

# **Courts Administration Service**

**2006 - 2007**

**Report on Plans and Priorities**

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**The Honourable Vic Toews  
Minister of Justice and Attorney General of Canada**



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## **SECTION I – OVERVIEW**



## **Acting Chief Administrator’s Message**

In the past year, the Courts Administration Service (also referred to as the “Service”) has been committed to pursuing its effort of consolidating the functions of the registries of the Federal Court of Canada and the Tax Court of Canada; establishing approaches to ensure that the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada (also referred to as the “Courts”)—are provided with the most effective means of support possible given their unique requirements; and examining all corporate and operational activities to provide the best value for public funds, while safeguarding the independence of the judiciary.

The Courts Administration Service contributes to judicial independence through its mandate by providing effective support services to the Courts and ensuring access to those Courts by members of the Canadian public seeking judicial redress. To achieve these objectives, the Service must be provided with stable funding based on clearly articulated needs, supported by performance measures that are both meaningful and clear.

The Service is committed to providing a highly professional service to the Courts and the public. This will be achieved through ongoing consultations with the Chief Justices and judges to ensure the development of sound and efficient management practices.

In closing, I wish to express my sincere appreciation to the Chief Justices and the judges, the staff of the Service and officials of a number of provinces who provide support under existing arrangements, for their professionalism and dedication.

R.P. Guenette





## Management Representation Statement

I submit for tabling in Parliament, the 2006 - 2007 Report on Plans and Priorities (RPP) for the Courts Administration Service.

This document has been prepared according to the reporting principles contained in the *Guide for the Preparation of Part III of the 2006-2007 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined by the Treasury Board Secretariat (TBS);
- It uses an approved program activity architecture (PAA) structure;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from TBS.

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Name: Raymond P. Guenette  
Title: Acting Chief Administrator



## Summary Information

### Reason for Existence

The role of the Courts Administration Service is to provide registry, judicial and corporate services to four courts of law: the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. These services permit individuals, companies, organizations and the Government of Canada to submit disputes and other matters to the Courts, and enable the Courts to hear and resolve the cases before them fairly, without delay and as efficiently as possible.

### Financial Resources

2006-2007	2007-2008	2008-2009
\$ 62.2 million	\$ 57.3 million	\$57 million

### Human Resources

2006-2007	2007-2008	2008-2009
655	655	655

### Departmental Priorities

	Type	Planned Spending			
		(\$ millions)	2006-2007	2007-2008	2008-2009
<b>Strategic Outcome: The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.</b>					
<b>Priority #1</b> Implementing a comprehensive, dynamic and fully integrated people management strategy which will support all employees in the efforts of the Service consolidation.	On-going	The planned initiatives supporting this priority are expected to assist and sustain the efforts of consolidation in providing to all employees a work environment that fulfills their interest.	0.35	0.54	0
<b>Priority #2</b> Sustaining innovation and pursuing modernization of business processes and practices.	On-going	The planned initiatives will allow the Service to provide registry and judicial services that are flexible, responsive while ensuring the best value for the public money.	5.5	2.0	1.7

## Departmental Plans and Priorities

The Service is a relatively new organization that was established by amalgamating the former registries of the Federal Court of Canada and the Tax Court of Canada. The amalgamation took effect on July 2, 2003 with the coming into force of the *Courts Administration Service Act*, S.C. 2002, c. 8 (see <http://laws.justice.gc.ca/en/C-45.5/index.html>).

The Service is entirely funded through appropriations from Parliament.

The mandate of the Service is to:

- ensure the efficient provision of service to the Courts;
- enhance the judicial independence of the Courts by placing them at arm's length from the Government of Canada; and
- enhance accountability for the use of public money.

## Strategic Relationships

The Service maintains four main strategic relationships:

- The Department of Justice Canada – The Department of Justice and other government departments/organizations initiate legislation and policies that have a direct bearing on the courts' workload, which in turn has an impact upon the workload of the Service. Moreover, the Attorney General of Canada (i.e. the Minister of Justice) designates representatives of the legal profession to sit on the Rules Committee of the Federal Court of Appeal and the Federal Court, as well as on the equivalent committee of the Tax Court of Canada. In addition, both rules committees include senior representatives of the Department of Justice.
- Provinces and territories – Eight of the Service's seventeen regional offices are co-located with – and staffed by – provincial/territorial court employees on a contractual basis. As well, provincial courtroom facilities are used in partnership in many locations. There is an ongoing need to maintain a presence in these locations and to continue using available facilities and libraries.
- The Canadian Bar Association and provincial law societies – These organizations provide valuable feedback on processes and procedures to ensure the continued effectiveness of services provided by the Service. They also take into account regional sensitivities such as those relating to admiralty issues, Employment Insurance, Immigration and Income Tax.
- Quasi-judicial tribunals and boards – The Service's ongoing efforts to achieve cost savings include the sharing of facilities and courtrooms across the country with federal tribunals, boards, commissions and the provinces while keeping in mind sensitivities relating to judicial independence.

## **Organizational Issues**

Even though, the Service made some notable progress in 2005-2006, we still need to pursue our consolidation efforts in 2006-2007. For this fiscal year, we will continue the cross-training of employees of the registry. Harmonizing and updating policies, and standardizing work tools, such as computer applications and financial systems will be our main focus in addressing organizational issues. This will be achieved through the development of a broader application of technology in the registries and enhancement of access to the Courts. For example, technologies permitting digital recording, "remote hearings" and the electronic filing of documents will be adopted for use by the Courts.

Furthermore, work will continue in 2006-2007 on improving accountability, streamlining and reengineering processes to achieve cost effectiveness.

This enhanced accountability manifests itself in the *Courts Administration Service Act*, which requires that the Chief Administrator send an annual report to the Minister of Justice, who then tables it in each House of Parliament. The Annual Report represents a unique opportunity for the Chief Administrator to inform the House of Commons and the Senate the numerous challenges which are currently affecting the Service, and as a corollary, the respective Courts which it serves.

