



COURTS ADMINISTRATION SERVICE

# **ANNUAL REPORT** 2022-23



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**DARLENE CARREAU**

CHIEF ADMINISTRATOR  
AND CHIEF EXECUTIVE OFFICER

“*From coast to coast to coast, we work together to ensure that Canadians have access to, and trust in, a fair, efficient, and effective justice system.*”

It is my pleasure to present the 2022–23 Annual Report for the Courts Administration Service (CAS). CAS is a small department within the portfolio of the Minister of Justice that provides registry, judicial and corporate services to our 4 federally-constituted courts: the Federal Court of Appeal (FCA), the Federal Court (FC), the Court Martial Appeal Court (CMAC) and the Tax Court of Canada (TCC), known collectively as the Courts. It is playing a pivotal role in supporting the cost-effective delivery of justice to all Canadians, bolstering

public trust in Canadian institutions and the rule of law, while also safeguarding judicial independence.

2023 marks CAS’s 20th anniversary. The past 2 decades have ushered in significant changes, both in the expectations of those turning to the Courts and in the range of technological advancements that are available to streamline court operations and improve service delivery.

This report highlights CAS’s achievements over the past fiscal year. I am proud to report that we continued to build on the innovative responses that we deployed in the pandemic to sustain and reimagine court administration. In 2022–23, CAS received an historic-level investment of \$248M over 5 years to modernize and expand our court facilities across Canada. These important investments will ensure Canadians will have access to modern, equipped, digitally-enabled, accessible and secure court facilities across Canada for many years to come. Furthermore, we continued to prioritize the attraction, development, and retention of a high-performing and diverse workforce, and we implemented measures to further instill a service culture and a client-centric mindset.

In some cases, these achievements are associated with significant challenges from previous years that CAS continues to navigate. CAS was forced to revisit its approach to digital modernization, take stock of important lessons learned and address identified risks. Generally, we needed to establish a better, more resilient foundation to ensure future success. While such efforts are rarely glamorous, I believe that the work we have invested in this past year will pay dividends in the coming years.

CAS is a small organization with an ambitious agenda, operating in a complex environment with limited funding. In an age of constant change—where collectively Canadians and their institutions are navigating new technologies, evolving geopolitics and a challenging economy—CAS will continue to exercise sound financial stewardship while being innovative, agile, and resilient. Several measures are underway and will continue into 2023–24 to address specific funding pressures and work towards a more sustainable funding base. We are cognizant that without concerted efforts to both realize efficiencies and make the case for increased funding, there is a risk that current funding levels could impact our ability to meet the changing needs of the judiciary and Canadians, and ultimately undercut judicial independence and the rule of law. We are urgently seized with this work as a result.

We are commemorating our 20th anniversary by celebrating our achievements in support of our mandate, while also reflecting on the opportunities that lie ahead. More than 10% of our employees have worked at CAS since its creation; this is a testament to their dedication. I am incredibly proud of our workforce, particularly how every employee contributes to our success. From coast to coast to coast, we work together to ensure that Canadians have access to, and trust in, a fair, efficient, and effective justice system.

CAS has benefited immeasurably from the ongoing collaboration and support of the judiciary we serve. I extend my sincere gratitude to them, to my executive team, and to the dedicated employees of CAS who are key to our efforts to preserve and enhance access to justice, rule of law, independence of the courts and the public’s trust—fundamental principles of democracy that breathe life into Canada’s judicial branch of government.

**Darlene H. Carreau, LL.B.**

Chief Administrator and Chief Executive Officer

# OUR PRIORITIES

## DIGITAL COURTS

Deliver information technology solutions that provide for the effective management of court business, offer self-service to litigants and improve access to justice.



## WORKFORCE OF THE FUTURE

Attract, retain and develop a highly skilled, diverse and engaged workforce.  
  
Optimize our work environment and strengthen management excellence.



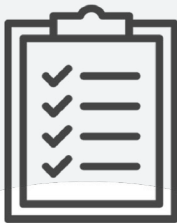
## NATIONAL COURTHOUSES AND COURT FACILITIES

Deliver modern, equipped, accessible and secure federal court facilities across Canada.



## SERVICE EXCELLENCE

Provide consistent, quality and timely client-centric services.  
  
Modernize our practices, processes and tools, and integrate new business and technological solutions.





# PART I: 2022-23 HIGHLIGHTS

CAS provides registry, judicial and corporate services to the Courts. This Annual Report highlights CAS's achievements and initiatives in the 2022–23 fiscal year.

We can look back on 2022–23 as a pivot year, where we exited the pandemic and started to prioritize longer-term strategic planning, identifying and addressing weaknesses in our foundations, and building on lessons learned. It was the first in what will be a series of transitional years, as CAS tackles an ambitious agenda of modernization and resiliency. In so doing, we continued to be guided by our 4 strategic priorities identified in the 2021–22 Annual Report: Digital courts, Workforce of the future, National courthouses and court facilities and Service excellence.

**DIGITAL COURTS** — *Deliver information technology solutions that provide for the effective management of court business, offer self-service to litigants and improve access to justice.*

In 2019, CAS launched a multi-year project to implement a new Courts and Registry Management System (CRMS) that would replace its legacy systems and enable the electronic management of court business. Almost immediately thereafter, CAS was confronted by the COVID-19 pandemic and was forced to fast track the implementation of a range of measures and technologies to deliver justice remotely and ensure continuity of court operations. While the solutions that were implemented aimed to meet urgent needs, they were seldom the best foundation

on which to build a sustainable digital future or realize efficiencies and meet the expectations of the judiciary and Canadians.

In the summer of 2022, CAS closed the current iteration of the CRMS Project Definition phase to absorb lessons learned and determine a more viable way forward; one that would be more user-centric, iterative, and aligned with the Government of Canada's [Digital Ambition](#) and requirements of the [Policy on Service and Digital](#). The experience also drove home the importance of aligning the Courts' expectations for digital projects, and of our internal capacity to manage and realize increasingly strategic and indispensable digital projects.

