



Registry of the Federal Court of Canada

Performance Report

For the period ending
March 31, 1999

Canada

Improved Reporting to Parliament Pilot Document

The Estimates of the Government of Canada are structured in several parts. Beginning with an overview of total government spending in Part I, the documents become increasingly more specific. Part II outlines spending according to departments, agencies and programs and contains the proposed wording of the conditions governing spending which Parliament will be asked to approve.

The *Report on Plans and Priorities* provides additional detail on each department and its programs primarily in terms of more strategically oriented planning and results information with a focus on outcomes.

The *Departmental Performance Report* provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the spring *Report on Plans and Priorities*.

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Foreword

On April 24, 1997, the House of Commons passed a motion dividing on a pilot basis what was known as the annual *Part III of the Estimates* document for each department or agency into two documents, a *Report on Plans and Priorities* and a *Departmental Performance Report*.

This initiative is intended to fulfil the government's commitments to improve the expenditure management information provided to Parliament. This involves sharpening the focus on results, increasing the transparency of information and modernizing its preparation.

This year, the Fall Performance Package is comprised of 82 Departmental Performance Reports and the government's report *Managing for Results - Volumes 1 and 2*.

This *Departmental Performance Report*, covering the period ending March 31, 1999, provides a focus on results-based accountability by reporting on accomplishments achieved against the performance expectations and results commitments as set out in the department's pilot *Report on Plans and Priorities* for 1998-99. The key result commitments for all departments and agencies are also included in Volume 2 of *Managing for Results*.

Results-based management emphasizes specifying expected program results, developing meaningful indicators to demonstrate performance, perfecting the capacity to generate information and reporting on achievements in a balanced manner. Accounting and managing for results involve sustained work across government.

The government continues to refine and develop both managing for and reporting of results. The refinement comes from acquired experience as users make their information needs more precisely known. The performance reports and their use will continue to be monitored to make sure that they respond to Parliament's ongoing and evolving needs.

This report is accessible electronically from the Treasury Board Secretariat Internet site:
<http://www.tbs-sct.gc.ca/tb/key.html>

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**Registry of the
Federal Court of Canada**

Performance Report

**For the
period ending
March 31, 1999**

A. Anne McLennan
Minister of Justice and
Attorney General of Canada

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Chart of Key Results Commitments

Registry of the Federal Court of Canada

To provide Canadians with:	To be demonstrated by:	Achievement reported Section III of this report:
management of access to the Federal Court of Canada for the fair resolution of disputes under more than 90 federal statutes	<ul style="list-style-type: none">! timely, orderly case management and support services! trends in the type and volume of the case workload of the Court! level of client satisfaction with services in terms of agreed standards! equitable public access to all proceedings, decisions and records of the Court	<ul style="list-style-type: none">! pages 10, 13! pages 10, 15! pages 10, 16! pages 11, 16

Section I: Message from the Administrator

The Registry confronted a challenge as 1998-99 began: to implement successfully a new body of Rules modernizing the Court's operations through the introduction of case management and dispute resolution services. Despite shifting to a new operating environment, under the Registry's mandate we felt obliged to maintain the level and quality of our services to Canadians throughout the process. This placed unprecedented demands on Registry management and staff.

From the outset, we had anticipated that the implementation of the new Rules would have significant cost implications. Initial estimates were based on the Registry's experience with processing legal documents and expediting juridical procedures. Late in 1998, Treasury Board approved modest funding for this purpose to the end of fiscal year 1999-2000. Future funding for this initiative will be addressed following completion of a report now in preparation.

I am proud to report that the introduction of case management and dispute resolution services, our primary concern for 1998-99, was accomplished successfully. The required systems were put in place, and our staff across Canada was fully trained to deliver and support the new services. There has been favourable reaction to our new operations from both litigants and the Bench.

With hindsight, we know now that the new Rules impose significant paperwork and processing demands on Registry. We will address the impacts on our litigants and Judges and the effects on our costs once the initial year of operation has passed.

During 1998-99, the organization grappled with other concerns affecting our long-term effectiveness: vacancies on the Bench due to Judges' election of supernumerary status or retirement; deferral of activities not directly connected to case management and dispute resolution services; and resource pressures associated with major aboriginal cases and cases involving citizenship revocation. Our long-term needs for adequate facilities continue to await response. And we continue to await results of a Ministerial review of the fundamental roles and interrelationships of federal judicial institutions. This review, outlined in last year's report, is expected to result in organizational changes.

Other notable achievements in 1998-99 include a major effort on the part of Registry management to prepare for classification reform (UCS), and the completion of efforts to render all our systems safe from potential Year 2000 problems. By year's end, it appears that the Registry's workload had resumed increasing at a steady rate, following a hiatus during which our litigants adjusted to the Court's new Rules.

With pleasure, I present the report of the Registry of the Federal Court for 1998-99.

Administrator of the Court

Section II: Registry Overview

The Registry's Mandate

Section 3 of the *Federal Court Act*, R.S.C. 1985, c. F-7, establishes the Federal Court of Canada as “a superior court of record having civil and criminal jurisdiction for the better administration of the laws of Canada”. The Court has jurisdiction over cases by and against the Crown, appeals under numerous federal statutes, disputes in various commercial matters including admiralty and intellectual property; and the authority to review decisions of federal boards, tribunals and commissions, including decisions of the Immigration and Refugee Board. The Federal Court of Canada determines issues of federal law transcending provincial boundaries. A list of the statutes administered by the Federal Court can be found in the *Other Information* section of this report, at page 26.

