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PROPOSALS FOR CHANGE

THE PRINCIPAL RECOMMENDATION: That all appeals in civil cases to the Supreme Court of Canada should require leave from a panel of judges. Appeals as of right in such cases should be abolished.

CRIMINAL APPEALS: Present rules should be continued

REFERENCE CASES: Present rules should be continued

SUBSIDIARY RECOMMENDATIONS AND COMMENTS

- (1) The abolition of appeals as of right in civil cases should be made fully effective without delay.*
- (2) Present procedures for hearing applications for leave to appeal should be continued.*
- (3) Judicial definition of elements of public importance should govern when applications for leave to appeal are granted or refused.*
- (4) Certain questionable uses that might be made of appeals as of right in civil cases would be precluded by the abolition of such appeals.*
- (5) The Supreme Court of Canada should remain the general and final court of appeal for Canada on all subjects. The Court should not be limited to so-called federal questions.*
- (6) The Supreme Court of Canada should continue at its present size of nine judges, but, if our principal recommendation does not bring the necessary relief from case overload after a trial period, enlarging the Court should then be considered.*
- (7) The present Court year of three sessions should be continued.*