



**ESTIMATES**

# **Registry of the Federal Court of Canada**

**2001-2002  
Estimates**

Part III – Report on Plans and Priorities

**Canada**

## The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

**Part I – The Government Expenditure Plan** provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

**Part II – The Main Estimates** directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

**Part III – Departmental Expenditure Plans** which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are to be tabled on or before 31 March and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

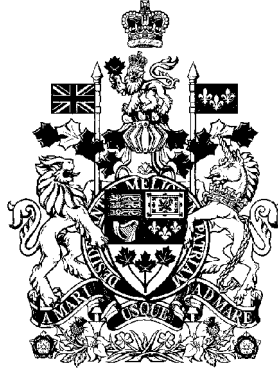
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# **Registry of the Federal Court of Canada**

## **2001-2002 Estimates**

**Part III - Report on Plans and Priorities**

Approved:

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A. Anne McLellan  
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Attorney General of Canada



## Table of Contents

<b>Section I: Messages</b>	
Message from the Administrator of the Court .....	1
Management Representation .....	2
<b>Section II: Registry Overview</b>	
2.1 What's New .....	3
2.2 Mandate, Roles and Responsibilities .....	3
2.3 Registry / Program Objectives .....	4
2.4 Planning Context .....	4
2.5 Registry Planned Spending .....	7
<b>Section III: Registry Plans, Results, Activities and Resources</b>	
3.1 Business Line Details .....	9
3.2 Key Results Commitments, Planned Results, Related Activities and Resources .....	10
<b>Section IV: Joint Initiatives</b>	
4.1 Horizontal Initiatives .....	13
4.2 Collective Initiatives .....	13
<b>Section V: Financial Information</b> .....	15
<b>Section VI: Other Information</b> .....	17
<b>Index</b> .....	21

## **Section I: Messages**

### **Message from the Administrator of the Court**

For the past two years, my messages have mentioned the increasing likelihood of structural reforms then under Ministerial consideration, aimed at achieving efficiencies through consolidating the administrative services of the Federal Court of Canada and the Tax Court of Canada. The possibility is now about to become reality.

We are actively preparing for the consolidation of operations and facilities with our colleagues in the Tax Court of Canada, particularly in the major centres. During 2001-2002, the planning for these landmark projects will be completed. Specific details are set out later in this document.

While proceeding with consolidations, the Registry must also deal with several other strategic influences during this fiscal year. First, we have begun to recognize more clearly the immense importance of technology in our future. Of course, we wish to keep pace with the initiatives of Government-on-Line. But more, we are striving to enhance access to our court, and to provide more services to Canadians through the development and adoption of new techniques - internet - based services, enhanced court room services featuring greater use of automation, and other technological aids. The consolidation initiatives and the enhancement of our technological tools have major training implications for the staff of both courts.

Finally, in the coming year, the Registry will address several key longer-term resourcing issues: in particular, the necessary level of judicial and quasi-judicial support required by the Courts; resources essential for the handling of existing and emerging major cases, and the potential effects of changes in legislation affecting the immigration and refugee determination processes on the operations of the court.

I hope that as we go forward in all these matters, the year 2001-2002 will be regarded as a watershed year for the Registry.

Administrator of the Court

## **Management Representation**

### ***Report on Plans and Priorities 2001-2002***

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities (RPP) for the Registry of the Federal Court of Canada.

To the best of my knowledge, the information:

- Accurately portrays the Registry's mandate, priorities, strategies and planned results of the organization.
- Is consistent with the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- Is comprehensive and accurate.
- Is based on sound underlying Registry information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Robert Biljan  
Administrator

January 26, 2001

## **Section II: Registry Overview**

### **2.1 What's New**

Since the last Report on Plans and Priorities, the Registry has been affected by three significant developments which will be apparent to readers as they examine this document:

- preparations for the anticipated consolidation of services and facilities with the Tax Court of Canada.
- moving into the realm of internet-based services, not only to participate in government-on-line initiatives, but primarily to enhance Canadians' access to the court, and to ensure the continued relevance and effectiveness of our services into the future.
- the development of tools and training strategies to ensure the success of our staff in achieving these fundamental changes.

More than any others, these factors have influenced our planning for Fiscal Year 2001-2002. By the end of this year, the Registry's operations will be moving to take on a completely new character for the future.

