




COURTS
ADMINISTRATION SERVICE
2019–20

DEPARTMENTAL PLAN

The Honourable David Lametti, P.C., M.P.
Minister of Justice and Attorney General of Canada



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CHIEF ADMINISTRATOR'S MESSAGE

I am pleased to present the 2019–20 Departmental Plan of the Courts Administration Service (CAS). This report highlights our main areas of focus, and the results we aim to achieve in providing support services to the Federal Court of Appeal (FCA), the Federal Court (FC), the Court Martial Appeal Court of Canada (CMAC) and the Tax Court of Canada (TCC)—the Courts.

CAS strives to provide timely and efficient administrative services to the Courts. In doing so, CAS contributes to the maintenance of an independent judiciary and supports access to justice for all Canadians, both of which are fundamental pillars of Canada's justice system. Providing the Courts and their clients with a level of mandated services required, while responding to evolving demands, has been challenging for several years due to CAS's limited resources. However, with the investment announced in Budget 2018, CAS has been able to begin to restore and make improvements in its service delivery capacity.

In the coming year, CAS will pursue critical funding for initiatives essential to the effective long term operations of the Courts. Key to this is the implementation of new systems and technologies that will allow CAS to respond to calls from the Courts, litigants and the legal community for the digital transformation of the Courts and registry systems with efficient online access to court services. Furthermore, CAS will seek additional resources that will allow for the translation and posting of decisions issued by the Courts in both official languages in a timely manner to support full and equal access to justice to all Canadians.

In a changing environment, it is important that CAS has the workforce in place that is innovative and agile in responding to new trends and ways of doing business. Therefore, CAS will advance priorities in the areas of human resources, facilities and communications to be able to meet future challenges and tailor administrative services to the needs of the Courts. Wellness and mental health will also remain top priorities for CAS as efforts will be undertaken across the organization to sustain a physically and psychologically healthy and safe workplace.

As we move forward in 2019–20, I will continue to count on collaboration with the Chief Justices and the members of the Courts, as well as the dedication and expertise of our employees, in working with me to successfully advance our priorities in the year ahead.

Daniel Gosselin, FCPA, FCA
Chief Administrator

Plans at a glance and operating context

Plans at a glance

In 2019–20, CAS will pursue the following organizational priorities in delivering its core responsibility to provide administration services to the Courts.

1. Courts and Registry Management System (CRMS): Foster the building of a modern CRMS that will enable the digitization and electronic management of court business.

For several years, the Courts, litigants and the legal community have been calling for the digital transformation of the Courts and registry systems with efficient online access to court services. Canadians expect their interactions with government, including the judicial branch, to be digitally enabled, as reflected in initiatives across the Government of Canada to deliver and improve e-services. However, due to lack of funding, CAS's ability to respond to these demands over the past several years has been limited. This has resulted in the current technologies used in delivering services to the Courts and their registries being outdated and beyond their useful life. They cannot accommodate modifications necessary to provide the functionality to enable the range of digitized processes and services required by the Courts and other stakeholders and are unable to meet the increasing demands for e-access to justice. Therefore, CAS will continue to endeavor to secure funding for a progressive and strategic implementation of a new CRMS to provide access to justice at any time and everywhere for Canadians.

2. Transition to Digital Environment: Develop and implement tools to manage and use digital information in support of the operations of the Courts.

CAS will undertake a variety of initiatives in 2019–20 to support the transition to a digital environment where members of the Courts, litigants and the public can access court services electronically. To assist in this transition and through CAS's e-courts program, priority will be placed on plans to make electronic services and e-courts a reality with a view to modernizing the practices and processes of the Courts and the administrative support made available to them. Facilities plans will also be designed to enable the Courts to provide improved e-operations through the integration of emerging technology, including internet connectivity, equipment for evidence display and video conferencing capability, as well as flexible configurations to accommodate evolving court requirements. Also, to allow for the integration of CRMS with other corporate systems, CAS will look to develop and implement tools to manage and use digital information in support of the operations of the Courts.

3. Translation: Ensure the translation model allows for timely and high-quality translation to support effective service delivery.

CAS has constitutional and quasi-constitutional obligations in providing the translation of decisions rendered by the Courts. According to both the *Charter of Rights and Freedoms* and the *Official Languages Act (OLA)*, there are specific imperatives placed on the Courts and

on CAS to provide equal access to justice by ensuring that decisions of the Courts are available in both official languages. However, it has become increasingly difficult for CAS to meet translation demands as the yearly volume of decisions issued by the Courts—that number in the thousands—has exceeded CAS’s translation budget. This budget has also been insufficient to allow for the translation of interlocutory orders of legal significance; a status that continued despite directions received from the Courts in 2016. Consequently, in 2019–20 CAS will continue its efforts to secure funding to augment its current translation budget to a level that would allow the yearly volume of decisions and interlocutory orders of legal significance to be translated and posted on the Courts’ websites within an acceptable timeframe.

4. Security: Conduct a comprehensive Threat and Risk Assessment (TRA), and implement actions to address recommendations and newly identified emerging risks.

In 2019–20, as part of continuous improvements to its security posture, CAS will undertake a comprehensive threat and risk assessment of the Courts’ systems to validate the effectiveness of the mitigation measures already taken, to identify the level of potential risks, and ensure the continued adequacy of security measures.

5. Facilities: Ensure that CAS’s space envelope meets operational requirements of the Courts and CAS and provides a safe and accessible environment for members of the Courts, employees and court users.

To ensure its facilities’ plans meet the current and evolving requirements of the Courts, CAS will update its National Accommodation Strategic Plan (NASP) based on the most recent analysis of the Courts’ and CAS’s accommodations needs and long-term strategic vision of the Courts. Consistent with CAS’s Information Technology (IT) Infrastructure Management Plan, facilities initiatives will include technology integration: new e-courts capacity, evidence display equipment, video conferencing, and digital audio recording systems. These accommodations are intended to support electronic proceedings and the eventual implementation of a new CRMS. Additionally, CAS will work with Public Services and Procurement Canada (PSPC) to confirm the requirements for the Montreal courthouse to enable the Courts to perform their functions in a timely, fair and efficient manner.

6. Communications: Foster an open and collaborative work environment supported by transparent external and internal communications.

