



Courts Administration
Service

Service administratif des
tribunaux judiciaires

ANNUAL REPORT 2008 / 2009



Courts Administration Service

Cat. No. JU16-2009
ISBN 978-1-100-50277-9

Letter from the Chief Administrator to the Minister of Justice

September 30, 2009

The Honourable Robert Nicholson, P.C., Q.C., M.P. for Niagara Falls, Ontario

Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, Ontario K1A 0A6

Dear Minister:

Pursuant to subsection 12(1) of the *Courts Administration Service Act*, I am pleased to submit the sixth annual report on the activities of the Courts Administration Service for the 2008-2009 fiscal year.

The report presents an overview of CAS' activities and accomplishments from the beginning of April 2008 to the end of March 2009. It also conveys the important work realized by CAS' employees in providing quality registry and administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada and their clients.

Yours truly,



R.P. Guenette
Chief Administrator

Message from the Chief Administrator

It is with great pleasure that I submit this Annual Report to Parliament which provides an overview of accomplishments of the Courts Administration Service (CAS) for 2008-2009. The organization continues to improve services to both the judiciary and the public, in view of fulfilling the spirit and intent of its enabling legislation.

CAS is a model for the administration of court services that is unique internationally and has garnered attention from jurisdictions from around the world. We provide services to four separate, independent federal superior courts of record and their clients while maintaining their independence from the executive branch of government. The participation of CAS in numerous international judicial exchange projects speaks to the expertise and quality of the services provided by CAS employees, and I am proud of our achievements in this regard.

CAS continued to focus its efforts and energies over the past year on modernization and technology. Our ultimate objective is to eventually have the capacity to maintain completely electronic court files (that mirror the official hard copy versions). To that end, the number of documents received electronically has more than doubled over the previous year. Significant progress has also been made in other related areas, such as the continued development of a new Case Management System (CMS) that will support the business of the four courts we serve. Projects involving the scanning of documents and the development of digital audio recording solutions for our courtrooms are continuing, and we are planning for the ultimate integration of these technologies in state of the art "e-courtrooms" across the country.

This past year saw important progress in our attempts to consolidate the majority of the operations of CAS in the National Capital Region in a single building. The Thomas D'Arcy McGee Building has been designated as the long term accommodation solution for the organization, and a common Registry counter has been established within that facility. We will continue to move most of our operations to that building as space becomes available.

I am proud to be part of an organization that is a key player in the smooth running of the Canadian judicial system and would like to thank the employees for their continued commitment to excellence.



Raymond P. Guenette



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The Courts Administration Service

1

Overview

The role of CAS is to provide registry, judicial and corporate services to four federal courts of law – the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

CAS is a model for the administration of court services that is unique internationally and has garnered attention from jurisdictions from around the world. We provide services to four separate, independent federal superior courts of record and their clients while maintaining the independence of the courts from the executive branch of the government.

The services provided make it easier for individuals, companies, organizations, and the Government of Canada to submit disputes and other matters to the courts. They also enable the courts to hear and resolve the cases before them as fairly, expeditiously and as efficiently as possible.

Our mandate

- to ensure the effective and efficient provision of services to the four courts and their clients;
- to enhance the judicial independence of the courts by placing them at arm's length from the Government of Canada; and
- to enhance accountability for the use of public money.

Our functions

- providing litigants and their counsel with services relating to court hearings;
- informing litigants about rules of practice, court directives and procedures;
- maintaining court records;
- acting as liaison between the judiciary, the legal profession and lay litigants;
- processing documents filed by or issued to litigants;
- recording all proceedings;



- serving as the entity where individuals seeking enforcement of decisions made by the courts and federal administrative tribunals, such as the Canada Industrial Relations Board and the Canadian Human Rights Tribunal, may file pertinent documents;
- providing judges, prothonotaries and staff with library services, appropriate facilities and security; and
- providing support services to the judiciary.

Powers and functions of the Chief Administrator

- effective and efficient management and administration of all court services, including court facilities, libraries, corporate services and staffing;
- structuring registry operations and preparing budgets, in consultation with the chief justices of the four courts, for the requirements of those courts and the related needs of the Service.

Our Vision, Our Priorities

CAS' mission is one of excellence. We work daily towards the ultimate goal of offering a single point of service, in both official languages, while enhancing 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.

CAS' vision is to be recognized as a national and international model of excellence in the administration of justice. We also ensure that Canadians are able to have access, as quickly as possible, to an efficient, fair and precise process for dispute resolution in each of the courts that we serve.

The broad priorities for CAS for 2008-2009 are related to reviewing, harmonizing and modernizing the way we do business and continuing to develop a work environment that will meet our needs and those of our employees in the years to come.