The increasing use of alternate dispute resolution (ADR) in Federal Court of Appeal and Federal Court proceedings will also affect how the Courts Administration Service is providing its services to the litigants. ADR is a structured process in which a judge or prothonotary conducts an informal process, such as mediation, in order to facilitate a resolution of the dispute without embarking on a formal trial. ADR programs reduce backlogs and free up court services in the face of increasing caseloads. However, such programs have also created new judicial support needs and additional space requirements.

## **Financial Issues**

The Service needs sufficient stable resources to support the Courts on a sustained basis and to ensure that the Service's mandate and its statutory obligations to judges, prothonotaries, litigants and the Canadian public are not negatively affected. This means developing the capabilities of the Service to anticipate future demands and new resource requirements.

The organization has no control over its workload and has had to deal with an increasing volume and complexity of cases, new security requirements and other unforeseen issues within its existing budget which requires a strict control over reallocation. In that context, consultation with the Service by government departments and agencies is crucial in order to define and assess the scope of the impact of new and proposed legislation to better predict upcoming workload.

This is particularly true given that one of the purposes of the legislation amalgamating the two former organizations was to enhance accountability for the use of public money in support of court administration.

The Service is also committed to the Government of Canada's Expenditure Review initiative. The Senior Management team is looking at achieving internal operational efficiencies to meet the goal of long-term savings set out by the Government of Canada. Some of the initiatives identified as securing possible savings include consolidating the network infrastructure; amalgamating the Courts and the Service into one building - Pierre Elliott Trudeau Judicial Building (PETJB) in Ottawa, which could result in about \$25M of savings over a 20-year period. The Service is also consulting with the Chief Justices and the Rules Committees of the Courts to determine whether certain practices, such as the requirement to transmit certain documents by registered mail, could be modernized. We are also looking to legislative and amendments to Rules that could facilitate electronic filing.

## **Challenges**

### a) Provide information to public

In the spirit of the federal government's Government On-Line initiative, the Service intends to take a proactive approach to making information available to the public. However, there is an inherent contradiction between the two principles of the public's right to know and citizens' right to privacy. The Service, in consultation with the judiciary, must find a way to balance these interests in making information such as court decisions broadly available to the public on the Internet.

### b) Ability to deal with increased workload

The past few years have seen a significant increase in applications to the Courts and most specifically in respect of immigration cases. Thus, the Federal Court's immigration and refugee workload almost doubled between 1995 and 2000 (from 3,630 to 6,619 proceedings commenced) and increased significantly between 2002 and 2004 (from 6,699 to 10,651 proceedings commenced). The passing of the *Anti-terrorism Act* following the events of September 11, 2001 and the increased emphasis on security have also added to the workload of the Federal Court.

The Service will need adequate resources to meet the requirements of the current complement of the Courts and any future needs arising from the filling of vacant judicial positions at the Federal Court of Appeal, the Federal Court and the Tax Court of Canada, to meet the increasing workload of the Courts. Resourcing for Deputy Judges will also be paramount. To ensure the effective and efficient management and administration of all court services, the Service will continue to examine the resources required for the accurate and timely processing of files for the Courts.

c) Maintain the independence of the judiciary

Another challenge faced by the Service lies in the requirement that it account for the use of resources while at the same time safeguarding the independence of the judiciary. The need for budgetary restraint must be balanced with the need to ensure that the judiciary has all necessary tools to determine cases free of influence. For example, we must be conscious at all times of security concerns, and a full range of tools must be provided in support of the Courts' work.

### Strategic Outcome

The Service is committed to realizing the following strategic outcome:

**The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.**

This commitment is consistent with the Government of Canada's strategic outcomes which are outlined in *Canada's Performance 2005 Report*

*Canada's Performance 2005* is structured around three main policy areas:

- **sustainable economy**, which demonstrates the increased importance given to the links between the Canadian economy and the natural environment;
- **Canada's social foundations**, which reflects the important role health care plays in Canadian society; and
- **Canada's place in the world**, which recognizes the international dimension of government activity needed to advance national aspirations.

## Organizational Priorities for the Planned Period

Taking into consideration the Service's external and internal environment, the Service has identified two strategic priorities that extend beyond the fiscal year 2006-2007.

The organizational priorities described below support our strategic outcome and are intended to ensure more efficient processing of cases and more effective support to the Courts we serve, broader public access to the Courts, while ensuring transparency and full accountability for the use of public funds. These priorities based on our program activities will be achieved through key initiatives which are either underway or will be implemented during the reporting period. (Program Activities: Registry Services, Judicial Services and Corporate Services as described in our PAA.)

### Program Activity Architecture

The PAA is an inventory of all the activities undertaken by a department or agency. The activities are depicted in their logical relationship to each other and to the Strategic Outcome(s) to which they contribute. The PAA is the initial document for the establishment of a Management Resource and Results Structure (MRRS).

Department/Agency		Courts Administration Service		
<b>Strategic Outcome</b>	<b>The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.</b>			
<b>Program Activity</b>	1. Provide registry services	2. Provide judicial services	3. Provide corporate services	
<b>Program Sub-activity</b>	1.1 Federal Court of Appeal and Court Martial Appeal Court of Canada Registry Operations	2.1 Executive Offices	3.1 Office of the Chief Administrator	
	1.2 Federal Court Registry Operations	2.2 Judicial Assistants	3.2 Finance and Corporate Services	
	1.3 Tax Court of Canada Registry Operations	2.3 Law Clerk Program	3.3 Chauffeurs and Court Attendants Services	
	1.4 Quebec & Atlantic Region *	2.4 Library	3.4 Human Resources	
	1.5 Ontario Region		3.5 Information Management (Records Management)	
	1.6 Western Region **		3.6 Information Technology	
			3.7 Best Practices & Modernization	

\* include Nunavut Territory

\*\* include Yukon Territory & Northwest Territories



## Rationale behind the Priorities

### **Priority 1:**

***Implementing a comprehensive, dynamic and fully integrated people management strategy which will support all employees in the efforts of the Service's consolidation.***

The Service still needs to pursue its efforts to make the organization operate as one entity while preserving each Court's identity. Fostering greater understanding of each of the Federal Court and Tax Court Registries will continue and team building sessions are envisaged to ensure a smooth and gradual implementation of upcoming revamped procedures and a common technology platform. These efforts are critical to allow the Service to meet any future demands of the Courts in light of the anticipated retirement of a significant number of employees over the planning period.