In 2019–20, CAS will continue to develop and implement effective external communications strategies, tools, media and materials. In particular, CAS will work in concert with the Courts to develop strategies to enhance their visibility by leveraging available and emerging technologies. CAS’s internal communications will focus on delivering activities, tools and messaging that promotes organizational objectives and resonates with employees. This will in turn foster an open and collaborative work environment, supported by transparent two-way communication between management and staff.

7. Human Resources: Ensure a competent, innovative and agile workforce within a safe and healthy workplace.

Across all Courts in 2019–20, the priority will be to continue building capacity following the receipt of program integrity funding in Budget 2018. CAS will also update the provision of operational training, engage in succession planning, and establish strategies and tools for knowledge management and knowledge transfer. Wellness and mental health will also remain top priorities for CAS as efforts will be undertaken across the organization to sustain a physically and psychologically healthy and safe workplace. The focus will be on improving psychological support to employees and managers, developing a culture of trust, honesty and fairness, and fostering an environment of civility and respect.

For more information on the Courts Administration Service’s plans, priorities and planned results, see the “Planned results” section of this report.

Operating context

In 2019–20, the environment within which CAS operates will remain complex and challenging, owing in part to the following.

Judicial Independence

Judicial independence is a cornerstone of the Canadian judicial system. Under the Constitution, the judiciary is separate from, and independent of the executive and legislative branches of the Government of Canada. Judicial independence is a guarantee that judges will make decisions free of influence and based solely on facts and law. It has three components: security of tenure, financial security and administrative independence.

The *Courts Administration Service Act*, S.C. 2002, c. 8 enhances judicial independence by placing administrative services at arm’s length from the Government of Canada and enhances accountability for the use of public money. Therefore, safeguarding the principle of judicial independence is a key operational consideration for CAS when providing administration services to the Courts, as well as in supporting the roles of Chief Justices and judges in the management of the Courts.

Distinct requirements of the Courts

Services required by the judiciary, including the requirement that registries, hearing-related activities, legal counsels, judicial administrators, law clerks, jurilinguists, judicial assistants, library personnel and court attendants are provided as required by the Chief Justices. The national and itinerant nature of the Courts also requires CAS to provide support to members of the Courts and deliver court and registry services in various locations across the country. As such, the individual and unique requirements of each of the four Courts, the distinct nature of the Courts’ business, and the characteristics of the Canadian judicial system, are all factors that CAS must consider when providing administrative services to the Courts.

Volume and complexity of cases before the Courts

The volume of cases before the Courts is a key factor that affects the level of administrative support they require from CAS, particularly in terms of registry and judicial services. This volume can be somewhat unpredictable, as changes in legislation and regulations, policy decisions, as well as precedents from judgements can all influence the number of cases submitted before the Courts. In addition, the nature and increasing complexity of the cases filed can considerably impact the workloads of the Courts and registries, particularly in those related to national security, intellectual property, Aboriginal claims, taxation and immigration—which exacerbate pressures on staff, including judicial and registry support. The number of motions related to individual files has also increased significantly, most notably in cases where constitutional questions were raised in the context of the *Charter of Rights and Freedoms*.

Demands for e-services and e-courts

Today, people routinely conduct business online and demand the same services from the government as they receive from private sector organizations. Members of the Courts, litigants and the legal community expect to be able to use modern technologies and electronic tools. Emerging technologies and new trends in providing e-services are key considerations for CAS in its service delivery and systems.

Service delivery capacity

CAS's ability to provide the required administrative services to meet the operational needs of the Courts, as well as associated services to litigants and their legal counsel, is dependent on available financial and human resources. For several years, CAS has been in a state of program integrity due to a critical growing financial shortfall resulting in pressures across the organization as resources were below adequate strength to meet demands. Funding received in Budget 2018 has allowed CAS to begin to rebuild its capacity particularly in judicial and registry services. CAS will continue its efforts in this area to ensure that the organization has in place the resources necessary to deliver the level of mandated services required by the Courts.

Workforce

CAS's ability to provide administrative services to the Courts also depends on the strength of its workforce. Much of the work undertaken at CAS requires specialized skills and strong knowledge of the legal/judicial environment, as well as technical knowledge in the respective jurisdictions of each Court. Given the unique skill sets required, CAS must often compete with other courts across Canada or other federal departments to attract and retain skilled employees. Additionally, CAS has a mature workforce. The average age of the workforce is 44 (excluding law clerks) and approximately 24% of CAS employees will become eligible for retirement with both unreduced and full pensions in the next five years. To ensure it has the workforce in place with the right skills to respond to the needs of the Courts, CAS will invest in succession planning and talent management to staff areas and positions that are critical to its ongoing operations and

long-term goals. As well, CAS will implement knowledge transfer strategies and tools that are necessary to ensure pertinent corporate and procedural knowledge is retained and passed on.

Planned results: what we want to achieve this year and beyond

Core Responsibilities

Administration services for the federal courts

Description

Provide timely and efficient judicial, registry, court security and electronic court services to the FCA, the FC, the CMAC and the TCC; coordinate the provision of services among the four Courts; and safeguard the independence of the Courts by placing administrative services at arm's length from the Government of Canada.

Planning highlights

The following outlines the key initiatives CAS plans to undertake to support its core responsibility—administration services for the Courts. Each initiative supports the achievement of CAS's expected departmental results.

Access to Justice

Access to justice is a critical component of constitutional democracies and a fundamental principle of the Canadian court system and the rule of law.¹ It means Canadians have an equal right to participate in every institution where the law is debated, created, administered, interpreted, and applied. The Courts served by CAS have jurisdiction over a wide range of matters including immigration and refugee protection, intellectual property, income tax, national security, aboriginal claims, and environmental assessment. Hence, the services provided by CAS have a significant impact on the Canadian public, businesses and the various levels of government.

In 2019–20, through its judicial and registry services programs, CAS will continue to emphasize, promote and enhance access to justice for all Canadians, while fine-tuning and aligning its services with the long-term strategic vision of the Courts. For example, in efforts to assist the Courts in leveraging their strengths: reputation, proven expertise, timeliness in issuing rulings, diverse court and the bijural (civil and common law) and bilingual nature. The judicial services program will provide support for the Courts' efforts to pursue innovative ways to find efficiencies and to reduce litigation expenses for individuals appearing before the Courts, and expedite the resolution of matters. A variety of vehicles will also be employed to communicate with the public, improvements will be made to Courts' websites, and useful and accessible information will be made available to representatives of the litigants appearing before the Courts, Self-represented Litigants, academia and other members of the legal community and the public.

