



Office of the Commissioner for Federal Judicial Affairs

1997-98
Estimates

Part III

Expenditure Plan

The Estimates Documents

The Estimates of the Government of Canada are structured in three 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 Part III documents provide additional detail on each department and its programs primarily in terms of the results expected for the money spent.

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Canada Communication Group – Publishing
Ottawa, Canada K1A 0S9

Catalogue No. BT31-2/1998-III-22
ISBN 0-660-60080-3



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1997-98
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Part III

Expenditure Plan

Approved

Minister of Justice and
Attorney General of Canada

PREFACE

This document is a report to Parliament to indicate how the resources voted by Parliament have or will be spent. As such, it is an accountability document that contains several levels of details to respond to the various needs of its audience.

The Part III for 1997-98 is based on a revised format intended to make a clear separation between planning and performance information, and to focus on the higher level, longer term plans and performance of departments.

- The document is divided into four sections:
- **Section 1 - The Commissioner's Executive Summary.**
 - **Section II -The Departmental Plan.**
 - **Section III - Departmental Performance.**
 - **Section IV - Supplementary Information.**

It should be noted that, in accordance with the Operating Budget principles, human resource consumption reported in this Expenditure Plan will be measured in terms of employee full time equivalents (FTE).

Table of Contents

I	The Commissioner s Executive Summary	5
	1. Assessment of Performance Results and Strategic Planning Priorities	5
	2. Issues for the Budget Consultations	6
II	Departmental Plan	8
	A. Summary of Departmental Plans and Priorities	8
	B. Departmental Overview	9
	1. Roles, Responsibilities and Mission	9
	2. Organization and Program Composition	9
	3. Resource Plans and Financial Tables	10
	C. Details by Business Line	15
	1. Business Line Objectives and Descriptions	15
	2. Operating Context	18
	3. Change Management Issues	19
	4. Business Line Results Expectations	19
	5. Comparative Financial Plans by Business Line	23
III	Departmental Performance	25
	A. Summary of Departmental Performance	25
	B. Departmental Overview	26
	1. Development of Performance Measures	26
	2. Financial Tables	27
	C. Details By Business Line	28
	1. Demonstration and Discussion of Actual Performance	28
	2. Comparative Financial Performance by Business Line	33
	3. Impact on Future Plans	34

IV	Supplementary Information	35
1.	Organization	35
	1.1 Organization Chart	35
	1.2 Resource Requirements by Branch and Business Line/Activity	36
2.	Personnel Requirements	37
	2.1 Details of Personnel Requirements by Business Line/Activity	37
	2.2 Summary by Professional Category	38
3.	Additional Financial Information	39
	3.1 Net Ministry Expenditures by Business Line/Activity	39
	3.2 Revenues and Expenditures	40
	3.2.1 Revenues by Business Line/Activity	40
	3.2.1.1 Details of Revenues by Business Line/Activity	41
	3.2.2 Transfer Payments by Business Line/Activity	42
	3.2.2.1 Details of Transfer Payments by Business Line/Activity	42
	3.2.3 Presentation by Standard Object	43
4.	Statutes Administered by the Portfolio	44
5.	References	44
6.	Topical Index	45

Section I

The Commissioner's Executive Summary

1. Assessment of Performance Results and Strategic Planning Priorities

1.1 Key Plans and Priorities

The Key Plans and Priorities of the Office of the Commissioner for Federal Judicial Affairs include:

- improve the delivery of services to judges and reduce costs to the government through the introduction of the Judges Travel Service and the provision of credit card services to the judges;
- maximize the exploitation of technology so as to provide the judiciary with the tools to function efficiently;
- assess and implement centralized common services to increase administrative excellence and efficiency and to reduce costs;
- develop a communication strategy that will promote transparency in the judiciary;
- promote the training and education of judges;
- arrange for all raw judgments of the Federal Court of Canada as well as the *Federal Court Reports* to be available on the Internet;
- explore alternate methods of course delivery for the judges participating in the Language Training Program; and
- explore cooperative joint ventures with the judiciaries of other countries in conjunction with the Canadian International Development Agency (CIDA).

1.2 Assessment of 1995/96 Performance Results

The Office of the Commissioner for Federal Judicial Affairs successfully managed its key plans and priorities for the 1995/96 fiscal year. Achievements included:

- the Judicial Affairs Information Network pilot project was conducted. Valuable information was obtained from the pilot that will be used to expand and enhance the Judicial Affairs Information Network;

- the services of a contractor specialized in communications were obtained in 1995/96. The findings are currently being reviewed. A departmental logo was also developed in 1995/96;
- discussions concerning the work environment safety policy for federally appointed judges in Canada took place in 1995/96. Contracts were entered into between three provinces and the RCMP to assist the judges in the planning of their security measures and to give presentations to judges. Court Security Guides obtained from the National Association for Court Management were distributed to the Chief Justices of the Provinces;
- an agreement was entered into with the Canadian Judges Conference and Corporate Health Consultants Ltd. to provide an Employee Assistance Program to all Federally appointed Judges. The National Judicial Counselling Programme was introduced on July 1, 1995 and the program has been well received by the judges;
- consultations with the Ukrainian Government were commenced in 1995/96 to explore the possibility of providing training and institution building services to the Ukrainian judiciary. An agreement between the Office of the Commissioner for Federal Judicial Affairs and the Canadian International Development Agency was reached in 1996/97 to provide for the funding of this project over a three year period. The project will get underway in 1996/97; and
- an agreement was entered into with the Office of the Umpire, Unemployment Insurance to provide finance and personnel services to the retired judges who act as Umpires.

2. Issues for Budget Consultations

The budget providing funds for the judges salaries, allowances and annuities is adjusted to the level of activity of the judiciary. The statutory authority for these funds is inherent in Part I of the *Judges Act*. The funding for the Office of the Commissioner for Federal Judicial Affairs is subject to the Government's Expenditure Management Plan. This arrangement is causing a disparity between the two in that one budget (statutory) is increasing in response to its requirements and the other (Federal Judicial Affairs - Vote 15) is decreasing in response to government cuts.

In order to achieve all of the key plans related to the proper functioning of the Canadian judicial system, additional funds may be required in planning years 1998/99 and beyond. Additional funds were received in the 1995/96, 1996/97 and 1997/98 fiscal years to implement some of these initiatives.

Alternate sources of funding, such as cost recovery, will be utilized wherever possible to fund key plans and initiatives and to reduce the likelihood of having to request additional funds in future years.

The Office of the Commissioner for Federal Judicial Affairs will invest in an infrastructure that will enable it to exploit innovative technologies. The successful use of such technologies will constitute a major determinant of the Office of the Commissioner for Federal Judicial Affairs' success in adopting the proposed priorities, reallocating its resources and entering into proposed joint ventures with third parties.