Trials and the judicial process are becoming increasingly automated. The Service must take into account the impact of new technologies on its work and the need to keep up with technological advances in order to provide the most cost-effective, efficient and secure services to judges, prothonotaries, counsel, the public and its employees. The Service relies on up-to-date technological systems and tools to enable decision-makers and employees to exchange information, to support case preparation, to manage the flow of cases through various stages and to communicate and consult with stakeholders.

### **Priority 2:**

***Sustaining innovation and pursuing modernization of business practices and processes.***

This strategic priority will focus on improving and modernizing the Service business processes namely case management, information sharing, communications, rule refinements, and improved support for the judiciary. To that end, state-of-the-art technologies such as digital recording, e-filing and electronic courtrooms will continue to be adopted and further enhanced for use by the Courts. Such initiatives will ultimately provide the public and the legal community more efficient options for greater access to the judicial system. The Service is committed to providing its services in the most efficient, effective and economic manner, and in maintaining excellence in serving our clients.

The two above organizational priorities will still prevail for the planning period as the Service needs to strengthen its workforce capabilities to adjust and cope with changes. These overarching priorities will also affect all aspects of the Service's work and will guide the management team in its decisions. Monitoring key initiatives that support these priorities will be critical to guide strategic and operational decisions and to address emerging issues.

PRIORITY	INITIATIVES	EXPECTED RESULTS
<p><b><i>Implementing a comprehensive, dynamic and fully integrated people management strategy which will support all employees in the efforts of the Service consolidation.</i></b></p>	<p>Relocation of staff from Lorne Building</p> <p>Harmonization of Registries</p> <p>Implementation of Outreach Activities</p> <p>Review of Judicial Services</p>	<p>Improved employees well-being</p> <p>Increased citizen-focused services</p> <p>Increased visibility, awareness and understanding of the services provided by the Courts Administration Service</p>
<p><b><i>Sustaining innovation and pursuing modernization of business practices and processes.</i></b></p>	<p>Modernization of Practices and Procedures</p> <p>Electronic Filing</p> <p>Digital Recording</p> <p>Electronics Courtrooms</p> <p>New Case Management System</p> <p>Construction of the Pierre Elliott Trudeau Judicial Building</p> <p>Toronto Federal Judicial Centre Project</p> <p>Vancouver Federal Judicial Centre Project</p>	<p>Modernization of operational activities to reflect best practices and improve procedures</p> <p>Increased efficiencies throughout the Service and lower operational costs</p> <p>Increased efficiencies throughout the Service, including improved security for judges and staff and greater capacity to meet case management workload</p> <p>Space optimization of tenant requirements to maximize utilization</p>

## **SECTION II – ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME**



## Analysis by Program Activity

### Strategic Outcome:

The Service is committed to realizing the following strategic outcome:

**The public has effective, timely and fair access, in either official language, to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.**

The key initiatives identified hereafter which support our strategic outcome and organizational priorities are intended to ensure broader public access to the Courts, more efficient processing of cases and more effective support to the Courts we serve, while ensuring transparency and full accountability for the use of public funds.

As the Service is continuing the integration and transformation phases of the consolidation of the former registries of the Federal Court of Canada and the Tax Court of Canada, its major priority for the next three years is to continue to provide high levels of service to the public with due diligence pertaining to the use of public funds. We have undertaken the development of performance measures for each Program Activity and sub-activities. The challenges and pressures that accompany a major organizational merger have made this exercise more complex than anticipated. Senior Management is highly committed to this Treasury Board (TB) initiative and special attention will be given throughout the year to document the results of these key initiatives which will assist us in developing cost effective performance measures.

As well, the assessment of the Management Accountability Framework (MAF) will assist the Service in defining areas for improvements thereby strengthening our management practices.

### Description of Program Activities

The Service has one business line, known as courts administration service. Its objective is to provide Canadians with the services needed to ensure accountability for the use of public money in support of the administration of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada while facilitating the public's access to the Courts and safeguarding the principle of judicial independence. This business line is divided into three interrelated program activities: Registry Services, Judicial Services and Corporate Services.

- **Registry Services** provide the Courts with litigation support processes. These include processing documents filed by or issued to litigants, attending at court sittings, recording proceedings, providing information to litigants, maintaining custody of the records and information base required by the Courts and issuing legal instruments to enforce the Courts' decisions;
- **Judicial Services** provide judicial support to the Justices and prothonotaries, including but not limited to executive officers, judicial assistants, library

employees, revisors/jurilinguists, law clerks and other staff who provide direct support to the judiciary in fulfilling their responsibilities; and

- **Corporate Services** provide services such as finance, human resources, informatics, information management, telecommunications, facilities, translation, strategic planning, communications, internal audit, general administration and security to the Courts and to the Service itself. (Additional information on Corporate Services can be found in section IV – Other Items of Interest.)

**Program Activity Name: Registry Services**

**Financial Resources:**

2006-2007	2007-2008	2008-2009
\$40.1 million	\$36.8 million	\$36.6 million

**Human Resources:**

2006-2007	2007-2008	2008-2009
427 FTE	427 FTE	427 FTE

**Program Activity Name: Judicial services**

**Financial Resources:**

2006-2007	2007-2008	2008-2009
\$22.1 million	\$20.5 million	\$20.4 million

**Human Resources:**

2006-2007	2007-2008	2008-2009
228 FTE	228 FTE	228 FTE

**Program Activity Name: Corporate Services**

The financial and human resources information of this program activity are incorporated with the data of the other two program activities.