Along with CAS's regular maintenance of legacy systems, we began implementing a foundational reset to expand our internal digital capacity, work with the Courts to better align expectations, and incrementally deliver better digital tools and practices to improve court operations, including:

- **e-stamping** – enabling an electronic mechanism to stamp all court documents thereby further reducing the reliance on paper, including for the TCC's Appeals System Plus case management system
- **e-courtrooms** – upgrading courtrooms so that they are equipped to handle digital hearings; CAS now has 16 e-courtrooms, 6 of which were established in the 2022–23 fiscal year
- **e-filing** – making certain court documents available to the public, increasing the availability of information. Notably, significant work concluded in preparation for the planned launch of the FCA e-filing solution in the summer of 2023
- **Law Clerk Applicant System** – delivered a modern end-to-end system for law student applications for a Law Clerk position with our Courts and streamlining the selection process
- **TCC virtual proceedings** – allowing for the public and the Court to participate in virtual hearings, reducing the workload of the Registry

CAS is investing in, as well as leveraging, new technologies and emerging trends, not only to improve our services, but also to improve access to justice and meet the expectations of Canadians. Failure to do so would undermine the relevance of the Courts, and ultimately erode trust in the Courts and judicial system. In the coming year, CAS will further investigate emerging technologies, deploy automation to improve court and registry processes, and pilot the potential for artificial intelligence to add to our translation processes and capabilities.

**NATIONAL COURTHOUSES AND COURT FACILITIES** — *Deliver modern, equipped, accessible and secure federal court facilities across Canada.*

In 2022–23, CAS secured significant investments and set out a multi-year plan, referred to as the National Courts Facilities Modernization Program (NCFMP), to address medium to long-term

requirements for modern, equipped, accessible and secure courtrooms and court facilities across Canada. These investments will help ensure that our facilities continue to meet users’ needs and expectations and improve access to justice. Notably, the National Judicial Complex in Montréal will be the first court facility dedicated exclusively to the Courts.

The scope of the NCFMP work is considerable and will be staged over 5 years. In 2022–23, we completed the following:

- conceptual design work for the new National Judicial Complex in Montréal
- enabling work in Toronto, including completing the first draft of the functional program, installing a high-density shelving system, studying vertical transportation, and painting public areas in need of a refresh
- pre-implementation planning for projects in Halifax, Ottawa, Southern Ontario, Winnipeg, Saskatoon and Victoria

Throughout the year, many smaller-scale, though necessary, facilities improvements were completed, including:

- refresh of the Fredericton and Vancouver court facilities
- construction of new judicial chambers in Ottawa

Over the course of the year, the preventative measures put in place in CAS facilities (public, staff working areas and courtrooms) in response to the pandemic were adjusted and ultimately removed to reflect the evolution of public health guidelines.

In 2022–23, CAS continued to equip more courtrooms with modern technology to improve the service experience of hearings through improved access to digital documents in courtrooms and an improved ability to conduct hearings virtually or in a hybrid format. As stated above, 6 courtrooms were upgraded to e-courtrooms: 3 in Toronto, 1 in Ottawa, 1 in Vancouver and 1 in Calgary. CAS also increased the use of service-design practices to ensure that technology investments truly improved the courtroom experience, for both members of the Courts and litigants.

**WORKFORCE OF THE FUTURE** — *Attract, retain and develop a highly- skilled, diverse and engaged workforce. Optimize our work environment and strengthen management excellence.*

CAS’s ability to provide services to the Courts and Canadians is an expression of the strength of its workforce. Much of the work undertaken at CAS requires specialized skills and knowledge, and success necessitates high-achieving employees who are both agile and innovative, as well as diversity across our ranks. Consequently, both employee training and retention have emerged as key challenges to maintaining our high standard of service post-pandemic.

In this context, in 2022–23, CAS undertook initiatives to ensure it had the right people in place with the right skills to meet the Courts’ needs. By prioritizing progress in the areas of accessibility, diversity, equity, inclusion, recruitment, wellbeing and mental health, CAS is building a workforce that represents the public we serve, and that has the skills, expertise, experience, and support to meet the evolving needs of the Courts, Canadians and the public service. Highlights for the fiscal year 2022–23 included:

- Streamlining staffing processes to gain efficiencies, for example, establishing collective hiring processes to create perpetual pools, as well as standing inventories for difficult to staff positions.
- Emphasizing both mental health and a psychologically-healthy and safe environment, particularly through the leadership of the Mental Health Champion and specialized training sessions on topics such as self-care, resilience and coping with stress.
- Focusing the efforts of CAS’s Diversity, Inclusion and Anti-Racism Committee on establishing gender-neutral washrooms, renewing art installations within CAS facilities, and reviewing internal documentation such as policy instruments, plans, and tools. CAS also approved its Diversity and Inclusion Strategic Plan for 2022–25, which includes actions to eliminate all forms of racism and discrimination, and foster inclusion and a sense of belonging in our workplace. As a result, CAS has made significant strides in diversity, inclusion and equity, which respond to the Clerk of the Privy Council’s [Call to Action on Anti-Racism, Equity, and Inclusion in the Federal Public Service](#).
- Launching a change management strategy to build lasting organizational capacity to navigate and adapt to change. Workshops on emotional intelligence and on thriving through transitions were offered to all employees, and advisory services were made available for change initiatives and projects. Ultimately, CAS advanced the transition from a mindset of “how we do things now” to “how we will do things in the future.”
- Introducing a new Innovation Champion to identify, celebrate and ultimately further drive innovation within CAS.



Message from CAS’s Innovation Champion

Innovation is the lifeblood of CAS. In a context of stringent resourcing, aging information technology infrastructure and, not so long ago, pandemic limitations, our staff finds ways to deliver services that support the administration of justice. As we pursue modernization, we continue to rely on the ingenuity of our employees to realize positive change while maintaining operations at the Courts.

One challenge we face as an organization, however, is that we toil in silos. By default, our innovations are not common knowledge across the organization and the Courts because of our unique structure.

As Innovation Champion, I want the rising tide to float all boats. I want the can-do attitude and triumphs of our employees to blossom into a common culture of innovation.

The first step is to share. We are bringing simple stories of how employees made their work better from one corner of CAS and broadcasting them to the whole organization.

Once collected, these stories will help us ask some deeper questions. What made these successes possible? What got in the way? What can we do to keep it happening?

Making space to conceive, implement and champion innovation is a key to efficient and effective services, staff engagement and retention, and value for money. I look forward to sharing CAS’s success stories and fertilizing others.

