



Supreme Court of the Northwest Territories  
Judicial Internship  
Student Manual



**Windsor Law**  
University of Windsor



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Special appreciation to our supporters who make this Internship possible



**The Supreme Court of  
the Northwest Territories**



**The Law  
Foundation  
of Ontario**



Windsor Law  
University of Windsor

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## Supreme Court of the Northwest Territories

The *Supreme Court of the Northwest Territories* is a s. 96 superior court of record and has jurisdiction in all civil and criminal matters arising in the Territories, except those expressly excluded by statute.

The Court is composed of up to four judges, resident in Yellowknife, with the senior judge, by date of appointment, having overall responsibility for its administration. The judges of the Court are also, by virtue of their office, *ex officio* judges of the superior courts of Yukon and Nunavut. Similarly, the judges of those courts are *ex officio* judges of the Supreme Court of the Northwest Territories. In addition, there are several deputy judges appointed from the superior courts of provinces who are available to assist with the Court's work. All judges are appointed by the Governor-in-Council.

The Supreme Court is based in Yellowknife but travels on circuit to other communities throughout the Northwest Territories to hear civil and serious criminal cases, with or without a jury. It also exercises powers of judicial review over decisions of Territorial boards and tribunals. It exercises appellate jurisdiction in summary conviction criminal cases heard by the Territorial Court and the Justices of the Peace, as well as other types of cases where appeals are provided by statute. The Court also has jurisdiction over divorce, probate and estate administration matters. Appeals from decisions of the Supreme Court are heard by the Court of Appeal for the Northwest Territories.

## Territorial Court of the Northwest Territories

Territorial Court, the statutory court of record, is like provincial courts in other jurisdictions and has such jurisdiction as expressly provided by federal and territorial legislation.

The Territorial Court, as a trial court, hears most criminal cases that come into the court system. It holds preliminary hearings and non-jury trials in communities throughout the Northwest Territories, visiting them regularly on regional circuits. When on circuit, the judges work in close consultation with community justice committees and other community representatives. The Court also has jurisdiction over all summary conviction offences created by federal and territorial statutes (such as environmental offences, motor vehicle and highway safety infractions, and breaches of municipal by-laws). It hears cases involving child protection, custody, and support. In addition, it has jurisdiction to hear civil cases where the monetary amount in dispute does not exceed \$10,000.

All resident judges of the Supreme Court of the Northwest Territories are also *ex officio* judges of the Territorial Court.

## Faculty of Law, University of Windsor

The Faculty of Law sits on the traditional territory of the Three Fires Confederacy of First Nations, which includes the Ojibwa, the Odawa, and the Potawatomi. The Faculty of Law was established in 1967, and the first entering class was admitted in September 1968. Since 1968 the student body has grown from thirty to over 600 in the single JD, Dual JD, MBA/JD and MSW/JD programs. The faculty's commitment to clinical learning, community service, and access to justice has created a unique institution dedicated to learning in community-engaged ways. The faculty has adopted two institutional themes: Access to Justice and Transnational Legal Issues.

The Northwest Territories Internship started in 1985. It is part of Windsor Law's set of clinical and experiential learning opportunities.



On the Northwest Territories flag pictured here, the blue represents the abundant Northwest Territories waters, whereas the white represents snow and ice. Two blue panels represent the Northwest Territories' many rivers and lakes. The white section, representing ice and snow, is equal in area to the two blue panels combined. The territorial Shield is centred in the white section. The white section of the Shield, with a wavy blue line

dividing it, represents the Arctic Ocean and the Northwest Passage. A diagonal line, representing the tree line, divides the lower portion into a green and red section with green symbolizing the trees and red symbolizing the tundra. The gold bars in the green section and the white fox in the red section represent the abundant minerals and furs upon which the history and prosperity of the Northwest Territories has been based.

## Program Information

In 1983, the Faculty of Law passed a motion approving the proposal for a student to work and study as an Intern to the *Supreme Court of the Northwest Territories* as a supervised research project. This program and structure have been maintained. Interns interact with the Supreme Court of the Northwest Territories and the Territorial Court of the Northwest Territories. The first student Intern attended in Yellowknife in 1985 with uninterrupted attendance except during COVID-19.

