



# COURTS ADMINISTRATION SERVICE

Supporting the Delivery  
of Justice for all Canadians

2016–17  
ANNUAL  
REPORT

[HTML accessible version](#)





## Message from the Chief Administrator

I am pleased to present the Courts Administration Service (CAS) Annual Report for 2016–17 highlighting performance for the fiscal year ended March 31, 2017.

CAS plays an important role in assuring the effective functioning of Canada's legal system and enhancing judicial independence of the courts—two fundamental pillars of our Constitution. Through our work, we provide administrative support and services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada (the Courts). These services permit Canadians, commercial entities, other 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.

In fulfilling this vital role in 2016–17, CAS was guided by priorities focused on Information Technology (IT); federal judicial facilities; human resources; and security. These areas are all essential to excellence in service delivery to the Courts and their clients.

As you will read in the Annual Report, CAS implemented several initiatives focusing on these areas. Key among the results achieved in 2016–17 were physical security enhancements at CAS offices to protect all who work in, attend or visit the Courts. As well, work was undertaken to update critical information technology infrastructure, and refine elements of the corporate project management framework. In addition, a new national accommodation strategic plan was finalized to clearly define the immediate and long-term special purpose accommodations requirements of the Courts.

Our ability to successfully deliver on our priorities is grounded in the work performed by our employees. Recognizing the ongoing need to build a skilled and effective workforce to maintain the strength of our core business, we also moved forward on developing a new three-year integrated HR plan as well as progressing with succession planning and the establishment of an organizational learning and development plan.

With an increasing workload and complexity of case files, it is important that CAS has the resources necessary to support the Courts and Canadians in the administration of justice. While efforts have been made to realize efficiencies and to best utilize resources, it is recognized that additional resources are required to ensure the ongoing integrity of CAS' programs and services. Therefore, CAS will continue to work with the government to seek additional funding to ensure ongoing operational sustainability as well as to invest in required technological systems.

We can be proud of the accomplishments of the past year, and I am grateful for the invaluable contribution of our employees, as well as for the continued support of the Chief Justices and members of the courts.

**Daniel Gosselin, FCPA, FCA**  
Chief Administrator

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## PART I – Overview

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### RAISON D'ÊTRE

The Courts Administration Service (CAS) was established in 2003 with the coming into force of the *Courts Administration Service Act*, S.C. 2002, c. 8 (the Act). The role of CAS is to provide effective and efficient judicial, registry and corporate services to four superior courts of record – the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. The Act enhances judicial independence by placing administrative services at arm's length from the Government of Canada and enhances accountability for the use of public money.

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### RESPONSIBILITIES

CAS recognizes the independence of the courts in the conduct of their own affairs and aims to provide each court with quality and efficient administrative and registry services. Pursuant to section 2 of the Act, CAS is mandated to:

- facilitate coordination and cooperation among the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada for the purpose of ensuring the effective and efficient provision of administrative services;
- enhance judicial independence by placing administrative services at arm's length from the Government of Canada and by affirming the roles of chief justices and judges in the management of the courts; and
- enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary.

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### JUDICIAL INDEPENDENCE

Judicial independence is a cornerstone of the Canadian judicial system. Under the Constitution, the judiciary is separate from and independent of the executive and legislative branches of the Government of Canada. Judicial independence is a guarantee that judges will make decisions free of influence and based solely on fact and law. It has three components: security of tenure, financial security and administrative independence.

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### OUR MISSION

Provide timely and accurate judicial, registry, and corporate services to the four superior courts and to their clients in the most innovative and effective manner, while promoting a healthy workplace and encouraging employees' ongoing contribution to service delivery excellence.

## OUR VALUES

**Transparency** – We aim to provide timely and unfettered access to clear and accurate information.

**Respect** – We recognize that our employees are entitled to work in a harassment-free environment where everyone can freely express their opinions without fear of recrimination or reprisal.

**Innovation** – We encourage a work environment that fosters creativity and new ideas to improve our business practices and the quality of our services.

**Wellness** – We advocate attitudes and activities in the workplace which generate a sense of spirit and belonging, that have a potential to improve overall physical and mental health, and that facilitate, encourage and promote fun and a balanced work and personal life.

**Excellence** – We strive to be exemplary in everything we do.

## SERVICE DELIVERY ACROSS CANADA

The four Courts are itinerant, sitting in various locations across the country to reach Canadians. Consequently, CAS must be able to support members of the courts in preparing files, conducting hearings and writing decisions “anywhere, anytime.” CAS support for judicial and registry services is tailored to the particular needs of the four individual Courts, while for common areas, such as finance, human resources, information technology, information management, security and facilities, CAS acts as a provider of shared services to the Courts.

In 2016–17, court and registry services were offered in every province and territory through a network of twelve permanent offices and agreements with eight provincial and territorial courts. The two locations in Ottawa are headquarters to the four Courts. The main regional offices are in Vancouver, Toronto and Montréal, and local offices are in Calgary, Edmonton, Winnipeg, Québec City, Halifax, Fredericton and St. John’s.