Judges of the Federal Court are also members of the Court Martial Appeal Court of Canada established by the *National Defence Act* (R.S.C. 1985, c. N-5). Section 234 establishes the Court Martial Appeal Court of Canada and Section 236 provides that the officers of the Registry of the Federal Court of Canada are *ex officio* officers of the Registry of the Court Martial Appeal Court of Canada.

The Registry derives its authority from the *Federal Court Act*, and is mandated as the repository for the filing and issuing of documents on all cases brought before the Court, in accordance with the *Federal Court Rules*, the *Federal Court Immigration Rules*, or the *Court Martial Appeal Court Rules*. All matters between Judges, litigants and legal counsel flow through the Registry.

Under Sections 74 to 76 of the *Judges Act*, the Administrator of the Federal Court, as the Deputy of the Commissioner for Federal Judicial Affairs, is also accountable for ensuring proper resourcing of the Program.

The Registry's Mission

To provide the Court and litigants with the administrative services necessary for fair and prompt resolution of cases.

Recognizing the importance of justice and the rule of law in our society, the Registry is dedicated to:

- Discharging our mandate throughout Canada as a national organization of trained and knowledgeable people, developed in consultation with the judiciary.

- The operation of Registry offices established with regional input to render uniform services and standards throughout the country. Regional Directors are responsible for the delivery of all services within their regions.
- Appropriate facilities enabling the Court to manage and adjudicate cases uniformly across Canada under the Rules. Public areas of our facilities are safe, accessible and efficient, in keeping with our standards of quality service.
- Service to the public and to the Court improved through continuing development of systems that streamline the management of information.
- Mutual respect between the judiciary and court administrators for the part each plays in the administration of justice.
- Common values and commitment to quality service standards.

Operating Environment

The Registry of the Federal Court of Canada exists to support the Court as an organization independent of the Executive branch of government. While the Chief Justice issues an annual report, the Registry reports on matters governed by the *Financial Administration Act*, such as planning and resourcing activities.

The Department of Justice, as the legal representative of the government of Canada, is the most frequent litigant before the Court. Several of the key workload concerns of the Court and Registry are strongly associated with particular high-profile government programs or agencies; for example, a significant volume of cases has arisen in recent years as a result of legislation and programs of Citizenship and Immigration Canada, or the Immigration and Refugee Board. The Court and the Registry are vigilant in maintaining both apparent and de facto independence from government departments, remaining at arm's length in all matters.

Mutually supportive relations exist between the Registry and other federal courts and tribunals, as well as with the Canadian Judicial Council, national and provincial bar associations, and the Rules Committee of the Federal Court.

In the period leading up to fiscal year 1998-99, the Court directed the Registry to concentrate increasingly on streamlining operations to improve the level of services to all clients - litigants, counsel, the public, and the Court itself. New Rules of the Court, introducing case management and dispute resolution services, came into effect on April 25, 1998. The Federal Court is one of the first courts in Canada in which the judiciary manages the progress of all of the cases before it.

With a wide variety of litigation derived from over 90 statutes, the workload of the Court and the Registry does not lend itself to simple forecasts. For example, a hearing which might require a single day in other types of cases may require a full year in an aboriginal case.

Objectives

Under the *Federal Court Act* and the Rules of the Court, the Registry's **program objective** is *to support the Federal Court of Canada in providing a court of law, equity and admiralty for the better administration of the laws of Canada.*

The Registry's **strategic objective** is *to ensure that all persons have effective access to justice, including the opportunity to resolve disputes without undue cost, hardship, delay or inconvenience, through heightened responsiveness and appropriateness in the management of valuable resources.*

Strategic Priorities

The Registry has established the following priorities:

- ! To ensure all persons have effective access to the Court.
- ! To ensure all persons have opportunity to resolve disputes without undue hardship, delay or inconvenience.
- ! To provide the best possible decision-making environment for the Court.
- ! To improve the level and efficiency of services to the Court and its clients through the application of technology.

Challenges

Key challenges facing the Registry during 1998-99 included:

- The Court's decision to replace its traditional mode of operation with a new case-management environment. Operating and computer systems had to be designed, and extensive staff training carried out in anticipation of the implementation date, April 25, 1998, while maintaining the integrity of existing operations day-to-day. Possible resource implications of the new case management system could not be determined in advance of the Rules coming into force.
- The mandate of the Registry, under government review since 1994, with recommendations for change under active consideration.
- The increasing number of instances in which Registry facilities are a source of concern. In particular, requirements for major aboriginal cases before the Court threaten to surpass the limits of our courtrooms and other facilities. Our operations in the National Capital Region are affected by the scattering of staff among six buildings. Support requirements for new appointees to the Bench, and for Judges electing supernumerary status, have added to these concerns.
- Fluctuating immigration/refugee workload.
- Court-directed measures to administer to the special requirements of citizenship revocation cases.

