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File 92135

January 29, 2016

Via Email and Mail

Via Email to: Louise.Meagher@quadcom.gc.ca

Gil Rémillard
Margaret Bloodworth,
Peter Herbert Griffin
c/o Louise Meagher
2015 Quadrennial Commission
99 Metcalfe Street, 8th floor
Ottawa, ON
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Dear Members of the Commission:

Re: Quadrennial Commission on Judicial Compensation

The Government's request for the Commission to undertake a pre-appointment income study appears to seek to re-open an issue that was already considered by the Block Commission, which determined that the resulting data was unhelpful to the Commission's inquiry.

Consistent with the Levitt Report's pronouncement that "the onus of establishing the need for change lies with the party seeking it" (para. 31), the onus would be on the Government to establish that the Commission should revisit the conclusion that such a study is not useful for its inquiry.

Independently of that question, it seems that the study will not assist the Commission in determining an adequate salary level to attract outstanding candidates in the future because the data to be generated will necessarily be retrospective in nature.

Finally, the Prothonotaries agree with the Government submissions, at para. 41, that they should not be included in any pre-appointment income study, but not simply for the reasons provided by the Government. While there are practical concerns about anonymity and privacy as only one Prothonotary was appointed between 2004 and 2014, the Prothonotaries share the concerns of the CSCJA and CJC that embarking on a study that has already been determined not to be useful will unnecessarily increase costs and delay the process.

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Yours very truly,
PALIARE ROLAND ROSENBERG ROTHSTEIN LLP



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- c. Anne Turley, Department of Justice
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Doc 1718933 v1