



SASKATCHEWAN PROVINCIAL COURT JUDICIAL COUNCIL

MEMBERS:

THE HONOURABLE ROBERT LEURER
CHIEF JUSTICE OF SASKATCHEWAN

THE HONOURABLE MARTEL POPESCU
CHIEF JUSTICE, COURT OF KING'S BENCH

THE HONOURABLE SHANNON METIVIER
CHIEF JUDGE, PROVINCIAL COURT

THE HONOURABLE JUDGE
MICHELLE MARQUETTE, PROVINCIAL COURT

THE HONOURABLE JUDGE
BRADLEY MITCHELL, PROVINCIAL COURT

MR. ADAM TOUET, K.C.
PAST-PRESIDENT, LAW SOCIETY OF SASKATCHEWAN

MR. MITCH YUZDEPSKI
DEPUTY CHIEF OF POLICE (RETIRED)

MS. NADINE BARNES
EXECUTIVE OFFICER

I am pleased to present the Saskatchewan Provincial Court Judicial Council's 2025 Annual Report.

The Council has two main responsibilities.

First, the Council considers the applications of lawyers seeking appointment to the Provincial Court of Saskatchewan and makes recommendations to the Minister of Justice as to whether they are qualified and suitable for appointment. Ultimately, the responsibility for making appointments to the Provincial Court rests with the Lieutenant Governor acting on the advice of the Provincial government.

Second, the Council reviews and investigates complaints of alleged misconduct or incapacity that are made against Provincial Court judges.

The Council discharges all of its duties in the best interests of the people of Saskatchewan.

The Honourable Robert W. Leurer
Chief Justice of Saskatchewan
Chairperson of the Judicial Council

Saskatchewan Provincial Court Judicial Council 2025 Annual Report

1. Constitution of the Provincial Court Judicial Council

The Provincial Court Judicial Council has existed since 1978. It is continued pursuant to s. 53(1) of *The Provincial Court Act, 1998*, SS 1998, c P-30.11. Pursuant to s. 53(2), it is composed of the following members:

- (a) the Chief Justice of Saskatchewan, or a judge of the Court of Appeal designated by the Chief Justice of Saskatchewan, who shall be chairperson;
- (b) the Chief Justice of the Court of King's Bench, or a judge of the Court of King's Bench designated by the Chief Justice of the Court of King's Bench;
- (c) the chief judge, or a judge designated by the chief judge;
- (d) the president of the Law Society of Saskatchewan or a bencher or former bencher of the Law Society appointed by a resolution of the benchers;
- (e) not more than two other persons appointed by the Lieutenant Governor in Council after consultation by the minister with the chairperson of the council and the chief judge; and
- (f) two judges elected by the judges at a meeting of the court *en banc*.

2. Members of the Council

In 2025, the Council was composed of the following members:

- The Chief Justice of Saskatchewan, the Honourable Robert Leurer (chairperson);
- The Chief Justice of the Court of King's Bench, the Honourable Martel Popescul;
- The Chief Judge of the Provincial Court, the Honourable Shannon Metivier;
- The President of the Law Society of Saskatchewan, Mr. Adam Touet, K.C.;
- Two members appointed by the Lieutenant Governor in Council, Mr. Mitch Yuzdepski (term commenced April 30, 2025) and Mr. Jason Stonechild (term expired May 11, 2025); and
- Two judges elected by the judges at a meeting of the Provincial Court *en banc*: the Honourable Judge Michelle Marquette; the Honourable Judge Marilyn Penner (January 31-October 31); and the Honourable Judge Bradley Mitchell (November 1-December 31).

3. Work of the Council

3.1. Assessing Applicants for Appointment to the Provincial Court

The Provincial Court Act, 1998 requires the Council to review applications for appointment to the Court and to make recommendations to the Minister of Justice. Section 54(a) says this:

54 The council shall:

(a) consider and make recommendations to the minister regarding the proposed appointment of a judge

The Council conducts its reviews pursuant to the terms of the following policy:

A. General

1. Professional competence and overall merit are the primary qualifications for appointment to the Provincial Court.
2. The Provincial Court Judicial Council (“Council”) will assess lawyer candidates and places them into one of three categories:
 - not recommended
 - recommended
 - highly recommended
3. Upon receipt of a Judicial Candidate Information Form the Executive Officer will write to the candidate who submitted the Form acknowledging receipt.
4. Once the Law Society and other preliminary background checks are completed, the candidate’s information package will be referred to the Council for assessment.
5. Subject to Articles 8 and 9, assessments are valid and remain in effect for three (3) years.
6. Candidates will be notified by the Executive Officer of the date when they were assessed by Council and that their assessment will remain in effect for three (3) years. They will not be provided with the results of the assessment, which are confidential and solely for the use of the Minister of Justice.
7. In the event that a candidate continues to be interested in a judicial appointment after the three (3) year expiry date, a new Judicial Candidate Information Form must be submitted.
8. When a Judicial Candidate Information Form is submitted within 60 days of the three (3) year expiry date, the previous assessment remains valid until a new assessment is made by Council.
9. A re-assessment during the three (3) years since the candidate was last assessed by Council will not be undertaken, unless, exceptionally,

- a) The Minister of Justice requests a re-assessment of the candidate after receiving information that is at variance with the assessment made by Council; or
- b) Council initiates re-assessment after receiving important new information which is contrary to information on which Council's previous assessment of the candidate was made.

B. Confidentiality

- 10. The evaluation process seeks to protect the reputations and privacy of candidates to the maximum extent possible while also providing accurate and thorough assessments to the Minister of Justice.
 - a) All Council discussions and proceedings shall be treated as strictly confidential, and must not be disclosed to persons outside the Council.
 - b) All documents submitted as part of the assessments process shall be treated as personal and strictly confidential. The contents of such documents are not to be disclosed except to the Minister of Justice, or, in part, and only where necessary, to those consulted by the Council. (Partial disclosure to references, or to others consulted, must only occur after receipt of a verbal undertaking to maintain confidentiality and must only be to the extent necessary to address matters raised by the application.)
 - c) When no longer required for assessment purposes, all documents received in connection with the assessment process, other than those intended for public education on the process or to permit Council to maintain an ongoing historical record, must be shredded. Each member is responsible for ensuring that all documentation is shredded in a secure and confidential manner.
 - d) All information obtained through the consultation of references and from other sources shall be treated as personal and strictly confidential and must not be disclosed to persons outside the Council.
 - e) Applicants are not to be informed of the result of their assessments.
 - f) The obligation of Council members to maintain the confidentiality of applications, discussions and assessments made during a Council's tenure does not end with service on the Council. The obligation of confidentiality is enduring.

C. Conflicts of Interest

11. Given the objectives of a neutral and fair process and the appearance of a neutral and fair process, the following guidelines should be followed to avoid a conflict of interest or the appearance of one:
- a) Council members must not engage in activities outside the Council, which will result in a conflict of interest with their work on the Council, or in the appearance of one.
 - b) Council members must not participate in the appointments process other than through the exercise of their recognized responsibilities as members of the Council or in their capacities as Chief Justice or Chief Judge.
 - c) The role of the Council is to evaluate applications, not to solicit them. Council members who have previously agreed to act as references must abstain from participating in the candidate's assessment.
 - d) Council members must apprise Council of any real or apparent conflict of interest regarding the assessment of a particular candidate.
 - e) The proper course of action for a Council member who finds herself, or himself, in a position of conflict of interest, real or apprehended, is to withdraw from discussions, and abstain from voting on the assessment of any applicant where such a conflict exists, or where such a conflict might reasonably be perceived to exist.
 - f) Abstentions are formally recorded.
 - g) If there are questions on the desirability of abstaining in a given circumstance, the Chair of Council should be contacted. Alternatively, the issue can be put to the Council as a whole for its view.
 - h) Council members shall not accept gifts or other consideration from candidates.
 - i) Council members should try to avoid commenting on individual appointments made by the Minister of Justice and should be circumspect and cautious in what they say if they are not able to avoid commenting.

3.1.1. Overview of Applications Reviewed in 2025

Total Number of Applications Reviewed in 2025

	Female Lawyers*	Male Lawyers*	Total Reviewed
Reviewed	15	10	25
Not Recommended	9	5	14
Recommended or Highly Recommended	6	5	11
Deferred	0	0	0
% Recommended	40%	50%	44%
* Based on Driver's Licence self-identification			

There were 22 recommended candidates on the Minister of Justice's list as of December 31, 2025.

3.1.2. Appointments made in 2025

Appointments to the Provincial Court are made by the Lieutenant Governor acting on the advice of the Provincial government.

