



Supreme Court of Canada

2004-2005 Estimates

A Report on Plans and Priorities

Approved

**The Honourable I. Cotler
Minister of Justice and
Attorney General of Canada**

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I: Registrar's Message and Management Representation Statement

The plans and priorities of the Office of the Registrar of the Supreme Court of Canada directly support the institution's mandate, which is to provide a "general court of appeal" for Canada. Through its decisions, the Court settles disputes submitted to it by the parties, and in the process leads the development of the nation's jurisprudence, which affects all Canadians. A strong and independent judiciary is crucial in maintaining a strong democracy predicated on the rule of law.

The Office of the Registrar must therefore promote the independence of the Court within the framework of sound public management. It must take the necessary steps to enhance access to the Court for litigants and Canadian citizens, using traditional methods and appropriate technologies. It is committed to providing the services required by all those who come before the Court or who want information about it. Given that Canadians are very interested by this key institution, the Office of the Registrar must respond to their need to understand the workings of the Court and the role it is called on to play in an era of rapid change and internationalization of issues.

The administration of the Court is committed to serving the Canadian public by meeting the challenges posed by the Court's heavy workload, emerging technologies and information management. Accommodation issues will still be a concern during the coming year, in particular with regard to the improvements required for physical access to the building and for the technology in the Courtroom.

To achieve its goals, the Court administration is fortunate to be able to rely on the dedication and expertise of its staff. Employees of the Court personify the values fostered by the Public Service, the democratic, professional, ethical and people values. To support this asset, the Court administration is committed to formalizing learning plans to enhance the staff competencies and better serve the institution.

By being flexible and by adapting to changing needs, while at the same time respecting sound rules and traditions, the Office of the Registrar will contribute to the better administration of justice.

MANAGEMENT REPRESENTATION STATEMENT

Report on Plans and Priorities 2004-2005

I submit, for tabling in Parliament, the 2004-2005 Report on Plans and Priorities (RPP) for

The Supreme Court of Canada

This document has been prepared based on the reporting principles and disclosure requirements contained in the *Guide to the preparation of the 2004-2005 Report on Plans and Priorities*:

- It accurately portrays the Supreme Court's plans and priorities.
- The planned spending information in this document is consistent with the directions provided in the Minister of Finance's budget and by Treasury Board Secretariat.
- Is comprehensive and accurate.
- Is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____

Anne Roland

Title: _____

Registrar

Date: _____

II: Raison d'être

A. Mission and Responsibilities



Mission

As the final court of appeal, the Supreme Court of Canada serves Canadians by leading the development of common and civil law through its decisions on questions of public importance.

The Court is committed to:

- The rule of law.
- Independence and impartiality.
- Accessibility to justice.

The Office of the Registrar supports the Court by:

- Providing responsive legal and administrative services.
- Nurturing the dedication, pride and professionalism of its employees.
- Respecting diversity and linguistic duality.
- Collaborating with other courts and legal institutions.

The Supreme Court of Canada is Canada's highest court and one of its most important national institutions. It hears appeals from the decisions of the courts of appeal of the provinces and territories as well as from the Federal Court of Appeal. In addition, the Court is required to give its opinion on any questions referred to it by the Governor in Council.

The Court is comprised of the Chief Justice and eight Puisne Judges, all of whom are appointed by the Governor in Council.

The importance of the Court's decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system. Its jurisdiction is derived from the *Supreme Court Act* and other Acts of Parliament such as the *Criminal Code*.

More detailed information on the Court's responsibilities, the hearing process and judgments is available on the Internet (<http://www.scc-csc.gc.ca>).

B. Benefits to Canadians



The Supreme Court of Canada provides Canadians with:

A final court of appeal which leads the development of the law through its decisions on questions of public importance.

The Office of the Registrar, in providing the services that the Court requires to render its decisions, benefits Canadians by providing access to the Court and its services, by processing hearings and decisions promptly, and by assuming a leadership role within the legal community.

The responsive and efficient service provided by the Office of the Registrar to litigants and the legal community means smoother legal proceedings, better use of public funds, and less stress on litigants and employees.