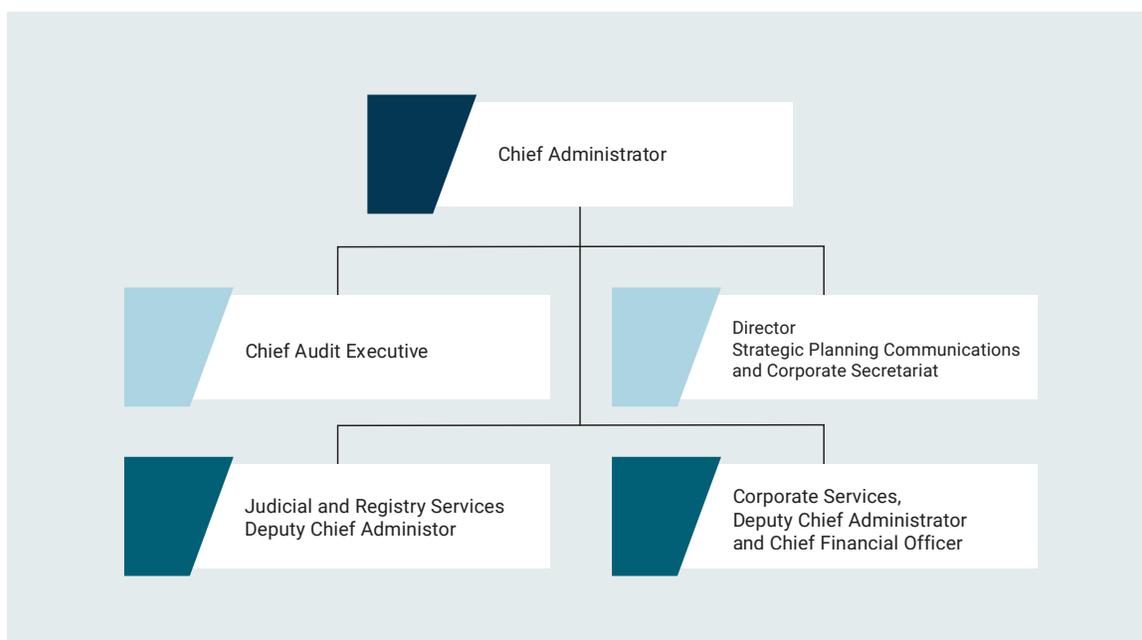
In 2016–17, 637 full-time equivalents provided services to the courts.





## Part II – Organizational Structure and Governance

The organizational structure is designed to best support CAS in delivering on its mandate and enhance leadership and coordination at all levels. The senior management team includes the Chief Administrator and two Deputy Chief Administrators.



### ROLE OF THE CHIEF ADMINISTRATOR

The Chief Administrator of CAS is the Chief Executive Officer of the organization and is accountable to Parliament through the Minister of Justice.

Subsections 7(2) and 7(3) of the *Courts Administration Service Act* specify that the Chief Administrator has all the powers necessary for:

- providing effective and efficient management and administration of court services, including court facilities, libraries, corporate services and staffing; and
- structuring registry operations and preparing budgets, in consultation with the Chief Justices of the four courts, for the requirements of those courts and the related needs of CAS.

Section 8 of the Act provides that the Chief Justices are responsible for the judicial functions of their courts; this includes the power to determine the sittings of the court, assign judges to sittings, determine the sitting schedules and places of sittings for judges and determine the total annual, monthly and weekly workload of judges. Moreover, officers, clerks and employees of CAS act at the direction of the respective Chief Justices in matters that are assigned by law to the judiciary.

Subsections 7(4) and 9(1) of the Act place two specific restrictions on the powers of the Chief Administrator:

- the powers of the Chief Administrator do not extend to any matter assigned by law to the judiciary; and
- a Chief Justice may issue binding directions in writing to the Chief Administrator with respect to any matter within the Chief Administrator's authority.

These sections were designed to ensure the institutional independence of the four federal courts from the other branches of the government, the executive and the legislative, while providing appropriate accountability for the funding provided by Parliament for the operation of the courts.

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## CORE RESPONSIBILITIES

CAS' core responsibility is to provide timely and efficient judicial, registry, court security and electronic court services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada; coordinate the provision of services among the four courts; and safeguard the independence of the Courts by placing administrative services at arm's length from the Government of Canada.

In support of this core responsibility, CAS undertakes activities in the following program areas.

### JUDICIAL SERVICES

The Judicial Services program provides legal services and judicial administrative support to assist members of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada in the discharge of their judicial functions. These services are provided by legal counsel, judicial administrators, law clerks, jurilinguists, judicial assistants, library personnel and court attendants, under the direction of the four Chief Justices.

### REGISTRY SERVICES

Registry services are delivered under the jurisdiction of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. The registries process legal documents, provide information to litigants on court procedures, maintain court records, participate in court hearings, support and assist in the enforcement of court orders, and work closely with the offices of the four Chief Justices to ensure that matters are heard and decisions are rendered in a timely manner. Registry services are offered in every province and territory through a network of permanent offices and agreements with provincial and territorial partners.

