



Office of the Commissioner for Federal Judicial Affairs

2002-2003
Estimates

Part III – Report on Plans and Priorities

Canada

The Estimates Documents

Each year, the government prepares Estimates in support of its request to Parliament for authority to spend public monies. This request is formalized through the tabling of appropriation bills in Parliament. The Estimates, which are tabled in the House of Commons by the President of the Treasury Board, consist of three parts:

Part I – The Government Expenditure Plan provides an overview of federal spending and summarizes both the relationship of the key elements of the Main Estimates to the Expenditure Plan (as set out in the Budget).

Part II – The Main Estimates directly support the *Appropriation Act*. The Main Estimates identify the spending authorities (votes) and amounts to be included in subsequent appropriation bills. Parliament will be asked to approve these votes to enable the government to proceed with its spending plans. Parts I and II of the Estimates are tabled concurrently on or before 1 March.

Part III – Departmental Expenditure Plans which is divided into two components:

- (1) **Reports on Plans and Priorities (RPPs)** are individual expenditure plans for each department and agency (excluding Crown corporations). These reports provide increased levels of detail on a business line basis and contain information on objectives, initiatives and planned results, including links to related resource requirements over a three-year period. The RPPs also provide details on human resource requirements, major capital projects, grants and contributions, and net program costs. They are tabled in Parliament by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*. These documents are tabled in the spring and referred to committees, which then report back to the House of Commons pursuant to Standing Order 81(4).
- (2) **Departmental Performance Reports (DPRs)** are individual department and agency accounts of accomplishments achieved against planned performance expectations as set out in respective RPPs. These Performance Reports, which cover the most recently completed fiscal year, are tabled in Parliament in the fall by the President of the Treasury Board on behalf of the ministers who preside over the departments and agencies identified in Schedules I, I.1 and II of the *Financial Administration Act*.

The Estimates, along with the Minister of Finance's Budget, reflect the government's annual budget planning and resource allocation priorities. In combination with the subsequent reporting of financial results in the Public Accounts and of accomplishments achieved in Departmental Performance Reports, this material helps Parliament hold the government to account for the allocation and management of public funds.

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Office of the Commissioner for Federal Judicial Affairs

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Part III - Report on Plans and Priorities

Approved

Minister of Justice and
Attorney General of Canada

Table of Contents

Section I:	Messages	3
	<i>The Message</i>	3
	<i>Management Representation Statement</i>	4
Section II:	Raison d'être	5
	2.1 <i>Mission Statement</i>	5
	2.2 <i>Departmental/Program Objective</i>	5
	2.3 <i>Plans and Priorities by Strategic Outcome</i>	5
	2.4 <i>Strategic Outcome</i>	5
	<i>Planned Results</i>	6
	<i>Related Activities</i>	7
Section III:	Organization	8
	3.1 <i>Mandate, Roles, and Responsibilities</i>	8
	3.2 <i>Business Line Objective</i>	8
	3.3 <i>Business Line Description</i>	8
	3.4 <i>Departmental Planned Spending</i>	10
Section IV:	Annexes	11
Table 4.1:	Source of Respendable and Non-respendable Revenue	11
Table 4.2:	Net Cost of Program for 2000-2001	12
Section V:	Other Information	13
	Listing of Statutes and Regulations	13
	References	13

Section I: Messages

The Message

The Office of the Commissioner for Federal Judicial Affairs was created in 1978 to safeguard the independence of the judiciary and to put federally appointed judges at arm's length from the administration of the Department of Justice. It exists to promote the better administration of justice and focuses its efforts on providing a sound support role to the federal judiciary.

It administers three distinct and separate components that are funded from three very distinct sources. Statutory funding is allocated for the judges' salaries, allowances and annuities and surviving beneficiaries' benefits. Voted appropriations are provided in two separate votes to support the administrative activities of the Office of the Commissioner and the administrative activities of the Canadian Judicial Council.

In accordance with the *Judges Act*, the Federal Court of Canada and Tax Court of Canada each administer a separate budget voted by Parliament.

The administration of the Office of the Commissioner is structured to reflect the distinctiveness of its role in supporting federal judicial activities. It has Federal Judicial Affairs as its only business line and three service lines--Administration; the Canadian Judicial Council; and payments pursuant to the *Judges Act*.

These service lines strive to meet our priorities of: the protection of the administrative independence of the judiciary; the achievement of greater efficiencies in the conduct of judicial business through the maximum exploitation of technology; the Commissioner's statutory obligation to properly support judicial activities; and the provision of central administrative services to the judges.

Success in fulfilling these priorities is determined through measurement strategies which assess the level of achievement of key results.

David Gourdeau

Management Representation Statement

MANAGEMENT REPRESENTATION Report on Plans and Priorities 2002-2003

I submit, for tabling in Parliament, the 2002-2003 Report on Plans and Priorities (RPP) for the Office of the Commissioner for Federal Judicial Affairs

To the best of my knowledge the information:

- C Accurately portrays the department's mandate, plans, priorities, strategies and planned results of the organization.
- C Is consistent with the disclosure principles contained in the *Guide to the preparation of the 2002-2003 Report on Plans and Priorities*.
- C Is comprehensive and accurate.
- C Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name

Date

Section II: Raison d'être

2.1 Mission Statement

The Office of the Commissioner for Federal Judicial Affairs is committed to providing services in support of the optimal functioning of the Canadian judicial system.