Senior Executives

Chief Administrator:

R.P. Guenette

Deputy Chief Administrator,

Registry Services:

Murielle Brazeau

Deputy Chief Administrator,

Judicial Services:

Suzanne Labbé

Deputy Chief Administrator,

Corporate Services:

Francine Côté

Senior Legal Counsel:

David Power

The Courts we Support

Established in 2003 when the *Courts Administration Service Act* came into force, CAS has the mandate to provide efficient registry and administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

These four courts are superior courts of record. The courts were created by the Parliament of Canada pursuant to its authority under section 101 of the *Constitution Act*, 1867 to establish courts “for the better administration of the Laws of Canada.”

Federal Court of Appeal

The Federal Court of Appeal has jurisdiction to hear appeals of decisions of the Federal Court and the Tax Court of Canada and certain statutory appeals as stated in legislation. It also has exclusive jurisdiction to hear applications for judicial review of decisions of 17 federal boards, commissions and tribunals listed in section 28 of the *Federal Courts Act*. The Federal Court of Appeal is an additional court of law, equity and admiralty in and for Canada, for the better administration of the laws of Canada; it continues to be a superior court of record having civil jurisdiction. Parties to a proceeding in the Federal Court of Appeal may be granted leave, or permission to appeal the decision of the Federal Court of Appeal to the Supreme Court of Canada if the case involves a question of public importance. Pursuant to section 5(1) of the *Federal Courts Act*, the full judicial complement of the Federal Court of Appeal consists of the Chief Justice and twelve judges. For further information on the Federal Court of Appeal, please refer to www.fca-caf.gc.ca.

Federal Court

The Federal Court is a trial court. It has original, but not exclusive, jurisdiction over cases by and against the Crown (including Aboriginal law claims) and proceedings involving admiralty law and intellectual property law. It also has exclusive jurisdiction over national security proceedings and appeals under 110 federal statutes, as well as applications for judicial review of the decisions of all federal boards, commissions and tribunals other than those over which the Federal Court of Appeal has jurisdiction. This jurisdiction includes, in particular, applications for judicial review of decisions of the Immigration and Refugee Board. Pursuant to section 5.1(1) of the *Federal Courts Act*, the full judicial complement of the Federal Court consists of the Chief Justice and 32 other full-time judges. For further information on the Federal Court, please refer to www.fct-cf.gc.ca.

Court Martial Appeal Court of Canada

The main function of the Court Martial Appeal Court of Canada is to hear appeals from courts martial, which are military courts established under the *National Defence Act* and which hear cases under the *Code of Service Discipline* found in Parts III and VII of that Act. Judges of the Federal Court of Appeal and the Federal Court, as well as certain incumbent trial and appellate judges of the provincial superior courts, are members of this Court. For further information on the Court Martial Appeal Court of Canada, please refer to www.cmac-cacm.ca.



Tax Court of Canada

The Tax Court of Canada is a specialized court of law that decides matters involving taxpayers and the federal taxation authorities. The Court enables taxpayers and businesses to resolve disputes arising from such issues as payment of an income tax amount, goods and services tax rebates, and eligibility for employment insurance benefits and the Canada Pension Plan. There are two separate appeal procedures at the Tax Court of Canada: the general and the informal. Under the general procedure, formalities play an important role and many rules of procedure must be followed at all stages of the appeal process. The informal appeal procedure allows for simplified rules of procedure and more flexible evidence rules than under the general procedure. Pursuant to section 4.(1) of the *Tax Court of Canada Act*, The Tax Court of Canada shall consist of a chief justice, an associate chief justice and not more than twenty other judges. For further information on the Tax Court of Canada, please refer to www.tcc-cci.gc.ca.

The Judges

On March 31, 2009, the **Federal Court of Appeal** consisted of the Chief Justice, 9 judges and 5 supernumerary judges.

The **Federal Court** consisted of the Chief Justice, 27 judges, 1 supernumerary judge, 6 deputy judges and 6 prothonotaries.

The **Court Martial Appeal Court of Canada** consisted of the Chief Justice and 59 designated judges.

The **Tax Court of Canada** consisted of the Chief Justice, the Associate Chief Justice, 18 judges and 3 supernumerary judges.

CAS on the International Stage

Countries from around the world continue to show great interest in the CAS' unique model of court administration, its registry processes and the variety and quality of services provided to the judiciary and the public.

CAS continues to participate in the Canada-Ukraine Judicial Cooperation project, which is assisting Ukrainian judges and court staff improve the quality of justice and efficiency of operations within their courts of general jurisdiction, as well as their accessibility to the public and transparency of operations.

The Canada-China Judicial Linkages Project has now concluded, with CAS having welcomed Chinese judges for six-week internship visits on two separate occasions. These internships allowed them to visit the various courts and Registry offices across the country, gaining much knowledge and first-hand experience in administrative structure and processes, case management, and service to the public.

On a regular basis, the Service hosts visits from delegations of judges and court officials from jurisdictions from around the world, sharing its experiences and best practices in efficient and effective court administration.



Registry Services

Providing Registry Services

What we do

CAS provides Registry Services to the four federal courts listed in the previous section. The Registry Services Branch provides all operational and registry functions necessary for the smooth and efficient functioning of the courts, including the maintenance of court files and provision of services to the public.