**SERVICE EXCELLENCE** — *Provide consistent, quality and timely client-centric services. Modernize our practices, processes and tools and integrate new business and technological solutions.*

CAS’s guiding principle remains service excellence. By adopting a service-oriented mindset, applying service design principles, and placing justice system users at the center of what we do, CAS is improving how we deliver high-quality, modern, secure, accessible and reliable services to improve Canadians’ access to and experience with the justice system.

In 2022–23, CAS continued to focus on driving a cultural shift towards service excellence. Initiatives for the past fiscal year included:

- Conducting a service review of immigration registry services and identifying opportunities to enhance and reimagine service delivery over the coming years, including development of “journey maps” outlining the end-to-end experience from a user’s perspective to identify and eliminate pain points in the system.
- Establishing a new data science team and developing a preliminary data strategy to unlock the value of data as a strategic asset, including to continuously inform and

improve service delivery. By investing in obtaining quality data, gathering client insights, understanding user experiences, and measuring and improving service satisfaction, CAS will be able to improve how we work and make decisions, and thereby deliver better judicial and registry services.

- Reinvigorating strategic planning, risk management and governance with the aim of stabilizing and re-establishing more regular court operations. Notably, CAS improved workload distribution within and across regions and consolidated and integrated information management practices.

Providing our court decisions in both official languages continues to be a challenge that will increase in the coming years. Amendments to the Official Languages Act will come into force in June 2024, requiring CAS to release decisions in both official languages simultaneously when they are of precedential value. The impact on CAS’s operations will be very significant and resource intensive.

In 2022–23, in preparation for the implementation of the new requirements, CAS reviewed internal translation processes, negotiated augmented capacity from the Translation Bureau, secured new contracts with private-sector translation services, established agreements with graduate programs in legal translation, improved capacity, refined a costing model for the anticipated increase in volume, and worked with Government of Canada colleagues to identify approaches to funding. Nonetheless, expanded obligations without commensurate funding creates a very real possibility that we will be unable to comply. Recognizing the importance of our official language obligations, CAS will prioritize securing appropriate funding to ensure Canadians are able to access court decisions in the official language of their choice, as part of our commitment to access to justice.

Protocol Services

Some of the most momentous occasions in the course of a year are the swearing-in ceremonies for new judges, individuals who have reached the pinnacle of their profession. These are both solemn and celebratory occasions, and CAS is proud to lead their coordination.

In 2022–23, CAS coordinated 5 such ceremonies: 1 for the FCA, 1 for the FC and 3 for the TCC. In consultation with the chief justices, CAS plans the ceremonies according to the Order of Precedence for Canada, and in keeping with protocol for special sittings of the Court.

Looking ahead, 2023–24 will be a busy year as CAS coordinates 9 ceremonies for judges appointed during the pandemic, as well any additional ceremonies for those newly appointed. CAS also leads other protocol events such as swearing-out ceremonies of chief justices, portrait unveiling ceremonies, and opening ceremonies of new court facilities.



## PART II: WHO WE ARE



For almost 20 years, CAS has been integral to the shield that safeguards the judicial independence that is the foundation of Canada's judicial system. Our services support the Courts and facilitate access to justice for all Canadians by enabling litigants and legal counsel to submit disputes and other matters to be heard before the Courts. CAS safeguards and enhances the independence of the Courts, particularly through the provision of quality and efficient judicial, registry and administrative services.

### MANDATE

CAS was established on July 2, 2003, with the coming into force of the [Courts Administration Service Act, S.C. 2002, c. 8 \(CAS Act\)](#). As described in [section 2](#) of the CAS Act, our mandate is to:

- facilitate coordination and cooperation among the 4 Courts 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
- enhance accountability for the use of public money in support of court administration while safeguarding the independence of the judiciary

### Access to justice

In its philosophy and operations, CAS subscribes to a broad definition of access to justice shared by the [Department of Justice](#):

*Enabling Canadians to obtain information and assistance they need to help prevent legal issues from arising and help them to resolve such issues efficiently, affordably, and fairly, either through informal resolution mechanisms, where possible, or the formal justice system, when necessary.*

CAS's mandate is thus firmly anchored in access to justice, given the prerogative to both safeguard judicial independence and realize the effective and efficient provision of administrative services. In addition, each of our strategic priorities—digital courts, workforce of the future, national courthouses and court facilities, and service excellence—are designed to prioritize access to justice for all those who turn to the Canadian justice system.





### OUR MISSION

Providing innovative, timely and efficient judicial, registry, e-court, security and corporate services to the Courts.

### OUR GOAL

We are a national and international model of excellence in judicial administration.

### 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 that 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 Courts that CAS serves are national and itinerant, holding hearings across Canada to reach Canadians wherever they are. The Chief Justices are responsible for the judicial functions of their Courts, including the direction and supervision of court sittings and the assignment of judicial duties.

As of March 31, 2023, CAS had 792 full-time employees providing services to 91 members of the Courts, including Chief Justices, Associate Chief Justices, Justices, Associate Judges and Supernumeraries.

Judicial and registry services are offered in every province and territory through a network of 13 permanent offices and agreements with seven provincial and territorial courts. CAS supports members of the Courts in preparing files, conducting hearings and writing decisions “anywhere, anytime,” and maintains 57 courtrooms across Canada. The headquarters of the Courts are located in Ottawa, with primary regional offices in Vancouver, Toronto and Montréal, and local offices in Calgary, Edmonton, Winnipeg, Hamilton, Québec, Halifax, Fredericton and St. John’s.

**SERVICES OFFERED**

- **JUDICIAL SERVICES**  
CAS provides legal services and administrative support services to assist members of the Courts in the discharge of their judicial functions. Our judicial services are delivered by legal counsel, judicial administrators, law clerks, jurilinguists, judicial assistants, library personnel and court attendants, under the direction of the four Chief Justices and members of the Courts.
- **REGISTRY SERVICES**  
Registry services are delivered under the direction of each of the Courts through the respective registries, which process legal documents, provide information to litigants on court procedures, maintain court records, participate in court hearings, and support and assist in enforcing court orders. Our registry staff also work closely with the offices of the four Chief Justices to ensure that matters are heard and decisions are rendered promptly.



