



ESTIMATES

Registry of the Federal Court of Canada

**2000-2001
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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Available in Canada through your local bookseller or by mail from Canadian Government Publishing (PWGSC)
Ottawa, Canada K1A 0S9

Telephone: 1-800-635-7943
Internet site: <http://publications.pwgsc.gc.ca>

Catalogue No. BT31-2/2001-III-23

ISBN 0-660-61162-7



Registry of the Federal Court of Canada

2000 - 2001 ESTIMATES

A Report on Plans and Priorities

Approved:

A. Anne McLellan
Minister of Justice and
Attorney General of Canada

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Section I: Message from the Administrator of the Court

Last year, the Court introduced case management and alternate dispute resolution services (ADR). The Registry maintained its commitment to provide services of the highest quality to Canadians and was gratified by positive reactions to these changes from the Bench, the legal profession and the public. Parties also expressed appreciation for our exemplary handling of citizenship revocation cases, recognizing their special demands for protocol and international coordination. Working with the Court, we succeeded in adapting our operations to support the new environment.

On the horizon, there are several developments of crucial importance to the program's future. As we discuss them later in this report, I mention them here only briefly. First, we are concerned for the availability and continuity of the full array of resources needed for effective long-term implementation of the Rules, particularly in view of the continued growth of our workload, and the emerging demands of our new environment for increased personal involvement of judges and staff in case management. As the statistics on page 8 illustrate, this organization has achieved tremendous productivity improvements through the combined application of training and technology.

Our proceedings management system enables us to monitor the status of all cases before the Court at all times; I know of no other court which can make this claim on an ongoing basis. While we plan further initiatives in electronic filing and internet access to court information in both official languages, we are anticipating new demands on the Court for accelerated case processing, in matters such as immigration and refugee determination.

The growing inadequacy of essential Registry facilities, particularly but not exclusively in Ottawa, is also a major concern, as it will limit our future ability to achieve the program's mission and results efficiently and economically. As a result of the Ministerial review mentioned in last year's report, concerning operations and support services of the Federal Court of Canada and the Tax Court of Canada, my colleague, the Registrar of the Tax Court of Canada, and I, with the cooperation of both courts, have initiated a plan to consolidate our facilities in Vancouver, whereby both courts will economize on facilities costs.

I am convinced that our only alternative to major resource increases in future is significant investment now in electronic filing and internet access to court information and processes, in staff training and development, and in a single-purpose building for our Ottawa operations. I look forward to reporting our progress in next year's *Report on Plans and Priorities*.

Administrator of the Court

MANAGEMENT REPRESENTATION

Report on Plans and Priorities 2000 - 2001

I submit, for tabling in Parliament, the 2000 - 2001 Report on Plans and Priorities 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, Reporting and 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

February 21, 2000

Section II: Registry Overview

The Registry's Mandate

A. 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-juridical 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 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 also 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.

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 (2nd Supp.), s. 14.

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.

Federal Court of Canada - 2000 - 2001 Estimates

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

ATLANTIC & QUÉBEC REGION Headquarters: Montréal Local Offices: - Montréal and Québec City, PQ - Fredericton, NB - Halifax, NS	ONTARIO REGION Headquarters: Toronto Local Office: - Toronto, ON	WESTERN REGION Headquarters: Vancouver Local Offices: - Vancouver, BC - Winnipeg, MB - Edmonton and Calgary, AB
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Offices Staffed by Provincial or Territorial Court Employees

ATLANTIC & QUÉBEC REGION Saint John, NB Charlottetown, PE St. John's, NF	WESTERN REGION 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**.

B. Objective

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.

C. External Factors Influencing the Registry

As noted in the “Message from the Administrator” at page 3 above, a number of important external factors are expected to influence the future of the program.

Public expectations of reduced time and costs: Historically, the public, the legal profession and the judiciary have expressed concerns for reducing delays in obtaining trial and hearing dates, and for reducing the undue aging of cases. Ultimately, the goal for all litigants, including the Department of Justice, is the cost advantage of reducing delays in the disposition of cases by the Court.

After extensive consultation with the public and the legal profession, the new *Federal Court Rules, 1998* introduced a comprehensive system of caseflow management. The new Rules are intended to improve access to court services, and to eliminate or improve processes which are traditionally seen as costly, prone to delays and susceptible to backlogs. Canadians continue to expect their courts to provide services of the highest quality.

