



Supreme Court of Canada

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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Available in Canada through

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or by mail from

Canada Communication Group – Publishing
Ottawa, Canada K1A 0S9

Catalogue No. BT31-2/1998-III-25
ISBN 0-660-60082-X



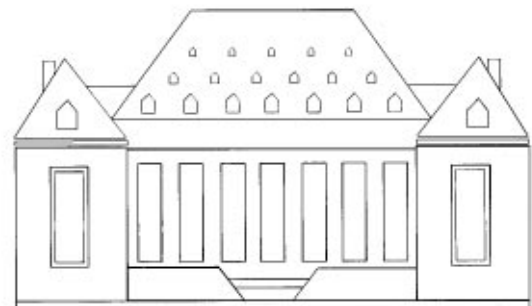
Supreme Court of Canada

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Approved



Minister of Supreme Court

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.

- ❑ **Section I** briefly summarizes the key plans and priorities of the Supreme Court of Canada, and the actual results achieved in serving Canadians.
- ❑ **Section II** presents high-level, strategic information to help Parliament understand the Court's accomplishments, plans and role.
- ❑ **Section III** focuses on the results that the Court achieved during the 1995-96 fiscal year.
- ❑ **Section IV** consolidates planning and performance information that is supplementary to the results expected and achieved by the Court.

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

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Section I — The Registrar's Executive Summary

The Supreme Court of Canada is the highest court of the land and one of Canada's most important national institutions. As the final general court of appeal it is the last judicial resort for litigants, either individuals or governments. Its jurisdiction embraces both the civil law of the province of Québec and the common law of the other nine provinces and two territories.

The importance of the Court's decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in articulating, developing and interpreting legal principles throughout the Canadian judicial system.

The Court's mission continues to be "to advance the cause of justice in hearing and deciding, as final arbiter, legal questions of fundamental importance". Its essential business is to process and select for hearing cases brought before it, to consider the issues raised and to render and distribute quality decisions in a timely manner.

The Court faces the challenge of maintaining and improving the services it provides in the face of significant budget cuts. Accordingly, it has developed various strategies to meet this challenge. The key elements or highlights of these strategies are as follows:

Information Strategy

The goal of the Court's information strategy is to make the best use of technology to facilitate access to its information for both internal and external users. In the interest of increasing efficiency and improving access to material, the information strategy will entail moving toward the use of electronic documents that are equal in quality — and in many ways superior — to traditional paper copies. However, the Court must, at the same time, maintain a paper-based distribution system to continue meeting the needs of a large number of external users.

Also key to improving the flow of information is a redesigned case-management system. The new system will introduce technology aimed at making all documents relating to cases more readily available to the Court, and will allow the Supreme Court of Canada to serve its outside clients more efficiently.

To support the research function while reducing costs, the Court is developing a collection of print and electronic material focussed on immediate research needs, supplemented by links with external databases and global networks such as the Internet (a "library without walls"). Alliances with other libraries, facilitated by the use of technology will also extend resources and services beyond the Court's local collection in Ottawa.

Minimizing Processing Delays

The strategy relating to minimizing processing delays flows from the commitment of the Court to reduce delays and shorten the time between the date a court of appeal renders judgment and the date the Supreme Court of Canada renders judgment. At the same time, the Court is committed to maintaining the highest standards of quality in its work. To this end, the Court supports legislative changes that are needed to eliminate delays caused by others. It also



constantly monitors its own workflow to ensure that it does not contribute to any institutional delay.

A project is also being launched to revise the procedural sections of the *Supreme Court Act* to align it more closely with modern technical and procedural practices and to respond to needs of the Bench, the Bar and litigants.

Partnership Strategy

The main purpose of the partnership strategy is to support the best possible decision-making and to give access to the Court in the broadest sense. The strategy is based on the recognition that, while the Court is an independent national institution, it does not live in isolation. Accordingly, it has formed partnerships with other institutions. For example, the Court has formal agreements to share resources with federal law libraries and is working with the University of Montréal on an Internet project. It also exchanges information on best practices in judicial work with many countries around the world.

The resource-sharing that flows from the partnerships strategy recognizes that the local library collection serves as a national asset which plays an important part in meeting the needs of the Canadian justice system for legal information.

Other Strategies (to contain costs and meet budget reductions)

The Court has developed various other strategies aimed at containing costs, while maintaining high-quality services to the litigants, the profession and the public. More specifically, these strategies have resulted in reduced purchasing costs for the library and lower administrative costs for certain services.



Section II — Court Plan

A. Summary of Court Plans and Priorities

In December 1995, the Court's Management Committee developed the latest plan for dealing with the Court's mandate in the coming years. The plan is updated annually to adjust to priorities as they evolve. Key plans, priorities and results for 1996-97 are grouped under the Court's four main strategies.

1. Key Plans, Priorities and Results for 1996-97 and future years

a. Information Strategy¹

Plans, Priorities and Results

Case management system: The Supreme Court of Canada wants to take advantage of recent technology in developing a new case management system to replace an existing application that has become obsolete. The Court prepared a statement of work with functional specifications for the new system, and signed an agreement to develop it with the Department of Public Works and Government Services in December 1996. Completion of work is anticipated no later than 31 March 1998.

Videos of appeals: Hearings have been recorded on video since October 1994. In order to better preserve its video record of appeals hearings, the Court is negotiating an agreement to transfer the videos to the National Archives on an on-going basis. The agreement should be in place by March 31, 1997. The Court considers that televising the appeal hearings provides an important means of access to the Court for many Canadians. The Court continues to refine its agreement with the Canada's Public Affairs Channel (CPAC).

Database of decisions (1970-1990): After proper editing and quality control, this large database will be accessible for research. All Charter decisions rendered by the Supreme Court of Canada (since 1984) will be made available on Internet in early 1997, through the University of Montréal. The collection of valuable electronic documents increases steadily.

Use of Internet: The Court plans to use Internet technology to facilitate and encourage access to information. Court staff are properly trained to use the Internet, which is available from the desktop. A Web Council has been established to propose "next steps" for the Court with respect to Internet and Intranet. Both should be in full use by October 1997.

Electronic distribution: The Court continued its pilot project for transmitting documents to the University of Montréal through the Internet. This initiative has potential as current distribution costs are high. It is still too early either to estimate the extent of this initiative, or to anticipate the benefits. However, experience with similar cost-reduction projects indicates that this project should produce savings.

¹ Many activities are also done in partnerships with external sources in order to contain costs.

Electronic publishing: The Court supported and participated in a Canadian Judicial Council study (1994-1996) on the Standards for the Preparation, Publication and Citation of Judgments in electronic form. The Council adopted the standards in June 1996. The Court has implemented many of them. The Standards will be introduced progressively in all other Canadian Courts.