By facilitating access to information on the Court, the Office of the Registrar ensures that the general public is better informed of the Court's workings and decisions; the media can report on Court decisions and their effects in a fair and impartial manner; the work of the Court becomes better understood both nationally and internationally; and litigants and the legal community are better served.

As the highest court in Canada, other courts and tribunals look to the Supreme Court and the Office of the Registrar for leadership. The Office of the Registrar benefits the federal and provincial judicial community through the exchange of information and best practices on various topics such as case management and reporting of decisions.

III: Planning Overview

A. Planning Context

The mandate of the Supreme Court of Canada is to have and exercise an appellate, civil and criminal jurisdiction within and throughout Canada. It meets this mandate by hearing and deciding cases of public importance.

The Office of the Registrar aligns all of its resources to providing the best possible decision making environment for the Court. The Registrar answers directly to the Chief Justice, exercises quasi-judicial powers and is responsible for the administration of the Court.

The principal responsibilities of the Office of the Registrar are to provide a full range of administrative and support services to the Judges and to manage the cases coming to the Court. The management of cases includes maintaining its records, scheduling its hearings and ensuring the publication of its decisions. Specific functions carried out by the Office of the Registrar include:

- Processing, recording, preserving and directing the flow of all documents filed by parties and recording all proceedings which take place during the life of a case.
- Providing information to litigants, the media and the public on the Court's processes and activities and scheduling of cases.
- Providing legal services to the Judges.
- Maintaining the Court Library and providing a full range of library and information services to Judges, staff of the Court and legal counsel appearing before the Court.
- Publishing the Supreme Court reports.
- Providing administrative and operational support to the Judges and Court staff.
- Providing protocol services to the Judges to facilitate national and international exchanges.
- Providing a public information and tour program.

The Office of the Registrar is funded through a non-statutory appropriation. The entitlements to the Supreme Court Judges provided for in the *Judges Act* are funded through a statutory authority.

B. Issues and Challenges

The environment within which the Office of the Registrar must carry out its activities is continually changing. The legal environment is becoming increasingly complex and technological advancements place ongoing pressure on the Court to update its facilities and services. In addition, the Office of the Registrar is faced with the increasing demand for requests for information, maintaining skilled staff, and suitable and secure facilities. More specifically:

- **Complexity of the Legal Environment** - The globalization of the law, democratization, human rights issues and the Canadian *Charter of Rights and Freedoms* create an environment where the Court is regularly faced with difficult and complex - and often high profile - issues for resolution. These issues place significant demands on the staff, who are required to undertake in-depth research and analysis, respond to requests for information from the public and media, and provide assistance to the litigants and lawyers.
- **Technology Advancements** - The requirements to improve the technology infrastructure and the management of information, such as electronic filing and automation of our courtroom, are becoming more challenging. As the creation and delivery of information becomes more automated, and demands for real-time case information becomes more prevalent, the concerns over the security and integrity of data also increase. The Court must keep pace with technological developments if it is to continue to be a responsive, forward looking institution.
- **Requests for Information** - The number of external stakeholders requesting information on the Court and the cases before it and also the volume of information are increasing. This situation places additional pressure on the Office of the Registrar to effectively manage this information, and therefore there is a need for better tools to archive information, more integrated information, and increased ease of access to legal documents.
- **Human Resources** - The staffing of professional positions to support the work of the Court continues to be difficult as the pool of available resources is small.

- **Proper Accommodation** - As planned, in June 2003, all Federal Court Justices and employees vacated the Supreme Court building. At that time, the Supreme Court initiated construction for Phase 1 of its accommodation strategy. Phase 1 involved the renovation of the vacated space to provide appropriate workspace for Supreme Court employees. The occupancy of the new spaces has implications for usage in other areas of the building, and creates an opportunity to further optimize the total space available in the remainder of the Court building. In addition, issues of health and safety, security and accessibility must be addressed. The Court is currently developing a Treasury Board submission which will identify the requirements and costing for Phase II of its accommodation strategy.
- **Workload** - Dealing with workload pressures continues to be a challenge as the volume and complexity of the cases brought before the Court is beyond its control. The Office of the Registrar strives to process hearings and decisions promptly and provide the required level of support to the Court. In addition, serving self-represented litigants is more time consuming. Significant efforts have been made to deal with workload pressures through process and productivity improvements, and by balancing workload with resource allocation among the activities of the Court. In 2003, the Court received additional resources from Treasury Board to address program integrity and workload issues. This additional funding combined with productivity improvements will help address workload pressures in the coming years.