There were no judges appointed to the Provincial Court in 2025.

3.2. Reviewing Complaints Against Provincial Court Judges

The *Provincial Court Act, 1998* requires the Council to review, investigate and deal with complaints against Provincial Court judges with respect to alleged misconduct or incapacity.

Section 55(1) says this:

55(1) The council shall review and, where necessary, investigate the conduct of a judge where the council:

- (a) receives a complaint respecting the judge alleging misconduct or incapacity; or
- (b) otherwise becomes aware of possible misconduct by the judge or possible incapacity of the judge.

The Council conducts its reviews or investigations pursuant to the terms of the following policy:

1. The Council reviews, investigates and deals with complaints made under Part V of *The Provincial Court Act, 1998 [Act]* where the Council:
 - a. receives a complaint respecting a judge alleging misconduct or incapacity; or
 - b. otherwise becomes aware of possible misconduct by a judge or possible incapacity of a judge.
2. The Council undertakes the process mentioned in s. 1 in accordance with its powers set out under Part V of the *Act*.
3. Pursuant to s. 55(1.1) of the *Act*, the Council delegates to the Chief Justice of the Court of King’s Bench the conduct of a review and any necessary investigation of a matter mentioned in s. 1 above. The Chief Justice of the Court of King’s Bench shall be assisted in this by the Executive Officer of the Council.
4. Under the authority of s. 55(1.2) of the *Act*, the Chief Justice of the Court of King’s Bench may either dismiss the complaint without further consideration by the Council if the complaint is found to be frivolous, vexatious or wholly without merit, or, refer the matter to the Council for further review and investigation.
5. As set out in s. 55(1.3) of the *Act*, a decision of the Chief Justice of the Court of King’s Bench to dismiss a complaint pursuant to s. 55(1.2) is deemed to be a decision of the Council.
6. A person who initiates a complaint under the *Act* is not a party to, and does not have standing in, the judicial conduct or capacity review proceedings.

3.2.1. Overview of Complaints for 2025

- Total Number of Complaints Concluded in 2025:

Total Number of Complaints Concluded in 2025

	Complaints Concluded	Jurisdiction (no merit)	Jurisdiction (with merit)	No Jurisdiction
Total	23	5	1	17

*For those complaints dealing with more than one issue, the calculation was further broken down to account for each category present.

3.2.2. Complaints Concluded in 2025: Average Length of Time for Review and Completion

	Days
No Jurisdiction	8
Jurisdiction	45

3.3. Summary of Complaints Concluded in 2025

With the exception of one matter, all of the complaints concluded in 2025 were determined to be without merit or to fall outside of the Council's jurisdiction to review.

Complaint where misconduct was found:

3.3.1. Complaint #1

The complainant made a complaint against a Provincial Court judge with respect to the judge's delay in rendering a decision in a small claims case. The Council found that in the circumstances at hand, the delay in the delivery of the judgment was misconduct. The judge consented to the finding of misconduct and the Council concluded that the matter could be appropriately resolved pursuant to s. 55(2)(b) of *The Provincial Court Act, 1998*. Under s. 62(2) of the Act, the Council made an order reprimanding the judge and requiring the judge to (a) send a letter of apology to the litigants, (b) provide the Council and the Chief Judge with certain information regarding decisions that are under reserve, and (c) advise the Chief Judge of any material change to the judge's medical treatment or counseling programs for a prescribed time.

Complaints dismissed as not being within the Council's jurisdiction or having merit:

3.3.2. Complaint #2

A complaint was received regarding the way in which a Provincial Court judge had conducted certain court proceedings. Upon a review of the relevant transcript, Council determined that there was nothing in the complaint which could constitute judicial misconduct. First, the judge's remark in question, while unnecessary, did not rise to the level of misconduct. Second, there was nothing about the manner in which the judge delivered their reasons that could be construed as misconduct. The complainant was also advised that conferring with the Crown Prosecutor and the court clerk about the mechanics of the sentence was not a matter of misconduct and that the complaint against the court clerk was outside the jurisdiction of the Council to review. Finally, with respect to the complainant's concerns about the sentence, and the allegation that it was the product of bias, the Council advised that the proper avenue for addressing concerns regarding judicial rulings is through the appellate process and that the allegation of bias could not succeed as no cogent evidence of same had been provided.

