



Courts Administration
Service

Service administratif des
tribunaux judiciaires

2010-2011 Annual Report

Supporting

the Delivery of Justice for all Canadians



Canada

Message

from the Chief Administrator

It is my pleasure to present the 8th Annual Report for the Courts Administration Service (CAS) for the reporting period 1 April 2010 to 31 March 2011.

This fiscal year 2010-11 was marked by our continuous efforts to deliver quality services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada, as well as to the clients of the courts. With ever increasing demands on resources and faced with severe financial pressures, CAS continued to look for innovative ways to improve the efficiency of the operations of the courts. In this regard, the Annual Report outlines the organization's accomplishments and how we are moving forward with various initiatives and the modernization of our services.

This past year, the highlight of our achievements has been the important steps taken to improving information technology infrastructure. By upgrading ageing IT systems and applications, CAS is laying the proper foundation to allow the organization to keep on strengthening information security, improving client services and streamlining registry processes. Other important accomplishments, which I am committed to pursuing in the coming years, include the enhancement of security measures, the improvement of planning and accountability, and our ongoing quest to develop a dynamic, collaborative, inclusive and learning work environment, where employees can reach their full potential.

I invite you to read this report, as it offers further evidence of the organization's core expertise in providing registry, judicial and corporate services to the courts.

Finally, I would like to express my sincere thanks to the Chief Justices and members of the courts for their support. CAS reputation as a world-class courts administration is well-earned and I remain confident in the dedication, knowledge, and professionalism of our employees, as we continue supporting the delivery of justice for all Canadians.



Daniel Gosselin,
Chef Administrator

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Overview

The Courts Administration Service (CAS) was established on July 2, 2003 by the *Courts Administration Service Act*, S.C. 2002, c.8. The role of CAS is to provide registry, judicial and corporate services to the four federal superior courts of record, thereby helping to maintain the independence of these courts from the government. The four courts served by CAS are the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.

The services provided by CAS enable the courts to function and the judiciary to hear and resolve cases in a fair, expeditious and efficient manner. They assist individuals, organizations and the Government of Canada to submit disputes and other matters to the courts.

Our model for the administration of court services is unique internationally and continues to attract the attention of jurisdictions around the globe.

Our mandate

In carrying out its role, CAS is mandated by the Act to:

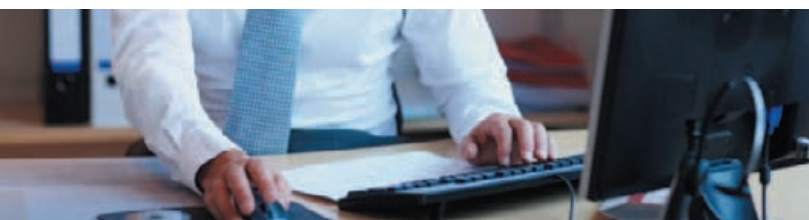
- Facilitate coordination and cooperation among the four courts for the purpose of ensuring the effective and efficient provision of administrative services;

- Enhance judicial independence by placing administrative services at arm's length from the Government of Canada and by affirming the roles of Chief Justices and judges in the management of the courts; and
- Enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary.

Our main functions

CAS serves the courts and Canadians by:

- Providing the judiciary, litigants and 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;
- Enabling 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, to file pertinent documents;



- Providing members of the courts and employees with library services, appropriate facilities and security; and
- Providing support services to the judiciary.

Judicial independence

Judicial independence is a cornerstone of our justice system. The impartiality of the judges and access to justice are fundamental to a free and democratic society. As such, Canada's system of government is centered on three separate, yet interdependent, branches: legislative, executive and judicial. Each branch enjoys a necessary degree of independence and autonomy from the other. The independence of the judiciary ensures that judges are free to make their decisions based solely on the law and facts without interference or improper influence from any source, whether from private interest, political pressure, or otherwise. Judicial independence has three components: security of tenure, financial security, and administrative independence.

While CAS reports to Parliament through the Minister of Justice, the organization plays a critical role by placing the courts at arm's length from the Government of Canada. This model helps CAS enhance the independence of the courts and build public confidence in our institutions.

The Role of the Chief Administrator

The Chief Administrator of CAS is the chief executive officer of the organization and is accountable to Parliament through the Minister of Justice.

Section 7(2) of the *Courts Administration Service Act* specifies that the Chief Administrator has all the powers necessary for:

- Providing effective and efficient management and administration of court services, including court facilities, libraries, corporate services and staffing; and
- 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 CAS.

Section 8 of the *Courts Administration Service Act* provides that the Chief Justices are responsible for the judicial functions of their courts; this includes the power to determine the sittings of the court, assign judges to sittings, determine the sitting schedules and places of sittings for judges and determine the total annual, monthly and weekly workload of judges. Moreover, officers, clerks and employees of CAS act at the direction of the respective Chief Justices in matters that are assigned by law to the judiciary.