In the past two years there have been significant changes in the operations of the Office of the Commissioner for Federal Judicial Affairs, its mission, the management style and in the pulse of the organization. Adjustments are required on the part of the organization as a whole and in conjunction with the review of Federal Court and Tax Court administrative support services structures. We have conducted a formal review of the Office of the Commissioner for Federal Judicial Affairs' existing programs and structures. As a result of this review, program changes have resulted in modifications in the vote structure of the Office of the Commissioner for Federal Judicial Affairs. Vote netting authority has already been approved.

Guy Y. Goulard

Section II

Departmental Plan

A. SUMMARY OF DEPARTMENTAL PLANS AND PRIORITIES

1. Departmental Priorities

- to establish itself in a strong central role in the management of judicial affairs in Canada

2. Business Line Priorities

2.1 Administration

- development of the Judges Travel Service;
- development of and expansion of information technologies in the judiciary;
- development of a communication strategy;
- promotion of training and education of judges;
- assess and implement common services by negotiating with other small agencies arrangements for the provision of Corporate Services;
- arrange for all raw judgments of the Federal Court of Canada as well as the *Federal Court Reports* to be available on the Internet;
- explore alternate methods of course delivery for the Language Training Program; and
- co-ordination and promotion of co-operative ventures with the judiciaries of other countries.

2.2 Canadian Judicial Council

- the promotion of the continuing education of judges; dealing with complaints against federally appointed judges; providing a forum for developing consensus among its members, as heads of the higher courts, on matters of direct interest to the judiciary; and making representations to the Government with respect to judicial salaries and benefits to ensure they are compensated for service to the public and to ensure their continued economic well being.

2.3 Payments pursuant to the *Judges Act*

- the timely payment of salaries, allowances and annuities to judges and their survivors.

B. DEPARTMENTAL OVERVIEW

1. Roles, Responsibilities and Mission

1.1 Roles and Responsibilities

Section 73 of the *Judges Act* provides for the establishment of an officer called the Commissioner for Federal Judicial Affairs who shall have the rank and status of a deputy head of a department. Section 74 sets out the duties and functions of the Commissioner.

The Commissioner is responsible for the administration of federal judicial affairs with respect to all federally appointed judges, the Federal Court of Canada, the Tax Court of Canada and the Canadian Judicial Council.

1.2 Mission

The Mission of the Office of the Commissioner for Federal Judicial Affairs is threefold: the payment of benefits to judges provided for in the *Judges Act*, including salaries, allowances, annuities, educational and information expenses; providing for administrative requirements of the Canadian Judicial Council and the preparation of budgetary submissions for the Federal Court of Canada and the Tax Court of Canada; and, at the request of the Minister of Justice, undertaking of certain responsibilities related to the proper functioning of the Canadian judicial system. In fulfilling its mission, the Office of the Commissioner for Federal Judicial Affairs is striving for administrative excellence in its own operations as well as in the functioning of the overall Canadian judicial system.

2. Organization and Program Composition

2.1 Business Line/Activity Structure

The Federal Judicial Affairs Program consists of the following Business Lines/Activities, which are described in detail in Section II-C of the Plan:

- Administration;
- Canadian Judicial Council; and
- Judges' salaries, allowances and annuities, annuities to spouses and dependents and lump sum payments to spouses of such judges who die while in office (Payments pursuant to the *Judges Act*).

2.2 Organization Structure

The Program is headed by the Commissioner for Federal Judicial Affairs who is assisted by a Deputy Commissioner, responsible for financial, personnel, administrative matters, language training, and the Judicial Appointments Secretariat which administers the fifteen Advisory Committees on Judicial Appointments; by an Executive Editor responsible for editing *Federal Court Reports*, and by the Executive Director of the Canadian Judicial Council.

3. Resource Plans and Financial Tables

Implementing key plans and priorities will have a major impact on the resources of the Office and the allocation of its limited budget. Since the Office of the Commissioner for Federal Judicial Affairs is relatively small with a very significant task to accomplish, it will be necessary to find innovative ways to fulfil these undertakings. The areas which will be affected by the implementation of these priorities include human and financial resources and information technology.

3.1 Human Resources

The Office of the Commissioner for Federal Judicial Affairs continues to employ a small workforce, relative to the level of resources it administers and the importance of its mandate. This is made possible through the extensive use of technology and the temporary and timely acquisition of specific expertise from outside sources. It is anticipated that the temporary acquisition of expertise, through contracts, special assignments and secondments will continue to allow the Office to access the expertise it requires to operate in a highly efficient and effective manner and meet its objectives.

3.2 Financial Resources

The Office of the Commissioner for Federal Judicial Affairs is a department listed under Schedule 1 of the *Financial Administration Act*. The primary function of the Office is to administer specialized services to a clientele that is appointed and governed by the *Judges Act*. The difficulty lies in the inability to control or govern, to any significant degree, the growth in magnitude and complexity of the task at hand. Reallocation of funds and creative methods of financing and access to additional funding will be essential if the important initiatives and objectives proposed for the planning period are to be realized. The initiatives listed in this Plan cannot be funded within existing resources, so additional funding will be sought from various sources. An attempt will be made to identify alternate sources of funds to assist with some initiatives that lend themselves to that. A change in our vote wording has also been approved to permit vote netting. Generating revenue, or recovering costs from other levels of government could in some cases ensure the realization of projects.

3.3 Information Technology

Although modern technology has been introduced in most areas of private and public management, the judicial system has not kept pace with this changing technology. Information technology has recently been introduced in the area of court and case flow management, but this has not been extended to the judiciary's needs for information and communication. The advent of the *Canadian Charter of Rights and Freedoms* has added a requirement that the judiciary be highly informed on factors pertaining to socio-economic and gender issues, demography and cultural diversity, in addition to the legal aspects of the cases coming before the courts.

The benefits, both in human and monetary terms, of a more efficient judicial system would be very substantial. Canadian society must rely more than ever on the judiciary to play a fundamental role in the protection of its constitutional rights and freedoms. It will therefore be critical that the judiciary be provided with the best working conditions and information technology tools available.