Registry Organization

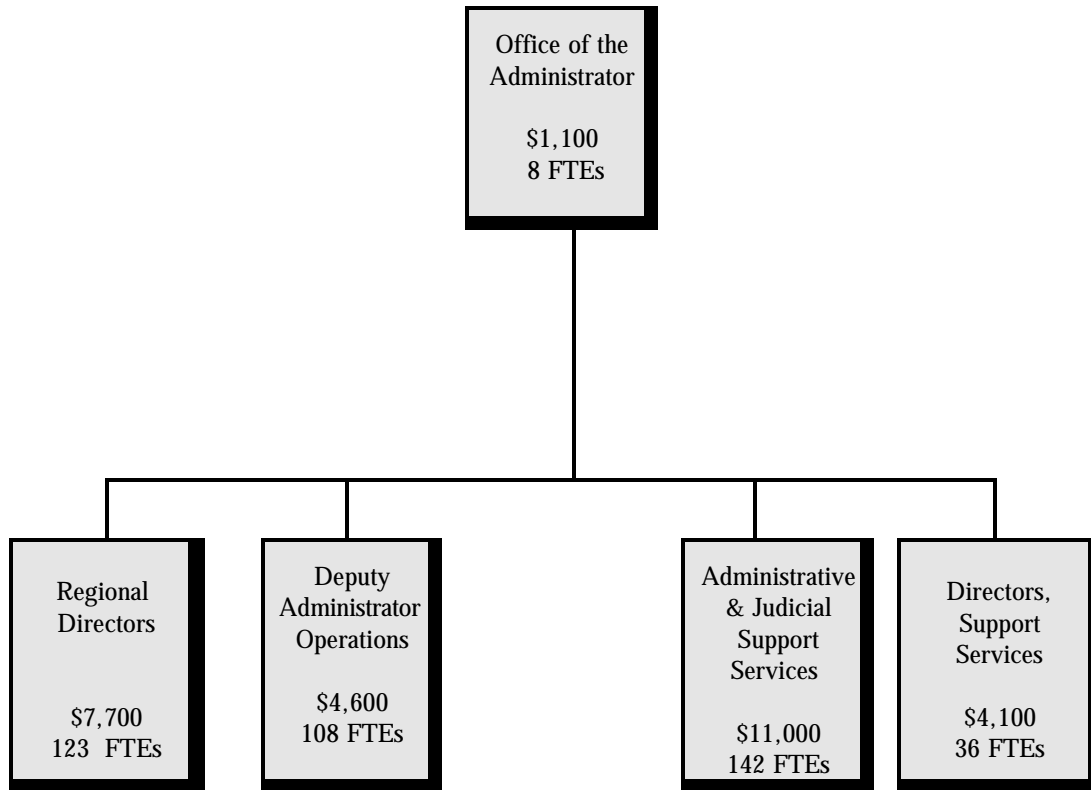
The Court of Appeal consists of the Chief Justice and 10 Judges; the Trial Division consists of the Associate Chief Justice, 19 Judges and 4 prothonotaries, appointed by the Governor-in-Council. As of June 30, 1999, in addition to the complement of full-time Judges, 8 Judges of the Federal Court have elected supernumerary status, and several retired federally-appointed Judges have been invited to act as Deputy Judges of the Court.

The Registry of the Federal Court of Canada carried out its mandate in 1998-99 with an operating budget of \$29,600,000 (excludes Employee Benefit Plans) and 417 Full-Time Equivalents (FTEs). The organizational structure and estimated resource allocation are summarized in Figure 1, below

Reporting to the Administrator as an interim measure, pending the outcome of proposed changes affecting the Registry, there are two **Deputy Administrators** in the organization: one on full-time assignment to direct the high-profile Citizenship Revocation Project, and one responsible for Trial Division, Appeal Division, the Court Martial Appeal Court and judicial support activities.

Figure 1: Organizational Distribution of 1998-99 Actual Expenditures

(thousands of dollars)



Appeal Division processes appeals and applications for judicial review, and assists the Court of Appeal in all proceedings and hearings. The unit produces reports, case and appeal books as required by the Rules of the Court.

Trial Division processes legal documents in the jurisdictional areas of Admiralty, Access to Information and Privacy, Crown, Immigration, Intellectual Property and Tax. Division staff support the Court in all proceedings and hearings.

- ! Complementing the Principal Office in Ottawa, the Registry operates the following sixteen **local offices** where a party to any proceeding may file documents, request the issuance of writs or otherwise do business with the Court in either official language:

ATLANTIC REGION:	Fredericton and Saint John,* NB, Halifax, NS, Charlottetown,* PE, and St. John's,* NF
QUEBEC REGION:	Montreal and Quebec City
ONTARIO REGION:	Toronto
WESTERN REGION:	Vancouver, BC, Winnipeg, MB, Regina,* and Saskatoon,* SK, Edmonton, and Calgary, AB, Whitehorse,* Y, and Yellowknife,* NT

** Offices staffed by provincial or territorial court employees.*

Documents pertaining to Federal Court cases may be filed in any office of the Registry. Originals of all documents are held in the principal office with certified copies being maintained in the local office which is most convenient for the parties to the action.

A developmental program is operated in judicial services enabling law clerks to gain experience in Court processes by providing research assistance to Judges. Law clerks are recent graduates of Canadian law schools whose participation in this program is recognized as satisfying all or part of the articling requirements of the provincial law associations. Since the inception of the program in 1984, over 120 law clerks have worked or articulated with the Court.

Business Line / Service Line Descriptions

Under the Planning, Reporting and Accountability Structure (PRAS) approved by Treasury Board, the Registry continues to appear in Estimates as a single business line, **Registry Services**. The Registry's activities and resources are streamed into two service lines:

Operations: providing services to litigants, their counsel and the Judges of the Court, such as library services, case scheduling and courtroom operations; providing information on rules of practice, court directives and procedures; processing documents filed by or issued to litigants, and recording all proceedings; and issuing legal instruments to enforce decisions made by the Court and other federal agencies, such as the Canada Labour Relations Board and Canadian Human Rights Tribunal.

Corporate Services: providing internal staff support to the Registry in finance, administration, human resources, official languages, facilities management, security, and management information processing.

The **Administrator of the Federal Court** is accountable for results at the business line-level; that is, in general, for results relating to Strategic Priority 1, *ensuring that all persons have effective access to the Court*.

The **Operations** service line focuses on 2 strategic priorities:

- ! Strategic Priority 2: *ensuring that all persons have the opportunity to resolve disputes without hardship, delay or inconvenience*, accountability for specific aspects of which is assigned to **Deputy Administrators** and Regional Directors;
- ! Strategic Priority 3: *improving the level and efficiency of services to the Court and its clients through the application of technology*. The Deputy Administrators, Regional Directors and Directors are accountable for specific assignments under this objective.