The Court is located in Chief Drygeese territory. From time immemorial, it has been the traditional land of the Yellowknives Dene First Nation, and more recently, the homeland of the North Slave Métis Alliance.

The NWT Internship program is a full-term, full-time placement. The program is constructed as a “course” for the purposes of credit, but it functions more like a full-time placement. The placement exposes students to the experience of serving as an Intern for the Supreme Court of the Northwest Territories and the benefits of interaction with judges. Students will have the opportunity to do legal research in relation to specific, practical legal problems, which judges must address in their day-to-day work. As interns, students are based in Yellowknife, NWT and travel occasionally to outlying regions with the Supreme Court of the NWT. In addition to regular meetings with the Judges, students will meet with the Externship Director for in-person pre-placement orientation and once every few weeks online for check-ins.

## Learning Outcomes of the Course

By the end of the placement,

- through courtroom observation, interns will observe real life application of lessons learned in Evidence class and apply them in research memoranda;
- students will observe counsel and learn the essential elements of effective advocacy and persuasion to employ in their work;
- students will observe ethical and professional behaviour and attitudes suitable for a courtroom, which they must exhibit in their own behaviours at Court;
- through debriefing meetings with the Supervising Judge, students will reflect on their observations, discuss their reflections with the Supervising Judge, and apply their reflections and those of the Supervising Judge to their future performance; and
- students will demonstrate the ability to complete high quality research memos and other written products in a style and quality suitable for the Supervising Judge.

## Credit Structure & Evaluation Methodology

Fifteen (15 credits) will be assigned and divided as follows:

Nine (9) credits will be assigned to students' work. The student's work will be documented in a logbook on a weekly basis. The Supervising Judge will receive a copy of the logbook. This portion will be assessed by the Supervising Judge in consultation with the Externship Program Director, on a pass/fail basis.

Three (3) credits will be assigned for selected research done by the student for the Court. It may be research included in the work completed in the 9-credit portion. The student selects the research to be graded and copies of research submitted by the student are subject to review by the Externship Director. The Court assigns the final grade, in consultation with the Externship Director. Please see the course syllabus for further details.

The selected research will be assessed according to the following criteria: critical thinking and analysis (rather than descriptive accounts of the literature) (30%); quality of legal research (30%); structure and organization, including the use of section headings, thematic coherence, and logical flow of ideas (20%); clarity of communication, writing style, spelling/ grammar (20%).

Three (3) credits are assigned to three short reflective assignments. Please see the course syllabus for further details.

The reflective assignments will be assessed according to the following criteria:

- insightful self-reflection, depth of analysis and connection to personal experience;
- critical thinking and analysis, rather than descriptive accounts of the literature;
- quality of legal research, as well as the use of assigned readings in the seminar;
- creativity and originality;
- structure and organization, including the use of section headings, thematic coherence, and logical flow of ideas; and
- writing style (avoiding passive voice) and spelling/ grammar.

The purpose of reflective writing is to focus on what students are learning from their internship. It is not a list of what they are doing. The reflective assignment should record what the student is thinking and feeling about their experiences. It is designed to support learners to develop the ability to debrief their own work, assess their own progress and critically examine their own assumptions/biases.

## Preparation for the NWT Internship

### Judges' Biographies

Justice Louise Charbonneau grew up in Hull, Quebec.

She graduated from the Civil Law Section of the University Ottawa in 1987 and was called to the Quebec Bar in 1989. In February 1990 she was hired as a prosecutor with the Northwest Territories Regional Office of the Department of Justice of Canada. For the next several years, she conducted prosecutions in the Territorial Court, the Supreme Court, and Court of Appeal for the Northwest Territories. She became the Director of the Federal Prosecution Service for the Northwest Territories in 1999. She remained in that position until April of 2006, when she left her managerial duties to return to prosecutions.

In June 2006, she was appointed to the Supreme Court of the Northwest Territories, as well as to the Courts of Appeal of the Northwest Territories, Nunavut, and the Yukon. On May 1, 2015, she assumed the function of Senior Judge of that Court. On October 1, 2018, the title of Senior Judge was changed to that of Chief Justice

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Justice Karan Shaner was appointed a judge of the Supreme Court of the Northwest Territories in 2011.