¹ *Trial Lawyers Association of British Columbia v. British Columbia (Attorney General)*, 2014 SCC 59 at para 39.

To support the transition toward increased use of electronic media, documents, and services, the facilities provided in support of the Courts must be designed to allow the integration of technology, including internet connectivity, equipment for evidence display and video conferencing capability, as well as flexible configurations to accommodate evolving court requirements — for large and small hearings. Through the e-courts program, priority will be placed on multi-year plans to make electronic services and e-courts a reality with a view to modernizing the practices and processes of the Courts and the administrative support made available to them.

As part of its facilities plans, CAS's space envelope will be reviewed in collaboration with the Courts to ensure that they are capable of meeting their evolving technical requirements while providing a safe and accessible environment for members of the Courts, their users and CAS's employees. Investments will also be made over the coming years to ensure that all locations are barrier-free and accessible to accommodate individuals with physical and other disabilities, in keeping with the Courts' and CAS's policy on accessibility.

Courts and Registry Management System (CRMS)

For several years, the Courts, litigants and the legal community have been calling for the digital transformation of the Courts and registry systems with efficient online access to court services. Canadians expect their interactions with government, including the judicial branch, to be digitally enabled, as reflected in initiatives across the Government of Canada to deliver and improve e-services. However, due to lack of funding, CAS's ability to respond to these demands over the past several years has been limited.

Most of the Courts' business is paper-driven supported by a patchwork of IT systems. These legacy systems cannot accommodate the modifications necessary to provide the functionality and services required to enable the move towards the digital transformation of the Courts and registry business, supported by fully integrated electronic processes and services. In addition, many of the current systems employed need urgent replacement. As confirmed by an independent review, a business application failure or a security incident has the potential to seriously and negatively impact the reputation of the Courts, CAS and the Government of Canada.

The inability to invest in modern systems has resulted in the Courts and CAS lagging behind other jurisdictions and worldwide trends in implementing new technologies to better serve members of the Courts, court users, the legal community and Canadians. Outdated systems have also discouraged some candidates from taking positions with CAS since they are lured by other Canadian courts or other federal departments with more modern and efficient technological solutions. Given that current systems cannot be made to deliver the required range of functionality, employees have been forced to devise ad-hoc, manual workarounds to manage court processes and generate statistics that are time-consuming and inefficient. It has also resulted in processes where litigants must bear the burden of costs of printing, copying,

transporting and filing paper documents. Moreover, it has created an environment where there is a high probability of system failure and susceptibility to security threats. Consequently, these factors create a climate that impacts fair, timely and affordable access to justice.

Therefore, it is critical that CAS procure and implement a modern CRMS to replace current technologies used to manage the business of the Courts and their registries. A modern CRMS would provide efficient and effective support to the Courts, enable the Courts and their registries to work digitally and to deliver the e-services demanded by members of the Courts, litigants, lawyers, parties and the public from the moment documents are filed to the time a decision is made public. The system could also enhance the utilization of resources in the regions as the electronic processing of documents would allow files to be diverted across CAS regional offices to distribute workloads better or alleviate pressures when some offices experience a high-volume caseload. Additionally, the CRMS could be used as a tool to monitor key performance indicators, track workflows and support strategic organizational research to enable management decisions based on complete, reliable and readily available data. The investment in a modern CRMS would also allow CAS to keep pace with other jurisdictions in Canada and internationally such as Ontario, Quebec, Saskatchewan, Alberta, the United Kingdom, Australia and many others who have made significant investments in the renewal of their courts' technologies to improve access to justice and enhance judicial sector efficiency.

In 2019–20, CAS will continue to endeavor to secure funding for a progressive and strategic implementation of a new CRMS. As part of implementation, CAS will also deploy a change management strategy to ensure a smooth transition to digital services and e-access to justice, while leveraging employee knowledge to optimize business processes. To support the integration of CRMS with other corporate systems, CAS will look to develop and implement tools to manage and use digital information in support of the operations of the Courts.

Translation of Court Decisions

CAS has constitutional and quasi-constitutional obligations in providing translation of decisions rendered by the Courts. According to both the *Charter of Rights and Freedoms* and the *Official Languages Act* (OLA), there are specific imperatives placed on the Courts and on CAS to provide equal access to justice by ensuring that decisions of the Courts are available in both official languages. CAS takes all reasonable measures to post translated decisions on the Courts' websites "at the earliest possible time," in accordance with Part III, Administration of Justice, of the OLA. However, it has become increasingly difficult for CAS to meet translation demands as the yearly volume of decisions issued by the Courts— that number in the thousands—has exceeded CAS's annual translation budget. Also, due to a sustained period of program integrity, sufficient funding could not be allocated to translation due to other higher priority areas. The impact of underfunding of translation for a number of years has resulted in delays of up to 18 months to translate and post decisions, or the deferral of the translation of certain decisions

altogether, which has created a backlog of decisions available in one language to the public. Such delays have led to public complaints to the Office of the Commissioner of Official Languages, and the filing of a legal claim against CAS.

CAS's translation budget has also been insufficient to allow for the translation of interlocutory orders of legal significance; a status that continued despite directions received from the Courts in 2016. To date, as it relates to interlocutory orders of legal significance, CAS has been unable to fulfill its legislated mandate to support the Courts and provide full and equal access to justice to Canadians.

It is expected that the pressure being exerted by the increase in the number of court decisions requiring translation will remain in 2019–20. Therefore, CAS will continue its efforts to secure funding to augment its current translation budget to a level that would allow the yearly volume of decisions and interlocutory orders of legal significance to be translated and posted on the Courts' websites within an acceptable timeframe.