Spending Authorities

A. Authorities for 1997-98 - Part II of the Estimates

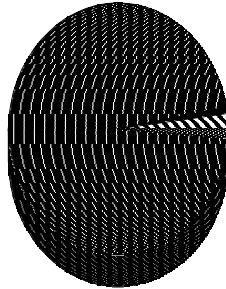
Financial Requirements by Authority

Vote (thousands of dollars)		1997-98 Main Estimates	1996-97 Main Estimates
Commissioner for Federal Judicial Affairs			
15	Operating expenditures	4,174	3,938
20	Canadian Judicial Council - Operating Expenditures	499	507
(S)	Payments pursuant to the <i>Judges Act</i>	219,283	211,117
(S)	Contributions to employee benefit plans	387	296
Total Agency		224,343	215,858

Votes - Wording and amounts

Vote (dollars)	1997-98 Main Estimates	
Commissioner for Federal Judicial Affairs		
15	Commissioner for Federal Judicial Affairs - Operating expenditures, remuneration, allowances and expenses for judges, including deputy judges of the Supreme Court of the Yukon Territory and the Supreme Court of the Northwest Territories, not provided for by the <i>Judges Act</i> and pursuant to paragraph 29.1(2) of the <i>Financial Administration Act</i> , authority to spend revenues received during the year arising from the provision of administrative services and judicial training services.	4,174,000
20	Commissioner for Federal Judicial Affairs - Canadian Judicial Council - Operating expenditures	499,000

1997-98 Spending Authorities



Federal Judicial Affairs
 Canadian Judicial Council
 Payments pursuant to Judges Act
 Contribution to Employee Benefits Plan

Ministry Overview

(thousands of dollars)	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Commissioner for Federal Judicial Affairs	215,858	224,618	231,592	239,029
Initiatives to be approved		0		
Ministry Budget	215,858	224,618	231,592	239,029

Departmental Overview

Gross Estimates	215,858	224,618	231,592	239,029
Revenue to the Vote		(275)	(275)	(275)
Total Main Estimates	215,858	224,343	231,317	238,754
Revenue credited to the Consolidated Revenue Fund				
Estimated Cost of Services by other Departments	590	692	692	693
Net Cost of the Department	216,448	225,035	232,009	239,447

Net Cost of Program by Business Line/Activity

(thousands of dollars)		1997-98 Main Estimates						
Business Lines/Activities	Operating	Capital	Grants and Contributions	Gross Total	Statutory Payments	Gross Expenditures	Less: Revenue Credited To the Vote	Total Main Estimates
Administration	4,795			4,795		4,795	275	4,520
Canadian Judicial Council	540			540		540		540
Payments pursuant to the <i>Judges Act</i>			42,720	42,720	176,563	219,283		219,283
	5,335		42,720	48,055	176,563	224,618	275	224,343
Other Revenues and Expenditures								
Revenue credited to the Consolidated Fund								692
Estimated Cost of services by other Departments								
Net Cost of the Program								225,035

C. DETAILS BY BUSINESS LINE

1. Business Line Objectives and Descriptions

1.1 Administration

Objectives:

- to continually review current procedures for processing payments to judges with the objective of reducing the volume of claims received and the processing time. Establish a Judges Travel Service for airfare, accommodations and ground transportation and to implement a travel credit card to be used by judges to obtain cash advances from A.T.M. machines. This will eventually result in substantial savings from the lower travel costs associated with economies of scale and the reduced costs associated with the financing of standing and travel advances issued to judges. In order to proceed with this program we are seeking the approval from the members of the Canadian Judicial Council;
- maximize the exploitation of technology so as to provide the judiciary with the best available tools to fulfill their judicial functions. Central to this strategy is the commitment of the Office of the Commissioner for Federal Judicial Affairs to continue to enhance and expand the Judicial Affairs Information Network that links federally appointed judges through a dedicated network, in order to facilitate and encourage the exchange and dissemination of judicial information. This strategy will take full advantage of existing information networks and help meet the Office's commitment and duty to inform in innovative, less costly ways. Also of major importance is the development of video conferencing technologies in the court room . Savings in travel and other costs could be substantial once this technology is developed and implemented;
- complete a comprehensive communication strategy to: promote the independence of the judiciary and the administration of federal judicial affairs in Canada; and promote transparency and demonstrate to the various levels of government and the public that the judiciary is well managed and that it plays a vital role in the functioning and evolution of our society. The Office is proposing to enter into a joint initiative that will include courts, teaching institutions and other levels of government, and which will focus on the distribution, dissemination and exchange of information. Subject to the availability of funds, departmental pamphlets and brochures may be developed to ensure that the public is informed on the role of the department as well as the judiciary in the Canadian society;

- promote the training and education of judges and work forcefully towards a rationalization of these services. This initiative will be undertaken to ensure uniformity, consistency and excellence in judicial education;
- the assessment and implementation of centralized common services, where appropriate, to increase administrative excellence and efficiency and to reduce costs. Also, the provision of administrative services on a cost recovery basis will be offered to other departments and agencies;
- arrange for all raw judgments of the Federal Court of Canada as well as the *Federal Court Reports* to be available on the Internet;
- explore alternative methods of course delivery for judges' language training such as conducting sessions that include training on weekends which will shorten course duration and reduce costs. Follow-up testing may also be developed and implemented to assess language performance levels and requirements for additional language training. Distance and multi-media training possibilities will also be considered; and
- endeavour to become the central focus for coordinating and promoting cooperative ventures between the Canadian judiciary and the judiciaries of other countries. One initiative is a project with the Government of Ukraine to provide training and institution building services to their organization. The project will be funded in part by the Canadian International Development Agency (CIDA).

Description

This Business Line/Activity includes all of the administrative tasks necessary to meet its aforementioned objectives. These objectives are accomplished through the work of five sub-activities:

Senior Management : This Unit Includes the Offices of the Commissioner and its secretariat, the Deputy Commissioner and his support staff and an International Cooperations section which is presently involved in an initiative with CIDA (in the Ukraine). This unit is also responsible for preparing for submission, Orders in Council dealing with salaries, pensions, appointments and transfers and processes the requisite documentation to give effect to these Orders in Council once approved.

Policy and Corporate Services: This unit provides the Program with policy direction, as well as financial, personnel, administrative and information technology services. It attends to the disbursement of salaries, allowances and annuities for judges and their dependents. It provides administrative support services to the Canadian Judicial Council, the Office of the Umpire, Unemployment Insurance Act, the Canadian Human Rights Tribunal and prepares budgetary submissions for the Federal Court and Tax Court of Canada.

Federal Court Reports Section: Reasons for judgment of cases heard by the Federal Court of Canada are edited for publication by this unit.

Judges Language Training: This unit is responsible for planning, developing, organizing and conducting language training programs for judges.

Judicial Appointments Secretariat: This unit is responsible for the administration and operation of the 15 Advisory Committees on Judicial Appointments.

1.2 Canadian Judicial Council

Objective

- to promote efficiency and uniformity, and to improve the quality of judicial service in superior courts and in the Tax Court of Canada.