Expanded access to electronic legal information: The Court is implementing the technical environment required for accessing, organizing and sharing legal information electronically.

b. Minimizing Processing Delays

Plans, Priorities and Results

Legislative Changes to the Supreme Court Act:

- The Court will work to reduce delays in the filing of leave applications or notices of appeal as of right by eliminating the exemption in the calculation of time for the month of August. An amendment to the *Supreme Court Act* was tabled in the House of Commons.
- The Court will examine the possibility of reducing the amount of material to be filed on appeals under section 62 of the Act. A proposal will be considered at the Supreme Court of Canada/Canadian Bar Association Liaison Committee in February 1997. It is expected that the project will be finalized by June 1997 with amendments to the relevant Rules.
- The Court will pursue Project 2000, whose aim is to enact comprehensive procedural revision to the Act and *Rules of the Supreme Court of Canada* by the Court's 125th anniversary in the year 2000.

Legislative changes to the Criminal Code of Canada:

- The Court proposes eliminating certain appeals as of right. The amendment has been tabled in the House of Commons.

c. Partnership Strategy

Plans, Priorities and Results

Resource-sharing arrangements: The Court arranged to share local resources with courthouse and law-society libraries in each of the ten provinces and two territories. The Court is making the on-line library catalogue available to resource-sharing partners. It is creating the technical environment required to implement electronic document delivery.

Accommodation: The Court completed major renovations in the summer of 1996. A strengthened partnership with the Department of Public Works and Government Services has made managing accommodation services in an heritage building less complex.



Tour Program: The Court will continue to find ways of both improving and publicizing its tour program, which benefits mainly school groups. This initiative is carried out in conjunction with the National Capital Commission.

d. Other Strategies (to contain costs and meet budget reductions)

Plans, Priorities and Results

Negotiations regarding budgetary cuts: The Court will carry out negotiations to be shielded from further budgetary cuts. The following fundamental elements hinge upon the success of the negotiations:

- safeguard judicial independence;
- maintain the quality of work; and,
- ensure access to the Court.

Purchasing consortium: In partnership with other federal libraries, the Court formed part of a purchasing consortium that negotiated price discounts with publishers on behalf of members. In the future, these arrangements could translate into cost savings.

The Court has also carried out various other initiatives. All are aimed at reducing costs, primarily through administrative and other efficiencies and will result in more streamlined operations. These initiatives include:

- the law clerk relocation program;
- modernizing the telecommunications plan;
- improved security services.

2. Resource Issues

Several factors affect the nature and operation of the Court Program.

Workload: The volume and nature of work carried out under the Program is largely dictated by the activities of the Bench. These in turn depend mainly on the number of cases filed before the Court and the complexity of the issues raised in those cases, which are outside the Court's control.

The following figures illustrate the volume trends in Bench activities that the Court Program supports, by calendar year. They indicate that the number of applications for leave filed has been increasing, and that the high number of appeals heard is being maintained. Both trends indicate an increasing level of work. Figure 1 shows the annual number of applications for leave to appeal and as of right notices filed with the Court. Figure 2 shows the number of appeals heard annually during the same period.

Figure 1: Number of Applications for Leave to Appeal and As of Right Notices Filed, 1991-95