The *Courts Administration Service Act* 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; 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.

This arrangement was designed to ensure the institutional independence of the four federal courts from the other branches of the government, the executive and the legislative, while providing appropriate accountability for the funding provided by Parliament for the operation of the courts.

Our Priorities

CAS pursued three broad priorities in 2010-11:

Improving Service by streamlining registry processes, improving operational training, updating service standards, addressing client needs, and investing in our technology infrastructure.

Investing in our People by providing better training and developmental opportunities while making the workplace healthier and more conducive to attracting and retaining qualified employees.

Strengthening Planning and Accountability by conducting important planning exercises in all areas and levels while implementing an integrated approach to risk management and strategic planning to meet the requirements of central agencies.

These priorities will continue to drive our efforts for the foreseeable future, though the strategies we adopt to fulfill them will need to evolve to meet new challenges and opportunities.

Our Values

Transparency
Respect
Innovation
Wellness
Excellence



Supporting

the Delivery of Justice for all Canadians

Our

Organizational

Structure

The Senior Management team at CAS is composed of the Chief Administrator and three Deputy Chief Administrators.

Chief Administrator

Daniel Gosselin

Corporate Policy and Strategy

Acting Director

Robert Monet

Judicial Services

Acting Deputy Chief Administrator

Murielle Brazeau

Provide direct support to the Justices through the efforts of judicial assistants, law clerks, jurilinguists, chauffeurs and court attendants, and library personnel. The services provided include research, documentation, revision, editing, and linguistic and terminological advice, the object of which is to assist the judges in preparing their judgments and reasons for judgment.

Registry Services

Deputy Chief Administrator

Murielle Brazeau

Process legal documents, provide information to litigants on court procedures, maintain court records and provide litigants and the judiciary with a variety of services relating to hearings. Registry services are offered in every province and territory through permanent offices in ten Canadian cities or through agreements with provincial and territorial partners.

Corporate Services

Deputy Chief Administrator

Francine Côté

Support corporate needs by managing activities and resources that apply across the organization. They consist of: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Security Services; Real Property Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services.



Serving the Courts

across Canada

The four courts served by CAS are itinerant and therefore require that services be provided at various locations across Canada to ensure access for parties. To achieve this, CAS has approximately 610 employees in permanent offices in the following ten cities: Halifax, Fredericton, Quebec, Montreal, Ottawa, Toronto, Winnipeg, Calgary, Edmonton, and Vancouver. In addition, CAS has a satellite office in London, Ontario and also ensures registry services and access to courtrooms through agreements with various provincial and territorial partners (Newfoundland and Labrador, Prince Edward Island, New Brunswick, Saskatchewan, Nunavut, the Northwest Territories and Yukon).

Where CAS does not have local offices, court accommodations are provided through arrangements with provincial courts, commercial leases or in a variety of other facilities throughout Canada.



Whitehorse
Yellowknife
Edmonton
Vancouver

Calgary
Saskatoon
Regina
Winnipeg





The Courts

We Support

Canada's system of courts is complex – like the society it serves. The basic role of courts in Canada is to help people resolve disputes fairly and with justice, whether the matter is between individuals or between individuals and the state. In the process, courts interpret and establish law, set standards, and raise questions that affect all aspects of Canadian society.

CAS was created by the *Courts Administration Services Act*, an act of Parliament, solely for the purpose of providing administrative and registry services to the following four independent superior courts.

The Federal Court of Appeal

The Federal Court of Appeal is a national court which regularly sits across Canada, provides its services in both of Canada's official languages and administers the two legal systems of the common law and the civil law (bijural court). The Federal Court of Appeal has jurisdiction to hear appeals of judgments and orders, whether final or interlocutory, of the Federal Court and the Tax Court of Canada. It may also review decisions of certain federal tribunals pursuant to section 27

of the *Federal Courts Act* and hear appeals under other acts of Parliament. Further information on the Federal Court of Appeal can be found at www.fca-caf.gc.ca.

The Federal Court

The Federal Court is Canada's national, bilingual and bijural trial court which hears and decides legal disputes arising in the federal domain. It is the successor to the Exchequer Court of Canada established in 1875. The jurisdiction of the Federal Court derives primarily from the *Federal Courts Act*, though over 100 other federal statutes also confer jurisdiction on the Court. The Federal Court has original, but not exclusive, jurisdiction over proceedings by and against the Crown (including Aboriginal law claims), and proceedings involving admiralty law and intellectual property law. It has exclusive jurisdiction to hear certain national security proceedings as well as applications for judicial review of the decisions of most federal boards, commissions and tribunals. This includes applications for judicial review of decisions of the Immigration and Refugee Board. Further information on the Federal Court can be found at www.fct-cf.gc.ca.



