
ANNUAL REPORT 2010—2011



PROVINCIAL COURT OF
NEWFOUNDLAND AND
LABRADOR

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Part 1
Chief Judge's Review

CHIEF JUDGE'S REVIEW

Chief Judge's Year In Review

Last year saw some significant changes for the Provincial Court particularly in St. John's. In early 2010 the Case Assignment and Retrieval System for scheduling proceedings was introduced. This system was recommended by the Task Force on Criminal Justice Efficiencies 2008. It involves the centralization of the scheduling process along with last minute redeployment of judicial and staff resources in accounting for collapsed cases. The system requires the close attention of a newly appointed Court Utilization Manager.

The implementation of this new system required a cultural change for judges and staff who were used to working independently on a one judge one court system. Following a period of adjustment the system proved to be very effective at reducing time to trial and making available judicial resources for the most time sensitive applications and judicial interim release hearings. The system will be monitored and fine tuned in the coming months so that the best of results might be achieved.

On May 3, 2010 a magnificent new courthouse was opened in Corner Brook. Replacement of the existing facility at the Sir Richard Squires Building which had served as a location of the court for many years was long overdue. The majestic new building located nearby houses the Provincial Court of Newfoundland and Labrador as well as the Supreme Court of Newfoundland and Labrador general and family divisions. This modern building with its excellent facilities for the public, staff and judges will serve the people of the province for many years to come. It was my great pleasure to attend the opening ceremonies and to thank the Minister of Justice and the Government of Newfoundland and Labrador for its commitment to the administration of justice in such a visible and important way.

I would like to take this opportunity to thank the judges and staff for a successful year and look forward to many new exciting developments on the horizon.



D. Mark Pike
Chief Judge



Part 2
Overview of the Court



OVERVIEW OF THE COURT

Values

Governed by the Constitution of Canada and the rule of law, we are an independent, impartial, and accessible judicial system.

We are committed to the provision of quality service through the effective management of available resources and the continuous professional development of the Judiciary and Court Staff.

We are committed to integrity, ethical conduct, and the timely performance of duties.

We are committed to providing all litigants with reasoned judicial decisions

Mission

The Provincial Court of Newfoundland and Labrador exists to uphold and preserve the fundamental values of society by judging legal disputes, conducting inquiries, and providing quality service to the public.

Vision

To recognize the value of Staff and Judiciary in achieving our mission.

To operate the Court with highly qualified personnel and Judiciary.

To provide access to justice to everyone and be sensitive to social and cultural diversity.

To encourage the use of dispute resolution alternatives that respond to the changing needs of society.

To emphasize the effective use of technology and decentralized administrative decision making.

Jurisdiction

The jurisdiction of the Provincial Court extends to adult criminal, youth, small claims, traffic, and family matters. More specifically:

Criminal: all summary conviction offences under federal and provincial statutes; indictable offences, except where excluded under the *Criminal Code*, e.g. murder.

Youth: all criminal matters involving persons twelve years and older but less than eighteen years of age at the time the offence occurred.

Small Claims: all civil actions where the amount does not exceed \$25,000. The Court has no jurisdiction over cases involving: land title disputes, malicious prosecution, false imprisonment, defamation, or complaints against a justice or other public official for anything they have done while executing the duties of office.



Traffic: all highway traffic matters.

Family: custody, support, maintenance, paternity, adoption, and child protection in those geographic areas where it maintains jurisdiction. It does not deal with divorce or division of property under the *Family Law Act*. All applicants in either Provincial Court or Supreme Court, Family Division are provided with parent education sessions, mediation, and counselling delivered by Family Justice Services Division which serves both levels of Court.

Change in Jurisdiction for Family Matters - Western Newfoundland

On June 1, 2010, the Family Division of the Supreme Court continued its expansion to the west coast of Newfoundland. As a result of this expansion, the Supreme Court has exclusive jurisdiction over all family matters arising in the area. The service area reaches as far west as Channel-Port aux Basques and also includes the whole of the Great Northern Peninsula. Provincial Court locations in Corner Brook and Stephenville no longer accept Family Court applications.

Within the design of the new Corner Brook Law Courts, the third floor has been dedicated specifically for Supreme Court, Family Division and provides a modern approach with a courtroom designed to promote a less adversarial atmosphere and encourage dialogue.

Opening of the Corner Brook Law Courts Building



The Corner Brook Law Courts were officially opened on May 3, 2010 by The Honourable Felix Collins, Minister of Justice and The Honourable Tom Marshall, Minister of Finance. Over 200 guests attended the unveiling of a commemorative plaque and the exchange of Courthouse keys from Minister Marshall to Chief Justice Derek Green in the Courthouse lobby.

Following the unveiling event, a special sitting of the Court presided over by Chief Justice Derek Green, Chief Justice David Orsborn and Chief Judge Mark Pike was held to mark the ceremonial opening of the Courts.

The Corner Brook Law Courts is home to both the Supreme and Provincial Courts. The third floor of the building is dedicated to the Family Division of the Supreme Court and represents an expansion to the west coast of what was formerly known as the Unified Family Court.

Staff of both the Supreme Court and the Provincial Court have settled into their new home which features a contemporary interior design, with an appearance of openness and natural light, yet maintaining levels of privacy and security. The building has seven courtrooms with state of the art recording systems, CCTV and videoconferencing. To quote Chief Justice Green, this new facility "will be a significant improvement to the administration of justice in the province."

Court Locations

There are 10 court centres in locations throughout Newfoundland and Labrador. In addition to sitting in its principal locations, the Court conducts circuits to various rural and remote communities.

LOCATION	JUDGE(s)	STAFF	CIRCUIT(s)
St. John's	1 CJ, 1 ACJ, 1 SCJ, & 6 Judges	29	None
Harbour Grace	1	3	Placentia
Clareville	1	3	Bonavista
Grand Bank	1	3	None
Gander	2	5	None
Corner Brook	3	9	Port aux Choix, St. Anthony, Plum Point, Baie Verte, Rocky Harbour
Grand Falls-Windsor	2	5	Hr. Breton, Bay D'Espoir, Conne River, Springdale
Stephenville	1	4	Port aux Basques, Burgeo
H.V. Goose Bay	2	7	Hopedale, Nain, Makkovik, Postville, Rigolet, Natuashish, Sheshatshiu
Wabush*	1	2	Port Hope Simpson, Cartwright, L'Anse au Clair
Court Services	0	11	None
TOTAL	23	81	23 Circuits

* *Note: Effective January 1, 2011, H.V. Goose Bay Court took over circuits at Port Hope Simpson, Cartwright, and L'Anse au Clair.*

Registries

There are eleven registries in the ten court centres throughout Newfoundland and Labrador. Registries provide front line services to the Provincial Courts and are staffed permanently. The key functions of the registries are:

- to provide information and advice about court procedures, services and forms;
- to process cases by providing administrative services in accordance with due process;
- to ensure that automated case management systems are accurately updated and maintained;
- to enhance community confidence and respect by responding to clients' needs and assisting with making the court experience a more positive one; and
- to ensure that the records of the court are preserved and managed from initiation of files to archiving.

Courtroom Clerks

The smaller court centres have staff who work in both the registries and the courtrooms, exchanging roles and duties on an as needed basis. Staff in the larger centres are assigned to either a registry or courtroom function. The key functions of the courtroom staff are:

- to attend sittings of court;
- to operate digital recording equipment and ensure proceedings of the court are recorded;
- to take electronic annotations of proceedings of court;
- to operate video conference unit and closed circuit TV unit (used for vulnerable witnesses);
- to mark and take possession of documents and exhibits for continuity and safekeeping; and
- to type accurate and complete verbatim transcripts of court proceedings and certify same to be the official record of the court.

Court Services Division

Headquartered in St. John's, the Court Services Division provides support to the ten court centres. Key functions of the Court Services Division are:

- operations management;
- human resource management;
- financial management;
- information management;
- transcript management;
- policy development; and
- strategic planning.

COURT UTILIZATION

CAAR (Case Assignment and Retrieval) System

The Task Force on Criminal Justice Efficiencies was established to examine the operations of the criminal justice system. Its report, released in 2008, made a number of recommendations to improve efficiency in the court system, particularly in St. John's Provincial Court. One such recommendation was the use of the "Case Assignment and Retrieval" system (CAAR). Due to the high percentage of cases which failed to proceed, the CAAR system envisaged multiple booking of hearings in criminal courtrooms to reduce down time. In the past if a trial collapsed, that courtroom would remain empty. If a trial ran over time, it could take weeks to find another date to continue. The flexibility of the CAAR system does not tie a case to a particular courtroom or judge's schedule. Instead, cases are assigned and retrieved based on available resources. If a judge becomes seized with a matter that has exceeded its estimated time, he/she is able to continue the matter the following day or on a date in the very near future. In January 2010, the average wait time for a trial date in an adult criminal court was six to twelve months. Trial dates can now be set within two months. Dates required for postponed trials or accused persons in custody can be assigned within days. The CAAR system's flexibility is also beneficial as bail hearings, previously restricted to a single designated courtroom, can presently be accommodated in other criminal courtrooms as well.

Video Link To Her Majesty's Penitentiary

The Task Force also recommended that persons in custody appear via video for all non-evidentiary matters or court appearances where no significant legal step is taken. An accused, awaiting counsel, may appear a number of times before a plea is entered and a trial date set. Appearing via video provides a greater level of security for prisoners, staff and the general public alike. As well, it minimizes time delays which occur when incarcerated individuals are escorted from one venue to another.

A video conference appearance room and a private telephone communications room was constructed at HMP in September. On November 1, 2010, video link appearances at HMP in St. John's officially began with St. John's Provincial Court. As of March 31, 2011, there have been 107 video appearances. Correctional facilities in Clarenville and Whitbourne also utilize this method. Video link construction is currently underway for other correctional institutions across the province. Apart from obvious security concerns and resources used in escorting prisoners, accused and staff who travel long distances in adverse weather conditions will also benefit greatly from the use of this technology.

SPECIALTY COURTS

Family Violence Intervention Court

The Family Violence Intervention Court (FVIC) pilot project has been operating in St. John's since March 25, 2009 alternating with the Mental Health Court. For the purposes of the pilot project, family violence has been defined as *Criminal Code* offences committed by the accused arising from or related to his or her relationship with an intimate partner or ex-partner. The key component is the relationship between the accused and the victim and cohabitation is not a determining factor. The goal of the Court is to prevent and reduce incidents of family violence. Through a collaborative approach, access to support services and intervention programs is accelerated. The FVIC focuses on enhancing victim safety as well as emphasizing offender accountability and programming.

Initially, the pilot project was limited to moderate risk offenders. However, as of July 2010, the mandate of the FVIC has been expanded to include both low risk and high risk offenders. Low risk offenders will be referred to the Respectful Relationships program offered by Corrections and Community Services. Moderate and high risk offenders will be referred to the OASIS (Options and Alternative Skills for Interpersonal Safety) program offered by the John Howard Society, and the length of the program will be determined by the level of risk.

During the last fiscal year (2010-11), 63 people appeared in the FVIC on a total of 158 charges. The types of offences ranged from mischief relating to property, uttering threats, trespassing and being unlawfully in a dwelling house to criminal harassment, assault, assault causing bodily harm and assault with a weapon. Charges also included breaches of undertakings, recognizances and probation orders. Of the 63 people who appeared, 17 (27.0%) were not interested in participating and 1 (1.6%) was not eligible to participate (this occurred prior to July 2010).

A total of 45 people (71.4%) agreed to participate in the FVIC, entered guilty pleas and were referred to family violence programming. Of those people, 23 (51.1%) successfully completed the programming, 4 (8.9%) were unable to complete the programming, 16 (35.6%) were attending programming and 2 (4.4%) were awaiting programming at the end of the fiscal year. The sentences for those who did complete the counseling ranged from absolute discharge to a conditional sentence of four months along with varying periods of probation. The sentences have typically also included other ancillary orders such as victim fine surcharges, DNA orders and weapons prohibitions.

As part of the 2011 Budget and Government initiatives to keep families safe from the violence, the Department of Justice has committed to funding the FVIC pilot project until March 2012. In addition, starting in June 2011, the Court will now sit for one full day (Wednesday) once every two weeks. This is an indication of the growing interest in, and increased awareness of, the FVIC as an alternative to the traditional criminal court system. The St. John's Provincial Court welcomes the opportunity to continue supporting this important initiative.

Mental Health Court

The Mental Health Court (MHC) has been operating in St. John's since 2005 and it sits every second Wednesday at 2:00 p.m., alternating with the Family Violence Intervention Court. The Court is designed to provide an increased level of support, both medical and community based, to accused persons appearing before it. The MHC is based on the recognition that certain offenders who suffer from a mental disorder may commit offences as a consequence of their mental disorder or due to lifestyle issues related to their disorder such as inadequate or inappropriate housing, lack of employment, lack of support, noncompliance with medications and inappropriate self medication with alcohol or drugs. Health care professionals and corrections personnel provide medical support and community based support to the individuals who are accepted into the Court.

During the last fiscal year (2010-11), 74 people appeared in the MHC in relation to 255 initiated cases and 57 cases that were pending as of April 1, 2010, for an overall total of 312 cases. The types of substantive offences ranged from causing a disturbance, mischief, theft under \$5,000 and uttering threats to breaking and entering, assault, criminal harassment and operation of a vehicle while impaired. A total of 80 cases (25.64%) were referred from the MHC to the traditional system, for reasons such as the accused wished to plead not guilty or the accused did not meet the eligibility criteria. An additional 88 cases (28.21%) were pending as of March 31, 2011, resulting in a clearance rate of 82.3.

It may take a little longer for cases to reach a resolution in the MHC, as there can be lengthy adjournments to allow time for community supports to be put in place and to give the accused an opportunity to demonstrate that these supports are working and that additional intervention is not required. At the end of the adjournment period, if there have been no new offences, the Crown may exercise its discretion to withdraw or stay the charges. In 2010-11, 144 cases (46.15%) were concluded in the MHC. The charges were withdrawn in 64 cases (44.44%), representing a significant increase from 32 cases (25.40%) in the previous fiscal year. The Crown stayed the charges in 9 cases (6.25%).

In the 71 cases (49.31%) where the Crown did not withdraw or stay the charges, the sentences included the following: absolute discharge (1 case); conditional discharge (1 case); fine (1 case); suspended sentence (29 cases), conditional sentence (8 cases) and jail (31 cases). There was a significant increase in the number of suspended sentences when compared to 10 cases in the previous fiscal year. Periods of probation, ranging in length from 6 months to 3 years, were ordered in 52 cases. The jail terms ranged from 1 day time served to 32 days.

OUTREACH

Lunch with a Judge Program

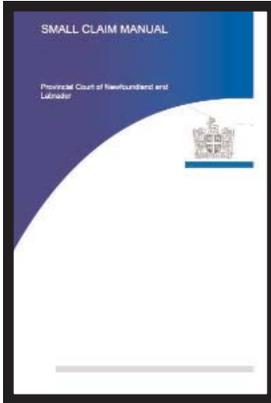
The “Lunch with a Judge” program continues to be a success. This program targets students who may be “at risk” of becoming involved in the youth criminal justice system. However, participation is offered to all students, therefore eliminating the possibility of “singling out” students who may already feel alienated from their peers. Eight of the court centres across the province participated in the program in the 2010/11 school year. The program has received positive responses from the participating schools from both teachers and students. The following chart depicts the number of students who have participated in the program since its inception.

