

SUPREME COURT OF CANADA



STATISTICS

1996 TO 2006

Bulletin of Proceedings:
Special Edition



Introduction

This special edition of the *Bulletin* sets out a statistical view of the work of the Supreme Court of Canada in 2006 with comparisons to the previous ten years' work. The year 2006 was a year of transition. Mr. Justice John C. Major retired on December 25, 2005, and the Court did not have a full complement of judges for much of the Winter Session. The Court welcomed the appointment of Mr. Justice Marshall Rothstein on March 1, 2006.

The following brief description of the appeal process is provided to help explain the statistical charts and tables. The Court decides cases that come to it from three sources. First, in most cases, a party who wishes to appeal the decision of another court (usually a provincial or territorial court of appeal or the Federal Court of Appeal) must obtain permission from a panel of three judges of the Court. Such permission, or leave to appeal, is given if the panel concludes that the case involves a question of public importance or raises an important issue of law. Second, there are cases, referred to as "as of right" appeals, for which leave to appeal is not required. These include certain serious criminal cases, for example, those where there is a dissent on a point of law in the court of appeal, and appeals from provincial references. The third group is references from the federal government. Federal references (which are counted as appeals as of right for the purposes of these statistics) require the Court to give an opinion on the questions referred to it by the Governor in Council. The figure on page 3 summarizes the process that unfolds from the filing of a complete application for leave to appeal, a notice of appeal as of right or a reference.

The "Summary 1996 to 2006" table on page 4 outlines the Court's workload for that period and is broken down into five categories. Graphical representations for each category are also provided.

The first category, "Cases Filed", shows the number of complete applications for leave to appeal and notices of appeal as of right filed by litigants with the Court's Registry each year. The total of 513 cases filed in the year 2006 is approximately 15% lower than the annual average number of cases filed over the last decade (600).

The second category, "Applications for Leave Submitted", shows the number of leave applications submitted to panels of the Court for decision, the number of leave applications granted and the percentage granted of the total submitted. As leave applications filed one year may be submitted to a panel the next year due to the time required for processing, the number of complete leave applications filed and the number submitted to panels will differ in each year. In 2006, there were 506 leave applications filed with the Court and 477 submitted to panels of the Court for decision. The total number of leave applications submitted to the Court for decision in 2006 is 17% lower than the number submitted in 2005. The average time lapse between the filing of a leave application and the judgment of the Court is 8% lower.

The third category, "Appeals Heard", shows the number of appeals heard each year and the number of hearing days over the year. In 2006, the Court heard 80 appeals over 56 hearing days. The number of appeals heard was 12% lower than the average number of appeals heard over the previous ten years (91).



