

Courts Administration Service

**2005-2006
Estimates**

Report on Plans and Priorities

Approved

The Honourable Irwin Cotler
Minister of Justice and Attorney General of Canada

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Acting Chief Administrator's Message

In the past year, the Courts Administration Service (hereinafter also referred to as the “Service”) has been committed to: consolidating the functions of the two former organizations, the registries of the Federal Court of Canada and the Tax Court of Canada; establishing approaches to ensure that the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada (hereinafter also referred to as the “Courts”)—are provided with the most effective support possible given their unique requirements; and examining all corporate and operational activities to provide the best value for public funds, while safeguarding the independence of the judiciary.

The Courts Administration Service contributes to judicial independence through its mandate to provide effective support and services to the Courts and to ensure access to those Courts by members of the Canadian public seeking judicial redress. To achieve these objectives, the Service must be provided with stable funding based on clearly articulated needs, supported by performance measures that are both meaningful and clear. Much work remains to be done to meet this objective.

The Service is working closely with the Chief Justices to clearly identify the requirements of the Courts. In tandem, discussions are ongoing with officials of the Treasury Board Secretariat to implement a more effective and sustainable approach to funding. Working collaboratively, we hope to develop a governance structure and funding mechanism for the Service that can serve as a model for the future.

In closing, I wish to express my sincere appreciation to the Chief Justices, the Associate Chief Justice and the judges for their support, the staff of the Service—and officials of a number of provinces who provide support under existing arrangements—for their professionalism and dedication.

R.P. Guenette

SECTION I – Organizational Overview

Summary Information

<p>Reason for Existence</p> <p>The role of the Courts Administration Service is to provide registry and administrative services to four courts of law: the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. These services permit individuals, companies, organizations and the Government of Canada to submit disputes and other matters to the Courts, and enable the courts to hear and resolve the cases before them fairly, without delay and as efficiently as possible.</p>
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Financial Resources

2005-2006	2006-2007	2007-2008
\$ 53.5 millions	\$ 53.9 millions	\$ 53.9 millions

Human Resources

2005-2006	2006-2007	2007-2008
655	655	655

Organizational Priorities

	Type	Planned Spending		
		2005-2006	2006-2007	2007-2008
(\$ millions)				
Improve the effectiveness of the Service in supporting the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada	On-going	4.5	1.0	2.1
Facilitate broader public access to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and to the Courts Administration Service	On-going	0.2	0.2	0.2
Improve service delivery	On-going	1.0	1.6	2.4
Promote the judicial independence of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada	On-going	0.1	0.1	0.1

Organizational Priorities

The Courts Administration Service is a relatively new organization that was established by amalgamating the former registries of the Federal Court of Canada and the Tax Court of Canada. The amalgamation took effect on July 2, 2003 with the coming into force of the *Courts Administration Service Act*, S.C. 2002, c. 8 (see <http://laws.justice.gc.ca/en/C-45.5/index.html>).

The Courts Administration Service is entirely funded through appropriations from Parliament. These appropriations are voted on each and every year by parliamentarians on reviewing the Main Estimates and the Report on Plans and Priorities, which are tabled in the House of Commons.

The Courts Administration Service also receives a small amount of revenue through filing fees and sale of copies of judgments. These revenues are returned to the Government of Canada's consolidated revenue fund and are not spendable by the Courts Administration Service.

Stakeholders

The Courts Administration Service has obligations to four main groups:

- the four courts;
- the legal community;
- litigants and their representatives; and
- the public, both Canadian and non-Canadian.

Strategic Relationships

The Courts Administration Service has four main strategic relationships:

- The Department of Justice Canada – The Department of Justice and other government departments/organizations initiate legislation and policies that have a direct bearing on the courts' workload, which in turn has an impact upon the workload of the Courts Administration Service. Moreover, the Attorney General of Canada (i.e. the Minister of Justice) designates representatives of the legal profession to sit on the Rules Committee of the Federal Court of Appeal and the Federal Court, as well as on the equivalent committee of the Tax Court of Canada. In addition, both rules committees include senior representatives of the Department of Justice.
- Provinces and territories – Seven of the Courts Administration Service's sixteen regional offices are co-located with – and staffed by – provincial/territorial court employees on a contractual basis. As well, provincial courtroom facilities are used in partnership in many locations. There is an

ongoing need to maintain a presence in these locations and to continue using available facilities and libraries.

- The Canadian Bar Association and provincial law societies – These organizations provide valuable feedback on processes and procedures to ensure the continued effectiveness of services provided by the Courts Administration Service. They also take into account regional sensitivities such as those relating to admiralty issues.
- Quasi-judicial tribunals and boards –The Courts Administration Service's ongoing efforts to achieve cost savings include the sharing of facilities and courtrooms across the country with federal tribunals, boards and commissions while keeping in mind sensitivities relating to judicial independence.

Critical Issues

The key strategic issue for the Courts Administration Service in the short term is clearly the ongoing impact of the amalgamation process. The organization is now moving on to the integration phase. This phase, which will continue to be the focus of the organization's work in 2005-06, will involve such activities as continuing cross-training employees from the two former organizations, harmonizing and updating policies, and standardizing work tools, such as computer applications and financial systems. In 2006-07, the process will advance to a "transformation" phase, which will involve a broader application of technology in the registries and enhancement of access to the Courts. Furthermore, work will continue in 2005-06 on improving accountability, streamlining and reengineering processes to achieve cost effectiveness.

Trends

There are a number of trends that the Courts Administration Service will have to take into account in the reporting period. One of these is the impact of new technologies on its work and the need to keep up with technological advances. For example, technologies permitting digital recording, "remote hearings" and the electronic filing of documents will be adopted for use by the Courts.