C. Risks

There are two significant risks facing the Office of the Registrar that, if realized, could adversely affect the Court operations and services. These are:

- **Breaches to Security** - This area includes physical security, information security, and information technology security. The use of electronic information management continues to rise in such areas as automated case management, digital case files, digitization of administrative information, electronic production of decisions and case information available electronically through the Internet. This change renders the Court more vulnerable to information security breaches, be they innocent or intentional. In addition, physical security risks are higher due to heightened terrorist threats.
- **Case Backlog and Delays** - The backlog could increase and delays occur if there is an overall increase in the number or complexity of cases or if the Court's ability to recruit and retain its highly specialized employees deteriorates.

The Office of the Registrar has put in place various strategies to mitigate these and any other risks to the Court.

D. Stakeholders and Strategic Relationships

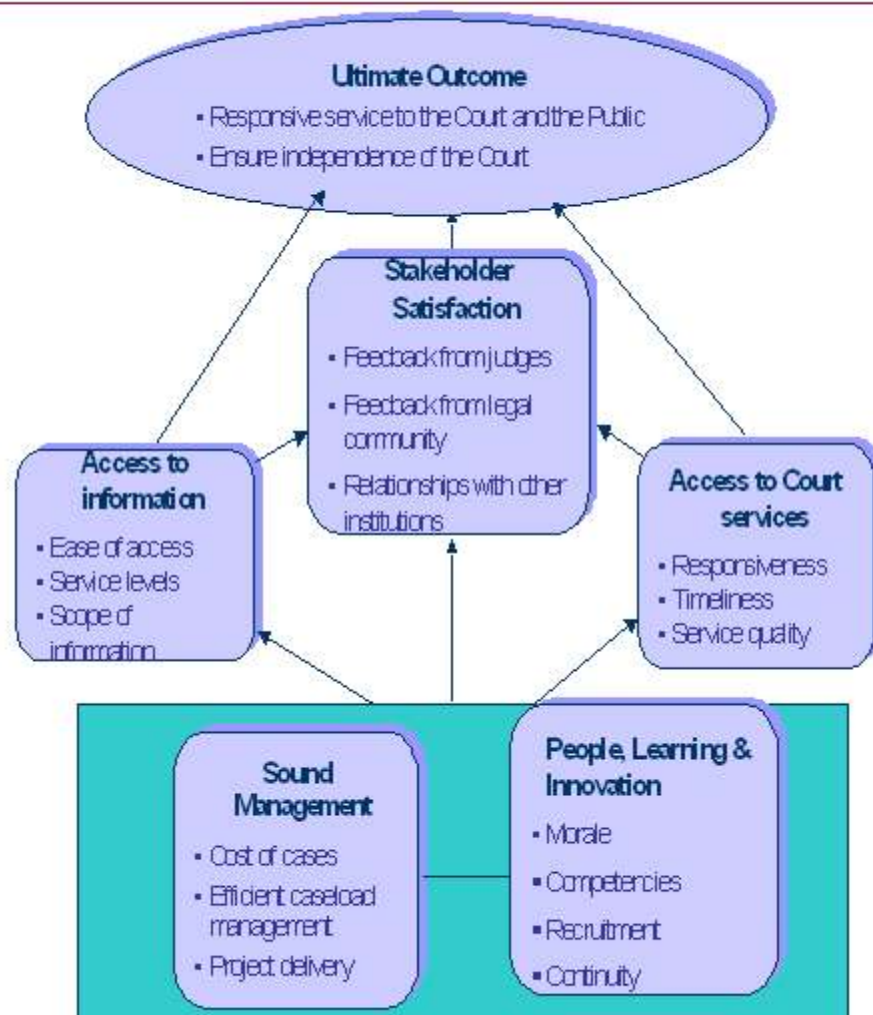
The Office of the Registrar strives to meet the expectations of a wide range of stakeholders, including:

- **Litigants** - Litigants, including those that are self-represented, want responsive services, timely processing of cases, information about cases and access to Court files.
- **Legal Community** - Lawyers, academics and other legal professionals want easier access to case files, judgments, and the Court Library holdings. They also expect that the information can be provided to them by the Court in hard copy and electronic format.
- **International Judicial Community** - The Judges and senior administrators of the Court are called upon by the international community to contribute to dialogues on globalization of the law, democratization and the development and protection of human rights. The Court is called upon to play an active role as a member of the international community of judges and jurists. This requires visits, protocol arrangements and memberships in international associations; as such, responsive and appropriate services must be provided to support these prestigious activities.
- **Other Courts** - The Court is called upon to play a leadership role in the judicial community, through the exchange of best practices (e.g., lessons learned in e-filing pilots) and other information (e.g., case management systems and procedures).
- **Public and Media** - The public and media demand access to Court case information and hearings through diverse delivery channels. They also want more detailed information about the inner workings of the Court, its Judges, its building, and the Court's history and place in Canadian society.

E. Performance Targets

In 2003, the Office of the Registrar embarked on a multi-year project to improve its performance measurement and reporting. The types of performance measures that will be used to measure organizational performance are presented below.

Performance measurement framework – key perspectives



IV: Strategic Outcome and Priorities

A. Summary Strategic Outcome

As the single business line for the Court, the Office of the Registrar is committed to one strategic outcome:

“To provide the best possible decision-making environment for the Court”

The planned results are:

- An independent judiciary;
- Improved access to the Court and its services;
- Cases processed without delay; and,
- Ready access to a comprehensive information base.

In 2004-05, the Office of the Registrar will address the following priorities:

| Priorities (note 1) | Type of Priority |
|--------------------------------|-------------------------|
| 1. Process Cases Without Delay | On-going Priority |
| 2. Build Capacity | New Priority |
| 3. Manage Risk | New Priority |
| 4. Improve Outreach | New Priority |

Note 1: The Office of the Registrar devotes most of its financial and human resources to address its number one priority.

B. Plans and Priorities

Since the fundamental and on-going priority of the Court, is to hear cases and render decisions, it follows that the ultimate and fundamental priority of the Office of the Registrar is to process cases without delay.

In 2003, the key priorities of the Office of the Registrar included the development and implementation of productivity/process improvements (for example, translation, security and information management); the implementation of Phase I of its accommodation strategy; and, the development and implementation of learning, training and career plans for its staff. As mentioned above, the key priority of the Office of the Registrar for 2004-05 is the on-going processing of cases without delay. The three remaining priorities, i.e., building capacity, managing risks, and improving outreach, are explained below.

Build Capacity

A strong capacity in the areas of information infrastructure, people management, business processes, performance measurement, accommodation, and facilities is critical for the Office of the Registrar to provide the Court with the support it requires to serve Canadians. The Office of the Registrar has identified the following key projects to build capacity:

- **Implement Strategy for Managing Information** - Over the next few years, the Office of the Registrar will develop and implement a strategy for managing and accessing information. The scope of this project would include the Intranet/Internet, systems and repositories for communicating information, storage and handling of archival information, preservation of electronic information (e.g., VHS, DVDs, microfiche). The implementation will reduce duplication of information, improve our ability to respond effectively for requests for information, and support the sharing and transfer of knowledge.
- **Pursue E-filing Project in Production Mode** - The Office of the Registrar will move its e-filing system from pilot to production mode. The new system will provide litigants with a simple electronic alternative to paper filings and eventually provide for the posting of case documentation allowing carrier access to the public to information on the work of the Court.
- **Support Continuous Learning** - Learning, training and career development plans will continue to be a priority for the Office of the Registrar for the next few years. The implementation of a Court-wide learning strategy will assure that employees possess the competencies and skills necessary to meet future Court requirements, greater employee continuity and the retention of corporate knowledge.

