

## COURTS PERSONNEL AND EXPENDITURES SURVEY SCORING RULES

### GENERAL NOTES AND INSTRUCTIONS:

- 1. Purpose of Survey:** The Courts Personnel and Expenditures Survey, conducted biennially by the Courts Program, Canadian Centre for Justice Statistics, collects information on court personnel and the costs of operating the Canadian court system. This information assists the partners in the Justice Initiative in addressing their policy and management agendas.
- 2. Fiscal Year:** All data requested pertain to the fiscal year **April 1, 2002 to March 31, 2003**.
- 3. When Data are Not Available or Not Applicable:** If you are unable to break down the categories into their component parts (e.g. Full-time Judiciary by Sex), please provide the aggregate total and indicate 'N/Av'(Not Available) in the appropriate cell(s).

Similarly, if a particular figure is not available, please indicate 'N/Av' or, preferably, provide a reasonable estimate of the figure - estimates should be indicated by 'e' (estimate). For example, an estimate of \$565,000 in Salaries and Wages for Judiciary of the Superior Courts would be written as '\$565,000 (e)' in the corresponding cell.

If a particular category is not applicable, please indicate 'N/Ap' (Not Applicable).

**SECTION 1: Actual judicial personnel as of March 31, 2003.** Full time equivalent judiciary by level of court and sex (lines 1 to 5)

1. Allocate the number of full-time and supernumerary judiciary (full-time equivalents) by sex and their respective court of jurisdiction (i.e. Courts of Appeal, Superior Courts, or Provincial/Territorial Courts).

**Judiciary: Include** all provincially and federally appointed judiciary. Judges from all levels of courts within your province/territory should be included (i.e. Provincial/Territorial Courts, Superior Courts, Courts of Appeal).

For the Judiciary, exclude justices of the peace, prothonotaries, masters, registrars, judicial officers and clerks of the court performing quasi-judicial functions, **however, these should be included in Court Staff (Sections 3 and 4).**

**Exclude** vacant positions.

**Full-time Judiciary** (line 1 and 3): **Include** all full-time judges appointed by the Minister of Justice Canada or by the Province.

**Supernumerary Judiciary** (line 2 and 4): **Include** all non-retired, active judges over the age of 65 years.

**Total Judiciary** (line 5): Provide the total number of judiciary by sex and the total number for judiciary (sum of lines 1, 2, 3, and 4).

## SECTION 2: Salaries and Benefits Paid to Judiciary (lines 6 to 8)

1. Report actual expenditures by court services branch on salaries and benefits to the nearest dollar.
2. Since the Office of the Commission for Federal Judicial Affairs is responsible for the payment of salaries and benefits (i.e. Judges of the Appeal and Superior Courts), these expenditures should not be reported. CCJS will be collecting these particular data from the Office of the Commissioner for Federal Judicial Affairs.

### Type of Expenditure:

**Salaries and Wages** (lines 6): **Include** all salaries and wages for all personnel as indicated in Section 1, including overtime and awards for full-time civil servants. Holiday pay, long service payments, isolation pay and bursaries should also be reported here.

**Exclude** honorariums paid to justices of the peace. These should be included in 'Professional Services/Contracts' (line 26 in Section 6).

**Benefits** (line 7): All payments made to judiciary which are neither salaries nor wages, are considered benefits.

If benefits are not paid for by the Courts Branch, please indicate their source.

If the exact benefit payment amount is unknown, an estimate is acceptable (e.g. a percentage value applied to the total salary amount). Please indicate in how the estimate was obtained.