Registry Services has offices and staff in Ottawa, as well as in regional offices in Vancouver, Calgary, Edmonton, Winnipeg, Toronto, Montréal, Québec City, Halifax and Fredericton. CAS has also negotiated Memoranda of Understanding with provinces and territories to assure basic registry functions for the Federal courts in St. John's (Newfoundland & Labrador), Charlottetown, Saint-John (New Brunswick), Regina, Saskatoon, Yellowknife, Whitehorse and Iqaluit.

Registry Services is primarily a service organization and, as such, must constantly seek to improve its business and processes to better serve its clients. In 2008-2009, Registry Services invested much time and energy on several service improvement initiatives.

Electronic Case Management System (CMS)

It is CAS' vision to ultimately maintain completely electronic files for all courts, and to support the establishment of state-of-the-art electronic courtrooms across the country. In an effort to achieve this vision in a gradual, strategic and coordinated manner, CAS continues with the development of a new electronic Case Management System (CMS).

The development of the new CMS is being conducted in different phases over a three-year period and is expected to be fully implemented in 2010-2011. Phase 1 of the project was released in May 2008 which brought users of the existing systems onto one single platform and allowed them to access the system through a common interface. This represents a significant improvement over the previous situation in which staff had to access two different existing legacy case management systems.

Implementation of Bill C-3 and Special Advocates

Bill C-3, an Act to amend *the Immigration and Refugee Protection Act* came into force on February 22, 2008. These amendments created the office of Special Advocate, whose role consists of protecting the interests of permanent residents or foreign nationals during *in camera* evidentiary hearings held in the context of the issuance of security certificates pursuant to that legislation. As a result of Bill C-3, CAS agreed, through a Memorandum of Understanding (MOU) with the Department of Justice, to provide certain forms of support to the Special Advocates in the context of their review of classified material on CAS premises.

A special team of Registry employees with Top Secret clearance was designated to provide administrative services and other support to Special Advocates in their review of classified court documentation and preparation for hearings. The implementation of Bill C-3 required Registry staff to respond quickly to the new requirements and notwithstanding the tight timelines, the quality of service remained excellent throughout the year.



As well, considerable progress was made on the development of Phase 2 of the project (Electronic Document Reception) with the assistance of front-line staff that helped with the design the functionalities, allowing the new system to receive, store and access court documents electronically. Most of the work on Phase 2 was completed in 2008-2009 and the functionalities “went live” in July 2009 – an essential first step towards the goal of complete electronic files for all four courts.

In 2008-2009, developmental work also began on the other 4 phases of the project which will continue through 2009-2010. The final 4 phases are expected to be completed in 2010-2011.

Finally, in order to help the organization improve the way it is managing the development of the Case Management System, an independent management review of the project was undertaken, which will result in recommendations to strengthen the governance and management of this key project and ensure that user requirements are met without delays.

Electronic Filing

Although e-filing via the Internet has been available for the Tax Court of Canada for many years, the situation for the Federal Court has been somewhat different. In 2008-2009 significant improvements were put in place to increase the volume of electronically filed documents in that Court. An essential first step was the purchase of a more powerful server to support an increase in the number of documents received electronically. In November 2008, the Federal Court issued a notice to the profession expanding electronic filing of documents to all types of proceedings. A working group was also established with the Canada Revenue Agency, which files thousands of documents each year with a view to increasing the number of documents it files electronically.

In early 2009, CAS initiated an objective evaluation of its e-filing approaches, with the intent of examining existing and alternative solutions. The recommendations that will flow from this review are expected to guide CAS with its plans to improve and significantly expand the use of e-filing.

Electronic Filing – On the Increase

The number of documents filed electronically by parties has increased significantly over the previous year, in large part due to the increase of documents e-filed by the Canada Revenue Agency and the Department of Justice. This is a very positive trend in view of CAS’ objective of digitally capturing incoming documents and ultimately maintaining complete electronic versions of court files.

	2007-08	2008-09	%Increase
Federal Court	5,739	11,102	93%
Tax Court of Canada	934	4,008	329%
Total	6,673	15,020	125%

In early 2009, CAS initiated an objective evaluation of its e-filing approaches, with the intent of examining existing and alternative solutions. The recommendations that flow from this review will serve to inform CAS’ plans to improve and significantly expand the use of e-filing by parties before the courts.

Document Scanning

Scanning allows CAS to digitize paper documents received as well as facilitating the duplication and transmission of documents between Registry offices. This has resulted in important time and cost savings and has improved service delivery. Additional multi-functional scanning and copying equipment was acquired and will be configured and distributed to offices across the country in 2009-2010.