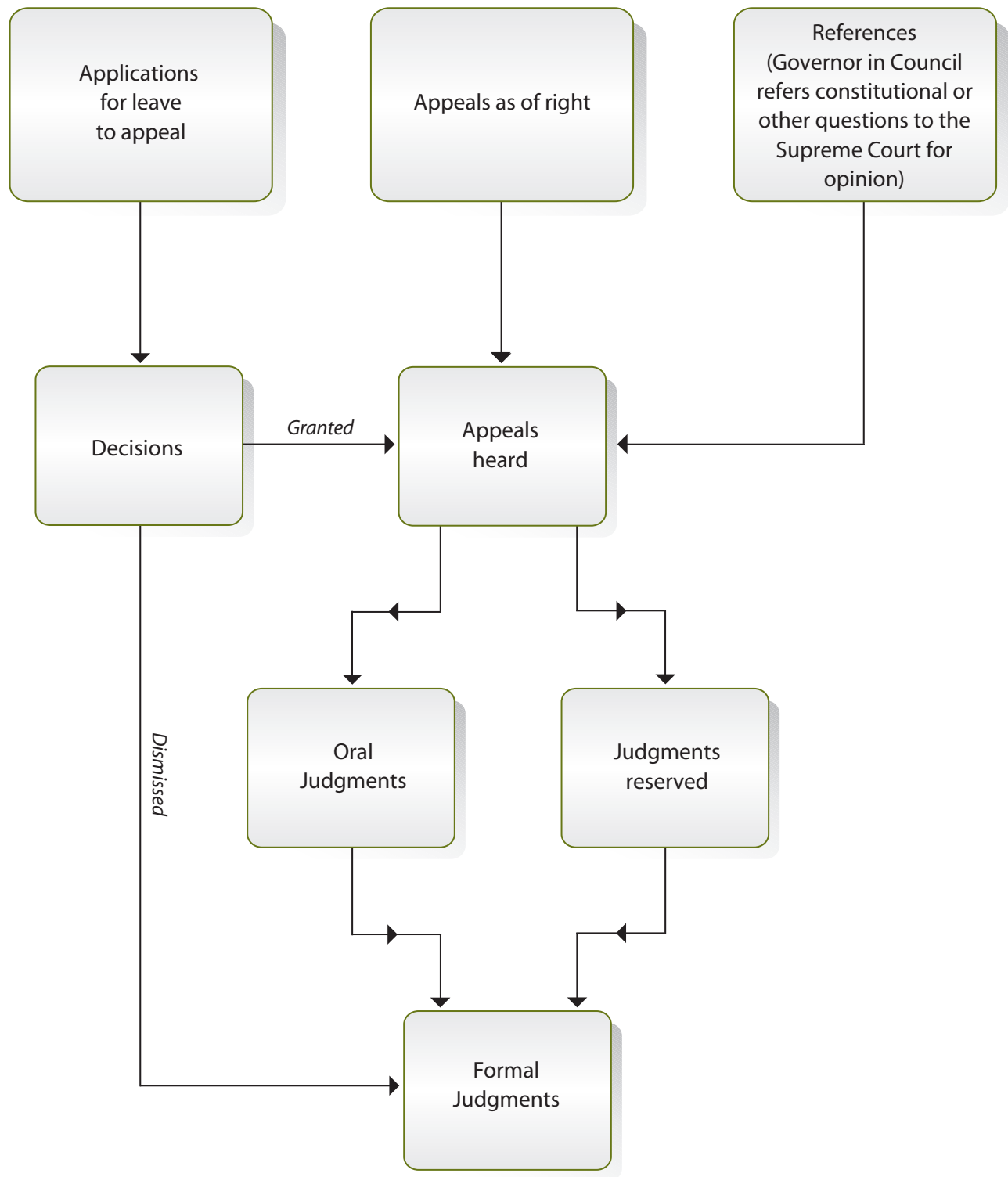
The fourth category, "Appeal Judgments", gives information with respect to the number of judgments rendered each year. The Court released 79 judgments in 2006. Of these, 4 were pronounced from the bench ("oral judgments"), with no written reasons to follow. In 80% of the judgments, all judges agreed in the result of the appeal.

Since the Court does not always render judgments in the same year in which the appeal is heard, there is usually a difference between the total number of appeals heard in a year and the number of judgments rendered in the same year. There were 35 appeal judgments in reserve at year-end.

The final category, "Average Time Lapses", shows time lines in the life of a case at the Court. On average, in 2006, the time between the filing of a complete application for leave to appeal and the Court's decision on whether leave should be granted or denied was 3.4 months. In 2006, appeals were heard, on average, 7.7 months after leave was granted or the notice of appeal as of right was filed. In 2006, the Court rendered judgment, on average, 5.9 months after the hearing of an appeal. This figure includes oral judgments. The average time lapse between the hearing of the appeal and the delivery of reasons (including cases where judgment was reserved and where judgment was rendered with reasons to follow) was 6.2 months, consistent with the time lapse in 2005.