Changing nature and volume of workload under the new Rules: Prior to the introduction of caseflow management on April 25, 1998, resource utilization by the Registry was fully achieving the expected performance results in processing documents, providing advice and information to litigants, counsel and the public, attending sittings of the Court and providing necessary support services to the Judges and Prothonotaries. The Registry was meeting its mandate with available resources.

Federal Court of Canada - 2000 - 2001 Estimates

<i>Indicator</i>	<i>1995</i>	<i>1998</i>	<i>1999</i>	<i>% Change over 1998</i>	<i>% Change 1995-98</i>
Proceedings instituted	7954	10757	10221	1.4%	28.5 %
Certificates instituted *	16049	16344	16496	0.9 %	2.8 %
Matters heard in Court	4859	5221	6341	21.5%	30.5 %
Days in Court	2518	3093	3363	8.7%	33.6 %
Judgments & Orders	14922	19342	25842	33.6%	73.2 %
Recorded Entries	183984	229954	250925	9.1 %	36.4 %
Documents Issued	164427	177906	437399	145.9%	166.0 %
Letters Issued	33685	48569	166939	243.7%	395.6 %

** Certificates for Tax, GST or Crown matters have been separated from Proceedings Instituted for this presentation.*

Our record of dealing with these major workload increases indicates that the Registry has achieved significant improvements in operational efficiency and economy. Our continuing emphasis on staff training and the application of technology have been the critical factors in this achievement.

These data reflect the changes in both quantity and complexity of our workload in recent years. Potential processing backlogs spurred development of innovative enhancements to technology and automated systems.

Under the new Rules, there are formal procedures guiding the conduct of proceedings within fixed time limits. It is now apparent that caseload management imposes significant new processing demands on both the Court and the Registry. For instance, caseload management involves several new hearing types which did not exist under the previous system, such as case management and trial management meetings, dispute resolution conferences, status reviews, mini-trials, and early neutral evaluation conferences. The above data reflect the more active supervisory role now performed by the Court.

We are beginning to recognize the impacts on litigants, Judges and our costs, and the implications for informatics and staff training. To date, the Court and Registry have experienced a dramatic upswing in the personal involvement of Judges and staff in case processing and paperwork, and in the demand for technology applications and staff training to support case management. Should the government make changes in immigration and refugee legislation or other statutes requiring the Court to accelerate case processing, the capacities of both the Court and the Registry will be severely tested.

Election of supernumerary status or retirement by a significant number of Judges last year strained the ability of the Court to meet time lines imposed by the Rules, particularly in the Court of Appeal. Recent appointments of several new judges may enable the Registry to continue certain developmental activities not directly concerned with case management and dispute resolution services.

In the coming year, we expect to analyze the effects of alternate dispute resolution services on the length of trials, the number discontinuances and settlements. Our planning for the future will benefit from this emphasis on performance management and measurement.

Facilities impacting operational effectiveness: Canada remains the only G-7 member whose national superior court does not operate from a recognizable national court building. Our operations in the National Capital are dispersed through six different buildings, with negative effects on our costs and efficiencies. It may not be possible 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 will certainly affect the timing and conduct of those trials.

Our long-standing lack of essential Registry facilities will increasingly affect our results. 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.

Several special cases in the Court associated with major aboriginal issues and citizenship revocation are expected to require trial facilities which exceed those presently available.

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 commitment to implement the Universal Classification System for public service positions will continue to represent a significant undertaking for our management team, and in particular our human resource management and staff training sections 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*. Recognizing inherent limitations on the ability of 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 domestic and international demands 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.

D. Registry Spending Plan

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**. Program activities and resources are streamed into two *service lines*: **Operations** and **Corporate Services**.

The Operations service line contributes to the achievement of the program objective through delivery of a variety of services to litigants, their counsel and the Judges of the Court.

The Corporate Services service line contributes to the achievement of the program objective through the delivery of internal support services to the management and staff of the Registry.