Digital Audio Recording

Significant progress was made with the "Request for Information Process" for the acquisition of new digital recording equipment for use in our courtrooms. CAS determined the types of products available on the market, which assisted the drafting of the subsequent Request for Proposal in the fall 2008. Purchase of equipment was planned for June 2009, with configuration and training to follow. Judges and litigants will thereafter have access to digital audio recordings of court proceedings, starting in a pilot format, which will improve the efficiency of court processes and reduce costs related to the production of court transcripts.

Electronic Distribution of Judgments and Orders

Timely electronic transmission of courtesy copies of judgments and orders has been a practice of the Tax Court of Canada for some time, and in 2008 the Federal Court of Appeal and Federal Court began offering this service, which improves efficiency and provides a better service to litigants and stakeholders. Electronic versions are sent out as a courtesy prior to the paper versions being sent by mail.

Registry Offices in the National Capital Region

The Ottawa Registry offices for the Federal Court of Appeal, the Federal Court and the Court Martial Appeal Court had been housed at 90 Elgin Street while the judges' chambers and courtrooms were located at 90 Sparks street, a few blocks away.

This physical separation between judges, staff and court files created significant difficulties for Registry staff and judges alike. CAS has worked closely with Public Works and Government Services Canada to resolve this problem and the Thomas D'Arcy McGee Building was recently identified as the long term accommodation solution for CAS and the courts.

The move of the Registry to 90 Sparks, completed in January 2009 provided an opportunity to significantly improve the relationship between staff and the judiciary, as well as the quality of registry services. In addition, it provided an opportunity to establish a single counter for the public to access Registry Services for those three courts. It is expected that the majority of the remaining staff of CAS will relocate to 90 Sparks Street as space becomes available.



Reviewing Processes to Improve Service Delivery

CAS is committed to constantly reviewing the way business is done in Registry Services to improve the quality of the services delivered to the public and the judiciary.

A significant initiative was undertaken in 2008-2009 to review and document processes across offices and the various courts. Best practices were identified, and processes were streamlined and harmonized wherever possible. Key functions were identified and draft service standards established. Documenting all registry processes and compiling these in an easily accessible repository followed. The creation of this repository and other related measures are necessary to improve the quality and efficiency of the staff's operational training program. In 2009-2010, a review and analysis of this program will be undertaken.

Feedback on our Services

Registry Services developed an electronic survey for judges on the services provided to them which will allow for more structured capture of the satisfaction level of judges. The four Chief Justices were consulted on the content of the survey and it was conducted in June 2009. The results of the survey will be instrumental for the development of specific measures to address any issues of concern. A similar survey was developed for Registry staff to be used as a comparative self-assessment indicator vis à vis the results of the judges' survey. A survey of litigants before the Courts is anticipated by the end of 2009-2010.



Improving Access to our Services Through Better Outreach

Ensuring appropriate dissemination of information to the public is essential to improving access to the courts. Therefore, the content of the different information products was reviewed and updated throughout the year as was the information on the websites of CAS and the courts to ensure accuracy ease of understanding and access.

Self-represented litigants are an important category of clients for the courts. It is often challenging for self-represented litigants to access all the information they require to be able to manage and conduct their own court case with confidence, and to feel that they have full access to the courts. As such, Registry staff have worked diligently to increase the assistance provided to self-represented litigants by clarifying the information contained in the letters they receive from the Registry and directing them to the pertinent websites. Registry Services also worked closely with the judiciary with a view to making the information available to the public on the courts' websites more easily understandable and to navigate through. Computers were installed on public counters in offices in Ottawa, Toronto, Montreal and certain Western offices to facilitate public access to the courts' websites as well.

Judicial Services

The mandate of the Judicial Services Branch is to assist the Chief Administrator in providing the judges of the four courts with adequate support to ensure that they may properly execute their functions effectively and efficiently.

The Judicial Services Branch consists of several Divisions such as the Offices of the four Chief Justices, the Law Clerks Program, the Judicial Assistants Division, the Assessment Division, the Library Services Division and the Revision Services Division and the Translation Division.

Office of the Chief Justices

The Offices of Chief Justices play a key role in supporting the Courts and their administration. Their many functions include providing administrative and executive assistance to the Chief Justices, assistance in the scheduling of court hearings, coordinating the meetings of the Rules Committee and related committees, and legislative changes to the court rules, strategic planning and implementation of special Court projects, meetings and events, as well as liaison with stakeholders such as the Bar, the media and the public.

Law Clerks Program

The Law Clerks Program gives an opportunity to upcoming and recent graduates of law schools in Canada to apply for positions as Law Clerks to Judges, Deputy Judges and Prothonotaries of the Courts. Over 50 Law Clerks are employed every year by the CAS. Under the direction of the judiciary, Law Clerks prepare case summaries, research questions of law and prepare detailed memoranda on facts and legal issues.

Judicial Assistants

The Judicial Assistants Division offers office management and administrative services in support of the Judiciary.