Description

The Canadian Judicial Council is a statutory body composed of 36 Chief Justices and Chief Judges. The Council achieves its objectives through four broad categories of activities. It has a role in the continuing education of judges; deals with complaints against federally appointed judges; provides a forum for developing consensus among its members, as heads of the higher courts, on matters of direct interest to the judiciary; and makes representations to the Government with respect to judicial salaries and benefits.

1.3 Payments pursuant to the *Judges Act*

Objective

- To ensure salaries, allowances and annuities are provided in accordance with the *Judges Act*.

Description

To pay salaries, allowances and annuities to judges of the Federal Court of Canada, the Tax Court of Canada and other federally appointed judges of the superior courts of the provinces and territories as authorized by the *Judges Act*; to provide lump sum payments to spouses of such judges who die while in office and annuities to spouses and children of deceased judges. Objectives are achieved by the Policy and Corporate Services and Senior Management sub-activities.

2. Operating Context

External Factors Influencing the Program

The principal factors which influence the nature and scope of the Administration of the Federal Judicial Affairs Program are the number and nature of cases heard by the Federal Court of Canada and the Tax Court of Canada, the demand for judicial services in both official languages and the number of candidates applying for judicial appointment. In addition, changes to the *Judges Act* as well as the number of active judges and pensioners will tend to affect the administrative workload associated with the provision of services. Progress in technology such as video conferencing, automation of the Judges workbench and of the legal community places a great deal of pressure on the judges to keep up. This program is very much involved in the steps pertaining to the designing and the management of such initiatives for judges.

3. Change Management Issues

3.1 Administration:

- The workload will increase as new informatics systems are developed, implemented, and expanded to provide better communication and information vehicles to judges. Another factor which will result in additional workload is our participation in international ventures which will require coordination, planning, monitoring and financial reporting on projects and activities. Also, as the government wide conversion to accrual accounting is realized, additional resources will be expended on the review and installation of approved financial systems. Additional costs will also be incurred.
- The outcome of the Auditor General's Report on the review of the Federal Court of Canada and the Tax Court of Canada could impact on the Administration Business Line/Activity. The effects will not be known until the final report is released.
- The Public Service Commission currently provides the services of teachers at no cost to the Office of the Commissioner for Federal Judicial Affairs for the judges' language training sessions. Downsizing of the Public Service Commission could increase costs of the sessions significantly as teaching services would have to be contracted out to private industry.

4. Business Line Results Expectations

4.1 Administration

We are expecting that up to 50% of the judges will take advantage of the Judges Travel Service, for the booking of their travel requirements, when it is fully operational. With regard to the Travel Cards, we are planning to reduce as much as possible the number of advances issued to judges, including Permanent Standing Advances, which will result in a 15% reduction in the number of claims received from judges. In addition to the expected cost reductions relating to greater economies of scale for the air travel costs, we expect to recover approximately \$100,000 per year in rebates from the travel supplier which will be offset against the statutory expenditures of the program. In reducing the number and amount of Permanent Standing Advances issued, this will result in lower costs to the government since the cash requirements to fund these advances will be eliminated.

By maximizing the exploitation of technology, we will be ensuring, through such initiatives as the Judicial Affairs Information Network, that lines of communications between members of the judiciary are available. The net result of this initiative, although difficult to quantify, should be a lower cost to the public for the provision of judicial services. Of major importance is the development of video conferencing technologies in the courtroom. Savings in travel and other costs could be substantial once this technology is developed.

The comprehensive communications strategy, while generating little if any savings will result in the general public being better informed of the issues facing the judiciary as a whole and will also serve to confirm that the judiciary is well managed and the important role it plays in society.

The promotion of training and education of judges will result in judges being more aware of current issues as well as being able to take advantage of the tools that are, and will be at their disposal to assist them in fulfilling their judicial obligations.

The strategy of having arrangements with other small agencies to provide them with corporate services allows us to make better use of the resources and expertise we have within our organization and results in lower costs to the government since these Agencies are not required to maintain their own staff to provide these services. We are able to enhance our organization through these additional duties and responsibilities and at the same time fill a void that exists within the government. We will be approaching other similar small agencies to determine if they could make use of these services.

By arranging to have all raw judgments of the Federal Court of Canada as well as the *Federal Court Reports* available on the Internet, we are providing the information to the end users in a timely and affordable manner. This information will be used by judges and lawyers across the country and by having it available on the Internet, becomes a more usable tool. Users can determine what information is important to them and can then determine how they would like to make use of the data. The level of usage can be determined by counting the number of hits on the page.

We will be assessing the various new techniques for learning such as distance learning and making use of multi-media packages which may result in lower overall costs for the training of judges.

By becoming the central focus for coordinating and promoting cooperative ventures between the Canadian judiciary and judiciaries from other countries, we will ensure that the expertise of the Canadian judiciary is best utilized in assisting these countries. All programs which will be undertaken will be in conjunction with CIDA, and funding will be provided by other departments or agencies.

4.2 Canadian Judicial Council

This Business Line/Activity provides secretariat services to the full Council and its various standing and ad hoc committees. It organizes and provides staff assistance for Council and committee meetings throughout the year, as well as for annual educational seminars for Council members and occasional seminars for federally appointed judges. It provides staff support for dealing with all complaints sent to the Council.

Results are measured by the number of complaint files opened and closed, by the number of pieces of correspondence relating to complaints files processed, the number of memos and letters written not relating to complaint files, the number of Council and Committee Meetings organized and held and the number of publications produced.

Canadian Judicial Council Results Expectations

	1996-97 Forecast	1997-98 Estimated
Complaint Files:		
Opened	215	230
Closed	200	220
Pieces of Correspondence Relating to Complaint Files:		
Internal - to Council Members	750	750
External - to Complainants and Judges	900	850
Memos and Letters to Council Members (Not Relating to Complaint Files)	350	350
Letters Written to Others (Not Relating to Complaint Files)	350	350
Council and Committee Meetings Organized and Held	80	80
Publications:		
Press Releases Issued	13	10
Other Publications (In general, or for judges only)	12	6

4.3 Payments pursuant to the *Judges Act*

Results of this Business Line/Activity are the payments made under statutory authority in accordance with the *Judges Act*. The work is performed by the Policy and Corporate Services and Senior Management Sections.

Results are measured by the number of clients served (which is based on the number of judges on strength and the number of annuity recipients), the number of Orders in Council processed, the number of expense claims processed, the correct application of rules, regulations and procedures and the general level of client satisfaction as indicated by the number and type of complaints or positive feedback received.