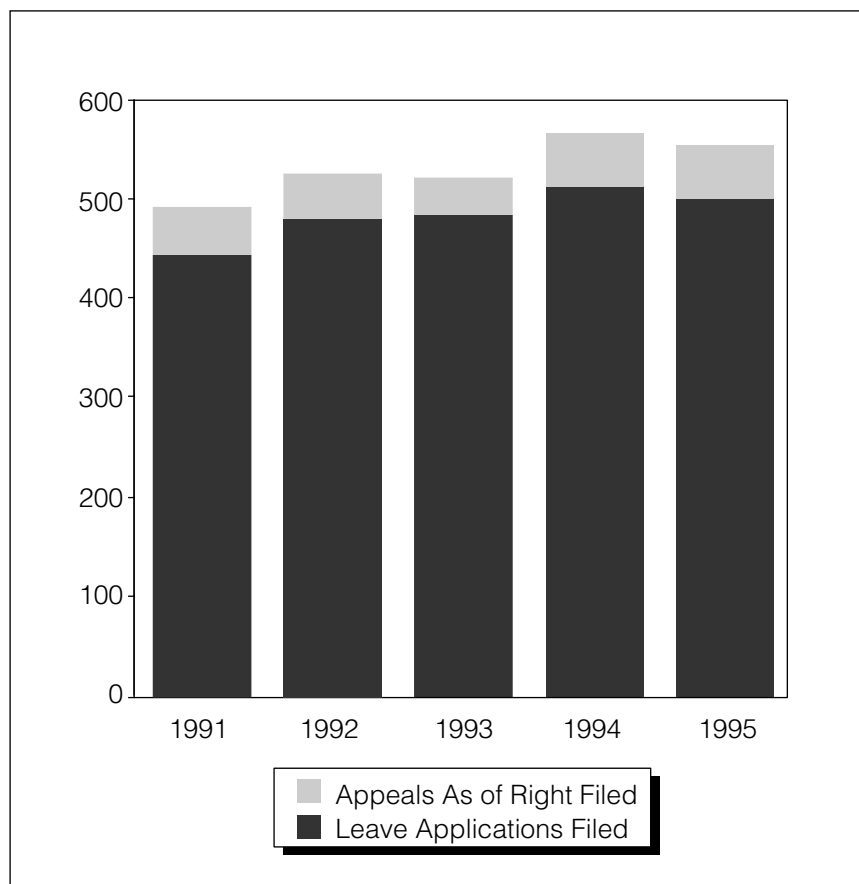


Figure 2: Number of Appeals Heard, 1991-95

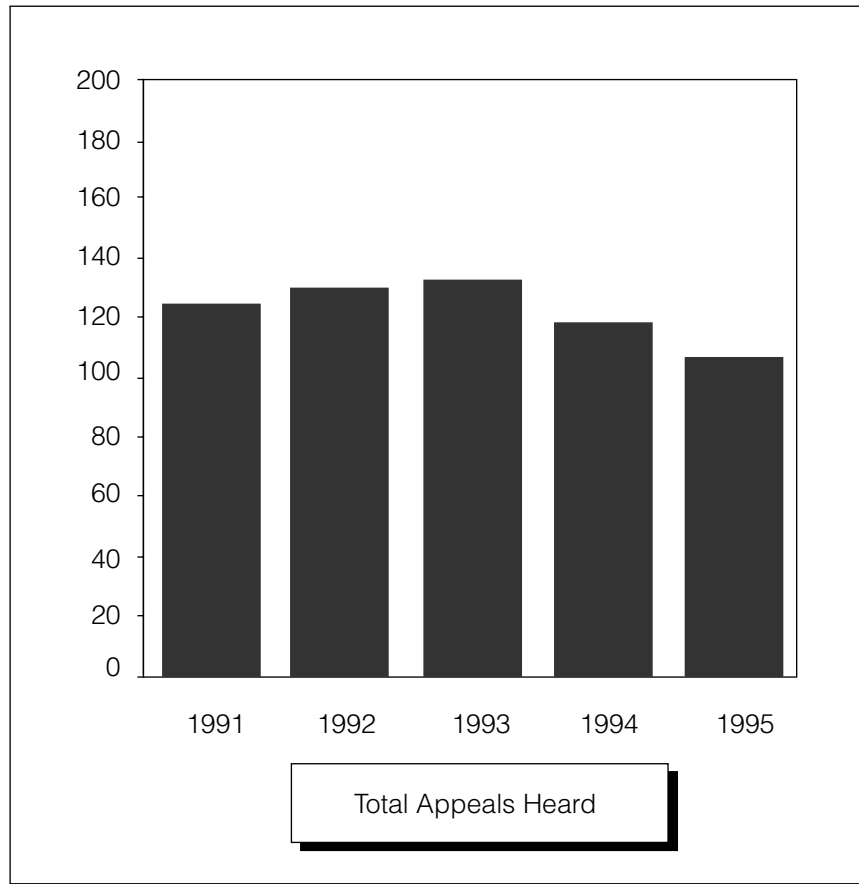
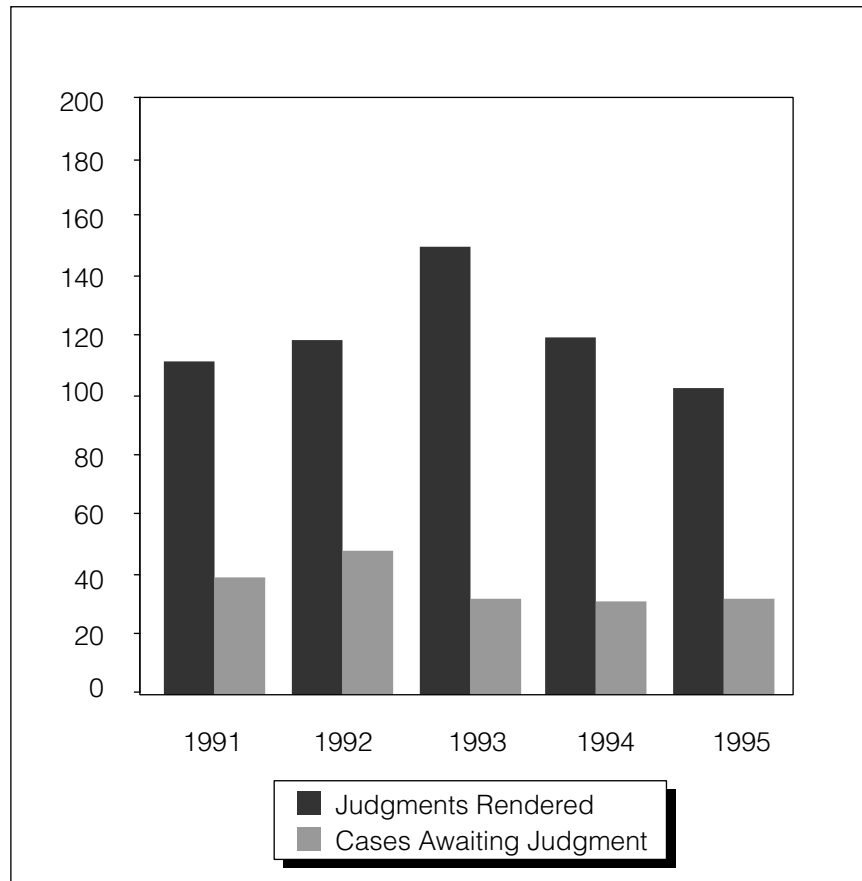


Figure 3 shows the annual number of judgments rendered and cases awaiting judgment (as of 31 December) annually from 1991 to 1995.

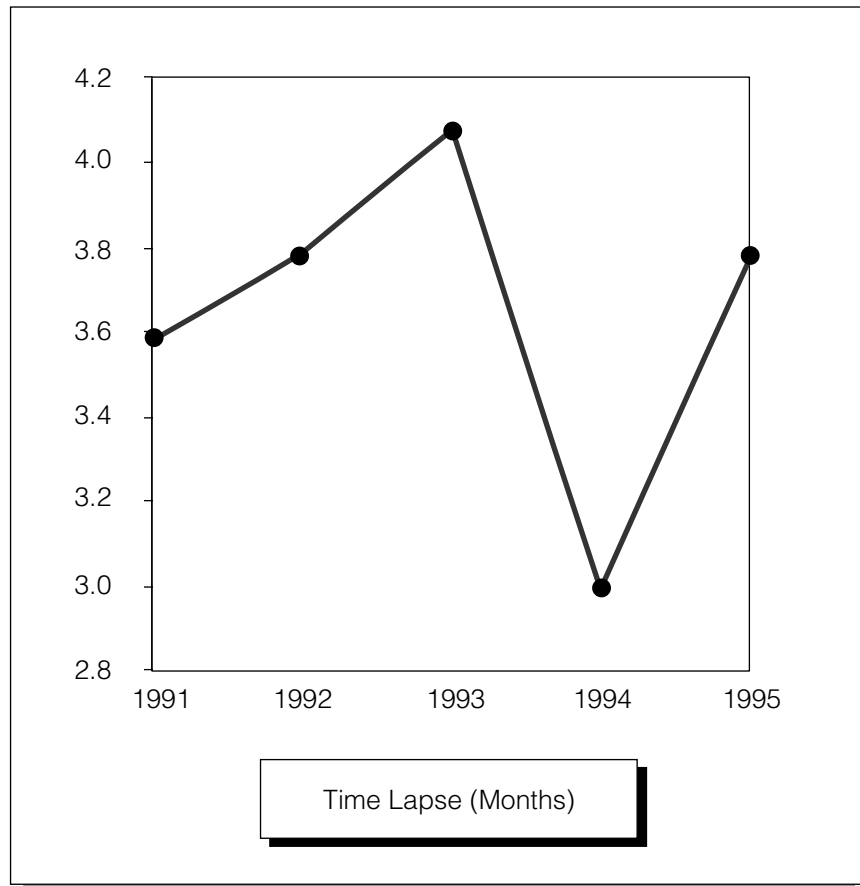
Figure 3: Number of Judgments Rendered and Cases Awaiting Judgment, 1991-95



Efforts by the Judges to render decisions as quickly as possible affect the workloads of the Court's staff and of the Judges themselves. The Court has pursued a policy of delivering judgments more quickly to eliminate any backlog of cases awaiting decision, both on applications for leave to appeal and on appeals. The combined effect of increasingly complex issues and faster delivery of judgments, coupled with the policy of hearing as many cases as possible during available hearing days, has been to put relentless pressure on the staff. Figure 4 shows that a relatively short length of time between hearing and judgment is being sustained.



Figure 4: Average Time between Hearing and Judgment, 1991–95



Legislative: The direction and nature of the Court Program are determined by the *Supreme Court Act* and other Acts of Parliament such as the *Criminal Code*, which confer jurisdiction on the Court. Therefore the introduction of amendments to any one of these statutes directly affects the Program. In addition, the enactment of, or substantive amendment to, any piece of legislation may eventually affect the Program because the Court — as the final arbiter of disputes between citizens or between citizens and governments in Canada — is often called on to settle legal issues that arise as a result of these enactments or amendments.