A second trend involves the increasing use of alternate dispute resolution (ADR) in Federal Court of Appeal and Federal Court proceedings. ADR is a structured process in which a judge or prothonotary conducts an informal process, such as mediation, in order to facilitate a resolution of the dispute without embarking on a formal trial. ADR programs reduce backlogs and free up court services in the face of increasing caseloads. However, such programs have also created new judicial support needs and additional space requirements.

Finally, financial considerations have an impact on the Courts Administration Service's work. The organization has no control over its workload and has had to deal with an increasing volume and complexity of cases, new security requirements and other unforeseen issues within its existing budget. This is particularly true given that one of the

purposes of the legislation amalgamating the two former organizations was "to enhance accountability for the use of public money in support of court administration".

This enhanced accountability manifests itself in the *Courts Administration Service Act*, which requires that the Chief Administrator send an annual report to the Minister of Justice, who then tables it in each House of Parliament. This legislative requirement also provides an opportunity for the Chief Administrator to inform the House of Commons and the Senate as well as the public of resource issues affecting the Courts Administration Service, and as a corollary, the respective Courts which it serves.

Risks and Challenges

In the spirit of the federal government's Government On-Line initiative, the Courts Administration Service intends to take a proactive approach to making information available to the public. However, there is an inherent contradiction between the two principles of the public's right to know and citizens' right to privacy. The Courts Administration Service, in consultation with the judiciary, must find a way to balance these interests in making information such as court decisions broadly available to the public on the Internet.

The past few years have seen a significant increase in applications to the Courts and most specifically in respect of immigration cases. Thus, the Federal Court's immigration and refugee workload doubled between 1995 and 2000 and has doubled once again since 2002. The events of September 11, 2001 and the increased emphasis on security have also added to the workload of the Federal Court.

The capacity of the Courts is a function of the ability of their registries to process applications and the availability of judges to consider the cases. The Courts Administration Service will need adequate resources to meet the requirements of the current complement of the Courts and any future needs arising from the filling of vacant judicial positions at the Federal Court of Appeal, the Federal Court and the Tax Court of Canada, to meet the increasing workload of the Courts. Resourcing for Deputy Judges will also be paramount. To ensure the "effective and efficient management and administration of all court services",¹ the Courts Administration Service will continue to examine the resources required for the accurate and timely processing of files for the Courts, while always recognizing the need to ensure accountability for the use of public money.

Another challenge faced by the Courts Administration Service lies in the requirement that it account for the use of resources while at the same time safeguarding the independence of the judiciary. The need for budgetary restraint must be balanced against the need to ensure that the judiciary has everything it requires to decide cases free of influence. For example, we must be conscious at all times of security concerns, and a full range of tools must be provided in support of the Courts' work.

¹ *Courts Administration Services Act*, S.C. 2002, c.8 subsection 7(2)

The effective utilization of facilities is a specific challenge, and Court hearing facilities must be used as efficiently as possible. One hundred percent occupancy is impossible because scheduled hearings are frequently cancelled at the last minute after the parties agree to an out-of-court settlement. Furthermore, as the Courts are itinerant, the Courts Administration Service provides judicial, administrative and technological support as well as the facilities across the country necessary to enable the Courts to sit and transact business at any place in Canada, as close in proximity as may be, for the convenience of the parties. The Service will continue to make its courtrooms available to quasi-judicial tribunals and other organizations. It must bear in mind sensitivities relating to judicial independence and the "perception" issue: e.g., a member of the public who appears before a government tribunal in a courtroom and then, on applying for judicial review of the tribunal's decision, appears before a judge in the same courtroom may have doubts as to the judge's independence from the tribunal.

Opportunities for Savings

Part of the overall economies of scale addressed when seeking the necessary approvals for the construction of the Pierre Elliott Trudeau Judicial Building (PETJB) in Ottawa was the need to co-locate functions from the various premises occupied by CAS into one single-purpose facility. Initial calculations show that over a 20-year period an estimated \$30 million could be saved if the CAS and the Courts it supports were housed in one building.

Expenditure Review

The CAS is also committed to the Government of Canada's Expenditure Review initiative. The Senior Management team is looking at achieving internal operational efficiencies to meet the goal of long-term savings set out by the Government of Canada. Some of the initiatives identified as securing possible savings include consolidating the network infrastructure; amalgamating the Courts and the Courts Administration Service into one building (PETJB) in the national headquarters region; and modernizing the Court Rules in conjunction with the Chief Justices and the respective Rules Committees to effect savings i.e. requirement for registered mail, etc.

Strategic Outcome

The Courts Administration Service is committed to realizing the following strategic outcome:

The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

This commitment is consistent with the Government of Canada's priority of improving the quality of life of Canadians. *Canada's Performance 2004* (see http://www.tbs-sct.gc.ca/report/govrev/04/cp-rc_e.asp) is an annual report published by the President of the Treasury Board that attempts to measure the quality of life of Canadians by means of 35 "societal indicators", which are grouped according to six main themes: Canada's Place in the world; Canada's Economy; Society, Culture and Democracy; Aboriginal Peoples; the Health of Canadians; and the Canadian Environment.

Organizational Priorities for the Planned Period

Taking into consideration the CAS's external and internal environment, the CAS has identified four strategic priorities that extend beyond the fiscal year 2005-2006.

The organizational priorities described below support our strategic outcome and are intended to ensure more efficient processing of cases and more effective support to the Courts we serve, broader public access to the Courts, while ensuring transparency and full accountability for the use of public funds. These priorities based on our program activities will be achieved through key initiatives which are either underway or will be implemented during the reporting period. (Program Activities: Registry Services, Judicial Services and Corporate Services as described in our Program Activity Architecture (PAA)).