The **Corporate Services** service line focuses on Strategic Priority 4, *providing the best possible decision-making environment for the Court*. As deputy head, the **Administrator of the Court** is accountable for these results, and delegates certain specific aspects of them to Deputy Administrators, Regional Directors and Directors.

The following section discusses the accomplishments planned for fiscal year 1998-99 in relation to the Registry's strategic priorities.

Section III: Registry Performance

Registry of the Federal Court of Canada

Planned Spending	\$31,900,000
<i>Total Authorities</i>	<i>\$33,700,000</i>
1998-99 Actuals	\$32,600,000

Performance Expectations

This section reports key performance expectations and accomplishments against commitments and plans which were incorporated in the 1998-99 Report on Plans and Priorities, and the chart of Key Results Commitments published in the 1998 Treasury Board President's Annual Report to Parliament.

The Registry's challenge is the management of access to the Federal Court for the fair resolution of disputes under more than 90 federal statutes. In this context, the Registry's performance is assessed against the following criteria:

Timely, orderly case management and support services.

The Court planned, during fiscal year 1998-99, to make the transition to a modern case management system, in the interests of improving the overall timeliness of proceedings. For the Registry, this would be the culmination of a period of intensive development of operating systems, computer information and management systems, and staff training to implement the new Rules. The impact of the changeover to case management, and the developmental activities associated with it, are discussed below under the individual service lines.

Trends in the type and volume of the case workload of the Court.

Workload volume over the past several years has been growing at a rapid rate. However, there were some minor fluctuations in this general trend expected in 1998- 99, reflecting the need on the part of the public and the legal profession to absorb the changes to the Court's operating environment. A further discussion of this subject is provided below under the Registry Operations service line.

Level of client satisfaction with services in terms of agreed standards.

The Registry published its quality service standards in 1996. Part of that initiative was the inauguration of a "quality service client questionnaire", available at all service counters across the country, enabling clients to inform the Registry of their degree of satisfaction with our services. A review of this initiative and results to date will be found under the Corporate Services service line, below.

Equitable public access to all proceedings, decisions and records of the Court.

The Court and Registry have invested considerable time and effort in the interests of enhancing access to the Court for persons in all parts of Canada. Indeed, this was one of the primary motivations for the development of the new Rules, which was planned through extensive consultation of interested parties across Canada. The Court has experienced unprecedented growth for a number of years in the number of persons electing to represent themselves before the Court, without benefit of counsel. The Registry maintains a formal record of all proceedings and their disposition, some details of which are set out in the table on the following page. Decisions of the Court are also reported in the Federal Court Reports, published by the Office of the Commissioner for Federal Judicial Affairs.

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Our expectations for a number of the Registry's historical indicators of performance are displayed in the following table, along with the actual 1998-99 results. The data indicates that our forecasts generally anticipated the impact of the changeover to case management.

COURT OF APPEAL

Performance Indicator	Prev. 2-yr. Average	1998 Forecast	1998 Actuals	Variance (Forecast)
New Proceedings	1,086	1,129	816	- 27.7%
Recorded Entries	23,078	22,850	24,394	6.8%
Matters Heard in Court	657	***	503	***
Days in Court	321	326	331	1.5%
Documents Issued	21,835	17,861	15,615	- 12.6%
Letters Issued	10,011	***	6,877	***

TRIAL DIVISION

New Proceedings	24,203	24,017	26,285	9.4%
Recorded Entries	196,931	214,720	605,561	182%
Matters Heard in Court	4,837	***	4,718	***
Days in Court	2,531	3,046	2,415	- 20.7%
Documents Issued	175,128	197,442	262,328	32.9%
Letters Issued	33,946	***	41,703	***

*** denotes that no forecast was made for this factor in the Registry's 1998-99 plans.

Performance Accomplishments

The Registry's accomplishments in relation to the key results commitments set out earlier in this report are discussed briefly by service line.

Key Results Commitment #1: Timely, orderly case management and support services.

Several years ago, in response to recommendations from the Canadian Judicial Council, the Court initiated a 'delay reduction programme'. The first steps under this initiative required the creation of a computerized inventory of all litigation; then the introduction of case management principles, including goals for the pace of litigation, which were incorporated into the new *Federal Court Rules, 1998* which came into effect on April 25, 1998. The Registry's over-arching priority since that date has been the implementation of these new Rules.

Case management, embodied in the rules, is the coordination of Court processes and resources intended to move cases in a timely manner from commencement to disposition, regardless of the type of disposition. It involves the Court's active supervision of the progress of cases and introduces new supervisory activities such as status reviews, dispute resolution services, trial management conferences and specially managed proceedings. This new system is intended to improve efficiency and effectiveness in the resolution of cases with the increased involvement by the Judges in the progress of the litigation before the Court.

During 1998-99, the Registry developed and implemented technology-based systems to support the new case management procedures and completed an operational retraining program. Following the introductory phase of implementation, the focus will shift increasingly to our performance relative to the time standards established by the rules.

Registry Operations

The Court now has a fully comprehensive and automated case management system, featuring a computerized case inventory ("the Delay Reduction Programme", or DRP for short), with ability to measure and report on elapsed time between events in the litigation process: an automated scheduling system for assignment of cases, Judges, court facilities and personnel; an automated docket recording system ("the Proceedings Management System") with enhancement for the inclusion of pre-automated records; teleconference and videoconference facilities; remote filing by fax; a statistical retrieval package and electronic communication software.