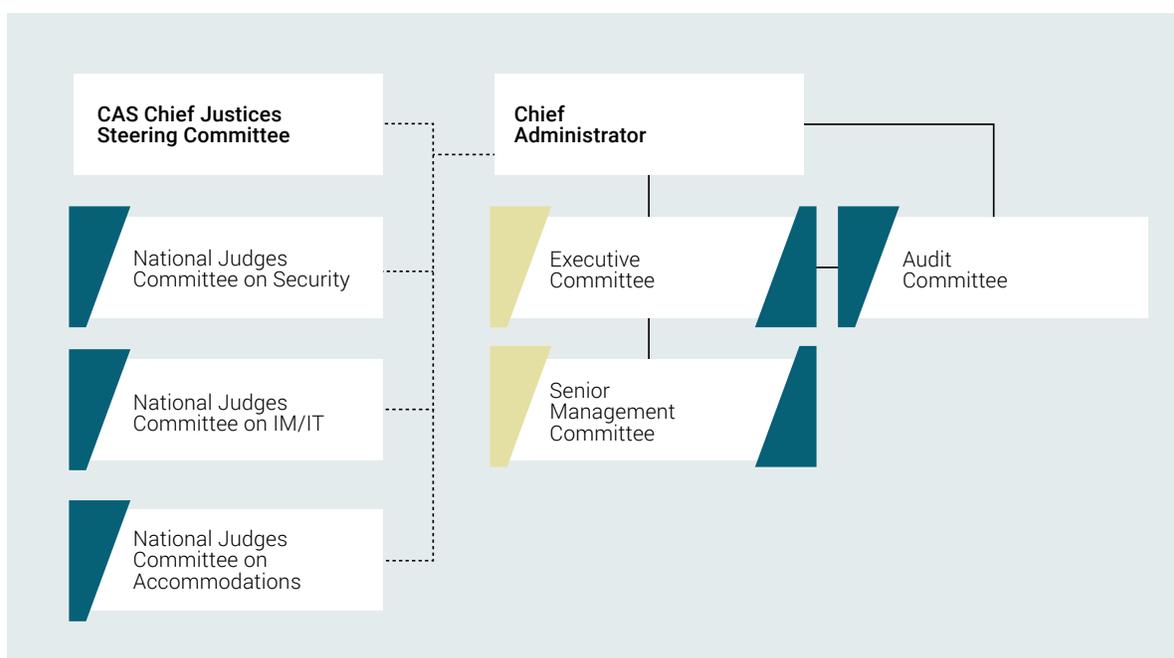
### CORPORATE SERVICES

Corporate Services support a range of corporate operations and functions by managing activities and resources which apply across the organization. The Branch provides operational services to assist the four Courts, and their respective registries, in carrying out their activities. Corporate services at CAS include: Finance, Contracting, Materiel Management, Human Resources, Information Management and Information Technology (IM/IT), Security, Facilities and Administrative Services, Investment and Project Management.

## ROLE OF THE CHIEF AUDIT EXECUTIVE (INTERNAL AUDIT FUNCTION)

The Chief Audit Executive manages the Internal Audit (IA) function of CAS and reports to the Chief Administrator. In compliance with Government of Canada Standards and International Internal Audit Standards, the Chief Audit Executive is a professional, independent from line management, objective assurance and advisory activity designed to add value and improve CAS' operations. The Chief Audit Executive supports CAS in achieving its business objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of CAS management control framework, governance and risk management systems and related practices.

The IA function achieves this value through the provision of reasonable assurance to the Chief Administrator, the Audit Committee and senior management. Specifically, IA conducts assurance engagements on various aspects of governance, risk management and control, and follow-ups on progresses made with respect to Management Action Plans developed to address audit recommendations made by IA and external assurance providers including the Office of the Auditor General of Canada or the Office of the Comptroller General of Canada.



## SENIOR COMMITTEES

CAS' governance is facilitated by a number of committees which help determine the requirements of each court and make informed decisions on key issues.

### CAS CHIEF JUSTICES STEERING COMMITTEE

The CAS Chief Justices Steering Committee assists the Chief Administrator with respect to CAS' priorities, risks, budget allocations and other significant matters affecting the conduct of the courts. It is supported by three National Judges Committees (Security, Information Management/Information Technology [IM/IT] and Accommodations) and its membership includes representatives of each of the courts and CAS.

The mandate of the CAS Chief Justices Steering Committee is to provide a forum to discuss decisions that affect the governance of CAS, and questions which pertain to CAS' relations with federal partners, in order to preserve judicial independence in keeping with the purposes of the *Courts Administration Service Act* (s. 2) and the respective roles and responsibilities of the Chief Justices and Chief Administrator as provided for under the Act. The Chief Administrator chairs the Committee.

## **NATIONAL JUDGES ADVISORY COMMITTEES**

Three subject matter Judges Advisory Committees on Security, IM/IT and Accommodations facilitate judicial involvement and collaboration on decisions pertaining to their respective areas. Sitting on each committee are judicial representatives from the courts, supported by functional members from CAS. The committees submit their recommendations to the CAS Chief Justices Steering Committee for consideration and endorsement. The Chief Administrator chairs all three committees.

## **EXECUTIVE COMMITTEE**

The Executive Committee is the organization's most senior decision-making body. Its mandate is to support the Chief Administrator in making informed and responsible decisions pertaining to the management and administration of the organization and to the services it provides to the four Courts. The Executive Committee serves as a forum for establishing the strategic direction on a wide range of issues, identifying corporate needs and considering the potential outcome of decisions on the priorities and resources of the organization and the four Courts.

## **SENIOR MANAGEMENT COMMITTEE**

The Senior Management Committee plays an essential role in all planning activities and also assists the decision-making process by reviewing operational and policy issues and making recommendations to the Executive Committee. It is also responsible for the implementation of final decisions taken by the Executive Committee. Membership comprises the executive cadre of the organization.

## **AUDIT COMMITTEE**

The Audit Committee provides the Chief Administrator with advice and recommendations regarding the sufficiency, quality and results of assurance on the adequacy and functioning of CAS' risk management, control and governance frameworks and processes, including accountability and auditing systems. Its membership includes the Chief Administrator, who chairs the Committee, and two external members: Ms. Doris Larrivée and Mr. James D. Wright, CPA, CA.



## PART III – The Courts We Serve

The four superior courts of record served by CAS were established by the Parliament of Canada pursuant to its authority under section 101 of the *Constitution Act*, 1867 “for the better administration of the Laws of Canada”. The services provided permit individuals, companies, organizations and the federal and provincial governments to submit disputes and other matters to the courts, and enable the courts to hear and resolve the cases before them fairly, expeditiously and as efficiently as possible.

### FEDERAL COURT OF APPEAL

The Federal Court of Appeal is a national, bilingual, bijural, superior court of record, which has jurisdiction to hear appeals of judgments and orders, whether final or interlocutory, of the Federal Court and the Tax Court of Canada. It may also review decisions of certain federal tribunals pursuant to section 28 of the *Federal Courts Act* and hear appeals under other acts of Parliament. Further information on the Federal Court of Appeal can be found at: [www.fca-caf.gc.ca](http://www.fca-caf.gc.ca).