- **Implement Human Resource (HR) Modernization** - The *Public Service Modernization Act*, Bill C-25, will bring about changes in the way the federal public service hires and manages its employees. Over the next year, the Office of the Registrar will begin to align its HR practices to the requirements of the Act and related policy changes.
- **Implement Performance Measurement and Service Standards** - Building on the performance measurement improvements completed in 2003, the Office of the Registrar will develop an integrated performance measurement framework to better capture information for decision making.
- **Implement the Accommodation Strategy Phase II** - The objectives of this phase are to optimize the use of available space, and provide a safe, appropriate working environment for the Court Judges and employees. The funding and implementation of Phase II are subject to Treasury Board approval.
- **Develop Specifications for Refurbishing the Courtroom** - The advent of digital case files, modern presentation techniques and the demand for better quality broadcasts of hearings necessitate the redesign and overhaul of the courtroom computer and audio visual systems. The project and related funding is subject to Treasury Board approval.

Manage Risk

The Office of the Registrar will continue its work to develop and implement an integrated approach for identifying, assessing and managing all risks facing the Court. The two projects identified below will be undertaken in 2004-2005:

- **Develop and Implement Integrated Risk Management Approach** - This project will be rolled out over the next few years and build on our risk profiling work completed to date. The goal is to ensure that our risks are identified and assessed in all areas and at all levels of the Court and that these risks are mitigated.
- **Develop and Implement Strategy for Dealing with Sensitive Court File** - This project will address the need to develop an overall and coherent approach for processing of sensitive information, including information transparency, information holdings, case management system, and information technology security.

Improve Outreach

The existing outreach activities include education programs, media relations, international relations, protocol activities and Web communications. In order to improve access to Court information by external stakeholders (e.g., public, media, and legal community) and foster an increased understanding of the Court and its role, the Office of the Registrar plans to enhance its outreach/education program.

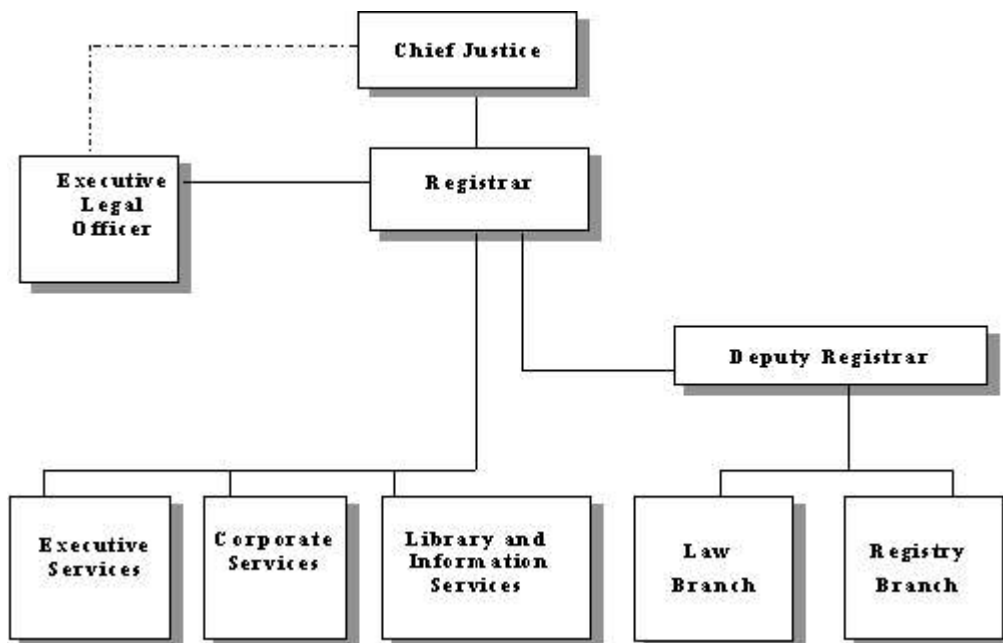
V: Organization

A. Strategic Outcome and Business Line

| | Strategic Outcome | |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Business Line | The strategic outcome of the Office of the Registrar is to provide the best possible decision-making environment for the Court | Total (\$ millions) |
| Office of the Registrar | 27.2 | 27.2 |

B. Accountability

The Supreme Court of Canada has a single Business Line - the Office of the Registrar - which provides the services the Court requires to render its decisions. The organization of the Office of the Registrar is shown in the chart below.