- **E-COURTS**

The e-court program modernizes the administration of justice by providing a range of modern, scalable and fully integrated electronic court and registry management solutions. The e-court program includes electronic filing of documents, transmittal of judicial orders and reasons and electronic hearings.

- **SECURITY**

The Court Security Program contributes to the safety of the Courts by developing, implementing and ensuring compliance with policies and procedures designed to ensure the safety and security of members of the judiciary, litigants and employees. The program also cultivates and enhances the organization's capacity to respond to threats through ongoing collaboration with law enforcement departments and agencies and the optimum use of security intelligence. Furthermore, the program identifies capability gaps and develops solutions to address deficiencies and enhance the organization's capabilities against potential threats.

- **CORPORATE SERVICES**

CAS furnishes a full range of corporate services to support the Courts and their respective registries. These services include acquisitions; communications services; financial management; human resources management; information management; information technology; legal services; management and oversight services; material; real property; travel and other administrative services.

- **GOVERNANCE AND ACCOUNTABILITY**

CAS is an independent organization within the portfolio of the Minister of Justice, with an arm's length relationship with the Minister of Justice and the Attorney General of Canada. As the chief executive officer of the organization and its deputy head, the Chief Administrator supervises and directs the work of CAS, with all the powers necessary to ensure the overall effective and efficient management and administration of court services. Our accountabilities are maintained through annual reports to Parliament. In addition, CAS's governance structure ensures meaningful consultation with the Courts and the participation of their members in key governance committees to discuss Court priorities. The Chief Justices Steering Committee (CJSC) advises the Chief Administrator on CAS's priorities, risks, budget allocations and other significant matters affecting the Courts. The CJSC is supported by three national judges committees (Security, Information Management/Information Technology and Accommodations), whose membership includes representatives of each of the Courts and CAS.



## **POWERS, DUTIES AND FUNCTIONS OF THE CHIEF ADMINISTRATOR AND CHIEF JUSTICES**

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

Subsections 7(2) and 7(3) of the CAS 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 Courts, for the requirements of those Courts and the related needs of CAS.

Section 8 of the CAS Act confirms 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 discharge their duties at the direction of the respective Chief Justice in matters that are assigned by law to the judiciary.

Subsection 9(1) of the CAS Act provides that "[a] chief justice may issue binding directions in writing to the Chief Administrator with respect to any matter within the Chief Administrator's authority."

In 2022–23, the Chief Administrator received 3 subsection 9(1) directions from the Chief Justice of the TCC relating to the approach to communicating with staff on hybrid work, and the desire to create new corporate positions within the TCC support organization.

These directions were considered within the legislative framework of the CAS Act and other related legislation. It was concluded that a direction issued by a chief justice cannot extend beyond the power the Chief Administrator enjoys; cannot be a vehicle by which one Court binds another; and cannot be inconsistent with the purposes identified in section 2 of the CAS Act. Within this framework, the directions were not found to be fully binding; nonetheless, the issues they raised were taken into consideration and steps were taken to address some of the underlying issues raised.

Given their contents and implications, the TCC subsection 9(1) directions and the Chief Administrator's response thereto were shared with all the chief justices. This led to 2 directions from the Chief Justice of the FCA reinforcing the position of the Chief Administrator.

In addition, issues continued relating to a previous, 2020 TCC subsection 9(1) direction regarding the cleaning services. CAS continues to actively monitor and take action when necessary to ensure the direction is addressed appropriately.



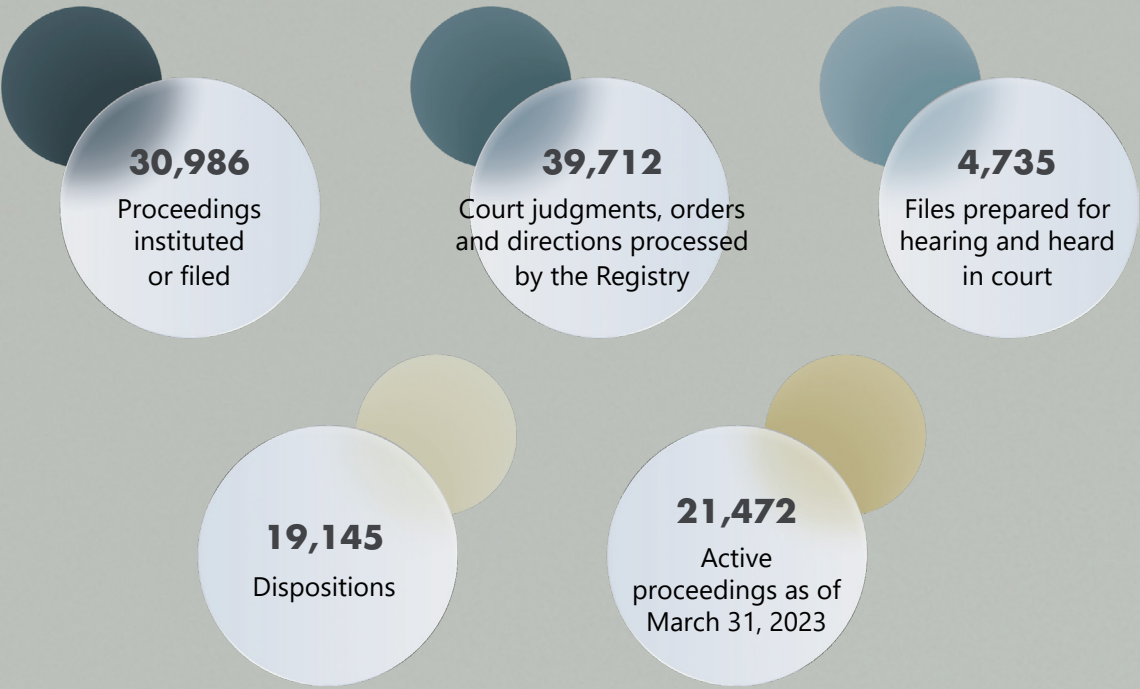


# PART III: THE COURTS WE SERVE

The Courts we serve 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”. In the exercise of their respective roles, the Courts make decisions, interpret and establish precedents, set standards and decide questions of law.

See Appendix II for a glossary of terms used in this section.