Priority	Organizational Priorities	Key Initiatives
Priority #1	Improve the effectiveness of the Courts Administration Service in supporting the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada	<ul style="list-style-type: none"> ▪ Digital recording ▪ Electronic courtrooms ▪ Alternative Dispute Resolution (ADR) ▪ Improved Utilization of Courtrooms ▪ Construction of the Pierre Elliott Trudeau Judicial Building (PETJB) ▪ Court Technology and Equipment Modernization Project (CTEMP) ▪ Toronto and Vancouver Federal Judicial Centre Project (FJC) ▪ Courts Accommodation Amalgamation Project (CAAP)
Priority #2	Facilitate broader public access to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, and to the Courts Administration Service	<ul style="list-style-type: none"> ▪ Videoconferencing and teleconferencing ▪ Electronic filing through Internet access
Priority #3	Improve service delivery	<ul style="list-style-type: none"> ▪ Review of Judicial Services ▪ Harmonization of Registries in the regions ▪ Modernization of practices and procedures ▪ New case management system development
Priority #4	Promote the judicial independence of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada	<ul style="list-style-type: none"> ▪ Implementation of outreach activities

Rationale behind the Priorities

Priority #1

Improve the effectiveness of the Courts Administration Service in supporting the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

Trials and the judicial process are becoming increasingly automated. The Courts Administration Service must take into account the impact of new technologies on its work and the need to keep up with technological advances in order to provide the most cost-effective, efficient and secure services to judges, prothonotaries, counsel, the public and its employees. The CAS relies on up-to-date technological systems and tools to enable decision-makers and employees to exchange information, to support case preparation, to manage the flow of cases through various stages and to communicate and consult with stakeholders. To that end, state-of-the-art technologies such as digital recording and electronic courtrooms will continue to be adopted for use by the Courts. Such initiatives will ultimately provide the public and the legal community more efficient options for greater access to the judicial system, thereby upholding Canadian values such as fairness, equality and the rule of law. It is also critical that the Courts and the Service be housed in the same location in Ottawa and in the regions.

Priority # 2

Facilitate broader public access to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, and to the Courts Administration Service

This strategic priority focuses on better serving and meeting the needs of the people seeking redress through the Courts. The Courts must be accessible to all citizens. Efforts must be made to promote sensitivity to the diverse clients served by the Courts. Users of the Courts must be able to conduct their business with relative ease and convenience, and must be treated with a high degree of courtesy and respect. Services must be available in both official languages.

Priority #3

Improve service delivery

A government-wide Service Improvement Initiative was launched in 2001. Under this initiative, departments and agencies are to achieve significant and quantifiable improvements in client satisfaction with their services.

This strategic priority will focus on improving the procedural aspects of the Courts Administration Service and therefore touches upon case management, processes, information sharing, communications, rule refinements, and improved support for the judiciary. The Courts Administration Service is committed to providing its services in the

most efficient, effective and economic manner, and to attaining excellence in client service standards vis-à-vis the judiciary, litigants and the general public.

Priority #4

Promote the judicial independence of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

The Courts Administration Service needs sufficient stable resources to support the Courts on a sustained basis to ensure that the Service's mandate and its statutory obligations to judges, prothonotaries, litigants and the Canadian public are not negatively affected. This means developing the capabilities of the Service to anticipate future demands and new resource requirements. The Service must be consulted by government departments and agencies regarding the impact of new and proposed legislation so as to better predict upcoming case work. The creation of the Service has enhanced the judicial independence by placing administrative services at arm's length from the Government of Canada. The heightened profile of the Courts and as a corollary of the registries, as a result of new legislation and the establishment of the Service, will require clearly identified communication channels with target audiences.

The organizational priorities will affect all aspects of the CAS's work and will guide management choices throughout the planning period. Monitoring key initiatives that support these priorities will be critical to guide strategic and operational decisions and to address emerging issues.

Section II – Analysis of Program Activities by Strategic Outcome

Strategic Outcome

The Courts Administration Service is committed to realizing the following strategic outcome:

The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

The key initiatives identified on page 15 which support our strategic outcome and organizational priorities are intended to ensure broader public access to the Courts, more efficient processing of cases and more effective support to the Courts we serve, while ensuring transparency and full accountability for the use of public funds.

As the Courts Administration Service is continuing the integration and transformation phases of the consolidation of the former registries of the Federal Court of Canada and the Tax Court of Canada, its major priority for the next three years is to continue to provide high levels of service to the public with due diligence to public funds. The organizational priorities will be achieved through key initiatives which will be undertaken by each of our Program Activities. We have undertaken the development of performance measures for each Program Activity and sub-activities. The challenges and pressures that accompany a major organizational merger have made this exercise more complex than anticipated. Senior management is highly committed to this Treasury Board initiative and special attention will be given throughout the year to document the results of these key initiatives which will assist us in developing cost effective performance measures.

Description of Program Activities

The Service has one business line, known as courts administration service. Its objective is to provide Canadians with the services needed to ensure accountability for the use of public money in support of the administration of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada while facilitating the public's access to the Courts and safeguarding the principle of judicial independence. This business line is divided into three interrelated program activities: Registry Services, Judicial Services and Corporate Services.

- **Registry Services** provide the Courts with litigation support processes. These include processing documents filed by or issued to litigants, attending at court sittings, recording proceedings, providing information to litigants, maintaining custody of the records and information base required by the Courts and issuing legal instruments to enforce the Courts' decisions;
- **Judicial Services** provide judicial support to the Justices and prothonotaries, including but not limited to executive officers, judicial assistants, chauffeurs, court ushers, library employees, and other staff who provide direct support to the judiciary in fulfilling their responsibilities; and

- **Corporate Services** provide services such as finance, human resources, informatics, information management, telecommunications, facilities, translation, strategic planning, communications, internal audit and evaluation, general administration and security to the Courts and to the Courts Administration Service itself. (The program activity “Corporate Services” is not shown in the Main Estimates as a separate activity and is, therefore, not addressed in Section II. However corporate services is addressed in section IV – Other Items of Interest.)