### **2.2 Mandate, Roles and Responsibilities**

Pursuant to the *Constitution Act, 1867*, section 101, and the *Federal Court Act*, R.S.C. 1985, c. F-7, section 3, the Federal Court of Canada is a superior court of record, having civil and criminal jurisdiction, for the better administration of the laws of Canada. A national, bilingual institution, it is also a bi-judicial court, applying both the common law and the civil law.

The Court has broad jurisdiction over cases by and against the Crown, appeals under numerous federal statutes, disputes in commercial matters including admiralty and intellectual property, and the exclusive authority to review decisions of federal boards, tribunals and commissions, including the Immigration and Refugee Board. The Federal Court of Canada determines issues of federal law transcending provincial boundaries. There are ninety-six federal statutes which grant the Court's jurisdiction, including the *Employment Insurance Act*, *Canada Evidence Act*, *Privacy Act*, *Access to Information Act* and *Canadian Security Intelligence Service Act*.

The Court is composed of eleven appellate judges, and twenty trial judges. Judges of the Federal Court are members of the Court Martial Appeal Court of Canada. Section 234 of the *National Defence Act* (R.S.C. 1985, c. N-5) establishes the Court Martial Appeal Court of Canada, and Section 236 provides that the officers of the Registry of the Federal Court of Canada are *ex officio* officers of the Registry of the Court Martial Appeal Court of Canada. Judges of the Trial Division are also designated as umpires under the *Employment Insurance Act* and as assessors under other statutes. With the advent of case management and alternate dispute resolution, the role of judges has expanded as has the need for support services.



Prothonotaries are barristers or advocates of a province who are appointed to assist the Court in the efficient performance of its work. Their jurisdiction was enlarged in the *Federal Court Rules, 1998*, to include the hearing and determination of most interlocutory motions to the Court as well as small claims jurisdiction to hear and determine any action for exclusively monetary relief in which the amount claimed does not exceed \$50,000.00. Our five Prothonotaries now also play an important role in case management. They conduct pre-trial conferences, mediations, early neutral evaluations and mini-trials.

The Registry is established pursuant to the *Federal Court Act*, as follows:

14. (1) There is established a Registry of the Court consisting of a principal office of the Court in Ottawa and such other offices of the Court as may be established by the Rules.
- (2) Such officers, clerks and employees as are required for the purposes of the Court shall be appointed under the *Public Service Employment Act*.
- (3) The employees of the Court shall be organized and the offices shall be operated in such manner as may be provided by the Rules. R.S., c. 10 (2<sup>nd</sup> Supp.), s. 14.

### **2.3 Registry / Program Objectives**

Established under the same founding legislation and the Rules of the Court, the Registry's *program objective* is:

*to support the Federal Court of Canada in providing a court of law, equity and admiralty for the better administration of the laws of Canada.*

Our *strategic objective* is:

*to ensure that all persons have effective access to justice, including the opportunity to resolve disputes without undue hardship, delay or inconvenience, at reasonable cost, through heightened responsiveness and appropriateness in the management of valuable resources.*

### **2.4 Planning Context**

The “Message from the Administrator” at page 1 above, points out that a number of important external factors are strongly influencing the future definition of the program. These factors are building on the momentum established over a long period by the organization’s attention to several historical concerns:

- *Public expectations of reduced time and costs:* expecting services of the highest quality from their courts, the public, the legal profession and the judiciary continue to be concerned with reducing delays in court processes, and with the cost implications of delayed case disposition. The *Federal Court Rules, 1998* introduced comprehensive caseflow management to improve access and timeliness of court services.

- Changing nature and volume of workload:* historically, in its resource utilization, the Registry has successfully achieved the expected performance results in processing documents, providing advice and information to litigants, counsel and the public, at attending sittings of the Court and providing necessary support services to the Judges and Prothonotaries. The Registry has met its mandate with available resources.

<i>Indicator</i>	<i>1995</i>	<i>1999</i>	<i>2000</i>	<i>% Change over 1999</i>	<i>% Change 1995-98</i>
Matters heard in Court	4859	6341	6008	-6%	24 %
Days in Court	2518	3363	3385	1%	34 %
Recorded Entries	183984	248551	236626	5 %	29 %
Documents Issued	164427	170709	149524	-12%	-9 %
Letters Issued	33685	53483	41952	-22%	25 %

Our record of dealing with workload increases indicates the Registry's management constant focus on achieving improvements in operational efficiency and economy. The long-standing emphasis on staff training and the application of technology will be the critical factor in extending this record of achievement.