TOTAL NUMBER OF STUDENTS WHO PARTICIPATED								
Court Centre	FY 04/05	FY 05/06	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	Overall Total (since inception)
St. John's	64	68	68	69	71	56	57	453
H.V. Goose Bay	N/A	N/A	N/A	N/A	N/A	24	48	72
Clarenville	N/A	N/A	15	14	15	17	30	91
Gander	N/A	N/A	N/A	N/A	N/A	N/A	12	12
Corner Brook	N/A	N/A	N/A	N/A	N/A	N/A	81	81
Grand Bank	N/A	N/A						
Harbour Grace	N/A	N/A	N/A	N/A	N/A	N/A	90	90
Stephenville	N/A	N/A	N/A	N/A	N/A	N/A	53	53
Grand Falls-Windsor	N/A	N/A						
Wabush	N/A	N/A	N/A	N/A	N/A	N/A	26	26
TOTAL	64	68	83	83	86	97	397	878

PROVIDING QUALITY AND CONSISTENT SERVICES

With a goal of consistency in the way we carry out our work and service clients across the province, the following committees were formed in 2010:

Small Claims Manual



- 1) Small Claims Manual Committee was formed in March 2010. It was tasked with the responsibility of developing a comprehensive manual and reference guide. The final draft of the manual has been circulated for review with a distribution date set for 2011.

Small Claims Manual Committee: Tamara Church, Executive Lead (St. John's), Steven Burt, Chair (Grand Bank), Patricia Furlong, Co-Chair (St. John's), Amanda Gagnon (Wabush), Sheri Fisher (Corner Brook), and Mildred Bennett (Grand Bank).

Traffic Court Manual



- 2) Traffic Court Manual Committee, also formed in March 2010, was responsible for developing a step-by-step manual to aid new and existing court employees with Traffic Court processes. The final draft of the manual was completed in March 2011.

Traffic Court Manual Committee: Ethel Chaulk, Executive Lead (Corner Brook), Patricia Furlong, Chair (St. John's), Rob Dwyer (Gander), Pam Penton (St. John's), Mitzi Sullivan (St. John's) and JoAnn Murphy (Court Services).

New Employee Orientation Committee

Orientation is the process of introducing new employees to the organization's mission, activities, programs and their jobs. The Provincial Court is growing and there have been many changes in how we conduct our business due to technology advancement and the complexity of court cases. It was recognized during the 2010/2011 fiscal year that our approach to employee orientation needed to improve. Consideration must be given to these new advancements but also to the new generation of workers entering our organization. A committee was established to review our efforts and approach to employee orientation.

Orientation outlines along with recommended timelines were developed for each division of the Provincial Court. A draft orientation program was presented to the Provincial Manager of Court Services on March 25, 2011 for review and approval.

The goals and objectives of the New Orientation Program are:

- Help the new employee identify with their employer;
- Introduce new employees to the Provincial Court's values and priorities;
- Build an optimistic attitude toward the employer;
- Help the employee feel valued and welcomed;
- Encourage socialization and create a sense of belonging;
- Reduce new employee anxiety;
- Provide consistent training to all employees;
- Help the new employee be successful in his/her job; and
- Enable the new employee to quickly become productive.

This program will be implemented in the fiscal year 2011/12.

New Employee Orientation Committee: Ethel Chaulk, Executive Lead (Corner Brook), Corrine Avery, Co-Chair (Clareville), Tonya Bishop, Co-Chair (Clareville), Lisa Winters (Goose Bay), Lori Keats (Harbour Grace), Sheena Fleming (St. John's), and Sarah Hogan (Co-op Student, Court Services).

Business Continuity Plan

At the end of the fiscal year 2009/10, the Business Continuity Plan was approved by the Chief Judge and the Director of Court Services. The Plan was distributed to each Court Centre in June 2010 and individual training was completed with the Court Administrators throughout July and August.

By March 31, 2011, aside from various closures due to snow storms, the Provincial Court had implemented its Plan on five separate occasions:

- 1) A power outage;
- 2) A communication outage of internet and telephone lines;
- 3) Hurricane Igor;
- 4) A wind storm that caused damage to a courthouse roof; and
- 5) Building evacuation due to a prisoner escape.

There were lessons learned from each of these events; however, overall the Plan was quite successful and did change the way our staff prepared and reacted in an emergency situation. As a result, Provincial Court's Business Continuity Plan was used as a template by other Department of Justice divisions.

At the end of 2010/11, the Working Group completed its annual review of the plan and work began on developing procedures for preservation of files damaged as a result of flood or fire. These procedures are to be finalized and distributed in early 2011/2012.

Business Continuity Working Group: Shelley Organ, Executive Lead (Court Services), Ethel Chaulk, Co-Chair (Corner Brook), Steve Burt, Co-Chair (Grand Bank), Joanne Spurrell (St. John's) and Georgina Allen (Goose Bay).

INFORMATION MANAGEMENT

Information Management (IM) activities continued in keeping with the recommendations of the Information Management Capacity Assessment Tool (IMCAT) Plan for 2008/11. The Courts IM Division consists of 3.5 employees: Manager of Information Services, IM Analyst, Archives Technician and half-time Records Analyst.

IM Classification

In early 2011, the IM Division completed a draft IM classification (also known as a records classification) of the corporate and operational records used at Provincial Court. This classification was undertaken to provide a structure for the more proficient management of court records throughout their life-cycle, and will also be used in the future to migrate the records types into the TRIM records management system. The corporate records classification uses much of the same terminology and structure found in the Corporate Records and Information Management Standard (C-RIMS) retention schedule, while the operational records classification mirrors the formats and schedules unique to Provincial Court. The final records classification format will also allow for the consistent addition and updating of record types in the future, and will be completed early in the new fiscal year.

Adoption Records

Sealed adoption records at Provincial Court number in the thousands and date back to the 1940s. Throughout 2010, all adoption records generated at regional court centres were transferred to a centralized, secure, fire suppression / CO2 monitored vault at the Provincial Court in St. John's. Upon completion of the transfer, the IM Division began the process of re-organizing and re-boxing the records, assessing their physical condition, auditing the transfer lists, and creating a standardized electronic inventory. In judicial regions of the province that are not under Supreme Court jurisdiction, regional centres will continue to transfer all adoption records to St. John's.

Case File Implementation

On January 1, 2011, a case file system was implemented on a go-forward basis for Adult Criminal and Youth Court records. This is a significant departure from the previous system of filing, which involved organizing records by their type. This switch will also eliminate the need for different retention periods for different documents, as the case file and its contents will be treated as one type of record. Moving to a case file system brings the Provincial Court in line with other jurisdictions across the country.

Emergency Planning

Emergency planning for the safety and salvage of records has been included in the Provincial Court's larger Business Continuity Plan (BCP). Basic salvage instructions have been developed for water-damaged records for inclusion in the BCP, and training will take place to ensure that all who may be required to treat records are aware of the procedures. Plastic disaster bins containing the necessary items will be placed at each court centre. The BCP will also contain a listing of treatment thresholds.

Information Protection

The Provincial Court is aware that many of the records in its custody are considered open and public information, though there are certain records containing sensitive personal information that must remain confidential and not accessible to the general public and media. With this in mind, the IM Division has identified and updated some of the existing Information Protection (IP) practices. All filing cabinets and shelving systems that contain records are located behind security doors in all areas of the Court, and records classified as highly-sensitive are stored in limited-access vaults. A new onsite locked shredding bin policy was implemented in St. John's in October 2010, and all records slated for destruction are shredded onsite by a bonded, private shredding company. The forthcoming pilot implementation of the TRIM records management system will also enhance IP practices by allowing records access to be assigned to appropriate users only, and by beginning to steer the Court away from the use of shared network drives. IP guidelines and their application to all court centres will be formalized and included in an IM Policies and Procedures manual that will be developed in 2011/2012.

Retention Schedules

The Adult Criminal Court records retention schedule, originally a pilot project for St. John's Court only, received approval from the Government Records Committee for use across the entire province. This schedule is being implemented and semi-active records are now transferred to offsite storage at the Provincial Records Centre in St. John's, which results in significant space savings for the court centres. When these records do require referencing, requests are handled centrally by the Archives Technician, who is able to pull records for any court centre and relay the information as appropriate, rather than requiring staff to recall boxes to their centre, locate the record, and then return the boxes to storage, saving both time and courier costs. As more records move offsite, these requests have risen, from 16 in 2009/2010 to 67 in 2010/2011, which is a jump of more than 300%. Approval was also received for Provincial Court to use C-RIMS for the scheduling of corporate (administrative) records. Implementation and training for C-RIMS will be taking place in the 2011/2012 fiscal year. The Small Claims retention schedule is now being used in all court locations, and the development of retention schedules for all other business lines is underway. Existing schedules will also require amendments to incorporate recent changes in file systems.

TRIM

TRIM is an electronic document and records management system being implemented across Provincial Government of Newfoundland and Labrador departments to facilitate the capture, management, and securing of information. In late 2010, the IM Division of Provincial Court and the OCIO began the planning of a TRIM pilot project to be implemented in both the Criminal and Court Reporters Divisions in St. John's, with a goal to go live in mid-2011. Upon implementation, Provincial Court will be the first branch in the Provincial Government to use the TRIM software package 'Context 6 Release 2' (6R2). Court records to be managed in the TRIM pilot project will be organized using the IM Classification arrangement described above and will be available to all staff in the divisions using the system. Some of the record types anticipated to be managed in the TRIM pilot project will be scanned Adult and Youth Informations; Pardons; Family Violence Intervention Court data and statistics; as well as Court Reporters audio recordings, log notes and transcripts. The scope of records to be maintained in TRIM will eventually be expanded to include all business lines. The arrival of TRIM at Provincial Court will mean an easier, more centralized and secure method of accessing and managing court records.

DATA QUALITY MANAGEMENT PROJECT

The Data Quality Management Project for the St. John's Adult Criminal and Youth Courts was initiated in August 2010 and is well underway. The timeline for completion of the project is August 31, 2011. Provincial Court generates over 100,000 pages of data each year as part of the Adult Criminal and Youth Court process. This storehouse of information affects judicial decisions. Outcomes in court determine whether or not a person is guilty or not guilty; the type, length and conditions of sentence imposed; the determination of fees and fines imposed; and an individual's personal criminal history record.

The ultimate goal of the project is to ensure the Provincial Court, which is a court of record for Adult Criminal and Youth Court, holds itself to the highest standard possible with respect to managing the quality of the data it generates, collects, disseminates, and stores on behalf of the public it serves. The project has required:

- Clearly defining what data quality means in the Court context;
- Identifying and documenting all data sources;
- Documenting and reviewing existing data flow processes to pinpoint and clearly understand areas where data is being compromised;
- Examining these areas of data weakness and suggesting solutions for data quality improvement; and
- Developing a set of metrics that measure the quality of the data throughout each step of the data flow process and recommending an ongoing monitoring program.

The results will be used by the management of the Court to establish and maintain high standards of data quality management for Adult Criminal and Youth Court for all Provincial Court centres.

FINANCIAL MANAGEMENT

Financial Reporting and Internal Control at the Provincial Court

Internal control objectives adopted by the Provincial Court in accordance with Financial Management Circular 1.030 are to provide assurance for the reliability and integrity of financial data reported and to ensure that financial operations performed are in compliance with Government policies, procedures and legislation (http://www.intranet.gov.nl.ca/comptroller/circulars/2010/1030_Internal_Controls.pdf).

The challenge of reporting financial information for the Provincial Court has traditionally been related to the compilation of financial information from each of its information systems including the Integrated Provincial Court Information System (IPCIS) and Civil Case Management System (CCMS) used for recording/tracking criminal, small claims and bail transactions.

To better facilitate the integration of financial information for the Court and to improve internal controls in the maintenance and reporting of financial information in the Fiscal Year 2010-11, the Provincial Court has adopted an electronic reporting system for its monthly reporting function. This reporting system based on spreadsheet software has reproduced the forms used to manually reconcile court centre cash balances and to report revenue and receivable transactions.

Electronic forms help formalize reporting for the Provincial Court. By centralizing the maintenance of forms and restricting form access other than to data entry points, users will produce reports which are consistent throughout the province. This makes the task of reviewing monthly submissions more manageable and also improves the ability to collect financial statistics vital to the annual reporting requirements of the Department of Justice.

TRANSCRIPT MANAGEMENT

The Provincial Court recognizes the important role the provision of accurate and timely transcripts plays in providing justice in a timely manner. In an effort to facilitate improvements in this area, during the 2010/2011 fiscal year changes were made in the way the Provincial Court oversees, records, prioritizes and shares the transcript workload.

During the fiscal year 2010/11, Court Services began monitoring, prioritizing, and coordinating the sharing of transcripts among the centres throughout the Province.

A newly formatted monthly outstanding transcript list, designed to better capture the information needed for statistical purposes, was implemented in April 2010. Transcript sharing allows Court Services to focus more attention on achieving its 30-day turnaround target on transcripts. With an increased emphasis on this goal, outstanding transcripts have become more of a province-wide responsibility as opposed to a centre-based responsibility. Implementation of these processes has resulted in improved efficiencies in transcript production and there has been a significant improvement in transcript turnaround province wide.

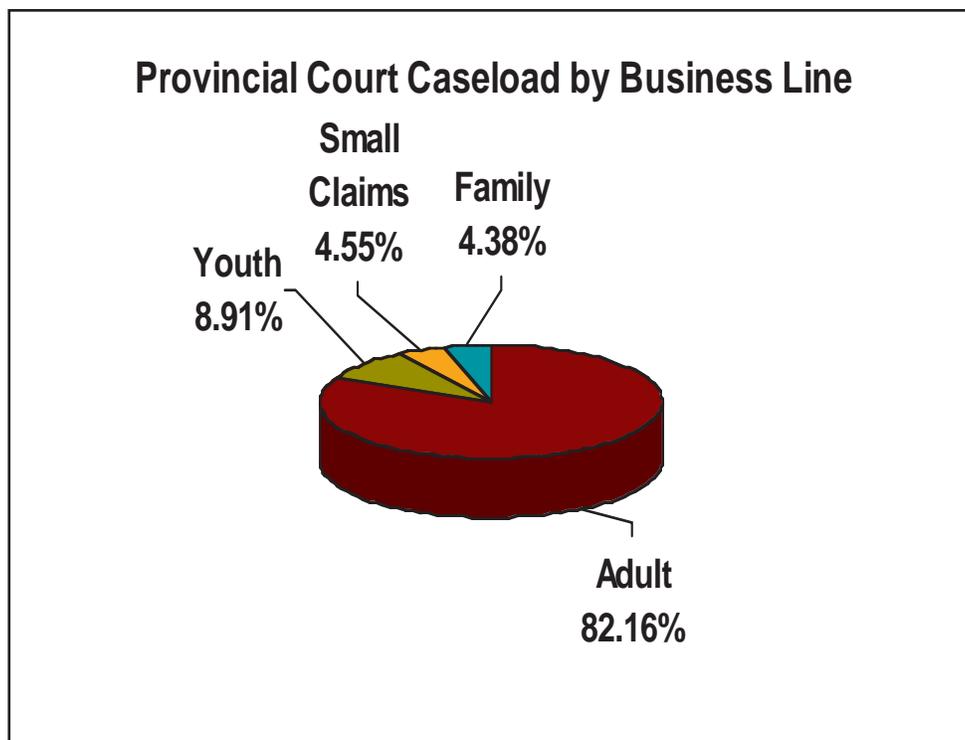


Part 3
Report on Performance

COURT PERFORMANCE

Total Caseload is Increasing

In 2010/11, 950 additional cases were initiated in Provincial Court as compared to the previous year. This translated into an annual increase of 3.1% in total caseload. The addition of 1,192 Adult Criminal cases (4.9%) in 2010/11 compared to 2009/10 was primarily responsible for the increase in total caseload. To a lesser extent, the annual increases of 137 Small Claims cases (10.6%) and 52 Family cases (3.9%) in 2010/11 also contributed to the total caseload increase. Youth caseload was the only category that experienced a significant decline. In 2010/11, there were 431 fewer youth cases, resulting in a 13.4% decrease from 2009/10.



