



COURTS ADMINISTRATION SERVICE

# **ANNUAL REPORT** 2020-21



Courts Administration Service 2020–21 Annual Report  
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## MESSAGE FROM THE CHIEF ADMINISTRATOR

D A R L E N E C A R R E A U

“ *Judicial administration has been indelibly marked by the pandemic and there is a tremendous opportunity for us to significantly and thoughtfully transform our services to the Courts and Canadians.* ”

It is my pleasure to present the Courts Administration Service 2020–2021 Annual Report. The report highlights the achievements of the Courts Administration Service (CAS) over the past fiscal year providing judicial, registry and administrative services to the Federal Court of Appeal (FCA), Federal Court (FC), Court Martial Appeal Court of Canada (CMAC) and Tax Court of Canada (TCC) collectively the “Courts”- in support of the delivery of justice to all Canadians.

The past year presented great challenges to court operations and court administrations worldwide. When I began my mandate in December 2020, the country was in the midst of the second wave of the COVID-19 pandemic, with the Courts continuously having to adapt to new realities. I am immensely proud of CAS and all its employees who delivered timely, innovative and effective services, both virtually and in-person throughout the pandemic, while at the same time turning these challenges into unique opportunities for improved service delivery.

Our work not only made certain the Courts remained open during the pandemic, but also positively contributed to Canada’s justice system by ensuring continued access to justice for all Canadians. We implemented robust, multi-layered, health and safety measures in all our court facilities and courtrooms across Canada to safely support in-person appearances, and delivered digital solutions for the conduct of virtual and hybrid hearings. Providing uninterrupted access to justice throughout the pandemic is a testament to the exemplary dedication, resilience, and agility of our highly skilled and talented employees.

In responding to the pandemic, CAS staff rethought how we deliver our services, perform our work, and serve the Courts and Canadians. During the year, the move to virtual operations accelerated the implementation of information technology infrastructure and systems crucial for digital courts, as well as the electronic management of court business. We expanded our e-court capacity, enhanced the e-filing capabilities of the Courts and accelerated the digitization of Court documents. We also advanced our multi-year project to implement a new digital Courts and Registry Management System, built two new fully digitally equipped courtrooms and advanced plans for the construction of a modern, equipped and accessible federal courthouse in Montréal. I am confident that lessons learned will help us seize future opportunities to further modernize and improve access to justice in the future.

It is a very exciting time to be working with the Courts. Looking to the future, we will build on the innovations we implemented in response to the pandemic as we move forward with sustainable solutions that address some of the longstanding challenges in the justice system. We will continue to improve the quality and timeliness of our services, serve the Courts with excellence and support the delivery of justice for all Canadians.

I am grateful for the close collaboration of the Chief Justices, the Associate Chief Justices, and all members of the Courts, whose partnership is instrumental to our continued success.

A handwritten signature in black ink, appearing to read 'Darlene H. Carreau', with a stylized, flowing script.

Darlene H. Carreau LL.B.  
Chief Administrator





**HIGHLIGHTS OF  
THE PAST YEAR**



## HIGHLIGHTS OF THE PAST YEAR

### ● PANDEMIC MANAGEMENT

Over the course of last year, we provided innovative ways of delivering justice remotely and online as well as ensuring safe access to our court facilities and courtrooms for in-person appearances.

### ● DIGITAL COURTS AND VIRTUAL HEARINGS

We very successfully transitioned to working virtually and delivering services to the Courts and Canadians through various digital means to enable continued access to justice. The capacity of the Courts to receive the electronic submission of documents was enhanced with the release of a new e-filing portal on the FC website and improvements made to the TCC's e-filing portal. An online payment option for filing fees was also introduced as part of the FC e-filing portal. Two new fully digital e-courtrooms were built in Ottawa this year for the FC and CMAC. These courtrooms are equipped with fully integrated IT infrastructure to support virtual hearings and trials, including video conferencing, digital screens, computer workstations, internet connectivity, and digital audio recording systems.

We accelerated the digitization of court documents and converted active and priority files to digital format to support virtual proceedings. We also expanded our e-trial toolkit and implemented SharePoint allowing litigants and the Courts to share and access digital court files in virtual proceedings. Our multi-year project to implement a new Courts and Registry Management System (CRMS) advanced with preparatory work to define court requirements and activate the procurement process, including a request for information from the industry.

### ● NATIONAL COURT FACILITIES AND COURTROOMS

We advanced our plans to build a new state-of-the-art federal courthouse in Montréal by 2027. In Ottawa, we built new judicial chambers for the FC, constructed three new courtrooms for the FC and CMAC, and acquired and set-up additional office space for the TCC. We also improved the security and accessibility at our Calgary court facilities.

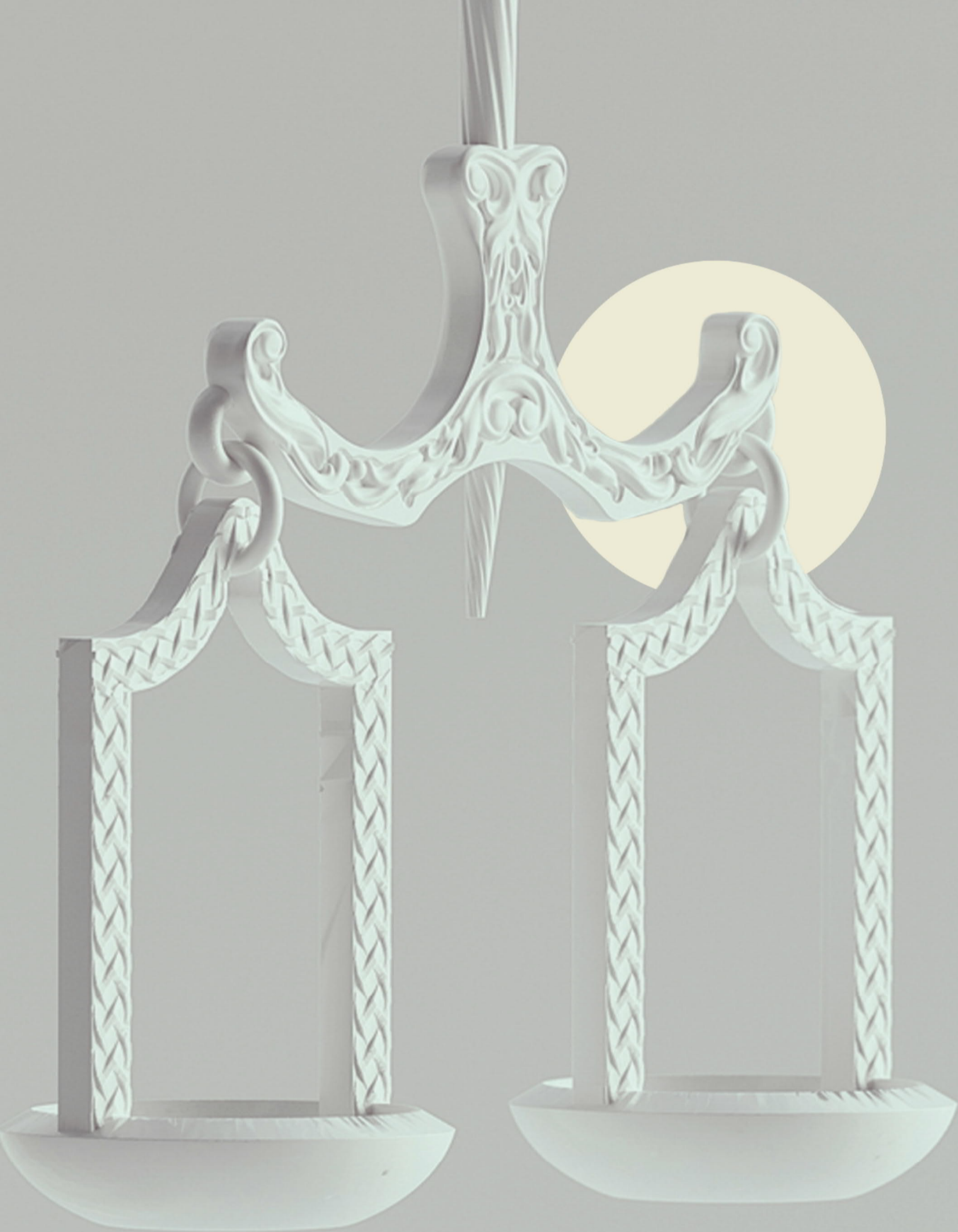
### ● OUR WORKFORCE

CAS's diverse and skilled workforce is the foundation of our success. We are committed to providing employees with the knowledge, tools, and the work environment they need to perform