## 2022–23 STATISTICS AT A GLANCE





FEDERAL COURT OF APPEAL

The FCA is a national, bilingual, bijural, superior court of record that has jurisdiction to hear appeals of judgments and orders, whether final or interlocutory, of the FC and the TCC. It may also review decisions of certain federal tribunals pursuant to [section 28](#) of the [Federal Courts Act, R.S.C., 1985, c. F-7](#) and hear appeals under other federal legislation. Further information on the FCA is available of the [FCA website](#).

Table 1 below provides an overview of the workload of judicial and registry services in support of the FCA by fiscal year.

TABLE 1: FCA WORKLOAD

	2022-23	2021-22	2020-21	2019-20	2018-19
Proceedings instituted or filed	309	357	342	490	463
Court judgments, orders and directions processed by the registry	1,547	1,562	1,350	1,965	1,444
Files prepared for hearing and heard in court	224	216	163	239	200
Days in court	194	181	147	191	156
Recorded entries	16,358	17,947	16,208	22,632	20,294
Total dispositions	386	356	357	532	357
Active proceedings as of March 31					
Appeals from the FC (final judgments)	151	199	188	170	168
Appeals from the FC (interlocutory judgments)	63	80	63	76	76
Appeals from the TCC	88	92	103	136	182
Applications for judicial review	78	90	100	80	91
Others	24	18	23	35	23
Total	404	479	477	497	540
Status as of March 31					
Not perfected	214	259	255	276	290
Perfected	77	127	134	89	71
Consolidated	10	6	18	31	43
Reserved	60	44	22	34	49
Scheduled for hearing	26	28	31	32	40
Stayed	17	15	17	35	47
Total	404	479	477	497	540

Source: Proceedings Management System

FEDERAL COURT

The FC is a national, bilingual, bijural, superior court of record that hears and decides legal disputes arising in the federal domain. Its jurisdiction derives primarily from the [Federal Courts Act, R.S.C., 1985, c. F-7](#), although 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 FC is available on the [FC website](#).

Table 2 below provides an overview of the workload of judicial and registry services in support of the FC by fiscal year.

TABLE 2: FC WORKLOAD

	2022-23	2021-22	2020-21	2019-20	2018-19
Proceedings instituted or filed	27,438	15,809	8,100	33,727	33,088
• General proceedings and immigration	17,250	12,272	7,732	9,511	8,866
• Income Tax Act certificates	6,315	1,660	18	14,966	15,394
• Excise Tax Act certificates	3,615	1,542	98	8,981	8,513
• Other instruments and certificates	258	335	252	269	315
Court judgments, orders and directions processed by the registry	25,753	24,302	16,140	22,851	19,599
Files prepared for hearing and heard in court	3,798	3,831	2,981	4,010	3,602
Days in court	2,888	3,137	2,347	2,905	2,741
Recorded entries	308,763	248,782	170,612	263,652	245,497
Total dispositions – General proceedings and immigration	14,873	10,518	5,981	8,417	7,370
Active proceedings as of March 31					
Aboriginal	248	238	252	238	244
Other appeals provided for by law	59	70	71	68	57
Citizenship	83	74	45	33	27
Admiralty	269	243	181	178	181
Intellectual property	450	453	472	516	552
Immigration and refugee	7,792	6,590	5,821	4,140	3,264
Crown	634	630	624	781	689
Judicial review	1,186	870	777	893	858
Patented Medicines Regulations	66	41	68	63	32
Total	10,787	9,209	8,311	6,910	5,904
Status as of March 31					
Not perfected	7,038	5,463	4,327	4,310	3,799
Perfected	2,098	1,652	2,694	653	577
Consolidated	268	152	125	145	118
Reserved	283	375	151	222	214
Scheduled for hearing	604	598	501	501	354
Stayed	496	969	513	1,079	842
Total	10,787	9,209	8,311	6,910	5,904

Source: Proceedings Management System



COURT MARTIAL APPEAL COURT

The CMAC is a national, bilingual, superior court of record that hears appeals of court martial decisions. Courts martial are military courts established under the [National Defence Act, R.S.C., 1985, c. N-5](#) that hear cases under the [Code of Service Discipline](#). The judges of the CMAC are appointed by the Governor in Council from the FCA, the FC and the trial and appellate justices of provincial superior courts. Further information on the CMAC is available on the [CMAC website](#).

Table 3 below provides an overview of the workload of judicial and registry services in support of the CMAC by fiscal year.

TABLE 3: CMAC WORKLOAD

	2022-23	2021-22	2020-21	2019-20	2018-19
Proceedings instituted or filed	9	8	12	7	5
Court judgments, orders and directions processed by the registry	21	41	51	12	7
Files prepared for hearing and heard in court	9	7	20	3	3
Days in court	9	8	12	3	3
Recorded entries	444	407	361	227	135
Total dispositions	10	11	3	8	4
Active proceedings as of March 31					
Application for review of a decision	0	0	0	0	0
Notice of appeal	8	9	11	3	5
Application for review of an undertaking	0	0	1	0	0
Notice of motion commencing an appeal	0	0	0	0	0
Total	8	9	12	3	5
Status as of March 31					
Not perfected	5	5	2	2	2
Perfected	0	0	1	0	2
Consolidated	0	0	0	0	0
Reserved	3	3	6	0	1
Scheduled for hearing	0	1	2	1	0
Stayed	0	0	1	0	0
Total	8	9	12	3	5
Status as of March 31					
Complaint against a military judge*	0	0	0	0	0

\* Pursuant to [subsection 165.31\(1\)](#) of the National Defence Act, the Chief Justice of the CMAC has the power to appoint 3 judges of his Court to serve as members of the Military Judges Inquiry Committee. This committee has jurisdiction to commence an enquiry in relation to a complaint filed against a military judge of a court martial.

Source: Proceedings Management System

TAX COURT OF CANADA

The TCC is a national, bilingual, superior court of record that has exclusive original jurisdiction to hear appeals and references pursuant to 14 federal statutes. Most of the appeals filed with the Court are on matters arising under the [Income Tax Act, R.S.C., 1985, c. 1, Part IX](#) of the *Excise Tax Act*, R.S.C., 1985, c. E-1 (GST/HST), [Part IV](#) of the *Employment Insurance Act*, S.C. 1996, c. 23, and [Part I](#) of the *Canada Pension Plan*, R.S.C., 1985, c. C-8. The constitution of the TCC is established by [section 4](#) of the *Tax Court of Canada Act*, R.S.C., 1985, c. T-2. Further information on the TCC is available on the [TCC website](#).