Five-Year Trends

Over the most recent five-year period, 2006/07-2010/11, total caseload has been steadily increasing. Total caseload stood at 26,486 in 2006/07 and increased annually by more than 1,000 cases, peaking at 31,322 in 2010/11, an increase of 18.3% in five years. If one examines the changes in caseload for each case type over the past five years, the following patterns emerge. Adult Criminal caseload mirrors total caseload, steadily increasing from 19,889 cases in 2006/07 to 25,733 cases by 2010/11, an increase of 29.4% in five years. Youth caseload on the other hand has decreased from 3,872 cases in 2006/07 to 2,791 cases in 2010/11, a decrease of 27.9%. Small Claims caseload has increased from 1,256 cases in 2006/07 to 1,426 cases in 2010/11, an increase of 13.5%. Family caseload has decreased from 1,469 cases in 2006/07 to 1,372 cases in 2010/11, a decline of 6.6% in five years.

St. John's Court

The total caseload for St. John's has steadily increased over the five-year period from 2006/07-2010/11, standing at 11,351 in 2006/07 and increasing to 15,288 in 2010/11, an increase of 34.7% (3,937 cases). Most of that growth was a result of the 45.1% (4,100 cases) increase in Adult Criminal caseload over the same period. St John's Youth caseload stood at 1,603 in 2006/07 and by 2010/11 it had decreased to 1,374, a 14.3% decline (229 cases) over five years. Small Claims caseload increased over the same period from 659 in 2006/07 to 725 in 2010/11, an increase of 10.0% over five years.

Clarenville Court

Total caseload for Clarenville since 2006/07 has increased by 3.5%, standing at 1,039 cases in 2010/11. Small Claims caseload decreased by 36.9% over this five-year period. However, increases occurred with respect to the Adult Criminal caseload (4.1%), the Youth caseload (3.8%) and Family caseload (93.8%).

Corner Brook Court

This Court experienced a 3.6% decrease in its total caseload, with 3,298 cases in 2006/07 and declining to 3,179 cases by 2010/11. Most of the decline can be attributed to a dip in both Youth caseload (36.9%) and Family caseload (77.6%). These declines were offset to a degree by increases in Adult Criminal caseload (13.7%) and Small Claims caseload (67.8%) for the same period.

Gander Court

There was a 12.4% increase in total caseload from 1,527 cases in 2006/07 to 1,717 cases in 2010/11 for Gander. Over that same five-year period, Adult Criminal caseload increased by 25.0% and Small Claims caseload increased by 29.5%. In contrast, Youth caseload decreased by 53.5% and Family caseload declined by 6.2%.

Grand Bank Court

Total caseload for Grand Bank decreased from 979 cases in 2006/07 to 953 cases in 2010/11. Over this same five-year period, Adult Criminal cases (4.0%), Small Claims cases (22.2%) and Family cases (49.2%) all recorded declines. However, Youth caseload during this time period increased (52.7%).

Grand Falls-Windsor Court

From 2006/07 to 2010/11, Grand Falls-Windsor Court experienced an increase of 4.1% in its total caseload, from 1,513 cases to 1,575 cases. This was largely the result of the increase in Adult Criminal caseload for the same period from 992 to 1,169 cases, an increase of 17.8%. Small Claims cases also increased over this time, from 96 to 114 cases (18.8%). From 2006/07 to 2010/11, declines occurred in Youth caseload (58.9%) and Family caseload (5.0%).

Happy Valley-Goose Bay Court

Total caseload for Happy Valley-Goose Bay decreased from 3,125 cases in 2006/07 to 2,949 cases in 2010/11, which translates into a 5.6% decline. During this five-year period, decreases occurred in Adult Criminal caseload (6.3%), Youth caseload (63.4%) and Small Claims caseload (46.5%). In contrast, Family cases significantly increased from 298 in 2006/07 to 588 cases in 2010/11, a 97.3% increase.

Harbour Grace Court

In 2006/07, the total caseload for Harbour Grace stood at 1,115 cases and by 2010/11 it had risen to 1,450 cases, an increase of 30.0%. Over this same period, increases were also recorded in Adult Criminal caseload (36.8%), Small Claims caseload (90.4%) and Family caseload (48.9%). In contrast, Youth caseload decreased by 26.4%.

Stephenville Court

During the period from 2006/07 to 2010/11, Stephenville recorded a 39.6% increase in total cases or 679 additional cases. This significant increase was primarily due to the increase in Adult Criminal caseload of 59.4%, which translates into 751 additional cases in 10/11 compared to 2006/07. Small Claims caseload increased by 17.8% from 2006/07 to 2010/11. Youth caseload and Family caseload decreased over this same interval by 20.0% and 17.1% respectively.

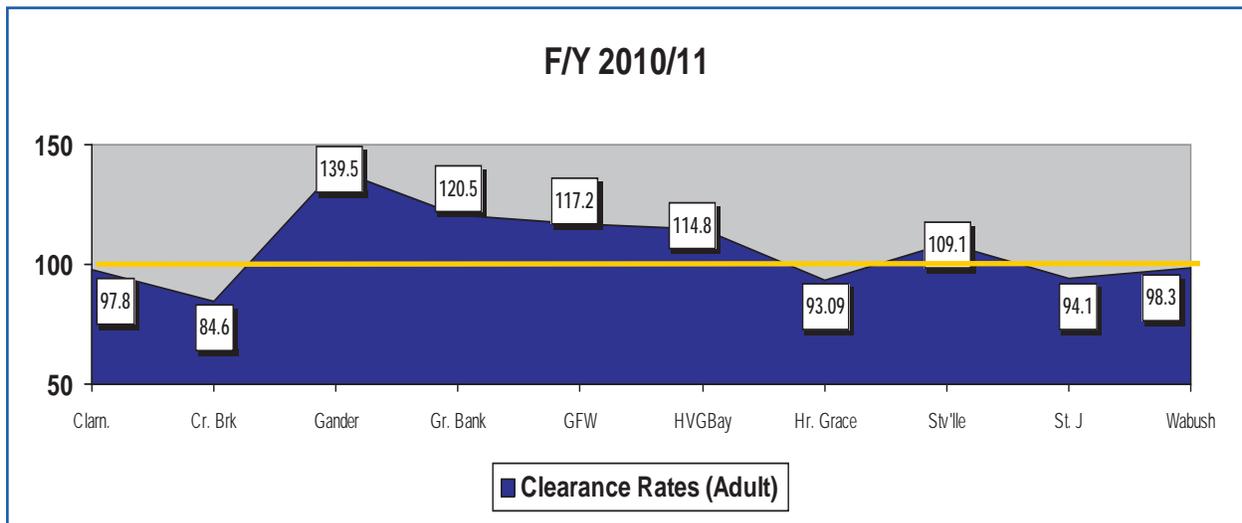
Wabush Court

From 2006/07 to 2010/11, Wabush's total caseload increased by 33.7%, or an additional 196 cases. This increase was largely driven by an increase in Adult Criminal caseload of 103.5%, from 316 cases to 643 cases. This increase was partially offset by decreases in Youth caseload 47.6%, Small Claims caseload 18.2% and Family caseload 54.3%.

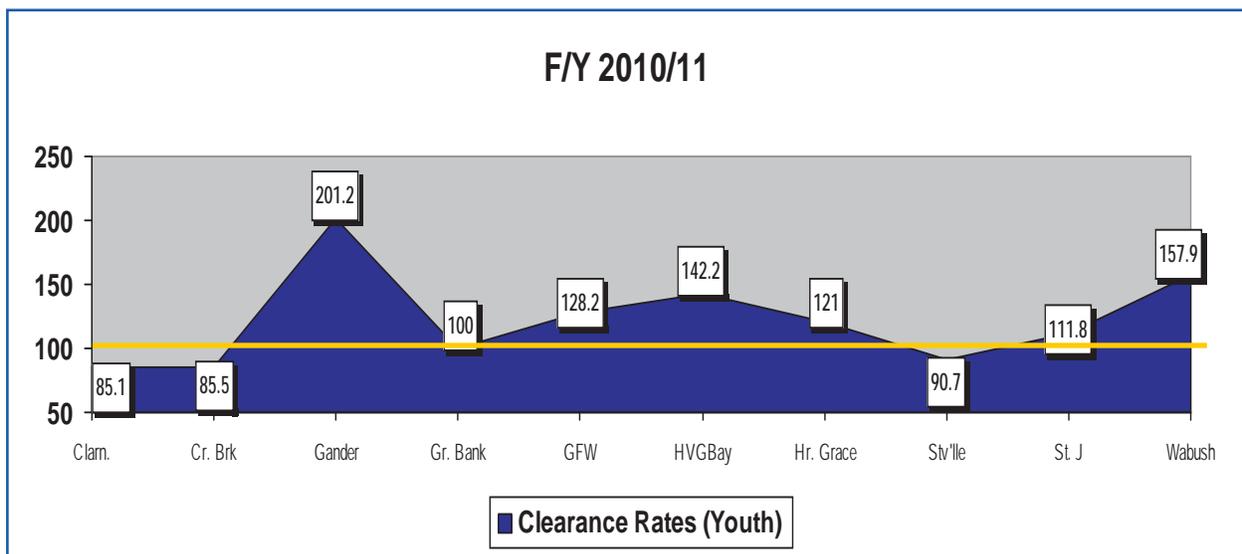
Clearance Rates

The Court aims for a minimum clearance rate of 100 percent—that is to finalize cases at the same rate that new cases begin. A rate higher than 100 percent indicates that the Court is reducing cases that were filed in previous years, thereby reducing the backlog of pending cases; a rate under 100 percent indicates that the number of pending cases is increasing.

Adult



Youth



Pending Cases

ADULT COURT					
COURT	Pending Cases as of April. 1/10	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/11	Clearance Rates
Clarenville	556	630	616	570	97.8
Corner Brook	1,743	2,056	1,740	2,059	84.6
Gander	1,189	1,117	1,558	748	139.5
Grand Bank	333	561	676	218	120.5
Grand Falls-Windsor	959	845	990	814	117.2
H. V. Goose Bay	1,557	1,867	2,144	1,280	114.8
Harbour Grace	648	859	807	700	93.9
Stephenville	1,494	1,420	1,549	1,365	109.1
St. John's	7,278	11,194	10,556	7,936	94.3
Wabush	637	534	525	646	98.3
TOTAL	16,394	21,083	21,161	16,336	100.4%

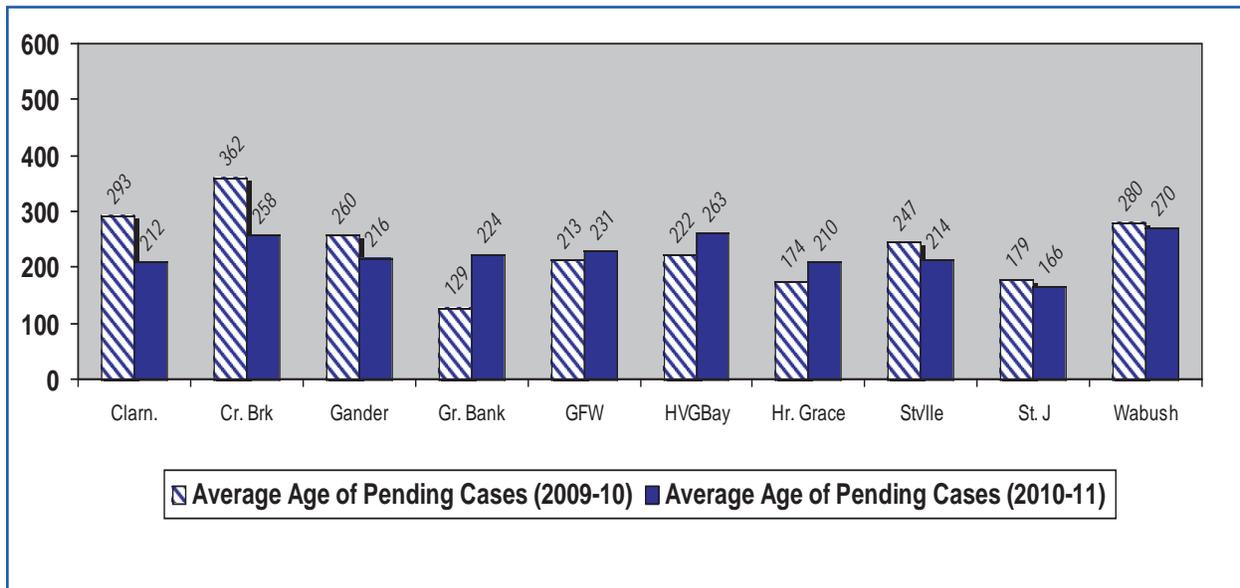
YOUTH COURT					
COURT	Pending Cases as of April. 1/10	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/11	Clearance Rates
Clarenville	77	94	80	91	85.1
Corner Brook	162	325	278	209	85.5
Gander	127	82	165	44	201.2
Grand Bank	52	133	133	52	100.0
Grand Falls-Windsor	115	78	100	93	128.2
H. V. Goose Bay	178	154	219	113	142.2
Harbour Grace	65	124	150	39	121.0
Stephenville	185	280	254	211	90.7
St. John's	487	1,301	1,455	333	111.8
Wabush	51	38	60	29	157.9
TOTAL	1,499	2,609	2,894	1,214	110.9%

Note: These numbers do not include Applications or Peace Bonds.