Library Services

The Library Services Division provides a full range of professional law library services. It makes available a collection of legal and other work-related materials in electronic and paper formats to meet the immediate and long term published information needs of the judiciary and CAS. The services provided include reference service, training and orientation sessions, a new integrated catalogue of all library holdings (with access to over 12,000 serial and monograph records), an intranet site, and a media monitoring service. Research services are provided using the library collections, numerous online databases, and inter-library loans from around the world. Partnerships with other federal law libraries have been confirmed in 2008-2009, supplementing the in-house collection. The Library technical services sections offer centralized purchasing, cataloguing, binding, and processing for Ottawa and all local offices.

Revision Services

The Revision Services Division is made up of a team of four jurilinguists, who apply their linguistic skills and legal knowledge to the editing and revision of a variety of legal and administrative documents, including, most notably, draft judicial decisions and translations of judicial decisions. They provide as well linguistic and terminological advice and related services to judges and the CAS.

Identifying Issues

Judicial Services worked closely with the judiciary in 2008-2009 to identify irritants and issues which impact negatively on the ability of the judges to discharge their duties in a timely and efficient manner. Organizationally, it was decided to transfer the units responsible for translation, revision, distribution and posting of judgments from Corporate Services to Judicial Services to better manage this process. A comprehensive review of the posting of judgments and the subsequent translated versions was undertaken and issues identified. Streamlining the hiring process



for qualified judicial assistants to support the judges was a priority, and Judicial Services worked closely with Human Resources to identify solutions. The judiciary has generally been satisfied to date with the progress made in these key areas.

Several performance issues of note were identified by Judicial Services and have been or are being addressed. Some delays between issuance of decisions and their posting on the website were found to be related to internal communications processes; these have been largely dealt with. The causes of delays between the receipt of the translation of a decision and its posting on the website were identified; those that are within the control of CAS are being addressed, while in some cases judicial intervention is required. Finally, innovative and proactive means of addressing staffing delays for judicial assistant positions have been explored and implemented to reduce delays in hiring qualified personnel.



Corporate Services

The Deputy Chief Administrator, Corporate Services, is accountable to the Chief Administrator for providing overall corporate leadership and infrastructure in formulating, implementing and refining CAS' policies, guidelines, standards, systems, procedures and processes to integrate and deliver a variety of management and administrative programs and services in support of the operational programs, objectives, priorities and requirements of CAS and four federal Courts.

The Corporate Services Branch is composed of four specific areas of expertise:

- *Finance and Contracting*, which includes financial management, accounting operations, contracting and materiel management services;
- *Information Management and Information Technology*, which includes information management and records management, client services and infrastructure (including networks and telecommunications), and development and database services;
- *Human Resources*, which includes staffing, classification, labour relations, official languages, learning, diversity, employment equity and compensation services;
- *Administrative*, which includes facilities management, security, mail distribution, as well as chauffeur and court usher services.

Human Resources

The employees are at the heart of our organization and that is why CAS is proud of the new human resources plan it tabled this year and which is fully aligned with the Report on Plans and Priorities.

Through the active participation and training of managers in human resources-related activities, CAS is hoping to train managers who will be well informed in the areas of human resources planning, staffing and employees' career development. Moreover, CAS imposes compulsory training for sub-delegated managers. Managers received their staffing delegation in December 2008.

Our classification unit continues to review work descriptions and to encourage the use of generic descriptions to facilitate staffing duties. In addition, following the establishment of a diversity committee, CAS has adopted a new diversity plan that spans over three years. Although CAS records few gaps, managers are encouraged to participate in decreasing the gap within the federal Public Service.

New activities have also been implemented this year with a view to strengthening human resources services. These activities are the supervision of staffing practices and the implementation of performance measures. These two activities help CAS to ensure the integrity of the staffing process as well as the efficiency of its human resources services.

All these actions reinforce the message delivered by the Chief Human Resources Officer and the deputy ministers about the new responsibilities in human resources management.

Accountability and Modern Management

An objective set out in the *Courts Administration Service Act* is to “enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary”. CAS must ensure it maintains strong internal management practices and controls in order to meet its obligations and accountabilities to Parliament, central agencies and the public.

In 2008 2009, CAS underwent a review of its management practices to prepare for Round VI of the Management Accountability Framework (MAF) exercise. This review brought to light certain areas of management within the organization that require attention and action, and others which could be further strengthened.

As part of the management priorities outlined in this document, CAS will focus on:

- implementing formal risk management practices;
- strengthening and integrating its business and human resources planning; and
- implementing its comprehensive knowledge and people management strategy.



Administrative, Facilities and Security Services Division

The Administrative, Facilities and Security Services Division provides support services to judges, prothonotaries and CAS employees across Canada. The division is made up of three sections:

1. Administration Services Section

The Administrative Services Section is responsible for mail and messenger services as well as chauffeur and court usher services. This section ensures safe delivery of all mail and packages to the respective recipients and provides reliable transportation and court usher services to judges and prothonotaries within the National Capital Region and beyond.