Financial and Human Resources as described in the planned spending table in Section III

Program Activity Name: Registry Services

Financial Resources:

2004-2005	2005-2006	2006-2007
\$34.9 millions	\$34.4 millions	\$34.6 millions

Human Resources:

2004-2005	2005-2006	2006-2007
369	436	436

Program Activity Name: Judicial Services

Financial Resources:

2004-2005	2005-2006	2006-2007
\$19.4 millions	\$19.1 millions	\$19.3 millions

Human Resources:

2004-2005	2005-2006	2006-2007
206	219	219

Detailed Analysis of Program Activities

Priority#1

Improve the effectiveness of the Courts Administration Service in supporting the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

A. Program Activity - Registry Services

Key Initiatives

Digital Recording

Digital recording equipment has been set up in some of our courtrooms. The results of the pilot project are positive. They have demonstrated that digital recording provides a means to reduce court reporting costs. As more and more courtrooms are equipped with the new system, the benefits will continue to accrue. The Courts Administration Service intends to develop a strategy for full deployment of this equipment in its courtrooms. With the support of the Chief Justices, we should be in a position to complete a feasibility study on installing digital recording equipment in all our courtrooms.

Electronic Courtrooms

Following the positive experience with the implementation of electronic courtrooms in Edmonton and Calgary and in keeping with its commitment to improve service delivery and accessibility to court proceedings, the Service completed its planning and purchasing stages in the building of an electronic courtroom in Ottawa. This process involved consultation with the judiciary and consultants to determine the specifications for and layout of the equipment in the courtroom. Real-time court reporting will also be implemented in this installation. In this way, the judges, prothonotaries, counsel and all court staff can accept real-time feed via their own notebook computers.

Alternative Dispute Resolution

The four courts have different jurisdiction and are governed by different practices and procedures which are stipulated in their respective legislation and rules. For example, alternate dispute resolution (ADR) is increasingly used in Federal Court. During 2003-04, 104 dispute resolution conferences and 1,416 pre-trial conferences were held in the Federal Court and 102 pre-trial conferences were held in the Tax Court of Canada (pre-trial conferences are often *de facto* dispute resolution conferences). The Tax Court of Canada also makes extensive use of informal proceedings, which reduce the cost of dispensing justice and make justice accessible to a broader range of litigants.

B. Program Activity - Judicial Services

Key Initiatives

Improved Utilization of Courtrooms

The two former organizations faced criticism in the Auditor General's 1997 report, over courtroom utilization. The Auditor General concluded that the Courts had an oversupply of courtrooms and that courtroom utilization as a percentage of availability was too low. Achieving 100 percent utilization is an impossible goal because of the dynamics of the judicial process. However, the Courts Administration Service is actively monitoring this situation and will continue to ensure that its courtrooms are shared and made effectively available to quasi-judicial tribunals and other organizations, where possible. We also intend to build on existing partnerships with the provinces. It should be noted that in many locations, judges sit in facilities other than courtrooms, such as hotel conference rooms.

Construction of the Pierre Elliott Trudeau Judicial Building (PETJB)

Presently, the Courts and the employees of the Courts Administration Service are located in seven buildings in the National Capital. Such distribution is inefficient and does not meet the long-term accommodation requirements of the Courts. The consolidation of the existing Ottawa operations will reduce operating costs, improve visibility and simplify security requirements. The Pierre Elliott Trudeau Judicial Building (PETJB) is a proposed new single-purpose courthouse facility that will house the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and the Courts Administration Service. Planning for this project began in March 1972. Various proposals have been prepared since then, and the project has on three separate occasions (1974, 1990 and 2002) been granted Preliminary Project Approval by the Treasury Board and approved by all other relevant regulatory government bodies. It was also discussed in the Auditor General's 1997 report, which concluded "that consolidation of Federal Court [of Canada] facilities in Ottawa would be desirable".² In addition, as the Minister of Justice suggested in a 1986 letter to the Commissioner for Federal Judicial Affairs that was quoted in the Auditor General's report, the "feasibility of consolidating the Tax Court and other tribunals into any proposal" to build new premises for the Federal Court of Canada was analysed and the current project accordingly includes the Tax Court of Canada.³ Public Works and Government Services Canada is the lead organization on this major Crown project, which is jointly managed with the Courts Administration Service. Move-in for the Courts and the CAS is scheduled to be completed in the spring of 2009.

Court Technology and Equipment Modernization Project (CTEMP)

In October 2003, the Minister of Public Works and Government Services and the Minister of Justice received an amended Preliminary Project Approval (PPA) to design a new Federal Judicial Building, later renamed the Pierre Elliott Trudeau Judicial Building (PETJB), to house the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and the Courts Administration Service (CAS).

While funding required to design and tender the building has been secured by PWGSC, monies for non-funded CAS related fit-up costs are being sought through the Court Technology & Equipment Modernization Project (CTEMP). The project addresses the following categories:

- Information Management/Information Technology
- Security
- Furniture and Furnishings
- Work Environment

² Canada, Office of the Auditor General, Report on the Federal Court of Canada and the Tax Court of Canada (Ottawa: Minister of Public Works and Government Services, 1997), paragraph 114.

³ *Ibid.*, paragraph 112.

Toronto Federal Judicial Centre Project (FJC)

Another facilities-related project in which the Courts Administration Service is participating involves the Federal Judicial Centre (FJC) in Toronto. The FJC will be leased to the federal government on a long-term basis to house the regional operations of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and the CAS. Approval to proceed was obtained on January 30, 2003 and occupancy is scheduled for summer 2006. Efficiencies will be realized from this project due to the fact that staff and courtrooms will be in a single location. Moreover, the co-location of staff will provide a single access and information point for the public.

Courts Accommodation Amalgamation Project (CAAP)

A principal reason for construction of the new Federal Judicial Centre (FJC) space in Toronto is to permit the implementation of the *Courts Administration Service Act*. The judicial space, registries and administrative services of the Courts will be consolidated in one location. The Courts and the CAS are presently accommodated in two different locations in Toronto. The consolidation of existing operations will provide opportunities for cost savings, improved visibility and simplified security requirements.