2.2 Departmental/Program Objective

C to provide the administrative support needed to guide an independent judiciary into the age of automation and to administer statutory expenditures under Part I of the *Judges Act* with probity and prudence.

2.3 Plans and Priorities By Strategic Outcome

2.4 Strategic Outcome

To provide Canadians with an administration that will assure that the federal judiciary has access to a full line of administrative support services as provided under the *Judges Act*.

The external factors that were identified in previous Reports on Plans and Priorities continue to have a significant impact on the operations of the Office of the Commissioner for Federal Judicial Affairs.

- The demand for research and development in the use of emerging technologies in the courtroom and in the administration of Justice continues.
- With the increasing visibility of the Canadian judiciary, given the nature of some of the proceedings being undertaken across the country, the number and complexity of the complaints being lodged against members of the judiciary have increased. Each of these complaints must be reviewed and many require extensive analysis by specialists to determine if a complaint has merit. The resources required to support such a comprehensive process have been increasing in recent years.

- Personal security issues for federally appointed judges is becoming a greater concern. The number of high profile cases as well as the impact as a result of September 11, 2001 has generated an increase in the number of requests from judges for personal security measures.
- The Judicial Compensation and Benefits Commission will be available to respond to any matters raised by the Minister of Justice.
- The multi-year agreements with the Canadian International Development Agency (CIDA) for the Judicial Reform projects in Russia, Ukraine and Ethiopia continue in accordance with the approved work plans.
- The passing of Bill C-12 in June 2001 as well as the enactment of the *Enhanced Survivor Annuity Regulations* and the *Optional Survivor Annuity Regulations* has required a major change in the administrative practices of the Office. It will be necessary to review our existing resource base to ensure that we have the resources and skills necessary to ensure the complete and proper implementation of these regulations.

Planned Results

- C 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;
- C By maximizing the exploitation of technology, we will be ensuring, through such initiatives as the Judicial Affairs Information Network, that lines of communication between members of the federal 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.
- C The Judicial Counselling Program will provide assistance to those federally and provincially appointed judges who require help in dealing with personal problems. This will serve to minimize the amount of time lost by judges who would be absent from their judicial duties; and
- C All changes necessary as a result of Bill C-12, the *Enhanced Survivor Annuity Regulations* and the *Optional Survivor Annuity Regulations* will be implemented. Those judges and their survivors implicated in these regulations will be notified of the options available to them so that they can make informed decisions based on the most accurate information.

Related Activities

- C To continually review procedures for processing payments to judges with the objective of reducing error rates and the processing time while handling an increased volume of claims. The existing computer application for maintaining personal information on judges and for issuing payments to judges is being upgraded to the latest technology. This revised system will allow us to respond to requests from judges in a quicker and more efficient manner.

- C To 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. Central to this strategy is the development and delivery of the Judicial Affairs Information Network (JAIN) training sessions;

- C To 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 (JAIN) 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.

- C The Judicial Counselling Program will provide federally and provincially appointed judges with readily accessible, confidential, short-term counselling and assistance in dealing with personal problems. This program is provided to all federally appointed judges and to provincially appointed judges on a cost recovery basis through a contract with Family Guidance Group Inc.

- C The International Program will continue to work with the Canadian International Development Agency and Foreign Affairs to determine where the expertise of the Canadian judiciary can assist developing countries in organizing their court systems.

Section III: Organization

3.1 Mandate, 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 Office of the Commissioner administers Part I of the *Judges Act* by providing judges of the Federal Court of Canada, the Tax Court of Canada and federally appointed judges of Superior courts with salaries, allowances and annuities in accordance with the *Judges Act*; prepares budgetary submissions for the requirements of the Federal Court of Canada, the Tax Court of Canada and the Canadian Judicial Council; provides administrative services to the Canadian Judicial Council and undertakes such other missions as the Minister may require in connection with any matters falling, by law, within the Minister's responsibilities for the proper functioning of the judicial system in Canada.

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 sixteen 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.

3.2 Business Line Objective

The Objective of the Federal Judicial Affairs business line is to provide the administrative support needed to guide an independent judiciary into the age of automation and to administer statutory expenditures under Part I of the *Judges Act* with probity and prudence.