Court Martial Appeal Court of Canada

Courts martial are military courts established under the *National Defence Act* which hear cases under the *Code of Service Discipline*. The Court Martial Appeal Court of Canada hears appeals of decisions rendered by the courts martial. Further information on the Court Martial Appeal Court of Canada can be found at www.cmac-cacm.ca.

The Tax Court of Canada

The Tax Court of Canada is a superior court of record which has exclusive original jurisdiction to hear appeals and references under fourteen acts of Parliament. Most of the appeals filed with the Court are on matters arising under the *Income Tax Act*, Part IX of the *Excise Tax Act* (GST), Part IV of the *Employment Insurance Act* and Part I of the Canada Pension Plan. Further information on the Tax Court of Canada can be found at www.tcc-cci.gc.ca.



Accomplishments

In 2010-11, CAS continued to pursue its priority of improving service to the courts, including the judiciary and court users. Central to the organization's efforts was the ongoing provision of quality registry, judicial and corporate services.

A key deliverable in this period was the strengthening of the information technology infrastructure. This allowed CAS to address key risk areas while providing a solid platform for future technology enabled service improvement initiatives.

On the human resource front, our attention was focused on investing in our employees to continue building capabilities and skills required for delivering high quality services to the courts.

We strengthened our capacity for planning and accountability while developing an integrated risk management framework and corporate risk profile. We also continued to help other countries improve their courts administration and bring back valuable lessons from their practices.

Notwithstanding increasingly rigorous restraints on our resources, CAS managed these accomplishments by focusing activities on selected priority issues that addressed critical risk areas. There were, however, important areas in which we were forced to scale back our efforts.

1

To meet the evolving needs of the courts and continue to improve services provided, CAS focused on the following three key areas:

- Enhancing security for all parties involved with the courts;
- Strengthening the information technology infrastructure; and
- Streamlining business processes.

Enhanced Security

Due to the nature of their work, members of the courts and CAS employees may be exposed to incidents of threat and intimidation, while those visiting the courts could also be at risk. In this regard, minimizing any security gaps is a top priority that must be addressed on an ongoing basis to protect people, assets and services.

To ensure the safety and security of the courts and all associated with them, CAS introduced a National Security Strategy, and launched a review to identify security gaps and assess the efficiency of existing controls, procedures and equipment for prevention, detection, response and recovery.



As security issues were identified, many remedial actions were planned or implemented to improve the physical security of members of the courts and all other parties appearing in court or visiting registry counters. These included the implementation of new access card systems in certain offices, the delivery of training sessions to new employees and various improvements to facilities.

Stronger Information Technology Infrastructure

The efficient operation of the judiciary and the entire courts system is increasingly dependent on the reliable and secure functioning of the information infrastructure for which CAS is responsible. During the reporting period, CAS launched a two-year plan to upgrade ageing IT equipment and strengthen information security. This plan will allow the organization to meet future demands on networks and systems. This will also ensure the alignment of CAS IT services and programs with the Government of Canada and Judicial IT security framework and standards.

Important progress was made during 2010-11 in strengthening the IT infrastructure to address some of the most critical risks to court operations. While resources for the initial phase of the work could only be found by delaying other high priority projects, funding to complete the plan was subsequently obtained.

When completed, CAS will have a more robust, secure and safe IT systems. This will allow the organization to properly support the implementation and development of key technology-enabled service initiatives such as the Court Records Management System (CRMS), digital audio recording, electronic filing of court documents, and various surveys to assist with performance measurement. As well, the strengthening of CAS' information infrastructure will make an essential contribution to the eventual introduction of electronically-enabled courtrooms.

During this period, CAS also resumed the project to provide digital audio recording capabilities for the Federal Court and the Tax Court of Canada. Software was tested to assess its functionality against user requirements and results were very positive, laying the groundwork for moving ahead to implementation.

Streamlined Registry Processes

In order to improve the efficiency of its support for the courts, CAS had in previous years commenced a comprehensive effort to review, streamline and document registry processes applicable to the different courts. The aim is to enhance efficiency and provide similar levels of client service in the various Registry offices by ensuring that standardized processes and procedures are followed. This will enable consistent employee training and facilitate knowledge transfer.

Major headway was made on this work in 2010-11. All the processes applicable for the Registry of the Tax Court of Canada have been completed and are being used to assist in training of employees. The work is continuing to finalize processes and sub-processes applicable to the Federal Court of Appeal, the Federal Court and the Court Martial Appeal Court of Canada.

2

Improving Service to Court Clients

The clients of the courts include litigants, the legal profession and the public. Steps taken in 2010-11 to improve service to clients included increased use of electronic and on-line services, streamlined client flows, and a more efficient and secure public access counter.