The table below provides an overview of the workload of the Judicial and Registry Services in support of the Federal Court of Appeal.

Federal Court of Appeal	2016–17	2015–16	2014–15	2013–14	2012–13
Proceedings Instituted or Filed	527	527	621	496	595
Court Judgments, Orders and Directions Processed by the Registry	1,711	1,843	1,792	1,600	1,554
Files prepared for hearing and heard in Court	305	300	253	289	278
Days in Court	217	208	176	185	187
Recorded Entries	22,107	24,339	24,474	21,053	20,622
<b>Total Dispositions</b>	<b>539</b>	<b>615</b>	<b>474</b>	<b>541</b>	<b>490</b>

<b>Federal Court of Appeal</b>	<b>2016-17</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>	<b>2012-13</b>
<b>Active Proceedings as of March 31</b>					
Appeals from Federal Court (Final Judgment)	157	198	197	169	122
Appeals from Federal Court (Interlocutory Judgment)	53	49	72	64	58
Appeals from Tax Court of Canada	112	96	179	95	86
Applications for Judicial Review	97	87	69	47	182
Others	31	33	38	38	19
<b>Total</b>	<b>450</b>	<b>463</b>	<b>555</b>	<b>413</b>	<b>467</b>
<b>Status as of March 31</b>					
Not perfected	247	252	327	267	251
Perfectured	61	57	48	44	23
Consolidated	28	37	70	32	119
Reserved	46	32	29	28	15
Scheduled for hearing	51	66	56	21	43
Stayed	17	19	25	21	16
<b>Total</b>	<b>450</b>	<b>463</b>	<b>555</b>	<b>413</b>	<b>467</b>

## FEDERAL COURT

The Federal Court is a national, bilingual, bijural, superior court of record, which hears and decides legal disputes arising in the federal domain. Its jurisdiction derives primarily from the *Federal Courts Act*, though over 100 other federal statutes also confer jurisdiction on the Court. It has original, but not exclusive jurisdiction, over proceedings by and against the Crown (including Aboriginal law claims), and proceedings involving admiralty and intellectual property law. It has exclusive jurisdiction to hear certain national security proceedings and applications for judicial review of the decisions of federal commissions, tribunals and boards. Further information on the Federal Court can be found at: [www.fct-cf.gc.ca](http://www.fct-cf.gc.ca).

The table below provides an overview of the workload of the Judicial and Registry Services in support of the Federal Court.

Federal Court	2016-17	2015-16	2014-15	2013-14	2012-13
Proceedings Instituted or Filed	28,304	31,583	35,731	37,275	38,411
General Proceedings and Immigration	7,329	7,563	9,722	10,153	13,940
Income Tax Act certificates	13,551	14,816	14,816	14,846	13,277
Excise Tax Act certificates	7,111	9,070	10,792	11,956	10,795
Other instruments and certificates	301	258	401	320	429
Court Judgments, Orders and Directions Processed by the Registry	17,826	18,720	20,561	20,864	23,387
Files prepared for hearing and heard in Court	3,476	4,086	4,223	4,065	5,493
Days in Court	2,885	3,036	3,109	3,057	3,042
Recorded Entries	233,241	243,620	259,077	261,071	287,878
<b>Total Dispositions – General Proceedings and Immigration</b>	<b>7,547</b>	<b>8,275</b>	<b>9,030</b>	<b>11,460</b>	<b>11,610</b>
<b>Active Proceedings as of March 31</b>					
Aboriginal	240	223	210	216	232
Other appeals provided for by law	411	270	199	196	156
Admiralty	204	196	205	196	233
Intellectual property	520	485	485	543	532
Immigration	3,238	3,433	5,657	5,251	6,835
Crown	376	665	669	456	341
Judicial Review	763	869	840	859	783
Patented Medicines Regulations	20	24	55	67	88
<b>Total</b>	<b>5,772</b>	<b>6,165</b>	<b>8,320</b>	<b>7,784</b>	<b>9,200</b>

Federal Court	2016-17	2015-16	2014-15	2013-14	2012-13
Status as of March 31					
Not perfected	3,405	3,508	3,663	3,703	6,477
Perfected	236	399	632	1,323	1,490
Consolidated	909	717	776	197	64
Reserved	137	160	204	160	208
Scheduled for hearing	453	446	911	594	641
Stayed	632	935	2,134	1,807	320
<b>Total</b>	<b>5,772</b>	<b>6,165</b>	<b>8,320</b>	<b>7,784</b>	<b>9,200</b>

## COURT MARTIAL APPEAL COURT OF CANADA

The Court Martial Appeal Court of Canada is a national, bilingual, superior court of records, which hears appeals of court martial decisions. Courts martial are military courts established under the *National Defence Act*, which hear cases under the *Code of Service Discipline*. Further information on the Court Martial Appeal Court of Canada can be found at: [www.cmac-cacm.ca](http://www.cmac-cacm.ca).

The table below provides an overview of the workload of the Judicial and Registry Services in support of the Court Martial Appeal Court of Canada.