3.3 Business Line Description

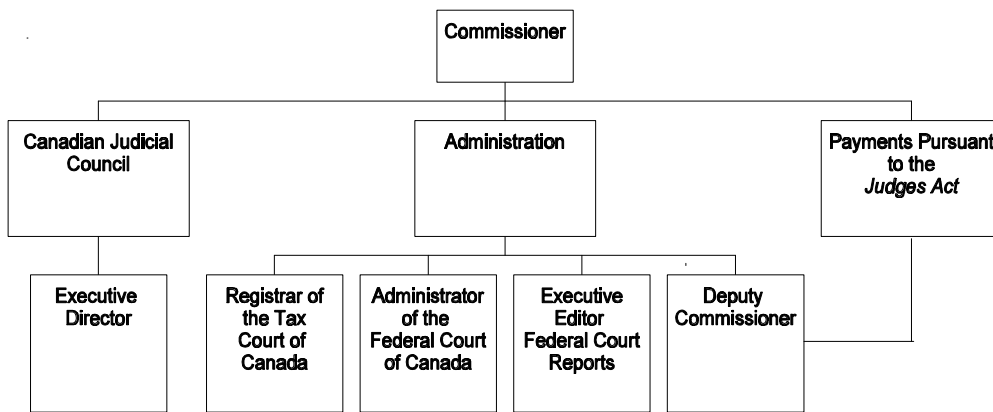
The Office of the Commissioner for Federal Judicial Affairs provides a range of services to the judiciary through the following service lines: Administration; the Canadian Judicial Council; and payments pursuant to the *Judges Act*.

- C Administration - This service line provides the federal judiciary with guidance and advice on the interpretation of Part I of the *Judges Act*; provides the Minister with an up-to-date list of approved candidates for appointment to the judiciary as well as providing support to the judiciary in the areas of finance, personnel, administration, training, editing and information management.

- C Canadian Judicial Council - This service line provides for the administration of the Canadian Judicial Council as authorized by the *Judges Act*.

- C Payments pursuant to the *Judges Act* - This service line provides for payment of salaries, allowances and annuities to judges and their survivors as authorized by the *Judges Act*.

Organization Chart



3.4 Departmental Planned Spending

(\$ millions)	Forecast Spending 2001-2002*	Planned Spending 2002-2003	Planned Spending 2003-2004	Planned Spending 2004-2005
Budgetary Main Estimates	273.5	321.6	341.5	341.5
Non-Budgetary Main Estimates	-	-	-	-
Less: Respendable revenue	.3	.3	.3	.3
Total Main Estimates	273.2	321.3	341.2	341.2
Adjustments **	57.9	1.0	2.0	2.0
Net Planned Spending	331.1	322.3	343.2	343.2
Less: Non-respendable revenue	9.1	12.2	12.8	13.3
Plus: Cost of services received without charge	.8	.8	.8	.8
Net Cost of Program	322.8	310.9	331.2	330.7
Full Time Equivalents	45	50	50	50

* Reflects the best forecast of total planned spending to the end of the fiscal year.

**Adjustments are to accommodate approvals obtained since the Main Estimates and are to include Budget initiatives, Supplementary Estimates etc.

Section IV: Annexes

Table 4.1: Source of Respendable and Non-Respendable Revenue

Respendable Revenue

(\$ millions)	Forecast Revenue 2001-2002	Planned Revenue 2002-2003	Planned Revenue 2003-2004	Planned Revenue 2004-2005
Federal Judicial Affairs				
Office of the Umpire and Competition Tribunal Service Fees	0.1	0.1	0.1	0.1
Canadian Human Rights Tribunal Service Fees	0.1	0.0	0.0	0.0
Administrative Arrangement with Canadian International Development Agency	0.1	0.2	0.2	0.2
Total Respendable	0.3	0.3	0.3	0.3

Non-respendable Revenue

(\$ millions)	Forecast Revenue 2001-2002	Planned Revenue 2002-2003	Planned Revenue 2003-2004	Planned Revenue 2004-2005
Federal Judicial Affairs				
Judges' Contributions to Pension Fund	9.1	12.2	12.8	13.3
Total Non-Respendable Revenue	9.1	12.2	12.8	13.3
Total Respendable and Non- respendable Revenue	9.4	12.5	13.1	13.6

Table 4.2: Net Cost of Program for 2002-2003

(\$ millions)	
Net Planned Spending	322.3
<hr/>	
Plus:	
<i>Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	.5
Contributions covering employees' share of insurance premiums and expenditures paid by TBS	.3
Worker's compensation coverage provided by Human Resources Canada	0
Salary and associated expenditures of legal services provided by Justice Canada	0
	<hr/>
	.8
<hr/>	
Total Cost of Program	323.1
 Less:	
Non-Respendable Revenue	12.2
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2002-2003 Net Cost of Program	310.9
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Section V: Other Information

Listing of Statutes and Regulations

Statutes and Regulations Currently in Force:

<i>Judges Act(R.S.,c.J-1,s.1.)</i>	June 2001
<i>Judges Act (Removal Allowance) Order(C.R.C., c.984)</i>	February 1991
<i>Enhanced Survivor Annuity Regulations</i>	August 2001
<i>Optional Survivor Annuity Regulations</i>	August 2001

References

Listing of Statutory and Departmental Reports

Canadian Judicial Council Annual Report
Computer News for Judges
Federal Court Reports
Federal Judicial Appointments Process-June 1999
Report and Recommendations of the 1999 Judicial Compensation and Benefits Commission

Office of the Commissioner for Federal Judicial Affairs

99 Metcalfe Street, 8th Floor
Ottawa, Ontario
K1A 1E3
Telephone: (613) 992-9175
Facsimile: (613) 995-5615
World Wide Web: <http://www.fja.gc.ca>