Facilities

In consultation with the National Judges Committee on Accommodations and the four Chief Justices, CAS has developed a national accommodation plan with supporting technical guidelines for the four Courts. The Courts have distinct needs supported by defined standards and specifications to accommodate their judicial special purpose space requirements—including courtrooms, judicial chambers, meditation rooms, break-out rooms, robing rooms, registry counters, file rooms, library, judicial circulation areas, court screening areas, building security and IT infrastructure. Moreover, according to the Treasury Board *Policy on the Management of Real Property* (PMRP), Deputy Heads are responsible for providing barrier-free access—egress and ingress—to and from real property where federal services are being offered. The PMRP also establishes minimum requirements for the accessibility of real property, and it is also the policy of the Courts and CAS to provide barrier-free access to judicial facilities. Given the national and itinerant nature of the Courts, CAS provides registry and judicial services in thirteen permanent locations across the country, all of which must meet the above standards and policies.

The Montreal courthouse, the Courts' third largest location in Canada, is a single purpose federal Courts facility whose lease is set to expire within the next few years. Montreal is home to over 4 million people or 50 % of the population of Quebec, over 8 million (Canada, 2017¹), and is the second largest metropolitan area in Canada. In 2019–20, working with the Courts and PSPC, the requirements for the Montreal location will be confirmed and a plan will be developed. This will ensure that court users continue to receive the level of legally mandated and essential services required and enable the Courts to perform their functions in a timely, fair and efficient manner.

Information Management

CAS is responsible for processing, managing and archiving three broad categories of information and records, each of which is subject to different legislative and policy frameworks: corporate, judicial and court information.

Corporate information of business value necessary for the operation of CAS as a federal government organization must be managed according to the Government of Canada's *Policy Framework on Information and Technology*. In 2019–20, CAS will prioritize the alignment of its information management with modern principles, practices and standards and focus its efforts on the continued design, development, and implementation of an enterprise electronic document and record management system (DMS) driven by the programs' and operational needs. Following the implementation of a new DMS for corporate services in the prior year, CAS will look to the possibility of deploying a similar system across other sectors of the organization, as well as for the Courts.

Judicial information includes information stored, received, produced, gathered or used by or for judicial purposes. The Canadian Judicial Council *Blueprint for Security of Judicial Information* provides guidelines for managing judicial information, which is not governed by Government of Canada policies. Defining judicial information is complex. In 2019–20, CAS will continue to work with the Courts to review retention standards and security classifications for judicial information.

Court information and records are those related to matters brought before and adjudicated by the Courts, including but not limited to documents filed and decisions rendered. The handling, retention and disposition of court records are determined by the Courts' legislation, Court Rules and direction from the Chief Justices. Court records must be retained in perpetuity, given that the Courts are superior courts of record and their decisions can be of historical or precedential importance. The business of the Courts generates significant volumes of documents and information. Since the Courts and registries continue to rely primarily on paper-based processes, this represents an important challenge in terms of ensuring adequate space and appropriate conditions to preserve court records. CAS will pursue the funding necessary to implement a modern CRMS to replace outdated legacy systems and enable the transition to digitalized court proceedings. CAS will also continue to work with the Courts to review retention and disposition standards for court records.

Security

Safe and secure court facilities are fundamental to the effective functioning of Canada's justice system. To preserve judicial independence, members of the Courts, employees and court users must be able to conduct court business in an environment free from fear, harassment, intimidation and external threats. They must both be safe and feel safe. Lawyers, litigants and

observers must also feel they can safely access the Courts. Ensuring appropriate safety and security requires measures to be taken to meet the established baseline level of security required for the Courts, the judiciary, employees and court users to operate within a safe and secure environment.

In Budget 2015, the Government of Canada invested \$19 million over five years in physical and IT security for the Courts. CAS is in the last year of implementing enhancements across all locations and operations. In 2019–20, CAS will undertake a comprehensive threat and risk assessment of the Courts' systems to validate the effectiveness of the mitigation measures already taken, to identify the level of potential risks, and ensure the continued adequacy of security measures.

Human Resources

Given the range of administrative services provided to the Courts, CAS requires a workforce with distinct and specialized skills, in particular, strong knowledge of the legal/judicial environment and technical knowledge of the respective jurisdictions of each Court. Gaining the right employees with the skills necessary to provide the level of mandated services has been a challenge for the past several years. Some factors had led to this situation—specifically a lack of funding and hiring freeze due to program integrity; the need for unique qualifications and competencies that are hard to find; competition with other courts in Canada to attract and retain skilled employees; and staff turn-over rates. A large percentage of CAS's workforce is also approaching retirement age—highlighting the urgent need for succession planning.

Across the four Courts in 2019–20, the priority will be to continue building capacity following the receipt of program integrity funding in Budget 2018. A particular focus over the timeframe of this plan will be on hiring front-line registry and judicial services resources. To support the onboarding of new employees, and assure that existing staff retain their knowledge and competencies, training will be a priority. A new three-year training strategy will also be developed for registry staff to modernize training delivery methods and the content of training materials to better meet the unique requirements of each Court and the development needs of employees. This will be complemented by efforts in the registries of the Courts to document policies and procedures and to review training materials so they are current. Specialized training programs will also be developed for staff as part of the change management strategy for a new CRMS to allow employees to gain the requisite skills and knowledge to operate the new system.

Communications

In 2019–20, CAS will continue to develop and implement effective communications strategies, tools, media and materials. In particular, CAS will work in concert with the Courts to enhance their visibility by leveraging modern technologies. For example, communications tools will be developed to, among other things, inform the public on the role of the Courts as an integral part

of the Canadian justice system; to better inform the public on courts rules and processes; and how they can utilize the Courts to access justice. The communications team will also enhance communications to internal employees by building capacity to support existing and new communications tools. The implementation of an internal communications strategy will ensure CAS maximizes existing resources and source new ones appropriately. CAS will also collaborate with the Courts to develop a change management and communications plan for the implementation of a new CRMS to support the transition to the new system.

Summary of Planned Initiatives to Support Departmental Results

The table below demonstrates how each planned initiative for 2019–20 supports CAS’s Departmental Results.

Departmental Results	Areas of Planned Activities							
	Access to Justice	Court and Registry Management System	Translation of Court Decisions	Facilities	Information Management	Security	Human Resources	Communications
Members of the courts are provided with the required information and support services to hear matters and render decisions.								
Members of the courts, court users and the public can access court services, court decisions and processes electronically without undue delays.								
The courts maintain their ability, as the government’s independent judicial branch, to protect judicial independence.								

