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Lengthy court delays 'totally unacceptable'

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LORRAINE HJALTE/CALGARY HERALD

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POSTMEDIA NEWS

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In the meantime, Alberta is considering a streamlined family court, better case management and resolution programs that could end disputes before they reach a courtroom.

Also, the limit for provincial court civil matters will be raised

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EDMONTON Justices and lawyers in the Court of Queen's Bench have already cracked open their 2016 calendars.

After many of the last 2015 court days were snapped up in mid-December, any trial requiring more than five days in the province's superior court can't be scheduled for at least a year. Court days in January 2016 are already scarce.

And Chief Justice Neil Wittmann isn't happy about it.

"That's totally unacceptable," he says about the lengthy delays. "The Charter guarantees timely access to the courts. When the public come into the legal system, they aren't aware of the potential for delay."

The federal government, who appoints Queen's Bench justices, isn't helping, Wittmann says.

The number of full-time justices on the bench has remained the same since 1996.

But since then, Alberta's population has grown from 3.3 million to 4.1 million. In that same time, criminal charges tried in the Court of Queen's Bench have jumped 35 per cent, not including increases in family and civil cases.

There are 61 full-time justices, a chief, an associate chief and two vacant seats in the Court of Queen's Bench. Nineteen more chose to sit on a part-time schedule rather than retire.

To match Alberta's current growth, Wittmann says, they need a dozen more full-time justices. In the spring, the federal Department of Justice amended the Judges Act to add the two vacant seats. Alberta had asked for four.

Those judges haven't actually been appointed, notes provincial Justice Minister Jonathan Denis, but the commitment is there.

The federal Department of Justice has little to say to Wittmann's claim they are lagging nearly a decade behind.

The department "is continuing to work diligently to ensure that judicial vacancies in Alberta and

as possible," a spokesman stated. In the meantime, Alberta is considering a streamlined family court, better case management and resolution programs that could end disputes before they reach a courtroom.

Also, the limit for provincial court civil matters will be raised from \$25,000 to \$50,000 to ease the Queen's Bench caseload.

However, Wittmann says, some of those programs are forced to run on very limited resources.

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