Improving Client Service

As a result of an amendment to “Rule 395 of the Federal Courts Rules”, CAS is now allowed to electronically transmit court decisions to litigants and the legal profession. This new process improves client service, is more cost effective and efficient, and represents another step towards complete electronic management of court documents. While these changes took place, the Judicial Services Branch of CAS continued to ensure that the parties, the legal profession and the public had electronic access to Media Bulletins and Decision Bulletins through the website of the courts. The Judicial Services Branch also provided media contact support for questions about the courts and their decisions.

Reducing Client Wait Times

In order to reduce wait times, improve client satisfaction and help employees deliver the best possible service, the Registry Office in Toronto implemented a new client flow management system. This advanced queuing system resulted in better flow of clients at the counter and improved provision of priority services, while significantly reducing the need for overtime by enabling employees to service most clients within regular business hours.



Better Public Access

In February 2011, CAS completed the relocation of the Ottawa public counter serving the Federal Court of Appeal, the Federal Court and the Court Martial Appeal Court of Canada. The new location is more functional, visible, accessible and secure.

3

Improving Service to the Judiciary

During 2010-11, CAS continued to improve the effectiveness and efficiency of the support services provided to the members of the four courts.

Supporting the Judiciary

Judicial assistants provide members of the courts with direct office management, and administrative services support. In 2010-11 the processes, practices, tools and training for the judicial assistants were reviewed and updated. This led to improvements in the quality and consistency of the services provided. Furthermore, to minimize the amount of time positions remained vacant and to expedite the hiring of judicial assistants, a pool of pre-qualified candidates was created.

Modernizing Library Services

On a daily basis, members of the courts and their support staff rely on legal research facilities to assist them with the court decision process. Increasingly, judges and staff are making use of electronic collections and research tools. Accordingly, CAS began assessing online research services versus more traditional approaches. This review, which is being conducted with input from the Judges' Library Committee, is expected to result in a significant reduction in the number of hard-copy subscriptions, thereby allowing CAS to free up resources and improve the quality and range of electronic services.

In addition, upgrades to the integrated library management system continued, thus improving access and record-keeping for the library collections. Negotiations proceeded with other library services for additional reciprocal arrangements; new agreements and contracts with external providers were being developed; and new retention and disposal procedures were implemented.

4

Investing in our People

Like many other organizations, CAS must continuously attract, develop and retain the right people to ensure it can deliver on its priorities and improve services. To achieve this, CAS continued developing and implementing its integrated human resources plan.

Improving the Work Environment

As soon as the results from the 2008 Public Service Employee Survey (PSES) became available, CAS has been developing an Action Plan aimed at creating a people-oriented environment focused on leadership, communication, learning and ethics.

One key objective was to strengthen the leadership and management skills. To this end tools and training materials were developed, learning circle events on various HR topics were organized, and a community of practice for managers was created.

Other initiatives undertaken as part of the PSES Action Plan included development and promotion of an “Alternative Work Arrangements Guide” and activities to promote “Wellness at Work.”

For new employees, an on-boarding program was developed and implemented. To facilitate dialogue between employees and senior management, a new mechanism to collect employee feedback was implemented on the CAS intranet site. To ensure that employees work in a safe and healthy environment, CAS created new union-management committees focused on workplace safety and security, and introduced a mandatory course for all employees.

Several other measures were undertaken to attract and retain employees. Managers were encouraged to discuss acting assignments as part of the development of personal learning plans and during performance reviews. “Expressions of Interest” were used more frequently to solicit employees for developmental acting opportunities. To help employees take advantage of these acting opportunities, “Interview Preparation Workshops” were offered. Informal mentoring and coaching is ongoing throughout the organization.

CAS also enhanced the Performance Management Program (PMP) by developing new tools and clearly communicating them to employees through a revised intranet module. Improvements were made to the PMP by including SMART performance measures, behavioural competencies



for employees and key leadership competencies for managers. A Personal Learning Plan (PLP) database was also built to facilitate the analysis of the organization's learning needs and to establish priorities.

To promote wellness at work, new activities focusing on mental, physical and financial health benefits were organized for all employees.

To emphasize the importance of Values and Ethics in the organization, CAS developed a multi-year plan, implemented mandatory training for managers, and created a new web page on the topic. The organization also signed a memorandum of understanding with Foreign Affairs and International Trade Canada to provide informal conflict resolution assistance to CAS employees.

To promote a workplace free of discrimination, CAS launched a National Day for the Prevention of Harassment and Discrimination, as well as a Linguistic Duality Day.

Opportunities for Law Graduates

The Law Clerk Program provides an opportunity for upcoming and recent graduates of law schools in Canada to apply for positions as law clerks to judges. Thus, it serves the needs of both the judiciary and the legal profession.

Under the direction of members of the judiciary, who may act as principals for articling purposes, law clerks prepare case summaries, research questions of law and prepare detailed memoranda on facts and legal issues.

More than fifty law clerks are employed annually by CAS, generally for a one-year period to meet their articling requirements. In 2010-11, twelve Law Clerks were hired by the Federal Court of Appeal, thirty-one by the Federal Court and twelve by the Tax Court of Canada.