Figure 1: Spending Authorities (Extract from Ministry Summary Table in Part II and Reconciliation to Program Expenditure Detail document)

Vote	(\$000's)	2000-2001 Main Estimates	1999-2000 Main Estimates
Federal Court of Canada			
30	Federal Court of Canada - - Program Expenditures	27,845	27,651
(S)	Contributions to Employee Benefit Plans	3,591	3,613
<i>Total Program</i>		31,436	31,264

Figure 2: Organizational Distribution of 2000-2001 Planned Spending

(millions of dollars)

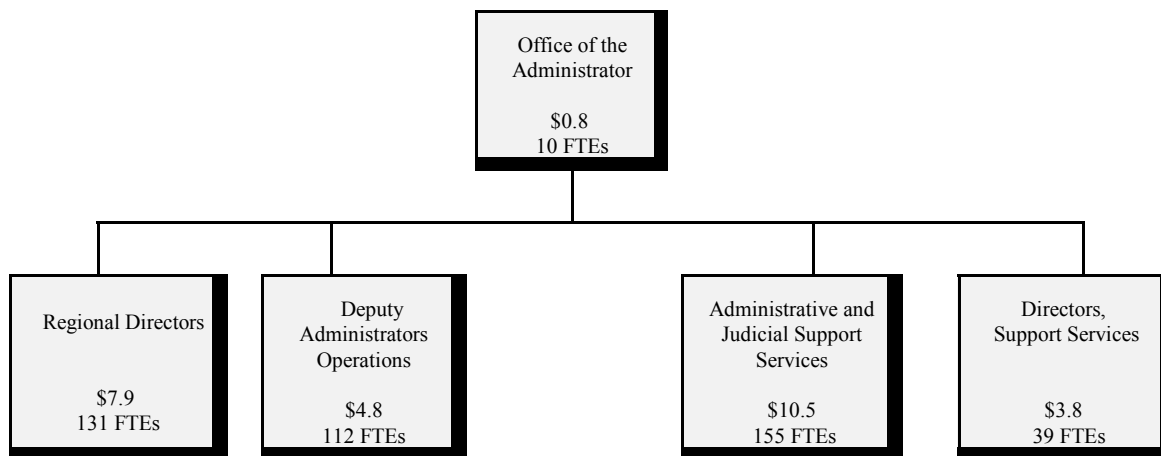


Figure 3: Registry Planned Spending

(\$ millions)	Forecast Spending 1999-2000*	Planned Spending 2000-2001	Planned Spending 2001-2002	Planned Spending 2002-2003
Budgetary Main Estimates	31.3	31.4	31.4	31.4
Non-Budgetary Main Estimates	----	----	----	----
Less: Respendable revenue	----	----	----	----
Total Main Estimates	31.3	31.4	31.4	31.4
Adjustments to Planned Spending**	2.1	1.5	1.5	1.5
Net Planned Spending	33.4	32.9	32.9	32.9
Less: Non-respendable revenue***	1.2	3.0	3.0	3.0
Plus: Cost of services received without charge	11	11.5	11.5	11.5
Net Cost of Program	43.2	41.4	41.4	41.4
Full Time Equivalentents	428	449	449	449

* 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 \$94,900,000 in fines levied by the Court during the fiscal year.

Section III: Plans, Results and Resources

A. Net Planned Spending (\$millions) and Full Time Equivalents (FTE)

Forecast Spending 1999-2000*	Net Planned Spending 2000-2001	Net Planned Spending 2001-2002	Net Planned Spending 2002-2003
\$33.4	\$32.9	\$32.9	\$32.9
428	449	449	449

B. Business Line Objective

The objective of the **Registry Services Business Line** is:

to provide effective access to the Court on matters arising under any legislation for which the Federal Court has jurisdiction, to resolve disputes without hardship, delay or inconvenience.

C. Business Line Description

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.

D. Key Results Commitments, 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 Measures 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.

To provide Canadians with:	To be demonstrated by:
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">● timely, orderly case management and support services● trends in the type and volume of the case workload of the Court● level of client satisfaction with services in terms of agreed standards● equitable public access to all proceedings, decisions and records of the Court

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*, and in the section on *External Factors Influencing the Registry Program*, above, there are further developments expected to have effects on the program in fiscal year 2000-2001.