The Appeal Process in the Supreme Court of Canada



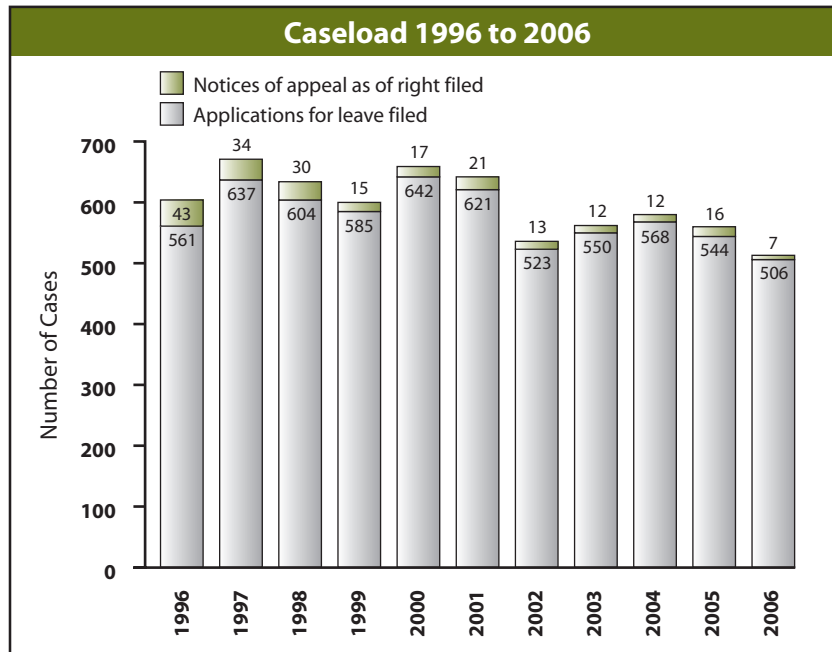


Summary 1996 to 2006

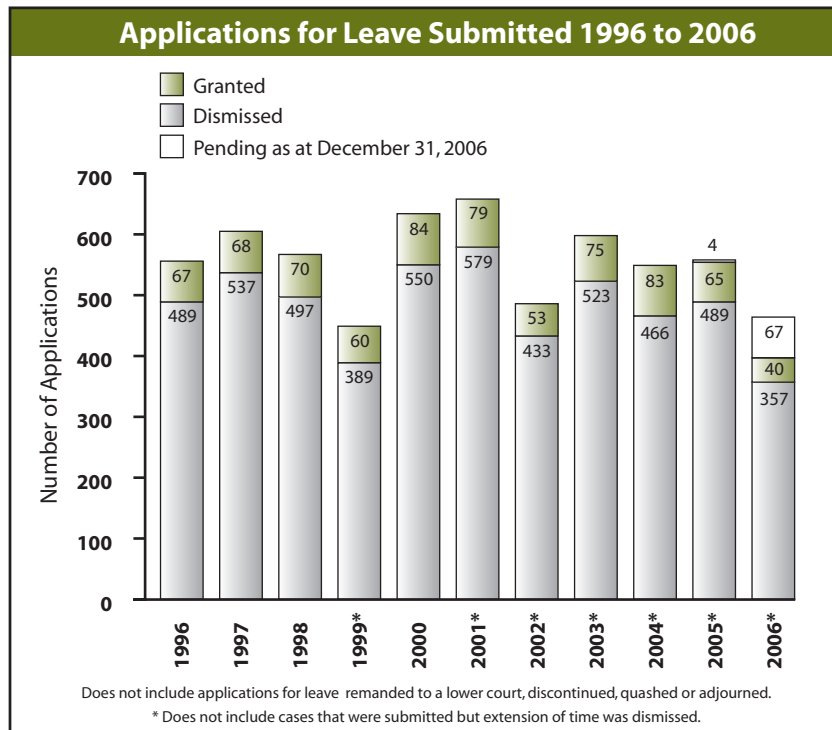
	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Cases Filed											
Complete applications for leave to appeal	561	637	604	585	642	621	523	550	568	544	506
Notices of appeal as of right	43	34	30	15	17	21	13	12	12	16	7
Applications for Leave											
Submitted to the Court	573	615	572	458	640	668	498	609	559	575	477
Granted (pending)	67	68	70	60	84	79	53	75	83	65(4)	40(67)
Percentage granted	12	11	12	13	13	12	11	12	15	11*	8*
Appeals Heard											
Total number	118	104	106	75	78	96	72	82	83	93	80
As of right	49	37	30	19	14	17	16	16	13	13	13
By leave	69	67	76	56	64	79	56	66	70	80	67
Hearing days	82	76	71	55	57	62	51	56	61	62	56
Appeal Judgments											
Total number	124	107	92	73	72	91	88	81	78	89	79
Delivered from the bench	57	44	33	20	15	20	20	19	16	17	4
Delivered after being reserved	67	63	59	53	57	71	68	62	62	72	75
Unanimous	97	75	70	53	52	75	61	62	57	65	63
Split	27	32	22	20	20	16	27	19	21	24	16
Percentage of unanimous judgments	79	70	75	73	72	82	69	76	73	73	80
Appeals standing for judgment at the end of each year	26	20	34	33	39	44	25	25	32	35	35
Average Time Lapses (in months)											
Between filing of application for leave and decision on application for leave	4.4	3.5	3.9	5.2	5.4	4.3	5.7	3.9	3.7	3.7	3.4
Between date leave granted (or date notice of appeal as of right filed) and hearing	11.8	10.9	12.0	11.1	12.5	11.4	12.2	10.5	9.4	9.1	7.7
Between hearing and judgment	3.0	2.8	2.8	5.4	5.8	5.6	5.6	5.1	4.0	5.2	5.9
All applications for leave, appeals and judgments are counted by individual file number.											
* This percentage will change once all pending leave applications are decided.											



