

COURTS PERSONNEL AND EXPENDITURES SURVEY

SCORING RULES - FEDERAL COURTS

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 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 Personnel as of March 31, 2003 by Category and Sex (rounded to the nearest full-time equivalent)

1. This section refers to the **actual number of full-time** as well as **permanent part-time** employees 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.
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 who are not on the court services payroll) are excluded** from the personnel counts; however, the costs associated with this work should be included with 'Other Operating Expenditures' (line 23) in Section 3.
4. Ensure that the sub-total is completed for Total Judiciary (line 3). This line is added together with Court Staff (line 4) to obtain Total Personnel (line 5).

Category of Personnel

Judiciary

Include only judiciary presiding over matters in the federal court for which this questionnaire pertains (i.e. Supreme Court of Canada, Federal Court of Canada (Trial and Appeal), **or** Tax Court of Canada.

Exclude registrars and administrators of the court performing quasi-judicial functions. These should be included in Court Staff (line 4).

Full-time Judiciary (line 1): **Include** all full-time, federally appointed judges.

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

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

Court Staff (line 4): **Include** any court services branch staff not presiding over court functions, such as:

- justices of the peace
- prothonotaries
- masters
- registrars
- judicial officers
- clerks of the court
- administrative support
- legal researchers
- judges' secretaries
- ushers
- security
- sheriffs
- registry staff
- students
- clerical support
- bailiffs
- court stenographers
- native court workers
- systems support
- court social workers
- court reporters/recorders
- other court program workers
- management and central services
- law library and legal research staff
- victim/witness program workers
- maintenance enforcement program workers
- mail and messenger services, etc.

Total Personnel (line 5): This is the total of all personnel by sex and the grand total of all personnel (sum of lines 3 and 4).

SECTION 2: Judiciary as of March 31, 2003 by Court (lines 6 to 8)

1. Allocate the number of full-time and supernumerary judiciary (full-time equivalents) into their respective court of jurisdiction (i.e. Supreme Court, Federal Court of Canada, Tax Court of Canada).
2. The total number of full-time and supernumerary judiciary in this section should match the totals as provided in Section 1.

SECTION 3: Courts Expenditures

General Rules:

1. Report actual expenditures 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' (i.e. expenditures for the purchase of long-term assets). **Small capital expenditures such as furniture, cabinets and shelving should be included.**
4. **Record only those expenditures that are paid from the court services budget.** If a particular expenditure is not part of the courts budget, then it should be indicated by writing 'N/Ap' in the appropriate cell.
5. **All court expenditures paid by sources external to the court services branch should be reported in Part B** as opposed to Section 3 (i.e. if another branch within your department, or another department is responsible incurs the expense for a particular expenditure which is part of the delivery of court services).
6. Since the Office of the Commission for Federal Judicial Affairs is currently responsible for the payment of salaries, benefits and other expenditures, such as language training and development for judges of the Federal Court of Canada and the Tax Court of Canada, these expenditures (if available) should be reported in Section 4. Please note that we will also be collecting these particular data from the OCFJA; so if these expenditures are not readily accessible from court services branch, do not feel compelled to report these particular figures.

Type of Expenditure

Salaries and Wages (lines 9 to 14): **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.

Benefits (lines 15 to 20): All payments made to employees which are neither salaries nor wages, are considered benefits. **Do not include** pensions paid out to retired judiciary or surviving spouses.

If benefits are not paid for by the Courts Branch they should be reported in Section 4 (External Expenditures).

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 the Comments Section 5 how the estimate was obtained.

Examples of benefits would include employer's contribution to:

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

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: Law Library/Publication Costs; and Witness Costs. If the answer is **No**, then do not provide a figure in the corresponding cell, and indicate in the Additional Notes and/or Comments section which budget assumes responsibility for the expenditure. If the answer is **Yes**, please provide the amount of the expenditure in the appropriate cell. These particular expenditures have been isolated because various other areas (e.g. Prosecutions Branch) may assume responsibility for the provision of these services and the associated costs.

Law Library/Publication Costs (line 21): **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.

N.B. If law library and publication costs are not part of the court services budget, please provide the expenditure incurred by the branch/establishment responsible for the expense in Section 4.

Witness Costs (line 22): **Include** all costs incurred for witnesses (e.g. witness fees, transportation, accommodation, meals expense, etc.).

Other Operating Expenditures (line 23): **Include** all other operating expenditures not elsewhere mentioned such as: travel; communications (e.g. telephone-related expenses, telex, fax); office and computer supplies; maintenance and repair services; contractual payments for work to provide court services to the public (such as fee-for-service transcription costs, legal services, fee inspectors, etc.); medical services; printing of forms; vehicle repair and maintenance; transportation; storage, furniture and equipment; training and development (including all costs incurred for the training and development of staff such as: course costs; tuition fees; reference materials; associated supplies, etc.).

Do not include building occupancy costs, 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.

Total Operating Expenditures (line 24): The sum of lines 21 to 23.

Total Expenditures (line 25): The sum of all salaries and wages, benefits, and all operating expenditures (sum of lines 14, 20, and 24).

SECTION 4: External Expenditures

In the past, it was noted that there are some expenditures which are fundamental to the function of the courts which are not actually part of the courts budget. Rather, another branch or another department incurs the expense for these items. 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. Also, salaries and benefits for judiciary of the Federal and Tax Courts, and language training for all federally appointed judiciary are paid from the budget of the Office of the Commission for Federal Judicial Affairs. Such expenditures should be listed in this section.

1. List the type(s) of external expenditures, the amount paid by the external source, as well as the establishment responsible for the payment of each expenditure.
2. Note that a list of external expenditures reported in your last data submission (for the 2000-01 on the questionnaire) has been provided, if applicable.

SECTION 5: External Expenditures Not Available from Court Services

If you are unable to provide the dollar value of any expenditure paid by an external source, please provide the details as to the type of expenditure, the establishment responsible for the payment, as well as the name and telephone number of a person whom we could contact that could possibly provide this information.

Note: These details are not required for OCFJA expenditures since CCJS will contact the OCFJA directly.

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 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.

Name and Signature of Correspondent

1. This should be someone who can answer inquiries concerning the information on the form.
2. Please provide the telephone and facsimile numbers of the correspondent for any possible follow-ups of information provided.
3. Provide the date the form was completed.

For additional information please contact:

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