

Office of the Commissioner for Federal Judicial Affairs

1998-99
Estimates

A Report on Plans and Priorities

Approved

Minister of Justice and
Attorney General of Canada

Table of Contents

Section I:	Messages	3
	A. <i>The Message</i>	3
	B. <i>Management Representation Statement</i>	4
Section II:	Departmental Overview	5
	A. <i>Mandate, Roles, and Responsibilities</i>	5
	B. <i>Objective</i>	5
	C. <i>Financial Spending Plan</i>	6
Section III:	Plan, Priorities and Strategies	7
	A. <i>Summary of Key Plans, Priorities and Strategies</i>	7
	B. <i>Details by Program and Business Line</i>	8
	Planned Spending	8
	Objective	8
	External Factors Influencing the Business Line	8
	Key Plans and Strategies	9
	Expected Results	10
Section IV:	Supplementary Information	11
Table 1:	Spending Authorities (Extract from the Ministry Summary table in Part II and Reconciliation to Program Expenditure Detail Document)	12
Table 2:	Organization Structure and Display of Planned Spending by Program and Business Line	12
Table 2.1:	Planned Full Time Equivalents (FTEs) by Program and Business Line	13
Table 2.2:	Details of FTE Requirements	13
Table 3:	Departmental Summary of Standard Objects of Expenditure	14
Table 4:	Program Resources by Program and Business Line for Estimates Year	15
Table 5:	Details of Transfer Payments by Program and Business Line	15
Table 6:	Details of Revenue by Program	16
Table 7:	Net Cost of Program	17
Table 8:	Listing of Statutes and Regulations	17
Table 9:	References	18
Index		19

Section I:

A. 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.

Guy Y. Goulard

B. Management Representation Statement

MANAGEMENT REPRESENTATION
Report on Plans and Priorities 1998-1999

I submit, for tabling in Parliament, the 1998-99 Report on Plans and Priorities (RPP) for the Office of the Commissioner for Federal Judicial Affairs

To the best of my knowledge (and subject to the qualifications outlined below), the information:

- Accurately portrays the department's mandate, plans, priorities, strategies and expected key results of the organization.
- Is consistent with Treasury Board policy, instructions, and the disclosure principles contained in the *Guidelines for Preparing a Report on Plans and Priorities*.
- Is comprehensive and accurate.
- 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: Departmental Overview

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.

A. 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 and 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.

B. Objective

- 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.

C. Financial Spending Plan

(\$ millions)	Planned Spending 1997-98*	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
Gross Program Spending:				
Federal Judicial Affairs	220.7	232.2	239.6	239.6
<i>Less:</i> Revenue Credited to the Vote	.3	.3	.3	.3
Net Program Spending	220.4	231.9	239.3	239.3
<i>Less:</i> Revenue Credited to the Consolidated Revenue Fund				
<i>Plus:</i> Non-budgetary				
<i>Plus:</i> Cost of Services Provided by other Departments	.7	.7	.7	.7
Net Cost of the Department	221.1	232.6	240.0	240.0

* Reflects changes included in the In-Year Update

Section III: Plans, Priorities and Strategies

A. Summary of Key Plans, Priorities, and Strategies

Office of the Commissioner for Federal Judicial Affairs	
(PLAN) to provide Canadians with:	(STRATEGIES) to be demonstrated by:
<p>An administration that will assure that the federal judiciary has access to a full line of administrative support services as provided under the <i>Judges Act</i>, so as to protect and promote its independence and efficiency.</p>	<ul style="list-style-type: none"> • continually reviewing current procedures • promoting the training and education of judges • the assessment and implementation of centralized common services • exploring alternative methods of course delivery for judges' language training • endeavouring to become the central focus for coordinating and promoting cooperative ventures • maximizing the exploitation of technology

B. Details by Program and Business Line

1. Business Line/Activity Structure

The Office of the Commissioner for Federal Judicial Affairs has one Business Line, Federal Judicial Affairs.

Planned Spending

	Planned Spending 1997-98	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
(\$ thousands)				
Gross Expenditures	220,693	232,200	239,620	239,613
Less: Revenue Credited to the Vote	275	275	275	275
	220,418	231,925	239,345	239,338
Less: Revenue Credited to the Consolidated Revenue Fund				
Total Revenue	275	275	275	275
Total Net Expenditures	220,418	231,925	239,345	239,338

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.

External Factors Influencing the Business Line

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, 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.

Key Plans and Strategies

- to continually review current procedures for processing payments to judges with the objective of reducing error rates and the processing time while handling an increased volume of claims;
- 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;
- 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;
- 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; and
- 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 playing a supportive role by encouraging the development of video conferencing technologies for judges. Savings in travel and other costs could be substantial once this technology is developed and implemented. Video conferencing initiatives will proceed subject to the successful identification of funding sources.