3.3.3. Complaint #3

A complaint was received regarding a court matter involving the complainant's son. The Council determined that the complaint did not raise anything that relates to matters within its jurisdiction.

3.3.4. Complaint #4

A complaint was received regarding a decision rendered by a Provincial Court judge. The complainant alleged that the judge allowed two individuals to testify as “*defacto*” expert witnesses, reversed the onus of proof and failed “to properly recognize *prima facie* proof of causation”. The complainant said that certain testimony that was allegedly misleading was improperly allowed and that it should be considered perjury. The Council concluded that it was not able to review the decisions reached by judges in the course of a trial or when rendering judgment. The Council determined that the issues outlined in the complaint pertained to the judge’s rulings and decisions in the case. The complainant was told that the proper avenue for addressing concerns regarding judicial rulings is through the appellate process.

3.3.5. Complaint #5

A complaint was received regarding proceedings before a Provincial Court judge. With respect to the complainant’s allegations that the judge was in a conflict of interest and did not grant an adjournment, the Council advised that those were legal matters in which the appropriate avenue is an appeal if the complainant was dissatisfied with the judge’s decision. After obtaining additional information from the complainant, the allegations pertaining to the judge’s conduct were investigated by reviewing the applicable court file and transcript from the proceedings. From that review, it was evident that the accusations contained in the complaint were not borne out.

3.3.6. Complaint #6

A complaint was received against a Provincial Court judge, a Justice of the Peace and Crown Prosecutors. The Council determined that the complaints against the Justice of the Peace and Crown Prosecutors were outside its jurisdiction to review. With respect to the complaint against the judge allegedly not reading the charge aloud in court, the complainant was advised that is not a matter of judicial misconduct. Similarly, the Council informed the complainant that the issuance of a bench warrant does not involve the conduct of a judge. The proper avenue for addressing concerns regarding judicial rulings or procedural steps taken during court proceedings is through the appellate process, if applicable. The complainant wrote to the Council again in relation to the complaint. The further correspondence was referred to the full Council for its consideration. After completing its review, the complaint remained dismissed.

3.3.7. Complaint #7

The complainant wrote to the Council, making a plethora of unsubstantiated allegations against six Provincial Court judges. The Council advised that the complainant had not made any accusations capable of permitting the Council to investigate the concerns so that no further action would be taken.

3.3.8. Complaint #8

A complaint was received against a Provincial Court judge alleging bias because of the judge's connection with a certain community. A review of the record disclosed that the judge took care to identify an individual that was present in the courtroom as a past client and sought submissions from both the Crown and defence as to whether that posed an issue. No objection was raised. Finally, the transcript revealed that throughout the course of the proceedings, the judge treated everyone fairly and with respect. In these circumstances, the Council determined that the complainant had failed to provide any cogent evidence of a reasonable apprehension of bias. The complainant was advised that having a connection with a community is not enough to establish bias. Judges are presumed to be impartial, and to have acted in good faith and with due and proper consideration of the issues before them, unless the contrary is demonstrated. The Council further noted that, in any event, from a review of the transcript it was clear that nothing the judge said or did could constitute misconduct.

3.3.9. Complaint #9

A complaint was received regarding concerns about a decision made by a prosecutor. The complaint did not raise anything that relates to matters within the jurisdiction of the Council.

3.3.10. Complaint #10

A complaint was received against several judges of the Court of King's Bench. The complainant was told that complaints respecting the conduct of judges of the Court of King's Bench are handled by the Canadian Judicial Council and that the Saskatchewan Provincial Court Judicial Council had no jurisdiction to review the complaint.

3.3.11. Complaint #11

A complaint was received against a Provincial Court judge's decision in an animal protection matter. The Council advised that the proper avenue for addressing concerns regarding judicial rulings is through the appellate process. It also advised that a request to withdraw a guilty plea was beyond the scope of its jurisdiction. Finally, the complainant was told that if he had concerns about the conduct of the judge, the Council would require particulars as to what the judge said or did that allegedly constituted misconduct or incapacity.