Examples of benefits would include employer's contribution to:

- Canada Pension Plan (CPP)
- Employment Insurance (EI)
- Superannuation/Pension Plan
- Health Insurance Plan
- Dental Plan
- Group Life Insurance Plan
- death benefits
- clothing allowances
- worker's compensation/disability payments
- maternity leave payments
- severance pay
- miscellaneous allowances (e.g. contribution to plans such as Vision care)
- transportation allowances

## SECTION 3: Full Time Equivalent Courtroom Staff as of March 31, 2003.

1. This section refers to the **actual number of full-time equivalent** courtroom clerks, reporters and security staff who were on the courts services branch payroll as of March 31. These counts should include courtroom staff that perform functions within and outside the courtroom. If counts are only available from the pay period ending closest to March 31 (but not beyond), report these figures (rounded to the nearest full-time equivalent).
2. Convert 'permanent part-time' employees to a **full-time equivalent**. For example, three permanent part-time employees who each work twelve hours a week should be scored as one full-time employee.
3. **'Contracted services' (i.e. individuals or agencies that are not on the court services payroll) are excluded** from the personnel counts; however, the costs associated with this work should be included with 'Professional Services/Contracts' (line 26) in Section 6.

**Category of Personnel:**

**Full time equivalent court clerks** (line 9) include court clerks employed by the court services branch not presiding over court functions, such as:

- prothonotaries
- clerks of the court

**Full time equivalent court reporters** (line 10) include any court reporters employed by the court services branch not presiding over court functions, such as:

- clerks of the court
- court reporters/recorders
- court stenographers

**Total court clerks/reporters** (line 11): This is the total of all court clerks and reporters by level of court (sum of lines 9 and 10). This line should also be used to record the number of court clerks and reporters when the clerk and reporter functions are combined.

**Security staff** (line 12) includes actual courtroom security staff employed by the court services branch, such as:

- bailiffs
- security
- sheriffs
- ushers

**Total** (line 13): This is the total of all personnel by level of court (sum of lines 11 and 12).

**SECTION 4: Other Full Time Equivalent Court Services Staff as of March 31, 2003**

1. This section refers to the **actual number** of other **full-time equivalent** staff who were on the courts services branch payroll as of March 31. If counts are only available from the pay period ending closest to March 31 (but not beyond), report these figures (rounded to the nearest full-time equivalent).
2. Convert 'permanent part-time' employees to a **full-time equivalent**. For example, three permanent part-time employees who each work twelve hours a week should be scored as one full-time employee.
3. **'Contracted services' (i.e. individuals or agencies that are not on the court services payroll) are excluded** from the personnel counts; however, the costs associated with this work should be included with 'Professional Services/Contracts' (line 26) in Section 6.

**Other Court Staff: Include** any court staff employed by the court services branch not specified above. This category includes staff such as:

- justices of the peace (line 14)
- maintenance enforcement program workers (line 15)
- registrars (line 16)
- administrative support (line 16)
- systems support (line 17)
- judicial officers (line 14)
- registry staff (line 16)
- clerical support (line 16)

- judges' secretaries (line 18)
- management and central services (line 18)
- native court workers (line 18)
- masters (line 18)
- law library and legal research staff (line 18)
- mail and messenger services (line 18)

- legal researchers (line 18)
- victim/witness program workers (line 18)
- court social workers (line 18)
- students (line 18)
- other court program workers (line 18)

**Total** (line 20): This is the total of all personnel (sum of lines 13 and 19) by sex.

## **SECTION 5: Salaries and Benefits Paid to Court Services Staff**

### **General Rules:**

1. Report actual expenditures by court services branch on salaries and benefits to the nearest dollar.

### **Type of Expenditure:**

**Salaries and Wages** (line 21): **Include** all salaries and wages for all court services staff as indicated in Section 4 (line 20), including overtime and awards for full-time civil servants. Holiday pay, long service payments, isolation pay and bursaries should also be reported here.

**Exclude** honorariums paid to justices of the peace. These should be included in Section 6, 'Professional Services/Contracts' (line 26) in Section 6.

**Benefits** (line 22): All payments made to employees which are neither salaries nor wages, are considered benefits.

If benefits are not paid for by the Courts Branch, please indicate their source. If the exact benefit payment amount is unknown, an estimate is acceptable (e.g. a percentage value applied to the total salary amount). Please indicate in how the estimate was obtained on a separate sheet).