Expected Results

- 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;
- 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; and
- 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. 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.

Section IV: Supplementary Information

Table 1: Spending Authorities (*Extract from the Ministry Summary Table in Part II of the Estimates and Reconciliation to Program Expenditure Detail document*)

Personnel Information

Table 2: Organization Structure and Display of Planned Spending by Program and Business Line

Table 2.1: Planned Full Time Equivalents (FTEs) by Program and Business Line

Table 2.2: Details of FTE Requirements

Additional Financial Information

Table 3: Departmental Summary of Standard Objects of Expenditure

Table 4: Program Resources by Program and Business Line for Estimates Year

Table 5: Details of Transfer Payments by Program and Business Line

Table 6: Details of Revenue by Program

Table 7: Net Cost of Program for 1998-99

Other Information

Table 8: Listing of Statutes and Regulations

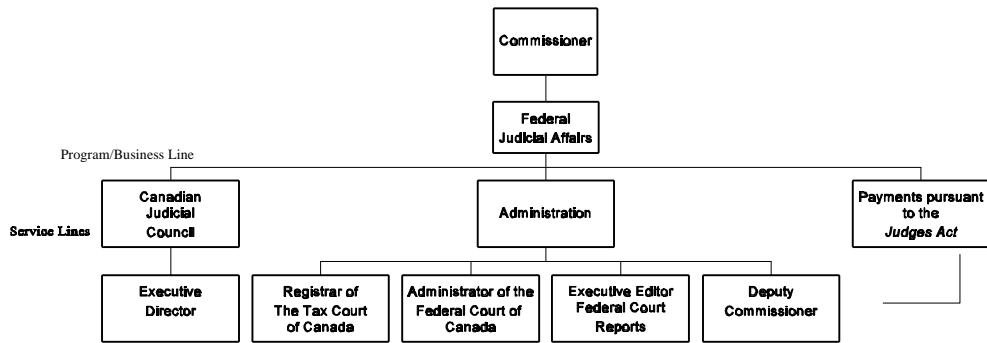
Table 9: References

Index

Table 1: Spending Authorities - Ministry Summary Part II of the Estimates

Vote	(thousands of dollars)	1998-99 Main Estimates	1997-98 Main Estimates
Commissioner for Federal Judicial Affairs			
15	Operating expenditures	3,855	4,174
20	Canadian Judicial Council - Operating Expenditures	499	499
(S)	Payments pursuant to the <i>Judges Act</i>	226,592	219,283
(S)	Contributions to employee benefit plans	479	387
Total Department		231,425	224,343

Table 2: Organization Structure



Responsibility for Planned Spending by Program and Business Line for 1998-99

(\$ millions)	Accountability			Total
	Deputy Commissioner	Executive Editor Federal Court Reports	Executive Director Canadian Judicial Council	
Business Line				
Federal Judicial Affairs	230.6	.8	.5	231.9
Total Planned Spending	230.6	.8	.5	231.9

Table 2.1: Planned Full Time Equivalents (FTEs) by Program and Business Line

	Planned 1997-98	Planned 1998-99	Planned 1999-00	Planned 2000-01
Federal Judicial Affairs	44	45	45	45

Table 2.2: Details of FTE Requirements

	Planned 1997-98	Planned 1998-99	Planned 1999-00	Planned 2000-01
Salary Ranges				
<30,000	0	0	0	0
30,000-40,000	18	17	17	17
40,000-50,000	9	11	10	10
50,000-60,000	4	4	4	4
60,000-70,000	4	2	3	3
70,000-80,000	4	5	5	4
>80,000	5	6	6	7
Total	44	45	45	45

Table 3: Departmental Summary of Standard Objects of Expenditure

(\$ millions)	Planned Spending 1997-98	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
Personnel				
Salaries and wages	159.6	168.6	172.7	172.7
Contributions to employee benefit plans	.4	.5	.5	.5
	<u>160.0</u>	<u>169.1</u>	<u>173.2</u>	<u>173.2</u>
Goods and services				
Transportation and communications	12.9	13.1	13.3	13.3
Information		.1	.1	.1
Professional and special services	2.4	1.5	1.5	1.5
Rentals	.1	.1	.1	.1
Purchased repair and maintenance		.1		
Utilities, materials and supplies	.1	.1	.1	.1
Other subsidies and payments	2.5	2.4	2.6	2.6
Postal subsidy				
Minor capital				
	<u>18.0</u>	<u>17.4</u>	<u>17.7</u>	<u>17.7</u>
Total operating	<u>178.0</u>	<u>186.5</u>	<u>190.9</u>	<u>190.9</u>
Transfer payments (Statutory)	42.7	45.7	48.7	48.7
Gross budgetary expenditures	<u>220.7</u>	<u>232.2</u>	<u>239.6</u>	<u>239.6</u>
Less: Revenue Credited to the Vote	.3	.3	.3	.3
Net budgetary expenditures	<u>220.4</u>	<u>231.9</u>	<u>239.3</u>	<u>239.3</u>
Non-budgetary (LIAs)				
Total	<u>220.4</u>	<u>231.9</u>	<u>239.3</u>	<u>239.3</u>