The objectives of the Courts Accommodation Amalgamation Project (CAAP) are to reduce and combine overall expenditures by reusing and recycling equipment and furniture wherever it is feasible and cost effective to do so; ensure that the FJC is equipped with the necessary technology, adequate furniture, security and a work environment which will enable the Judges of the Courts, the legal community, the public and the employees of the Service to perform their work in a safe, efficient and productive environment; implement the CAAP in an environmentally responsible manner that adheres to principles outlined in Leadership in Energy & Environmental Design (LEED); convey to the general public, a space that reflects a sense of respect and transparency of the Justice system through the use of space, choices of material and equipment and in harmony with the FJC building design.

Vancouver Federal Judicial Centre Project (FJC)

Public Works and Government Services Canada (PWGSC) have advised us that the lease for the premises currently occupied by CAS in Vancouver will expire in December 2008. Security issues affecting the well-being of judges and staff are arising more frequently: belligerent litigants being increasingly disruptive; something needs to be done to address and correct these challenges before matters worsen.

Accordingly, a new project is being put in place to:

- a) work closely with the four Chief Justices of the Courts to identify and quantify the mid-term to long-term accommodation requirements in Vancouver;
- b) commence the preparation of a Tenant Requirements Package (TRP) which will provide details on the type of accommodation required, an approximate size of the individual spaces and the number of work units, members of the judiciary, staff and public to be accommodated within the planned premises;

- c) address the various security issues which have been identified, complete a Treat and Risk Analysis to ensure all possible scenarios have been explored and dealt with; and
- d) maintain close communications with PWGSC staff in the Vancouver region and Ottawa headquarters to ensure that the project advances to a successful completion.

Priority #2

Facilitate broader public access to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada, and to the Courts Administration Service

A. Program Activity - Registry Services

Key Initiatives

Videoconferencing and teleconferencing

Registry Services provide the Courts with litigation support processes. These include processing documents filed by or issued to litigants, attending at court sittings, recording proceedings, providing information to litigants, maintaining custody of the records and information base required by the Courts and issuing legal instruments to enforce the Courts' decisions. Videoconferencing systems and teleconferencing provide an alternative means of access to court hearings, including access on urgent matters and across long distances, in order to facilitate the advancement of cases and to save costs in time and travel for litigants, judges, prothonotaries and Service staff. Videoconferencing installations have been established in all regional and federally staffed local offices across the country.

Electronic Filing

An electronic filing initiative through the Internet is in the development stage for proceedings in the Courts. This endeavour is a public-sector/private-sector cooperative venture between the Service and LexisNexis Canada (formerly QuickLaw Inc.), which will be the first service provider in the Canadian marketplace. A cooperative agreement was signed to formalize this working relationship, which has been an integral part of the project's evolution since its inception. A pilot project is on-going and includes testing a unique new method of paying court filing fees: the Receiver General Buy Button site, operated by Public Works and Government Services Canada.

B. Program Activity - Judicial Services

Key Initiatives

Review of Judicial Services

As part of the integration process of the Courts Administration Service, studies will continue in 2005-06 to develop an understanding of the various forms of judicial services which existed in the former registries of the Federal Court of Canada and the Tax Court of Canada. Services provided to judges, supernumerary judges, deputy judges, prothonotaries, umpires, and assessors continue to be examined and defined. The roles of judicial administrators, judicial assistants and the law clerk programs are also being studied. We will continue reviewing all of the services, such as library services, court usher services and chauffeur services, which are provided to the judges and judicial officers of the Courts to determine how to consolidate them effectively. This will ensure that judicial services are structured in such a way that appropriate resources are allocated according to requirements, while enhancing fiscal accountability and service delivery. This analysis is important, for without the proper type and level of timely support judges and other judicial officers may find themselves performing some tasks that could be better delegated to qualified support staff. A new Director General, Judicial Services will be appointed to head this review.

Priority #3

Improve service delivery

A. Program Activity - Registry Services

Key Initiatives

Harmonization of Registries

The physical consolidations of the registries in Vancouver and Montreal have been completed. Co-location of the registry in Toronto will be completed in 2006. Cross-training of registry staff across Canada will continue in 2005-06. As a result, all registry officers will be in a position to better serve clients with respect to all four courts. These measures will enhance the use of our resources and provide a common access point for the public.

Modernization of Registry Process

In consultation with the Chief Justices, the Best Practices and Modernization Branch was created to review and modernize work processes and recommend changes to the rules of procedure to make the delivery of our services to the citizens more effective.

The business process reengineering is expected to take two to three years to complete but operational improvements will be implemented as identified and approved. The first phase of the project will

include a review of the business processes including the practices and procedures of all the courts with a view to modernize the tools and approaches utilised in the delivery of our services.

The integration of the current case management systems, the introduction of additional technology in courtrooms, the modification of some rules of procedures and the provision of timely operational training to registry staff are examples of initiatives included within the scope of this project.

Priority # 4

Promote the judicial independence of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

A. Program Activity - Registry Services

Key Initiatives

Implementation of Outreach Activities

The Courts Administration Service will strive to ensure that the information it makes available to the public about the Courts it serves, whether via the Courts' Web sites or other communications tools, including the publication of judgments, is coordinated effectively. In addition, the Courts Administration Service, in conjunction with the Courts, will continue to use outreach activities, such as open houses, mock trials, symposium and Law Day to heighten public awareness of judicial independence.

Section III - Supplementary Information

MANAGEMENT REPRESENTATION STATEMENT

I submit, for tabling in Parliament, the 2005-2006 Report on Plans and Priorities (RPP) for the Courts Administration Service.

This document has been prepared based on the reporting principles contained in the *Guide to the preparation of Part III of the Estimates: Reports on Plans and Priorities*.