Presentation of Workload

	1996-1997 Forecast	1997-98 Estimated
Judges	991	1017
Annuity Recipients	524	534
Orders in Council Processed	160	170
Expense Claims Processed	17,700	18,300

5. Comparative Financial Plans by Business Line/Activity

Appropriated Planned Spending

(thousands of dollars)	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Business Lines/Activities				
Administration	4,199	4,520	4,185	4,196
Canadian Judicial Council	542	540	540	540
Payments pursuant to the <i>Judges Act</i>	211,117	219,283	226,592	234,018
Total	215,858	224,343	231,317	238,754

Explanation of Change: Total financial requirements increase each fiscal year due mainly to an increase in the Payments pursuant to the *Judges Act* Business Line/Activity. Expenditures in this business Line/Activity are expected to increase due to an increase in the number of judges on strength, an increase in the number of pensioners receiving pension benefits, an increase in the average pension being paid to these pensioners, and an overall increase in travel expenses being incurred by judges. Requirements for the Administration Business Lines/Activity increase in the 1997/98 fiscal year to provide initial funding for developmental plans and priorities not yet realized.

Business Lines/Activities by Subactivities

	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Subactivities				
Administration				
Senior Management	540	566	566	566
Policy and Corporate Services	1,077	1,389	1,064	1,075
Federal Court Reports	792	759	760	760
Judges' Language Training	1,485	1,497	1,490	1,490
Judicial Appointments Secretariat	305	309	305	305
	<hr/> 4,199	<hr/> 4,520	<hr/> 4,185	<hr/> 4,196
Payments pursuant to the <i>Judges Act</i>				
Salaries and Wages	159,000	161,827	165,835	169,904
Transportation	8,577	12,236	12,561	12,862
Other subsidies and payments	2,500	2,500	2,500	2,500
Pensions	41,040	42,720	45,696	48,752
	<hr/> 211,117	<hr/> 219,283	<hr/> 226,592	<hr/> 234,018

Section III

Departmental Performance

A. SUMMARY OF DEPARTMENTAL PERFORMANCE

1. Departmental Performance

- the Judicial Affairs Information Network (JAIN) pilot project was conducted. The pilot project proved to be a valuable medium for the exchange of information between the 100 judges who participated in the pilot. JAIN will be made available to all judges and the necessary modifications to the system will be made;
- as one of our corporate obligations is to ensure that the public is informed on the role of the department as well as the role of the Judiciary in Canadian society, the department has undertaken extensive work in developing a communication strategy. We have recently completed a contract with an outside firm specializing in communications and its findings are currently being reviewed. A departmental logo has been developed and, subject to the availability of funds, we are examining the possible development of departmental pamphlets and brochures;
- discussions concerning the work environment safety policy for federally appointed judges in Canada have taken place. We have obtained commitments from the RCMP to assist judges in the planning of their security measures and giving presentations to judges. We have established contacts between three provinces and the RCMP to provide this type of assistance. We have distributed Court Security Guides obtained from the National Association For Court Management to the Chief Justices of the Provinces;
- an agreement was entered into with the Canadian Judges Conference and Corporate Health Consultants Ltd. to provide an Employee Assistance Program to all federally appointed judges. The National Judicial Counselling Programme was introduced on July 1, 1995 and the program has been well received by judges;
- consultations with the Ukrainian Government were commenced in 1995/96 to explore the possibility of providing training and institution building services to the Ukrainian judiciary. An agreement between the Office of the Commissioner for Federal Judicial Affairs and the Canadian International Development Agency was reached in 1996/97 to provide for the funding of this project over a three year period. The project commenced in 1996/97; and
- an arrangement was put in place between this organization and the Office of the Umpire, Unemployment Insurance Act to provide finance and personnel services to the retired judges who act as Umpires under the Act.

B. DEPARTMENTAL OVERVIEW

1. Development of Performance Measures

Data recorded in the various figures under the **actuals** columns can be considered to be accurate and reliable. The information has been compiled from data reported in the Public Accounts of Canada, central agency reports and internal departmental records.

Forecasted data is based upon historic trends, information available concerning expected changes to the programs and activities, and on projected financial requirements. They are to be considered the best estimate possible at the time.

Level of client satisfaction is based on general observations made in the day-to-day operations of the department. Very few formal standards of performance have been developed due to the small size of the organization in terms of number of employees on strength. There was no formal system in place, prior to December 1996, for the registration and recording of complaints. However, software has been purchased to register inquiries received by the help desk in the Information Technology section, and to monitor progress and assign priorities. This system can be customized to meet user needs and will be used in other sections of the department in coming years.

2. Financial Tables

Use of 1995-96 Authorities - Volume II of the Public Accounts

Vote (dollars)	Main Estimates	Total Available for Use	Actual Use
Commissioner for Federal Judicial Affairs			
15 Operating expenditures	4,311,000	4,610,845	4,382,608
20 Canadian Judicial Council - Operating expenditures	524,000	599,019	566,204
(S) Judges' salaries, allowances and annuities; lump sum payments to spouses; and annuities to spouses and children of judges	204,427,000	203,608,258	203,608,258
(S) Contributions to employee benefit plans	279,000	279,000	279,000
Total Program-Budgetary	209,541,000	209,097,122	208,836,070

Explanation of Use of Authorities:

Supplementary estimates were approved in 1995/96 to fund the developmental plans and priorities of the Office of the Commissioner for Federal Judicial Affairs and to fund a judicial inquiry at the Canadian Judicial Council. Funds were not completely utilized since time delays affected start-up of many of the developmental initiatives and the judicial inquiry was not concluded in 1995/96. Applicable funding amounts were carried forward to 1996/97 to provide for the funding of the initiatives in 1996/97 and for the conclusion of the judicial inquiry.

Actual use for Payments pursuant to the *Judges Act* were lower than the Main Estimates since these were forecasts of the expected requirements.

C. DETAILS BY BUSINESS LINE

1. Demonstration and Discussion of Actual Performance

1.1 Administration Results

1.1.1 Senior Management: Senior Management was successful in providing guidance and direction to the department in 1995/96. Several plans and priorities were developed, the department performed well overall and business lines were successful in achieving their goals.

1.1.2 Policy and Corporate Services: In 1995/96 this subactivity prepared and distributed required policies; processed 18,220 claims and account payments; completed the necessary financial planning, budgeting and reporting functions; provided pay and benefit services to 41 staff, 987 judges and 528 pensioners; provided the necessary procurement and materiel management services; provided information technology support; provided administrative services to the Canadian Judicial Council; prepared submissions for the Federal Court and Tax Court of Canada and provided finance and personnel services to the Office of the Umpire, Unemployment Insurance Act.

Based on day-to-day observations, it can be determined that various acts, regulations and procedures were applied correctly and an acceptable level of client satisfaction was achieved. No major complaints were noted. Minor complaints were dealt with quickly and necessary changes to operating procedures were made where warranted.