Table 4: Program Resources by Program and Business Line for the Estimates Year

(\$ millions)	Budgetary					Non-budgetary Loans Investments and Advances	Gross Planned Spending	Less: Revenue Credited to the Vote	Net Planned Spending
	FTE	Operating	Capital	Grants and Contributions	Gross Voted				
Federal Judicial Affairs	45	5.0			5.0	227.2	232.2	.3	231.9

*Does not include non-budgetary items or contributions to employee benefit plans and Minister's allowances that are allocated to operating expenditures.

Table 5: Details of Transfer Payments by Program and Business Line

	Planned Spending 1997-98	Planned Spending 1998-99	Planned Spending 1999-00	Planned Spending 2000-01
Federal Judicial Affairs				
GRANTS				
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	146,000	146,000	146,000	146,000
Annuities under the Judges Act	42,574,000	45,550,000	48,606,000	48,606,000
Total Grants	42,720,000	45,696,000	48,752,000	48,752,000
CONTRIBUTIONS				
Total Contributions	0	0	0	0
Total	42,720,000	45,696,000	48,752,000	48,752,000

Table 6: Details of Revenue by Program

Revenue Credited to the Vote	Planned Revenue 1997-98	Planned Revenue 1998-99	Planned Revenue 1999-00	Planned Revenue 2000-00
(\$ millions)				
Federal Judicial Affairs				
Office of the Umpire Service Fees	0.1	0.1	0.1	0.1
Human Rights Tribunal Panel Service Fees	0.1	0.1	0.1	0.1
Administrative Arrangement with Canadian International Development Agency	0.1	0.1	0.1	0.1
Total Credited to the Vote	0.3	0.3	0.3	0.3
Revenue Credited to the Consolidated Revenue Fund (CRF)	Planned Revenue 1997-98	Planned Revenue 1998-99	Planned Revenue 1999-00	Planned Revenue 2000-01
(\$ millions)				
Federal Judicial Affairs				
Judges Contributions to Pension Fund	8.9	9.3	9.7	9.7
Total Revenues	8.9	9.3	9.7	9.7

Table 7: Net Cost of Program for 1998-99

(\$ millions)	Federal Judicial Affairs
Gross Planned Spending	232.2
Plus:	
<i>Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	.5
Accounting and cheque issue services provided by PWGSC	.1
Contributions covering employees' share of insurance premiums and costs paid by TBS	.1
Employee compensation payments provided by Human Resources Canada	0
Salary and associated costs of legal services provided by Justice Canada	0
	.7
Total Cost of Program	232.9
Less:	
Revenue Credited to the Vote	.3
Revenue Credited to the CRF	.3
	.3
Net Cost of Program	232.6
1997-98 Estimated Net Program Cost	221.1

Table 8: Listing of Statutes and Regulations**Statutes and Regulations Currently in Force**

<i>Judges Act(R.S.,c.J-1,s.1.)</i>	February 1997
<i>Judges Act (Removal Allowance) Order(C.R.C., c.984)</i>	February 1991

Table 9: References

Listing of Statutory and Departmental Reports

Canadian Judicial Council Annual Report

Computer News for Judges

Federal Court Reports

Federal Judicial Appointments Process-November 1996

Report and Recommendations of the 1995 Commission of Judges' Salaries and Benefits

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Index

Administration	3, 7, 8, 12
Business Line	3, 8, 12, 13, 15
Canadian International Development Agency	10, 16
Canadian Judicial Council	3, 5, 12, 13
Commissioner for Federal Judicial Affairs	3, 5, 12
Common Services	7, 9, 10
Cooperative Ventures	7, 9, 10
Deputy Commissioner	5, 12, 13
Employee Benefit Plans	12
Federal Court of Canada	3, 5, 8, 12
Federal Court Reports	5, 12, 13
Human Rights Tribunal Panel	16
Information Technology	3, 7, 8, 9, 10
Judges, Salaries, Allowances and Annuities and Surviving Beneficiaries' Benefits	3, 5, 15
Judges Act	3, 5, 7, 8, 12
Judicial Affairs Information Network (JAIN)	9, 10
Judicial Appointments Secretariat	5
Language Training - Judges	5, 7, 9, 10
Office of the Umpires	16
Personnel Requirements	13
Revenue	6, 8, 14, 16, 17
Service Lines	3, 12
Tax Court of Canada	3, 5, 12
Training and Education of Judges	7, 9, 10
Transfer Payments	15
Video Conferencing	8, 9, 10