differential is recommended, we request that the commensurate adjustments and recommendations be made respecting Canadian Superior Court Chief Justices and Associate Chief Justices.

Yours truly,



Glenn D. Joyal
Chief Justice
Court of Queen's Bench of Manitoba

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