1.1.3 Federal Court Reports Results

Number and Cost of Federal Court Cases Published

	1993-94	1994-95	1995-96	1995-96
	Actuals	Actuals	Forecast	Actuals
Number of written reasons for judgement	1,551	2,128	1,668	1,701
Number of digests published of unreported cases	461	438	412	440
Number of cases published	111	115	123	112
Number of pages published	2,980	3,234	3,020	2,822
Average time to publish (months)	6.66	7.38	5.2	5.3
Total cost of publication (1)	924,000	944,000	875,000	878,000

(1) Includes total costs of printing.

Explanation of Results:

Total production costs for Federal Court Reports decreased from 94/95 by 7% due mainly to reduced salary costs. Average time to publish was much lower than in 1994/95 providing the legal community with required information in a more timely manner.

1.1.4 Judges Language Training Results

Cost of Training and Number of Participants by Type of Course

(thousands of dollars)	1993-94		1994-95		1995-96		1995-96	
	Actual		Actual		Forecast		Actual	
	\$	Number	\$	Number	\$	Number	\$	Number
Periodic immersion sessions	774	195	812	228	809	235	720	205
Private tutoring	329	141	324	163	326	169	287	162
Intensive immersion	88	13	66	14	84	14	87	14
Cost of training*	1,191		1,202		1,219		1,094	
No. of hours of training	20,570		23,133		24,200		23,283	

* These costs include the direct expenses relating to the courses provided and do not include the salaries and operating expenses of the Judges' Language Training Section.

Explanation of Results:

In 1995/96, 381 participants received 23,283 hours of language training at a total cost of \$1.09 million. Participants received an average of 61 hours of training at an approximate cost of \$2,900 per participant.

Cost of judges' language training decreased overall from 1994/95 by \$108,000 or 9% and were lower than forecasted. However, fewer numbers of judges participated in the training than in 1994/95. There was a 6% decrease in participation from 1994/95 resulting in a net reduction overall in costs of 3% due mainly to the shortening of the January 96 immersion session. The total number of hours of training increased slightly from 94/95.

1.1.5 Judicial Appointments Secretariat Results

In 1995/96, 61 committee meetings were held, 482 applications were received, 639 assessments were completed and 78 judges were appointed.

1.2 Canadian Judicial Council Results

Canadian Judicial Council Performance Results

	1994-95	1995-96
	Actual	Actual
Complaint Files:		
Opened	174	200
Closed	186	180
Pieces of Correspondence Relating to Complaint Files:		
Internal - to Council Members	770	635
External - to Complainants and Judges	865	855
Memos and Letters to Council Members (Not Relating to Complaint Files)	365	305
Letters Written to Others (Not Relating to Complaint Files)	330	420
Council and Committee Meetings Organized and Held	49	58
Publications:		
Press Releases Issued	3	6
Other Publications (In general, or for judges only)	4	6

1.3 Payments pursuant to the *Judges Act* Results

Presentation of Workload

	1993-94	1994-95	1995-96 Forecast	1995-96 Actual
Judges	950	949	976	987
Annuity Recipients	486	509	505	528
Orders in Council Processed	155	160	160	192
Expense Claims Processed	16,910	16,514	17,400	18,220

Explanation of Results:

The number of judges, annuity recipients, orders in council and expense claims processed increased from 1994/95 providing additional workloads for the Administration Business/Line Activity and increased expenditures for the Payments pursuant to the *Judges Act* Business Line/Activity. An acceptable level of client satisfaction was observed.

2. Comparative Financial Performance by Business Line/Activity

Departmental Appropriated Planned and Actual Spending

(thousands of dollars)	Actuals 1993-94	Actuals 1994-95	Actuals 1995-96	Main Estimates 1995-96	Change Actuals/Mains 1995-96
Business Lines/Activities					
Administration					
Senior Management	535	392	503	516	(13)
Policy and Corporate Services	1,405	1,247	1,334	1,039	295
Federal Court Reports	924	944	878	914	(36)
Judges' Language Training	1,708	1,699	1,611	1,864	(253)
Judicial Appointments Secretariat	193	288	304	225	79
Canadian Judicial Council	569	528	598	556	42
Payments pursuant to the <i>Judges Act</i>					
Salaries and wages	147,807	148,399	152,490	156,000	(3510)
Transportation	11,003	11,290	12,229	8,767	3462
Professional and other services	3	0	2	160	(158)
Other subsidies and payments	2,191	2,257	2,336	2,150	186
Pensions and lump sum payments	31,182	33,720	36,551	37,350	(799)
Total	197,520	200,764	208,836	209,541	(705)

Explanation of Change:

Between Actuals and Mains for 1995/96

The actual financial requirements for 1995-96 were \$705,000 less than the Main Estimates due mainly to an overestimation of the main estimates for the Payments pursuant to the *Judges Act* Business Line/Activity. Expenditures were greater than the main estimates in the Policy and Corporate Services subactivity due to increased workload initiatives of the department during the year and the convening of a Triennial Commission on Judges' Salaries and Benefits. Expenditures were greater in the Judicial Appointments Secretariat subactivity due to an increase in the number of Committee meetings convened in order to clear up a backlog of candidates. The increase in the operating budget for the Canadian Judicial Council was due to the costs relating to a Judicial Inquiry which will be completed during the 1996/97 fiscal year. Expenditures were less than estimated in the Federal Court Reports and Judges' Language Training subactivities due to cost reduction exercises.

Between 1994/95 and 1995/96

Expenditures were less in 1994/95 than in 1995/96 in the Senior Management subactivity due to staff shortages in 1994/95. Expenditures were greater in 1995/96 than in 1994/95 in the Policy and Corporate Services and Judicial Appointments Secretariat subactivities and in the Canadian Judicial Council Business Line/Activity for the same reasons explained above. Expenditures for the Payments pursuant to the *Judges Act* Business Line/Activity were greater than in 1994/95 due to an increase in the number of judges, annuity recipients and judges travel and allowance expenses.