Justice Shaner received a Bachelor of Arts in Political Science and French from the University of Calgary and a Bachelor of Laws degree from the University of Alberta. She was admitted to the bars of Alberta and the Northwest Territories in 1991. While in law school Justice Shaner was heavily involved in the Family Law Project of Student Legal Services of Edmonton. She has called Yellowknife home for the past 29 years.

Justice Shaner worked in private practice in Yellowknife from 1991 until 1996. She had a general practice that included municipal, employment/labour, insurance, personal injury, contract and family law. She joined the Government of the Northwest Territories as legal counsel in 1996, where she advised and represented government and public agencies on matters related to labour and employment, human rights and administrative law. She also served as the Director of Legal Division for the Department of Justice (NWT) from 2003 to 2007 and then as Assistant Deputy Minister (Attorney General) from 2008 until 2011 where she oversaw Court Services, Legal Aid, Maintenance Enforcement, Legal and Legislative Division, Corporate Registries and Land Titles. While ADM, Ms. Shaner oversaw the implementation of a suite of family law services including a free family law mediation program and a parenting after separation program for families in transition, the establishment of the Office of the Children's Lawyer and legislative changes to augment the Maintenance Enforcement Program.

Like her colleagues, Justice Shaner is a generalist judge who hears all types of cases. She has a keen interest in promoting access to justice and in judicial dispute resolution aimed at helping litigants find their own solutions.

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The Honourable Justice Andrew Mahar was appointed to the Supreme Court of the Northwest Territories and to the Courts of Appeal of the Northwest Territories, Nunavut, and Yukon in May of 2015, having been previously appointed to the Nunavut Court of Justice in 2012.

He was vice president of the Law Society of Nunavut from 2004-2006 while practicing as a sole practitioner defence lawyer in the City of Iqaluit for more than a decade. He was a defence lawyer in Yellowknife from 1997 to 2001. From 1994 to 1997 he ran the Kitikmeot Law Centre, the Northwest Territories Legal Aid Clinic in Cambridge Bay (now part of Nunavut) as Clinic Director. Prior to serving the North, he practiced criminal law in Toronto in the early 1990s. He received his Bachelor of Laws from the University of Toronto in 1990.

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The Honourable Justice Shannon Smallwood was appointed to the Supreme Court of the Northwest Territories and to the Courts of Appeal of the Northwest Territories, Nunavut, and Yukon in 2011.

She is a member of the Sahtu Dene from Fort Good Hope, Northwest Territories and was the first Indigenous Judge appointed in the Northwest Territories. Prior to her appointment, she worked as Counsel and later Senior Counsel and Team Leader for the Public Prosecution Service of Canada (formerly the Department of Justice Canada in Yellowknife). As a Crown Prosecutor, she worked mainly on appeals, homicides, dangerous offender, child pornography and sexual offence files. She attended the University of Calgary and received her Bachelor of Arts in 1993 and Bachelor of Laws in 1999. She articulated with the Alberta Court of Appeal and Queen's Bench in Calgary as well as the Department of Justice Canada in Yellowknife.

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## Program Duration

The program duration for each intern is one 12-week term of study. Students are expected to attend the NWT Court offices from the first day until the last day of regular Law School term classes. Interns are expected to work during Reading Week.

## Tuition

Regular tuition applies for the internship.

## Financial Assistance

\$8,000 in funds have been allocated to cover some expenses which will be incurred (e.g., airfare, cost of accommodations, travel and accommodation expenses while the court is travelling, etc.) Interns must track their expenses and save their receipts. Please refer to the [UWindsor Travel Policy](#) and [NWT Expense Guidelines](#) for further details.

Please refer questions about reimbursement to the [Clinical and Experiential Learning Coordinator](#), including detailed financial information, clarification and handling of all financial matters. If the student encounters any difficulties or problems, they should consult with the Externship Director.

## Awards

Visit the [UWindsor Student Awards Office](#) to apply for the awards listed below.

### Ivana Baldelli Bursary in Memory of The Honourable Justice T. David Marshall

Interest from this fund will support an annual award for an upper-year Law student with financial need who is participating in the Northwest Territories Judicial Internship program. This bursary was established in 2010 by Ivana Baldelli '88 in memory of the Honourable Justice T. David Marshall, who greatly influenced her career. Candidates must be Canadian Citizens or Permanent Residents (includes those with Protected Persons status) in Ontario who meet Ontario Student Assistance Program Ontario residency requirements. Apply online.