3.3.12. Complaint #12

A complaint was received making numerous wide-ranging allegations against a Provincial Court judge and other actors in the justice system. The complaint against the judge was dismissed for several reasons. First, the complainant was advised that the judge's decision was beyond the Council's review. Second, the transcript revealed that throughout the course of the proceedings, the judge treated everyone fairly and with respect. The judge properly controlled the proceedings and managed the trial in a suitable manner. Third, the Council explained that it is the responsibility and duty of the judge to rule regarding the admissibility of the evidence. These functions fall within the ambit of judicial discretion and are not

issues of conduct that fall within the Council's mandate. Finally, the Council indicated that the complainant's name calling of the judge within the complaint was inappropriate and entirely baseless.

3.3.13. Complaint #13

The complainant wrote to the Council regarding concerns over a criminal charge that had been laid and an alleged unjustified denial by a prosecutor to communicate with the complainant. The complainant was told that the Council only has jurisdiction to review complaints of judicial misconduct or incapacity of Saskatchewan Provincial Court judges, and that the complaint did not raise anything within the jurisdiction of the Council.

3.3.14. Complaint #14

A complaint was received against staff of the Court of King's Bench Local Registrar's office. The complainant was told that the matter was not within the jurisdiction of the Provincial Court Judicial Council and that it had been referred to the Court of King's Bench.

3.3.15. Complaint #15

A complaint was received against Probation Services and a Provincial Court judge.

The complainant was told that Probation Services is not under the Council's jurisdiction and that if the complainant was of the view that the probation conditions are too onerous, the remedy is an appeal.

So far as the complaint was against the judge, the complainant was advised that the portion of the complaint alleging wrongful conviction and concerns over the sentence imposed was not within the jurisdiction of the Council to deal with as the remedy is to appeal. With respect to the allegation that the judge was influenced by an alleged association with someone related to the complainant, this complaint was dismissed as it was merely speculation.

The complainant wrote again to the Council posing several questions regarding the complaints process, which Council replied to. The Council also advised the complainant's allegation of malicious and bad faith conduct on the part of the judge required a rational basis to suggest that the allegations are true in order for the Council to investigate them.

3.3.16. Complaint #16

A complaint was received against a judge of the Court of King's Bench and a judge of the Court of Appeal for Saskatchewan. The complainant was told that complaints respecting the conduct of judges of the Court of King's Bench and Court of Appeal are handled by the Canadian Judicial Council and that the Saskatchewan Provincial Court Judicial Council had no jurisdiction to review the complaint.

3.3.17. Complaint #17

A complaint was received alleging that a Provincial Court judge's response to an incident in which the complainant was removed from the courtroom amounted to misconduct. Upon a review of the transcript, it was clear that the judge had no involvement in the incident whatsoever. The complainant was advised that allegations concerning Deputy Sheriffs were beyond the jurisdiction of the Council to review.

3.3.18. Complaint #18

A complaint was received in respect of several judges of the Court of King's Bench. The complainant was advised that the conduct of judges of the Court of King's Bench is handled by the Canadian Judicial Council.

3.3.19. Complaint #19

A complaint was received against a Justice of the Peace. The complainant was advised that as the complaint did not involve a Provincial Court judge, it was outside the jurisdiction of the Provincial Court Judicial Council to review. The Council further advised that complaints regarding a Justice of the Peace may be sent to the Office of the Supervising Justice of the Peace.

3.3.20. Complaint #20

A complaint was received against a Justice of the Peace. The complainant was advised that as the complaint did not involve a Provincial Court judge, it was outside the jurisdiction of the Provincial Court Judicial Council to review. The Council further advised that complaints regarding a Justice of the Peace may be sent to the Office of the Supervising Justice of the Peace.

3.3.21. Complaint #21

A complaint was received against a Provincial Court judge. Upon a review of the audio recording of the matter, it was evident that the allegations were entirely baseless. The judge maintained order in the courtroom and was respectful throughout, even in the face of the complainant's inappropriate behaviour.

3.3.22. Complaint #22

A complaint was received against a Justice of the Peace. The complainant was advised that as the complaint did not involve a Provincial Court judge, it was outside the jurisdiction of the Provincial Court Judicial Council to review. The Council further advised that complaints regarding a Justice of the Peace may be sent to the Office of the Supervising Justice of the Peace.

3.3.23. Complaint #23

A complaint was received against someone who was thought to be a Justice of the Peace. The complainant was advised that there is no Justice of the Peace with the last name provided and that, in any event, complaints against a Justice of the Peace are outside the jurisdiction of the Council to review, as they are not allegations of misconduct against a Provincial Court judge.

Questions regarding the Provincial Court Judicial Council should be directed to:

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