their jobs effectively and efficiently. Over the past year, we continued our recruitment efforts and invested in the training and well-being of our workforce. We launched a mental health series providing employees with events, training, and services offered monthly to promote mental health and wellbeing at CAS. A new corporate learning management system was introduced, empowering employees to better track training needs based on their career paths and aspirations. A five-year Anti-Racism Strategy was developed and implemented to take action to build a workplace that fosters diversity and inclusion by addressing systemic racism, unconscious biases and other forms of discrimination.







**ABOUT US**



## ABOUT US

CAS was established on July 2, 2003, with the coming into force of the [Courts Administration Service Act, S.C. 2002, c. 8](#) (CAS Act). Our role is to support Canada's justice system by providing innovative, timely and efficient judicial, registry, corporate and digital services to the Courts. By delivering these services, CAS enables the Courts to hear and resolve the cases before them fairly, without delay and as efficiently as possible. Our services also facilitate access to justice for all Canadians by enabling litigants and legal counsel to submit disputes and other matters to be heard before the Courts. As described in [section 2](#) of the CAS Act, our mandate is to:

- Facilitate coordination and cooperation among the four Courts for the purpose of ensuring the effective and efficient provision of administrative services;
- Enhance judicial independence by placing administrative services at arm's length from the Government of Canada and by affirming the roles of Chief Justices and judges in the management of the Courts; and
- Enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary.

### OUR MISSION

Providing innovative, timely and efficient judicial, registry, corporate and digital services to Courts.

### OUR GOAL

We are a national and international model of excellence in judicial administration.

### OUR VALUES

**Transparency** – We aim to provide timely and unfettered access to clear and accurate information.

**Respect** – We recognize that our employees are entitled to work in a harassment-free environment where everyone can freely express their opinions without fear of recrimination or reprisal.

**Innovation** – We encourage a work environment that fosters creativity and new ideas to improve our business practices and the quality of our services.

**Wellness** – We advocate attitudes and activities in the workplace that generate a sense of spirit and belonging, that have a potential to improve overall physical and mental health, and that facilitate, encourage and promote fun and a balanced work and personal life.

**Excellence** – We strive to be exemplary in everything we do.

## OUR PRIORITIES

Four strategic priorities will shape our activities over the next five years.



**COURTS ADMINISTRATION SERVICE**  
SUPPORTING THE DELIVERY OF JUSTICE FOR ALL CANADIANS

**OUR MISSION**  
Providing innovative, timely and efficient judicial, registry, corporate and digital services to the federal courts.

**OUR GOAL**  
We are a national and international model of excellence in judicial administration.

### OUR 2021-26 PLAN



#### DIGITAL COURTS

Deliver information technology solutions that provide for the effective management of court business, offer self-service to litigants and improve access to justice.



#### WORKFORCE OF THE FUTURE

Attract, retain and develop a highly skilled, diverse and engaged workforce.

Optimize our work environment and strengthen management excellence.



#### NATIONAL COURT FACILITIES AND COURTROOMS

Deliver modern, equipped, accessible and secure federal court facilities across Canada.



#### SERVICE EXCELLENCE

Provide consistent, quality and timely client-centric services.

Modernize our practices, processes and tools, and integrate new business and technological solutions.

## AREAS OF ACTIVITY

### JUDICIAL SERVICES

We provide legal services and legal administrative support to assist members of the Courts in the discharge of their judicial functions. Our judicial services are delivered by legal counsel, judicial administrators, law clerks, jurilinguists, judicial assistants, library personnel and court attendants, under the direction of the four Chief Justices.

## REGISTRY SERVICES

We provide registry services under the direction of the Courts. Our registries process legal documents, provide information to litigants on court procedures, maintain court records, participate in court hearings, support and assist in the enforcement of court orders. Our registry staff also work closely with the offices of the four Chief Justices to ensure that matters are heard and decisions are rendered in a timely manner.

## CORPORATE SERVICES

We provide the full range of corporate services to support the Courts and their respective registries in carrying out their activities. Specifically, our corporate services include: Finance, Human Resources, Contracting, Materiel Management, Information Management and Information Technology (IM/IT), Security, Facilities, Strategic Planning, Communications, Internal Audit and Investment and Project Management.

## JUDICIAL INDEPENDENCE

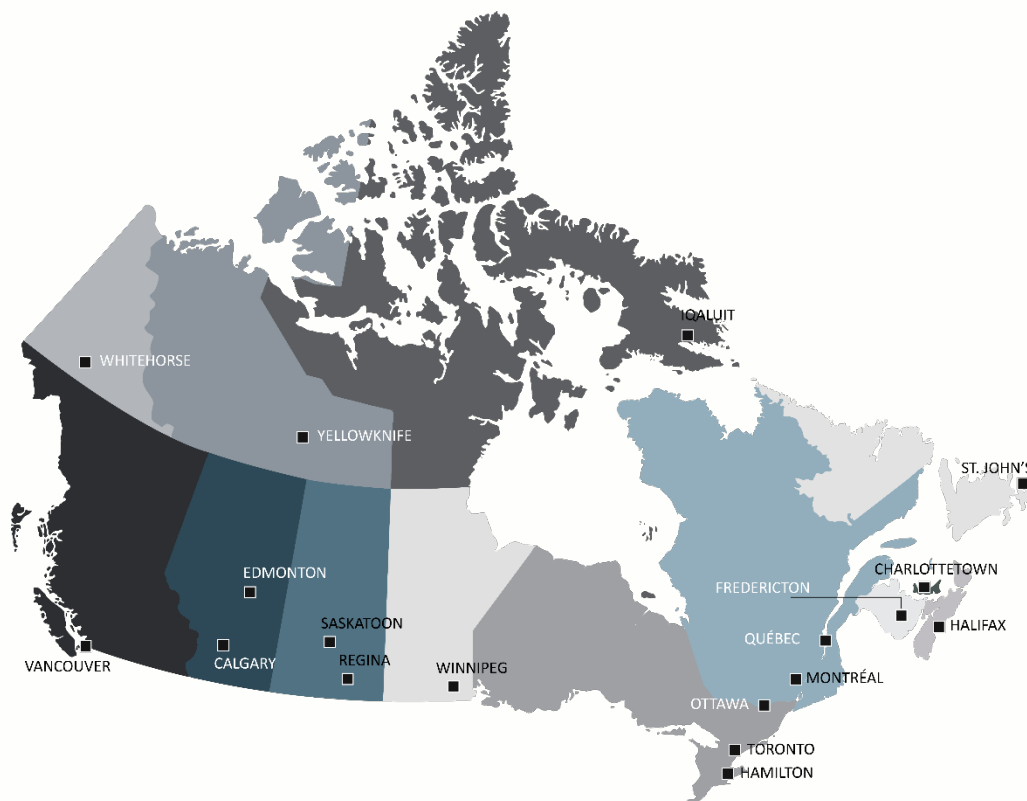
Judicial independence is one of the cornerstones of the Canadian judicial system. Under the Constitution, the judiciary is separate from and independent of the executive and legislative branches. Judicial independence enables judges to make decisions free of influence based solely on facts and law. It has three components: security of tenure, financial security and administrative independence. Safeguarding the principle of judicial independence is a key operational consideration when providing services to the Courts, as well as in supporting the roles of the Chief Justices in the management of the Courts.