Age of Active Pending Cases

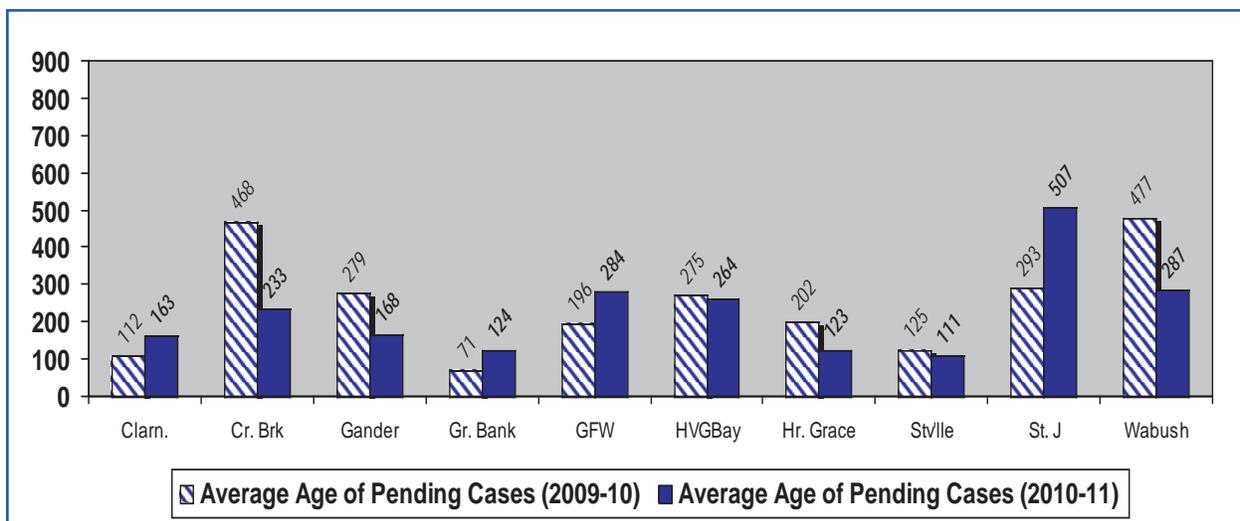
Adult

The Court aims to keep the number of old cases to a minimum and to maximize the proportion of younger cases. The nature of high-conflict and complex cases inevitably means that those case types will take longer to progress through to conclusion. The average age of Active Pending Adult Criminal Cases as of March 31, 2011, ranged from a high of 270 days for Wabush to a low of 166 days for St. John's.



Youth

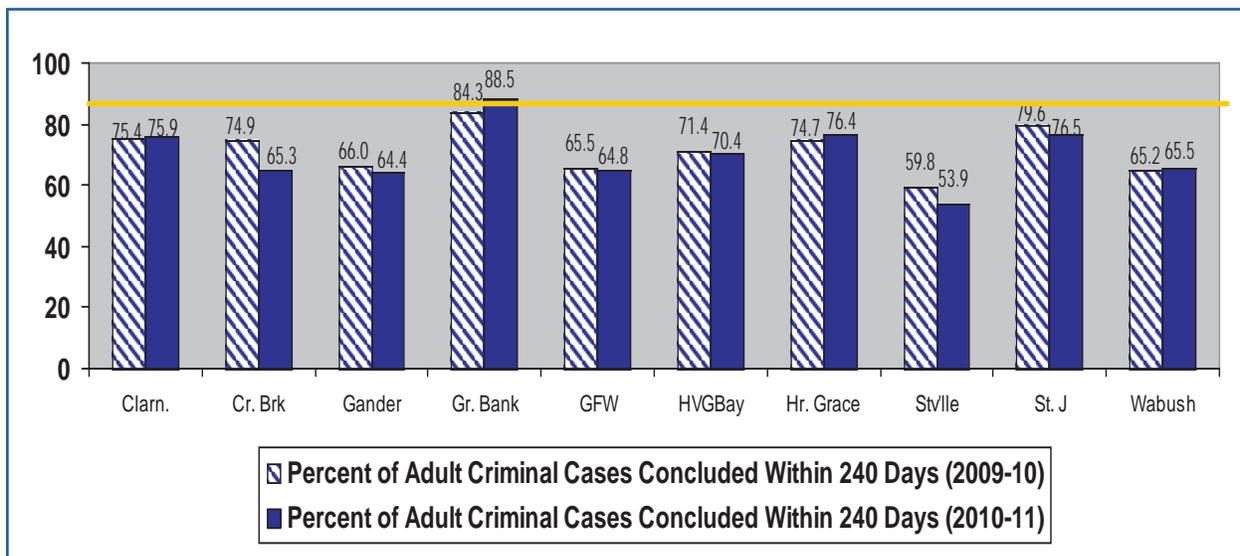
The average age of Active Pending Youth Cases as of March 31, 2011, ranged from a high of 507 days in St. John's to a low of 111 days in Stephenville.



Percentage of Cases Concluded

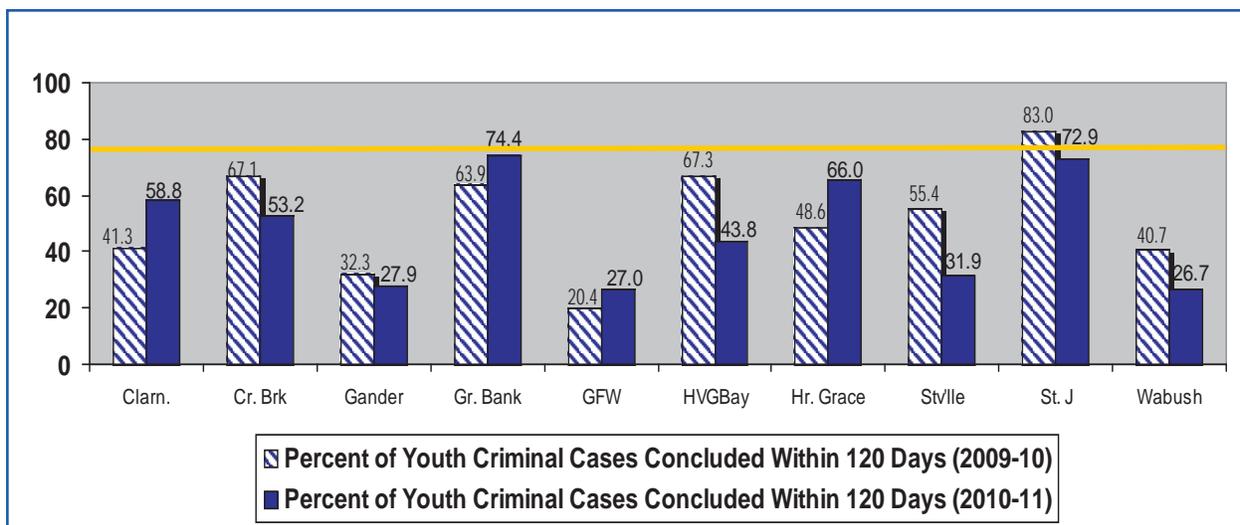
Adult

The Court has based the target for time to disposition on its experience of previous cases and the case management process applied to its cases. The Court's target, based on the 2007-09 Strategic Plan, is to dispose of 87% of Adult Criminal cases within 240 days. In 2010-11, only one court, Grand Bank, met the target with 88.5% disposed in 240 days or less.



Youth

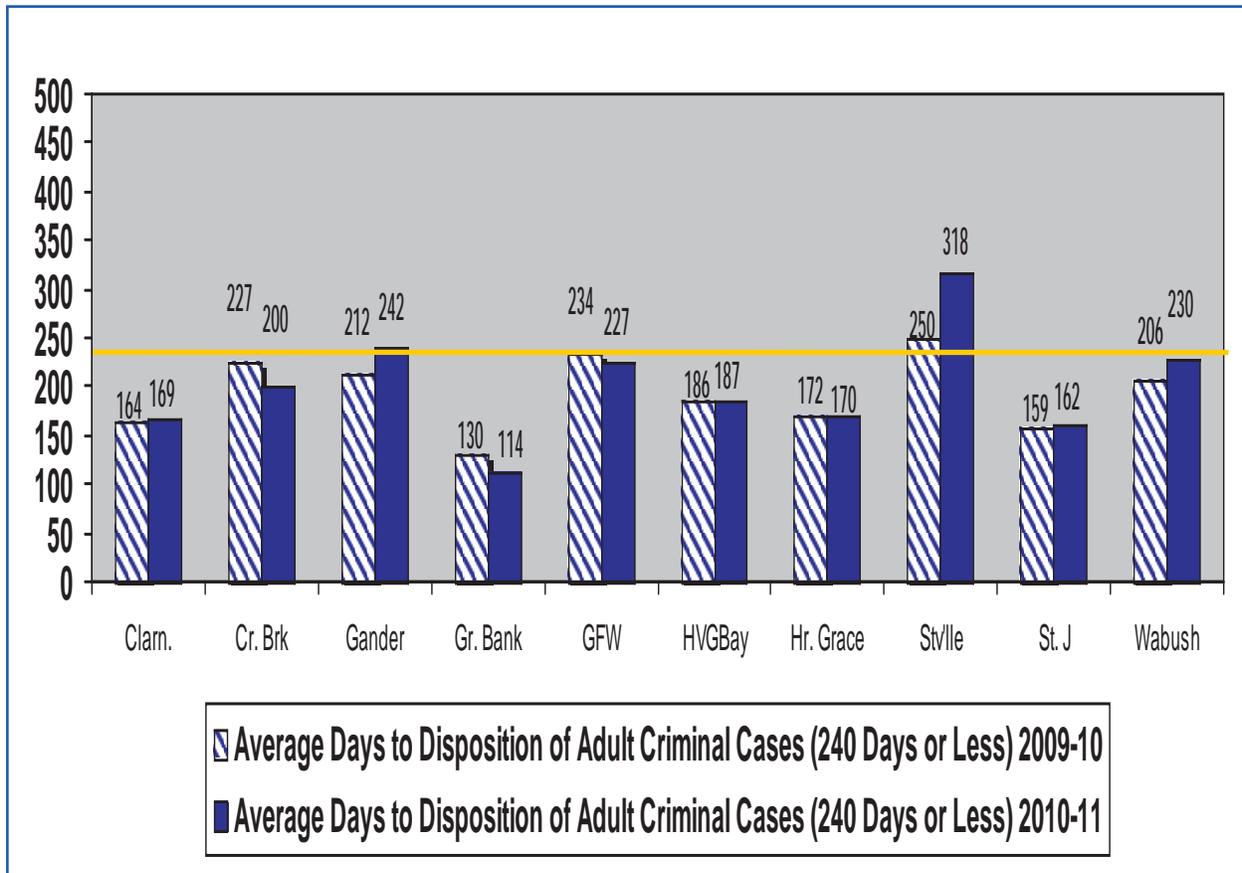
The Court's target, based on the 2007-09 Strategic Plan, is to dispose of 78% of all Youth cases within 120 days or less. The percentage of cases disposed within 120 days in 2010-11 varied from 26.7% for Wabush to 74.4% for Grand Bank.



Time to Disposition

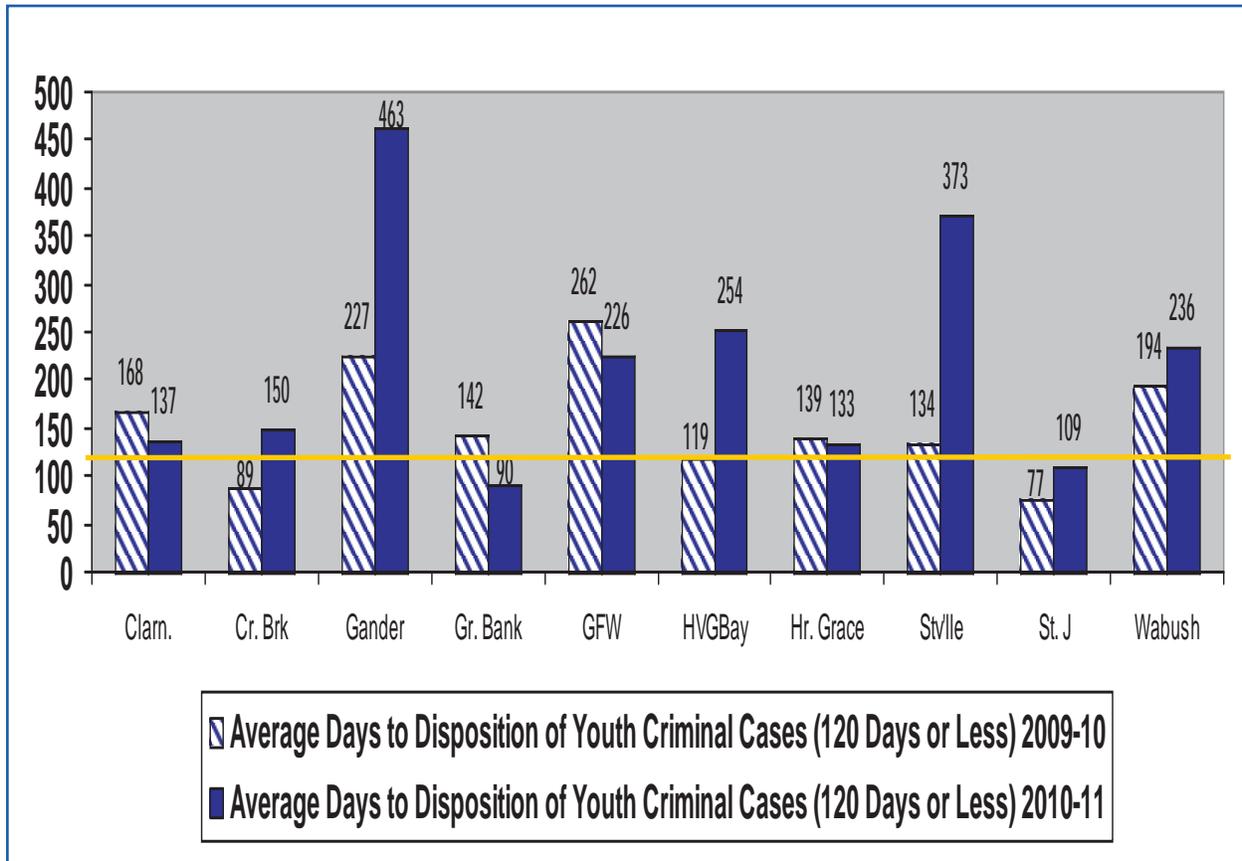
Adult

The time it takes for cases and applications to be finalized is a major focus of the Court. The Court aims to have Adult Criminal cases concluded within 240 days (8 months). Only two courts out of ten failed to meet the 240 day target: Stephenville with 318 days and Gander with 242 days to final disposition.



Youth

The Court aims to have youth cases concluded within 120 days (4 months). Out of the ten court centres only Grand Bank with 90 days and St. John's with 109 days to final disposition met the target.