## Detailed Analysis of Program Activities

### **Priority 1:**

***Implementing a comprehensive, dynamic and fully integrated people management strategy which will support all employees in the efforts of the Service consolidation.***

### **A. Program Activity - Registry Services**

#### **Key Initiatives**

##### ***Relocation of staff from Lorne Building***

Presently, about 20% of the Service's employees (120 employees) are located in the Lorne Building in Ottawa and provide registries services for the Federal Court of Appeal and for the Federal Court. For several years, numerous health and safety issues relating to this building have been raised. In order to provide an adequate and suitable work environment, relocation of these employees is necessary.

With the assistance of Public Works and Government Service Canada (PWGSC), the Service will define the optimal location for accommodating the employees. Based on the current proposed options, the Registry could move as early as Fall 2006.

##### ***Harmonization of Registries***

Co-location of the registry in Toronto will be completed in 2006. Cross-training of registry staff across Canada will continue in 2006-2007. As a result, all registry officers will be in a position to better serve clients with respect to all four courts. These measures will enhance the use of our resources and provide a common access point for the public.

##### ***Implementation of Outreach Activities***

The Service will strive to ensure that the information it makes available to the public about the Courts it serves, whether via the Courts' Web sites or other communications tools, including the publication of judgments, is coordinated effectively. In addition, the Service, in conjunction with the Courts, will continue to use outreach activities, such as open houses, mock trials, symposium and Law Day to heighten public awareness of judicial independence.

### **B. Program Activity - Judicial Services**

#### **Key Initiatives**

##### ***Review of Judicial Services***

As part of the integration process of the Service, studies will continue in 2006-2007 to develop an understanding of the various forms of judicial services which existed in the

former registries of the Federal Court of Canada and the Tax Court of Canada. Services provided to judges, supernumerary judges, deputy judges, prothonotaries, umpires, and assessors continue to be examined and defined. The roles of judicial administrators, judicial assistants and the law clerks are also being studied in order to develop a greater understanding of the correlation of duties between these positions and the registry officers.

We will continue reviewing all services, such as library services, court usher services and chauffeur services provided to the judges and judicial officers of the Courts to determine how to consolidate them more effectively. This will ensure that judicial services are structured in such a way that appropriate resources are allocated according to requirements, while enhancing fiscal accountability and service delivery. This analysis is important, for without the proper type and level of timely support, judges and other judicial officers may find themselves performing some tasks that could be better delegated to qualified support staff.



**Priority #2*****Sustaining innovation and pursuing modernization of business processes and practices.*****A. Program Activity - Registry Services****Key Initiatives*****Modernization of practices and procedures***

In consultation with the Chief Justices, the Best Practices and Modernization Branch was created to review and modernize work processes and recommend changes to the rules of procedure to make the delivery of our services to citizens more effective.

The business process transformation is expected to take two to three years to complete but operational improvements will be implemented as identified and approved. The first phase of the project will include a review of business processes including the practices and procedures of all the courts with a view to modernize the tools and approaches utilised in the delivery of our services.

The integration of the current case management systems, the introduction of additional technology in courtrooms, the modification of some rules of procedures and the provision of timely operational training to registry staff are examples of initiatives included within the scope of this project.

***Electronic Filing***

Based on the successful implementation of the electronic filing pilot project for intellectual property cases, the functionality will be expanded to include other types of cases. A committee has been established to assess the optimal implementation plan to ensure our current registry operations can accommodate further e-filing instances. A cooperative agreement between the Service and LexisNexis Canada (service provider) is currently in place to formalize this working relationship with respect to e-filing.

***Digital Recording***

Digital recording equipment has been set up in some of our courtrooms. The initial results of the pilot project are positive. As more and more courtrooms are equipped with the new systems, the benefits will continue to accrue. The Service is developing a strategy for full deployment of this equipment in its courtrooms. With the support of the Chief Justices, we should be in a position to complete a feasibility study, purchase the hardware and software and implement the system in the courtrooms.

### ***Electronic Courtrooms***

Following the positive experience with the implementation of electronic courtrooms in Edmonton and Calgary and in keeping with its commitment to improve service delivery and accessibility to court proceedings, the Service completed its planning of electronic courtrooms in Toronto. Digital recording software and electronic courtroom display hardware and software will be made available in selected courtrooms. The judges, prothonotaries, counsel and all court staff will be able to access the information via their own computers.

### ***New Case Management System***

The integration of the current case management systems will continue to be a priority in 2006-2007. The functionalities of the new case management system have been identified through focus groups. Their work will serve as the foundation of the functional and system designs of the new system. A funding strategy will also be developed to ensure additional technical expertise will be available at the development stage. A new case management system will provide the registries with the tools required to better serve the public as well as harmonizing internal processes.

## ***B. Program Activity - Judicial Services***

### **Key Initiatives**

#### ***Construction of the Pierre Elliott Trudeau Judicial Building (PETJB)***

The Courts and the employees of the Service are currently located in seven buildings in the National Capital Region. Such distribution is inefficient and does not meet the long-term accommodation requirements of the Courts. The consolidation of the existing Ottawa operations will reduce operating costs, improve visibility and simplify security requirements. The Pierre Elliott Trudeau Judicial Building (PETJB) is a proposed new single-purpose courthouse facility that will house the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and the Service.

### ***Toronto Federal Judicial Centre Project (FJC).***

Another facilities-related project in which the Service is participating involves the Federal Judicial Centre (FJC) in Toronto. The FJC will be leased to the federal government on a long-term basis to house the regional operations of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada, the Tax Court of Canada and the Service. Approval to proceed was obtained on January 30, 2003 and occupancy is scheduled for summer 2006. Efficiencies will be realized from this project due to the fact that staff and courtrooms will be in a single location. Moreover, the relocation of staff will provide a single access and information point for the public.

### ***Vancouver Federal Judicial Centre Project (FJC)***

PWGSC have advised the Service that the lease for the premises currently occupied in Vancouver will expire in December 2009. A long-term lease replacement solution is needed to house the regional operations. This will be an opportunity to enhance the security and well-being of judges and staff; and to optimize space to reduce real estate costs.

