



Premier of Alberta

Office of the Premier, 307 Legislature Building, Edmonton, Alberta T5K 2B6 Canada

January 23, 2026

The Right Honourable Mark Carney
Prime Minister of Canada
Office of the Prime Minister
Sent via email: pm@pm.gc.ca

Dear Prime Minister Carney:

Further to our discussion of December 19, 2025, I am writing to reiterate Alberta's longstanding position on the need for meaningful reform to the federal judicial appointment process.

Alberta currently has three vacancies on the Alberta Court of King's Bench. In addition, the planned retirement of the Honourable Justice Sheilah Martin from the Supreme Court of Canada will give rise to a vacancy on that court that will be open to candidates from Alberta. The Government of Alberta expects that there will be meaningful engagement and collaboration before these judicial positions are filled. Alberta's government will not agree to provide the necessary funding to support any new judicial positions in the province until such engagement and collaboration are provided.

To facilitate this collaboration and identify highly qualified candidates for current and future vacancies on the Alberta Court of King's Bench, the Alberta Court of Appeal, and the Supreme Court of Canada, Alberta proposes the establishment of a Special Advisory Committee. The Committee would consist of four non-partisan experts—two appointed by Alberta and two appointed by the federal government. The Committee would assess candidates on a non-partisan basis and ensure potential candidates have the necessary expertise to serve in these important roles. With respect to King's Bench and Court of Appeal vacancies, candidates recommended by the committee would be presented to our Ministers of Justice, who would work collaboratively to identify the successful appointee(s).

With respect to vacancies on the Supreme Court of Canada, Alberta proposes that candidates recommended by the Committee and agreed upon by our Ministers of Justice would be submitted to the Prime Minister, acknowledging that there may also be candidates from other Western provinces and the territories who may be considered for the vacancy through analogous processes in those jurisdictions.

Active provincial engagement would help ensure that these appointments appropriately reflect Alberta's distinct legal traditions. Further, providing Alberta with a formal and meaningful role in the appointment process would strengthen public confidence in the administration of justice, promote national unity within Alberta and help ensure judicial decision-making reflects the values and expectations of Albertans.

In comparable federal systems such as the United States and Australia, the appointment of state-level superior court judges rests with state governments rather than the federal government. In this respect, Canada remains an outlier, and a discussion on reform is long overdue.

Alberta also calls on the federal government to make practical and reasonable changes to relax bilingualism requirements for federal judicial appointments. The decision to impose functional bilingualism as a requirement for Supreme Court of Canada judges further entrenches systemic barriers and alienation for Western Canadians and does not reflect Canada's broader linguistic diversity, including the many Canadians who are bilingual in other languages. The federal government should carefully consider the implications of this approach across federal institutions, particularly its impact on access to justice and equitable regional representation in judicial appointments.

I look forward to working with you to enact these changes to increase the confidence of Albertans in our federal judiciary and national unity.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle Smith".

Hon. Danielle Smith
Premier of Alberta

cc: Honourable Mickey Amery, KC, ECA, Minister of Justice and Attorney General of Alberta
Honourable Sean Fraser, Minister of Justice and Attorney General of Canada