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Development of these integrated features places the Registry at the forefront of the automated case management field. Not only does this comprehensive system enable the Court to meet its case management goals and objectives, it assists the Registry in optimizing limited resources in the face of increasing demands for its services.

Support Services

Informatics support for the various technological initiatives cited above was a priority for the entire year, as was the review of all systems and software to ensure their continued reliability in the face of concerns associated with the advent of Year 2000.

An assessment of the impact of these developments with respect to benefits, the increased demands on the Registry's resources, and the best means of addressing that impact will require a larger sample of data than is presently available.

A major investment of staff resources was required for the in-house development and delivery of training programs in 1998-99 to meet objectives for the implementation of the new Rules by Registry staff across Canada, and for conversion to the new Universal Classification Standard (UCS). Directed by steering and implementation groups, staff were fully trained and participated extensively in both internal and inter-organizational activities. The scale of these undertakings had a dramatic impact on resources, affecting areas of ongoing work and other needed projects. The following table summarizes this investment:

Summary of Major Training Priorities in the Registry, 1998-99

<i>Subject</i>	<i>Modules</i>	<i>Instructors</i>	<i>Trainees</i>	<i>Locations</i>
New FCT Rules	! new FCT Rules: ! Case Management (English and French modules)	10	126	29 sessions of 3 days in Ottawa, Toronto, Montréal, Vancouver, Calgary, Halifax
UCS Writing	! French ! English	8	72	17 sessions of 5 days in Ottawa, Toronto, Montréal, Vancouver
UCS Evaluation	! French ! English	8	66	17 sessions of 3 days in Ottawa, Toronto, Montréal, Vancouver
UCS Re-Evaluation	! English ! French	3	62	8 sessions of 2 days in Ottawa, Toronto, Montréal, Vancouver

Key Results Commitment #2: Trends in the type and volume of the case workload of the Court.

Registry Operations

The table of performance statistics on page 12 above shows that in 1998-99 indicators showed increases, but not to the extent forecast. Our analysis has concluded that, following the extensive consultation process on case management and dispute resolution services, the Bar and litigants tended to postpone launching new actions until the new operating regime was solidly in place. The learning curve for the Court's clients contributed to a temporary lull in an otherwise steady growth trend.

This provided the Registry the opportunity to develop major systems changes, informatics and training associated with case management, while continuing to meet its day-to-day obligations. The modest slowdown in growth trends enabled the developmental aspects of the implementation of the new Rules to be completed successfully under reduced caseload pressure.

Statistics on recorded entries reflect the Registry's increased reliance on the proceedings management system under the new Rules for managing and tracking cases. For certain types of actions, many more entries must be made than was previously the case.

More time must be invested by Judges in the increased use of such case management techniques as alternate dispute resolution services, pre-trial conferences and mini-trials. These techniques result in reductions of actual trial time, as indicated by statistics for "days in Court" on page 12 above.

The Court consists of 31 Judges; 10 in the Court of Appeal and 21 in the Trial Division. While 3 new Judges were appointed in 1998-99, at year-end there were still 5 vacancies on the Bench. This situation affected the overall results for the year.

The Court of Appeal continues to be concerned about the large number of cases which are ready for hearing but for which hearing dates have not been assigned. Six weeks of sittings in Toronto, Montreal and Vancouver were cancelled due to the shortage of Judges.

The character of the work in the Registry's Appeal Division also changed significantly in 1998-99, primarily due to dramatic reductions in the numbers of judicial review applications and applications for extension of time. The Court heard more appeals, and statutory appeals, increasing the overall hearing time required. The new Rules require fewer form letters and appeal books than was formerly the case. Recorded entries increased relative to the new time limits for filing documents in appeals and the new process of issuing status review notices in delinquent appeals and applications. These performance measures are expected to return to their historical levels in the foreseeable future.

Key Results Commitment #3: Level of client satisfaction with services in terms of agreed standards.

The Registry conducts all its proceedings and other public business openly and in both official languages. Personnel are courteous and responsive to the public. Prior to the new Rules coming into force, the Registry adopted quality service standards, monitored through a questionnaire asking clients for comments on how well we meet the standards for employee courtesy, speed and accuracy of service, employee knowledge of procedures and the status of proceedings, Registry facilities and other related matters. The responses to date represent only a fraction of the clients visiting our facilities. They have nevertheless been overwhelmingly positive, with few critical or negative comments:

**Summary of Client Responses
Quality Service Questionnaire**

Rating	EXCELLENT	EXCELLENT - GOOD	GOOD - POOR	POOR	NO RATING
%	78.8%	16.3%	1.0%	1.9%	1.9%

With operations now based on case management, and the advent of other initiatives such as the Financial Information Strategy, the Registry is considering its needs for improved performance measurement tools, including this client feedback device.

Key Results Commitment #4: Equitable public access to all proceedings, decisions and records of the Court.

All activities and communications between the Court and litigants, or their counsel, flow through the Registry. All offices of the Registry have access to the centralized systems used to store and communicate information on court proceedings. Public access to this information is available at federally-staffed offices of the Court. A communications network upgrade, begun in 1998, will be completed in all offices in 1999.

The Court has made increasing use of communications technology to provide alternative means of access to hearings in order to facilitate the advancement of cases, including access on urgent matters and across long distances. In 1998, the Court arranged 808 teleconferences and 12 video-conferences for matters such as motions, case scheduling conferences, pre-trial conferences.

Teleconferences reduce the need for travel by the Judges. They reduce requirements for courtrooms, particularly for interlocutory motions and other routine business. They reduce costs of the Court and the Registry, and enable more cases to be moved forward, thereby increasing access to the Court. Moreover, they reduce litigants' costs significantly by reducing travel for parties and counsel, and facilitating the earlier disposition of individual cases at modest cost.