## SERVICE DELIVERY ACROSS CANADA

We have 750 employees providing services to some 95 members of the Courts. The Courts are itinerant, sitting in various locations across the country to reach Canadians wherever they are. We support members of the Courts in preparing files, conducting hearings and writing decisions “anywhere, anytime” and maintain 57 courtrooms across Canada. Judicial and registry services are offered in every

province and territory through a network of thirteen permanent offices and agreements with seven provincial and territorial courts. The headquarters of the Courts are located in Ottawa. Our main regional offices are located in Vancouver, Toronto and Montréal, and local offices are located in Calgary, Edmonton, Winnipeg, Hamilton, Québec City, Halifax, Fredericton and St. John’s.



## GOVERNANCE AND ACCOUNTABILITY

CAS is an agency within the Justice Canada portfolio. As the Chief Executive Officer of the organization and Deputy Head, the Chief Administrator has supervision over and direction of the work of CAS, with all the powers necessary for the overall effective and efficient management and administration of court services. Our accountabilities are maintained through this annual report to Parliament. In addition, committees with members of the Courts ensure our accountabilities are maintained, including quarterly meetings of the Chief Justices Steering Committee.





**THE COURTS  
WE SERVE**

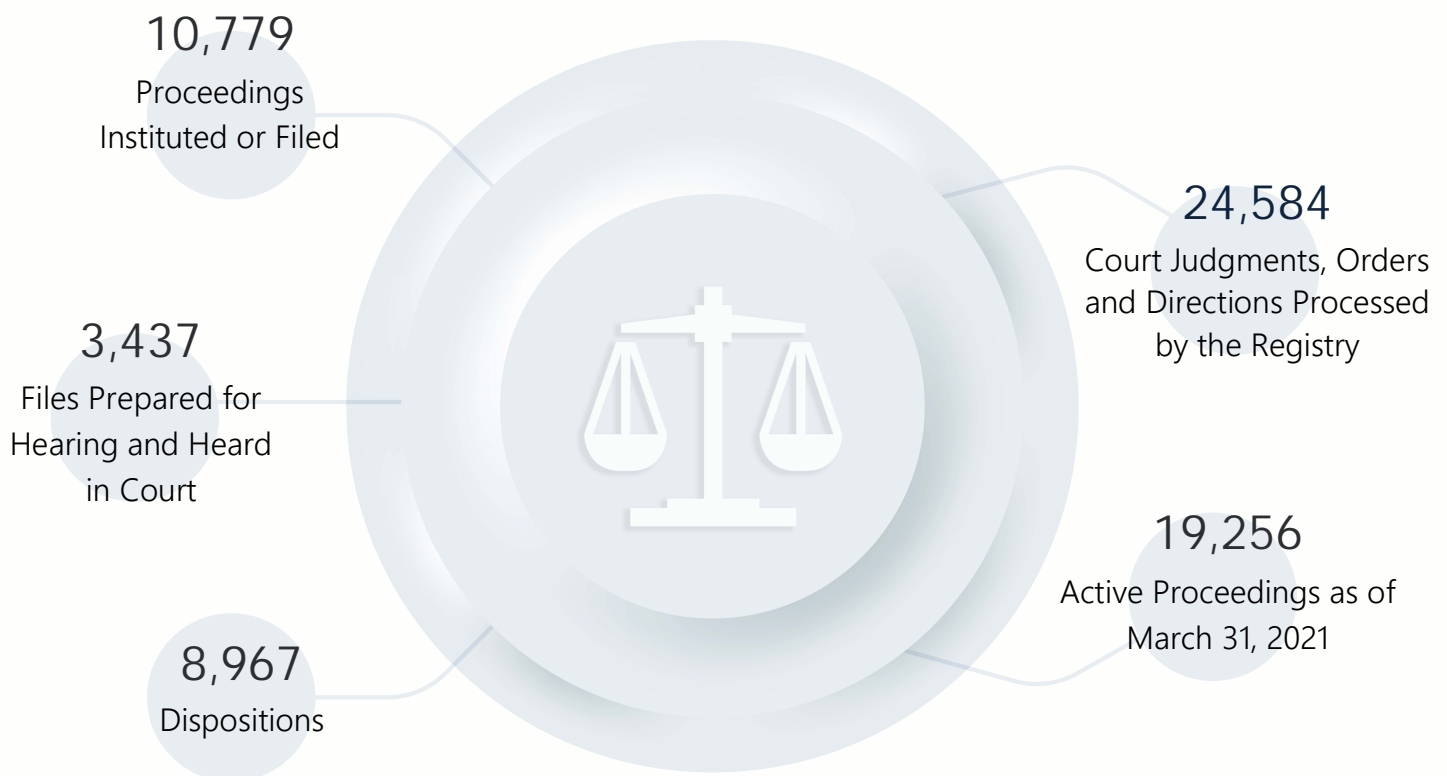


# THE COURTS WE SERVE

## THE COURTS WE SERVE

The Courts we serve were established by the Parliament of Canada pursuant to its authority under [section 101 of the \*Constitution Act, 1867\*](#) “for the better administration of the Laws of Canada”. In the exercise of their respective roles, the Courts make decisions, interpret and establish precedents, set standards and decide questions of law.

## THE COURTS STATISTICS IN 2020–21 AT A GLANCE



## FEDERAL COURT OF APPEAL (FCA)

The FCA is a national, bilingual, bijural, superior court of record, which has jurisdiction to hear appeals of judgments and orders, whether final or interlocutory, of the FC and the TCC. It may also review decisions of certain federal tribunals pursuant to [section 28](#) of the *Federal Courts Act*, R.S.C., 1985, c. F-7 and hear appeals under other federal legislation. Further information on the FCA can be found at [www.fca-caf.gc.ca](http://www.fca-caf.gc.ca).

Table 1 below provides an overview of the workload of the FCA by fiscal year.

TABLE 1: FEDERAL COURT OF APPEAL WORKLOAD

	2020–21	2019–20	2018–19	2017–18	2016–17
Proceedings instituted or filed	342	490	463	422	527
Court judgments, orders and directions processed by the registry	1,350	1,965	1,444	1,395	1,711
Files prepared for hearing and heard in court	163	239	200	244	305
Days in Court	147	191	156	174	217
Recorded entries	16,208	22,632	20,294	18,645	22,107
<b>Total dispositions</b>	<b>357</b>	<b>532</b>	<b>357</b>	<b>428</b>	<b>539</b>
Active proceedings as of March 31					
Appeals from the FC (final judgment)	188	170	168	151	157
Appeals from the FC (interlocutory judgment)	63	76	76	49	53
Appeals from the TCC	103	136	182	126	112
Applications for judicial review	100	80	91	88	97
Others	23	35	23	27	31
<b>Total</b>	<b>477</b>	<b>497</b>	<b>540</b>	<b>441</b>	<b>450</b>
Status as of March 31					
Not perfected	255	276	290	260	247
Perfected	134	89	71	76	61
Consolidated	18	31	43	20	28
Reserved	22	34	49	39	46
Scheduled for hearing	31	32	40	27	51
Stayed	17	35	47	19	17
<b>Total</b>	<b>477</b>	<b>497</b>	<b>540</b>	<b>441</b>	<b>450</b>

Source: Proceedings Management System

## FEDERAL COURT (FC)

The FC is a national, bilingual, bijural, superior court of record, which hears and decides legal disputes arising in the federal domain. Its jurisdiction derives primarily from the [Federal Courts Act, R.S.C., 1985, c. F-7](#), although over 100 other federal statutes also confer jurisdiction on the Court. It has original, but not exclusive jurisdiction, over proceedings by and against the Crown (including Aboriginal law claims), and proceedings involving admiralty and intellectual property law. It has exclusive jurisdiction to hear certain national security proceedings and applications for judicial review of the decisions of federal commissions, tribunals and boards. Further information on the FC can be found at [www.fct-cf.gc.ca](http://www.fct-cf.gc.ca).