The data in the above table reflect changes in both quantity and complexity of our workload in recent years, and indicate our concern for the development of innovative enhancements to technology and automated systems.

Under the 1998 Rules, formal procedures guide the conduct of proceedings within fixed time limits. Caseload management imposed significant new processing demands on both the Court and the Registry; for instance, several new hearing types such as case management and trial management meetings, dispute resolution conferences, status reviews, mini-trials, and early neutral evaluation conferences. The above data reflect a more active supervisory role now performed by the Court.

We now recognize the impacts on litigants, Judges and our costs, and the implications for informatics and staff training. The Court and Registry have experienced a dramatic upswing in the involvement of Judges and staff in case processing and paperwork, and in the demand for technology applications and staff training to support case management. Changes in immigration and refugee legislation or other statutes requiring the Court to accelerate case processing, will severely tax the capacities of both the Court and the Registry.

In 2001-2002, we intend to analyze the effects of alternate dispute resolution services on the length of trials, the number discontinuances and settlements.

- *Facilities impacting operational effectiveness:* Canada's national court does not operate from a dedicated national court building. Operations in the National Capital are dispersed through five different buildings, with negative effects on our costs and efficiencies. It will be difficult for us to maintain offices in the Supreme Court Building indefinitely. The lack of courtrooms adequate for the conduct of several pending large-scale trials has effects on the timing and conduct of those trials.

Long-term needs for facilities, particularly for the consolidation of operations in the National Capital, have been identified. However, our plans await the outcome of a Ministerial review of the fundamental roles and interrelationships of federal judicial institutions, launched several years ago and outlined in last year's *Report on Plans and Priorities*. This review may produce organizational changes affecting our facilities requirements.

We are also examining a possible long-term opportunity to develop a new court facility in Toronto as a joint project with the Province of Ontario.

- *Government commitments to implement the Financial Information System (FIS), the Universal Classification System (UCS), and Government-On-Line (GOL), in addition to existing measures for Employment and Equity Official Languages,* represent significant added planning and workload burdens for our management team during 2000-2001.
- *Decentralization:* The Registry strongly desires to improve the accessibility of the Court to Canadians. The Federal Court operates in all provinces and territories, although all Judges are based in the National Capital Region in accordance with the *Federal Court Act*. To assist litigants to expedite cases in a system requiring travel across Canada, the Registry continues to develop its network of local and provincial offices, and to evaluate the potential of new technologies to enhance access to the Court.
- *International concerns for immigration and citizenship:* Both Court and Registry continue to respond to requests to expedite processing of citizenship revocation proceedings in cases where former immigrants or refugees are alleged to have been involved in war crimes. Staff and resources have been dedicated to these cases since 1998-99.

2.5 Registry Planned Spending

(\$ millions)	Forecast Spending 2000-2001*	Planned Spending 2001-2002	Planned Spending 2002-2003	Planned Spending 2003-2004
Budgetary Main Estimates	31.4	<b>34.2</b>	34.6	34.8
Non-Budgetary Main Estimates	----	----	----	----
Less: Respendable revenue	----	----	----	----
<b>Total Main Estimates</b>	31.4	<b>34.2</b>	34.6	34.8
Adjustments to Planned Spending**	3.6	<b>0.8</b>	0.7	0.8
	35	<b>35.0</b>	35.3	35.6
Less: Non-respendable revenue***	5.1	<b>4.7</b>	4.7	4.7
Plus: Cost of services received without charge	11.5	<b>11.8</b>	11.8	11.9
<b>Total Planned Spending</b>	41.4	<b>42.1</b>	42.4	42.8
<b>Full Time Equivalents</b>	438	<b>468</b>	468	468

\* Reflects forecast total planned spending to the end of the fiscal year.

\*\* Adjustments are to accommodate approvals obtained since the Annual Reference Level Update (ARLU) exercise and to include Budget initiatives.

\*\*\* Revenues do not include fines levied by the Court during the fiscal year.