5

In recent years, CAS has placed emphasis on strengthening its planning and management capability. The goal is to meet management challenges while at the same time, improving accountability for increasingly constrained resources.

Integrated Planning

During 2010-11, CAS improved the integration of business planning, risk management, resource allocation and budget management. The aim is to develop a systematic approach when defining corporate priorities, identifying risks and allocating financial, human and other resources. CAS is seeking to optimize alignment of its scarce resources to meet the short and long term needs of the courts while improving accountability for both results and resources.

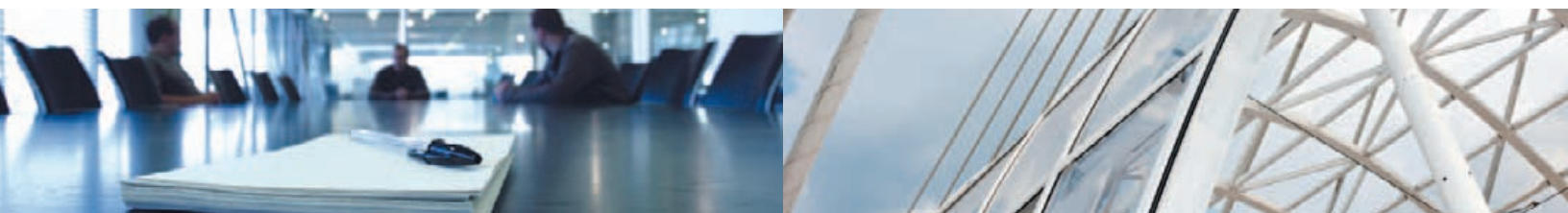
To achieve this, and to better support the decision making process, consultation with the Chief Justices of the courts was increased and reporting to the CAS Executive Committee was improved.

Risk Management

As part of the effort, CAS also developed an Integrated Risk Management Framework and Corporate Risk Profile. Managers were encouraged to develop perspectives on risk within their own particular environments. Decisions regarding priorities, activities and allocation of resources are now directly informed by this new approach to managing risk.

Project and Change Management

Important progress was made by CAS on the development of project management and change management frameworks. The organization's capacity in these areas was strengthened through the hiring of specialized resources and the training of existing staff.



Departmental Audit

During the reporting period, CAS moved ahead with the creation of a Departmental Audit Committee. One external member was appointed and a second was identified for appointment in 2011-12. The organization also began working with the Office of the Comptroller General to explore innovative models for the establishment of a cost-effective internal audit function.

6

The model of court support represented by CAS has received wide international recognition as an efficient way to provide administrative support while protecting the institutional independence of the courts. Accordingly, CAS has long pursued initiatives with the legal systems of a number of other countries to help them understand and benefit from its approach.

During 2010-11, CAS collaborated with the Office of the Commissioner for Federal Judicial Affairs and the National Judicial Institute, in sending two employees to Kingston, Jamaica to work on a project entitled “JUSTICE” (Judicial Systems Improvement for Commerce and Economy). The goal of this project is to develop the skills of judges and court personnel and strengthen the judicial system in Jamaica, Ghana and Peru.

CAS also helped to launch a Canada-Ukraine Judicial Co-operation Project. The objective is to improve the Ukrainian justice system and its administration.

in Statistics¹

The following statistics provide an idea of the magnitude of Registry Services work for the four federal courts in 2010-11:

- 36,067 proceedings were instituted or filed with the four courts.
- 34,525 court judgements, Orders and Directions were processed.
- 5,770 files were prepared for hearings and heard in Court (does not include matters settled or discontinued prior to hearings).
- 5,750 days in Court.
- 417,570 recorded entries.

Proceedings Instituted or Filed	10-11	09-10	08-09
Federal Court of Appeal	527	542	697
Federal Court	31,313	33,866	31,259
General Proceedings and Immigration	9,766	8,692	7,447
Income Tax Act certificates	12,333	15,630	14,752
Excise Tax Act certificates	8,147	9,077	8,647
Other instruments and certificates	540	467	413
Court Martial Appeal Court of Canada	5	10	16
Tax Court of Canada	4,222	4,444	4,485
Total	36,067	38,862	36,457

¹ See the Glossary for definitions of legal expressions.