Category 1: Cases Filed

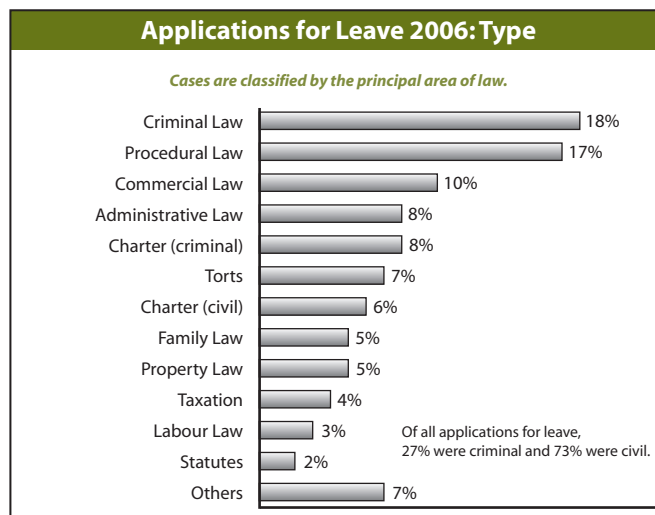


Category 2: Applications for Leave Submitted

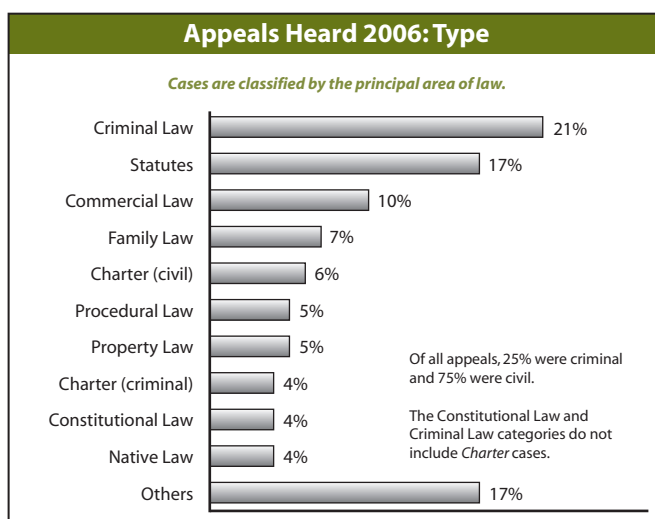
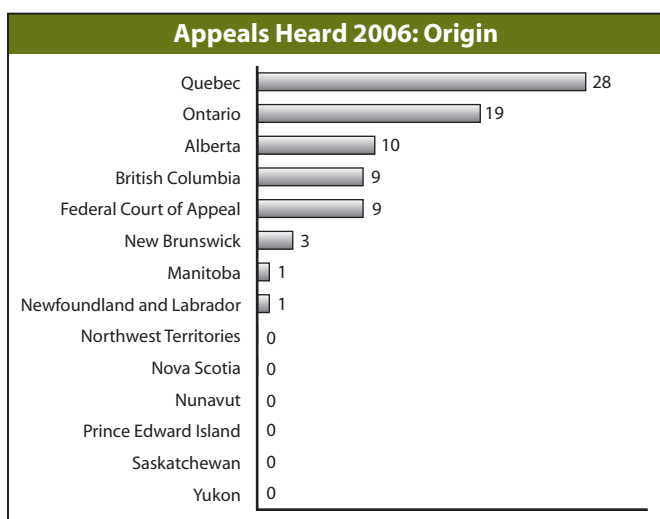