The *Canadian Charter of Rights and Freedoms*, in particular, has had a persistent effect on the workload of the Court. Parties in cases that involve all areas of the law now often refer to the Charter as being a factor in their cases. This requires a great deal of the Court's time in research, analysis and deliberation. The Court has to stay abreast of developments, not only in Canada, but in other countries with similar charters of rights. Furthermore, because the Charter imposes a new perspective on the interpretation of all existing laws, the Court is dealing with more complex and time-consuming issues than ever before.

The Charter has also thrust a new role on the judiciary. The Court is often called on to arbitrate complex social issues that affect many Canadians who are not in the courtroom. In addition to being experts in interpreting and applying the law, the Judges must now be knowledgeable in many subject areas such as the social sciences in order to evaluate the significance of laws passed by legislatures. In this vital area of developing Charter issues, the lower courts rely upon the leadership of the Court.

Charter issues and new developments in the law in the areas of human rights, medicine, and Native issues are particularly affecting the Court's library. The collection must reflect the ethical, moral, medical and philosophical issues that now have bearing on these cases. To provide up-to-date research materials from Canada and other countries, the library must actively pursue the development of a combined print and electronic collection and collaborate with external library and other information providers in a world-wide electronic network. Failure to provide this knowledge base could cause a loss of credibility on important and high-profile issues.

Social: The continuing increase in cases related to human rights and Canadians' increasing interest in high-profile cases have placed the Court more and more in the public eye. Decisions affect the ordinary citizen in numerous significant ways, making it incumbent on the Court to present itself clearly and accurately and to set an example as an effective, efficient and humane organization. To this end, a selection of appeals is now televised, and Court decisions are available on the Internet.

Political: The Court is the apex of the judiciary, the "third branch" of government. The *Constitution Act* and the *Supreme Court Act* establish the Court as the final arbiter in all judicial cases, including those that have serious implications for governments. As well, the Governor in Council may refer to the Court for hearing and consideration important questions of law or fact concerning any matter.

Current legislation establishes that, for administrative purposes, the Court is (and operates as) a department within the Government of Canada. However, the independence of the judiciary is a fundamental principle underlying the Canadian legal and governmental system. It is of paramount importance that every measure be taken to safeguard judicial independence within the framework of sound public administration. A delicate balance must be maintained between the Program's administrative and judicial functions to ensure that the Court's independence is not compromised.

Economic: The Supreme Court, like all federal departments and agencies, is affected by the current economic climate and budgetary issues. In response, the Court has adjusted its administrative structure and activities to meet the budgetary cuts while continuing to deliver a high quality of service.

Technological: The increasing use of automated systems and other technology by the legal community, clients and the media has compelled the Court to be responsive to the need for fast, cost-effective access to the Court and its decisions.

The number and complexity of cases require the Court to manage numerous files containing vast quantities of paper documents. To improve the management of its information holdings and access to them, the Court has automated its processes for tracking cases and generating various reports. It has also implemented an automated library management system.



Automated systems are increasingly being used to make the day-to-day operations of the Court more efficient and more cost effective, particularly in processing appeals and publishing Court decisions, and in supporting the research function and management of one of the country's key legal research libraries.

Professional: The Court is responsive to suggestions from the Bar on ways of expediting or otherwise improving the hearing of cases and processes before the Court. Courts and law offices across the country are being computerized; this will result in changes to the processes within the Court to meet these new requests and to meet the needs of the legal community for information on Court cases.

B. Court Overview

1. Background

a. Mandate, Program Objective and Program Description

Mandate

The authority to establish a final court of appeal with a wide national jurisdiction was reposed in the Parliament of Canada by section 101 of the *Constitution Act, 1867*.

The Supreme Court of Canada is charged with fulfilling the mandate stated in sections 35 and 52 of the *Supreme Court Act*, which is to “have and exercise an appellate, civil and criminal jurisdiction within and throughout Canada” and again to “have and exercise exclusive ultimate appellate civil and criminal jurisdiction within and for Canada”.

Program Objective

The objective of the Supreme Court of Canada is to provide a general court of appeal for Canada.

Program Description

The operation of the Program of the Supreme Court of Canada requires providing a variety of services to the Judges of the Court, litigants, the legal community, and the public in general.

The Court is the highest court of the land, and one of Canada's most important national institutions. As the final general court of appeal it is the last judicial resort for litigants, either individuals or governments. Its jurisdiction embraces both the civil law of the province of Québec and the common law of the other nine provinces and two territories.

The Court hears cases on appeal from the provincial and territorial courts of appeal, and from the Appeal Division of the Federal Court of Canada. In addition, the Court is required to give its opinion on any question referred to it by the Governor in Council. The importance of the Court's decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system.



b. The Supreme Court Appeal Process

The following brief description of the appeal process gives a context to the Court Program's activities. Figure 5 summarizes the steps of the appeal process. Parts C.1, C.2 and C.3 of this section II describe the legal and administrative functions that support the appeal process in detail.

The Court comprises the Chief Justice and eight Puisne Judges, all of whom are appointed by the Governor in Council. The Court, sometimes referred to as the Bench, hears appeals from three sources. In most cases permission to appeal must first be obtained. Such permission, or leave to appeal, is given by the Court if a case involves a question of public importance or if it raises an important issue of law (or a combination of law and fact) that warrants consideration by the Court.

The Court also hears appeals for which leave to appeal is not required. For example, when in a criminal case a court of appeal reverses an acquittal or when a judge of that court dissents on a point of law, it is possible to appeal as of right to the Court.

The third source is the referral power of the Governor in Council. The Court is required to give an opinion on constitutional or other questions when asked to do so.