Accordingly, a new project is being put in place to:

- a) identify and quantify the mid-term to long-term accommodation requirements in Vancouver;
- b) prepare a Tenant Requirements Package (TRP) to provide details to PWGSC on the type of accommodation required, an approximate size of the individual spaces and the number of work units, members of the judiciary, staff and public to be accommodated within the planned premises;
- c) address the various security issues which have been identified, complete a Threat and Risk Analysis (TRA) to ensure all possible scenarios have been explored and dealt with; and
- d) maintain close communications with PWGSC staff in the Vancouver region and Ottawa headquarters to ensure that the project advances to a successful completion.

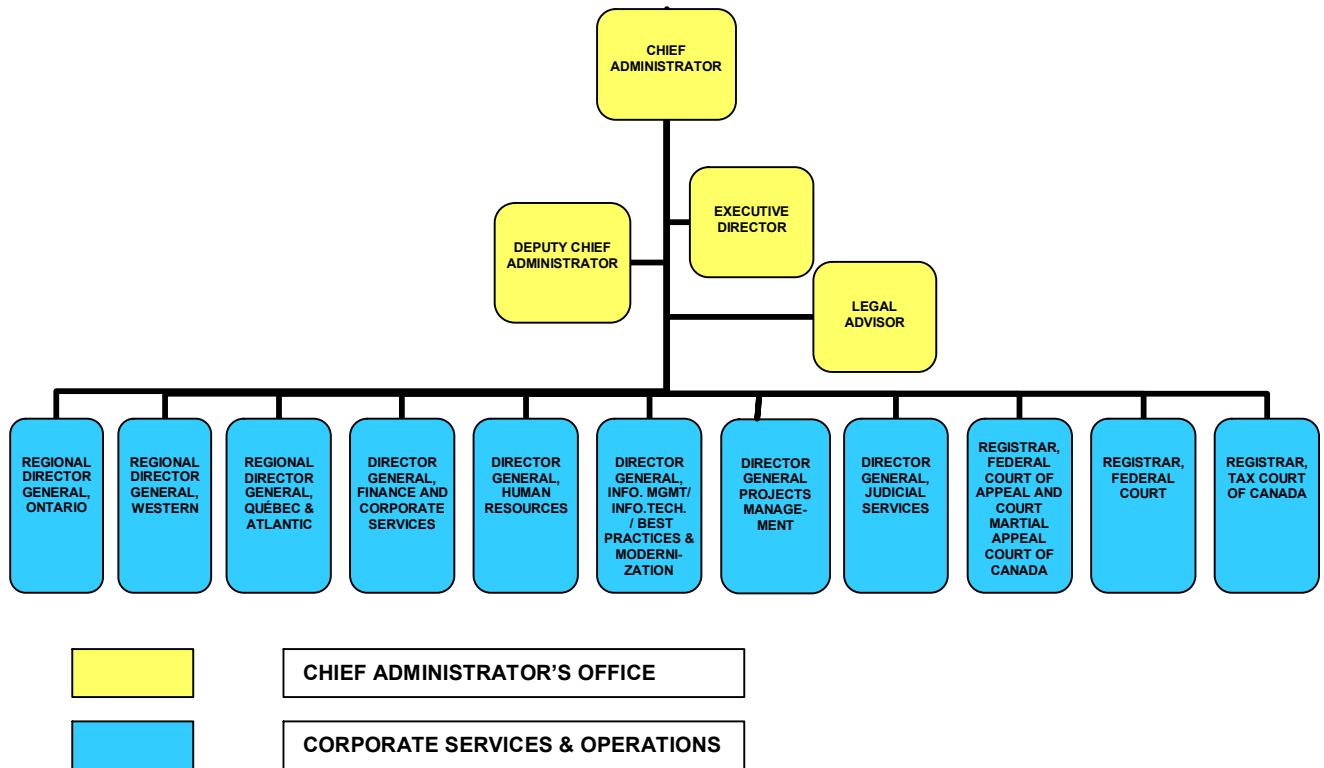
In 2006-2007, PWGSC will complete a market survey report to identify potential lease solutions for a tender call. The report will provide the information required to complete the business case and seek authority to proceed with the project. The service will finalize its TRP and conduct a TRA. The accommodation will be planned and delivered in accordance with the new PSGSC Fit-up standards.



## **SECTION III – SUPPLEMENTARY INFORMATION**



## Organizational Information



## Power of the Chief Administrator

Subsections 7(1), (2), (3) and (4) of the *Courts Administration Service Act* set out the powers, duties and functions of the Chief Administrator as follows:

- (1) The Chief Administrator is the chief executive officer of the Service and has supervision over and direction of its work and staff.
- (2) The Chief Administrator has all the powers necessary for the overall effective and efficient management and administration of all court services, including court facilities and libraries and corporate services and staffing.
- (3) The Chief Administrator, in consultation with the Chief Justices of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada, shall establish and maintain the registry or registries for those courts in any organizational form or forms and prepare budgetary submissions for the requirements of those courts and for the related needs of the Service.

(4) The powers of the Chief Administrator do not extend to any matter assigned by law to the judiciary.

Subsection 9(1) adds the following:

A chief justice may issue binding directions in writing to the Chief Administrator with respect to any matter within the Chief Administrator's authority.



