

**NOTICE TO THE PARTIES AND THE PROFESSION****STUDY PERMIT PILOT PROJECT****September 26, 2024**

The Federal Court is facing a third consecutive record-breaking year for new immigration proceedings. The Court anticipates receiving 24,000 filings in this area alone this year, which is four times the average for the five year period immediately preceding the COVID-19 pandemic.

In collaboration with the Department of Justice and members of the Citizenship, Immigration and Refugee Law Bar Liaison Committee, the Court is launching a pilot project **on October 1, 2024**.

The objective is to streamline the adjudication of study permit applications brought under section 72 of the *Immigration and Refugee Protection Act*, by reducing procedural steps, and eliminating the need for a hearing.

To take part in the pilot project, the following criteria must be met:

- A study permit application has been rejected;
- Both parties agree to opt in to the pilot project;
- Parties agree on the underlying facts, as evidenced by the application materials submitted to Immigration, Refugee and Citizenship Canada (IRCC) by the Applicant, including the full reasons for the IRCC decision;
- The case is not complex (e.g. no factual or legal issues of inadmissibility or national security and no request for a certified question);
- The applicant does not request an extension of time to file the Application for Leave;
- The parties do not file affidavits;
- IRCC has supplied a Simplified Certified Tribunal Record.

The Court is making the following key procedural changes:

1. No Hearings Required

Parties who opt in to the pilot project will not be required to attend hearings.

2. Simultaneous Determination of Leave and Merits

Pursuant to the existing procedure under the *Federal Courts Citizenship, Immigration and Refugee Protection Rules*, a judge first determines whether to grant leave to an Applicant to proceed with the application for judicial review. If leave is granted, a judge would then hear the merits of the case and render a decision.

The pilot project modifies the existing approach by combining these two steps. The request for leave and the application judicial review are considered concurrently.

3. Shortened Timeline

Under the pilot project, the procedure is expected to be completed within 5 months, compared to the usual 14-18 months.

The following resources will provide more detailed information:

- [Slide Presentation](#)
- [Step-by-step Guide](#)
- [Frequently Asked Questions](#)
- [Timeline and process](#)
- [Video presentation](#)

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