Teleconferences are particularly efficient for urgent matters, often occurring after normal hours or on weekends, where the Court's immediate direction is required. Both the Court and the Registry are on duty year-round to be available when urgent Court direction is needed by the parties.

Two large-scale large land-claim trials are presently proceeding with the assistance of "real-time" computer services in the courtroom; specifically, digital transcript; storage, access and display of papers and exhibits, and such other features as computer-based overhead projection. The Court and the parties have complete and instantaneous access to millions of pages of exhibits and transcripts. This technology is intended to ease the difficulty of managing large volumes of paper-based records, and to enable these trials to move forward as quickly as possible. Such technology is increasingly in demand from the legal profession and parties, particularly in cases which involve voluminous records.

During 1998-99, the Registry distributed Reasons for Judgment in 3,865 cases, totalling 38,236 pages. Full-text decisions of 169 cases appear in *Federal Court Reports* published by the Office of the Commissioner of Federal Judicial Affairs. A further 370 cases were cited in reported digests.

Federal Court judgments and reasons are posted to the web site of the Office of the Commissioner for Federal Judicial affairs and are available to the public. (Internet addresses: www.fja.ca or www.cmf.ca) Persons visiting the offices of the Court, and Registry staff also have access to this resource.

The Registry is committed to meeting its obligations with respect to the *Employment Equity Act*. As of March 31, 1999, representation among the 433 employees in the Registry included:

- 285 women, or 66% of employees (Last year: 66%)
- 26 persons or 6% self-identified with disabilities (Last year: 6%)
- 23 persons or 5% self-identified as visible minorities (Last year: 5%)
- 6 persons or 1.4% self-identified belonging to the aboriginal group (Last year: 2%)

The Registry strives to increase its representation of visible minorities and aboriginal peoples to better approach the levels in the workforce at large. Efforts are also being made to increase employee awareness about the importance of social diversity, through staff training and diversity management education for managers.

Recruitment of members of designated groups has been supported through the law clerks program, the Federal Student Work Experience Program, and a number of internal developmental assignments accessible to designated group members.

The availability of sufficient courtrooms is an increasing concern, especially since the process of planning and acquiring a new courtroom requires approximately two years to complete. Scheduling of hearings is subject to a number of uncontrollable factors - for example, the availability of parties, counsel and witnesses when the case is "perfected", or ready to be heard. Any of these elements can delay a hearing, but when all elements are in place, it is crucial that proper courtroom facilities be available.

A shortage of courtrooms can potentially cause backlogs. The Federal Court presently utilizes 80% of its courtroom capacity, in contrast with 40% utilization by other superior courts in Canada.

The need for suitable accommodations for the Court in Ottawa continues to be an increasingly pressing issue. Judges of the Appeal Court and the Trial Division have their offices in separate buildings, and staff must work from pockets of accommodations in several different locations.

The buildings accommodating the offices of the Federal Court of Canada are wheelchair accessible. Braille coding and / or audible floor indicators have been installed in most elevators. Parking is available for persons with disabilities at our principal office locations in Ottawa as well as at federally-staffed offices across Canada.

The Registry continues to actively offer service to clients in the official language of their choice in all its federally staffed offices. Efforts continue to ensure the provision of services in both official languages to its local offices staffed by provincial and territorial employees. Measures are in place in those locations to ensure adequate service and to meet the needs.

Four employees located in Toronto and in Vancouver have commenced, or will do so in the near future, full-time language training to meet the linguistic requirements of their position. There are also a number of employees in the National Capital Region who will be taking language training to satisfy the linguistic requirements of their positions. The language training coordinator, in consultation with managers, will be offering language training to incumbents of bilingual positions to enhance or maintain their language skills.

As of March 31, 1999, two of four Executives in the National Capital Region met or exceeded the CBC linguistic requirement, and the remaining two individuals are expected to meet the requirements within the next two years.

The Registry reflects the two official language communities and the participation of the language groups is divided as follows: 227 are Anglophones and 215 are Francophones.

Professional and developmental training is offered to employees in the official language of their choice. Bilingualism of supervisors constitutes a crucial element for an equitable plan with respect to the language of work. 54 or 89% of the 61 incumbents of bilingual supervisory positions satisfy the linguistic requirements of their positions. Both these factors create work environments that are conducive to the use of both official languages and encourage the employees to work in the official language of their choice.

Section IV: Consolidated Reporting

Year 2000 (Y2K) Readiness

An inventory of all systems and applications was undertaken during 1998 to determine readiness for the Year 2000 problem. The Registry reported to Treasury Board that all computer equipment and applications, save for one, are Year 2000 compliant. (The remaining application was compliant by June, 1999.)

As of July, 1999, the Registry is in the process of completing its Year 2000 Contingency Plan.

Other Consolidated Reporting Initiatives

The Registry is not required to report on Materiel Management, Sustainable Development, Fuel Storage Tanks, Regulatory Initiatives or Statutory Annual reports.

Section V: Financial Performance

Financial Performance Overview

As noted above, implementation of the new Federal Court Rules was the Registry's most important priority for 1998-99. Main Estimates for 1998-99 had anticipated this to some extent, but reflected some uncertainty as to their effective date. However, the increase from Planned Spending to Total Authorities arises as a result of collective bargaining agreements and carry-forward authorities.

The shortfall between Total Authorities and Actual Expenditures was due primarily to staffing restraints; new staffing has been closely scrutinized since the announcement several years ago of a possible merger with another Court.

All budget reductions since the early 1990's were absorbed in Other Operating Costs, leaving this allotment seriously depleted at a time when the Registry was required to implement a complete new operating regime. A transfer of \$500,000 from Personnel to Other Operating Costs was processed in 1998-99 to restore some flexibility for the implementation process.

