

ULCC | CHLC

**UNIFORM LAW CONFERENCE OF CANADA
CONFÉRENCE POUR L'HARMONISATION DES LOIS AU CANADA**

ULCC Guide

**THE ROLE AND RESPONSIBILITIES
OF
JURISDICTIONAL REPRESENTATIVES**

ACKNOWLEDGEMENT

Welcome to the Uniform Law Conference of Canada.

The contribution of your time and expertise and your willingness to serve the best interests of governments, the legal community, and Canadians generally, are much appreciated.

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WHAT IS THE UNIFORM LAW CONFERENCE OF CANADA?

The Uniform Law Conference of Canada is a national organization whose primary objective is to facilitate and promote the harmonization of, and improvements to, the law throughout Canada. The ULCC was created in 1918 by provincial governments acting on the suggestion of the Canadian Bar Association. The ULCC has met every year since 1918 (except in 1940) and met virtually in 2020 and 2021 due to the pandemic. The ULCC is now made up of delegations appointed by the federal, provincial, and territorial governments.

Each delegation consists of persons, either in government or private practice, whose experience or subject knowledge will assist the ULCC.

The ULCC may also invite observers from the Canadian Association of Provincial Court Judges and the Canadian Judicial Council.

Mandate

The mandate of the ULCC is to develop uniform and model acts, statements of legal principles and other documents and to recommend them to the constituent jurisdictions for their consideration, as well as to recommend changes to the *Criminal Code of Canada* and other related criminal law statutes and provide a forum to study and consult on evolving criminal law issues.

Membership

The federal, provincial and territorial governments make up the 14 constituent jurisdictions of the ULCC. Each jurisdiction may appoint as many delegates as they wish to participate in the work of the ULCC and attend its annual meetings. Only the persons so appointed are eligible to take part in any vote of the ULCC or of a Section, or to hold office in the ULCC or a Section. In addition to appointing delegates generally, each jurisdiction designates two Jurisdictional Representatives (JRs) to the ULCC: one for the Civil Section and one for the Criminal Section. As set out in more detail below, JRs play an important role in facilitating the effective flow of information between the jurisdictions and the ULCC.

Funding

The ULCC is funded by the participating jurisdictions, with annual contributions that support the ULCC's general activities and research projects.

HOW THE ULCC WORKS

Structure

The ULCC consists of two Sections. While overall governance of the ULCC is managed by an Executive Committee, the activities of the Sections are each administered by a separate Steering Committee.

The Civil Section typically discusses three or four larger topics and several small ones at each annual meeting. The usual procedure is for the policy to be settled at one annual meeting and a statute to be adopted, based on that policy, at the next annual meeting. Smaller projects are sometimes dealt with more quickly.

The Criminal Section undertakes, among other tasks, the ongoing monitoring of the *Criminal Code* and makes recommendations for changes to federal criminal legislation based on identified deficiencies, defects, or gaps in the existing law, or based on problems created by judicial interpretation of existing law. At the annual meeting, the Criminal Section typically debates and votes on 30-40 resolutions proposing changes to federal criminal justice related statutes put forward by the various delegations. In addition to the Executive Committee, the ULCC has other committees such as the Budget and Finance Committee, the Advisory Committee on Program Development and Management (ACPDM), the International Committee, and the Communications Committee. A part-time Executive Director and a part-time Legal Project and Research Coordinator support the work of the ULCC.

The Jurisdictional Representatives (JRs) are the primary contacts between the ULCC and the jurisdictions. They play a key role in the administration and operations of the ULCC through their participation in the Sections, the various ULCC committees, and project working groups.

Annual meetings

The ULCC meets annually in August. The annual meeting usually lasts four-and-a-half days. The Civil and Criminal Sections meet separately for most of the meeting, however, may hold joint sessions on topics of common interest. An organizing committee is created to plan the event one to two years prior to each annual meeting and to make the local arrangements with the support of the Executive Director.

You are urged to take an active part in the discussions at the annual meetings and to exercise your right to vote on behalf of your jurisdiction.