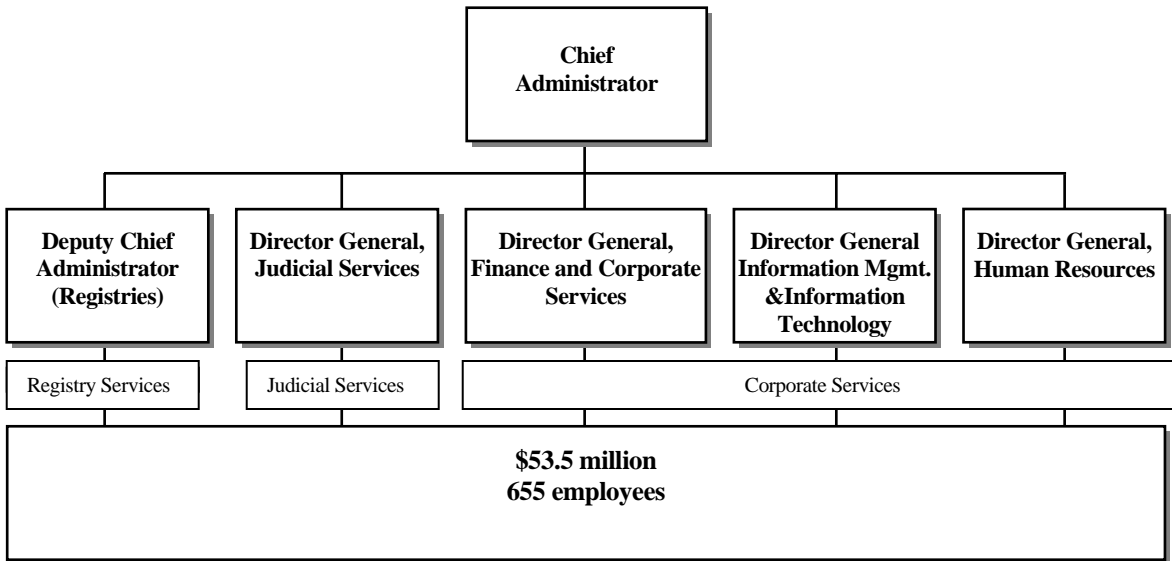
- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the department's approved accountability structure as reflected in its MRRS;
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.

Name: _____

R.P. Guenette
Acting Chief Administrator

Date: _____

Organizational Information



The Courts Administration Service is structured in an efficient and cost-effective manner to deliver its mandate.

The Chief Administrator of the Courts Administration Service is accountable to Parliament through the Minister of Justice.

The powers, duties and functions of the Chief Administrator are set out in the *Courts Administration Service Act* as follows:

- the Chief Administrator has all the powers necessary for the overall effective and efficient management and administration of all court services, including court facilities and libraries and corporate services and staffing (subsection 7(2)); and
- the Chief Administrator, in consultation with the Chief Justices of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, shall establish and maintain the registry or registries for those Courts in any organizational form or forms and prepare budgetary submissions for the requirements of those Courts and for the related needs of the Courts Administration Service (subsection 7(3)).

The *Courts Administration Service Act* also places two specific restrictions on the powers of the Chief Administrator:

- the powers of the Chief Administrator do not extend to any matter assigned by law to the judiciary (subsection 7(4)); and
- a Chief Justice may issue binding directions in writing to the Chief Administrator with respect to any matter within the Chief Administrator’s authority (subsection 9 (1)).

Reports on Plans and Priorities Tables

Planned Spending

Table 1: Departmental Planned Spending and Full Time Equivalents

(\$ millions)	Forecast Spending 2004-2005 ⁽¹⁾	Planned Spending 2005-2006	Planned Spending 2006-2007	Planned Spending 2007-2008
Registry Services ⁽²⁾	34.9	34.4	34.6	34.6
Judicial Services ⁽²⁾	19.4	19.1	19.3	19.3
Budgetary Main Estimates (gross)	54.3	53.5	53.9	53.9
Registry Services	---	---	---	---
Judicial Services	---	---	---	---
Non-Budgetary Main Estimates (gross)	---	---	---	---
Less: Respendable revenue	---	---	---	---
Total Main Estimates	54.3	53.5	53.9	53.9
<i>Adjustments:</i>				
Supplementary Estimates:				
+ Operating budget carry forward (horizontal item)	2.2	---	---	---
- Special Security Cases (Air India) ⁽³⁾	(0.3)	---	---	---
Budget Announcement:				
- Planned procurement savings ⁽⁴⁾	---	(0.1)	---	---
Other:				
+ TB Vote 15	0.3	---	---	---
<i>Total Adjustments</i>	2.2	(0.1)	0.0	\$0.0
Total Planned Spending	56.5	53.4	53.9	53.9

Total Planned Spending	56.5	53.4	53.9	53.9
Less: Non-Respendable revenue	(3.9)	(7.4)	(7.4)	(7.4)
Plus: Cost of services received without charge	18.8	19.1	19.0	19.8
Net cost of Program	71.4	65.1	65.5	66.3

Full Time Equivalents⁽⁵⁾	575	655	655	655
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(1) Reflects the best forecast of total net planned spending to the end of the fiscal year, including employee benefits.

(2) The Corporate Services - Program Activity has been re-allocated to the remaining program activities on a *pro rata* basis.

(3) Special Security Case (Air India): For fiscal year 2004-2005, the Courts Administration Service is not anticipating to spend its special purpose allotment of \$0.3 million in Special Security Cases (Air India Trial). An amount of \$0.3 million will be returned to the Treasury Board Secretariat in 2004-2005.

(4) This reflects the reductions to the department's planned spending as a result of the ERC exercise and which were announced in the 2005 Budget – more information will be provided in the next Supplementary Estimates.