Court Martial Appeal Court of Canada	2016-17	2015-16	2014-15	2013-14	2012-13
Proceedings Instituted or Filed	4	3	10	11	9
Court Judgments, Orders and Directions Processed by the Registry	15	19	36	53	27
Files prepared for hearing and heard in Court	5	3	3	14	3
Days in Court	5	3	3	13	3
Recorded Entries	267	350	453	535	282
<b>Total Dispositions</b>	<b>2</b>	<b>2</b>	<b>10</b>	<b>9</b>	<b>5</b>

<b>Court Martial Appeal Court of Canada</b>	<b>2016-17</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>	<b>2012-13</b>
<b>Active Proceedings as of March 31</b>					
Application for review of a decision	0	0	0	0	0
Notice of Appeal	14	12	8	10	8
Application for review of an undertaking	0	0	0	0	0
Notice of motion commencing an appeal	0	0	0	0	0
<b>Total</b>	<b>14</b>	<b>12</b>	<b>8</b>	<b>10</b>	<b>8</b>
<b>Status as of March 31</b>					
Not perfected	0	0	5	5	5
Perfected	1	0	1	0	1
Consolidated	0	0	0	0	0
Reserved	12	1	2	5	0
Scheduled for hearing	1	11	0	0	2
Stayed	0	0	0	0	0
<b>Total</b>	<b>14</b>	<b>12</b>	<b>8</b>	<b>10</b>	<b>8</b>
<b>Status as of March 31</b>					
Complaint Against a Military Judge*	0	1	0	0	0

\* Pursuant to subsection 165.31(1) of the *National Defence Act*, the Chief Justice of the Court Martial Appeal Court of Canada has the power to appoint three judges of his Court to serve as members of the Military Judges Inquiry Committee. This committee has jurisdiction to commence an inquiry in relation to a complaint filed against a military judge of a court martial.

## TAX COURT OF CANADA

The Tax Court of Canada is a national, bilingual, superior court of records, which has exclusive original jurisdiction to hear appeals and references pursuant to 14 acts of Parliament. Most of the appeals filed with the Court are on matters arising under: *Income Tax Act*, Part IX of the *Excise Tax Act* (GST/HST), Part IV of the *Employment Insurance Act*, and Part I of the Canada Pension Plan. The constitution of the Tax Court of Canada is established by section 4 of the *Tax Court of Canada Act*. Further information on the Tax Court of Canada can be found at: [www.tcc-cci.gc.ca](http://www.tcc-cci.gc.ca).

The table below provides an overview of the workload of the Judicial and Registry Services Branch in support of the Tax Court of Canada.

<b>Tax Court of Canada</b>	<b>2016-17</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>	<b>2012-13</b>
Proceedings Instituted or Filed	6,390	5,892	5,455	5,316	5,381
Court Judgments, Orders and Directions Processed by the Registry	14,482	12,618	12,751	12,031	9,544
Files prepared for hearing and heard in Court	887	914	1,128	1,059	914
Days in Court*	2,465	2,553	2,213	2,373	2,253
Recorded Entries	183,351	177,380	170,241	177,342	147,884
<b>Total Dispositions</b>	<b>5,347</b>	<b>4,985</b>	<b>5,219</b>	<b>5,634</b>	<b>4,406</b>
<b>Active Proceedings as of March 31</b>					
Goods and Services Tax	1,592	1,417	1,248	1,086	1,390
Income Tax	8,586	7,722	6,804	6,410	6,335
Employment Insurance and Canada Pension Plan	336	293	462	484	470
Others	42	42	19	4	25
<b>Total</b>	<b>10,556</b>	<b>9,474</b>	<b>8,533</b>	<b>7,984</b>	<b>8,220</b>

<b>Tax Court of Canada</b>	<b>2016-17</b>	<b>2015-16</b>	<b>2014-15</b>	<b>2013-14</b>	<b>2012-13</b>
<b>Status as of March 31</b>					
Not perfected	1,271	1,207	1,485	1,134	1,417
Perfected	2,861	2,119	1,535	1,425	1,897
Reserved	88	132	125	134	110
Awaiting timetable	180	114	84	154	267
Scheduled for hearing	1,572	1,295	1,770	1,466	1,074
Specially Managed Cases	2,383	2,557	1,490	2,214	1,747
Awaiting another decision	2,201	2,050	2,044	1,457	1,708
<b>Total</b>	<b>10,556</b>	<b>9,474</b>	<b>8,533</b>	<b>7,984</b>	<b>8,220</b>

\* For the Tax Court of Canada, "Days in Court" is defined as the number of court sitting days scheduled which include conference call days, courtroom scheduled sitting days and on duty judge days.



## Part IV – The Year in Brief

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### FOCUSING ON PRIORITIES

#### INFORMATION MANAGEMENT AND INFORMATION TECHNOLOGY (IM/IT)

***Provide a robust, reliable and secure IM/IT infrastructure and modernize judicial support systems.***

A stable and efficient IT environment is essential to the conduct of court operations, the management of court documents and the provision of judicial and registry services to the courts and their users. The systems which support the judicial process– including the electronic filing, electronic scanning and digital audio recording (DARS) – are highly dependent on the IT infrastructure that supports them. In 2016–17, CAS continued to implement its multi-year IT infrastructure management plan to address outstanding rust-out, enhance the IT infrastructure required by the Courts and lay a solid foundation for the implementation of a Courts Registry Management System (CRMS), when funding permits.

#### FEDERAL JUDICIAL FACILITIES

***Develop and implement a national accommodation strategy in support of a workplace that is agile, adaptable and responsive to the changing needs of the courts and CAS.***

The Courts are national and itinerant, holding hearings in every province and territory through a network of 13 permanent offices and through agreements with eight provincial and territorial courts. The headquarters of the Federal Court of Appeals, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada are all located in Ottawa and serve the respective Chief Justices, Associate Chief Justice and members of each court. These offices also house the judicial services supporting each court, as well as the registrars of each court which provide direction and guidance to all offices across Canada.

The Courts require a range of special purpose space to conduct their business, including courtrooms, chambers, mediation rooms, alternative dispute resolution rooms, boardrooms, libraries and workspace for judicial and registry staff. The CAS National Accommodation Strategic Plan outlines a 10-year strategy for requirements across Canada to inform decision making and facilitate coordination with federal, provincial and territorial partners.