Court Judgments, Orders and Directions processed by the Registry	10–11	09–10	08–09
Federal Court of Appeal	1,674	1,727	1,886
Federal Court	21,025	19,866	17,807
Court Martial Appeal Court of Canada	33	54	45
Tax Court of Canada	11,793	10,333	8,719
Total	34,525	31,980	28,457
<i>Files prepared for hearing and heard in court (does not include matters that were settled or discontinued prior to hearing)</i>	<i>10–11</i>	<i>09–10</i>	<i>08–09</i>
Federal Court of Appeal	370	356	402
Federal Court	4,215	4,407	4,559
Court Martial Appeal Court of Canada	3	10	10
Tax Court of Canada	1,182	1,175	1,194
Total	5,770	5,948	6,165
Days in Court	10–11	09–10	08–09
Federal Court of Appeal	246	215	246
Federal Court	2,996	3,019	3,120
Court Martial Appeal Court of Canada	2	10	10
Tax Court of Canada*	2,506	2,066	2,100
Total	5,750	5,310	5,476

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

Recorded Entries

	10–11	09–10	08–09
Federal Court of Appeal	20,632	20,506	22,542
Federal Court	238,525	233,038	206,183
Court Martial Appeal Court of Canada	311	534	472
Tax Court of Canada	158,102	145,614	147,279
Total	417,570	399,692	376,476

Total Dispositions

	10–11	09–10	08–09
Federal Court of Appeal	565	629	603
Federal Court	9,362	8,821	7,013
General Proceedings and Immigration	9,362	8,821	7,013
Income Tax Act certificates	n/a	n/a	n/a
Excise Tax Act certificates	n/a	n/a	n/a
Other instruments and certificates	n/a	n/a	n/a
Court Martial Appeal Court of Canada	10	10	15
Tax Court of Canada	4,998	4,373	4,384
Total	14,935	13,833	12,015



Active Proceedings as of March 31, 2011

Federal Court of Appeal

	10-11	09-10	08-09
Appeals from Federal Court (Final Judgment)	131	164	125
Appeals from Federal Court (Interlocutory Judgment)	35	35	41
Appeals from Tax Court of Canada	145	118	192
Applications for Judicial Review	75	102	141
Others	17	28	51
Total	403	447	550

Federal Court

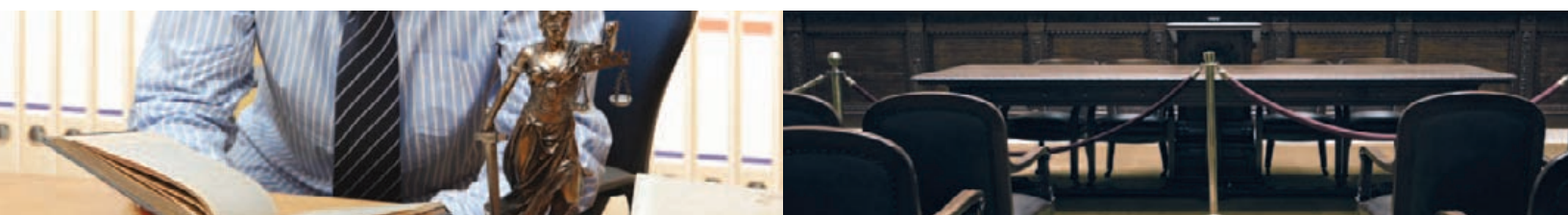
	10-11	09-10	08-09
Aboriginal	210	224	247
Other appeals provided for by law	120	109	129
Admiralty	270	284	283
Intellectual property	626	677	697
Immigration	2,895	2,565	2,464
Crown	315	305	581
Judicial Review	702	668	680
Patented Medicines Regulations	71	70	82
Total	5,209	4,902	5,163

Court Martial Appeal Court of Canada

	10-11	09-10	08-09
Application for review of a direction	0	0	0
Notice of Appeal	4	11	11
Application for review of an undertaking	0	0	0
Notice of motion commencing an appeal	0	0	0
Total	4	11	11

Tax Court of Canada

	10-11	09-10	08-09
Goods and Services Tax	1,145	1,014	936
Income Tax	5,616	6,152	6,005
Employment Insurance and Canada Pension Plan	291	593	613
Others	167	277	574
Total	7,219	8,036	8,128



Status

Federal Court of Appeal

	10-11	09-10	08-09
Not perfected	258	294	348
Perfected	37	39	35
Consolidated	22	14	65
Reserved	18	15	22
Scheduled for hearing	46	72	62
Stayed	22	13	18
Total	403	447	550

Federal Court

	10-11	09-10	08-09
Not perfected	3,511	3,303	3,596
Perfected	570	696	511
Consolidated	61	30	205
Reserved	144	127	117
Scheduled for hearing	481	422	399
Stayed	442	324	335
Total	5,209	4,902	5,163

Court Martial Appeal Court of Canada

	10-11	09-10	08-09
Not perfected	1	5	8
Perfected	1	0	0
Consolidated	0	0	0
Reserved	0	5	3
Scheduled for hearing	2	1	0
Stayed	0	0	0
Total	4	11	11

Tax Court of Canada

	10-11	09-10	08-09
Not perfected	789	815	1,031
Perfected	2,355	2,772	3,128
Reserved	149	160	183
Awaiting timetable	107	212	257
Scheduled for hearing	764	904	723
Specially Managed Cases	1,724	1,811	1,407
Awaiting another decision	1,331	1,362	1,399
Total	7,219	8,036	8,128