Table 4 below provides an overview of the workload of judicial and registry services in support of the TCC by fiscal year.

TABLE 4: TCC WORKLOAD

	2022-23	2021-22	2020-21	2019-20	2018-19
Proceedings instituted or filed	3,230	3,426	2,325	4,684	5,211
Court judgments, orders and directions processed by the registry	12,391	10,278	7,043	13,603	13,759
Files prepared for hearing and heard in court	713	166	273	883	888
Days in court†	—	—	—	—	—
Recorded entries	152,927	122,263	91,329	177,820	181,006
Total dispositions	3,876	2,427	2,626	4,935	4,968
Goods and Services Tax / Harmonized Sales Tax (GST/HST)					
	1,584	1,622	1,539	1,453	1,390
Income tax					
	8,328	9,470	8,576	8,727	8,680
Employment Insurance and Canada Pension Plan					
	316	344	301	298	347
Others					
	45	68	40	31	54
Total	10,273	11,504	10,456	10,509	10,471
Not perfected					
	902	962	820	918	1,086
Perfected					
	3,216	4,452	4,719	3,513	2,719
Reserved					
	206	60	47	669	143
Awaiting timetable					
	224	152	107	151	188
Scheduled for hearing					
	1,358	1,120	740	963	1,536
Specially managed cases					
	2,987	2,815	1,964	2,014	2,571
Awaiting another decision					
	1,380	1,943	2,059	2,281	2,228
Total	10,273	11,504	10,456	10,509	10,471

Source: Appeal System Plus  
\* Data limitations prevent reporting on TCC's Days in Court

# PART IV: MANAGEMENT DISCUSSION AND ANALYSIS



## OPERATING ENVIRONMENT

In 2022–23, the following factors affected the environment within which CAS operates:

- **JUDICIAL INDEPENDENCE**

By establishing CAS, the CAS Act aims to enhance and safeguard judicial independence by placing administrative services at arm's length from the Government of Canada, while simultaneously enhancing accountability for the use of public money and facilitating coordination and cooperation between the Courts to ensure effective and efficient services. As a result, judicial independence is a key operational consideration for CAS when providing services to the Courts, as well as in supporting the roles of the chief justices and members of the Courts, but must be balanced alongside the obligations that are incumbent upon the Chief Administrator through the CAS Act and other legislative vehicles by virtue of her status as a deputy head. In Canadian jurisprudence, administrative independence is a key pillar of judicial independence, and services must be funded adequately to safeguard it.

- **COURT REQUIREMENTS**

The national and itinerant nature of the Courts also requires CAS to provide support to members of the Courts and deliver court and registry services in various locations across the country. In addition, each Court maintains their own approaches, processes and practice directions. These are all factors that CAS must consider when delivering services to the Courts. As a result of the legislative framework, CAS is uniquely tasked with managing the competing demands and priorities of the Courts from a single, limited funding pool. We always seek to appropriately balance short and long-term investments and investments in support of the needs of the different Courts, with an eye to efficiency and efficacy, as well as to coordination between the Courts where possible to maximize return on investment. In times of fiscal restraint, alignment, cooperation and transparent and effective governance become even more vital to maintaining operations.

● **VOLUME AND COMPLEXITY OF CASES BEFORE THE COURTS**

The volume of cases before the Courts is a critical determinant of the support required from CAS, particularly in terms of registry and judicial services. This volume can be somewhat unpredictable, as changes in legislation and regulations, policy decisions, and new precedents can all influence the number of cases submitted before the Courts. In addition, the nature and increasing complexity of the cases filed, particularly those related to national security, intellectual property, Aboriginal claims, taxation and immigration, can considerably impact the workloads of the Courts, which exacerbates pressures on staff, including judicial and registry services. Significant new volume of immigration cases is a specific pressure, which is exacerbated by CAS having yet to receive renewal of sunseting asylum case funding from Budget 2019, as are current outstanding backlogs at the Courts.

● **DEMANDS FOR DIGITALLY ENABLED SERVICES**

Today, people routinely conduct business online and demand the same services from the government as they receive from private sector organizations. Members of the Courts, litigants and the legal community expect modern technologies and electronic tools to be integrated with the Canadian legal system. Emerging technologies and new trends in delivering electronic services are key considerations for CAS in its service delivery and systems. However, legacy systems currently employed by CAS offer limited functionality to accommodate more nimble electronic services and e-courts in the short-term.

● **SERVICE DELIVERY CAPACITY**

CAS’s ability to provide the required services to meet the operational needs of the Courts, as well as associated services to litigants and their legal counsel, is dependent on available financial and human resources. CAS continues to enhance operational efficiency, but existing funding is insufficient to fully meet current demands and transform court operations. CAS will continue to pursue funding to ensure that the organization has the resources necessary to deliver the level of mandated services necessary to maintain access to justice and the Courts’ legitimacy.

● **WORKFORCE**

Much of the work undertaken at CAS requires specialized skills and a strong knowledge of the legal and judicial environment, as well as knowledge of the respective jurisdictions, legislation, rules, practice notices and processes of each Court. Given the unique skills set required, CAS must often compete with other courts and administrative tribunals across Canada or other federal departments to attract and retain skilled employees. CAS will accelerate efforts to invest in succession planning and talent management to staff areas and positions that are critical to ongoing operations and long-term goals. In this context, institutional memory, knowledge transfer and digital literacy are all vital considerations as we work to recruit, train, retain and ultimately maintain our workforce.