**Section III: Registry Plans, Results, Activities and Resources**

**3.1 Business Line Details**

**Title, Objective:** Under the approved *Planning, Reporting and Accountability Structure* (PRAS) used in this Report, the Registry's program appears in Estimates as a single *business line*, to be known as **Registry Services**. The objective of the **Registry Services Business Line** is:

*to support the Federal Court of Canada in providing a court of law, equity and admiralty for the better administration of the laws of Canada.*

The Registry achieves this objective through the delivery of a variety of services which fall into two service lines:

- Operations - This service line involves processing all documents filed by or issued to litigants; recording all proceedings; maintaining custody of the records and information base required by the Court; issuing legal instruments to enforce decisions made by the Court and various federal entities; and performing certain quasi-judicial functions.
- Corporate Services - This service line involves providing support to the Registry in the non-registry operations portions of finance, administration, human resources, security, and management information processing.

**Description:** The Registry is the repository for the filing and issuing of documents on all cases brought before the Court, in accordance with the *Federal Court Rules*, the *Federal Court Immigration Rules*, or the *Court Martial Appeal Court Rules*. All matters between Judges, litigants and legal counsel flow through the Registry.

Complementing the Principal Office in Ottawa, the Registry operates the following sixteen **local offices** where a party to any proceeding may file documents, request the issuance of writs or otherwise do business with the Court in either official language:

Offices Operated by the Federal Court

<p><b>ATLANTIC &amp; QUÉBEC REGION</b> <b>Headquarters: Montréal</b></p> <p>Local Offices: - Montréal and Québec City, QC - Fredericton, NB - Halifax, NS</p>	<p><b>ONTARIO REGION</b> <b>Headquarters: Toronto</b></p> <p>Local Office: - Toronto, ON</p>	<p><b>WESTERN REGION</b> <b>Headquarters: Vancouver</b></p> <p>Local Offices: - Vancouver, BC - Winnipeg, MB - Edmonton and Calgary, AB</p>
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Offices Staffed by Provincial or Territorial Court Employees
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<b>ATLANTIC &amp; QUÉBEC REGION</b> Saint John, NB Charlottetown, PE St. John's, NF	<b>WESTERN REGION</b> Regina and Saskatoon, SK Whitehorse, Y Yellowknife, NT
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Documents pertaining to Federal Court cases may be filed in any office of the Registry. Originals of all documents are held in the principal office with certified copies being maintained in the local office which is most convenient for the parties to the action.

Under Sections 74 and 76 of the *Judges Act*, the Administrator of the Federal Court, as the Deputy Commissioner for Federal Judicial Affairs, is responsible for proper resourcing and administrative arrangements for the effective operation of the program. Under the *Planning, Reporting and Accountability Structure* (PRAS) approved for the Registry's Estimates and followed in this Report, the Administrator is responsible for the Registry's single business line, **Registry Services**.

### **3.2 Key Results Commitment, Planned Results, Related Activities and Resources**

Our mission is to provide administrative support services necessary to a superior court of record. Registry operations enable the Judges, as well as quasi-judicial boards, commissions and tribunals, to deposit their judgments and orders so that they may be filed according to enabling legislation to have force and effect. Emergency Preparedness Canada has designated the Registry as an "essential service", one of a network of organizations required for the continuity of national governance in times of crisis.

The Registry's Chart of Key Results Commitments, as published in the Departmental Performance Report for 1998-99, and in the *President's Report to Parliament: Managing for Results*, is duplicated in part here as a convenience to readers.

<b>To provide Canadians with:</b>	<b>To be demonstrated by:</b>
management of access to the Federal Court of Canada for the fair resolution of disputes under more than 90 federal statutes	<ul style="list-style-type: none"> <li>● timely, orderly case management and support services</li> <li>● trends in the type and volume of the case workload of the Court</li> <li>● level of client satisfaction with services in terms of agreed standards</li> <li>● equitable public access to all proceedings, decisions and records of the Court</li> </ul>

**Planned Results**

The Registry program is presently in the midst of a significant transition to a case management environment. As noted in the *Administrator's Message*, there are further developments expected to have effects on the program in fiscal year 2000-2001.