(5) Since the amalgamation of the Registry of the Federal Court of Canada and the Registry of the Tax Court of Canada, there have been some delays in staffing. In addition, internal staffing is done before external staffing in order to reallocate personnel to match the requirement of CAS with personnel of both former organizations. The increase in 2005/2006 is mainly due to the hiring of new employees to support the need of new judges,

supernumerary judges, deputy judges and prothonotaries as well as the increase in immigration files, resulting in an increase in the personnel.

Table 2: Program by Activity (\$ millions)

2005-2006					
PROGRAM ACTIVITY	Budgetary		Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
	Operating	Gross			
Registry Services	34.4	34.4	34.4	(0.1)	34.3
Judicial Services	19.1	19.1	19.1		19.1
Total	53.5	53.5	53.5	(0.1)	53.4

Table 3: Voted and Statutory Items listed in Main Estimates (\$ millions)

2005-2006			
Vote or Statutory Item	Truncated Vote or Statutory Wording	Current Main Estimates	Previous Main Estimates
30	Operating expenditures	47.2	47.7
(S)	Contributions to employee benefit plans	6.3	6.6
	Total Department	53.5	54.3

Table 4: Net Cost of Department for the Estimates Year

2005-2006	
(\$ millions)	Total
Total Planned Spending	53.4
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	16.6
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	2.5
Worker's compensation coverage provided by Social Development Canada	0.0
Salary and associated expenditures of legal services provided by Justice Canada	0.0
	19.1
<i>Less: Non-responsible Revenue</i>	(7.4)
2005-2006 Net cost of Department	65.1

Table 7: Sources of Non-Respendable Revenue

	Forecast Revenue	Planned Revenue	Planned Revenue	Planned Revenue
(\$ millions)	2004- 2005	2005-2006	2006- 2007	2007- 2008
Registry Services				
Refund of previous years' expenditures	0.1	0.2	0.2	0.2
Services fees	1.7	1.4	1.4	1.4
Court fines	0.2	3.6	3.6	3.6
Miscellaneous non-tax revenues	1.9	2.2	2.2	2.2
Total Non-Respendable Revenue	3.9	7.4	7.4	7.4

At the Courts Administration Service, non-respendable revenues consist primarily of fees levied for filing documents within the registries, and for sales of photocopies of judgments and other revenues such as fines. Fine revenues are impossible to forecast and vary significantly in amount from year to year. The actual fine revenue collected this year is lower than the preceding few years. As a result, a four-year average has been used to forecast future non-respendable revenues, though actual amounts collected from fines from year to year are expected to vary considerably from the average estimated.

Miscellaneous non-tax revenues consist primarily of others revenues, but mainly come from Employment Insurance (EI). Account late in fiscal year 2001-2002, it was decided that total cost allocated by the Tax Court of Canada for handling Employment Insurance (EI) cases would be expended against the Employment Insurance account of Canada. As such, HRDC, the department formerly responsible for the EI account, would show an EI expense and the Tax Court of Canada would show an equivalent, non-respendable revenue item. The purpose of this accounting exercise was to more accurately reflect the total cost of running the federal government's EI program and it was strictly internal to the government.

It should be noted that beginning in the 2004-2005 fiscal year, all costs associated with EI for the Courts Administration Service will be recorded from Human Resources and Skills Development Canada (formerly HRDC).

Table 12: Details on Project Spending

Over the next three years, certain projects have or are expected to exceed the Courts Administration Service (CAS) delegated project approval levels. As such, CAS will be requesting Treasury Board approval authority for the following projects.

2005-2006

1. Write a Request for Proposal and follow up on the establishment of a standardized case management system for all courts.
2. Courts Accommodation Amalgamation Project (CAAP)
3. Courts Technology and Equipment Modernization Project (CTEMP)
4. Program Integrity for additional new judges, supernumerary judges, deputy judges and prothonotaries and aboriginal cases

2006-2007

1. Develop new case management system
2. Courts Accommodation Amalgamation Project (CAAP)
3. Courts Technology and Equipment Modernization Project (CTEMP)

2007-2008

1. Develop new case management system
2. Courts Technology and Equipment Modernization Project (CTEMP)

For further information on the above-mentioned projects see <http://www.tbs-sct.gc.ca/est-pre/estime.asp>

SECTION IV- Other Items of Interest

Program Activity - Corporate Services

Key Initiatives

In 2005-06, many activities related to the amalgamation process will continue to be undertaken. For example, computer systems will be harmonized by acquiring common work tools, revising the network infrastructure and standardizing server applications. Key policies, procedures and systems in such areas as human resources and finance will be harmonized, and best practices of the two former organizations will be adopted.

Financial Situation

There are two fundamental areas for which CAS will seek additional funds in 2005/06. This is due to the increased costs for the Courts Administration Service since its establishment in July 2003.

The first area is related to a number of new judges, deputy judges and prothonotaries that have been appointed in the past two years to deal with increased workload mainly in the areas of immigration, terrorism and aboriginal cases that fall under the Federal Court's jurisdiction. This has increased the financial requirements of CAS due to additional prothonotaries' salaries, deputy judges' fees and travel, judicial support and research for judges, as well as additional costs for court reporters, simultaneous interpretation services and translation requirements.

Secondly, CAS is still in a period of consolidation of the former registries' of the Federal Court of Canada and Tax Court of Canada. Additional funding requirements due to the amalgamation of the registries will likely continue through fiscal year 2005/06 and future years, especially in the areas of merging two older case management systems, merging the Toronto regional offices, and the eventual consolidation in Ottawa of all CAS employees and the judges of the four federal courts into the proposed Pierre Elliott Trudeau Judicial Building.

Human Resources

Human Resources Service has developed an attrition plan up to the year 2008. From this plan, managers can develop a vacancy management plan for replacement options to fill key positions that become available through attrition. The Law Clerk Program will be refined to meet the organization's changing needs and the Courts Administration Service will demonstrate its commitment to investing in learning.