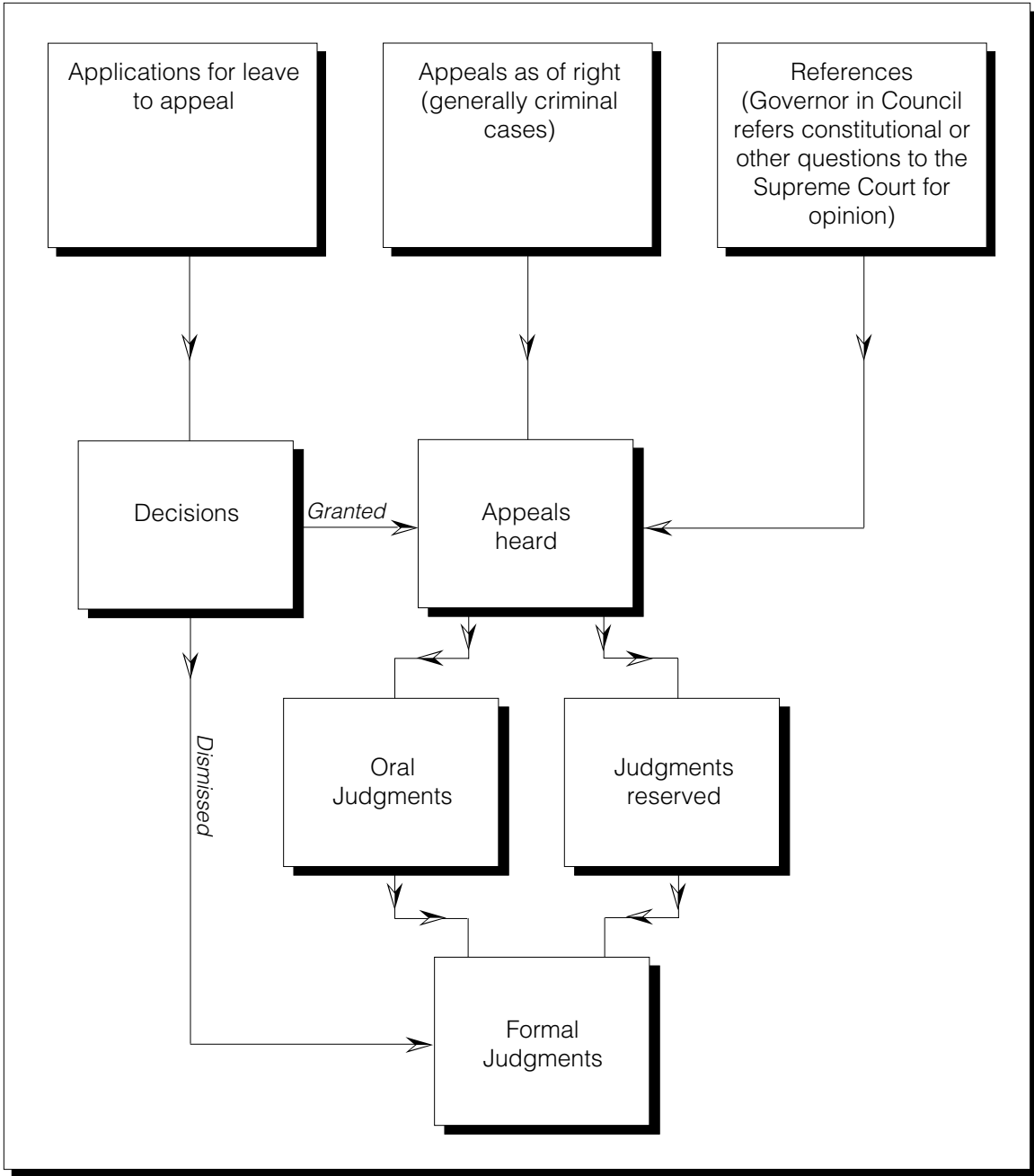
Applications for leave to appeal are determined by a panel of three Judges, usually based on written submissions filed by the parties. The Court must consider on average 500 of these applications in a year. An oral hearing may be held when so ordered by the Court. If leave is refused, it is the end of the case. If leave is granted, or when a case comes directly to the Court from one of the other sources, written legal arguments and other documentation are prepared and filed by the parties. A hearing of the appeal is then scheduled. Before an appeal reaches the hearing stage, numerous motions (such as those requesting an extension of time for the filing of documents) may be brought by the parties. These are usually dealt with by a single Judge, or by the Registrar.

The Court sits only in Ottawa, and holds three sessions per year during which it hears approximately 125 appeals. The hearings are open to the public and can be broadcast when the Court so authorizes. Interpretation services are provided in the courtroom for all hearings. A quorum consists of five members for appeals, but most are heard by a panel of seven or nine Judges. As a general rule, the Court allows two hours for oral argument. The Court's weekly schedule of hearings, with summaries of cases, is published in the *Bulletin of Proceedings*, and is available on the Internet.

The decision of the Court is sometimes given immediately at the end of the oral argument, but more often it is reserved to enable the Judges to write reasons. When a reserved decision is ready to be delivered, the date for release is announced and the decisions are deposited with the Registrar. Reasons for judgment are made available to the parties and to the public in printed form and to legal databases in electronic format. The decisions of the Court and the Bulletin are also made available on the Internet through a project undertaken with the University of Montréal. As required by its constitutive statute, the Court publishes its decisions in both official languages in the *Supreme Court Reports*, which include all the reasons for judgment rendered by the Court in a given calendar year.



Figure 5: Supreme Court Appeal Process



c. Program Organization for Delivery

Activity Structure

The Court Program is divided into two activities:

- Administration, and
- Judges' salaries, allowances, and annuities; annuities to spouses and children of Judges; and lump sum payments to spouses of Judges who die while in office.

Administration: The Administration activity provides administrative and legal support services to the Judges, and information to litigants, the legal community, and the public in general. Its key services are:

- processing all documents filed by litigants, and recording all proceedings
- scheduling cases for hearing
- reporting and publishing the judgments of the Court
- maintaining the library of the Court
- providing information on the Court
- maintaining and preserving the records and history of the Court, and
- restoring and maintaining the heritage aspects of the Supreme Court building.

The Court's mission is to advance the cause of justice in hearing and deciding, as final arbiter, legal questions of fundamental importance. To support its mission and provide its services, the Court's main aims are:

- to promote the best possible decision-making environment for the Judges
- to expedite the processing of hearings and decisions, and eliminate unnecessary delays
- to improve access to the Court and to its services
- to provide a legal information base for the Court
- to enhance and modernize communications
- to ensure the Court's independence within the framework of sound public administration
- to foster flexibility in responding to an ever-changing environment
- to recruit, develop and retain a high-calibre staff, and



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- to consolidate and maintain all Court operations within the Supreme Court of Canada building.