An amount of \$140,000 was re-profiled from 1998-99 to 1999-2000 with respect to a Special Purpose allotment for large aboriginal cases to be heard in Vancouver. When funding was initially provided, completion of the cases was anticipated by March, 1999. However, they have proceeded at a different pace, and are now expected to be completed by September, 1999.

Financial Summary Tables

The following tables are applicable to the Registry:

- *Table 1: Summary of Voted Appropriations*
- *Table 2: Comparison of Total Planned Spending to Actual Spending*
- *Table 3: Historical Comparison of Total Planned Spending to Actual Spending*
- *Table 7: Non-Respendable Revenues*

Table 1: Summary of Voted Appropriations

**Authorities for 1998-99 - Part II of the Estimates
Financial Requirements by Authority (\$ millions)**

Vote	1998-99		
	Planned Spending	Total Authorities ¹	Actual
Federal Court of Canada			
Vote 25 Program expenditures	28.0	29.6	28.5
! Contributions to employee benefit plans	3.9	4.1	4.1
Total Department	31.9	33.7	32.6

1. Total Authorities are Main Estimates plus Supplementary Estimates plus other authorities.

Table 2: Comparison of Total Planned Spending to Actual Spending

Departmental Planned versus Actual Spending (\$ millions)

Registry Operations	1998-99		
	Planned	Authorized	Actual
FTEs	479	479	417
Operating	31.9	33.7	32.6
Capital	--	--	--
Voted Grants & Contributions	--	--	--
Subtotal: Gross Voted Expenditures	31.9	33.7	32.6
Statutory Grants and Contributions	--	--	--
Total Gross Expenditures	31.9	33.7	32.6
Other Revenues and Expenditures			
Non-Respendable Revenues	(0.6)	(0.6)	(7.4)
Total Net Expenditures	31.3	33.1	25.2

**Table 3: Historical Comparison of Total Planned Spending to Actual Spending
Registry Planned versus Actual Spending by Business Line (millions of dollars)**

	Actual 1996-97	Actual 1997-98	1998-99		
			Planned Spending	Total Authorities	Actual
Federal Court of Canada	29.4	30.9	31.9	33.7	32.6
Total	29.4	30.9	31.9	33.7	32.6

Table 7: Non-Respendable Revenues by Business Line (\$ millions)

Business Line	Actual 1996-97	Actual 1997-98	Planned Spending 1998-99	Total Authorities 1998-99	Actual 1998-99
Registry Operations	2.4	1.0	0.6	0.6	7.4 *
Total Non-Respendable Revenues	2.4	1.0	0.6	0.6	7.4 *

* Includes fines of \$6,100,000, of which \$5,770,000 were levied under the *Competition Act*.

Section VI: Other Information

Contacts for Further Information

Registry Services Program

Principal Office
434 Queen Street, Ottawa, Ontario K1A 0H9

General Enquiries:

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Administrator
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Operations:

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Designated Proceedings

Paul Scott, Deputy Administrator
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Senior Financial Adviser:

Evelyn Burke
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Policy, Training & Labour Relations

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Informatics and Telecommunications

Gary Pinder, Director
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Real Property Services

James Strader, Manager
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LOCAL OFFICES

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Monique Giroux, Regional Director
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QUÉBEC - Québec

Senior Registry Officer
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(New Material - to follow list of local offices)

<p style="text-align: center;">OFFICES STAFFED BY PROVINCIAL AND TERRITORIAL COURT EMPLOYEES</p>

NEW BRUNSWICK - St. John

George S. Thériault, District Administrator
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**NORTHWEST TERRITORIES and
NUNAVUT TERRITORY - Yellowknife**

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SASKATCHEWAN - Regina

Gordon K. Dauncey, A/District Administrator
Court House, 2425 Victoria Avenue S4P 3V7
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YUKON TERRITORY - Whitehorse

Thomas E. Ullyett, A/District Administrator
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NEWFOUNDLAND - St. John's

Louise King, Deputy District Administrator
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PRINCE EDWARD ISLAND - Charlottetown

E. Dorothy Kitson, District Administrator
Sir Henry Louis Davies Law Courts
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SASKATCHEWAN - Saskatoon

Dennis Berezowsky, District Administrator
520 Spadina Crescent East S7K 2H6
(306) 975-4509 Facsimile: (306) 975-4818

Legislation Administered by the Registry of the Federal Court of Canada

The Minister has sole responsibility to Parliament for the following Act:

Federal Court Act R.S.C. 1985, c.F-7

The Minister shares responsibility to Parliament for the following Act:

National Defence Act, Sections 234ff R.S.C. 1985, c.N-5

Legislation Affecting the Court

A specific right to appeal to the Federal Court or for review by the Court, or for the enforcement of decisions, or the recovery of debt owed to Her Majesty, are provided for in legislation other than the Federal Court Act. The following, although not exhaustive, is a list of the legislation affecting the Court, updated to July, 1999:

Access to Information Act, R.S., 1985, c. A-1
Agriculture and Agri-Food Administrative Monetary Penalties Act, 1995, c.40
Anti-Personnel Mines Convention Implementation Act, 1997, c. 33
Atomic Energy Control Act, R.S., 1985, c. A-16
Bank Act, 1991, c. 46
Bankruptcy and Insolvency Act, R.S., 1985, c. B-3
Broadcasting Act, 1991, c. 11
Budget Implementation Act, 1998, 1998, c. 21
Canada Agricultural Products Act, R.S., 1985, c. 20 (4th Supp.)
Canada Deposit Insurance Corporation Act, R.S., 1985, c. C-3
Canada Evidence Act, R.S., 1985, c. C-5
Canada Grain Act, R.S., 1985, c. G-10
Canada Labour Code, R.S., 1985, c. L-2
Canada Lands Surveyors Act, 1998, c. 14
Canada Marine Act, 1998, c. 10
Canada Oil and Gas Operations Act, R.S., 1985, c. O-7
Canada Pension Plan, R.S., 1985, c. C-8
Canada Petroleum Resources Act, R.S., 1985, c. 36 (2nd Supp.)
Canada Shipping Act, R.S., 1985, c. S-9
Canada Transportation Act, 1996, c. 10
Canadian Environmental Protection Act, R.S., 1985, c. 16 (4th Supp.)
Canadian Human Rights Act, R.S., 1985, c. H-6
Canadian International Trade Tribunal Act, R.S., 1985, c. 47 (4th Supp.)
Canadian National Railways Act, R.S., 1985, c. C-19

Canadian Ownership and Control Determination Act, R.S., 1985, c. C-20
Canadian Security Intelligence Service Act, R.S., 1985, c. C-23
Canadian Space Agency Act, 1990, c. 13
Cape Breton Development Corporation Act, R.S., 1985, c. C-25
Citizenship Act, R.S., 1985, c. C-29
Coasting Trade Act, 1992, c. 31
Commercial Arbitration Act, R.S., 1985, c. 17 (2nd Supp.)
Competition Act, R.S., 1985, c. C-34
Competition Tribunal Act, R.S., 1985, c. 19 (2nd Supp.)
Cooperative Credit Associations Act, 1991, c. 48
Copyright Act, R.S., 1985, c. C-42
Corrections and Conditional Release Act, 1992, c. 20
Criminal Code, R.S., 1985, c. C-46
Crown Liability and Proceedings Act, R.S., 1985, c. C-50
Cultural Property Export and Import Act, R.S., 1985, c. C-51
Customs Act, R.S., 1985, c. 1 (2nd Supp.)
Defence Production Act, R.S., 1985, c. D-1
Divorce Act, R.S., 1985, c. 3 (2nd Supp.)
Dominion Water Power Act, R.S., 1985, c. W-4
Emergencies Act, R.S., 1985, c. 22 (4th Supp.)
Employment Equity Act, 1995, c. 44
Employment Insurance Act, 1996, c. 23
Energy Supplies Emergency Act, R.S., 1985, c. E-9
Escheats Act, R.S., 1985, c. E-13
Excise Act, R.S., 1985, c. E-14
Excise Tax Act, R.S., 1985, c. E-15
Expropriation Act, R.S., 1985, c. E-21
Farm Credit Corporation Act, 1993, c. 14
First Nations Land Management Act, 1999, c. 24
Fisheries Act, R.S., 1985, c. F-14
Foreign Enlistment Act, R.S., 1985, c. F-28
Foreign Publishers Advertising Services Act, 1999, c. 23
Hazardous Materials Information Review Act, R.S., 1985, c. 24 (3rd Supp.), Part III
Immigration Act, R.S., 1985, c. I-2
Income Tax Act, R.S., 1952, c. 148
Indian Act, R.S., 1985, c. I-5
Industrial Design Act, R.S., 1985, c. I-9
Insurance Companies Act, 1991, c. 47
Integrated Circuit Topography Act, 1990, c. 37
International Boundary Waters Treaty Act, R.S., 1985, c. I-17
International Sale of Goods Contracts Convention Act, 1991, c. 13
Labour Adjustment Benefits Act, R.S. 1985, c. L-1
Motor Vehicle Safety Act, R.S., 1985, c. M-10
National Energy Board Act, R.S., 1985, c. N-7

North American Free Trade Agreement Implementation Act, 1993, c. 44
Northern Pipeline Act, R.S., 1985, c. N-26
Northwest Territories Waters Act, 1992, c. 39
Official Languages Act, R.S., 1985, c. 31 (4th Supp.)
Patent Act, R.S., 1985, c. P-4
Payment Clearing and Settlement Act, 1996, c. 6, Schedule, s. 21
Pension Benefits Standards Act, 1985, R.S., 1985, c. 32 (2nd Supp.)
Petroleum and Gas Revenue Tax Act, R.S., 1985, c. P-12
Plant Breeders' Rights Act, 1990, c. 20
Postal Services Interruption Relief Act, R.S., 1985, c. P-16
Privacy Act, R.S., 1985, c. P-21
Public Servants Inventions Act, R.S., 1985, c. P-32
Public Service Employment Act, R.S., 1985, c. P-33
Radiocommunication Act, R.S., 1985, c. R-2
Railway Safety Act, R.S., 1985, c. 32 (4th Supp.)
RCMP Act, R.S., 1985, c. R-10
Special Import Measures Act, R.S., 1985, c. S-15
Status of the Artist Act, 1992, c. 33
Tax Court of Canada Act, R.S., 1985, c. T-2
Telecommunications Act, 1993, c. 38
Timber Marking Act, R.S., 1985, c. T-11
Trade-Marks Act, R.S., 1985, c. T-13
Trust and Loan Companies Act, 1991, c. 45
United Nations Foreign Arbitral Awards Convention Act, R.S., 1985, c. 16 (2nd Supp.)
Yukon Surface Rights Board Act, 1994, c. 43
Yukon Waters Act, 1992, c. 40

In addition to their duties under the above legislation, Judges of the Federal Court have been given functions under the following acts:

Health of Animals Act, 1990, c. 21
National Defence Act, R.S., 1985, c. N-5
Pesticide Residue Compensation Act, R.S., 1985, c. P-10
Plant Protection Act, 1990, c. 22
Supreme Court Act, R.S., 1985, c. S-26

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