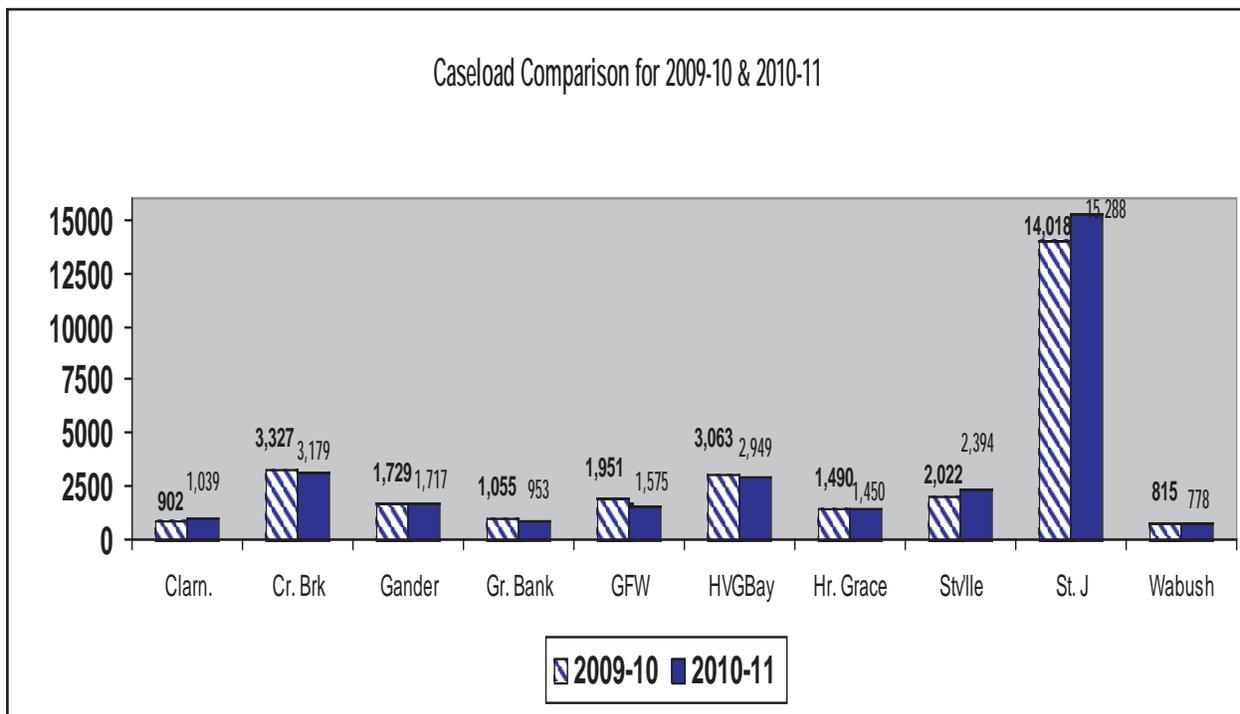


Combined Caseload Statistics

Court Centre	Total Adult		Total Youth		New Civil		New Family		Total Cases	
	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11
Clarenville	714	815	60	109	78	53	50	62	902	1,039
Corner Brook	2,405	2,545	510	349	176	198	236	87	3,327	3,179
Gander	1,314	1,378	160	86	92	101	163	152	1,729	1,717
Grand Bank	821	736	150	142	44	42	40	33	1,055	953
Gr. Falls-Windsor	1,413	1,169	196	85	103	114	239	207	1,951	1,575
H. V. Goose Bay	2,344	2,165	379	173	34	23	306	588	3,063	2,949
Hr. Grace	1,161	1,077	116	134	102	99	111	140	1,490	1,450
Stephenville	1,697	2,016	176	296	31	53	118	29	2,022	2,394
St. John's	12,057	13,189	1,356	1,374	605	725	0	0	14,018	15,288
Wabush	615	643	119	43	24	18	57	74	815	778
OVERALL TOTAL	24,541	25,733	3,222	2,791	1,289	1,426	1,320	1,372	30,372	31,322

Note: These figures include Applications and Peace Bonds.

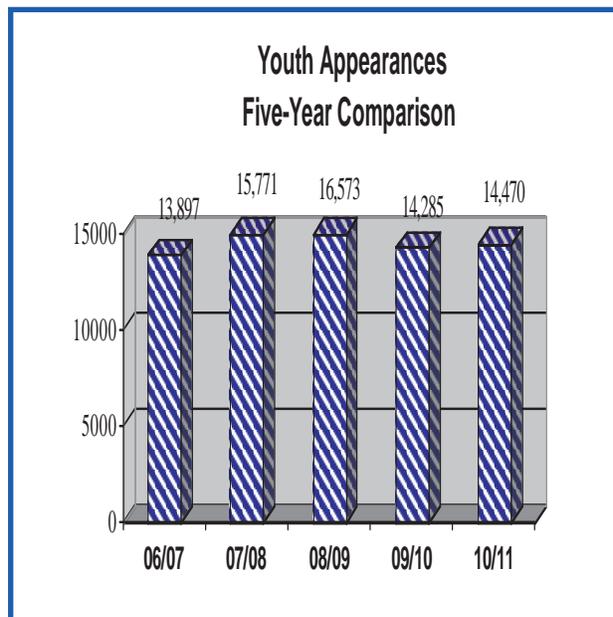
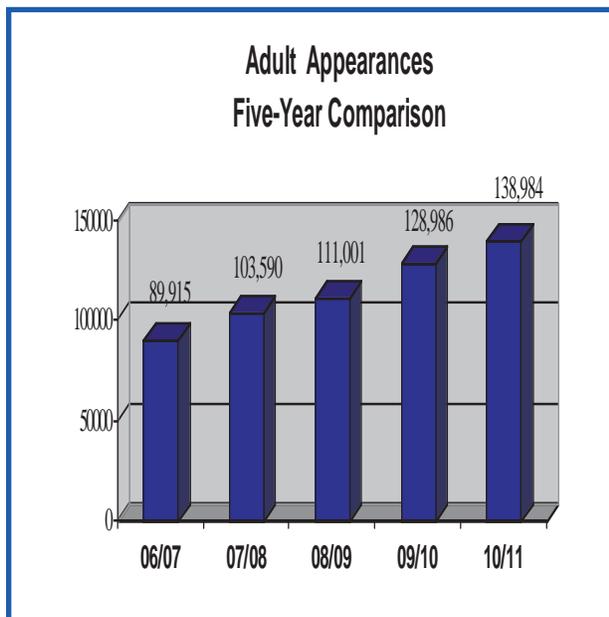
This chart depicts the increase or decrease in the caseload of each court centre compared to the previous fiscal year.



Court Appearances

COURT	ADULT		YOUTH		CIVIL		FAMILY	
	09/10	10/11	09/10	10/11	09/10	10/11	09/10	10/11
Clarenville	2,743	4,187	327	520	32	68	98	130
Corner Brook*	10,297	12,885	2,215	1,847	199	203	500	59
Gander	6,013	6,899	952	451	89	123	231	324
Grand Bank	2,156	2,620	340	505	33	12	50	43
Grand Falls-Windsor	6,929	5,774	766	493	86	83	415	587
H.V. Goose Bay	15,083	16,331	2,167	1,405	35	15	612	807
Harbour Grace	4,288	5,404	543	641	48	48	70	153
St. John's	69,653	71,964	5,735	6,998	656	739	0	0
Stephenville*	6,910	8,575	818	1,201	29	50	177	49
Wabush	4,914	4,345	422	409	35	25	185	230
TOTAL	128,986	138,984	14,285	14,470	1,242	1,366	2,338	2,382

***Note: Jurisdiction for Family matters (Corner Brook & Stephenville) transferred to Supreme Court on June 1, 2010.**



Requests for Criminal History Records (Three-Year Comparison)

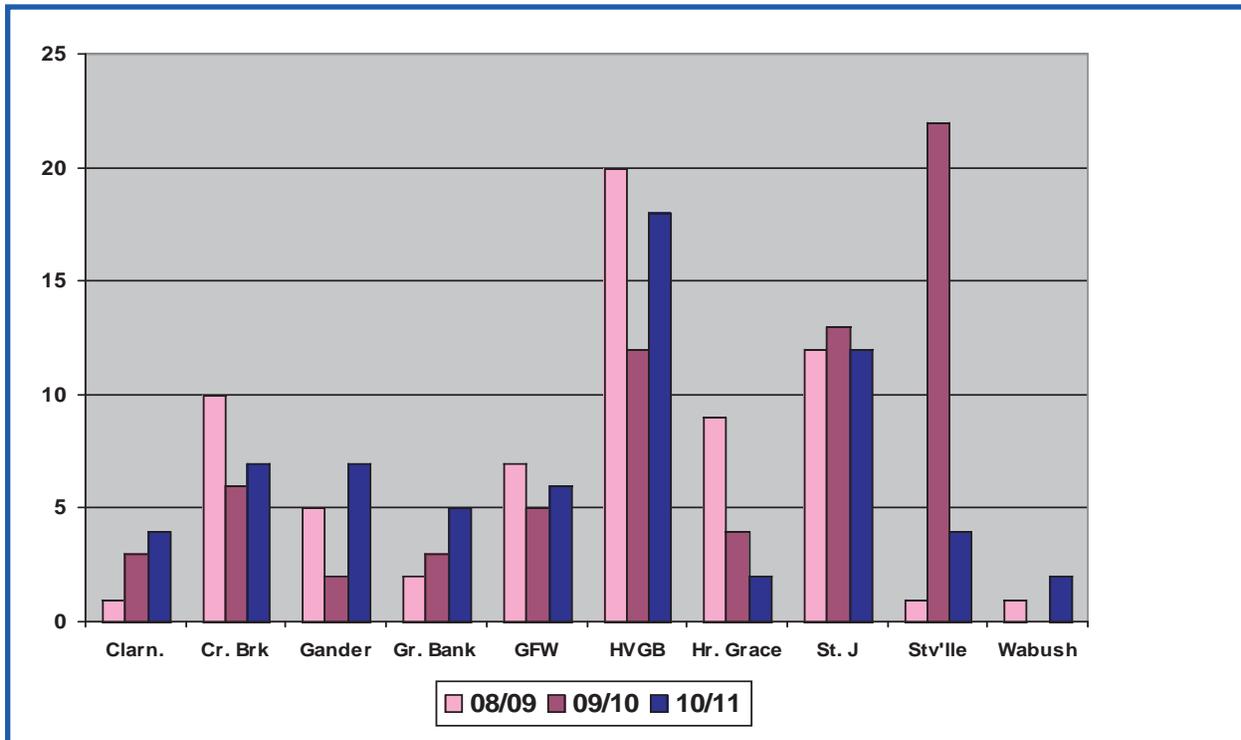
COURT	08/09	09/10	10/11
Clarenville	1,184	1,441	1,685
Corner Brook	4,001	4,211	4,288
Gander	2,957	3,469	3,754
Grand Bank	1,278	1,405	1,524
Grand Falls-Windsor	3,343	4,314	5,202
H. V. Goose Bay	1,632	2,062	2,114
Harbour Grace	1,785	2,465	2,710
Placentia*	512	0	0
St. John's	9,646	10,789	9,637
Stephenville	1,975	2,256	2,690
Wabush	684	513	267
TOTAL	28,997	32,925	33,871

(*Placentia is now a circuit of Harbour Grace Court)

Video Conferencing (Three-Year Comparison)

Video-Conference Site	08/09		09/10		10/11	
	Total # of Sessions	Total # of Hrs.	Total # of Sessions	Total # of Hrs.	Total # of Sessions	Total # of Hrs.
Outside Court Network	140	167.0	77	108.0	70	105.25
Clarenville	28	37.5	33	40.0	38	52.25
Corner Brook	50	66.75	54	83.15	36	57.25
Gander	17	27.0	42	68.15	27	38
Grand Bank	22	40.25	29	38.0	38	59.5
Grand Falls-Windsor	17	25.25	26	35.15	23	36
H.V. Goose Bay	186	220.5	153	224.4	142	233
Harbour Grace	4	8.0	16	20.0	21	23
St. John's	117	172.0	120	196.5	223	323.25
Stephenville	66	98.0	38	58.75	33	51
Wabush	63	84.5	69	110.40	58	92
TOTAL	710	946.75	657	982.5	709	1070.50

National Sex Offender Registry (Three-Year Comparison)



National Sex Offence Registry (Data)			
COURT	08/09	09/10	10/11
Clarenville	1	3	4
Corner Brook	10	6	7
Gander	5	2	7
Grand Bank	2	3	5
Grand Falls-Windsor	7	5	6
H.V. Goose Bay	20	12	18
Hr. Grace	9	4	2
St. John's	12	13	12
Stephenville	1	22	4
Wabush	1	0	2
TOTAL	68	70	67

Summary Offence Tickets (Three-Year Comparison)

COURT CENTRE	TICKETS PROCESSED			TICKETS TO TRIAL		
	08/09	09/10	10/11	08/09	09/10	10/11
Clarenville	2,030	2,252	1,644	12	29	7
Corner Brook	8,917	8,823	10,386	133	133	123
Gander	4,569	4,033	4,016	143	90	182
Grand Bank	1,426	1,819	2,459	5	18	47
Grand Falls-Windsor	3,295	3,397	2,660	74	59	67
H.V. Goose Bay	1,540	1,318	1,199	7	8	3
Harbour Grace	2,872	2,248	1,801	73	53	31
Stephenville	3,430	4,354	4,072	65	64	113
St. John's	120,682	126,687	140,720	410	466	686
Wabush	711	1,266	1,756	7	17	34
TOTAL	149,472	156,197	170,713	929	937	1,293

Transcribed Pages (Three-Year Comparison)

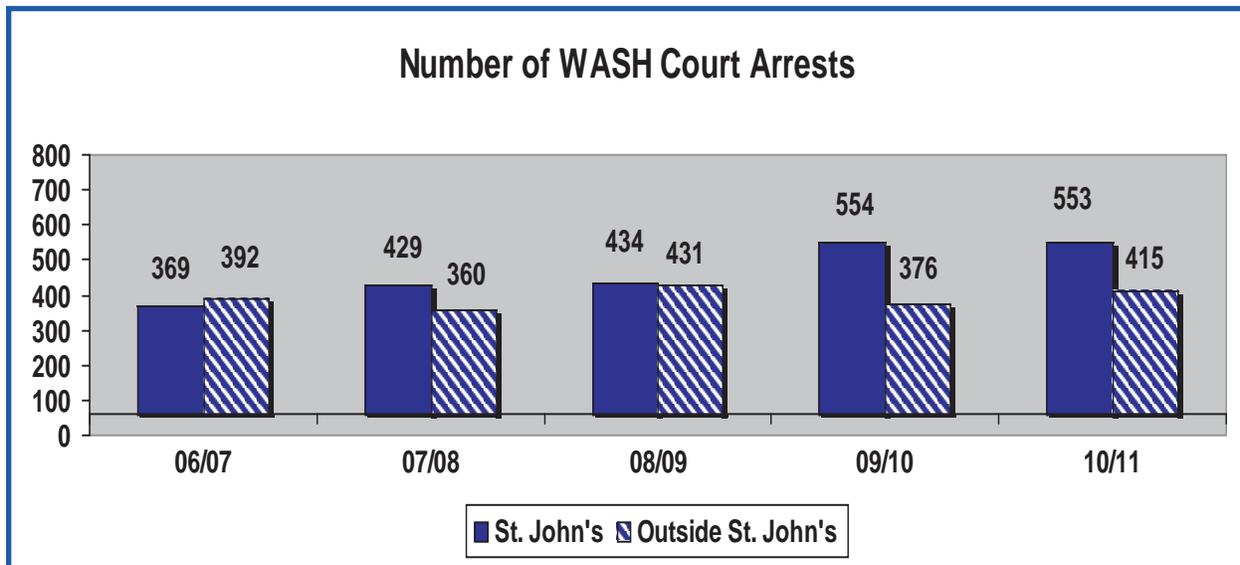
COURT CENTRE	# Pages Typed 08/09	# Pages Typed 09/10	# Pages Typed 10/11
Clarenville	761	1,225	1,083
Corner Brook	925	2,867	3,636
Gander	1,556	2,215	935
H.V. Goose Bay	1,558	1,191	1,740
Grand Bank	233	490	379
Grand Falls-Windsor	1,493	2,285	1,469
Harbour Grace	850	705	426
Stephenville	128	3,652	1,200
St. John's	5,953	10,621	9,375
Wabush	121	483	1,498
Court Services (St. John's)	6,320	6,764	3,471
TOTAL	19,898	32,498	25,212

WASH Court (Weekend and Statutory Holiday Court)

The Provincial Court of Newfoundland and Labrador has developed an on-call Judge system to respond to Section 503 of the *Criminal Code*, which provides that an accused must appear before a justice within 24 hours of arrest for the provision of remand/release services. In the province of Newfoundland and Labrador, a justice means a Provincial Court judge.