The Court and the Registry in general expect continued growth in the workload in keeping with the trends discussed earlier (see table on page 5). In terms of our most frequently-cited performance measures, we are planning for the following volumes of work:

<i>Indicator</i>	<i>2000</i>	<i>Forecast 2001</i>	<i>% Change</i>
Proceedings instituted	27,473	28,847	5%
Matters heard in Court	6,008	6,308	5%
Days in Court	3,385	3,588	6%
Recorded Entries	236,626	243,725	3%
Documents Issued	149,524	154,010	3%
Letters Issued	41,952	44,050	5%





## **Section IV: Joint Initiatives**

### **4.1 Horizontal Initiatives**

The Registry is actively participating in a number of centrally-directed administrative initiatives, particularly:

- Financial Information System (FIS): to go into effect during Fiscal Year 2001-02
- Universal Classification System (UCS): following the direction of the Treasury Board Secretariat

### **4.2 Collective Initiatives**

At present, the organization is actively engaged in two important results-driven activities in collaboration with other agencies:

- Consolidation of facilities and support activities with the Tax Court of Canada. In anticipation of government direction for the consolidation of the two courts, planning has now begun for the co-location of Federal Court of Canada and Tax Court of Canada facilities in Ottawa, Toronto and Montreal. Co-location of the two courts in Vancouver has already been accomplished.
- Government-On-Line: the Registry recently launched an inter-departmental project to engage all federal judicial agencies in planning for the development of common electronic filing standards. The support and active participation of the Chief Information Officer's Branch of Treasury Board Secretariat has been secured for the initial research phase of this undertaking.



**Section V: Financial Information**

**Table 5.1 Source of Non-Respendable Revenue**

(\$ millions)	Forecast Revenue 2000-2001	Planned Revenue 2001-2002	Planned Revenue 2002-2003	Planned Revenue 2003-2004
Refund of previous years' expenditures	0.1	<b>0.1</b>	0.1	0.1
Service Fees	1.1	<b>1.1</b>	1.1	1.1
Miscellaneous non-tax revenues *	3.9	<b>3.5</b>	3.5	3.5
<b>Total Non-Respendable Revenue</b>	<b>5.1</b>	<b>4.7</b>	<b>4.7</b>	<b>4.7</b>

\* 2000-2001 forecast includes approximately 95 million dollars of fines collected pursuant to the Competition Act

**Table 5.2 Net Cost of Program for 2001-2002**

(\$ millions)	Registry Services	Total
Planned Spending (Budgetary and Non-budgetary Main Estimates plus adjustments)	35.0	<b>35.0</b>
<i>Plus: Services Received without Charge</i>		
Accommodation provided by Public Works and Government Services Canada (PWGSC)	10.3	<b>10.3</b>
Contributions covering employees' share of employees' insurance premiums and expenditures paid by TBS	1.5	<b>1.5</b>
Workman's compensation coverage provided by Human Resources Canada	---	---
Salary and associated expenditures of legal services provided by Justice Canada	----	----
	<b>11.8</b>	<b>11.8</b>
<i>Less: Respendable Revenue</i>		
	----	----
<i>Less: Non-respendable Revenue</i>	4.7	<b>4.7</b>
	<b>4.7</b>	<b>4.7</b>
<b>2000-2001 Net Program Cost (Total Planned Spending)</b>	<b>42.1</b>	<b>42.1</b>



**Section VI: Other Information**

**Statutes and Legislation Administered by the Federal Court**

A complete listing of statutes and legislation administered by the Federal Court of Canada, the Court Martial Appeal Court of Canada, and the Registry is included in the Performance Report of the Registry for the period ending March 31, 2000.

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**Index**

Access to the Court . . . . . 3, 4, 6, 7, 9

Alternate Dispute Resolution Services . . . . . 5, 6

Case Management . . . . . 6, 10

Consolidation of Activities . . . . . 1, 3

Corporate Services . . . . . 9

Facilities . . . . . 1, 3, 6, 13

Joint Initiatives . . . . . 13

Key Results Commitments . . . . . 10, 11

Objective . . . . . 4, 9

Offices Operated by the Federal Court . . . . . 9

Planning, Reporting and Accountability Structure . . . . . 9, 10

Prothonotaries . . . . . 4

Rules of the Court . . . . . 4, 5

Technology Issues . . . . . 1, 3