Category 2: Applications for Leave Submitted (continued)

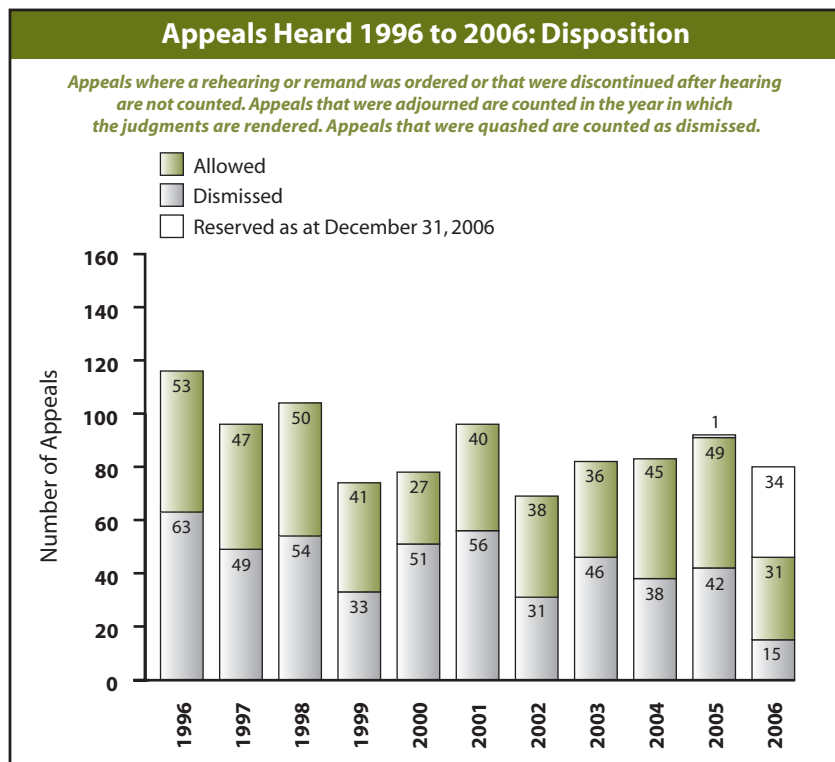
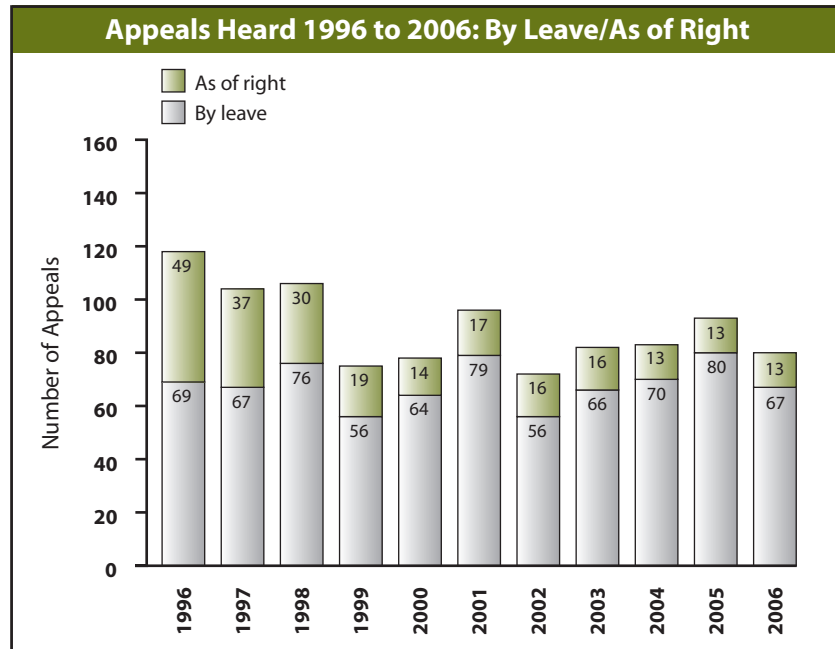