## SECURITY

### ***Implement sound approaches to enhance physical and IT security for members of the courts, court users and employees.***

In order to preserve judicial independence, members of the courts, employees and court users must be able to conduct business in an environment free from fear, harassment and intimidation. As such, a safe and secure environment is fundamental to the effective functioning of the Canadian justice system. To that end, in 2016–17, CAS implemented physical security enhancements in its facilities across Canada. CAS also focused on making improvements to IT security to protect the information held by the Courts and ensure continuity of operations.

## HUMAN RESOURCES MANAGEMENT

### ***Foster and implement a sustainable human resources model that will attract, develop, engage and retain a pool of diverse talent.***

Much of the work undertaken at CAS requires specialized skills and strong knowledge of the legal/judicial environment, as well as technical knowledge in the respective field of each Court. To meet its human resources requirements and have the right people in the right place at the right time today and for the future, CAS developed a new three-year integrated HR plan in 2016–17.

In terms of diversity and employment equity, CAS' employees reflect the changing composition of the Canadian workforce. The 2016–17 Management Accountability Framework (MAF) report revealed that for the four designated employment equity groups, CAS exceeds the MAF average for women (64.4% versus 60.94%), persons with disabilities (5.8% versus 5.77%) and visible minorities (16.8% versus 13.81%), but is below the MAF average for Aboriginal peoples (3.1% versus 4.09%).

In 2016–17, CAS focused on succession planning. CAS has a mature workforce with minimal age differences between junior and senior level employees. While the average age of the CAS workforce is 45.1. Approximately 153 (24%) of indeterminate employees are eligible to retire within the next five years. Eighteen of these 153 positions (12%) have been identified as key positions where any vacancy would pose an operational challenge.

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## 2016–17 HIGHLIGHTS BY PROGRAM AREA

### JUDICIAL SERVICES

In 2016–17, the Judicial Services program addressed critical needs to support the proper functioning of the judicial system.

Building on work performed in the previous year, Judicial Services took further steps in 2016–17 to increase the e-services capacity of the Courts and to make resources more readily available. In particular, considerable efforts were employed to address and adapt to the impacts of accelerating technological change on the Courts and their operations.

Judicial Services also invested considerable time and effort over the last fiscal year in addressing the impacts of increases in the number of complex and lengthy cases. The Courts have jurisdiction over a wide range of matters including immigration and refugee protection, intellectual property, application of income tax and other revenue-related laws, as well as matters pertaining to national security, aboriginal claims and environmental assessment. Cases that involve more complex matters of law, such as constitutional challenges, intellectual property, Aboriginal claims, immigration and taxation, often require a greater level of resources devoted to case preparation and to provide support to members of the courts and the registries. To improve timeliness in the area of Aboriginal litigation, new Aboriginal Litigation Practice Guidelines were implemented in 2016–17. These guidelines set out procedural options and best practices to assist the Courts, and lawyers and the parties they represent in this area of law.

Judicial Services also augmented its logistical support in 2016–17 due to the increase in the number of court committees and working groups supporting the *Rules and Bar Liaison Committees*.

As in previous years, the volume of court decisions requiring translation continued to increase in 2016–17. To meet this growing need, Judicial Services explored new approaches, including the new technologies, to meet translation requirements and invested in increased revision capacity to better meet demands.

### REGISTRY SERVICES

In 2016–17, the Registry Services program continued to deliver timely services to litigants and the Courts across Canada despite facing increasing workloads and demands.

To manage the high-volume workload over the course of the year, efforts were deployed to address impacts resulting from an increasing complexity of case files on registry resources. Where possible, resources were reallocated to provide additional support in validating and processing intellectual property, Aboriginal claims, taxation, and immigration files. Additional resources were also deployed to assist with the exponential increase in motions, particularly in cases where constitutional questions were being raised in the context of the *Canadian Charter of Rights and Freedoms*.

In an effort to move towards a digital environment and replace the paper-based systems currently in use, work continued in 2016–17 to develop requirements and funding options for a fully integrated Courts Registry Management System (CRMS). A modern CRMS would allow for efficiencies resulting from e-filing of court documents and automating workflows. It would also improve the gathering of data to support CAS' performance measures.

The re-engineering of operational training also remained a top priority for the registries in 2016–17. The new approach to training helped address workload pressures, incorporated best practices and emerging trends, addressed scheduling issues, and introduced changes in format and delivery methods to more aptly meet evolving operational requirements within the registries. Work was also done to streamline, modernize and improve the quality of training nationwide and to ensuring that employees had the up-to-date knowledge of the rules and processes required to enhance service delivery levels. New delivery mechanisms were also explored to better meet registry training requirements.

## **CORPORATE SERVICES**

In 2016–17, CAS continued to manage its available resources in a fiscally prudent manner allocating funds to the most pressing priorities. However, despite all possible efforts, CAS' limited resources represented an ongoing challenge. As such, CAS continued to work with the government to seek additional funding for essential support services for the Courts and ongoing operational sustainability.

Over the course of 2016–17, investments in physical security enhancements were made at CAS offices across Canada. This included a number of facilities improvements, security equipment, and new procedures to protect all who work in, attend or visit the Courts. To enhance the organization's security response capabilities, emergency plans were reviewed and strategic partnerships were established.

Over the course of the year, CAS began implementing its multi-year plan to update critical IT infrastructure and enhance enabling technology in order to address risks and operate more efficiently. This is part of CAS' ongoing priority to provide enabling and modern IM/IT infrastructure supportive of the requirements of the Courts and robust access to justice. It is also necessary work to establish a solid foundation for a modern CRMS.