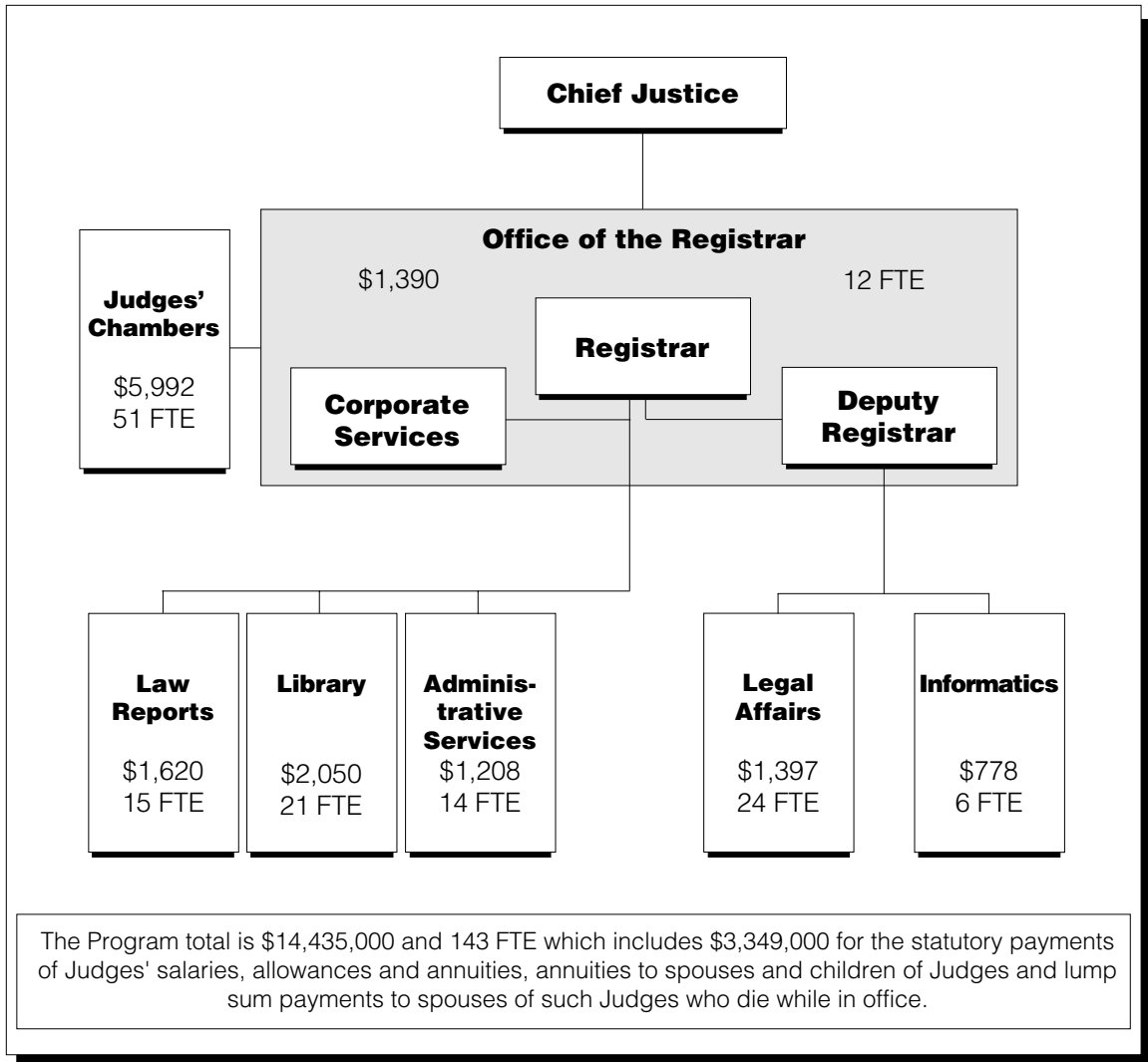
Judges' salaries, allowances, and annuities; annuities to spouses and children of Judges; and lump sum payments to spouses of Judges who die while in office: This activity consists of statutory entitlements to the Judges of the Court provided in the *Judges Act*. The activity is reported in the financial tables. However, because this activity is funded by statutory authority and not a voted authority, this expenditure plan does not discuss its performance and effectiveness.

Organization Structure

The Administration activity is carried out under the direction of the Registrar.

Figure 6 shows the organization of the Court and the distribution of its resources for 1997–98. All Program FTEs in this figure relate to the Administration activity.

Figure 6: Program Organization and Resources



2. Resource Plans and Financial Tables

a. Spending Authorities for 1997-98

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
Supreme Court of Canada			
40	Program expenditures	10,038	10,172
(S)	Judges' salaries, allowances and annuities; annuities to spouses and children of Judges; and lump sum payments to spouses of Judges who die while in office	3,349	3,421
(S)	Contributions to employee benefit plans	1,048	903
Total Agency		14,435	14,496

Votes — Wording and Amounts

Vote	(dollars)	1997-98 Main Estimates
Supreme Court of Canada		
40	Supreme Court of Canada — Program expenditures	14,435,000

Program by Activities

	1997-98 Main Estimates		Total	1996-97 Main Estimates
	Budgetary			
	Operating	Transfer Payments		
(thousands of dollars)				
Judges' salaries, allowances, and annuities; annuities to spouses and children of Judges; and lump sum payments to spouses of Judges who die while in office	2,114	1,235	3,349	3,421
Administration	11,086	—	11,086	11,075
	13,200	1,235	14,435	14,496

b. Future Year Resource Plans

In keeping with the current policies of restraint, the Court is not planning to undertake any major new initiatives in 1997-98. It will continue to follow the four existing strategies that support the Court's mandate.

Information Strategy: The Court will pursue its information strategy, whose aim is to facilitate access to the Court by providing accurate, timely and quality information to the public, the judiciary, the profession and the media. It will attempt to raise the awareness of users of the availability of several electronic services, and move users from a paper to an electronic base. The Court is following developments in the provincial court systems as it contemplates a future move to electronic filing of documents. It will also pursue more intensive use of Internet technology to establish a stronger Internet and Intranet presence.

Minimizing Processing Delays: The Court has reduced processing delays to a minimum. It will pursue any opportunities to further minimize the time between a decision from an appeal court and the decision of the Supreme Court, though it is not expected that much more can be done. The Court will start preliminary work on procedural revisions to the *Supreme Court Act*.

Partnership Strategy: The Court will institute a security-awareness program involving all occupants of the Supreme Court building. It will continue to implement the recommendations of an RCMP security survey, in conjunction with the Federal Court of Canada. The Court will monitor existing partnerships, and seek out new ones to improve efficiency and economy for users and for the administration of the Court.

Other Strategies: The Court will monitor resources strictly and make reallocations to accommodate new priorities as they occur.