**Table 1: Departmental Planned Spending and Full Time Equivalents**

(\$ millions)	Forecast Spending 2005-2006 <sup>(1)</sup>	Planned Spending 2006-2007	Planned Spending 2007-2008	Planned Spending 2008-2009
Provide Registry Services <sup>(2)</sup>	\$34.4	<b>\$40.3</b>	\$37.3	\$37.3
Provide Judicial Services <sup>(2)</sup>	\$19.1	<b>\$22.2</b>	\$20.6	\$20.6
<b>Total Main Estimates</b>	<b>\$53.5</b>	<b>\$62.5</b>	<b>\$57.9</b>	<b>\$57.8</b>
<i>Adjustments:</i>				
Governor General Warrants Process <sup>(3)</sup> :				
+ Operating budget carry forward (horizontal item)	\$0.9	---	---	---
+ Public Security & Anti-terrorism	\$0.8	---	---	---
+ Program Integrity Funding <sup>(4)</sup>	\$2.8	---	---	---
+ Funding from Citizenship and Immigration <sup>(5)</sup>	\$0.2	---	---	---
+ Toronto Federal Judicial Centre Building <sup>(6)</sup>	\$0.3	---	---	---
Budget Announcement:				
Procurement savings <sup>(7)</sup>				
- Provide Registry Services	---	<b>(\$0.2)</b>	(\$0.4)	(\$0.5)
- Provide Judicial Services	---	<b>(\$0.1)</b>	(\$0.2)	(\$0.3)
Other <sup>(8)</sup> :				
+ Collective bargaining agreements TB Vote 15	\$2.3	---	---	---
+ Paylist Shortfalls TB Vote 5	\$1.4	---	---	---
<i>Total Adjustments</i>	<i>\$8.7</i>	<i><b>(\$0.3)</b></i>	<i>(\$0.6)</i>	<i>(\$0.8)</i>
<b>Total Planned Spending</b>	<b>\$62.2</b>	<b>\$62.2</b>	<b>\$57.3</b>	<b>\$57.0</b>

Total Planned Spending	\$62.2	<b>\$62.2</b>	\$57.3	\$57.0
Less: Non-Respendable revenue	(\$5.1)	<b>(\$6.9)</b>	(\$6.9)	(\$6.9)
Plus: Cost of services received without charge	\$19.5	<b>\$19.9</b>	\$20.5	\$20.9
<b>Net cost of Program</b>	<b>\$76.6</b>	<b>\$75.2</b>	<b>\$70.9</b>	<b>\$71.0</b>

<b>Full Time Equivalents<sup>(9)</sup></b>	<b>580</b>	<b>655</b>	<b>655</b>	<b>655</b>
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(1) Reflects the best forecast of total net planned spending to the end of the fiscal year, including employee benefits.

(2) The Corporate Services Program Activity has been re-allocated to the remaining program activities on a pro rata basis.

(3) Due to the recent election call, all items that would be usually funded through Supplementary Estimates process have been requested through Governor General Warrants Process. Due to the fact that Governor General Warrant requirements stipulate only requesting funds for "urgent requirements" the Service has cash managed a portion of some items.

From the total adjustments amounts of \$8.7 M (including employee benefit plan), \$6.0 M has been requested in the first Governor General Warrant Process period that has been funded from the government contingencies vote. The remaining amount of \$2.7M has been requested in the second and third period of Governor General Warrants and is funded with Governor General Warrant.

**(4)** This funding is required for the additional fees for deputy judges, prothonotaries salaries and administrative support. The Service plans to request funding through a Treasury Board Submission in 2006-2007

**(5)** This funding is to address short-term immigration pressures to reduce inventory of citizenship grant and proof applications as well as sponsored parents & grandparents applications.

**(6)** In January 2006, Public Works and Government Services Canada (PWGSC) advised the Court Administration Service (Service) that a new project delivery schedule had been established. The revised project delivery schedule was mainly a result of construction delays. PWGSC proposed that the Service begin client move-in on a phased basis starting in July 2006 and being completed at the end of August 2006. Due to the recent election call and the fact that Governor General Warrant requirements stipulate only requesting funds for "urgent requirements", the Service delayed delivery and receipt of furniture and other equipment until next fiscal year. Since there was \$4M allocated to this project in 05/06, and a total of \$3.7M has been approved to be re-profiled, this leaves \$0.3M that is required for expenditures in 2005-2006.

**(7)** This reflects the reductions to the department's planned spending as a result of the Expenditure Review Committee (ERC) procurement savings exercise. In early December 2005, the Service has been informed that the amount of savings expected for 2006-2007 has been increased from \$200,000 to \$290,000. No new information has been provided to the Service for year 2007-2008 and future. The original estimate has been used to calculate 2007-2008 and future years planned spending.

**(8)** These items are usually funded by TB Vote 15 for compensation for collective bargaining agreements and by TB Vote 5 for the payroll shortfalls such as parental benefits, severance pay or vacation pay on departure. These items were funded through the Governor General Warrant Process in 2005-2006.

**(9)** The Service continues to experience delays in staffing. In addition, internal staffing is done before external staffing in order to reallocate personnel to match the requirement of the Service with personnel of both former organizations. However, due to the merger of the former Registry of the Federal Court of Canada & the Tax Court of Canada, the Service has experienced a higher level of turnover than in the past. The Service expects the retention level to stabilize through 2006-2007.

**Table 2: Program by Activity**

2006-2007 (\$ millions)					
Program Activity	Budgetary		Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
	Operating	Gross			
Provide Registry Services	40.3	40.3	40.3	(0.2)	40.1
Provide Judicial Services	22.2	22.2	22.2	(0.1)	22.1
<b>Total</b>	<b>62.5</b>	<b>62.5</b>	<b>62.5</b>	<b>(0.3)</b>	<b>62.2</b>



**Table 3: Voted and Statutory Items listed in Main Estimates**

2006-2007 (\$ millions)			
Vote or Statutory Item	Truncated Vote or Statutory Wording	Current Main Estimates	Previous Main Estimates
30	Operating expenditures	55.9	47.2
(S)	Contributions to employee benefit plans	6.6	6.3
	<b>Total Department or Agency</b>	<b>62.5</b>	<b>53.5</b>

**Explanation of differences between 2005-2006 and 2006-2007 Main Estimates:**

2005-2006 Compensation for Collective Agreements	2.8
Funding to address Short-Term Immigration Pressures to reduce inventory of citizenship grant and proof applications as well as sponsored parents & grandparents applications	0.3
Funding for fit-up requirements for the Toronto Federal Judicial Centre (FJC) building	0.8
Funding for expenses related to the 2001 policy/administrative and legislative reforms to the <i>Immigration and Refugee Protection Act</i> (for partner departments)	0.5
Funding for support for two judges appointed under Public security & Anti-terrorism legislation	0.8
Adjustment to the contribution to employee benefit plans (EBP) to bring the amount to 19% of personnel costs (34,816 X 1%)	(0.3)
Termination of loan repayment from Y2K (Year 2000)	0.4
Toronto Federal Judicial Centre Building : Re-profile from year 2005-2006	3.7
<b>TOTAL</b>	<b>9.0</b>