3. Impact on Future Plans

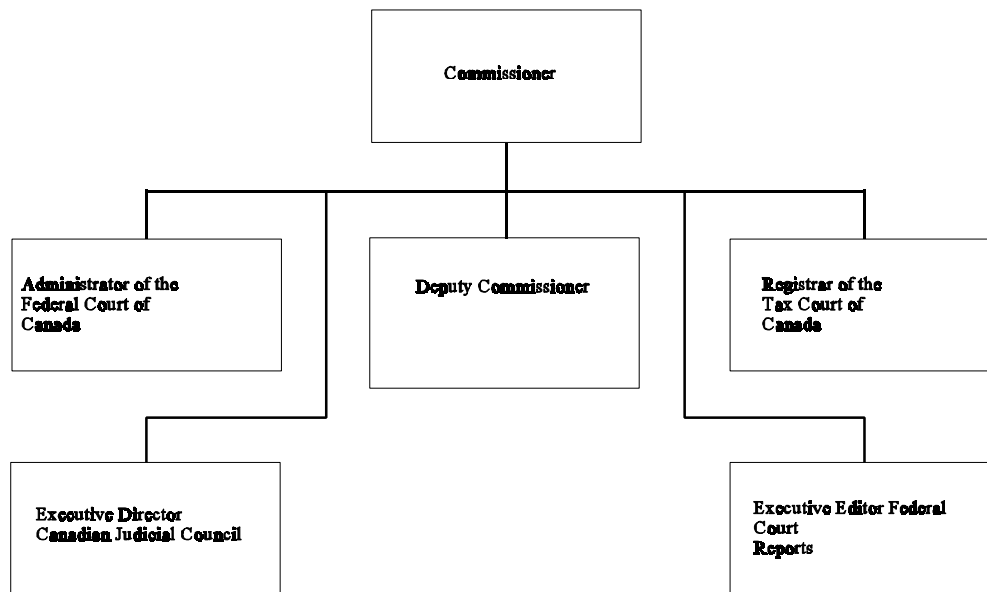
The results achieved in 1995/96 were in line with expectations and therefore do not impact future plans.

Section IV

Supplementary Information

1. Organization

1.1 Organization Chart



1.2 Resource Requirements by Branch and Business Line/Activity (\$000)

1997-98 Main Estimates			
Administration	Business Lines/Activities		Total
	Canadian Judicial Council	Payments pursuant to the <i>Judges Act</i>	
Branches			
Deputy Commissioner ¹	3,761	219,283	223,044
Federal Court Reports	759		759
Canadian Judicial Council	540		540
Total	4,520	219,283	224,343

1. The Policy and Corporate Services Section, Judges' Language Training Section and Judicial Appointments Secretariat are included here as they report to the Deputy Commissioner. Also included is the Commissioner and his staff.

2. Personnel Requirements

2.1 Details of Personnel Requirements by Business Line/Activity (FTEs)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Business Lines/Activities						
Administration						
Senior Management	4	5	5	7	7	7
Policy and Corporate Services	14	15	14	15	15	15
Federal Court Reports	10	11	10	10	10	10
Judges' Language Training	6	6	6	6	6	6
Judicial Appointments Secretariat	2	2	2	2	2	2
Canadian Judicial Council	2	3	4	4	4	4
Payments pursuant to the <i>Judges Act</i>¹	0	0	0	0	0	0
Total	38	42	41	44	44	44

¹ The work is performed by the Policy and Corporate Services and Senior Management Sections.

* Full time equivalents (FTEs) is the measure of human resources under the Operating Budget concept which includes the withdrawal of Treasury Board controls over human resource consumption. FTE factors out the length of time that an employee works during each week by calculating the rate of assigned hours of work over scheduled hours of work.

Explanation of Changes in FTEs:

The increase in the number of FTE's is related to the increase in the workload brought on by providing the Corporate Services to the Office of the Umpire, Unemployment Insurance Act as well as to the Human Rights Tribunal Panel and the Judicial Training Program for judges from the Ukraine.

2.2 Summary by Professional Category (FTEs)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned	Current Salary Range Provision	1997-98 Average Salary
Order-in-Council Appointments¹	1	1	1	1	1	1	45,600 - 170,500	--
Executive Group²	2	2	2	2	2	2	63,300 - 128,900	81,275
Scientific and Professional	11	11	12	11	11	11	19,270 - 128,900	63,327
Administrative and Foreign Service	10	15	15	18	18	18	15,981 - 79,497	46,810
Technical	--	1	1	2	2	2	14,089 - 88,992	34,200
Administrative Support	14	12	10	10	10	10	16,648 - 48,804	28,864
Operational	--	--	--	--	--	--	--	--
Total	38	42	41	44	44	44		

* Full-time equivalent (FTE) is a measure of human resource consumption based on average levels of employment. FTE factors out the length of time that an employee works during each week by calculating the rate of assigned hours of work over scheduled hours of work. FTE's are not subject to Treasury Board control but are disclosed in Part III of the Estimates in support of personnel expenditure requirements specified in the Estimates.

Note: The current salary range column shows the salary ranges by occupations group at October 1, 1996. The average salary column reflects the estimated base salary costs including allowance for collective agreements, annual increments, promotions and merit pay. Year-to-year comparison of averages may be affected by changes in the distribution of the components underlying the calculations.

¹ This includes all those at the DM level and all GICs.

² This includes all those in the EX-1 to EX-5 range inclusive.

3. Additional Financial Information

3.1 Net Ministry Expenditures by Business Line/Activity

Financial Requirements 1997-98

(thousands of dollars)

Spending Authorities

	Gross Expenditures Total	Revenue to the Vote	Total Ministry Main Estimates	Statutory Expenditures	(Voted) (Appropriation) Non Statutory Expenditures
Commissioner for Federal Judicial Affairs					
Business Lines/Activities					
Administration	4,795	275	4,520		4,520
Canadian Judicial Council	540		540		540
Payments pursuant to the <i>Judges Act</i>	219,283		219,283	219,283	
				387*	(387)*
Total Program	224,618	275	224,343	219,670	4,673
Revenue credited to the Vote	(275)				
Other Revenues and Expenditures					
Estimated Cost of services by other Departments	692		692		
Net Ministry Expenditures	225,035		225,035		

* Contributions to Employee Benefit Plans already included in Business Line Gross Expenditures

3.2 Revenue and Expenditures

3.2.1 Gross and Net Departmental Expenditures by Business Line/Activity (\$000)

	Main Estimates 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Gross Expenditures by Business Lines/Activities				
Administration	4,199	4,795	4,460	4,471
Canadian Judicial Council	542	540	540	540
Payments pursuant to the <i>Judges Act</i>	211,117	219,283	226,592	234,018
Total Gross Expenditures	215,858	224,618	231,592	239,029
Less:				
Revenue credited to the Vote And Revenue credited to the Consolidated Revenue Fund by Business Lines/Activities				
Administration		275	275	275
Total Revenue credited to the Vote and to the Consolidated Revenue Fund		275	275	275
Total Net Expenditures by Business Lines/Activities				
Administration	4,199	4,520	4,185	4,196
Canadian Judicial Council	542	540	540	540
Payments pursuant to the <i>Judges Act</i>	211,117	219,283	226,592	234,018
Total Net Expenditures	215,858	224,343	231,317	238,754

