

Canada's Trial Courts: Two Tiers or One? Edited by Peter H. Russell. Toronto: University of Toronto Press, 2007. x. 283p. Includes bibliographic notes and contributor profiles. ISBN 9780802093233 (hardcover). \$60.00.

2006 and 2007 have brought us three works that address a question of great public concern: how can we improve the quality of our courts? All three should be required reading. John C. Bouck's *Exploding the Myths: An Insider's Look at Canada's Justice System* (Edmonton: Juriliber, 2006), is a popular, provocative, and action-focused look at a full range of Canadian court problems, *Trial Courts as Organizations* (Philadelphia : Temple University Press, 2007) is a groundbreaking US work addressing how to evaluate and improve the business cultures of specific courts, and Russell's collection offers a careful, practical, and politic approach to the question of court reform in Canada.

The essays collected in the volume were first presented in Saskatoon in May of 2002 at the Trial Courts of the Future Conference, which was held to address "the evolving role of trial courts and how they serve the needs of Canadians, and to consider the options and constraints for structural reform" (p16), and was organized in two corresponding streams. As Professor Russell's introduction tells us, the conference was inspired by a proposal published in *The Canadian Bar Review* in 2000, and the complete proceedings are available in the University of Toronto law library.

This volume focuses on the specific question of whether a unified trial court system is desirable, possible and likely in Canada, leaving out the important work done at the conference evaluating the needs of those who use court systems. As such, it focuses on the issues of court reform that are most prominent in the minds of court personnel and especially the judiciary: the differences in status, relative workloads, and remuneration that are generated by the existence of parallel provincial and federal (Queen's Bench) trial courts. Most of the authors assert that these issues are necessary to resolve to improve service, and that court unification is the best route.

Part one considers the historical background, institutional and constitutional realities, and the evidence, including a rare empirical study of cases, that a unified trial court is needed in Canada, as well as the alternatives to a unified system. This is perhaps the most engaging and informative section of the work to the non-specialist, as it lays out in concise and detailed form the broader picture. This information is hard to come by, and is of great value. In particular, the Introduction by Peter Russell, and the first 2 chapters by Martin Friedland and Carl Baar (respectively) should be required reading for all law students, and anyone intending to understand Canadian courts in any depth. For librarians, these parts are an invaluable guide to the best of the voluminous, hard-to-find, and very uneven court reform literature in Canada.

The second section reviews recent trial court reform projects in Quebec, Nunavut, and Alberta, and presents the views of justice administrators who have experience in the actual work of court reform. Part 3 offers contrasting views of possible futures. John Borrows and Gerry Seniuk detail the advantages of unified 'house of justice,' and the Report of the Ontario Superior Court of Justice outlines what might be lost through such a reform. Part 4 offers US and UK perspectives on these Canadian efforts and possibilities from leading scholars Clark Kelso and Ian Scott.

While the publishing delay is regrettable, it does not affect adversely most of the contents, given the enduring issue they address, as well as the slow pace of publication and action in this arena. Not everything here is five years old, however: Peter H, Russell's introductory and concluding materials, as

well as the brief descriptive passages that appear before each contribution are recent. Additionally, a few of the essays have been touched up to make note of recent developments, notably the contributions of Carl Baar and I.R. Scott. It is worth repeating that this collection has the added dimension of offering a much-needed authoritative entry point into the literature of Canadian court reform. It belongs in all Canadian academic, court, and government law libraries, and well as all large Canadian public libraries.

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