CAS refined elements of its project management framework in 2016–17, as well as associated policies, procedures and tools to ensure clear direction and continued alignment of the framework with the scope and risks of CAS projects. A new National Accommodation Strategic Plan was also finalized in 2016–17 to clearly define the immediate and long-term special purpose accommodations requirements of the Courts. In addition, advancements were made in the development of plans to address issues relating to the storage of judicial records.

Progress was also made in the finalization of a new three-year integrated HR plan which is being implemented beginning in 2017–18. This plan will enable CAS to have a structured approach in the planning of human resources activities and have the right people in the right place at the right time today and for the future. In addition, to support the management of human resources across the organization, advancements were made in succession planning and an organizational learning and development plan was established.

CAS also continued to address occupational health and safety, duty to accommodate and universal accessibility requirements in 2016–17 to the extent possible. These efforts support CAS' commitment to ensure the well-being of members of the Courts and employees and demonstrate the organization's efforts to provide accessibility for the mobility impaired.



## PART V – Financial Statements Highlights

The highlights presented in this section are drawn from CAS' financial statements and are prepared on an accrual basis. These financial statements have been prepared using Government of Canada accounting policies, which are based on Canadian public sector accounting standards.

### Courts Administration Service

#### Condensed Statement of Operations (unaudited)

For the Year Ended March 31, 2017 (dollars)

Financial information	2016–17 Planned Results	2016–17 Actual	2015–16 Actual	Difference (2016–17 actual minus 2016–17 planned)	Difference (2016–17 actual minus 2015–16 actual)
Total expenses	97,825,423	101,101,357	101,941,788	3,275,934	(840,431)
Total revenues	2,783	7,786	2,875	5,003	4,911
Net cost of operations before government funding and transfers	<b>97,822,640</b>	<b>101,093,571</b>	<b>101,938,913</b>	<b>3,270,931</b>	<b>(845,342)</b>

<sup>1</sup> The 2016–17 planned results are those reported in the [Future-Oriented Statement of Operations](#) included in the 2016–17 Report on Plans and Priorities.

**Expenses:** CAS' total expenses were \$101,101,357 in 2016–17 (\$101,941,788 in 2015–16). The largest components of the decrease of \$840,431 (0.82%) were decreases in professional and special services, as well as accommodations.

- Salaries and employee benefits:** Salaries and employee benefits expense was \$54,401,270 in 2016–17 (\$53,678,562 in 2015–16). The \$722,708 (1.35%) variance is mainly due to an increase of 17 full-time equivalents, resulting in increases of \$1,016,871 in salaries and wages and \$357,514 in employer contribution to the health and dental insurance plans (related party transaction). These increases were partly offset by decreases of \$629,794 in the provision for severance benefits and \$21,883 in employer contributions to employee benefit plans. Part of the increase in full-time equivalents was to deal with additional work and compensatory controls to address over and under payments resulting from the Phoenix Pay System. More than half (53%) of CAS' total expenses in 2016–17 consisted of salaries and employee benefits.

- Operating:** Operating expenses totalled \$46,700,087 in 2016–17 (\$48,263,226 in 2015–16). The \$1,563,139 (3.24%) variance is mainly attributable to decreases of \$1,894,393 in professional and special services, \$896,428 in accommodations, \$344,912 in machinery and equipment and \$70,304 in materials and supplies. The decrease in professional and special services was largely driven by a decrease in translation and interpretive services, compared to 2015–16 when additional funds were allocated to these services. These decreases were partly offset by increases of \$667,293 in the amortization of tangible capital assets, \$449,958 in repair and maintenance, \$369,724 in rentals, \$169,719 in transportation and telecommunications. Other smaller variances resulted in a net decrease of \$13,796.

**Revenues:** The majority of CAS' revenues are earned on behalf of Government. Such revenues are non-respondable, meaning that they cannot be used by CAS, and are deposited directly into the Consolidated Revenue Fund. CAS earns a small amount of respondable revenue from the sale of Crown assets. CAS' gross revenues were \$3,069,931 in 2016–17 (\$2,979,168 in 2015–16) and net revenues were \$7,786 in 2016–17 (\$2,875 in 2015–16).

### Courts Administration Service

#### Condensed Statement of Financial Position (unaudited)

As at March 31, 2017 (dollars)

Financial Information	2016–17	2015–16	Difference (2016–17 minus 2015–16)
Total net liabilities	17,654,744	17,487,777	166,967
Total net financial assets	12,456,579	11,812,008	644,571
Departmental net debt	<b>5,198,165</b>	<b>5,675,769</b>	<b>(477,604)</b>
Total non-financial assets	12,848,216	10,527,383	2,320,833
Departmental net financial position	<b>7,650,051</b>	<b>4,851,614</b>	<b>2,798,437</b>

**Liabilities:** CAS' net liabilities as at March 31, 2017 were \$17,654,744 (\$17,487,777 as at March 31, 2016). The increase of \$166,967 (1%) is the result of the following:

- Accounts payable and accrued liabilities (43% of total liabilities):** Increase of \$1,891,011 mainly due to a \$923,217 increase in external accounts payable, primarily due to timing of equipment and service delivery, and \$798,305 increase in OGD accounts payable.
- Vacation pay and compensatory leave (13% of total liabilities):** Increase of \$292,221 mainly due to a \$217,851 increase in vacation pay.
- Deposit accounts (32% of total liabilities):** Decrease of \$1,432,754. Because they reflect many separate decisions of the Courts, deposits cannot be projected and the balance in the deposit accounts can vary significantly from year to year.
- Employee future benefits (12% of total liabilities):** Decrease of \$583,511 due to a decrease in the percentage factor used to calculate severance benefits.