Supporting

the Delivery of Justice for all Canadians

Financial

Highlights

Condensed Statement of Financial Position

As at March 31, 2011 (in thousands of dollars)

	% Change	2010-11	2009-10
Total assets	(18%)	13,753	16,872
Total liabilities	(10%)	19,697	21,932
Equity of Canada	(17%)	(5,944)	(5,060)
Total	(18%)	13,753	16,872

Condensed Statement of Operations

For the year ended March 31, 2011 (in thousands of dollars)

	% Change	2010-11	2009-10
Total expenses	1%	92,927	91,723
Total revenues	(42%)	7,977	13,753
Net cost of operations	9%	84,950	77,970

Complete Financial Statements are available on-line at: http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/CAS/DPR-RMR_eng/DPR-RMR-2010-2011-detail_eng

Statement of Financial Position

Assets: CAS' total assets as at March 31, 2011 reached \$13,753 thousand, down from \$16,872 thousand the year before. The largest component is the amount Due from the Consolidated Revenue Fund, which represents 56% of the total (\$7,640 thousand). This decrease is primarily due to a reduction in accounts payable and accrued liabilities as at March 31, 2011 relative to March 31, 2010, as well as a decrease



in the amounts held on deposit, in CAS' Specified Purpose Accounts as at March 31, 2011 compared with the same time period in 2010. Tangible Capital Assets, the second largest category, represents 33% of the total (\$4,519 thousand) and remained almost unchanged in 2011 relative to 2010.

Tangible capital assets are largely composed of Leasehold improvements and Computer hardware and software. Combined, they account for 75% of the cost (85% of the net book value) of tangible capital investments. In 2010-11, the amount of annual amortization, transfers, adjustments, disposals, and write-offs was greater than tangible capital asset acquisitions. Consequently there was a decline in the total net book value of tangible capital assets over the past year.

Liabilities: CAS' total liabilities as at March 31, 2011 were \$19,697 thousand, down from \$21,932 thousand the year before. This decreased liability of \$2,235 thousand is principally the net result of five factors:

- Decrease of \$1,814 thousand in accounts payable, especially to other government departments, notably PWGSC.
- Increase of \$220 thousand in CAS accrued liabilities, that is salaries earned but not paid at year-end; this mainly reflected the ending of the fiscal year on March 30.

- Decrease of \$63 thousand in vacation pay and compensatory leave liabilities.
- Increase of \$856 thousand in the allowance for future severance benefits, resulting in large part from a Treasury Board increase in the departmental contribution rate.
- Decrease of \$1,434 thousand in deposit accounts maintained on behalf of litigants. Since members of the courts determine the payments in and out of the courts, depending on the case, these deposits may vary significantly from year to year.

Equity of Canada: CAS' Equity of Canada is currently negative. As at March 31, 2011 the amount was (\$5,944) thousand, compared to (\$5,060) thousand as at March 31, 2010. This situation reflects obligations recognized as liabilities, for instance employee future benefits that will be paid out of future appropriations.

Statement of Operations

Expenses: CAS incurred total expenses of \$92,927 thousand in 2010-11, an increase of 1% from \$91,723 thousand in 2009-10, mainly due to a \$2,003 thousand increase in 2010-11 collective bargaining agreement costs. This was partly offset by decreases in many other expense items as a result of budget restrictions.

Revenues: CAS' revenues were \$7,977 thousand in 2010-11, a decline of 42% compared to \$13,753 thousand in 2009-10. Revenues dropped by \$5,776 thousand in 2010-11 mainly due to a reduction of fines. Since such fines are determined by the courts on a case-by-case basis, related revenues vary significantly from year-to-year.

CAS' revenues consist primarily of fines, filing fees, and sales of copies of filed documentation, including copies of judgments and orders, collected pursuant to the legislation and Rules governing the courts. In addition, at the end of each fiscal year, CAS charges Human Resources and Skills Development Canada (HRSDC) for the costs associated with the administration of Employment Insurance (EI) cases in the courts. Such revenues are non-respendable and are therefore not a source of funds for CAS operations.

Risks and Uncertainties

Close to 80% of CAS' non-salary operating expenses are contracted costs for primarily non-discretionary services supporting the judicial process and court hearings. They are mostly driven by the number and type of hearings conducted in

any given year. A risk management strategy is in place to monitor these costs and manage their fluctuation and related impacts on other key areas.

Like many other federal government organizations, CAS faces serious budget constraints. Several factors have contributed to the current situation. Principal among these is the requirement for CAS to support additional judicial appointments without having a source of permanent funding. This long standing situation resulted in the diversion of resources from other key priorities and areas of risk, and created important program integrity issues.