In order for the 23 Provincial Court judges to fulfill the Code requirement, the judges provide a rotational weekly schedule, commencing at 4:30 p.m. Friday to 4:30 p.m. the following Friday. The judge could be from any jurisdiction in the province. However, all court proceedings are funnelled through Provincial Court in St. John's with a clerk, crown, and duty counsel present. Court sits at 11 a.m. on these days. Proceedings will be held via telephone conference call. The annual schedule of judges is available on the Provincial Court website and is password protected. This information is only available to authorized law enforcement and other justice agencies.

WASH Court Statistics (Five-year Comparison)



Ten Most Common Offences 10/11

OFFENCE TYPE	ADULT	OFFENCE TYPE	YOUTH
Breach of Court Orders	6,886	Breach of Court Orders	1,208
Assault	2,210	Assault	244
Theft	1,950	Theft	235
Impaired Driving	1,873	Mischief	181
Fraud	1,067	Break and Enters	169
Uttering Threats	921	Uttering Threats	148
Mischief	798	Fraud	97
Drug Offences	769	Sexual Offences	36
Break and Enters	349	Drug Offences	30
Sexual Offences	347	Firearm Offences	26

Emergency Protection Orders (Three-Year Comparison)

PROVINCIAL STATISTICS	08/09	09/10	10/11
Number of Applications Received Provincially	219	223	259
Number of EPOs Granted	169	171	218
Number of EPOs Denied	35	31	26
Number of EPOs Pending	0	0	1
Number of EPOs dealt with by Other means i.e. Withdrawn, Peace Bonds etc.	15	21	14



Part 4
Financial



FINANCIAL

Budget Expenditures 2010-11

CATEGORY	BUDGET	ACTUAL	VARIANCE
Salaries	8,854,100	8,146,322	+707,778
Employee Benefits	54,500	59,869	-5,369
Transportation & Communication	373,900	403,481	-29,581
Supplies	60,200	104,880	-44,680
Professional Services	10,000	25,580	-15,580
Purchased Services	1,189,300	1,185,998	+3,302
Property, Furniture & Equipment	25,200	28,686	-3,486
Grants & Subsidies	3,000	8,000	-5,000
TOTAL	10,570,200	9,962,816	+607,384

STAFF OVERTIME Time Off In Lieu (TOIL)

Carried Forward TOIL from March 31/10	922 hrs.
Balance as of March 31/11	985 hrs.

COSTS OF JUDICIAL EXCHANGE*

FY 07/08	\$21,881.91
FY 08/09	\$30,079.15
FY 09/10	\$47,323.06
FY 10/11	\$41,296.91

**Judicial Exchange occurs when a judge has a conflict at his or her court centre or due to leave; subsequently, another judge is brought in from another centre to hear the matters.*

Amounts Collected and Distributed

	08/09		09/10		10/11	
	Amount	Percent	Amount	Percent	Amount	Percent
CCC & Provincial Statutes	395,479	9.48	389,135	10.90	431,663	9.08
Federal Statutes	1,103,050	26.47	648,253	18.16	1,556,019	32.72
Liquor Control Act	34,740	.83	9,660	0.27	5,660	.12
Municipal Acts	660	.02	2,455	0.07	2,030	.04
Highway Traffic Act	1,274,386	30.57	1,217,209	34.10	1,236,772	26.01
Fees and Costs	329,285	7.90	353,997	9.92	353,790	7.44
Victim Fine Surcharge	96,014	2.30	81,869	2.29	86,062	1.81
Provincial Victim Fine Surcharge	4,321	.10	4,337	0.12	6,846	.14
Maintenance Compensation	305,179	7.32	104,305	2.92	191,732	4.03
Civils (Third Party)	66,065	1.58	60,176	1.69	61,841	1.30
Bail/Bonds Sureties	428,778	10.28	477,768	13.38	694,276	14.60
Cross Court Payments	109,407	2.62	143,318	4.01	106,496	2.24
Bank Interest	785	.02	0	0	0	0.00
HST	0	0	0	0	0	0.00
Judgment Enforcement Act	4,455	0.11	10,050	0.28	7,915	0.17
Other (Third Party)	16,777	.40	67,456	1.89	14,149	.30
TOTAL	4,169,381	100.00	3,569,988	100.00	4,755,251	100.00

Fines Imposed Summary (Three-year Period)

	08/09		09/10		10/11	
	Amount	Percent	Amount	Percent	Amount	Percent
CCC/PROV	1,380,946	47.31	1,588,954	50.83	475,396	10.55
FED	936,292	32.07	1,067,238	34.14	2,729,168	60.55
LCA	5,355	.19	12,035	.39	282,800	6.27
VFS	203,689	6.98	180,688	5.78	179,217	3.98
PVFS	13,215	.45	11,310	.36	39,588	0.88
TMS	378,410	12.96	261,575	8.37	790,050	17.53
Other (Third Party)	1,300	.04	4,105	.13	11,275	0.25
TOTAL	2,919,207	100.00	3,125,905	100.0	4,507,494	100.0

CCC - Criminal Code Canada
 PROV - Provincial Statutes
 FED - Federal Statutes
 LCA - Liquor Control Act

VFS - Victim Fine Surcharge
 PVFS - Provincial Victim Fine Surcharge
 TMS - Ticket Management System
 JEA - Judgment Enforcement Act

Operational Costs of Circuit Courts

Court Centre	Circuit	Total 08/09	Total 09/10	Total 10/11
Clarenville	Bonavista	1,316.53	1,330.49	947.22
	TOTAL CLARENVILLE	1,316.53	1,330.49	947.22
Corner Brook	Baie Verte	3,420.02	4,428.42	5,941.63
	Roddickton/St. Anthony	7,090.28	9,612.09	9,468.20
	Port aux Choix/Plum Point	9,774.83	11,956.64	10,590.00
	Rocky Harbour	4,581.08	5,250.78	6,702.12
	TOTAL CORNER BROOK	24,866.21	31,247.93	32,701.95
Happy Valley-Goose Bay	Judge/Clerk sent to help with Circuit Court	25,587.18	22,945.86	23,048.76
	Nain	34,241.81	34,726.21	31,810.86
	Makkovik/Postville/Rigolet/Hopedale	45,944.13	42,961.02	22,184.63
	Natuashish	38,798.81	24,510.95	34,673.92
	Sheshatshiu	2,771.41	8,827.48	997.62
	TOTAL HAPPY VALLEY-GOOSE BAY	147,343.34	133,971.52	112,715.79
Wabush*	Port Hope Simpson/Forteau	18,955.56	15,995.63	15,741.77
	Cartwright/L'Anse au Clair	32,054.20	21,263.93	15,740.48
	TOTAL WABUSH	51,009.76	37,259.56	31,482.25
Grand Falls-Windsor	Head of Bay D'Espoir/Hr. Breton/Conne R.	6,669.84	5,887.54	5,958.85
	Springdale	14,764.77	17,135.40	18,683.69
	TOTAL GRAND FALLS-WINDSOR	21,434.61	23,022.94	24,642.54
Harbour Grace	Placentia	1,015.87	2,105.82	2,501.45
	TOTAL PLACENTIA	1,015.87	2,105.82	2,501.45
Stephenville	Port aux Basques	2,515.58	4,368.29	3,591.26
	Burgeo	381.64	844.16	380.70
	TOTAL STEPHENVILLE	2,897.22	5,212.45	3,971.96
OVERALL TOTALS		249,883.54	234,150.71	208,963.16

Frequency of Circuit Courts

Clarenville	Scheduled	Actual	Hr. Grace	Scheduled	Actual	Wabush*	Scheduled	Actual
Bonavista	8	7	Placentia	19	18	P. H. Simpson	11	10.5
						Cartwright	9	3.5
Corner Brook			Happy Valley-Goose Bay*			L'Anse au Clair	6	5
Port aux Choix	20	18	Hopedale	40	14.5			
Plum Point	5	5	Nain	55	38	Grand Falls-Windsor		
Rocky Harbour	18	15	Makkovik	3	.5	Harbour Breton	6	5
St. Anthony	25	19	Postville	3	1.5	Head of Bay D'Espoir	6	6
Baie Verte	15	11	Rigolet	7	1.5	Conne River	6	6
			Natuashish	55	41	Springdale	36	21
			Sheshatshiu	10	5			
						Stephenville		
						Port aux Basques	31	19
						Burgeo	3	2

*Note: H.V.G.B took over circuits for P.H. Simpson/Cartwright/L'Anse au Clair effective January 1, 2011.

Part 5
Management and
Accountability

CORPORATE GOVERNANCE

Roles and Responsibilities of Administrative Judges

The administration of the Provincial Court of Newfoundland and Labrador is divided among the Chief Judge (CJ), the Associate Chief Judge (ACJ) and the Senior Coordinating Judge (SCJ). They comprise the judicial administrative infrastructure of the Provincial Court province-wide. This includes not only the twenty-three judges of the Court, but the court clerks, Justices of the Peace and support staff working at the Provincial Court. The administrative judges, in conjunction with the Director of Court Services, make policy decisions on a short, medium and long-term basis and carry out planning and strategic planning functions to ensure the effective and efficient running of the entire court system.

Duties of the Chief Judge are set out in the *Provincial Court Act*. These involve having charge at all times of the general policy of the Court in judicial matters, the assignment of duties and request for exchange of duties among judges, the coordination and apportionment of the work of judges as well as the transfer of judges within the province. The Chief Judge is also empowered to make recommendations to the Minister respecting all matters affecting the general administration and operation of the Court. Examples of this include the conduct and implementation of policies involving specialized, therapeutic courts such as Family Violence Intervention Court and Mental Health Court. It is the responsibility of the Chief Judge to maintain and revise where necessary the rules of practice and procedure of the Provincial Court and to prepare Practice Notes and Memoranda to Judges and Counsel appearing at the Bar.

The regular administrative duties of the Chief Judge include: overseeing the scheduling of the sittings of the Court and the budgetary process as well as working in conjunction with the Director of Court Services who reports to the Chief Judge on judicial administrative matters and has supervisory responsibility for approximately 80 staff members. The Chief Judge liaises with agencies such as police and other investigative organizations, the Public Prosecution Service of the Province and of Canada, the Newfoundland and Labrador Legal Aid Commission, and the private bar either through the Law Society or the Canadian Bar Association, all for the purpose of maintaining and improving the delivery of justice services. He must also respond to media inquiries. The Chief Judge serves as the Court's contact with the Minister of Justice and senior executives of the Department of Justice as well as other agencies throughout the province and the country.

On the national scene, the Chief Judge, along with the Associate Chief, participates in the semi-annual meetings of the Canadian Council of Chief Judges (CCCJ), a national organization which is dedicated to the promotion of public confidence in the justice system and to ensuring the effective administration of Provincial and Territorial Courts in Canada by providing accessible, timely, independent and impartial justice for all. This organization's mandate is to develop and maintain relationships with the Federal Department of Justice, Provincial Departments of Justice, and national organizations such as the Canadian Bar Association and the Canadian Association of Provincial Court Judges in order to share information and perspectives and to present the approaches and opinions of the Provincial and Territorial Courts on all matters, including legislation, which affect the Provincial and Territorial Courts of Canada. The CCCJ also works to develop an on-going, collaborative working relationship with the Canadian Judicial Council and the National Judicial Institute.



In addition to this, the Chief Judge has the primary responsibility for ensuring that there is continuing education for all judges especially those who are newly appointed; arranging for leave; and arranging for replacement of judges in cases where a conflict of interest might arise and the judge is unable to hear a case that has normally been scheduled before him or her. The conduct of public inquiries is one of the responsibilities of the Court and must be coordinated through the Office of the Chief Judge. Regular travel throughout the province is required as well as the Administration of the Oath of Office to newly appointed judges and the supervision of all Justices of the Peace working at the Provincial Court.

The administrative judges are not only the representatives of the Court within the justice system but often act as a visible face of the Court when attending a variety of meetings and official functions. The Chief Judge organizes and sets the agenda for the Annual Conference of Judges and consults with the executive of the Provincial Court Judges Association on common issues.

The Chief Judge is also required to coordinate the delivery of justice services with the Chief Justice of the Supreme Court of Newfoundland and Labrador as well as the Chief Justice of Newfoundland (Court of Appeal). The administrative judges are involved in various inter-jurisdictional initiatives with the goal of improving the delivery of justice services across Canada. Administrative judges have a sitting schedule similar to the puisne judges except that the sitting duties of the Chief Judge and the Associate Chief Judge may be reduced to accommodate these other responsibilities.

The Chief Judge may be also required to perform additional duties that may be prescribed by the Act or the Regulations and can be called upon to advise the Minister of Justice on matters concerning the administration of justice in the province. A recent example of this is the report which was produced by the Task Force on Criminal Justice Efficiencies. This task force was established by the Minister of Justice and was co-chaired by the Chief Judge of the Provincial Court. Arising from this report were a number of significant recommendations involving reducing the time between arrest and trial and an overhaul of the practices and procedures related to scheduling of trials and applications in the Provincial Court at St. John's. The implementation of this report is being carried out by the current Chief Judge and its effects are expected to be far reaching.