**FUTURE PLANS**

**Digital courts** — *Deliver information technology solutions that provide for the effective management of court business, offer self-service to litigants and improve access to justice.*

In 2023–24, CAS will accelerate the strategic development and incorporation of digital tools to improve the delivery of and access to justice in the Courts. Planned highlights for 2023–24 include:

- developing a service and digital strategy to guide the digital modernization and service improvement of the Courts, as well as the renewal of the Courts’ legacy systems
- deploying new automated technological solutions to increase efficiency of the Courts operations
- incrementally migrating legacy system functionality to a more modern platform to mitigate risks resulting from an aging information technology infrastructure and improve the user experience for judges, registry staff and litigants
- refreshing digital governance and engagement frameworks to ensure alignment among the Courts, with more active engagement and collaboration to strengthen mutual trust and results
- launching an upskilling and engagement program to showcase emerging technologies and ensure employees have the skills and resources they need to lead the modernization of the Courts

**Court facilities** — *Deliver modern, equipped, accessible and secure federal court facilities across Canada.*

In 2023–24, CAS will continue to advance the NCFMP. Planned highlights for 2023–24 include:

- completing design work for the National Judicial Complex in Montréal and the Toronto court facility
- concluding the archeological exploration of the National Judicial Complex site in Montréal
- advancing design work for projects in Halifax, Ottawa, Southern Ontario, Winnipeg, Saskatoon, and Victoria



**Workforce of the future** — *Attract, retain and develop a highly skilled, diverse and engaged workforce. Optimize our work environment and strengthen management excellence.*

Planned highlights for 2023–24 include:

- accelerating multi-year plans to fully modernize and refresh registry training programs
- launching plans and directives, such as:
  - Diversity and Inclusion Strategic Plan
  - 2023–26 Official Languages Strategic Plan
  - Employment and Equity Plan
  - Updated CAS Code of Conduct
  - Directive on Conflict of Interest
  - Mental Health Strategy
  - Recruitment Strategy
- implementing new tools to eliminate bias and barriers in selection processes
- reviewing Public Service Employee Survey results to identify areas for further attention
- launching an upskilling program to ensure employees have the knowledge, skills and mindset to deliver a digital-first experience
- developing common approach to change management training
- celebrating CAS 20th anniversary



**Service excellence** – *Provide consistent, quality and timely client-centric services. Modernize our practices, processes and tools and integrate new business and technological solutions.*

CAS aims to enhance services and provide positive experiences for the Courts and those who appear before them. Planned highlights for 2023–24 include:

- deploying training to strengthen CAS’s service culture
- compiling a service inventory and assessing the maturity and performance of CAS’s top services to better prioritize service modernization investments
- developing service design components and blueprints to help reimagine CAS’s future top services
- leveraging our newly-established data science team to strengthen the reliability of our current data capture mechanisms and convert more raw data into insights with the help of service performance dashboards and real-time reports to improve data-driven decision making
- implementing internal strategies to improve timely translation of Court decisions, including integrating artificial intelligence, continuing to build the case for increased funding, and procuring a third-party study to identify additional process improvements, to be ready to comply with the relevant provisions in [Bill C-13](#) (*Act to Amend the Official Languages Act, to enact the Use of French in Federally Regulated Private Businesses Act and to make related amendments to other Act*) in June 2024

**KEY CORPORATE RISKS**

CAS operates in a complex, changing environment, characterized by a wide array of dependencies and interdependencies. In this context, CAS is exposed to a range of potential risks that, should they materialize, would make it more difficult to realize its planned results and outcomes.

In 2022–23, CAS launched a comprehensive process to identify most significant exposures, as well as their causes, potential impacts and current and future mitigation measures.

The key corporate risks are:

- the organization will not be able to attract, develop and retain an agile workforce with the skills needed to meet the evolving business practices and needs of CAS and the Courts
- legislative, functional and governance frameworks will prevent the organization from delivering its mandate
- organizational funding is inadequate to meet legislative requirements
- organizational capacity and resources will not allow the organization to keep up with the evolving expectations of its employees, Canadians and the Courts
- the organization will not meet the security and privacy expectations of members of the Courts, court users, and employees
- the organization will not be able to maintain an acceptable level of service in the event of disruption
- authoritative information to support decision making will not be available

In 2023–24, CAS will launch a corporate-wide program of active risk management. Not only will this ensure that key exposures are well-managed and results achieved, but it will also allow CAS to better understand which calculated risks should be accepted and still promote advancements, innovation and transformation. Risk management and strategic planning go hand in hand, and establishing a risk profile supports decision making and allocation of limited resources to the appropriate risks.



# PART V: FINANCIAL STATEMENT HIGHLIGHTS



Condensed Statement of Operations (unaudited) for the year ended  
March 31, 2023 (dollars)

Financial Information	2022-23 Planned Results	2022-23 Actual Results	2021-22 Actual Results	Difference (2022-23 Actual Results minus 2022-23 Planned Results)	Difference (2022-23 Actual Results minus 2021-22 Actual Results)
Total expenses	131,122,575	145,940,614	130,920,683	14,818,039	15,019,931
Total revenues	0	159	307	159	(148)
Net cost of operations before government funding and transfers	131,122,575	145,940,773	130,920,990	14,818,198	15,019,783

**Note:**

The 2022–23 planned results are those reported in the [future-Oriented Statement of Operations](#) included in the 2022–23 Departmental Plan.

**Expenses:** CAS’s total expenses were \$145,940,614 in 2022–23 (\$130,920,683 in 2021–22). The increase of \$15,019,931 (11.47%) is mainly due to the increase of \$8,410,595 in salaries and wages, and an increase of \$6,609,336 in operating expenses.

- *Salaries and employee benefits:* The salaries and employee benefits expense was \$82,602,089 in 2022–23 (\$74,191,494 in 2021–22). The \$8,410,595 (11.34%) variance is due to increases of \$7,163,339 in salaries and wages, and \$792,170 in employer contributions to employee benefit plans, both of which were a direct result of the increase in 37 full time equivalents (FTEs), and the retroactive pay resulting from the expired collective agreements as of March 31, 2023. Other variances include: \$369,471 in the provision of severance benefits, and an increase of \$85,615 in employer contributions to the health and dental insurance plans (related party transaction). More than half (56.60%) of CAS’s total expenses in 2022-23 consisted of salaries and employee benefits.

- *Operating:* Operating expenses totalled \$63,338,525 in 2022–23 (\$56,729,189 in 2021–22). The \$6,609,336 (11.65%) variance is mainly attributable to increases of \$2,697,841 in professional and special services, \$1,146,496 in amortization of tangible capital assets, \$988,957 in accommodation, \$792,199 in transportation and telecommunications, \$627,392 in rentals, \$505,583 in miscellaneous expenditures, \$307,895 in repairs and maintenance, and \$143,667 in machinery and equipment. These increases were partly offset by decreases of \$551,356 in materials and supplies, and \$49,310 in printing and publishing.