Appropriated Planned Spending

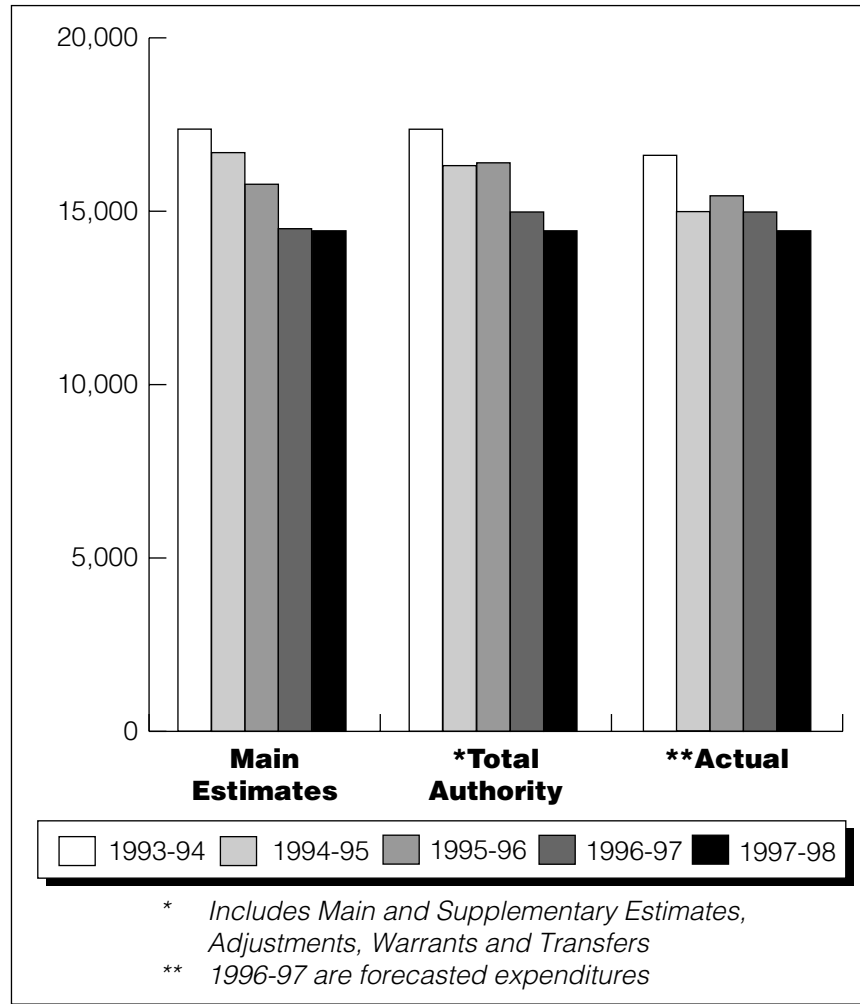
(thousands of dollars)	Main Estimates* 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-2000
Business Lines and Activities				
Administration	11,075	11,086	11,147	11,185
Total	11,075	11,086	11,147	11,185

* These figures include only the actual Main Estimates, and do not reflect the Supplementary Estimates.

C. Details of the Supreme Court's Business Line

The Court faces the challenge of maintaining and improving the services it provides in a changing environment despite budget cuts. To accomplish this mandate, the organization of the Court is structured with the following roles and responsibilities. Figure 7 illustrates changes in the Court's annual expenditures.

Figure 7: Program Cost — Historical Trends



1. Office of the Registrar

Organization: The Office of the Registrar comprises the Deputy Registrar's Office (described separately below) and the Corporate Services Branch. It is directly linked to the Judges' Chambers, which include, the Office of the Executive Legal Officer. The Registrar and the Deputy Registrar are appointed by the Governor in Council.

Description: The Registrar of the Supreme Court of Canada is the Court's chief administrator, subject to direction by the Chief Justice of Canada. The Registrar must ensure that the Court is managed and administered effectively through the engagement and direction of human resources. The Registrar is the administrator of the *Judges Act* as it applies to the Judges of the Court. The Registrar also exercises quasi-judicial powers, as provided by the Rules of the Court.



The Deputy Registrar advises the Registrar, acts on the Registrar's behalf when she is absent, and represents her at any function at her request.

The Office of the Executive Legal Officer provides support to the Chief Justice's Chambers in areas related to Court activities and other responsibilities of the Chief Justice.

The Corporate Services Branch is responsible for the law clerks, personnel functions within the Court, and for providing direct and immediate support to the Judges. The Branch also administers the internal audit program, handles correspondence for the Registrar, and assists in planning and organizing conferences and visits by foreign dignitaries.

2. Office of the Deputy Registrar

Organization: The Deputy Registrar's Office is responsible for Legal Affairs (including Legal Services and the Process Registry), Informatics and Security.

Description: Legal Affairs Branch provides the usual services of a court registry and a court records office; legal research, opinions and advice to the Registrar and the Bench; statistical information on the work of the Court; and a tour program.

Informatics provides direction and expertise for automation, information systems and technology, and help-desk services to support the daily operations of the Court.

Security provides a secure environment for Justices and staff in the Supreme Court of Canada building, and for the Justices at their place of residence.

3. The Law Reports Branch

Organization: The Law Reports Branch comprises two main operational activities: editing and publishing.

Description: The Law Reports Branch prepares the judgments of the Court for their release and distribution to the legal community, the media and the public at large. The process involves legal editing, research and documentation, including the preparation of the bilingual headnotes, as well as the translation and revision of all the reasons before the decisions are rendered. The decisions are made available immediately to legal databases for dissemination across the country. The Law Reports Branch publishes the Supreme Court Reports, which contain all the decisions rendered by the Court, on appeals heard, as well as tables and indexes. The Branch prepares and publishes the news releases and the weekly Bulletin of Proceedings outlining the Court's agenda. The Branch has created also a large judgment database which is widely used for research, internally and externally.

4. The Library Branch

Organization: The Library Branch comprises the Office of the Director and three divisions: Technical Services, Information and Reader Services, and Systems and Database Administration.



Description: The Branch is responsible for the development of a high calibre research law library and the management and preservation of a collection which constitutes the body of law required for a court of last resort for both civil and common law systems. It facilitates access to the legal authorities required by the Court, whether held locally or accessed remotely, and serves as a research resource for the legal community and for governments. The Branch also provides electronic legal information research and training, and administrative support for internal research databases.

5. The Administrative Services Branch

Organization: The Administrative Services Branch comprises four sections: Accounting Operations (including materiel management and contracting), Planning and Systems, an administrative support unit, and Accommodations and Telecommunications.

Description: The Branch provides advice and services to the Registrar and to the employees of the Court in the following areas: accounting, procurement, contracting, and strategic and operational planning; systems operation; payment of the Judges' salaries, pensions, and allowances entitlements; accounting of special-purpose monies held in trust accounts; mail and messenger services; printing operations; information holdings activities; and, accommodation and telecommunication activities.



Section III — Summary of Court Performance for 1995–96

A. 1995–96 Financial Performance

Figure 8 presents a summary of the Court's 1995–96 spending by activity.

Figure 8: 1995–96 Financial Performance

(thousands of dollars)	Actual	1995–96 Main Estimates	Change
Administration	12,421	12,381	40
Judges' salaries, allowances, and annuities; annuities to spouses and children of Judges; and lump sum payments to spouses of Judges who die while in office	3,024	3,397	(373)
	15,445	15,778	(333)
Human resources (FTE)*	145	144	1

* See Figure 10, page 27, for additional information on human resources.

Explanation of Change: The actual financial requirements for 1995–96 were 2.11% or \$333,000 less than originally planned. This decrease was due to:

- | | |
|---|--|
| | (\$000) |
| <ul style="list-style-type: none"> ❑ Funding required for the final stage of the Court Restoration project, which had been delayed for many years. Funding from the previous year had lapsed. ❑ Overestimated statutory expenses such as salaries, pensions and relocation expenses for Judges. | <p style="margin: 0;">40</p> <p style="margin: 0;">(373)</p> |

B. Strategic Results

1. Information Strategy

This strategy included various initiatives to respond to the emerging electronic information environment and to severe financial restraint:

- ❑ the Court restructured the library collection from a print- based one to a mix of print and electronic formats, supplemented by global information networks (a “library without walls”).