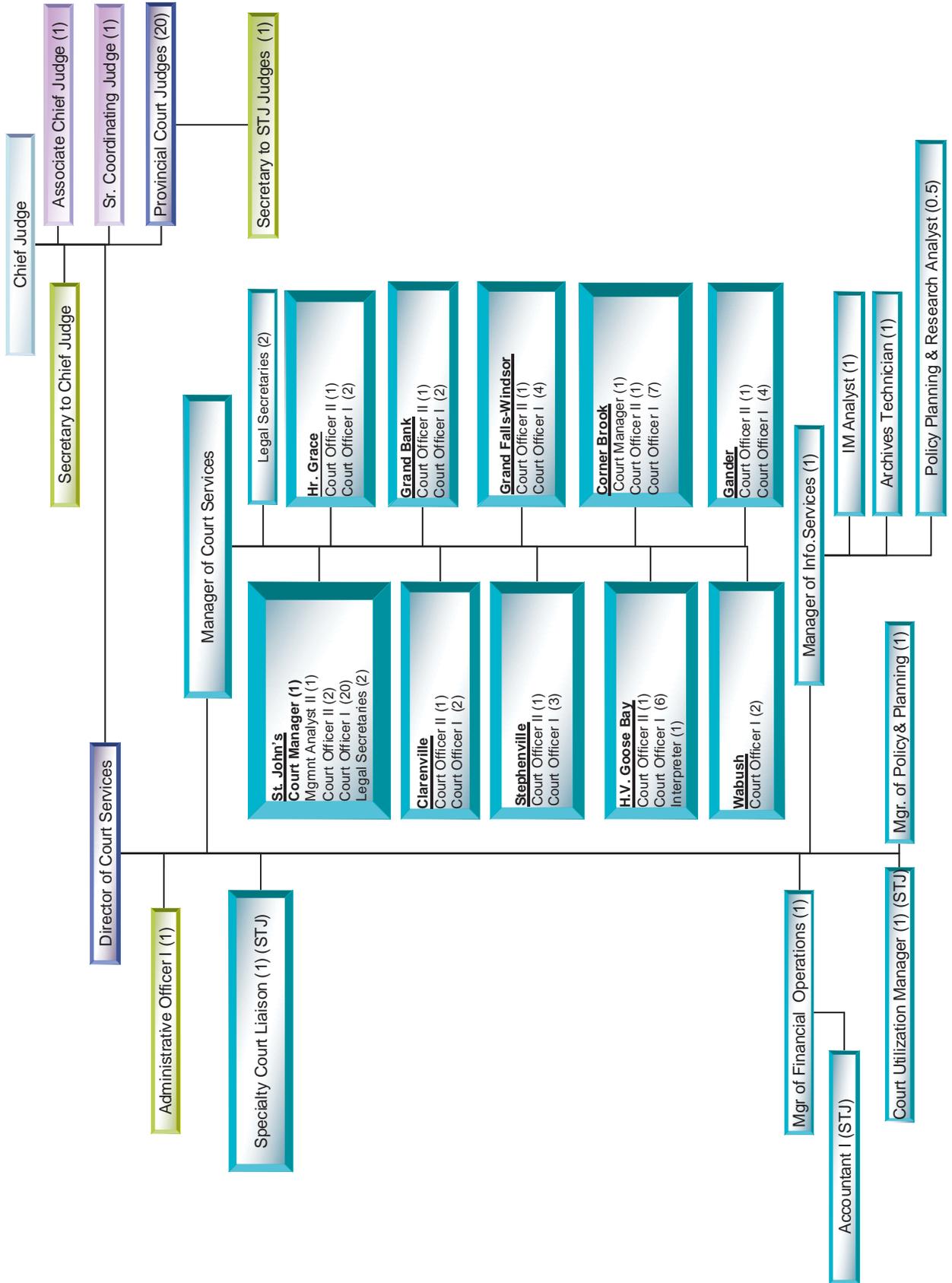
The Chief Judge also has responsibilities as Chair of the Judicial Council. The role as Chair of the Judicial Council is a new responsibility for the Chief Judge. The powers and responsibilities of the Judicial Council can be particularly important especially where they relate to the selection of candidates to be recommended for appointment to the Court. Recently this process has been completely revised and the Council has instituted elaborate guidelines for a broad-based consultative screening process to ensure that only excellent candidates are recommended to the Minister for appointment as Judges of the Court. A mechanism to ensure judicial transfers are made on an equitable basis has also been put in place. An initiative is underway to prepare and revise, in consultation with the Judges of the Court, a Code of Ethics.

The Associate Chief Judge performs the duties assigned to him or her by the Chief Judge. Where the Chief Judge is unable to perform his or her duties, the Associate Chief Judge performs them. The practice of the current Chief Judge is to fully utilize the administrative capacity of the Associate Chief Judge to assist with all of the activities outlined above.



The Senior Coordinating Judge has the primary responsibility for the daily and immediate coordination of the sitting duties (assignment and reassignment of cases) for all judges on the Avalon Peninsula and must work closely with the Court Utilization Manager under the direction of the Chief Judge and Associate in this respect. The Senior Coordinating Judge is consulted on administrative and policy issues impacting the work of the court in the region. These responsibilities have been increasing as new initiatives are undertaken in St. John's.

Provincial Court of NL – Organizational Chart



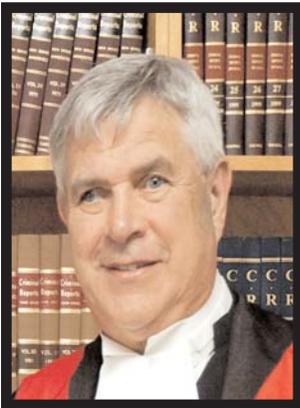
JUDICIAL OFFICERS



*The Honourable
D. Mark Pike*

Chief Judge

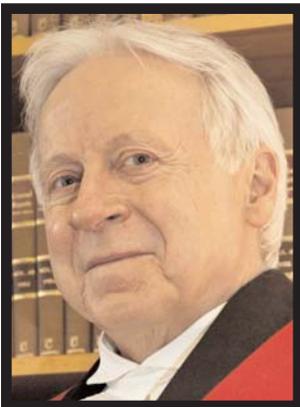
Called to the Bar:	April 9, 1984
Appointed Associate Chief Judge:	November 17, 2008
Appointed Chief Judge:	September 25, 2009



*The Honourable
Robert Hyslop*

Associate Chief Judge

Called to the Bar:	April 13, 1976
Appointed Judge:	May 23, 1989
Appointed Associate Chief Judge:	March 31, 2010



*The Honourable
Greg Brown*

Senior Coordinating Judge

Called to the Bar:	April 12, 1978
Appointed Judge:	February 28, 1992
Appointed Senior Coordinating Judge:	April 1, 2010

JUDICIARY

Judges	Date Appointed	Currently Assigned to
The Honourable Randolph Whiffen	April 11, 1977	Grand Falls-Windsor
The Honourable Kymil Howe	March 11, 1993	Corner Brook
The Honourable David Power	March 11, 1993	St. John's
The Honourable David Orr	August 25, 1994	St. John's
The Honourable Gloria Harding	March 20, 1998	St. John's
The Honourable William English	Nov. 9, 2000	Happy Valley-Goose Bay
The Honourable Wayne Gorman	Nov. 9, 2000	Corner Brook
The Honourable Colin Flynn	April 30, 2001	St. John's
The Honourable Patrick Kennedy	April 11, 2001	Clarenville
The Honourable Harold Porter	Oct. 12, 2001	Grand Bank
The Honourable Timothy Chalker	April 26, 2002	Grand Falls-Windsor
The Honourable Lynn Spracklin	May 1, 2002	St. John's
The Honourable Catherine Allen-Westby	Oct. 28, 2002	Corner Brook
The Honourable Bruce Short	Nov. 1, 2003	Gander
The Honourable John Joy	Aug. 1, 2006	Happy Valley-Goose Bay
The Honourable Wynne Anne Trahey	June 8, 2007	Wabush
The Honourable Jacqueline Jenkins	Sept. 24, 2008	Stephenville
The Honourable Jacqueline Brazil	Feb. 3, 2010	Harbour Grace
The Honourable Michael Madden	Feb. 3, 2010	Gander
The Honourable Lois Skanes	Feb. 15, 2010	St. John's

Building Better Justice

The Provincial Court of Newfoundland and Labrador is committed to building better justice for the public it serves. Continuing education for judges is an indispensable part of that process. The Court has forged ties to the National Judicial Institute (NJI) and each year many of its judges instruct and participate in the programs offered.

The NJI offers dynamic judicial education for federal, provincial and territorial judges. Judge-led and judging-focused, its programs reflect Canada's diversity and focus on the three major components of judicial education: substantive law, skills training and social context issues.

Based in Ottawa, the NJI is an independent, not-for-profit institution committed to building better justice through leadership in the education of judges in Canada and internationally. Since its inception in 1988, the NJI has continued to develop and deliver stimulating programs and a variety of electronic resources that foster judicial excellence. Alone or in partnership with courts and other organizations, the NJI is involved in the delivery of the majority of education taken by judges in Canada.

Judges of the Court also regularly attend conferences and seminars offered by many other organizations including: the Law Society of Newfoundland and Labrador, the Canadian Association of Provincial Court Judges, the Canadian Federation of Law Societies and the Canadian Bar Association.

Why Judicial Education Matters

A lifelong project of learning is essential to judicial excellence and strong judicial institutions anywhere in the world. Continuing technological, environmental and socioeconomic changes have rendered the landscape of judging ever more complex, requiring judges to maintain a steady commitment to career-long education.

Judicial Education:

- Promotes and upholds respect for the rule of law and Charter values;
- Sustains mutual understanding in an increasingly diverse world;
- Supports judicial independence;
- Expands the pool of knowledge and experience available to judges, fosters dialogue, and offers a diversity of perspectives that strengthens judicial reasoning and decision making; and
- Is essential to the effective administration of justice - thereby preserving public confidence in our courts.

The Judicial Appointment Process

The *Provincial Court Act, 1991* provides that no person may be recommended by the Minister for judicial appointment by the Lieutenant Governor in Council without the recommendation of the Judicial Council of the Provincial Court of Newfoundland and Labrador.

It is the function of the Judicial Council to consider all applicants for appointment who have met the minimum criteria in that he or she has been a member in good standing of the Bar of one or more of the Provinces of Canada for a total of at least 10 years and is at the time of the appointment a practicing member in good standing of the Law Society of Newfoundland and Labrador.

Professional competence and overall merit are the primary qualifications for appointment to the bench. Candidates are notified of the date they were assessed by the Council but are not provided with the results of the assessment. The results of the assessment are confidential and solely for the use of the Minister of Justice in making his or her recommendation to the Lieutenant Governor in Council.

The Office of the Chief Judge of the Provincial Court of Newfoundland and Labrador, as supported administratively by the Secretary to the Judicial Council (Judicial Appointments), has overall responsibility for the administration of the appointment process. The Secretary to the Judicial Council as well as the Chief Judge is expected to carry out his or her responsibilities in such a way as to ensure that the system treats all candidates for judicial office fairly and equitably. The Chief Judge, as Chair of the Judicial Council, and the Secretary to the Judicial Council attend every Council meeting and serve as the link between the Minister and the Judicial Council.

The evaluation process seeks to protect the reputations and privacy of candidates to the maximum extent possible while also providing accurate and thorough assessments to the Minister of Justice in the discharge of his or her important function.

The policies and procedures of the Judicial Council of the Provincial Court of Newfoundland and Labrador (Judicial Appointments) are published and available to candidates and the public via the Provincial Court website. However, information on the process is subject to the constraints required to protect the identity of candidates and the confidentiality of the Council's consultations, proceedings and reports to the Minister of Justice.

Senior Management



*Pamela Ryder Lahey
Director of Court Services*

Director of Court Services

This is the senior non-judicial management position in the Provincial Court, and is accountable for planning, organizing, directing, and controlling the operations of the Provincial Court throughout the province of Newfoundland and Labrador. This position is appointed subject to Section 26(1) of the *Provincial Court Act*. This position provides leadership in strategic management, policy development, program development and evaluation, caseload management, financial operations, human resource development and management, legislation, and the adoption of information technology. Generally, this position is advisor to the Chief Judge on all matters affecting the management and administration of the Court. Decisions made by the Director may affect other justice agencies.



*Shelley Organ
Manager of Court Services*

Manager of Court Services

This position is a responsible management position which is accountable for managing and directing the operations of the Provincial Court provincially, and for ensuring the efficient operation of all court centres. The Manager of Court Services provides leadership in the application of policy and procedures and ensures that the directives of senior management are carried out by all front-line staff. A primary function of this position is human resource management including recruitment and retention, training and development, staff relations, and performance evaluations.



Dean Batten
Manager of Financial Operations

Manager of Financial Operations

This position is responsible for the development, implementation and operation of an effective and efficient accounting system with the necessary controls to provide for an accurate recording, reporting and control of the Provincial Court's receivables and collections. Emphasis is also placed on all statutory and regulatory requirements for the control of such funds.



Louise Daley
Manager of Strategic Planning

Manager of Strategic Planning

This position is primarily responsible for the development of policies and procedures regarding a wide range of court issues and is accountable for the development, management, and ongoing monitoring of the Court's Strategic and Operational Plans.



Krista Hill
Manager of Information Services

Manager of Information Services

This position is accountable for planning, recommending, implementing, and managing the internal information resources of the Provincial Court. This responsibility includes the provision of province-wide quality Information Management (IM) services, and managing the progression and ongoing advancement of the Court's records management into an IM environment. The latter is achieved by introduction of new initiatives, management processes, appropriate policies and procedures and, in consultation, with the Court's Information Technology Committee, appropriate technology solutions.

MANAGEMENT OF HUMAN RESOURCES

In 2010/11, the Provincial Court continued its focus on strategic and operational human resources. This included recruitment and retention, workforce planning and development, performance management, workplace relations, and occupational health and safety.

Workforce Planning

In the last number of years, several supervisory and specialized positions were vacant due to retirements. Nearly all of these positions were filled by external candidates as there was limited qualified internal staff to fill these positions. Despite the high retirement rate in key positions over the past few years, another 25 percent of the existing staff will become eligible for retirement within the next five years. As a result, Court Services increased its efforts in workforce planning and began working on the development of a comprehensive Succession Plan.

Succession Plan

Succession planning is about identifying, building, and maintaining pools of candidates who possess critical knowledge, skills, and abilities that are required to meet the short and long-term objectives of the organization. Effective succession planning is a form of future proofing. It will assist the Court to adapt and sustain specific strategic positions into the future that will allow the achievement of our vision, goals, and specific objectives. It also involves a projection of future needs in terms of the competencies that employees will require to fill key positions that support the business.

Over the past year work has been completed on the identification of the key leadership positions within the Court. Competency models have been drafted for most positions outlining the areas of competency as well as the behaviors associated with these competencies. Assessment tools were also developed to provide employees and their supervisor with an opportunity to assess personal strengths and note areas for improvement.

During the Court Administrators/Managers Training in October 2010, draft competency assessment models for the Court Officer I and Court Officer II positions were presented. Administrators and Managers then piloted the models during annual performance coaching sessions with staff. Positive feedback was provided on the effectiveness of the tools.

The key directions for the upcoming fiscal year 2011/2012 are to continue to enhance education and awareness of succession planning, to develop the remainder position competencies, to introduce the Individual Development Plan and to promote the identification of high potential/high performers. Outreach and information sessions to educational institutions will continue in order to promote and increase the profile of the Provincial Court as a leading employer.