Table 2 below provides an overview of the workload of the FC by fiscal year.

TABLE 2: FEDERAL COURT WORKLOAD

	2020–21	2019–20	2018–19	2017–18	2016–17
<b>Proceedings instituted or filed</b>	8,100	33,727	33,088	25,961	28,304
• General proceedings and immigration	7,732	9,511	8,866	7,440	7,329
• <i>Income Tax Act</i> certificates	18	14,966	15,394	11,580	13,551
• <i>Excise Tax Act</i> certificates	98	8,981	8,513	6,620	7,111
• Other instruments and certificates	252	269	315	321	313
<b>Court judgments, orders and directions processed by the registry</b>	16,140	22,851	19,599	17,157	17,826
<b>Files prepared for hearing and heard in court</b>	2,981	4,010	3,602	3,506	3,476
<b>Days in Court</b>	2,347	2,905	2,741	2,463	2,885
<b>Recorded entries</b>	170,612	263,652	245,497	212,787	233,241
<b>Total dispositions – General proceedings and immigration</b>	<b>5,981</b>	<b>8,417</b>	<b>7,370</b>	<b>8,377</b>	<b>7,547</b>
<b>Active proceedings as of March 31</b>					
Aboriginal	252	238	244	233	240
Other appeals provided for by law	71	68	57	64	60
Citizenship	45	33	27	52	351
Admiralty	181	178	181	190	204
Intellectual property	472	516	552	547	520
Immigration and refugee	5,821	4,140	3,264	2,161	3,238
Crown	624	781	689	492	376
Judicial review	777	893	858	927	763
Patented Medicines Regulations	68	63	32	45	20
<b>Total</b>	<b>8,311</b>	<b>6,910</b>	<b>5,904</b>	<b>4,711</b>	<b>5,772</b>
<b>Status as of March 31</b>					
Not perfected	4,327	4,310	3,799	3,266	3,405
Perfected	2,694	653	577	289	236
Consolidated	125	145	118	81	909
Reserved	151	222	214	101	137
Scheduled for hearing	501	501	354	404	453
Stayed	513	1079	842	570	632
<b>Total</b>	<b>8,311</b>	<b>6,910</b>	<b>5,904</b>	<b>4,711</b>	<b>5,772</b>

Source: Proceedings Management System

## COURT MARTIAL APPEAL COURT OF CANADA (CMAC)

The CMAC is a national, bilingual, superior court of record, which hears appeals of court martial decisions. Courts martial are military courts established under the [National Defence Act, R.S.C., 1985, c. N-5](#), which hear cases under the [Code of Service Discipline](#). The judges of the CMAC are appointed by the Governor in Council from the FCA, the FC, and the trial and appellate justices of provincial superior courts. Further information on the CMAC can be found at [www.cmac-cacm.ca](http://www.cmac-cacm.ca).

Table 3 below provides an overview of the workload of the CMAC by fiscal year.

TABLE 3: COURT MARTIAL APPEAL COURT OF CANADA WORKLOAD

	2020–21	2019–20	2018–19	2017–18	2016–17
Proceedings instituted or filed	12	7	5	3	4
Court judgments, orders and directions processed by the registry	51	12	7	30	15
Files prepared for hearing and heard in court	20	3	3	6	5
Days in Court	12	3	3	6	5
Recorded entries	361	227	135	218	267
<b>Total dispositions</b>	<b>3</b>	<b>8</b>	<b>4</b>	<b>11</b>	<b>2</b>
<b>Active proceedings as of March 31</b>					
Application for review of a decision	0	0	0	0	0
Notice of appeal	11	3	5	3	14
Application for review of an undertaking	1	0	0	0	0
Notice of motion commencing an appeal	0	0	0	0	0
<b>Total</b>	<b>12</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>14</b>
<b>Status as of March 31</b>					
Not perfected	2	2	2	1	0
Perfected	1	0	2	1	1
Consolidated	0	0	0	0	0
Reserved	6	0	1	1	12
Scheduled for hearing	2	1	0	0	1
Stayed	1	0	0	0	0
<b>Total</b>	<b>12</b>	<b>3</b>	<b>5</b>	<b>3</b>	<b>14</b>
<b>Status as of March 31</b>					
Complaint against a military judge*	0	0	0	0	0

\* Pursuant to [subsection 165.31\(1\)](#) of the *National Defence Act*, the Chief Justice of the CMAC has the power to appoint three judges of his Court to serve as members of the Military Judges Inquiry Committee. This committee has jurisdiction to commence an inquiry in relation to a complaint filed against a military judge of a court martial.

Source: Proceedings Management System



## TAX COURT OF CANADA (TCC)

The TCC is a national, bilingual, superior court of record, which has exclusive original jurisdiction to hear appeals and references pursuant to 14 federal statutes. Most of the appeals filed with the Court are on matters arising under: [Income Tax Act, R.S.C., 1985, c. 1](#), [Part IX](#) of the *Excise Tax Act*, R.S.C., 1985, c. E-1 (GST/HST), [Part IV](#) of the *Employment Insurance Act*, S.C. 1996, c. 23, and [Part I](#) of the *Canada Pension Plan*, R.S.C., 1985, c. C-8. The constitution of the TCC is established by [section 4](#) of the *Tax Court of Canada Act*, R.S.C., 1985, c. T-2. Further information on the TCC can be found at: [www.tcc-cci.gc.ca](http://www.tcc-cci.gc.ca).

Table 4 below provides an overview of the workload of the TCC by fiscal year.

TABLE 4: TAX COURT OF CANADA WORKLOAD\*

	2020–21	2019–20	2018–19	2017–18	2016–17
Proceedings instituted or filed	2,325	4,684	5,211	5,132	6,390
Court judgments, orders and directions processed by the registry	7,043	13,603	13,759	12,968	14,482
Files prepared for hearing and heard in court	273	883	888	774	887
Recorded entries	91,329	177,820	181,006	177,431	183,351
<b>Total dispositions</b>	<b>2,626</b>	<b>4,935</b>	<b>4,968</b>	<b>5,359</b>	<b>5,347</b>
<b>Active Proceedings as of March 31</b>					
Goods and Services Tax / Harmonized Sales Tax (GST/HST)	1,539	1,453	1,390	1,529	1,592
Income Tax	8,576	8,727	8,680	8,431	8,586
Employment Insurance and Canada Pension Plan	301	298	347	378	336
Others	40	31	54	40	42
<b>Total</b>	<b>10,456</b>	<b>10,509</b>	<b>10,471</b>	<b>10,378</b>	<b>10,556</b>
<b>Status as of March 31</b>					
Not perfected	820	918	1,086	1,003	1,271
Perfected	4,719	3,513	2,719	2,387	2,861
Reserved	47	669	143	81	88
Awaiting timetable	107	151	188	193	180
Scheduled for hearing	740	963	1,536	1,818	1,572
Specially managed cases	1,964	2,014	2,571	2,410	2,383
Awaiting another decision	2,059	2,281	2,228	2,486	2,201
<b>Total</b>	<b>10,456</b>	<b>10,509</b>	<b>10,471</b>	<b>10,378</b>	<b>10,556</b>

\* Data limitations prevent reporting on TCC Days in Court.  
Source: Appeals System Plus



# **THE YEAR IN REVIEW 2020-21**



# THE YEAR IN REVIEW 2020-21

## WHAT WE ACCOMPLISHED

In 2020-21, four priorities served as the focal point for our efforts—pandemic management, transition to digital courts, the workforce of the future and national court facilities and courtrooms. First and foremost, we continued to innovate to offer quality, timely services that are responsive to the evolving needs of the Courts and those that appear before them, ultimately providing improved access to justice for all Canadians. The following summarizes what we accomplished during the fiscal year.