Consideration of Gender-based Analysis Plus (GBA+) in Planned Initiatives

CAS is committed to the full implementation of gender-based analysis plus (GBA+) in the development of policies, programs and initiatives, including consideration of differentiated impacts on diverse groups of women and men. Further information on gender-based analysis plus is available on the [Courts Administration Service’s website](#).ⁱⁱ

Consideration of Risk in Planned Initiatives

For 2019–20, CAS has developed a Corporate Risk Profile, which identifies the organization’s key risks, demonstrates how they are tied to CAS’s core responsibility and priorities, and categorizes the risk response strategies to be implemented.

Further information on key risks is available on the [Courts Administration Service’s website](#).ⁱⁱⁱ

Planned results

The following table describes the Departmental Results, Departmental Result Indicators and targets included in CAS's Departmental Results Framework (DRF). Performance against these will be tracked throughout 2019–20 and used to inform decision-making. Achievement of planned results will also be reported on in the Departmental Results Report.

Departmental Results	Departmental Result Indicators	Target	Date to achieve target	2015–16 Actual results	2016–17 Actual results	2017–18 Actual results
Members of the Courts are provided with the required information and support services to hear matters and render decisions.	Percentage of court files that are complete and processed accurately.	Exactly 100%	March 31, 2020	93%	92%	91%
Members of the Courts, court users and the public can access court services, court decisions and processes electronically without undue delays.	Percentage of final court decisions posted on the Courts' websites in both official languages, within established timeframes.	At least 95%	March 31, 2020	Not available	Not available	Not available
	Percentage of court documents that are filed electronically.	At least 80%	March 31, 2020 ²	Not available	Not available	Not available
The Courts maintain their ability, as the government's independent judicial branch, to protect judicial independence.	Level of satisfaction of the members of the Courts with the adequacy of services provided to discharge their judicial functions.	At least a rating of 4 on a scale of 1–5	March 31, 2020	Not available	Not available	Not available
	Level of satisfaction of the members of the Courts with the security afforded to them in discharging their judicial functions.	At least a rating of 4 on a scale of 1–5	March 31, 2020	Not available	Not available	Not available

² To establish baseline data for comparative purposes post CRMS implementation.

Explanatory Notes on Departmental Results and Departmental Result Indicators

Departmental Result: Members of the Courts are provided with the required information and support services to hear matters and render decisions

Departmental Result Indicator: Percentage of court files that are complete and processed accurately.

The provision of administrative services at arm's length from the Government of Canada is central to CAS's mandated responsibilities. This results indicator was selected to assess and monitor the extent to which the members of the Courts are being provided with the legal services and administrative support they require to discharge their judicial functions. The effectiveness of the indicator has been monitored post implementation, and the definition has been refined based on the results and findings during the implementation phases—to increase the accuracy of the results.

Further, members of the Courts depend on the information contained in the court files to render timely decisions on matters being tried before them. Litigants and their legal representatives expect decisions to be rendered based on accurate and complete information. As such, the registry services apply performance measures, indicators and results to ensure that documents received are processed accurately. By monitoring the level of accuracy, CAS supports access to justice to all who seek the services from the Courts and CAS, particularly to litigants and their legal representatives. While accuracy rates have consistently been high, CAS continues to strive to attain a 100% accuracy rate; however, in some cases the accuracy or completeness of a file is highly dependent on the information filed by the parties.

Most notably, the measures have shown that there were a number of under serviced/funded areas including translation, registry resources, and e-services. While the results indicator was primarily intended to measure the level of services provided to the Courts, results have also served to inform a number of corporate and operational decisions, including the development and modification of operational and strategic plans, the development of the new DRF in 2018–19, business cases and application for required funding.

In addition, in recent years, focus has been placed on fine tuning performance indicators and methodologies in accordance with the new Treasury Board *Policy on Results*, and on the development of the DRF in 2018–19. The revised indicators will better inform management planning decisions and improve performance in the context of court decision postings in both official languages. Two additional programs were created—e-courts and security—to better meet the needs of the Courts. CAS has also determined that additional funding needs to be invested to fully meet the translation and e-services requirements of the Courts.

Departmental Result: Members of the Courts, court users and the public can access court services, court decisions and processes electronically without undue delays.

Departmental Result Indicator: Percentage of final court decisions posted on the courts' websites in both official languages, within established timeframes.

In order to measure timeliness of the posting of decisions on the Courts' websites, an acceptable target rate of 95% was established. As part of the performance measurement process, action plans were developed to address the root cause of the findings.

Departmental Result: The Courts maintain their ability, as the government's independent judicial branch, to protect judicial independence.

This measure was developed as part of the recent implementation of the new Policy on Results and CAS will begin in 2018–19 collecting data and reporting on this result.

New Departmental Result Indicators

Certain departmental results indicators and targets were established for CAS's DRF and hence, actual data for previous fiscal years are not available. These are marked as "not available" in planned results table. CAS will begin in 2018–19 collecting data and reporting on these results.

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending
61,743,388	61,743,388	62,626,094	60,097,955

Human resources (full-time equivalents)

2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
546	546	546

Financial, human resources and performance information for the Courts Administration Service's Program Inventory is available in the [GC InfoBase](#).^{iv}

Internal Services

Description

Internal Services are those groups of related activities and resources that the federal government considers to be services in support of Programs and/or required to meet corporate obligations of an organization. Internal Services refers to the activities and resources of the 10 distinct services that support Program delivery in the organization, regardless of the Internal Services delivery model in a department. These services are:

- Management and Oversight Services
- Communications Services
- Legal Services
- Human Resources Management Services
- Financial Management Services
- Information Management Services
- Information Technology Services
- Real Property Management Services
- Materiel Management Services
- Acquisition Management Services

Budgetary financial resources (dollars)

2019–20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending
25,717,482	25,717,482	26,085,148	26,085,148

Human resources (full-time equivalents)

2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
179	179	179

Planning highlights

During the period covered by this report and to meet evolving needs, human resources (HR) initiatives will be focused on building a competent, diverse, innovative and agile workforce within a safe and healthy workplace. One of CAS's key initiatives slated for the period is the renewal of the Integrated HR Plan. The emphasis will be on aligning the priorities and activities set out in the Plan to attract talent; to meet the evolving needs of the Courts and CAS; to address projected gaps in specific skills needed to support core business objectives and required support services for the Courts; and to be responsive to the realities of today's marketplace. Work will also continue to advance the review of work descriptions to ensure a skilled and effective

workforce and help maintain the strength of CAS's core business. In addition to ongoing succession planning efforts, CAS will look to develop strategies and tools for knowledge management and knowledge transfer. These will ensure that pertinent corporate and procedural knowledge is retained and passed on.