Category 3: Appeals Heard



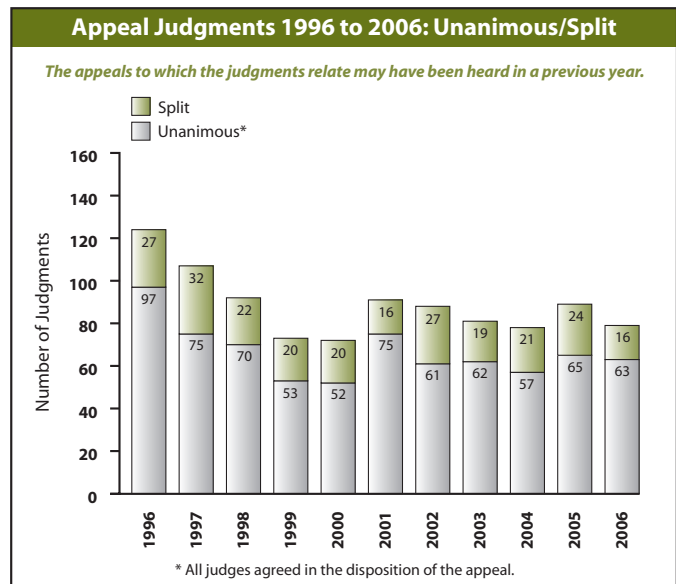
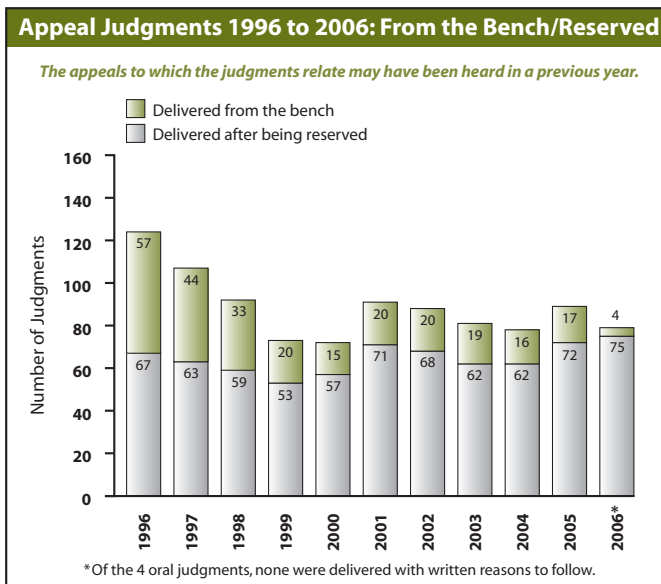
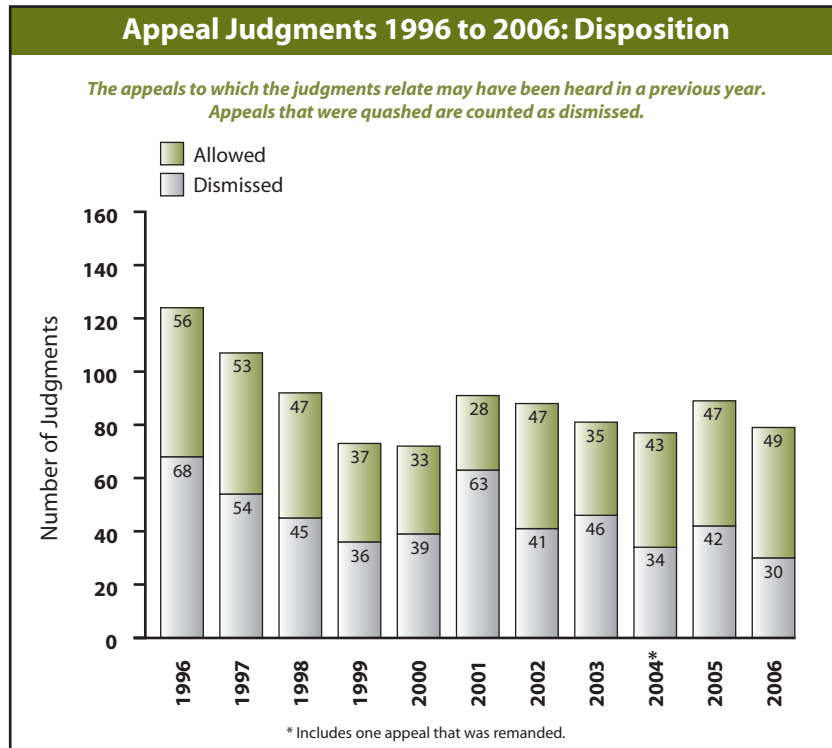