## Travel

The student is responsible for making their own individual travel arrangements which may be made through the LaSalle Travel agency. Windsor Law will provide LaSalle Travel with the necessary account for payment of the round-trip airfare. This would be reimbursed by the student's expense stipend before the end of the internship.

## Accommodations

It is expected that the student will bear the costs of room and board at an equivalent basis to the cost incurred in Windsor, and their personal expenditures (e.g., entertainment, telephone, etc.). The Court has information on possible residences and will be in touch to recommend them.

## Insurance

Activities by student Interns participating in academic activities are included in the University of Windsor's General Liability Insurance. Coverage includes all losses that the University of Windsor may become legally obligated to pay as damages due to the following:

- Bodily injury (injury, sickness, disease, disability, shock, mental suffering, etc.)
- Personal injury (false arrest, invasion of privacy, libel, slander, defamation of character, etc.)
- Third party property damage
- Professional and malpractice liability

This coverage applies on a worldwide basis to any officer, director, governor, employee, or volunteer while acting on behalf of the University of Windsor and the coverage extends to students while participating in academic activities.

The Ministry of Colleges and Universities (MCU) provides insurance coverage for workplace injuries incurred by students participating in an unpaid work placement as part of their academic program. Students must submit a signed [Student Declaration of Understanding](#) to the [Clinical and Experiential Learning Coordinator](#).

## During the NWT Internship

### Supreme Court Protocol

Here are some conventions observed by the court:

- A sheriff sits in the back of the court. There is a clerk and judge present and sometimes a court reporter.
- Courtroom etiquette indicates that all bow at the entry of the courtroom if court is in session.
- When travelling on circuit, the judge is always the first to line up to enter the plane, usually followed by the clerk and sheriff.
- Please familiarize yourself with the [Supreme Court Policy on Electronic Devices](#) and the [Territorial Court Policy on Electronic Devices](#).

### Confidentiality

Students must keep in mind the confidentiality requirements of their work site and avoiding any identifying details in their written work.

### Law Society of Ontario Rules

Interns are expected to have read the LSO Rules in advance of the placement and abide by them during the placement.

### Keeping Track of Hours

Students will [report their hours weekly using an online form](#). Be sure not to indicate an identifying features of a person or case when providing details of your hours.

### Attendance and Missed Shifts

Interns should contact office administration of the Court as far in advance as possible if for some reason they will not be able to be present during a previously scheduled time.

### Dispute Resolution

If students encounter any difficulties with their placements, please first approach the Judge to discuss the issue. If the problem reoccurs or is not something the student feels comfortable addressing, please contact the Externship Director to discuss. Where appropriate, Windsor Law staff will intervene and address the issues with the placement organization.

### Human Rights

The Court is compliant with Ontario's *Human Rights Code* and student externs fall under the jurisdiction of this Code.

## Responsibilities of the Intern

- Demonstrate the highest level of professionalism, which includes arriving on time for designated work, notifying the Placement Supervisor of any changes to the established schedule, and dressing to the standards of the organization and the work being performed. Respect the organization's reporting structure and follow the policies and procedures of the organization.
- Communicate effectively with the Judge and other staff within the Court. Accept and apply feedback and suggestions to the work.
- Complete required duration work for the entire term. Students continue their placement during reading week.
- Submit hours via the online form on a weekly basis.
- Complete academic obligations including work and research for the court, as well as reflective assignments. Please see the course syllabus for further details.
- Communicate with the site supervisor and/or faculty supervisor any issues that may affect the performance of assigned responsibilities or the overall success of the experience.
- Uphold the *University of Windsor Student Code of Conduct* and act in an ethical manner while representing the Court.

## Support from Windsor Law

Windsor Law is here to encourage and support students participating in the NWT Internship Program. Students should expect weekly correspondence from the Externship Director, as well as periodic reminders from the Clinical and Experiential Learning Coordinator.

## Web Resources

[Northwest Territories Courts](#)

[Minister of Justice, LEGISLATION: Acts and Bills, Court Library, Court Judgments searches](#)

[NWT Law Society](#)

[Government of the Northwest Territories](#)

- government

- facts/ statistics

- visitors info

- maps

- news

[Territorial Legislative Assembly](#)