2. Facilities and Capital Projects Section

The Facilities and Capital Projects Section provides safe, productive and cost-effective accommodation for approximately 650 employees across Canada. The section is responsible for the national accommodation programs, policies, strategies, systems, procedures and services.

3. Security Services Section

The Security Services Section is responsible for establishing and directing a security program that ensures co-ordination of all policy functions and implementation of policy requirements. These functions consist of:

General administration (departmental procedures, training and awareness, identification of assets, sharing of information and assets), access limitations, security screening, physical security, protection of employees, information technology security, security in emergency and increased threat situations, business continuity planning, security in contracting and incident investigations.

Key activities for the division over the next few years include producing a national security strategy and policy framework, developing and executing an accommodation strategy for the National Capital Region, conducting an operational review of mail and chauffeur services and performing table-top exercises for a business continuity program and Continuity of Constitutional Government.



Appendices

2

Financial Reports

CAS is entirely funded by parliamentary appropriations and was allocated 71.2 million dollars in 2008-2009. With actual expenditures of 68.1 million dollars, there was a surplus at year end of 3.1 million dollars, or approximately 4% of the total available funding. This funding will be carried forward to 2009-2010 to fund projects not completed in 2008-2009. It should be noted that one of the principal causes of the surplus is the continued difficulty in recruiting and retaining qualified staff, which is a problem which most government organizations currently face. The other significant item in the surplus is related to a 1 million dollar reprofiling of funds resulting from construction delays at the Thomas D'Arcy McGee building where the staff of CAS are being consolidated.

In addition to appropriations used to fund court operations, CAS also collects revenue through court filing fees, fines and sales of copies of filed documents, including judgments and orders. CAS cannot spend these revenues as they are deposited directly to the Consolidated Revenue Fund of Canada. In 2008-2009, these revenues amounted to 4.5 million dollars.

CAS continues to face certain ongoing financial pressures. At the request of the Chief Justice of the Federal Court, four new Prothonotary

positions were created for the Federal Court between 1999 and 2003. In addition, five new Deputy Judges have been appointed to the Federal Court since 2004. In December 2008, CAS obtained temporary funding for those positions and related support costs for the 2008-2009 fiscal year, however, this funding must be requested year after year even though the requirements are ongoing. CAS will continue to work closely with the Treasury Board Secretariat, Department of Finance, Privy Council Office, and other partners in view of finding a permanent funding solution for these issues.

It should also be noted that over the years, CAS has absorbed certain additional expenses which have added to the financial stress on the organization. CAS absorbed ongoing cuts pursuant to the Government's Procurement Review that was conducted five years ago, yet has not benefited from the expected savings. Forty-five percent of the operating expenditures of CAS relate to Commissionnaire services, translation, court reporting and library expenditures – for which no savings have been generated through procurement reform.

Further details of the financial performance of CAS are published in the Main Estimates tabled in Parliament and in CAS' annual Departmental Performance Report, available at: <http://www.tbs-sct.gc.ca/est-pre/estimate.asp>



How to Contact CAS

All of our regional offices across Canada are listed below. In order to provide you with better service as well as access points as close to your residence as possible, CAS has established partnerships with provincial and territorial courts to offer services for any requests concerning the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

Offices in the National Capital Region

Principal Office of CAS

434 Queen Street
Ottawa, Ontario
K1A 0H9

Telephone: 613-996-4778
Fax: 613-941-6197
www.cas-satj.gc.ca

Thomas D'Arcy McGee Building

90 Sparks Street
Ottawa, Ontario
K1A 0H9

Courtrooms and Registry Operations of the
Federal Court of Appeal, Federal Court
and Court Martial Appeal Court of Canada.

Telephone:

FCA/CMAC: 613-996-6795

FC: 613-992-4238

Fax:

FCA/CMAC: 613-952-7226

FC (Non-Immigration): 613-952-3653

FC (Immigration): 613-947-2141

TDD: 613-995-4640

Centennial Towers

200 Kent Street
Ottawa, Ontario
K1A 0M1

Registry and courtrooms of
the Tax Court of Canada

Telephone: 613-992-0901
or 1-800-927-5499
Fax: 613-957-9034
TTY: 613-943-0946

FCA: Federal Court of Appeal
FC: Federal Court

CMAC: Court Martial Appeal Court of Canada
TCC: Tax Court of Canada

Regional and Local Offices

Alberta

Calgary

635 Eighth Avenue S.W.

3rd Floor

T2P 3M3

Telephone:

FCA/CMAC 403-292-5555

FC: 403-292-5920

TCC: 403-292-5556

Fax: 403-292-5329

TTY: 403-292-5879

Edmonton

Scotia Place, Tower 1, Suite 530

P.O. Box 51

10060 Jasper Avenue T5J 3R8

Telephone:

FCA/CMAC 780-495-2502

FC: 780-495-4651

TCC: 780-495-2513

Fax: 780-495-4681

TTY: 780-495-2428

British Columbia

Vancouver

Pacific Centre

P.O. Box 10065

701 West Georgia Street

V7Y 1B6

Telephone:

FCA/CMAC : 604-666-2055

FC: 604-666-3232

TCC: 604-666-7987

Fax: 604-666-8181

TTY: 604-666-9228

Prince Edward Island

Charlottetown

Sir Henry Louis Davies Law Courts

P.O. Box 2000,

42 Water Street

C1A 8B9

Telephone: 902-368-0179

Fax: 902-368-0266



Manitoba**Winnipeg**

363 Broadway Street

4th floor

R3C 3N9

Telephone:

FCA/CMAC: 204-983-2232

FC: 204-983-2509

TCC: 204-983-1785

Fax: 204-983-7636

TTY: 204-984-4440

New-Brunswick**Fredericton**

82 Westmorland Street

Room 100

E3B 3L3

Telephone:

FCA/CMAC: 506-452-2036

FC: 506-452-3016

TCC: 506-452-2424

Fax: 506-452-3584

TTY: 506-452-3036

Saint John

110 Charlotte Street

Room 413

E2L 2J4

Telephone: 506-636-4990

Fax: 506-658-3070

Nova Scotia**Halifax**

1801 Hollis Street

Room 1720

B3J 3N4

Telephone:

FCA/CMAC: 902-426-5326

FC: 902-426-3282

TCC: 902-426-5372

Fax: 902-426-5514

TTY: 902-426-9776

Nunavut**Iqaluit**

Justice Building (Building #510)
P.O. Box 297
Iqaluit, Nunavut
X0A 0H0
Telephone: 867-975-6100
Fax: 867-975-6550

Ontario**London***

Registry of the FCA, FC, TCC
231 Dundas Street
3rd floor
N6A 1H1
Telephone: 519-645-4203 or
1 800-927-5499
Fax: 519-675-3391

* This facility is not a Registry point of service.
It is a courtroom facility used for sittings
in London only.

Toronto

Registry of the FCA, FC, CMAC, TCC
180 Queen Street
2nd floor
M5G 1R7
Telephone:
FCA/FC/CMAC: 416-973-3356
TCC: 416 973-9181 or 1-800-927-5499
Fax:
FCA/FC/CMAC: 416-973-2154
TCC: 416-973-5499
TTY:
FCA/FC/CMAC: 416 954-4245

Québec**Montréal**

Registry of the FCA, FC, CMAC
30 McGill Street
H2Y 3Z7
Telephone:
FCA/CMAC: 514-283-5200
FC: 514-283-4820
TCC: 514-283-9912 or 1 800 927-5499
Fax:
FCA/CMAC/FC 514-283-6004
TCC: 514-496-1996
TTY: 514-283-3017

Québec

Palais de Justice
Room 500A and 500E,
300 Jean Lesage Blvd.
G1K 8K6
Telephone:
FCA/CMAC: 418-648-4964
FC: 418-648-4820
TCC: 418-648-7324
Fax: 418-648-4051
TTY: 418-648-4644



Saskatchewan**Regina**

The Court House
2425 Victoria Avenue
S4P 3V7
Telephone: 306-780-5268
Fax: 306-787-7217

Saskatoon

The Court House
520 Spadina Crescent East
S7K 2H6
Telephone: 867-667-5441
Fax: 867-393-6212

Newfoundland & Labrador**St. John's**

The Court House
P.O. Box 937
Duckworth Street
A1C 5M3
Telephone: 709-772-2884
Fax: 709-772-6351

Northwest Territories**Yellowknife**

The Court House
P.O. Box 1320
4905 – 49th Street
X1A 2L9
Telephone: 867-873-2044
Fax: 867-873-0291

Yukon**Whitehorse**

Andrew A. Phillipsen Law Centre
2131 Second Avenue
Y1A 5H6
Telephone: 867-667-5441
Fax: 867-393-6212

The Courts in Statistics

Proceedings Instituted or Filed	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	697	616	695
Federal Court	31,259	30,428	30,355
General Proceedings and Immigration	7,447	7,460	8,286
Income Tax Act certificates	14,752	14,629	14,064
Goods and Services Tax certificates	8,647	7,848	7,614
Other instruments and certificates	413	491	391
Court Martial Appeal Court of Canada	16	10	8
Tax Court of Canada	4,485	4,395	5,197
Total	36,457	35,449	36,255

Court Judgments, Orders and Directions processed by the Registry	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	1,886	1,997	2,005
Federal Court	17,807	19,228	20,724
Court Martial Appeal Court of Canada	45	47	23
Tax Court of Canada	8,719	12,709	9,999
Total	28,457	33,981	32,751

Files prepared for hearing and heard in Court (does not include matters that were settled or discontinued prior to hearing)	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	402	389	419
Federal Court	4,559	4,529	4,675
Court Martial Appeal Court of Canada	10	5	3
Tax Court of Canada	1,194	1,290	1,215
Total	6,165	6,213	6,312



Days in Court	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	246	242	290
Federal Court	3,120	3,079	3,225
Court Martial Appeal Court of Canada	10	5	3
Tax Court of Canada*	2,100	2,159	2,218
Total	5,476	5,485	5,736

* For Tax Court of Canada "Days in Court" is defined as the number of court sitting days scheduled.