### PANDEMIC MANAGEMENT

The COVID-19 pandemic significantly affected the Courts and CAS's operations during 2020-21. We adapted our service delivery model to best support the Courts given the risks posed by the pandemic and the public health restrictions in effect across the country. Our response to COVID-19 involved implementing a multi-layered health and safety approach, in all our court facilities and courtrooms across Canada utilizing a combination of mitigation strategies concurrently. We safeguarded the health of everyone entering our facilities and courtrooms across Canada while ensuring access to justice and continuing court operations as effectively and as efficiently as possible. Our efforts ensured the Courts could safely conduct in-person hearings and proceedings, as required throughout the pandemic. Many of our employees across the country worked on-site and alongside the members of the Courts to ensure the Courts remained operational and resilient throughout. The dedication of these employees is nothing short of exemplary.

We established measures to mitigate the potential transmission of COVID-19 and protect those working or accessing court services and our court facilities and courtrooms in-person. Across the country, we added protective barriers in courtrooms and in workspaces where physical distancing was not possible, enhanced the cleaning of facilities and courtrooms, and distributed personal

### COVID-19 PREVENTATIVE MEASURES ADOPTED BY CAS

- Installation of protective barriers in courtrooms and court facilities
- Signage and floor markers to promote physical distancing
- Mandatory use of blue disposable procedural masks at all times including in the courtroom unless directed otherwise by the presiding judge
- Occupancy limits in operational and public zones
- Indoor air quality monitoring
- Enhanced court screening procedures for COVID-19
- Enhanced cleaning and sanitization of courtrooms and surrounding areas following each hearing

protective equipment to employees and those accessing court or registry services. Our measures reflected the requirements of applicable federal, provincial, and territorial occupational health and safety legislation to minimize the risk of introducing, transmitting and spreading the virus. They also aligned with the expert health advice received from the Public Health Agency of Canada; best practices and guidelines of the Action Committee on Court Operations in Response to Covid-19; as well as advice and guidance from Treasury Board Secretariat and the Office of the Chief Human Resources Officer for the Government of Canada. An independent firm conducted site visits in Ottawa and all regional offices to validate these measures.

Comprehensive guidance on the application of preventative measures and protocols were drafted. A COVID-19 workplace preventative measures guide was distributed to managers and employees. A guide for in-person court operations was also published on the CAS website. This guide outlined the procedures and protocols that apply to all members of the public attending in-person hearings or visiting the registry counter.

Our measures were actively monitored and adjusted continuously in keeping with the evolution of the pandemic and the latest advice from public health agencies across Canada. Modifications were also reflected in the guidance documents to provide managers, employees and the public with the most current and up-to-date guidance and information.

## TRANSITION TO DIGITAL COURTS

CAS pivoted to operating virtually with the majority of our employees successfully working and providing services through various digital means. In addition, we supported the Courts to prepare for and conduct hearings, case management, settlement conferences and other matters virtually.

To enable employees to be productive in a digital environment, we supplied them tools required to operate under this new normal. Laptops, mobile phones, related accessories and software were distributed to facilitate remote work. IT infrastructure was increased to accommodate virtual operations. Platforms such as MS Teams and Zoom were implemented to allow employees across the organization to communicate and collaborate virtually.

We undertook several initiatives to deliver IT solutions to the Courts, legal counsel and litigants that facilitated the digital management of court business. The electronic submission of court documents was enhanced with the release of a new e-filing portal on the FC website and improvements made to the TCC's e-filing portal. An online payment option was also introduced as part of the FC e-filing. We also expanded our e-trial toolkit and implemented the use SharePoint to allow litigants and the Courts to share and access digital court files, including during virtual proceedings.

*54% of all court documents were filed electronically in 2020–21.*



We also expanded the Courts' capacity to accommodate virtual hearings and trials. Two new fully digital e-courtrooms were constructed in Ottawa for the FC and CMAC, and several upgrades were made to facilitate the integration of digital audio equipment in courtrooms. Wi-Fi was installed at each of the four Courts and CAS headquarters in Ottawa. A planned second phase, to permit access for guest and personal devices in court facilities and courtrooms, was delayed due to COVID-19.

Our multi-year project to implement a new CRMS saw significant progress during the fiscal year with preparatory work to define system requirements and activate the procurement process. A request for information from industry helped identify potential solutions for the new CRMS and formulate a plan for additional industry engagement to evaluate requirements against products available on the market before finalizing a request for proposal.

The digitization of in-coming court documents was prioritized. During the fiscal year, active and priority files at the TCC were converted to digital format. Digitization of court documents is essential for the more efficient management of the large volume of paper documents received by the Courts and support a smooth transition to digital courts and the implementation of the new CRMS.

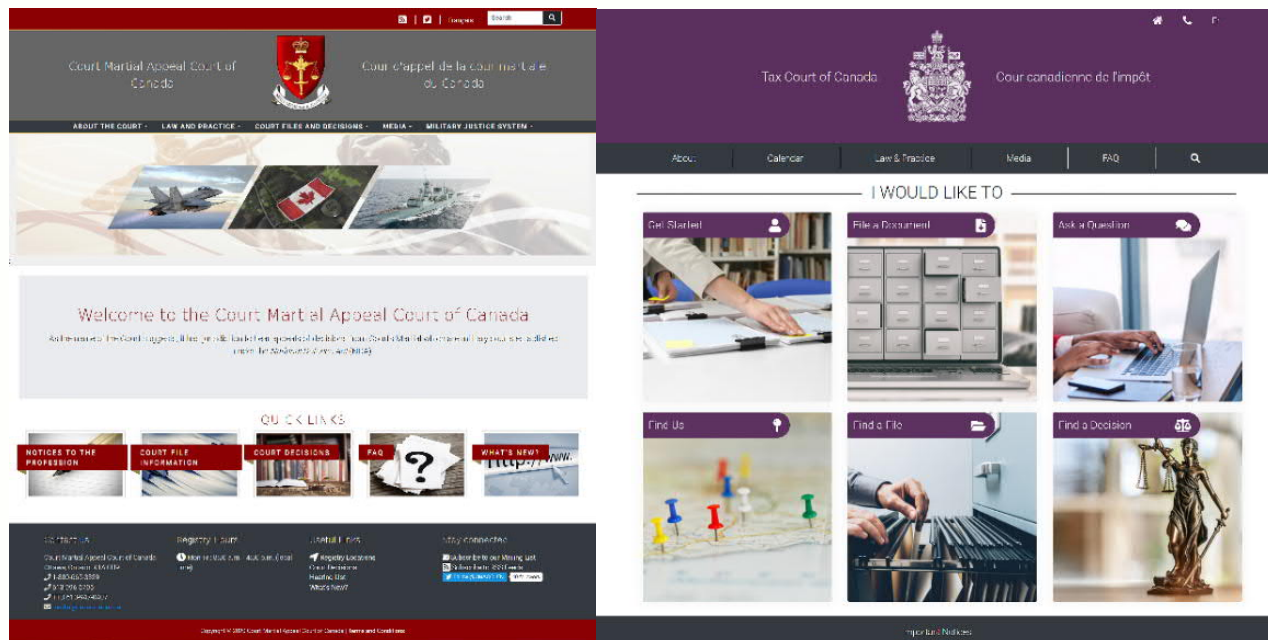
*E-courtrooms are equipped with integrated IT infrastructure to support virtual hearings and trials, including video conferencing, digital screens, computer workstations, internet connectivity, and digital audio recording systems.*





We assisted CMAC and the TCC with the redesign and reconfiguration of their public-facing websites with new user-friendly interfaces and updated content. The TCC website included a “chat with us” function where website visitors could live chat with a registry officer to have their questions answered in real time. As well, a second release of the FC’s Electronic Judicial Calendar containing additional functionality was completed to assist with managing the scheduling of proceedings and the assignment of members of the Court.