Registrar

The Registrar, a Governor in Council appointee, answers directly to the Chief Justice and exercises quasi-judicial powers. Her office provides management and support to the chambers of the nine Justices, the office of the Executive Legal Office, the law clerk program, and dignitary visits.

Deputy Registrar

The Deputy Registrar, a Governor in Council appointee, oversees the work of the Court Operations Sector, which includes the Registry Branch and the Law Branch. Public information services, including the management of the Court's Tour Program, are also provided by staff in the Deputy Registrar's Office.

Registry

The Registry is the hub of all procedural and documentary activities at the Court. The Registry processes, records and directs the flow of all documents filed by the parties and records all events which take place during the life of a case. It "cases manages" every leave application, appeal and motion to ensure that cases are dealt with efficiently, so that no time is wasted by Judges on procedural matters or incomplete filings. The Registry assists parties by providing information on the Court's processes and activities, schedules the Court's sittings, ensures support in the Courtroom during hearings and finalizes the documentation for cases after judgments have been rendered.

Law Branch

The Law Branch provides legal services to the Judges and the administration of the Court, and manages the publication of the judgments of the Court and the Registrar's legal correspondence. Staff lawyers provide legal opinions on all leave applications filed and legal editing of all reasons for decisions. The Branch also prepares and publishes the Bulletin of Proceedings and press releases outlining the Court's agenda and listing judgments rendered or to be rendered. Legal and general translation and terminology services are provided by the jurilinguists of the Law Branch supported by external translation services.

Library and Information Services

Library and Information Services consists of four branches: Library, Information Management, Information Technology and Special Projects. Designed primarily to serve the Court and its business units, and through them litigants, the media and the public. These responsibilities extend to the corporate level where this centre of expertise is charged with ensuring that the management of the Court's information meets legal and central agency requirements.

Corporate Services

The administrative and operational support to the Judges and Court staff is provided by the Corporate Services, which is responsible for accommodation, finance, procurement, human resources, administration, security and strategic planning.

C. Departmental Planned Spending

| (\$ millions) | Forecast Spending 2003-2004 | Planned Spending 2004-2005 | Planned Spending 2005-2006 | Planned Spending 2006-2007 |
|--------------------------------------------------------------------------|-----------------------------------|-------------------------------------------|----------------------------------|----------------------------------|
| Office of the Registrar | | | | |
| Budgetary Main Estimates (gross) | 24.9 | 27.2 | 27.2 | 27.2 |
| Non-Budgetary Main Estimates (gross) | - | - | - | - |
| Less: Respendable revenue | - | - | - | - |
| Total Main Estimates | 24.9 | 27.2 | 27.2 | 27.2 |
| Adjustments | | | | |
| Modernization of Comptrollership - Innovations Fund | 0.1 | - | - | - |
| Compensation for collective agreement | 0.1 | - | - | - |
| Incremental funding to address core operational and capital requirements | 4.3 | - | - | - |
| Operating Budget Carryforward from 2002-2003 | 0.6 | - | - | - |
| Total Adjustments | 5.1 | - | - | - |
| Net Planned Spending | * 30.0 | 27.2 | 27.2 | 27.2 |
| Less: Non respendable revenue | (0.2) | (0.2) | (0.2) | (0.2) |
| Plus: Cost of services received without charge | 5.0 | 5.2 | 5.3 | 5.4 |
| Net Cost of Program | 34.8 | 32.2 | 32.3 | 32.4 |
| Full Time Equivalents | | | | |
| | 185 | 193 | 193 | 193 |