Recorded Entries	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	22,542	21,324	23,027
Federal Court	206,183	211,189	216,034
Court Martial Appeal Court of Canada	472	393	213
Tax Court of Canada	147,279	144,659	142,723
Total	376,476	377,565	381,997

Total Dispositions	FY 08/09	FY 07/08	FY 06/07
Federal Court of Appeal	603	685	581
Federal Court	7,013	7,469	8,424
General Proceedings and Immigration	7,013	7,469	8,424
Income Tax Act certificates	n/a	n/a	n/a
Goods and Services Tax certificates	n/a	n/a	n/a
Other instruments and certificates	n/a	n/a	n/a
Court Martial Appeal Court of Canada	15	8	4
Tax Court of Canada	4,384	4,410	5,140
Total	12,015	12,572	14,149

Active Proceedings as of March 31, 2009

Profile

Federal Court of Appeal	FY 08/09	FY 07/08	FY 06/07
Appeals from Federal Court (Final Judgment)	125	166	218
Appeals from Federal Court (Interlocutory Judgment)	41	36	38
Appeals from Tax Court of Canada	192	151	171
Applications for Judicial Review	141	128	137
Others	51	48	28
Total	550	529	592

Federal Court	FY 08/09	FY 07/08	FY 06/07
Aboriginal	247	244	244
Other appeals provided for by law	129	103	95
Admiralty	283	289	324
Intellectual property	697	697	667
Immigration	2,464	2,207	2,193
Crown	581	525	512
Judicial Review	680	686	738
Patented Medicines Regulations	82	95	89
Total	5,163	4,846	4,862

Court Martial Appeal Court of Canada	FY 08/09	FY 07/08	FY 06/07
Application for review of a direction	0		
Notice of Appeal	11		
Application for review of an undertaking	0		
Notice of motion commencing an appeal	0		
Total	11		

Tax Court of Canada	FY 08/09	FY 07/08	FY 06/07
Goods and Services Tax	936	974	1,002
Income Tax	6,005	5,652	5,507
Employment Insurance and Canada Pension Plan	613	760	915
Others	574	535	497
Total	8,128	7,921	7,921



Status

Federal Court of Appeal	FY 08/09	FY 07/08	FY 06/07
Not perfected	348	350	384
Perfected	35	48	83
Consolidated	65	34	20
Reserved	22	8	25
Scheduled for hearing	62	75	70
Stayed	18	14	10
Total	550	529	592

Federal Court	FY 08/09	FY 07/08	FY 06/07
Not perfected	3,596	3,224	2,999
Perfected	511	501	832
Consolidated	205	90	80
Reserved	117	106	79
Scheduled for hearing	399	476	426
Stayed	335	449	446
Total	5,163	4,846	4,862

Court Martial Appeal Court of Canada	FY 08/09	FY 07/08	FY 06/07
Not perfected	8		
Perfected	0		
Consolidated	0		
Reserved	3		
Scheduled for hearing	0		
Stayed	0		
Total	11		

Tax Court of Canada	FY 08/09	FY 07/08	FY 06/07
Not perfected	1,031	1,011	1,769
Perfected	3,128	2,831	2,425
Reserved	183	277	343
Awaiting timetable	257	179	157
Scheduled for hearing	723	989	793
Specially Managed Cases	1,407	1,458	1,119
Awaiting another decision	1,399	1,176	1,315
Total	8,128	7,921	7,921

Glossary

Legal Expressions

Definitions

Case management	Management of the Court's records.
Days in court	Each <i>per diem</i> court sitting where a registrar attends in person or by teleconference.
Directions of the court	Instructions by the Court, written or oral.
Interim order	An order that is not final.
Judgments and orders rendered	All decisions of the Court, including interim orders.
Matters heard	Appeals, trials, motions, judicial review applications, etc. that were heard by the respective court. This term includes, where applicable, dispute resolution conferences and pre-trial conferences.
Not perfected	When the parties have not yet done everything required of them, according to the rules or orders of the court, in order for the case to be ready to be scheduled for a hearing.
Order	Decision rendered by the Courts.
Perfected	When the parties have done everything required of them, according to the rules or orders of the court, in order for the case to be ready to be scheduled for a hearing.
Prothonotary	Prothonotary is a barrister appointed to assist in the efficient performance of the work of the court by exercising certain judicial powers, duties and functions as determined by the Rules.
Reasons	Detailed explanation by the Court for its decision.
Recorded entries	The number of individual records made in the respective case management automation systems that describe the various documents filed and received and events that have taken place.
Reserved	Decision that is not rendered immediately after a case has been heard or argued.
Stayed	When a case is placed "on hold". For example, where another related decision is to be made before the case can be continued.