3.2 Revenues and Expenditures

3.2.1.1 Details of Revenues by Business Line/Activity (\$000)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Revenue credited to the Vote by Business Lines/Activities						
<i>Administration</i>						
Office of the Umpires Service Fees	0	0	0	96	96	96
Human Rights Tribunal Service Fees	0	0	0	50	50	50
Administrative Arrangement with Canadian International Development Agency	0	0	0	129	129	129
Total credited to the Vote	0	0	0	275	275	275
Total Program Revenues	0	0	0	275	275	275
Revenue credited to the Consolidated Revenue Fund by Business Lines/Activities						
<i>Payments pursuant to the Judges Act</i>						
Judges Contributions to Pension Fund	7,969	8,348	8,573	8,900	9,284	9,684
Total credited to the CRF	7,969	8,348	8,573	8,900	9,284	9,684

3.2 Revenues and Expenditures

3.2.2 Transfer Payments by Business Line/Activity (\$000)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Grants by Business Line/Activities						
Payments pursuant to the <i>Judges Act</i>	33,720	36,551	41,040	42,720	45,696	48,752
Total Grants	33,720	36,551	41,040	42,720	45,696	48,752

3.2.2.1 Details of Transfer Payments by Business Line/Activity (\$000)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates
Grants by Business Line/Activities				
Payments pursuant to the <i>Judges Act</i>				
Lump sum payments to a surviving spouse of a judge who dies while in office in an amount equal to one-sixth of the annual salary payable to the judge at the time of his death	104	182	146	146
(S) - Annuities under the Judges Act (R.S.C., c.J-1 as amended)	33,616	36,369	40,894	42,574
Total Grants	33,720	36,551	41,040	42,720

3.2 Revenues and Expenditures

3.2.3 Presentation by Standard Object (\$000)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1990-00 Planned
Personnel						
Personnel Salaries and wages	150,393	154,536	161,134	164,104	168,116	172,194
Contributions to Employee Benefit Plans	256	279	296	387	388	390
	<u>150,649</u>	<u>154,815</u>	<u>161,430</u>	<u>164,491</u>	<u>168,504</u>	<u>172,584</u>
Goods and Services						
Transportation and Communication	11,776	12,850	9,007	12,878	13,125	13,376
Information	239	224	175	20	20	20
Professional and Special Services	1,718	1,683	1,631	1,810	1,510	1,510
Rentals	32	53	51	50	50	50
Purchased Repair and Upkeep	46	58	32	30	30	30
Utilities, Materials and Supplies	83	113	62	135	95	95
Other Subsidies and Payments	2,258	2,337	2,502	2,460	2,538	2,588
	<u>16,152</u>	<u>17,318</u>	<u>13,460</u>	<u>17,383</u>	<u>17,368</u>	<u>17,669</u>
Minor Capital*	<u>243</u>	<u>152</u>	<u>24</u>	<u>24</u>	<u>24</u>	<u>24</u>
Transfer Payments	<u>33,720</u>	<u>36,551</u>	<u>41,040</u>	<u>42,720</u>	<u>45,696</u>	<u>48,752</u>
Gross Expenditures	<u>200,764</u>	<u>208,836</u>	<u>215,858</u>	<u>224,618</u>	<u>231,592</u>	<u>239,029</u>
Less:						
Revenue credited to the Vote Administration	0	0	0	275	275	275
Net Budgetary Expenditures	<u>200,764</u>	<u>208,836</u>	<u>215,858</u>	<u>224,343</u>	<u>231,317</u>	<u>238,754</u>

* **Minor capital is the residual after the amount of controlled capital has been established. In accordance with the Operating Budget principles, these resources would be interchangeable with Personnel and Goods and Services expenditures.**

4. Statutes Administered by the Portfolio

Judges Act
Judges Act (Removal Allowance) Order

(R.S., c. J-1, s. 1.)
(C.R.C., c. 984) Feb 91

5. References

CJC Annual Report
Computer News for Judges
Federal Court Reports
Federal Judicial Appointments Process - November 1996
Report and Recommendations of the 1995 Commission on Judges' Salaries and Benefits

6. Topical Index

Administration	9, 14, 15, 19, 23, 24, 28, 33, 36, 37, 39, 40, 41
Annuities, Judges, Spouses and Children of Deceased Judges	6, 8, 9, 12, 13, 14, 16, 17, 18, 22, 23, 24 27, 28, 32, 33, 34, 36, 37, 39, 40, 42
Canadian Judicial Council	8, 9, 10, 12, 13, 14, 15, 17, 21, 23, 27 28, 31, 33, 34, 35, 36, 37, 39, 40
Commissioner for Federal Judicial Affairs	10, 12, 13, 16, 27, 35, 39
Common Services	5, 8, 16, 20
Communication Strategy	5, 6, 8, 15, 20, 25
Cooperative Ventures	5, 6, 8, 16, 19, 20, 25, 37, 41
Deputy Commissioner Employee Benefit Plans	10, 16, 35, 36 12, 13, 27
Federal Court of Canada	5, 7, 8, 9, 16, 17, 18, 19, 20, 28, 35
Federal Court Reports	5, 8, 10, 16, 17, 20, 24, 29, 33, 35, 36, 37
Human Rights Tribunal Panel	17, 37, 41
Information Technology	5, 7, 8, 11, 15, 19, 20
Judges, Salaries, Allowances and Annuities	6, 8, 9, 12, 13, 14, 16, 17, 18, 22 23, 24, 27, 28, 32, 33, 34, 36, 37, 39, 40, 42
Judges Travel & Credit Card Services	5, 8, 15, 19
Judges Act	6, 8, 9, 11, 12, 13, 14, 18, 22, 23, 24, 27 32, 33, 34, 36, 37, 39, 40, 41, 42
Judicial Affairs Information Network (JAIN) 25	5, 15, 20,
Judicial Appointments Secretariat 37	10, 17, 18, 24, 30, 33, 34,
Language Training - Judges 37	5, 8, 10, 16, 17, 18, 19, 24, 30, 33,
National Judicial Counselling Programme	6, 25
Office of the Umpires	6, 17, 25, 28, 37, 41
Personnel Requirements 38	10, 37,
Policy and Corporate Services	17, 18, 22, 24, 28, 33, 34, 37
Program Resources 43	
Security Policy for Judges Safety	6, 25
Senior Management	16, 18, 22, 24, 28, 33, 34, 37

Tax Court of Canada	7, 9, 17, 18, 19, 28, 35
Triennial Commission	33
Training and Education of Judges	5, 8, 16, 20
Transfer Payments	42
Video Conferencing	15, 18, 20