Workplace wellness and mental health will also remain top priorities for 2019–20, with the focus on sustaining a physically and psychologically healthy and safe workplace. Additionally, CAS will consult with its employees to establish a multi-year plan which will further support values and ethics, civility and respect, and mental health. The focus will be on improving psychological support to employees and managers, developing a culture of trust, honesty and fairness and fostering an environment of civility and respect.

The NASP for the Courts will be updated to reflect the most current analysis of the Courts' and CAS's accommodations needs taking into account the long-term strategic vision of the Courts. CAS will also finalize its National Tenant Service Plan and the Judicial Fit-up Standards. Together, these documents define the current, medium and long-term requirements of the Courts; guide decisions for investments in facilities; support space optimization; ensure the standards and distinct requirements of the Courts are met; and balance affordability with flexibility in meeting evolving operational requirements. Where funding permits, facilities initiatives will include technology integration: new e-courts capacity, evidence display equipment, video conferencing, and digital audio recording systems (DARS). These accommodations are intended to support electronic proceedings and the eventual implementation of a new CRMS.

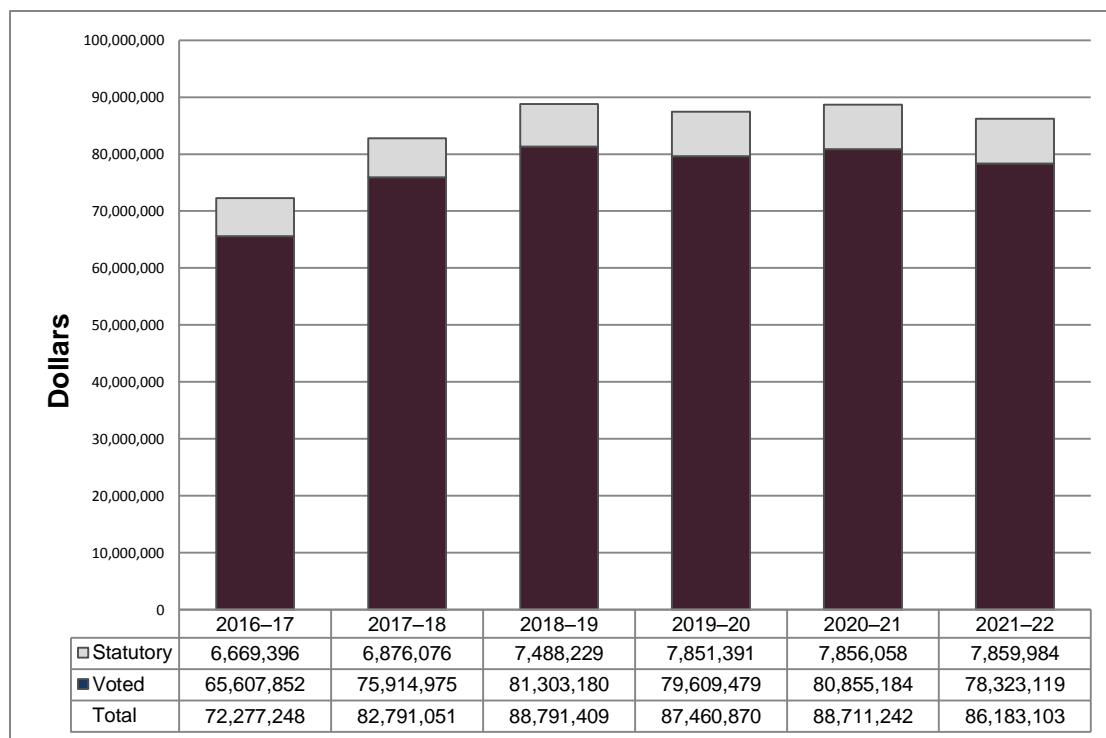
CAS will also continue to foster an open and collaborative work environment supported by transparent two-way communication between management and staff. Central to CAS's efforts will be to ensure its internal communications activities, tools and messaging promote organizational objectives and resonate with employees. This will include developing tools and processes that encourage sharing, input and dialogue to strengthen connections across the organization, and between management and employees.

Finally, in 2019–20 CAS will continue to deploy efforts to secure funding for initiatives critical to the Courts' operations such as the digital transformation of court services, the timely translation of all court decisions and interlocutory orders of legal significance and the Montreal courthouse.

Spending and human resources

Planned spending

Departmental spending trend graph



Budgetary planning summary for Core Responsibilities and Internal Services (dollars)

Core Responsibilities and Internal Services	2016–17 Expenditures	2017–18 Expenditures	2018–19 Forecast spending	2019–20 Main Estimates	2019–20 Planned spending	2020–21 Planned spending	2021–22 Planned spending
Administration Services for the Federal Courts	50,966,706	58,686,880	63,997,053	61,743,388	61,743,388	62,626,094	60,097,955
Subtotal	50,966,706	58,686,880	63,997,053	61,743,388	61,743,388	62,626,094	60,097,955
Internal Services	21,310,542	24,104,171	24,794,356	25,717,482	25,717,482	26,085,148	26,085,148
Total	72,277,248	82,791,051	88,791,409	87,460,870	87,460,870	88,711,242	86,183,103

Table Notes: Planned Spending for 2019–20 and beyond exclude all Treasury Board central vote funding (Operating Budget Carry Forward and expenditures such as severance pay and parental benefits). In addition, prior-year expenditures (2016–17 and 2017–18) have been realigned to the new DRF for comparability purposes.

Notes: The \$10.5 million increase between fiscal years 2016–17 and 2017–18 resulted mostly from an increase in the amount of Operating Budget Carry-Forward received as well as a Budget 2017 commitment to support translation of decisions of the Courts and one-time off cycle funding in 2017–18 to address urgent program integrity issues to help ensure the smooth functioning of the Courts and to promote greater access to justice for all Canadians. CAS also received compensation for collective bargaining increases.