Category 3: Appeals Heard (continued)



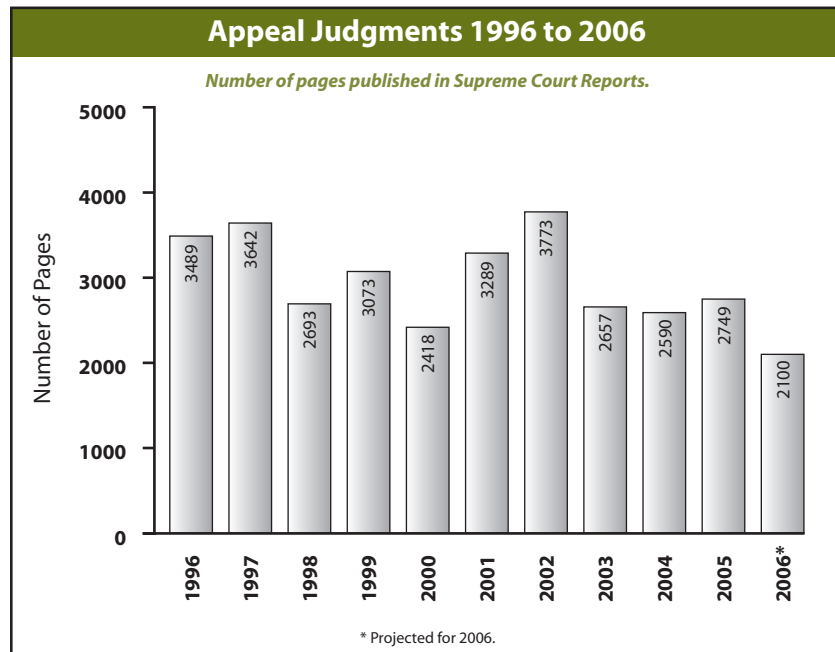
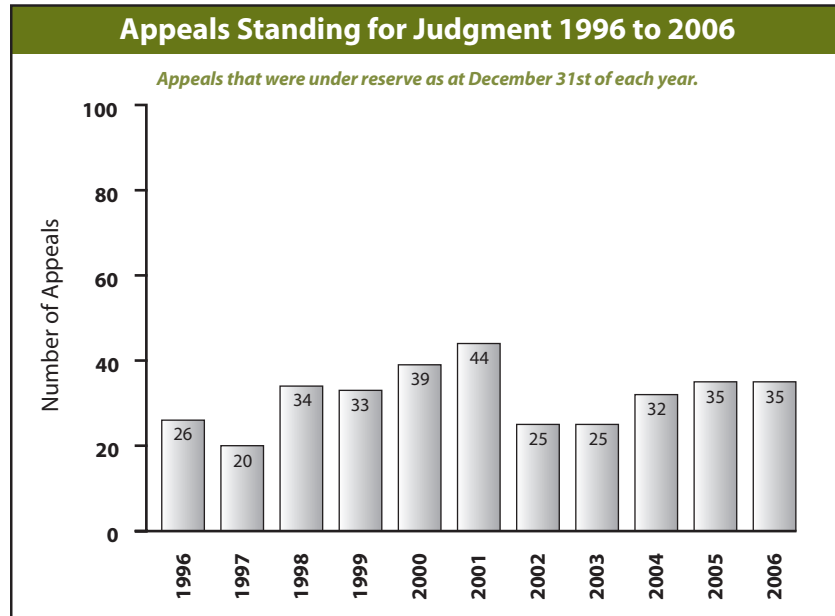


Category 4: Appeal Judgments





Category 4: Appeal Judgments (continued)





Category 5: Average Time Lapses