Location of meetings

As the ULCC is a national organization, the jurisdictions take turns hosting the annual meeting. The rotational system allows the annual meeting to be held in different locations in Canada and the organization to get a flavour for various issues of interest to the different jurisdictions.

In 2020 and 2021, the annual meeting was held virtually due to the pandemic, with the annual meeting once again being held in person starting in 2022. Starting with the 2024 annual meeting, the Executive Committee undertakes a regular review regarding annual meeting format.

COMMUNICATIONS

The ULCC publishes the proceedings of its annual meetings so as to provide a permanent record of its deliberations. Up to and including 2014, the proceedings were published in hard copy; since 2015, they are exclusively published on the ULCC website. Proceedings dating back to 1918 are now available on the website, as are numerous ULCC research papers and Uniform Acts: www.ulcc-chlc.ca.

To keep its members and supporters up to date on its activities, the ULCC produces a spring and a fall *Communiqué*, which is published on its website as well as emailed to a number of interested parties.

A press release is released following each annual meeting. It is published on the ULCC website and distributed to a number of interested parties including media.

ROLE AND RESPONSIBILITIES OF JURISDICTIONAL REPRESENTATIVES

Your role

As a Jurisdictional Representative (JR), you have been selected by your government to fulfill important dual roles in the activities of the ULCC. You have a major role with respect to the flow of information from the ULCC to your jurisdiction and to your delegates, while also bringing to the attention of the ULCC the particular interests and priorities of your jurisdiction.

Your responsibilities

In addition to your role as JR, you play a key role in the administration of the ULCC. As JR, you are the primary contact between the ULCC and your jurisdiction. You assist in the flow of materials and information to your Minister and Deputy Minister and from your jurisdiction to ULCC project working groups. You may also assist in the distribution of information materials for the ULCC annual meeting.

Your responsibilities vis-à-vis the ULCC

- To be the local spokesperson for the ULCC and, in this role, help increase awareness, acceptance, and support locally for the ULCC.
- To keep up to date on the work of the ULCC.

- To bring to the attention of the ULCC:
 - Issues of possible common interest
 - Suggestions for research projects
 - Recommendations for criminal law reform
- To promote the implementation of Uniform Acts adopted by the ULCC and to inform the ULCC when Uniform Acts are implemented in your jurisdiction.
- To keep the ULCC informed of significant law reform developments in your jurisdiction.
- To organize your jurisdictional delegation to the Section in preparation for meetings of the Section.
- To familiarize yourself with translation resources that might be available to assist the ULCC with the drafting of Uniform Acts in both official languages, as well as resources that might be available for the translation of research papers for the annual meetings, and the procedure the ULCC should follow for invoking translation assistance.
- To participate in working groups and committee meetings and to assist the ULCC with finding other working group members from your own jurisdiction.
- To support the ULCC's funding requests.
- To bring to the attention of the ULCC and its staff any perceptions of the ULCC or its activities that are being advanced in your jurisdiction. Should these perceptions be inaccurate, the ULCC can take the necessary action to correct the misunderstandings.

Your responsibilities vis-à-vis your jurisdiction

- To ensure that the work of the ULCC and its Sections is brought to the attention of the appropriate individuals within your government.
- To discuss the agenda items of the Sections with appropriate individuals in relevant departments, ministries, and/or agencies in order to bring to the annual meetings the specific views and comments of your jurisdiction. Agenda items may include draft Uniform Acts, policy documents, reports, resolutions, etc.
- To bring to the attention of your jurisdiction:
 - The purpose and activities of the ULCC
 - The benefits the ULCC provides to your jurisdiction
 - The ULCC's ability to assist in researching specific legal issues
- To promote, monitor and advance the implementation of the Sections' work in your jurisdiction as may be appropriate to meet the needs of the jurisdiction and the mandate of the ULCC.

- To provide information to relevant and interested bodies and individuals in your jurisdiction concerning the work of the ULCC and its Sections.

ONGOING TWO-WAY COMMUNICATION IS THE GOAL

Effective two-way communication is essential if the ULCC is to respond to the needs of all the jurisdictions and to fulfill the important mission it has undertaken. The ULCC counts on your cooperation and support.