The \$6 million increase between 2017–18 expenditures and 2018–19 forecast spending is mostly due to increases in funding provided by Budget 2018 commitments to support Canada’s Court system and to support a new intellectual property strategy which gave CAS funding to support three prothonotaries related to this strategy.

The slight decrease from 2018–19 forecast spending to 2019–20 Main Estimates is due to several fluctuations in funding. While Program Integrity funding increases from 2018–19 to 2019–20, this is offset by a decrease in funding for translation, a decrease in Intellectual Property prothonotary funding related to one-time construction costs of chambers in 2018–19, and smaller decreases to funding for collective bargaining and other programs funding. Finally, the amount for 2018–19 also includes the departmental operating budget carry forward, whereas this number is not yet known for 2019–20.

The forecast spending of 2018–19 also includes expenditures to date related to authorities received from Treasury Board central votes. These central votes (Operating Budget Carry-Forward, ratified collective agreements) are excluded from the planned spending information due to its unpredictability and therefore offset the increases in funding which results in the decrease from 2018–19 forecasted spending and the 2019–20 Main Estimates.

Planned human resources

Human resources planning summary for Core Responsibilities and Internal Services (full-time equivalents)

Core Responsibilities and Internal Services	2016–17 Actual full-time equivalents	2017–18 Actual full-time equivalents	2018–19 Forecast full-time equivalents	2019–20 Planned full-time equivalents	2020–21 Planned full-time equivalents	2021–22 Planned full-time equivalents
Administration Services for the Federal Courts	472	489	514	546	546	546
Subtotal	472	489	514	546	546	546
Internal Services	165	124	173	179	179	179
Total	637	613	687	725	725	725

Table Notes: Prior-year full-time equivalents (FTEs) (2016–17 and 2017–18) have been realigned to the new DRF for comparability purposes.

Notes: The variance between 2017–18 actual FTEs and 2018–19 forecasted FTEs is a renewed emphasis on staffing as CAS obtained funding to support Canada’s Court system. This funding primarily focused on supporting CAS’s operational requirements. The high turnover experienced in 2017–18 (hence why a bigger variance is presented) as well as this additional funding created many vacant positions that were staffed in 2018-19. The increase the between 2018–19 forecasted FTEs and 2019–20 planned FTEs is due to the ramp-up in Budget 2018 funding which represents an additional 38 FTEs.

Estimates by vote

Information on the Courts Administration Service’s organizational appropriations is available in the [2019–20 Main Estimates](#).^v

Future-Oriented Condensed Statement of Operations

The Future-Oriented Condensed Statement of Operations provides a general overview of the Courts Administration Service’s operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management. The forecast and planned spending amounts presented in other sections of the Departmental Plan are prepared on an expenditure basis; as a result, amounts may differ.

A more detailed Future-Oriented Statement of Operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, are available on the [Courts Administration Service’s website](#).^{vi}

Future-Oriented Condensed Statement of Operations for the year ending March 31, 2020 (dollars)

Financial information	2018–19 Forecast results	2019–20 Planned results	Difference (2019–20 Planned results minus 2018–19 Forecast results)
Total expenses	118,841,204	117,179,548	(1,661,656)
Total revenues	11,752	11,752	0
Net cost of operations before government funding and transfers	118,829,452	117,167,796	(1,661,656)

Notes: Forecast and planned results were determined based on an analysis of actual expenditures, results of internal forecasting exercises and prior year trends, and the use of professional judgment. With all assumptions, there is a measure of uncertainty surrounding them. This uncertainty increases as the forecast horizon extends.

The CAS's total expenses are estimated to decrease from \$118,841,204 in 2018–19 to \$117,179,548 in 2019–20, a variance of \$1,661,656 (1%). The two major categories of expenses are salary and employee benefit expenses, and operating expenses.

- **Salary and employee benefit expenses:** Salary and employee benefit expenses are estimated to increase from \$60,659,087 in 2018–19 to \$62,986,602 in 2019–20, a variance of \$2,327,515 (4%). On an accrual basis, over half of the CAS's total expenses consist of salaries and employee benefits (51% of total expenses in 2018–19 and 54% of total expenses in 2019–20). This variance is mainly attributable to the increase of funding related to address program integrity issues during the year.
- **Operating expenses:** Operating expenses are estimated to decrease from \$58,182,117 in 2018–19 to \$54,192,946 in 2019–20, a variance of \$3,989,171 (-7%). This is mainly attributable to decreases in professional and special services, and to an increase of capital asset related to machinery and equipment and leasehold improvement reflected in the financial position statement.

CAS's total revenues are estimated to be \$11,752 in both 2018–19 and 2019–20. The majority of the CAS's revenues are earned on behalf of the Government (i.e., non-responsible revenues). The total revenues figure presented in the above table is net of these non-responsible revenues and relates to responsible revenue from the sale of Crown assets. Further details on CAS's non-responsible revenues can be found in the detailed [Future-Oriented Statement of Operations and associated notes](#).^{vii}

Additional information

Corporate information

Organizational profile

Appropriate minister: The Honourable David Lametti, P.C., M.P.

Institutional head: Daniel Gosselin, Chief Administrator

Ministerial portfolio: Minister of Justice and Attorney General of Canada

Enabling instrument[s]: *Courts Administration Service Act, S.C. 2002, c. 8*^{viii}

Year of incorporation / commencement: 2003

Raison d’être, mandate and role: who we are and what we do

“Raison d’être, mandate and role: who we are and what we do” is available on the [Courts Administration Service’s website](#).^{ix}

Reporting framework

Courts Administration Service’s Departmental Results Framework and Program Inventory of record for 2019–20 are shown below.