New [CMAC](#) and [TCC](#) websites.



## WORKFORCE OF THE FUTURE

In 2020–21, we also advanced our priority to build an innovative, agile and high-performing organization to best support the evolving requirements of the Courts and Canadians. Our initiative to modernize the registries’ operational training model advanced with the help of a project steering committee established to lead the effort. Furthermore, the training strategy for the FC was also initiated, and CAS worked to document the current learning path and to determine future learning requirements for a new CRMS.

A new learning management system was introduced for CAS. This system allows employees to manage their learner files autonomously. The first phase of the launch enabled employees to track all courses related to mandatory training required for their position. Additional functionality in subsequent updates will allow employees to tailor learning and development to their career paths and aspirations.

The COVID-19 pandemic led to unexpected challenges and opportunities that necessitated a rapid shift in service delivery, business processes and work environment. Since many employees had not worked remotely before the pandemic, CAS offered training and online resources throughout the

year to help employees adapt and succeed. Specialized training and resources were made available to managers to help them effectively support their teams in a work environment affected by the pandemic.

Mental health remained a priority in 2020–21 and gained increased importance with the pandemic. As a result, we delivered several training courses, information sessions, newsletters, and bulletins to employees on improving mental health, dealing with stress in a healthy way, self-care practices, and being resilient. In addition, virtual events were organized to promote mental health, such as online meditation and check-in sessions. Advice and guidance were also provided to managers to help them identify the signs of mental health and engage in an open dialogue with employees.

*A Mental Health Calendar was launched on the CAS Intranet providing employees with choices of events, training, and services offered monthly to promote mental health and wellbeing.*



Several Canadian and worldwide events in 2020–21 shed light on systemic racism and its effects on racialized and marginalized individuals. Following engagement and dialogue with employees, an anti-racism champion for CAS was appointed, and we developed and implemented FACES: Anti-Racism Strategy 2020–2025. This strategy outlines our commitment to address systemic racism, unconscious biases and other forms of discrimination. In support of the strategy's implementation, a Chief Administrator Anti-Racism Consultation and Action Committee was established. Additionally, we advanced the development of a diversity and inclusion plan to foster a representative workforce at CAS reflective of the Canadian population.

*Our Anti-Racism Strategy is entitled FACES as it aims to promote the multitude of diverse "faces" within CAS.*



Work was also initiated to develop a multi-year strategic plan for CAS. This plan will be an integral tool in helping to shape our service and business transformation. It will guide our efforts to provide innovative, timely and efficient services that are responsive to the evolving needs of the Courts and those that appear before them, ultimately improving access to justice for all Canadians. During the fiscal year, consultations with the Courts and senior managers from the organization's key business areas were conducted to define the plan's scope, objective, and critical initiatives. The strategic plan will be further refined and finalized over the next fiscal year and, once approved, will be implemented for 2021–26.

## NATIONAL COURT FACILITIES AND COURTROOMS

Our facilities projects and plans were challenging during COVID-19 given public health restrictions and global supply chain issues. Additionally, it was necessary to prioritize efforts to ensure our court facilities and courtrooms across Canada remained safe to protect those working or accessing

services in-person. Nevertheless, several projects were completed to ensure national court facilities and courtrooms are modernized, equipped, secure and accessible.

In Ottawa, new judicial chambers for the FC were built, and three new courtrooms, including two e-courtrooms, were constructed for the FC and CMAC. We acquired and established additional office space for the TCC in Ottawa to accommodate registry and judicial employees ensuring appropriate physical distancing for those working on-site. Our Calgary court facilities were renovated to improve the security posture and accessibility in our courtrooms and at the registry counter.

In addition, we worked during the fiscal year to plan the long-term facilities requirements of the Courts to ensure they have the requisite capacity and national presence to offer the level of services required by Canadians across the country. An analysis was also conducted to inform the prioritization of funding for projects identified in our National Accommodations Strategic Plan. We collaborated with Public Services and Procurement Canada to plan the construction a state-of-the-art federal courthouse in Montréal by 2027 and participated in a national working group established to review the future of the judicial precinct area in the National Capital Region.

## MANAGING OUR RISKS

As with prior fiscal years, in 2020–21, we continued to assess and mitigate potential risks that may impact the business operations of the Courts and CAS. In particular, special attention was given to five critical areas of risk.

### COURTS AND REGISTRY MANAGEMENT SYSTEM (CRMS)

The inefficiency of legacy systems to meet current needs, growing public demands for digital services, susceptibility of system failure, and potential of IT security incidents drove this risk in 2020–21. Mitigation strategies to address this risk were increased as we implemented immediate digital solutions enabling the Courts to conduct business digitally during the pandemic. As well, we progressed with our efforts to implement a new CRMS to provide an integrated, user-centric digital solution for the effective management of court business, self-service to litigants and improved access to justice.

### ORGANIZATIONAL TRANSFORMATION

The COVID-19 pandemic led to an unexpected rapid shift in service delivery, business processes and the work environment. We supported employees in adapting to these changes and deployed tools to enable them to function in a digitalized environment (laptops, mobile phones, MS Teams and Zoom); disseminated employee communications and promoting resources on workplace wellness, mental health and resiliency; and supported managers to lead their teams in the new working environment effectively.

### ACCESS TO JUSTICE

During the last fiscal year, there were many competing demands on our limited reference-level. Off-cycle funding was secured to cover expenses related to measures implemented to respond to

COVID-19. However, there were other unforeseen, non-discretionary expenses that will continue to cause strain on existing budgets as our operating and business model has changed due to the pandemic.

## INFORMATION MANAGEMENT

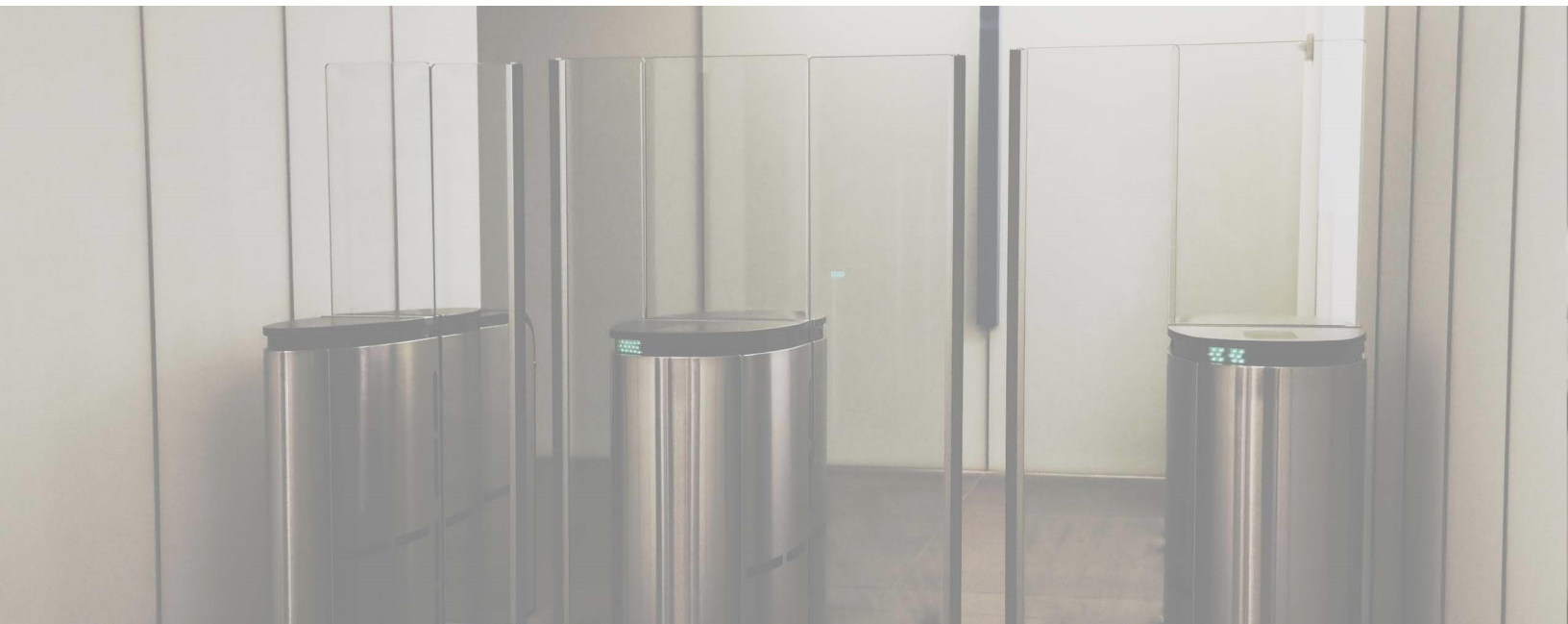
With a large number of employees working and handling information remotely due to COVID-19, mitigation measures to protect our information of business value were substantially increased. In part, this risk was mitigated through the continued rollout and onboarding of staff to the corporate document management system to allow for better storage, management and access to corporate documents. Long-term options for the digitization of court records were developed, and a pilot project to test proposed digitization processes and collect metrics was implemented. Training on best practices for handling classified information remotely was also provided to employees and members of the Courts.