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

The Main Estimates for 2004-2005 for the Supreme Court of Canada are \$27.2 million, which represents a net increase of \$2.2 million over 2003-2004. The increase includes:

- A permanent increase of \$4.6 million (\$4.3 million received in 2003-2004) to address program integrity and workload issues.
- A decrease of \$2.4 million in the operating vote comprised of \$2.0 million to implement the phase I of our accommodation strategy and \$400,000 to host the 2003 International Conference of the Association des cours constitutionnelles ayant en partage l'usage du français. These amounts were included in the opening Main Estimates for 2003-2004.

VI: Annexes

A. Tables

Table 8: Sources of Respendable and Non-Respendable Revenue

Respendable Revenue

| (\$ millions) | Forecast Revenue 2003-2004 | Planned Revenue 2004-2005 | Planned Revenue 2005-2006 | Planned Revenue 2006-2007 |
|----------------------------------|----------------------------------|------------------------------------------|---------------------------------|---------------------------------|
| Office of the Registrar | - | - | - | - |
| Total Respendable Revenue | - | - | - | - |

Non-respendable Revenue

| (\$ millions) | Forecast Revenue 2003-2004 | Planned Revenue 2004-2005 | Planned Revenue 2005-2006 | Planned Revenue 2006-2007 |
|---------------------------------------------------|----------------------------------|------------------------------------------|---------------------------------|---------------------------------|
| Office of the Registrar | | | | |
| Judge's contributions towards annuities | 0.1 | 0.1 | 0.1 | 0.1 |
| Sales of goods, services and information products | 0.1 | 0.1 | 0.1 | 0.1 |
| Total Non-respendable Revenue | 0.2 | 0.2 | 0.2 | 0.2 |

| | | | | |
|------------------------------------------------------|-----|------------|-----|-----|
| Total Respendable and Non-respendable Revenue | 0.2 | 0.2 | 0.2 | 0.2 |
|------------------------------------------------------|-----|------------|-----|-----|

Table 10: Net Cost of Program for the Estimates Year

| (\$ millions) | Total |
|-------------------------------------------------------------------------------------------------------|--------------|
| Net Planned Spending | 27.2 |
| <i>Plus: Services Received without Charge</i> | |
| Accommodation provided by Public Works and Government Services Canada (PWGSC) | 4.1 |
| Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS | 1.1 |
| Worker's compensation coverage provided by Human Resources Canada | - |
| Salary and associated expenditures of legal services provided by Justice Canada | - |
| | 5.2 |
| <i>Less:</i> | |
| Non-Respendable Revenue | (0.2) |
| 2004-2005 Net Cost of Program | 32.2 |

B. Contacts for Further Information

| | |
|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Supreme Court of Canada Building 301 Wellington Street Ottawa, Ontario K1A 0J1 | General Enquiries Telephone: (613) 995-4330 Fax: (613) 996-3063 |
| World Wide Web: http://www.scc-csc.gc.ca | Internet Access reception@scc-csc.gc.ca |
| Anne Roland - Registrar Telephone: (613) 996-9277 | E-mail: reception@scc-csc.gc.ca |
| Louise Meagher - Deputy Registrar Telephone: (613) 996-7521 | E-mail: registry-greffe@scc-csc.gc.ca |
| Carolyn McDonald - Director General, Corporate Services Telephone: (613) 996-0429 | E-mail: mcdonaldc@scc-csc.gc.ca |

C. Listing of Statutory and Departmental Reports

| |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Supreme Court Reports</i> Pursuant to Section 17 of the Supreme Court Act, the Registrar or the Deputy Registrar, as the Chief Justice directs, is responsible for the publication of the judgments of the Court in the Supreme Court Reports, which include all the reasons for judgment rendered by the Court in a given calendar year. |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

D. Legislation Administered

| | |
|--------------------------|--------------------------|
| <i>Supreme Court Act</i> | R.S.C., 1985, as amended |
| <i>Judges Act</i> | R.S.C., 1985, as amended |