**Assets:** The composition of CAS' financial and non-financial assets is the following:

**Financial assets:**

- Due from the Consolidated Revenue Fund (42% of gross assets)
- Accounts receivable and employee advances (9% of gross assets)

**Non-financial assets:**

- Tangible capital assets (47% of gross assets)
- Prepaid expenses (2% of gross assets)

**Net financial assets:** This is comprised of financial assets net of accounts receivable held on behalf of Government. Accounts receivable held on behalf of Government consist primarily of accounts receivable from other governmental organizations. The increase of \$644,571 is mainly due to an increase in the accounts receivable and advances.

**Non-financial assets:** The increase of \$2,320,833 is mainly due to the acquisitions of tangible capital assets, mostly related to the physical security and IT infrastructure, as well as a smaller increase in prepaid expenses.

**Departmental net debt:** This provides a measure of the future authorities required to pay for past transactions and events.

**Departmental net financial position:** This represents the net resources (financial and non-financial) that will be used to provide future services to the Courts and thereby to benefit Canadians.

## FURTHER FINANCIAL INFORMATION

The Financial Statements and Financial Statement Discussion and Analysis are available on-line at: <http://www.cas-satj.gc.ca/en/publications/dpr.shtml>



## APPENDIX I - Acronyms

<b>CAS</b>	Courts Administration Service
<b>CMAC</b>	Court Martial Appeal Court of Canada
<b>CRMS</b>	Courts and Registry Management System
<b>DARS</b>	Digital Audio Recording System
<b>FCA</b>	Federal Court of Appeal
<b>FC</b>	Federal Court
<b>IA</b>	Internal Audit
<b>IM/IT</b>	Information Management and Information Technology
<b>GST/HST</b>	Goods and Services Tax / Harmonized Sales Tax
<b>MAF</b>	Management Accountability Framework



## APPENDIX II Glossary

Term	Definition
Appeal from Federal Court (Final Judgment)	A proceeding instituted in the Federal Court of Appeal challenging a final judgment of the Federal Court.
Appeal from Federal Court (Interlocutory Judgment)	A proceeding instituted in the Federal Court of Appeal challenging an interlocutory judgment of the Federal Court.
Application for judicial review	A proceeding instituted challenging the decision of a federal board, commission or tribunal (section 28).
Application for review of a decision	A proceeding instituted to review a decision of a military judge.
Application for review of an undertaking	A proceeding instituted to review the conditions of an undertaking.

Term	Definition
Bijural	Applies to Canada's two systems of law: the common law and the civil law.
Consolidated	When different cases that have the same parties or have certain elements in common are heard together.
Days in Court	Each court sitting day where a registrar attends in person or by teleconference.
Directions	Instructions by the Court, written or oral.
Decisions	Proceedings concluded by way of judgment, discontinuance or other documents.
Files prepared for hearing and heard in Court	Number of appeals, hearings, judicial reviews, motions, teleconferences and meetings heard by the court.
Judgments	Decisions of the court.
Not Perfected	When the parties have not yet done everything required of them, according to the rules or orders of the court, in order for the case to be ready to be scheduled for a hearing.
Notice of Appeal	A proceeding instituted to appeal a decision of the Court Martial Appeal Court of Canada (verdict and sentence).
Notice of motion commencing an appeal	A proceeding instituted for release of detention pending a decision on the appeal.
Orders	Decision rendered by the courts.
Perfected	When the parties have complied with the rules or orders of the Court, in order for the case to be ready to be scheduled for a hearing or disposed of by the Court.
Proceedings Instituted or Filed	A matter or cause before the Court which includes appeals, actions, applications, applications for leave and for judicial review and where provided for by federal statutes, administrative proceedings such as the ones instituted by the filing of certificates, decisions or orders of federal boards, commissions or other tribunals in the registry of the federal courts for the purpose of enforcement.
Prothonotaries	They are appointed under the <i>Federal Courts Act</i> (s. 12). They are full judicial officers and exercise many of the powers and functions of Federal Court judges. Their authority includes mediation, case management, practice motions (including those that may result in a final disposition of the case, regardless of the amount in issue), as well as trials of actions in which up to \$50,000 is claimed (see Rules 50, 382, and 383 to 387 of the <i>Federal Courts Rules</i> ).
Recorded Entries	Entry and identification of a document in the Courts and Registry Management System.
Reserved	Proceedings set aside or Decision that is not rendered immediately after a case has been heard or argued.
Scheduled for hearing	Proceedings in which a hearing on the merits has been scheduled.
Specially Managed Cases	A proceeding that has been assigned to a specific judge.
Stayed	When a case is placed "on hold". For example, where another related decision is to be made before the case can be continued.

## Appendix III - Contact Us

### NATIONAL CAPITAL REGION

Courtrooms and Registry Operations of  
the Federal Court of Appeal (FCA),  
Federal Court (FC) and Court Martial  
Appeal Court of Canada (CMAC)

#### **Thomas D'Arcy McGee Building**

90 Sparks Street  
Ottawa, Ontario  
K1A 0H9

#### **Telephone**

FCA/CMAC: 613-996-6795  
FC: 613-992-4238

#### **Fax**

FCA/CMAC: 613-952-7226  
FC (Non-Immigration): 613-952-3653  
FC (Immigration): 613-947-2141  
TTY: 613-995-4640

#### **Toll free numbers**

FCA: 1-800-565-0541  
FC: 1-800-663-2096  
CMAC: 1-800-665-3329

#### **Registry and courtrooms of the Tax Court of Canada**

Centennial Towers  
200 Kent Street  
Ottawa, Ontario  
K1A 0M1

Telephone: 613-992-0901  
Fax: 613-957-9034  
TTY: 613-943-0946  
Toll free number TCC: 1-800-927-5499

Information on regional and local offices can be found  
on CAS' website at: [http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/CAS/locations\\_eng](http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/CAS/locations_eng)