**Table 4: Net Cost of Department for the Estimates Year**

<b>2006-2007</b>	
(\$ millions)	<b>Total</b>
Total Planned Spending	<b>\$62.2</b>
<i>Plus: Services Received without Charge <sup>(1)</sup></i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	<b>\$17.2</b>
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	<b>\$2.6</b>
	<b>\$19.9</b>
<i>Less: Non-responsible Revenue</i>	<b>(\$6.9)</b>
<b>2005-2006 Net cost of Department</b>	<b>\$75.2</b>

(1) Amounts that are not material are not displayed as separate amount but are included in the total net cost of department. Include:

- Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS .
- Salary and associated expenditures of legal services provided by Justice Canada.





**Table 7: Sources of Respendable and Non-Respendable Revenue**

	Forecast Revenue	<b>Planned Revenue</b>	Planned Revenue	Planned Revenue
	2005-2006	<b>2006-2007</b>	2007-2008	2008-2009
(\$ millions)				
Provide Registry Services				
Refund of previous years' expenditures	\$0.1	<b>\$0.1</b>	\$0.1	\$0.1
Services Fees	\$1.7	<b>\$1.4</b>	\$1.4	\$1.4
Court fines	\$0.0	<b>\$2.4</b>	\$2.4	\$2.4
Miscellaneous non-tax revenues	\$3.3	<b>\$3.0</b>	\$3.0	\$3.0
<b>Total Non-Respendable Revenue</b>	\$5.1	<b>\$6.9</b>	\$6.9	\$6.9

At the Court Administration Service (the Service), non-respendable revenues consist primarily of fees levied for filing documents within the registries, for sales of photocopies of judgments and for other revenues such as fines. Fine revenues are impossible to forecast and vary significantly in amount from year to year. The actual fine revenue collected this year is lower than the preceding few years. As a result, a four-year average has been used to forecast future non-respendable revenues, though actual amounts collected from fines from year to year are expected to vary considerably from the average estimated.

Miscellaneous non-tax revenues consist primarily of other revenues, but mainly come from the Employment Insurance (EI) Account of Canada. At the end of each fiscal year, the Service determines the cost associated with the administration of Employment Insurance cases. The total cost allocated by the Service for handling EI cases are expended against Human Resources and Skills Development Canada (HRSDC), the department responsible for the EI account.

As such, HRSDC would show an EI expense and the Service would show an equivalent, non-respendable revenue item. The purpose of this accounting exercise is to more accurately reflect the total cost of running the federal government's EI program and it is strictly internal to the government.



**Table 9: Resource Requirement by Branch or Sector**

(\$ millions)	Provide Registry Services	Provide Judicial Services	Total Planned Spending
Federal Court of Appeal and Court Martial Appeal Court of Canada Registry Operations	1.1		1.1
Federal Court Registry Operations	4.8		4.8
Tax Court of Canada Registry Operation	2.0		2.0
Quebec and Atlantic Region	4.9		4.9
Ontario Region	5.1		5.1
Western Region	4.4		4.4
Executive Offices <sup>(1)</sup>		3.7	3.7
Judicial Assistants		3.8	3.8
Law Clerk Program		3.0	3.0
Library		2.2	2.2
Office of the Chief Administrator <sup>(2)</sup>	1.5	0.8	2.3
Finance & Corporate Services, Chauffeurs & Court Attendants Services <sup>(3)</sup>	11.1	6.1	17.2
Human Resources	1.4	0.7	2.1
IM IT, Record Mgmt, Best Practices & Modernization	3.6	2.0	5.6
<b>Total</b>	<b>39.9</b>	<b>22.3</b>	<b>62.2</b>

(1) Includes Judges' Offices, Office of the Director General of Judicial Services, as well as Revisors.

(2) Includes Office of the Chief Administrator, Strategic Planning & Communications, and the Office of the Deputy Chief Administrator.

(3) Includes Office of the Director General of Finance & Corporate Services, Facilities Management, Telecommunications, Capital Projects, Security Services, Accounting Policy and Systems, Financial Planning, Budgeting and Analysis, Material Management and Contracting, Administration Services and Translation.

## **Table 12: Details on Project Spending**

Over the next three years the following projects have or are expected to exceed their delegated project approval level:

### **2006-2007**

1. Merge case management system
2. Digital Recording
3. Courts Accommodation Amalgamation Project
4. Courts Technology and Equipment Modernization Project
5. Program Integrity for additional new judges, supernumerary judges, deputy judges and prothonotaries and aboriginal cases (on-going for future year)

### **2007-2008**

1. Merge case management system
2. Courts Technology and Equipment Modernization Project

### **2007-2008**

1. Merge case management system
2. Courts Technology and Equipment Modernization Project

For further information on the above-mentioned projects see <http://www.tbs-sct.gc.ca/est-pre/estime.asp>

**Table 19: Internal Audits and Evaluations**

Internal Audits or Evaluations
<ul style="list-style-type: none"><li>• The completion of the work initiated in the previous year; and</li><li>• Conduct audits per risk based audit plan that is awaiting audit committee approval.</li></ul>



**SECTION IV – OTHER ITEMS OF INTEREST**





## **Program Activity - Corporate Services**

### **Key Initiatives**

In 2006-2007, many activities related to the amalgamation process will continue to be undertaken. For example, computer systems will be harmonized by acquiring common work tools, revising the network infrastructure and standardizing server applications. Key policies, procedures and systems in such areas as human resources and finance will be harmonized, and best practices of the two former organizations will be adopted.

### ***Significant Financial Issues for 2006-2007***

The most important financial issue that will need to be resolved in 2006-2007 surrounds program integrity funding. This relates to unfunded salary and travel expenses of prothonotaries, new Deputy Judges' expenses, including their fees and travel expenses, ongoing lengthy trials (e.g., aboriginal) and certain new key positions that were required as a result of the Service's merger.