Federal Budget 2010 announced cost containment measures that froze appropriations at their 2010-11 levels for the years 2011-12 and 2012-13. Consequently, CAS, like all departments, has been required to absorb the negotiated salary increases of its employees.

Federal Budget 2011 confirmed ongoing program integrity funding for CAS rising to an amount of \$3,000 thousand per year in 2016-17 to address pressures affecting the delivery of the CAS mandate.

Further financial details are provided in the "Financial Statement Discussion and Analysis" available on-line at: http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/CAS/DPR-RMR_eng/fsda-caef-2010-2011_eng



Supporting

the Delivery of Justice for all Canadians

How to Contact

CAS

Offices in the National Capital Region

Thomas D'Arcy McGee Building 90 Sparks Street Ottawa, Ontario K1A 0H9	Centennial Towers 200 Kent Street Ottawa, Ontario K1A 0M1
Courtrooms and Registry Operations of the Federal Court of Appeal, Federal Court and Court Martial Appeal Court of Canada.	Registry and courtrooms of the Tax Court of Canada
Telephone: FCA/CMAC: 613-996-6795 FC: 613-992-4238	Telephone: 613-992-0901 or 1-800-927-5499
Fax: FCA/CMAC: 613-952-7226 FC (Non-Immigration): 613-952-3653 FC (Immigration): 613-947-2141 TDD: 613-995-4640	Fax: 613-957-9034 TTY: 613-943-0946

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



Manitoba

Winnipeg

363 Broadway
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

Newfoundland and Labrador

St. John's

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

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

Northwest Territories

Yellowknife

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

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

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

Ontario

London *

231 Dundas Street
3rd floor
N6A 1H1
Telephone: 519-645-4203
or 1 800-927-5499
Fax: 519-675-3391
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London only.

Toronto

180 Queen Street
2nd floor
M5V 3L6
Telephone:
FCA/FC/CMAC:
416-952-8006 /
416-973-3356 /
416-954-9823
TCC: 416 973-9181 or
1-800-927-5499
Fax:
FCA/FC/CMAC:
416-954-5068
TCC: 416-973-5944
TTY:
FCA/FC/CMAC:
416 954-4245

Quebec

Montréal

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,
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: 306-975-4509 Fax: 306-957-4818

Yukon
Whitehorse Andrew A. Phillipsen Law Centre PO Box 2703 2134 Second Avenue Y1A 5H6 Telephone: 867-667-5441 Fax: 867-393-6212

Appendix:

Glossary

Consolidated	When different proceedings that have the same parties or have certain elements in common are heard together.
Days in Court	Each court sitting day where a registrar attends in person or by teleconference.
Deputy Judges	Any judge or former judge of a superior, county or district court in Canada may, at the request of the Chief Justice made with the approval of the Governor in Council, act as a judge of the Court.
Directions of the Court	Instructions by the Court, written or oral.
Dispositions	Proceedings concluded by way of judgment, discontinuance or other documents.
Files prepared for hearing and heard in Court	Number of appeals, trials, judicial reviews, motions, teleconferences & meetings heard by the Court.
Judgments	Decisions of the Court.
Recorded entries	The number of individual records made in the respective proceeding management systems that describe the various documents filed and received and events that have taken place.
Reserved	Decision that is not rendered immediately after a proceeding has been heard or argued.
Scheduled for hearing	Proceedings in which a hearing on the merits has been scheduled.
Specially Managed proceeding	Proceedings that have been removed from the normal time limits set out in the Court's rules and given its own timelines.
Stayed	When a proceeding is placed "on hold". For example, where another related decision is to be made before the case can be continued.
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 proceeding to be ready to be scheduled for a hearing.
Order	Decisions of the Court.



Perfected	When the parties have done everything required of them, according to the rules or orders of the court, in order for the proceeding to be ready to be scheduled for a hearing.
Proceedings	A matter or cause before the Court which includes appeals, actions, applications, applications for leave & judicial review and where provided for by federal statutes, administrative proceedings such as the ones instituted by the filing of certificates, decisions or orders of federal boards, commissions or other tribunals in the registry of the Federal Courts for the purpose of enforcement.
Prothonotaries	They are appointed under the <i>Federal Courts Act</i> (s. 12). They are full judicial officers and exercise many of the powers and functions of Federal Court judges. Their authority includes mediation, case management, practice motions (including those that may result in a final disposition of the case, regardless of the amount in issue), as well as trials of actions in which up to \$50,000 is claimed (see Rules 50, 382, and 383 to 387 of the <i>Federal Courts Rules</i>).
Supernumerary judges	A judge of the Federal Court who has: continued in judicial office for at least 15 years and whose combined age and number of years in judicial office is not less than 80; or attained the age of 70 years and has continued in judicial office for at least 10 years may upon notice to the Minister of Justice elect to give up regular judicial duties and hold the office of supernumerary judge. The judge must then be available to perform such special judicial duties as may be assigned by the Chief Justice.