Terms of Reference - 2026

Rules of Court Committee

1. Mandate and Accountability

The Rules of Court Committee (RCC) is continued under section 28.2(1) of the *Judicature Act* to consider the rules of court made under that or any other Act, dealing with practice and procedure in the courts, and may make recommendations to the Minister of Justice respecting those Rules, including amendments.

The RCC considers the perspectives of the courts, the legal profession and the public in making recommendations to the Minister. The general and historical convention is that the RCC is consulted before any changes are made to the Rules and that amendments require the support of the RCC.

The RCC may create, amend or delete information notes and other informational guides for the assistance of users of the Rules.

2. Roles and Responsibilities

The RCC:

- proposes changes or new rules under the Alberta *Rules of Court* to adapt to new legal developments, improve clarity, or respond to stakeholder feedback;
- may establish and revise information notes and other informational guides for users;
- monitors how the Rules operate in practice and considers proposals for rule changes submitted by the bar (lawyers), the judiciary, the public, or by its own members' initiative;
- may consult with the courts, the bar and the public about proposed changes;
- coordinates and reviews recommendations from advisory sub-committees and working groups for certain subject matters such as family law and surrogate law.

The Chair:

- Convenes and presides over meetings;
- Sets the proposed meeting agenda;
- Establishes the rules of procedure for meetings;
- Serves as liaison between the RCC and the Minister.

Classification: Protected A

3. Membership

The RCC is composed of six members:

- The chief justices (or their designates) of the following courts:
  - Court of Appeal of Alberta,
  - Court of King's Bench of Alberta,
  - Alberta Court of Justice.
- Two members appointed by the Minister on recommendation of the Law Society of Alberta.
- One additional member appointed by the Minister.

The non-judicial RCC members are appointed by the Minister through ministerial order.

The RCC elects a Chair (section 28.2(2) of the *Judicature Act*).
Quorum is four members (section 17(1) of the *Interpretation Act*).
The Minister shall provide to the RCC those legal, secretarial and other services the Minister considers appropriate (section 28.2(7) of the *Judicature Act*).

Recruitment and Appointment Process

The non-judicial RCC members should possess the following values, skills, experience and knowledge:

- Membership in the Law Society of Alberta;
- Minimum of 10 years at the Bar of a province or territory;
- Knowledge of and practical litigation experience applying the Alberta *Rules of Court*;
- Familiarity with legal drafting;
- Ability and willingness to develop consensus;
- Respect for confidentiality; and
- Courtesy and professionalism.

Term Length

A person appointed by the Minister serves for a term not to exceed seven years and may be reappointed for one additional term, to a maximum of fourteen consecutive years for Minister-appointed members (section 28.2(5) of the *Judicature Act*).

Remuneration

The members of the RCC do not receive remuneration; however, the ministry may reimburse the members for travel-related expenses (section 28.2(6) of the *Judicature Act*).

Payment is made in accordance with the Government of Alberta's Travel, Meal, and Hospitality Expenses Policy.

Sub-Committees and Working Groups

The Minister may establish sub-committees to assist with the RCC's mandate and appoints the membership of those sub-committees.

The RCC is currently supported by two sub-committees, created by Ministerial Orders, focused on specific subject-matters:

- **Family Law Rules Advisory Sub-Committee** makes recommendations relating to family law procedure and forms for family matters in Court of King's Bench and the Alberta Court of Justice. The Family Law Rules Advisory Sub-Committee has representation from the Court of Appeal, the Court of King's Bench, the Alberta Court of Justice, the Law Society of Alberta, the Canadian Bar Association (Alberta Branch), and Alberta Justice.
- **Surrogate Rules Advisory Sub-Committee** makes recommendations for adding, removing or changing the surrogate rules and other rules and forms used in surrogate matters in the Court of King's Bench. The Surrogate Rules Advisory Sub-Committee currently consists of two Justices of the Court of King's Bench, three members recommended by the Law Society of Alberta, three members recommended by the Canadian Bar Association (Alberta Branch), and two members from Alberta Justice.

The RCC may establish temporary working groups to assist the RCC in addressing specific issues and appoints the membership of those working groups.

4. Meetings

The RCC meets at the call of the Chair, generally one to three times per year, usually remotely. In-person meetings are also possible.

5. Reporting

The RCC does not prepare an annual report, but members may provide confidential updates to the courts, Law Society of Alberta and Alberta Justice as agreed upon by the RCC.

6. Interaction with the Ministry

Recommendations from the RCC to the Minister are communicated by the RCC Chair to the Minister, generally through the RCC Secretary.

The Strategy, Support and Integrated Initiatives division within the Ministry interacts with the RCC for required administrative functions, including recruitment and governance matters.

7. Review and Amendments

The RCC will review the Terms of Reference from time to time to ensure they remain relevant and effective. This document may be amended at any time by the RCC Chair, after approval from the RCC.