

July 27, 2006

## **Notice to the Profession**

### *Resumption of Publication of Family Law Judgments of the Court of Queen's Bench on the Alberta Courts Website*

Effective June 1, 2006, our court resumed publication of family law judgments on the Alberta Courts website. The background to this change in court policy is described below.

#### Non-publication policy adopted in June 2002

In June 2002, the court decided to stop publishing family law judgments on the Alberta Court's website. This policy did not affect the distribution of family law judgments to legal publishers, which continued unchanged. Family law judgments also continued to be available at the Clerk's office from which they were issued, as well as being available from the courthouse library.

#### Resumption of publication effective June 1, 2006

Since this non-publication policy was introduced, concerns have been raised that the policy impedes the ability of the public and members of the profession to access the law in family matters.

After consideration, the court decided to resume publication of family law judgments on the Alberta Courts website effective June 1, 2006. Decisions from June 2, 2002 to May 31, 2006 will also be restored to the website, as time permits.

In restoring the family law decisions of the Alberta Court of Queen's Bench to the Internet, our Court is consistent with the recommendations of the Canadian Judicial Council in its "Personal Information in Judgments Protocol" (March 2005). We also join a number of other courts that have made the same choice. The "Personal Information in Judgments Protocol" recommends that courts make all of their written decisions available on the Internet, provided that the judgments comply with any applicable publication bans. The Protocol also recognizes that it is sometimes desirable to provide discretionary protection of privacy interests. Even in the absence of a ban, in exceptional cases the presence of egregious facts may justify omitting identifying information from a judgment. The omission may be necessary to avoid harm to minor children or third parties, or to prevent the information being used for an improper purpose.

This is consistent with the approach we have taken to the judgment database generally, and we will simply apply this approach to bringing our family law decisions to the Internet.

**Allan H. Wachowich  
Chief Justice**