## IT SECURITY

In 2020–21, CAS continued to take action to ensure the security of its IT infrastructure. These included providing enabling infrastructure and tools to support safety, confidentiality, integrity and privacy of information. Several other security projects and activities were also implemented to enhance CAS's IT security posture and mitigate potential IT risks.

## PHYSICAL SECURITY

Maintaining the physical security of the organization's infrastructure and personnel is always a priority for CAS. Last fiscal year, we continued to adapt our strategic risk-based approaches to security management, as well as made enhancements to the physical security of facilities where required.





**LOOKING AHEAD**





## LOOKING AHEAD

Judicial administration has been indelibly marked by the pandemic and there is a tremendous opportunity for us to significantly and thoughtfully improve and transform our services to the Courts and Canadians. We are privileged and honoured to work closely with the Courts as we define the advancement of access to and the delivery of justice. CAS has an important opportunity to be a part of this development and ensure that Canadians will benefit from “.... a fully integrated online and physical court service, well-suited to the twenty-first century”.<sup>1</sup>

Our continued response to the COVID-19 pandemic will significantly shape efforts in the immediate term. As the country recovers, we will work closely with the Courts to develop plans and strategies for the full resumption of court operations.

We will continue to deliver digital solutions, including implementing a new CRMS to enable the Courts to deliver electronic services and conduct court business digitally. Investments will also be made to expand e-filing, digitizing court documents and equipping additional courtrooms to hold virtual hearings and electronic proceedings.

We will continue to implement our National Accommodation Strategic Plan, delivering on the Courts' requirements for modern and equipped court facilities and courtrooms that ensure a national presence, and the level of service required by Canadians across the country.

Providing consistent, efficient, quality and timely client-centric services will remain our primary focus. We will enhance our culture of quality client service, modernize our procedures and processes and integrate new business and technological solutions to better serve the Courts and Canadians. By investing in the development and well-being of our employees, we will ensure our workforce is engaged, equipped and ready to meet the current and future needs of the Courts and Canadians. We will build the intellectual capital and capacity required to leverage evolving technology and support digital service delivery. In addition, we are committed to management excellence and ensuring sound financial stewardship.

The pandemic brought about momentous changes that have reshaped how we deliver our services, perform our work, and interact with Canadians. These lessons learned over the last year

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<sup>1</sup> Susskind, Richard. *Online Courts and the Future of Justice*. Oxford University Press, 2019 at page 64.

provide valuable insights moving forward to help us meet anticipated opportunities for enhanced access to justice created by the new realities of our post-pandemic world.





# **FINANCIAL STATEMENTS HIGHLIGHTS**



# FINANCIAL STATEMENTS HIGHLIGHTS

The highlights presented in this section are drawn from CAS's [financial statements \(unaudited\) for the fiscal year ended March 31, 2021](#), and are prepared on an accrual basis. These financial statements have been prepared using Government of Canada accounting policies, which are based on Canadian public sector accounting standards.

## Courts Administration Service

Condensed Statement of Operations (unaudited)

As at March 31, 2021 (dollars)

Financial information	2020–21 Planned results	2020–21 Actual results	2019–20 Actual results	Difference (2020–21 Actual results minus 2020–21 Planned results)	Difference (2020–21 Actual results minus 2019–20 Actual results)
Total expenses	123,507,021	132,648,308	125,225,550	9,141,287	7,422,758
Total revenues	3,111	5,334	3,376	2,223	1,958
Net cost of operations before government funding and transfers	123,503,910	132,642,974	125,222,174	9,139,064	7,420,800

### Note:

The 2020–21 planned results are those reported in the [future-oriented statement of operations](#) included in the 2020–21 Departmental Plan.

**Expenses:** CAS's total expenses were \$132,648,308 in 2020–21 (\$125,225,550 in 2019–20). The largest components of the increase of \$7,422,758 (5.93%) were mainly increases in salaries and wages, transportation and telecommunication, and materials and supplies. This increase in expenditures was the result of an increase in funding for the following initiatives: \$5,500,849 in off-cycle funding received for Restarting the Court System and Supporting Access to Justice (COVID-19) and \$4,948,583 in compensation for collective bargaining and payments for Phoenix damages. The increase also includes: \$2,310,604 in new

funding for the delivery of justice through the CAS; \$800,000 in program integrity funding; \$430,776 for CRMS; \$1,260,483 in contributions to employee benefit plans. The above increases are partially offset by funding decreases of \$943,010 to enhance the integrity of Canada's Borders and Asylum System, \$1,112,544 in the operating budget carry-forward, \$880,000 to implement a new comprehensive Intellectual Property Strategy, and other adjustments for increases and reductions for the residual balance.

- *Salaries and employee benefits:* Salaries and employee benefits expense was \$79,496,213 in 2020–21 (\$70,552,919 in 2019–20). The \$8,943,294 (12.68%) variance is due to increases of \$7,589,076 in salaries and wages, \$1,260,484 in employer contributions to employee benefit plans, \$175,951 in the provision for severance benefits and \$269,685 in employer contribution to the health and dental insurance plans (related party transaction). More than half (59.93%) of CAS's total expenses in 2020–21 consisted of salaries and employee benefits.
- *Operating:* Operating expenses totaled \$53,152,095 in 2020–21 (\$54,672,631 in 2019–20). The \$1,520,536 (2.78%) variance is mainly attributable to decreases of 2,380,385 in professional and special services, \$1,163,221 in transportation and telecommunications, \$366,453 in repairs and maintenance and \$250,985 in machinery and equipment. These decreases were partly offset by increases of \$1,362,743 in materials and supplies, \$586,738 in the amortization of tangible capital assets, \$500,552 in rentals, \$87,175 in accommodation, \$18,940 in printing and publishing and \$13,360 in other miscellaneous operating expenses.

**Revenues:** The majority of CAS's revenues are earned on behalf of Government. Such revenues are non-responsible, meaning that they cannot be used by CAS, and are deposited directly into the Consolidated Revenue Fund (CRF). CAS earns a small amount of responsible revenue from the sale of Crown assets. CAS's gross revenues were \$1,927,736 in 2020–21 (\$2,804,651 in 2019–20) and net revenues were \$5,334 in 2020–21 (\$3,376 in 2019–20).

