

Supreme Court of Canada



Cour suprême du Canada

Ottawa, Ontario  
K1A 0J1

Chambers of  
The Chief Justice

Cabinet du  
Juge en chef

April 19, 2013

Mr. Joseph Hickey  
Executive Director  
Ontario Civil Liberties Association  
130 Slater Street, Suite 960  
Ottawa, Ontario  
K1P 6E2

Dear Mr. Hickey:

On behalf of The Right Honourable Chief Justice McLachlin, I acknowledge receipt of your letter dated March 4, 2013, Mr. Dearden's responding letter dated March 7, 2013 and your reply letter dated March 11, 2013. The Chief Justice has referred your correspondence to me for response.

In your letter of March 4, 2013, the Ontario Civil Liberties Association (the OCLA) alleges that in dealing with self-represented litigants, the Registrar has usurped the jurisdiction of the Court by dealing with matters not within his power. In particular, the OCLA alleges that the Registrar has rejected documents for filing based on the underlying substantive legal issues as opposed to a lack of compliance with any specific rule of the Court. Further, the OCLA alleges that the Registrar has improperly interpreted Rule 78 to shield his decisions from review.

The Supreme Court of Canada seeks to ensure that every member of the public has access to the Court, regardless of individual means or representation. To this end, the Court devotes significant resources to facilitating self-represented litigants' access to the Court. For example, there is a portal for self-represented litigants on the Court's website that addresses most commonly asked questions, forms that can be used, and a link to pro bono assistance. Help from Registry officers is available at the Registry counter, by telephone and by e-mail.

As the Supreme Court of Canada is a statutory court with a unique jurisdiction, one aspect of a Registry officer's functions is to inform a self-represented litigant that a proceeding at the Supreme Court of Canada may be premature if the litigant seeks to appeal something other than a final or other judgment of the Federal Court of Appeal or of the highest court of final resort in a province, or a judge thereof. The goal is to assist

self-represented litigants by directing them to the appropriate forum so that they may act promptly to preserve their appeal rights within the time prescribed for appeal before the appropriate court.

The Chief Justice has asked the Registrar to review the cases raised in the enclosures to your letter of March 4, 2013, and to address any issues directly with the individuals concerned.

On behalf of the Chief Justice, I thank you for bringing your concerns to the Court's attention.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Owen M. Rees". The signature is fluid and cursive, with a large initial "O" and a long, sweeping underline.

Owen M. Rees  
Executive Legal Officer

c.c.: Mr. Richard G. Dearden