Examples of benefits would include employer's contribution to:

- |                               |   |
|-------------------------------|---|
| - Canada Pension Plan (CPP)   | - clothing allowances   |
| - Employment Insurance (EI)   | - worker's compensation/disability payments                                 |
| - Superannuation/Pension Plan | - maternity leave payments  |
| - Health Insurance Plan       | - severance pay   |
| - Dental Plan                 | - miscellaneous allowances (e.g. contribution to plans such as Vision care) |
| - Group Life Insurance Plan   | - transportation allowances   |
| - death benefits              |   |

## **SECTION 6: Court Services Expenditures**, excluding salaries, wages and benefits for the year ending March 31, 2003.

### **General Rules:**

1. Report actual expenditures excluding salaries, wages and benefits to the nearest dollar.
2. Expenditures represent gross expenditures. Do not include revenues and recoveries. (In the case of cost-recoveries, the gross amount of the expenditure should still be reported, regardless of the recovery amount).

3. Do not include large 'capital' expenditures related to building occupancy costs (e.g. building construction, maintenance or leasing). Include all non-building occupancy costs related to furniture cabinets, computers, photocopiers and shelving.
4. **Record expenditures that are paid from the courts services budget.** If a particular expenditure is not part of the courts budget, then please indicate the source of the payment.
5. **All court expenditures paid by sources external to the court services branch should reference the external source.** For example, if another branch within your department or another department incurs the expense for a particular expenditure which is part of the delivery of court services, please indicate the branch or other department.

### Operating Expenditures:

In addition to providing the requested Operating Expenditures, please indicate in the appropriate box (**No** or **Yes**) with an 'x' whether the following expenditures are part of the court services budget:

If the answer is **No**, then please provide the expenditure incurred and indicate the branch/establishment responsible for the expenditure. For instance, court services branch expenditures such as court security provided by the police, law libraries, computers and computer service, communications, furniture, legal advice, personnel and finance, and translation, may be covered by a central administration branch, or another department. Such expenditures should be listed and sourced in this section.

If the answer is **Yes**, please provide the amount of the expenditure in the appropriate cell.

**Type of expenditure** (lines 23 to 39): **Include** all other operating expenditures not previously mentioned, such as:

- Alternative dispute resolution (line 23): Include all costs associated with arbitration, mediation, and conciliation.
- Law Library and publication costs (line 24): Include all costs associated with the operation of law libraries and publication costs (e.g. purchases of journals, subscriptions, etc.), excluding salaries. Only libraries associated with the operation of the courts should be included.
- Maintenance enforcement (line 25): Include all costs associated with enforcing the payment of child and spousal support.
- Professional services/contracts (line 26): Include contractual payments for work to provide court services to the public (such as fee-for-service transcription costs, legal services and fee inspectors), jurors' fees, honorariums for justices of the peace, victim/witness programs, aboriginal programs, other court services programs, medical services.
- Psychological Assessments (line 27)
- Small Claims Court (line 28)
- Staff Training (line 29) and development (including all costs incurred for the training and development of staff such as: course costs, tuition fees, reference materials, associated supplies, etc.)
- Systems/ Computer Costs (line 30)
- Transcripts (line 31)
- Translation and Interpretation (line 32)
- Travel Costs (line 33)
- Vehicle Purchase & Maintenance (line 34)
- Witness costs (line 35): Include all costs incurred for witnesses (e.g. witness fees, transportation, accommodation, meal expenses, etc.).
- Jury Costs (line 36)
- Other major cost items (lines 37 and 38) – specify
- All other court services expenditures not identified above (line 39)

**Do not include** building occupancy costs, rental accommodation, capital costs related to building construction, maintenance, or leasing and staff expenditures associated with Crown prosecutions, costs associated with coroner inquests and prisoner escort services not performed by court services staff.

**Total** (line 40): The sum of lines 23 to 39.

**SECTION 6: Revenue Information for year ending March 31, 2003.**

1. Report actual revenue to from the collection of registry fees and payment of court costs to the nearest dollar.

**Additional Notes and/or Comments:**

1. Explanatory notes regarding any data would be both welcome and encouraged.
2. We especially encourage you to provide your comments and/or suggestions regarding the questionnaire design and scoring guide in order to maintain a balance of the best quality data and the least amount of response burden.
3. If you require additional space, please attach a separate sheet.

**For additional information please contact:**

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