**Revenues:** The majority of CAS’s revenues are earned on behalf of Government. Such revenues are non-respendable, meaning that they cannot be used by CAS, and are deposited directly into the Consolidated Revenue Fund (CRF). CAS earns a small amount of spendable revenue from the sale of Crown assets. CAS’s gross revenues were \$3,431,161 in 2022–23 (\$2,397,611 in 2021–22) and its net revenues were \$159 in 2022–23 (\$307 in 2021–22).

**Condensed Statement of Financial Position (unaudited) as of March 31, 2023 (dollars)**

Financial Information	2022–23	2021–22	Difference (2022–23 minus 2021–22)
Total net liabilities	26,492,419	24,370,814	2,121,605
Total net financial assets	16,580,852	19,847,492	(3,266,640)
Departmental net debt	9,911,567	4,523,322	5,388,245
Total non-financial assets	28,423,627	29,164,849	(741,222)
Departmental net financial position	18,512,060	24,641,527	(6,129,467)

**Note:**

**Total liabilities:** CAS’s net liabilities as at March 31, 2023 were \$26,492,419 (\$24,370,814 as at March 31, 2022). The increase of \$2,121,605 (8.71%) is the result of the following:

- Accounts payable and accrued liabilities (54.40% of total liabilities): Increase of \$3,053,862 composed of an increase of \$1,367,848 in accounts payable to other government departments and agencies and of \$3,002,629 in accrued liabilities related to salaries and wages. The increase is offset by a decrease of \$1,316,615 in accounts payable to external parties.

- Deposit accounts (22.98% of total liabilities): The decrease of \$923,748 in deposit accounts reflects many separate decisions of the Courts. Deposits cannot be projected and the balance in the deposit accounts can vary significantly from year to year.
- Vacation pay and compensatory leave (17.16% of total liabilities): Increase of \$131,701 includes an increase of \$175,606 in vacation pay allowance, partly offset by a decrease of \$43,905 in compensatory leave allowance.
- Employee future benefits (5.46% of total liabilities): The decrease of \$140,210 is due to a decrease in the severance benefit liability.

**Assets:** The composition of CAS’s financial and non-financial assets is as follows:

*Financial assets:*

- Due from the CRF (32.72% of gross assets)
- Accounts receivable and advances (6.54% of gross assets)

*Non-financial assets:*

- Tangible capital assets (54.87% of gross assets)
- Prepaid expenses (4.35% of gross assets)
- Inventory (1.52% of gross assets)

**Total net financial assets:** This is comprised of financial assets net of accounts receivable held on behalf of Government. Accounts receivable held on behalf of the Government of Canada consist primarily of accounts receivable from other governmental organizations. The decrease of \$3,266,640 is due to a decrease in the accounts receivable and advances and amount due from the CRF as well as an increase in accounts receivable and advances held on behalf of the Government.

**Total non-financial assets:** The decrease of \$741,222 is mainly due to a decrease of \$1,730,060 in tangible capital assets related to facilities renovation projects, and installation of informatics equipment. This decrease is partly offset by an increase of \$959,669 in prepaid expenses and \$29,169 in inventory.

**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 online at:

<http://www.cas-satj.gc.ca/en/publications/dpr.shtml>.

**ACRONYMS**

<b>CAS</b>	Courts Administration Service
<b>CJSC</b>	Chief Justices Steering Committee
<b>CMAC</b>	Court Martial Appeal Court of Canada
<b>CRMS</b>	Courts and Registry Management System
<b>FC</b>	Federal Court
<b>FCA</b>	Federal Court of Appeal
<b>GST/HST</b>	Goods and Services Tax / Harmonized Sales Tax
<b>NCFMP</b>	National Courts Facilities Modernization Program
<b>R.S.C.</b>	Revised Statues of Canada
<b>S.C.</b>	Statues of Canada
<b>TCC</b>	Tax Court of Canada



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 document that commences a proceeding in the Federal Court of Appeal or the Federal Court challenging the decision of a federal board, commission or tribunal.
Application for review of a direction	A document that commences a proceeding in the Court Martial Appeal Court to review a direction of a military judge ( <a href="#">paragraph 5(1)(a)</a> of the <i>Court Martial Appeal Court Rules</i> and <a href="#">section 159.9</a> of the <i>National Defence Act</i> ).
Application for review of conditions of an undertaking	A document that commences a proceeding in the Court Martial Appeal Court to review the conditions of an undertaking ( <a href="#">paragraph 5(1)(c)</a> of the <i>Court Martial Appeal Court Rules</i> and <a href="#">section 248.8</a> of the <i>National Defence Act</i> ).
Associate judges	Judicial officers appointed under section 12 of the Federal Courts Act and section 11.1 of the Tax Court of Canada Act. (Associate judges were formerly known as prothonotaries or a prothonotary).
Bijural	Refers to Canada’s 2 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	Sitting days where a registrar attends in person, by videoconference or by teleconference.
Directions	Instructions given by a judge or associate judge, in writing or oral.
Dispositions	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 and meetings heard by the court.

Judgments	A final decision of a judge or associate judge of all of the issues raised in a case.
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 in the Court Martial Appeal Court to appeal a decision from a court martial.
Notice of motion commencing an appeal	A proceeding instituted in the Court Martial Appeal Court to appeal a decision or an order refusing an application to be released from detention or imprisonment or an order rendered under <a href="#">section 248.81</a> of the <i>National Defence Act</i> .
Orders	A type of decision of a judge or associate judge.
Perfected	When the parties have complied with the rules or orders or direction of the Court, in order for the proceeding to be ready to be scheduled for a hearing.
Proceedings instituted or filed	A matter 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 Courts for the purpose of enforcement.
Recorded entries	Entry and identification of documents and events in the Proceedings Management System (in the Federal Court of Appeal, Federal Court and Court Martial Appeal Court; and the Appeals System Plus in the Tax Court of Canada).
Reserved	When a judge or associate judge does not render a decision immediately after a case has been heard or argued.
Scheduled for hearing	Proceedings in which a hearing, on the facts and evidence in a case, has been scheduled.
Specially managed cases	A proceeding that has been assigned to a specific judge or associate judge.
Stayed	When a proceeding, decision or action by a person or entity is stopped or put a hold.



## CONTACT US

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Information on regional and local offices is available on the [CAS website](#).