Departmental Results Framework	Core Responsibility: Administration Services for the Federal Courts		Internal Services
	Departmental Result: Members of the Courts are provided with the required information and support services to hear matters and render decisions.	Indicator: Percentage of court files that is complete and processed accurately.	
	Departmental Result: Members of the Courts, court users and the public can access court services, court decisions and processes electronically without undue delays.	Indicator: Percentage of final court decisions posted on the Courts’ websites in both official languages, within established timeframes. Indicator: Percentage of court documents that are filed electronically.	
	Departmental Result: The Courts maintain their ability, as the government’s independent judicial branch, to protect judicial independence.	Indicator: Level of satisfaction of the members of the Courts with the adequacy of services provided to discharge their judicial functions. Indicator: Level of satisfaction of the members of the Courts with the security afforded to them in discharging their judicial functions.	
Program Inventory	Program: Judicial Services		
	Program: Registry Services		
	Program: E-Courts		
	Program: Security		

Supporting information on the Program Inventory

Supporting information on planned expenditures, human resources, and results related to the Courts Administration Service's Program Inventory is available in the [GC InfoBase](#).^x

Supplementary information tables

The following supplementary information tables are available on the [Courts Administration Service's website](#):^{xi}

- [Key risks](#)^{xii}
- [Gender-based analysis plus](#)^{xiii}

Organizational contact information

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

Director, Strategic Planning, Communications and Corporate Secretariat
Courts Administration Service
Ottawa, Ontario
K1A 0H9
Info@cas-satj.gc.ca

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

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Courts Administration Service
Ottawa, Ontario
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Info@cas-satj.gc.ca

Appendix: definitions

appropriation (crédit)

Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures (dépenses budgétaires)

Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Core Responsibility (responsabilité essentielle)

An enduring function or role performed by a department. The intentions of the department with respect to a Core Responsibility are reflected in one or more related Departmental Results that the department seeks to contribute to or influence.

Departmental Plan (plan ministériel)

A report on the plans and expected performance of an appropriated department over a three-year period. Departmental Plans are tabled in Parliament each spring.

Departmental Result (résultat ministériel)

Any change that the department seeks to influence. A Departmental Result is often outside departments' immediate control, but it should be influenced by Program-level outcomes.

Departmental Result Indicator (indicateur de résultat ministériel)

A factor or variable that provides a valid and reliable means to measure or describe progress on a Departmental Result.

Departmental Results Framework (cadre ministériel des résultats)

The department's Core Responsibilities, Departmental Results and Departmental Result Indicators.

Departmental Results Report (rapport sur les résultats ministériels)

A report on the actual accomplishments against the plans, priorities and expected results set out in the corresponding Departmental Plan.

evaluation (évaluation)

In the Government of Canada, the systematic and neutral collection and analysis of evidence to judge merit, worth or value. Evaluation informs decision making, improvements, innovation and accountability. Evaluations typically focus on programs, policies and priorities and examine questions related to relevance, effectiveness and efficiency. Depending on user needs, however, evaluations can also examine other units, themes and issues, including alternatives to existing interventions. Evaluations generally employ social science research methods.

experimentation (expérimentation)

Activities that seek to explore, test and compare the effects and impacts of policies, interventions and approaches, to inform evidence-based decision-making, by learning what works and what does not.

full-time equivalent (équivalent temps plein)

A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

gender-based analysis plus (GBA+) (analyse comparative entre les sexes plus [ACS+])

An analytical process used to help identify the potential impacts of policies, Programs and services on diverse groups of women, men and gender-diverse people. The “plus” acknowledges that GBA goes beyond sex and gender differences. We all have multiple identity factors that intersect to make us who we are; GBA+ considers many other identity factors, such as race, ethnicity, religion, age, and mental or physical disability.

government-wide priorities (priorités pangouvernementales)

For the purpose of the 2019–20 Departmental Plan, government-wide priorities refers to those high-level themes outlining the government’s agenda in the 2015 Speech from the Throne, namely: Growth for the Middle Class; Open and Transparent Government; A Clean Environment and a Strong Economy; Diversity is Canada's Strength; and Security and Opportunity.

horizontal initiative (initiative horizontale)

An initiative where two or more departments are given funding to pursue a shared outcome, often linked to a government priority.

non-budgetary expenditures (dépenses non budgétaires)

Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance (rendement)

What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator (indicateur de rendement)

A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, Program, policy or initiative respecting expected results.

Performance Information Profile (profil de l’information sur le rendement)

The document that identifies the performance information for each Program from the Program Inventory.

performance reporting (production de rapports sur le rendement)

The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

plan (plan)

The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

planned spending (dépenses prévues)

For Departmental Plans and Departmental Results Reports, planned spending refers to those amounts presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their Departmental Plans and Departmental Results Reports.

priority (priorité)

A plan or project that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Departmental Results.

Program (programme)

Individual or groups of services, activities or combinations thereof that are managed together within the department and focus on a specific set of outputs, outcomes or service levels.

Program Inventory (répertoire des programmes)

Identifies all of the department's programs and describes how resources are organized to contribute to the department's Core Responsibilities and Results.

result (résultat)

An external consequence attributed, in part, to an organization, policy, Program or initiative. Results are not within the control of a single organization, policy, Program or initiative; instead they are within the area of the organization's influence.

statutory expenditures (dépenses législatives)

Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

sunset program (programme temporisé)

A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target (cible)

A measurable performance or success level that an organization, Program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures (dépenses votées)

Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Endnotes

- i. Canada at a Glance 2017, <https://www150.statcan.gc.ca/n1/pub/12-581-x/2017000/pop-eng.htm>
- ii. Gender-based analysis plus, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/st-2019-20.shtml>
- iii. Key risks, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/st-2019-20.shtml>
- iv. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- v. 2019–20 Main Estimates, <https://www.canada.ca/en/treasury-board-secretariat/services/planned-government-spending/government-expenditure-plan-main-estimates.html>
- vi. 2019–20 Future-oriented Statement of Operations, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/pdf/foso-2019-20.pdf>
- vii. 2019–20 Future-oriented Statement of Operations, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/pdf/foso-2019-20.pdf>
- viii. *Courts Administration Service Act*, <http://laws.justice.gc.ca/eng/acts/C-45.5/page-1.html>
- ix. Raison d’être, mandate and role: who we are and what we do, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/dp-2019-20.shtml#sec3>
- x. GC InfoBase, <https://www.tbs-sct.gc.ca/ems-sgd/edb-bdd/index-eng.html#start>
- xi. 2019–20 Supplementary Information Tables, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/st-2019-20.shtml>
- xii. Key risks, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/st-2019-20.shtml>
- xiii. Gender-based analysis plus, <http://www.cas-satj.gc.ca/en/publications/rpp/2019-2020/st-2019-20.shtml>