Human Resources Modernization

The *Public Service Modernization Act*, S.C. 2003, c. 22, (PSMA) received Royal Assent on November 7, 2003. This Act is being phased in gradually: two of its main components amendments to the *Public Service Labour Relations Act* and the *Public Service Employment Act*, are scheduled to come into force in the spring of 2005 and the fall of 2005, respectively. In 2005, we will be establishing a Human Resources PSMA Team to be in a position to successfully implement the PSMA.

The following activities will result from the Human Resources Modernization initiative:

- establishing an informal conflict management system so that managers and employees may resolve workplace disputes informally; and
- delivering training for managers who will receive staffing sub delegation from the Chief Administrator under the *Public Service Employment Act* when it comes into force in the fall of 2005, as the Act will give them greater decision-making authority and clearer accountability for their decisions.

We have already established a National Labour Management Consultation Committee. The Local Labour Management Consultation Committees will also start in fiscal year 2005-06.

Records Management

Since the mid-1990s, the number of cases filed has steadily increased. This growth has resulted in greater demand for space to store court records as required in the *Federal Courts Act* and the *Tax Court of Canada Act*.

The Records Management Committee is currently reviewing the requirements for managing the records of the Courts Administration Service, as well as court records. This Committee will be making recommendations to the Acting Chief Administrator in relation to the retention and treatment of administrative and operational records. It will also be making recommendations to the Chief Justices pertaining to the retention of court records. Its work should lead to significant reductions in the amount of records that are kept in storage by the Service.

The Committee will also be working jointly with its Real Property Services and other stakeholders to explore strategies such as digital imaging/archiving and e-retrieval services to provide a business solution to its records storage and retrieval needs and facilitate the compliance of its statutory requirements to preserve the records of the Courts.

Government On-Line

The former organizations work contributed to the goal of the Government of Canada's Government On-Line initiative (see http://www.gol-ged.gc.ca/index_e.asp), namely to use information and communication technology to provide Canadians with enhanced access to improved citizen-centred, integrated services, anytime, anywhere and in the

official language of their choice. The Courts Administration Service is continuing to work toward achievement of the objectives of Government On-Line, as evidenced by the following activities, which will continue in 2005-06:

- changes to computers at public counters, which currently permit visitors to the registry to view only Federal Court of Appeal and Federal Court docket entries, will make it possible to view hearing lists, the decisions database, indexing information and the Web sites of the Courts.
- harmonization of the information systems of the Courts is necessary to improve communications between employees by providing uniformity and efficiency. The Internet sites and intranet will also continue to enhance accessibility to the Courts and the level of service offered.

Other improvements will be made in 2006-07 and 2007-08. A new case management system integrating the Courts Administration Service's two existing operational systems will incorporate the best practices of the two former organizations and provide improved online services to the public. This is dependant upon receiving appropriate funding and approval from central agencies. This would allow the parties in proceedings of all four courts to receive documents from the Courts, serve documents on each other electronically, and to view court documents that have been filed electronically or scanned into the system. Throughout the reporting period, new on-line technologies will be added to the array of services already available to the public.

Improved Strategic Management

In line with the government objective of strengthening public sector management, the CAS will develop sound strategic management practices to enhance the overall performance of the organization. A Management Accountability Framework (MAF) building on the pillars of modern comptrollership will serve as the basis for improving the Service results and performance.

The following initiatives will be implemented over the planning period:

- developing an integrated risk management framework to provide managers with information key to strategic and operational planning;
- establishing a sustainable internal audit and evaluation function, to provide managers with valuable information to improve operational and overall results.

The Courts Administration Service will also ensure that a more effective accountability regime is put in place as quickly as possible. Management practices and procedures at the Courts Administration Service will continue to be strengthened during this transformation period. Our restructuring exercise is focused on accountability and responsibility for the cost-effective use of resources approved by Parliament to support the Courts Administration Service, while continuing to safeguard judicial independence. The Courts Administration Service will review improvements in accountability reporting against service and performance standards relating to the effective use of resources. Examples could include reporting on the timeliness of submitting cases to the Courts, resource utilization rates, service to litigants and increased productivity of the registries. In order to facilitate this, organization-wide performance measures will be developed.

The Courts Administration Service is also establishing an appropriate governance regime, which will include a restructured Senior Management Committee, an effective Audit and Evaluation Committee, a Human Resources Management Committee, and National and Local Labour-Management committees and Occupational Safety and Health committees.

Security Services

The Courts Administration Service (CAS) continues its efforts to improve the security of judges, prothonotaries, staff and members of the public using its facilities. The development of internal policies and procedures has been prioritized. Working groups comprised of judges and staff have worked together to develop several comprehensive policies and procedures while trying to minimize the inconveniences imposed to our users through the implementation of certain security measures. In addition, CAS has developed a program aimed at heightening security awareness throughout the organization.

In 2005-06, the Courts Administration Service will be finalizing its Business Resumption Plan to ensure the continued availability of essential services, programs and operations, in the event of interruptions caused by unforeseen events such as extended power failures, severe weather conditions, etc. Furthermore, should a major civil emergency occur, the Federal Court will be capable to continue providing essential services to the government through the application of the Government of Canada Business Continuity Plan developed in cooperation with the Continuity of Constitutional Government Steering Committee (CCGSC). The CCGSC is headed by representatives of the Office of Public Safety and Emergency Preparedness Canada. A representative from the Courts Administration Service sits on the CCGSC ensuring the Courts requirements are met.

Facilities Management

In 2005-06, the Courts Administration Service will develop a long-term accommodation strategy for its headquarters and local offices and finalize the signage across Canada. Focusing on space optimization projects will be a priority to reduce overall government real estate costs whenever feasible.

Appendix I: Other Information

Contacts for Further Information

Further information on the strategic planning portion of this document can be obtained by contacting:

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