The largest project to be conducted by the Service in 2006-2007 will be the fit-up of the newly constructed Toronto Federal Judicial Centre situated in downtown Toronto at 180 Queen Street West. Up to \$4.5M may be spent to acquire furniture, telecommunications and informatics equipment to fit up the new building which will accommodate both former organizations (i.e., Registry of the Federal Court of Canada and the Registry of the Tax Court of Canada) into one new building. The building is expected to be ready for occupancy in August 2006.

Finally, the Expenditure Review Committee instituted mandatory cuts on all government departments and agencies. The Service will be expected to save \$0.29M in 2006-2007 through procurement savings. The cuts attributed do not necessarily represent the actual amount of savings that can be generated by the Service. Negotiations between the Service and PWGSC to validate the amount of savings are ongoing.

### ***Human Resources/ People Capacity***

With the arrival of a new Learning Advisor in 2006-2007, we will be working on personal learning plans for employees.

A team of employees has been established to work on succession planning and on a developmental/leadership program given the aging of the workforce and the loss of senior staff, corporate memory and internal expertise.

In line with the *Public Service Modernization Act* (PSMA), the Human Resources Services Branch will continue to develop new staffing policies, guidelines, processes and tools to assist managers who will be receiving staffing sub-delegation. Managers will be required to develop human resources plans in line with their business plans, to determine their current and future needs.

## **Records Management**

Since the mid-1990s, the number of cases filed has steadily increased. This growth has resulted in greater demand for space to store court records as required in the *Federal Courts Act* and the *Tax Court of Canada Act*.

The Records Management Committee is currently reviewing the requirements for managing the records of the Service, as well as court records. This Committee will be making recommendations to the Acting Chief Administrator in relation to the retention and treatment of administrative and operational records. It will also be making recommendations to the Chief Justices pertaining to the retention of court records. Its work should lead to significant reductions in the amount of records that are kept in storage by the Service.

The Committee will also be working jointly with the Real Property Services and other stakeholders to explore strategies such as digital imaging/archiving and e-retrieval services to provide a business solution to its records storage and retrieval needs and facilitate the compliance of its statutory requirements to preserve the records of the Courts.

## **Government On-Line**

The former organizations work contributed to the goal of the Government of Canada's Government On-Line initiative, namely to use information and communication technology to provide Canadians with enhanced access to improved citizen-centred, integrated services, anytime, anywhere and in the official language of their choice. The Service is continuing to work toward achievement of the objectives of Government On-Line, as evidenced by the following activities, which will continue in 2006-07:

- changes to computers at public counters, which currently permit visitors to the registry to view only Federal Court of Appeal and Federal Court docket entries, will make it possible to view hearing lists, the decisions database, indexing information and the Web sites of the Courts.
- harmonization of the information systems of the Courts is necessary to improve communications between employees by providing uniformity and efficiency. The Internet sites and intranet will also continue to enhance accessibility to the Courts and the level of service offered.

Other improvements such as digital recording and scanning will be introduced in 2006-07 and 2007-08. A new case management system integrating the Service's two existing operational systems will incorporate the best practices of the two former organizations and provide improved online services to the public.

## **Improved Strategic Management**

In line with the government objective of strengthening public sector management, the Service will develop sound strategic management practices to enhance the

overall performance of the organization. The results of the MAF assessment will serve as the basis for improving the Service results and performance.

The following initiatives will be implemented over the planning period:

- developing an integrated planning framework to provide managers with information key to strategic and operational planning;
- developing a Performance Management Framework

Management practices and procedures at the Service will continue to be strengthened during this consolidation period. Our restructuring exercise is focused on accountability and responsibility for the cost-effective use of resources approved by Parliament to support the Service, while continuing to safeguard judicial independence. The Service will review improvements in accountability reporting against service and performance standards relating to the effective use of resources. Examples could include reporting on the timeliness of submitting cases to the Courts, resource utilization rates, service to litigants and increased productivity of the registries. In order to facilitate this, organization-wide performance measures will be developed.

The Service is also establishing an appropriate governance regime, which will include a review of the Senior Management Committee, an effective Audit and Evaluation Committee, a Human Resources Management Committee, and National and Local Labour-Management committees and Occupational Safety and Health committees.

### ***Security Services***

The Service continues its efforts to improve the security of judges, prothonotaries, staff and members of the public using its facilities. The development of internal policies and procedures has been prioritized. Working groups comprised of judges and staff have worked together to develop several comprehensive policies and procedures while trying to minimize the inconveniences imposed to our users through the implementation of certain security measures. In addition, the Service has developed a program aimed at heightening security awareness throughout the organization.

In 2006-07, the Service will be finalizing its Business Continuity Plan to ensure the continued availability of essential services, programs and operations, in the event of interruptions caused by unforeseen events such as extended power failures, severe weather conditions, etc. Furthermore, should a major civil emergency occur, the Federal Court will be capable of continuing to provide essential services to the government through the application of the Government of Canada Business Continuity Plan developed in cooperation with the Continuity of Constitutional Government Steering Committee (CCGSC). The CCGSC is headed by representatives of the Office of Public Safety and Emergency Preparedness Canada. A representative from the Service sits on the CCGSC ensuring the Courts requirements are met.

### ***Facilities Management***

The Service will continue to review its accommodation portfolio across Canada and at Headquarters with a focus on space optimization projects. In addition, the Service will lend its expertise and input in the development of the new Public Works and Government Services Canada (PWGSC) Judicial/Quasi-judicial Fit-up Standards. Revised courts standards will also be developed in cooperation with PWGSC based on current trends and needs to reduce overall government real estate costs.

## Appendix I: Other Information

### Contacts for Further Information

Further information on the strategic planning portion of this document can be obtained by contacting:

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#### Courts Administration Service

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CMAC	- Court Martial Appeal Court of Canada
TCC	- Tax Court of Canada

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