## Courts Administration Service

Condensed Statement of Financial Position (unaudited)

As at March 31, 2021 (dollars)

Financial information	2020–21	2019–20	Difference (2020–21 minus 2019–20)
Total net liabilities	24,540,516	21,967,990	2,572,526
Total net financial assets	17,500,552	15,882,578	1,617,974
Departmental net debt	7,039,964	6,085,412	954,552
Total non-financial assets	27,516,039	21,647,927	5,868,112
Departmental net financial position	20,476,075	15,562,515	4,913,560



**Note:**

**Liabilities:** CAS's net liabilities as at March 31, 2021, were \$24,540,516 (\$21,967,990 as at March 31, 2020). The increase of \$2,572,526 (12%) is the result of the following:

- **Accounts payable and accrued liabilities (47.32% of total liabilities):** Increase of \$679,904 includes increase of \$872,987 in accounts payable to external parties and \$871,708 payable to other government departments and agencies. Increase offset by a decrease of \$1,065,791 in accrued liabilities related to salaries and wages.
- **Vacation pay and compensatory leave (19.40% of total liabilities):** Increase of \$1,395,195 mainly due to \$1,405,501 increase in vacation pay.
- **Deposit accounts (24.75% of total liabilities):** Increase of \$563,106 in deposit accounts reflects many separate decisions of the Courts. Deposits cannot be projected and the balance in the deposit accounts can vary significantly from year to year.
- **Employee future benefits (8.53% of total liabilities):** Decrease of \$65,680 due to an increase in full time employee.

**Assets:** The composition of financial and non-financial assets is as follows:

*Financial assets:*

- Due from the Consolidated Revenue Fund (36.15% of gross assets)

*Non-financial assets:*

- Tangible capital assets (57.75% of gross assets)
- Inventory (2.10% of gross assets)
- Prepaid expenses (2.69% of gross assets)

**Net financial assets:** This is comprised of financial assets net of accounts receivable held on behalf of Government. Accounts receivable held on behalf of the Government of Canada consist primarily of accounts receivable from other governmental organizations. The increase of \$1,617,974 is mainly due to an increase in the amount due from the CRF.

**Non-financial assets:** The increase of \$5,868,112 is mainly due to an increase of \$4,699,348 in tangible capital assets related to physical security enhancement projects, facilities renovation design, informatics, \$716,568 in prepaid expenses and \$452,196 in inventory.

**Departmental net debt:** This provides a measure of the future authorities required to pay for past transactions and events.

**Departmental net financial position:** This represents the net resources (financial and non-financial) that will be used to provide future services to the Courts and thereby to benefit Canadians.

## FURTHER FINANCIAL INFORMATION

The Financial Statements and Financial Statement Discussion and Analysis are available online at:  
<http://www.cas-satj.gc.ca/en/publications/dpr.shtml>.





## APPENDIX I – ACRONYMS

CAS	Courts Administration Service
CAS Act	<i>Courts Administration Service Act</i>
CMAC	Court Martial Appeal Court of Canada
COVID-19	Novel coronavirus
CRF	Consolidated Revenue Fund
CRMS	Courts and Registry Management System
FC	Federal Court
FCA	Federal Court of Appeal
GST/HST	Goods and Services Tax / Harmonized Sales Tax
IM/IT	Information Management and Information Technology
IT	Information Technology
NASP	National Accommodation Strategic Plan
R.S.C.	Revised Statutes of Canada
S.C.	Statutes of Canada
TCC	Tax Court of Canada

## APPENDIX II – GLOSSARY

Term	Definition
Appeal from Federal Court (Final Judgment)	A proceeding instituted in the Federal Court of Appeal challenging a final judgment of the Federal Court.
Appeal from Federal Court (Interlocutory Judgment)	A proceeding instituted in the Federal Court of Appeal challenging an interlocutory judgment of the Federal Court.
Application for judicial review	A proceeding instituted in the Federal Court of Appeal challenging the decision of a federal board, commission or tribunal under <a href="#">section 28</a> of the <i>Federal Courts Act</i> .
Application for review of a direction	A proceeding instituted in the Court Martial Appeal Court of Canada to review a direction of a military judge (Rule <a href="#">5(1) a</a> ) of the <i>Court Martial Appeal Court Rules</i> and <a href="#">section 159.9</a> of the <i>National Defence Act</i> ).
Application for review of conditions of an undertaking	A proceeding instituted in the Court Martial Appeal Court of Canada to review the conditions of an undertaking (Rule <a href="#">5(1) c</a> ) of the <i>Court Martial Appeal Court Rules</i> and <a href="#">section 248.8</a> of the <i>National Defence Act</i> ).
Bijural	Applies to Canada's two systems of law: the common law and the civil law.
Consolidated	When different cases that have the same parties or have certain elements in common are heard together.
Days in Court	Each court sitting day where a registrar attends in person, by videoconference or by teleconference.
Directions	Instructions by the Court, written or oral.
Dispositions	Proceedings concluded by way of judgment, discontinuance or other documents.
Files prepared for hearing and heard in Court	Number of appeals, hearings, judicial reviews, motions and meetings heard by the Court.
Judgments	Decisions of the Court.
Notion of Appeal	A proceeding instituted in the Court Martial Appeal Court of Canada to appeal a decision from a court martial.



Term	Definition
Notice of motion commencing an appeal	A proceeding instituted in the Court Martial Appeal Court of Canada to appeal a decision or an order refusing an application to be released from detention or imprisonment or an order rendered under <a href="#">section 248.81</a> of the <i>National Defence Act</i> .
Orders	Decisions of the Court.
Perfected	When the parties have complied with the rules or orders of the Court, in order for the proceeding to be ready to be scheduled for a hearing.
Proceedings Instituted or Filed	A matter or cause before the Court which includes appeals, actions, applications, applications for leave and for judicial review and where provided for by federal statutes, administrative proceedings such as the ones instituted by the filing of certificates, decisions or orders of federal boards, commissions or other tribunals in the registry of the Courts for the purpose of enforcement.
Prothonotaries	Prothonotaries are appointed under the <a href="#">section 12</a> of the <i>Federal Courts Act</i> . They are full judicial officers and exercise many of the powers and functions of Federal Court judges. Their authority includes mediation, case management, practice motions (including those that may result in a final disposition of the case, regardless of the amount in issue), as well as trials of actions in which up to \$100,000 is claimed (see Rules <a href="#">50</a> , <a href="#">382</a> , and <a href="#">383 to 387</a> of the <i>Federal Courts Rules</i> ).
Recorded Entries	Entry and identification of documents and events in the Courts and Registry Management System.
Reserved	Decision that is not rendered immediately after a case has been heard or argued.
Scheduled for hearing	Proceedings in which a hearing on the merits has been scheduled.
Specially managed cases	A proceeding that has been assigned to a specific judge.
Stayed	When a case is placed "on hold". For example, where another related decision is to be made before the case can be continued.





## CONTACT US

### **NATIONAL CAPITAL REGION**

Courtrooms and Registry Operations of the Federal Court of Appeal (FCA), the Federal Court (FC) and the Court Martial Appeal Court of Canada (CMAC)

Thomas D'Arcy McGee Building  
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K1A 0H9

#### **Telephone**

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FC: 613-992-4238

#### **Fax**

FCA/CMAC: 613-952-7226  
FC (Non-Immigration): 613-952-3653  
FC (Immigration): 613-947-2141  
TTY FCA/FC: 613-995-4640  
TTY CMAC: 613-947-0407

#### **Toll free numbers**

FCA: 1-800-565-0541  
FC: 1-800-663-2096  
CMAC: 1-800-665-3329

### **REGISTRY AND COURTROOMS OF THE TAX COURT OF CANADA**

Centennial Towers  
200 Kent Street  
Ottawa, Ontario  
K1A 0M1

**Telephone:** 613-992-0901

**Fax:** 613-957-9034

**TTY:** 613-943-0946

**Toll free number:** 1-800-927-5499

Information on regional and local offices can be found on CAS's website at: <https://www.cas-satj.gc.ca/en/operations/locations.shtml>