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Sommario/riassunto

One of the most important but least examined aspects of Canadian court systems is the dual structure of civil and criminal trial courts. Canada's Trial Courts examines the co-existence, in every province, of superior courts (presided over by federally-appointed judges) and lower courts (staffed by provincially-appointed judges). Combining political and legal analysis, it is the first book to show in both quantitative and qualitative terms how Canada's trial courts have evolved into an illogical dual system. This collection begins with an exploration of the constitutional origins of Canada's integrated court system and the failure of federal and provincial governments to cooperate in its development. Also discussed are the efforts made to restructure the system in Quebec, Nova Scotia, Alberta, and Nunavut, as well as competing visions of how Canada's trial courts should be organized in the future. To put the issue in a comparative perspective, the concluding section provides accounts of how trial courts have been reformed in the UK and the State of California. Proposing a range of practical alternatives to the present system, Canada's Trial Courts offers a ground-breaking legal analysis that removes constitutional obstacles to trial court reform, and provides an account of the political factors that influence reform at the judicial level. Featuring prominent contributors from a variety of disciplinary backgrounds, this is the most comprehensive and up-to-date account available of the level of courts – the courts of first instance – where Canadians experience the administration of justice first hand.