-
- ❑ Informatics support included switching to Windows word processing, implementing a CD-ROM Server and electronic messaging, conducting threat and risk assessments in relation to the security of computer systems, developing and implementing a strategy that has reduced monthly downtime to less than one hour per month, and developing several systems such as the leave-to-appeal tracking system.
 - ❑ In response to recommendations made by the Auditor General regarding the case management system, the Court intensified its efforts to find an off-the-shelf product that could meet the Court's needs with little or no modification. The search was unsuccessful; the closest product was able to deliver only 60% of the Court's requirements. It was therefore decided to develop a customized application.
 - ❑ In co-operation with Canada's Public Affairs Channel, the appeal hearings of the Court were televised.
 - ❑ The Court microfilmed its closed files and 700 case files, for more efficient research by the Court and the public and for sound archival practice.

2. Minimizing Processing Delays

To minimize delays, the Court:

- ❑ refined an information kit for self-represented litigants, which clarifies the process for these litigants and reduces administrative time in dealing with clients.
- ❑ Finalized the following rule changes:
 - Rule 51.1: enacted to allow the Court greater flexibility in dealing with vexatious conduct of proceedings, and
 - Rule 22: modified to allow all chambers motions to be dealt with in writing.
- ❑ Required the use of condensed books of authorities and evidence in paper-intensive cases.

3. Partnership Strategy

In partnership, the Court:

- ❑ gave guided tours as part of its educational activities to 33,893 visitors, participated in developing a teacher's guide and of the NCC's Information Centre, and in partnership with West on Wellington took part in Canada Day festivities.
- ❑ Focused its library collection on core subjects and jurisdictions, controlled costs by establishing agreed library collecting responsibilities with resource-sharing partners (the Federal Court of Canada, the Department of Foreign Affairs and International Trade and the Department of Justice).
- ❑ Implemented security measures, including a card-access system, and upgraded CCTV system, a new control centre, and a relocated main security post.



4. Other Strategies (to contain costs and meet budget reductions)

- streamlined work flow by managing the library's core activities (acquisitions, serials check-in, cataloguing and interlibrary circulation) on a system integrated with both the online catalogue and the Court's financial system. Data is entered only once for all functions which provides detailed information on collection holdings at desktops throughout the Court and permits the transfer of financial information.



Section IV — Supplementary Information

A. Profile of Program Resources

1. Financial Requirements by Object

Figure 9: Details of Financial Requirements by Object

(thousands of dollars)	Estimates 1997-98	Estimates 1996-97	Actual 1995-96
Personnel			
Salaries and wages	7,911	7,934	8,221
Contributions to employee benefit plans	1,048	903	855
	8,959	8,837	9,076
Goods and Services			
Transportation and communications	837	898	658
Information	349	467	391
Professional and special services	1,372	1,077	1,842
Rentals	86	170	116
Purchased repair and maintenance	540	238	725
Utilities, materials and supplies	895	1,298	1,172
Minor Capital	162	162	293
	4,241	4,310	5,197
Total Operating	13,200	13,149	14,273
Transfer Payments	1,235	1,349	1,172
	14,435	14,496	15,445

2. Personnel Requirements

Personnel expenditures account for 62.06% of the Program's total expenditures. It should be noted that the 143 authorized full-time equivalent of the Program are allocated entirely to the Administration activity. A profile of the Program's personnel requirements is provided in Figure 10.



Figure 10: Personnel Requirements — Summary by Professional Category (FTEs)

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Order-in-Council Appointments	2	2	2	2	2	2
Executive Group	1	1	1	1	1	1
Scientific and Professional	23	22	24	25	25	25
Administrative and Foreign Service	33	31	29	29	29	29
Technical	39	40	40	40	40	40
Administrative Support	42	37	35	34	34	34
Operational	12	12	12	12	12	12
Total	152	145	143	143	143	143

3. Transfer Payments

Transfer payments account for 8.56% of the 1997-98 Main Estimates of the Program. Figure 11 presents details on the transfer payments.

Figure 11: Statutory Payments — Annuities under the Judges Act

(dollars)	Estimates 1997-98	Forecast 1996-97	Actual 1995-96
Annuities to Spouses and Children of Judges and lump sum payment to spouses of such Judges who die while in office	1,235,000	1,349,000	1,172,520



4. Net Cost of the Program by Business Line/Activity

(thousands of dollars)

Business Lines/Activities	1997-98 Main Estimates						
	Operating	Transfer Payments	Gross Total	Statutory* Payments	Gross Expenditures	Less: Revenue Credited to the Vote	Total Main Estimates
Administration	11,086	—	11,086	—	11,086	—	11,086
Judges' salaries, allowances, and annuities; annuities to spouses and children and lump sum payment to spouses of judges who die while in office	—	1,235	1,235	2,114	3,349	—	3,349
	11,086	1,235	12,321	2,114	14,435	—	14,435
Other Revenues and Expenditures							
Revenue credited to the Consolidated Fund							(310)
Estimates Cost of services by other Departments							2,557
Net Cost of the Program							16,682

* Do not include Contributions to employee benefit plans and other which are allocated in the operating expenditures.



5. Planned Revenues and Expenditures for 1996-97 to 1999-00 (\$000)

	Main Estimates* 1996-97	Main Estimates 1997-98	Planned 1998-99	Planned 1999-00
Gross Expenditures by Business Lines/Activities				
Administration	11,075	11,086	11,147	11,185
Statutory	3,421	3,349	3,289	3,400
Total Gross Expenditures	14,496	14,435	14,436	14,585
Less:				
Revenue credited to the Consolidated Revenue fund by Business Lines/Activities				
Administration	235	310	310	310
Statutory	—	—	—	—
Total Revenue credited to the Consolidated Revenue Fund	235	310	310	310
Total Net Expenditures by Business Lines/Activities				
Administration	10,840	10,776	10,837	10,875
Statutory	3,421	3,349	3,289	3,400
Total Net Expenditures	14,261	14,125	14,126	14,275

B. Actual and Planned Expenditures related to Transfer Payments, 1994-95 to 1999-00

	Actuals 1994-95	Actuals 1995-96	1996-97 Estimates	1997-98 Estimates	1998-99 Planned	1999-00 Planned
Contributions by Business Lines/Activities						
Statutory	1,200	1,172	1,349	1,235	1,248	1,267
Total contributions	1,200	1,172	1,349	1,235	1,248	1,267



C. Further Information

Further information on the Supreme Court of Canada can be found in the following publications:

The Supreme Court of Canada, 30pp., published by Minister of Supply and Services 1993. ISBN Number 0-662-59836-9.

The Supreme Court of Canada, pamphlet.

Supreme Court Reports, approximately 4,000 pages per year.

Bulletin of Proceedings, approximately 3,000 pages per year.

Special Bulletin on Statistics.

The Supreme Court Building is open to the public daily. Guided tours are conducted during May, June, July and August by law students. Arrangements for group visits can be made in advance throughout the year.



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