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The Court and the Registry in general expect continued growth in the workload in keeping with the trends discussed earlier (see table on page 8). In terms of our most frequently-cited performance measures, we are planning for the following volumes of work:

<i>Indicator</i>	<i>1999</i>	<i>Forecast 2000</i>	<i>% Change</i>
Proceedings instituted	26717	28933	8.3%
Matters heard in Court	6341	6823	7.6%
Days in Court	3363	3760	11.8%
Judgments & Orders	25842	29718	15.0%
Recorded Entries	250925	257449	2.6%
Documents Issued	437399	450521	3.0%
Letters Issued	166939	175286	5.0%

Related Activities

Given the implications for the volume and quality of future workload, the Registry will begin to gather appropriate information during 2000-01 to permit analysis of the effects of dispute resolution services on the length of trials, the number of discontinuances and settlements.

As has been the case for the past several years, the Registry in fiscal year 2000 - 2001 will continue to rely on constant upgrading of technology and systems, and the associated training and development of staff as the key factors in dealing with a growing workload.

During this year, Informatics plans will be initiated for the development and implementation of two major new directions: preparations for the establishment of on-line Registry services on the internet, and preliminary examination of the feasibility of moving to electronic filing. Of course, the Registry is subject to the same difficulties in maintaining staff continuity in the Informatics area as other employers. Recruiting processes will be augmented by internal efforts to develop skills and expertise of Registry staff interested in pursuing careers in informatics, through a variety of staff development efforts. Upgrades in hardware, software and communications capabilities will continue.

Staff development and training will accelerate in 2000-2001 with the introduction of several new initiatives. The Registry, for the first time, is participating in the Career Assignment Program operated by the Public Service Commission as a means of developing senior managers for the future. Other management development and registry officer skill development programs will be offered internally in our continuing effort to keep pace with changes in workload and the Rules of the Court. A major training effort is planned for the introduction of the Financial I S initiatives, sponsored by Treasury Board Secretariat; all managers will be trained to meet the requirements of the new financial regime when the Registry goes on-line with this program in April, 2001.

Resources

There are concerns for the adequacy of present resources for the coming year, given the extensive workload increases experienced in 1999. In consultation with the Treasury Board Secretariat, the Registry is reviewing the impacts of the rules changes introduced in 1998 on resource requirements, and may identify supplementary estimates in that regard.

Section IV: Horizontal Initiatives

The primary horizontal initiatives involving the Registry of the Federal Court of Canada in fiscal year 2000-01 are:

- **Universal Classification System (UCS)**
The Registry has given priority to this Treasury Board-sponsored project, and will continue to keep pace with other departments in 2000 - 2001.
- **Financial Information Systems (FIS)**
The Registry is scheduled to go on-line with FIS in April, 2001. During the coming year, efforts will continue to develop the necessary systems and skills to implement a full accrual accounting system on time. A project team is established, automated systems are under development, and a number of financial policy items are under study. This project will ultimately require a major training effort to ensure that managers have the necessary skill to operate the system successfully.

Section V: Financial Information

Table 5.1 Source of Non-Respendable Revenue

(\$ millions)	Forecast Revenue 1999-2000	Planned Revenue 2000-2001	Planned Revenue 2001-2002	Planned Revenue 2002-2003
Refund of previous years' expenditures	0.1	0.1	0.1	0.1
Service Fees	1.1	1.0	1.0	1.0
Miscellaneous non-tax revenues *	94.9	1.9	1.9	1.9
Total Non-Respendable Revenue	96.1	3.0	3.0	3.0

* 1999-2000 forecast includes approximately 95 million dollars of fines levied under the Competition Act

Table 5.2 Net Cost of Program for 2000-2001

(\$ millions)	Registry Services	Total
Planned Spending (Budgetary and Non-budgetary Main Estimates plus adjustments)	32.9	32.9
<i>Plus: Services Received without Charge</i>		
Accommodation provided by Public Works and Government Services Canada (PWGSC)	10.4	10.4
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS	1.0	1.0
Workman's compensation coverage provided by Human Resources Canada	0.1	0.1
Salary and associated expenditures of legal services provided by Justice Canada	----	----
	11.5	11.5
<i>Less: Respendable Revenue</i>		
	----	----
<i>Less: Non-Respendable Revenue</i>	3.0	3.0
	3.0	3.0
2000-2001 Net Program Cost (Total Planned Spending)	41.4	41.4

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 of the Federal Court of Canada for the period ending March 31, 1999.

Contacts for Further Information

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