Retention Strategies

The Court continued to focus on recruitment and retention strategies such as participating in job fairs and visiting post-secondary institutions across the province highlighting what the Provincial Court has to offer to its employees.

In addition, committees such as a province-wide New Employee Orientation (NEO) Committee and local Respectful Workplace (RWP) Committees continue to promote an informative and respectful workplace. Furthermore, initiatives such as Performance Coaching, continued promotion of training and development, and temporary assignment opportunities play a role in the Court's retention strategy.

Balancing Work and Personal Life

The Provincial Court recognizes the need to balance its operational needs with the personal lives of its employees. Where possible, the Court offers staff flexible working arrangements including flextime, compressed time, job sharing, time off in lieu, overtime and un-paid education leave.

Court Services continues to work closely with Respectful Workplace (RWP) and Employee Assistance Program (EAP) Coordinators to provide emotional and other assistance to employees as needed. During the fiscal year, several EAP and RWP workshops were presented to Provincial Court staff. These included topics such as Compassionate Fatigue, RWP and EAP Overviews, Stress Management, and Dealing with Workplace Conflict.

A Safe and Healthy Workplace

The Provincial Court provides a family-friendly and non-discriminatory work environment and follows Government's policies on harassment and bullying. Occupational Health and Safety (OH & S) Committees continue to meet regularly and address OH & S issues at local and provincial levels. Other healthy work environment strategies include working closely with EAP and RWP.

Performance Management

All new hires are subject to a probationary period where supervisors provide job performance expectations at the beginning of their employment and monitor the employee's progress to determine whether or not the new hire meets job expectations. This is the beginning of performance management. In addition to informal coaching and mentoring, Provincial Court employees have an annual Performance Coaching session with their immediate supervisor to discuss their strengths and weaknesses, areas that need improvement, and short and long-term career goals. The supervisor and the employee then agree upon a combination of organizational and personal performance goals for the following 12 months. A report is prepared and signed by both the supervisor and employee. Follow-up progress sessions are then scheduled at least once during this period and informal occasions are used to check progress as well.

Awards

National Association of Court Management (NACM) Award of Merit



Pamela Ryder Lahey, Director of Court Services, received the 2010 National Association for Court Management's (NACM) Award of Merit. This is the NACM's most prestigious individual award as it recognizes individuals who have demonstrated leadership and excellence in the advancement of the ideals and principles of modern judicial management and professional court management. The Award of Merit has been awarded to deserving individuals since 1986 and this is the first time that somebody outside of the United States has received it.

Pam was presented with the award by NACM's President, Suzanne Stinson, at the Annual Conference in New Orleans, Louisiana on July 21, 2010.

Public Service Award of Excellence

The "Lunch with a Judge" program group in St. John's was nominated for the 2009/10 Public Service Award of Merit. The group included Anna Warford, Dolores Hutton, Christine Care, Patricia Ricketts, Patricia Furlong, and Shelley Organ (Judges G. Brown, L. Spracklin, and R. Hyslop are also part of the group). The Lunch with a Judge Program is an outreach program offered to Grade Six students (11 and 12 years old). While the group did not win the Award, they were very worthy of the nomination.

Staff Training (2010-11)

COURT CENTRE	# Training Days	# Staff Rcv'd Training	Total # Staff
Clarenville	8.2	3	3
Corner Brook	52	10	10
Gander	7.4	4	5
Grand Bank	9.6	2	3
Grand Falls-Windsor	27.4	5	5
Happy Valley-Goose Bay	15.6	7	7
Harbour Grace	30.4	4	*3
St. John's	67.8	16	27
Stephenville	19.5	4	4
Wabush	19.7	2	2
Court Services	94	8	10
TOTAL	351.6	65	79

* Note: Staff member retired.



Judicial Committees

Administrative Judges' Committee
Small Claims Rules Committee
Family Rules Committee

Management Committees

Strategic Planning Committee
Senior Management Committee
Planning, Service, & Delivery (IT) Committee

Corporate and Operational Planning Committees

Business Continuity Working Group
E-Filing Committee
Small Claims & Traffic Manual Committees
New Employee Orientation Committee
Respectful Workplace Committee
Occupational Health and Safety Committee
Website Committee
Data Quality Management Committee

Part 6
Technology

Smart Cart

The Provincial Court recognized a need to improve upon its capability for enhancing evidence presentation in the courtroom. With that in mind, the Court prepared a list of requirements that it would need incorporated into a mobile evidence presentation cart, which was designated the "Smart Cart". The cart was piloted in St. John's from April 2010 to March 2011. The Cart was custom-built and includes the following hardware and software components: laptop with annotation software, color printer, document camera/scanner, DVD/VHS player, speakers, amplifier, microphone and projector. The Court required all of these features to be incorporated into a secure mobile cart that could be locked down and easily moved from courtroom to courtroom. In April of 2010, the Smart Cart was delivered to the St. John's Court. The Provincial Court immediately set to work providing training sessions for court staff, Crown Attorneys, Legal Aid and interested members of the Private Bar. The demand for its use increased over time and it is now used on a regular basis to present evidence in the courtroom. This pilot project has clearly been a success for the Provincial Court.

Computer for Public Access (Corner Brook)

With the opening of the new courthouse in Corner Brook in May 2010, provisions were made for a public access computer. This computer is used solely for individuals who wish to use the new E-Filing system available for Small Claims matters. The computer is placed in an area that offers security and privacy but situated close enough to the Court Registry should assistance be required. As further online applications are developed, use of this computer will be expanded.

CourtCall

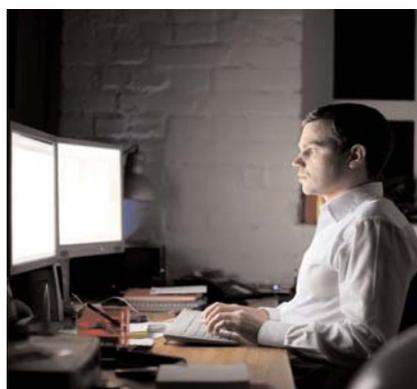
In June of 2010, the Provincial Court of Newfoundland and Labrador adopted a new technology known as CourtCall. This technology is specifically designed to enhance court proceedings for lawyers and clients. CourtCall is a service offered by a United States-based company that provides lawyers the option of making appearances via teleconferencing for routine hearings. By providing this service, the Court has reduced the need for lawyers to make unnecessary trips to court for routine appearances. Instead, a lawyer can conduct other business and simply call into the court at the appointed time. This allows for direct saving to lawyers and can be passed on to clients, reducing the cost of litigation and improving access to justice. The Provincial Court of Newfoundland and Labrador was the first Provincial Court in Canada to offer these standardized, telephonic appearances. Since its implementation in June of 2010 to the end of the March 2011, the Provincial Court has logged 1,178 CourtCall appearances.

Website Review

In February 2011, a committee was struck to spearhead the redesign of the Provincial Court's website. This project will continue throughout the 2011/2012 fiscal year and will involve significant changes to the website's content and aesthetic look. The impetus for these changes include the requirement to adhere to new guidelines on web design from the Office of the Chief Information Officer, and the need to make the site more accessible for those using adaptive technologies and mobile devices. In addition, there is the desire to include new and more user-friendly content that will aid the various users of Provincial Court and to provide increased electronic services.

E-Filing

As of May 25, 2010, the Provincial Court launched its Small Claims E-filing Initiative. E-filing provides the user with the convenience of filing their claims from their home or office any time they choose. We believe this service has helped to streamline the Small Claims process for our clients. As of June 24, 2010, the *Small Claims Act* and *Regulations* were amended increasing the maximum limit from \$5,000 to \$25,000 and expanding the jurisdiction of the Court to allow the adjudication of claims for the recovery of personal property and for specific performance of agreements relating to personal property or services.



As of May 25, 2010, any person or business in the Province has been able to go online and file most of their Small Claims forms electronically. In addition, any associated fees can also be paid by credit card online and processed in the same manner as Motor Vehicle Registration which allows for registering vehicles online. In order to become a Small Claims E-filer, a person must first register as a J-Remote User. This is done by completing an application, available through the Office of the High Sheriff at <https://jer-remote.justice.gov.nl.ca/forms/remotep.pdf>. There is no fee for registering.

Since the introduction of Small Claims E-filing in May of 2010 to the end of the 2010/2011 fiscal year, there have been a total of 320 Small Claims filed electronically and this represents 23% of all Small Claims filed for this period. People still have the option of filing a Small Claims in the traditional manner by completing the required forms and sending them or delivering them to the Small Claims Registry of the Provincial Court located in their area. The new E-filing system allows the flexibility to complete some of the steps in the Small Claims process online and then choose to complete the remaining steps in the traditional manner, or vice versa.



Part 7
Appendix



Ten-Year Statistical Data

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Clarenville	2001-02	672	119	266	437	84	0	1141	2016	N/A
	2002-03	557	73	241	387	92	0	963	3609	N/A
	2003-04	747	99	182	451	45	30	1073	2107	47
	2004-05	962	115	187	389	62	8	1326	1418	96
	2005-06	935	73	67	214	62	15	1137	1815	20
	2006-07	783	105	84	122	32	7	1004	1867	26
	2007-08	944	119	113	196	42	4	1218	1991	23
	2008-09	770	163	44	105	44	37	1021	2030	12
	2009-10	714	60	78	124	50	38	902	2252	29
	2010-11	815	109	53	270	62	51	1039	1644	7

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Corner Brook	2001-02	1941	479	358	1296	1421	0	4199	8615	N/A
	2002-03	1780	520	290	936	1237	0	3827	9228	N/A
	2003-04	2213	446	361	1215	538	517	3558	6856	164
	2004-05	2271	452	176	860	358	460	3257	7164	183
	2005-06	2533	505	150	534	539	709	3727	8165	209
	2006-07	2239	553	118	617	388	543	3298	6975	161
	2007-08	2347	428	169	619	163	310	3107	6652	156
	2008-09	2654	353	174	520	188	216	3369	8917	133
	2009-10	2405	510	176	663	236	499	3327	8823	133
	2010-11	2545	349	198	598	87	103	3179	10386	123

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Gander	2001-02	1022	297	218	851	238	0	1775	2904	N/A
	2002-03	1160	314	197	824	381	0	2052	2888	N/A
	2003-04	1053	337	235	879	218	149	1843	2991	38
	2004-05	973	231	104	393	202	120	1510	2513	43
	2005-06	1172	218	81	226	138	161	1609	3319	208
	2006-07	1102	185	78	280	162	125	1527	3441	87
	2007-08	1180	154	53	329	137	91	1524	3538	131
	2008-09	1260	126	69	283	153	130	1608	4569	143
	2009-10	1314	160	92	255	163	153	1729	4033	90
	2010-11	1378	86	101	311	152	203	1717	4016	182

* Prior to 2003-04 Family Statistics were combined.

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Grand	2001-02	657	232	83	232	126	0	1098	618	N/A
Bank	2002-03	979	235	111	289	129	0	1454	875	N/A
	2003-04	869	137	88	197	57	72	1151	787	5
	2004-05	1023	164	45	167	84	38	1316	767	6
	2005-06	839	204	52	115	82	24	1177	1524	26
	2006-07	767	93	54	262	65	55	979	1176	207
	2007-08	970	123	44	295	48	22	1185	1195	11
	2008-09	789	139	57	158	51	39	1036	1426	5
	2009-10	821	150	44	130	40	58	1055	1819	18
	2010-11	736	142	42	46	33	27	953	2459	47

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Grand	2001-02	1108	573	7	92	359	0	2047	3987	N/A
Falls-	2002-03	1011	467	0	73	357	0	1835	3145	N/A
Windsor	2003-04	1096	254	29	59	169	51	1548	3361	81
	2004-05	1256	252	147	492	172	114	1827	3721	76
	2005-06	955	247	218	646	230	182	1650	3331	68
	2006-07	992	207	96	358	218	166	1513	2672	79
	2007-08	1125	132	69	312	168	123	1494	3343	71
	2008-09	1121	245	88	356	220	164	1674	3295	74
	2009-10	1413	196	103	317	239	239	1951	3397	59
	2010-11	1169	85	114	274	207	248	1575	2660	67

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
H.Valley-	2001-02	1954	368	305	143	316	0	2943	669	N/A
Goose	2002-03	1811	529	150	312	286	0	2776	706	N/A
Bay	2003-04	1999	350	79	188	100	69	2528	739	0
	2004-05	2110	476	62	145	237	112	2885	435	5
	2005-06	1863	352	49	135	206	71	2470	625	15
	2006-07	2311	473	43	150	298	191	3125	892	15
	2007-08	2634	449	50	130	232	126	3365	1142	4
	2008-09	2460	569	32	89	197	139	3258	1540	7
	2009-10	2344	379	34	105	306	127	3063	1318	8
	2010-11	2165	173	23	61	588	154	2949	1199	3

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Harbour	2001-02	680	196	203	277	115	0	1194	1970	N/A
Grace	2002-03	797	185	213	321	174	0	1369	892	N/A
	2003-04	883	290	187	319	91	43	1451	672	22
	2004-05	746	139	92	213	99	58	1076	791	33
	2005-06	766	162	72	176	83	75	1083	713	26
	2006-07	787	182	52	125	94	77	1115	953	32
	2007-08	763	194	68	131	70	49	1095	2367	28
	2008-09	958	102	82	146	103	74	1245	2622	64
	2009-10	1161	116	102	196	111	92	1490	2248	53
	2010-11	1077	134	99	187	140	96	1450	1801	31

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Placentia**	2001-02	614	234	33	91	59	0	940	752	N/A
	2002-03	532	210	31	63	48	0	821	467	N/A
	2003-04	526	200	52	114	9	26	787	449	18
	2004-05	511	88	22	36	16	9	637	553	10
	2005-06	275	82	6	52	13	13	376	228	6
	2006-07	238	19	5	12	15	16	277	371	14
	2007-08	132	36	8	13	10	8	186	345	0
	2008-09	120	31	6	17	14	8	171	250	9
	2009-10	0	0	0	0	0	0	0	0	0
	2010-11	0	0	0	0	0	0	0	0	0

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Springdale**	2001-02	342	79	656	1992	215	0	1292	1147	N/A
	2002-03	203	92	581	2172	178	0	1054	768	N/A
	2003-04	300	94	685	2264	32	42	1111	590	54
	2004-05	68	5	83	255	18	12	174	285	0
	2005-06	0	0	0	0	0	0	0	0	0
	2006-07	0	0	0	0	0	0	0	0	0
	2007-08	0	0	0	0	0	0	0	0	0
	2008-09	0	0	0	0	0	0	0	0	0
	2009-10	0	0	0	0	0	0	0	0	0
	2010-11	0	0	0	0	0	0	0	0	0

****NOTE:** As of August 2004, Springdale Court became a Circuit Court of Grand Falls-Windsor Prov. Court and as of January 2009, Placentia Court became a Circuit Court of Harbour Grace.

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Stephenville	2001-02	1478	298	185	621	177	0	2138	2219	N/A
	2002-03	1208	258	137	381	134	0	1737	2373	N/A
	2003-04	1195	239	140	437	84	71	1658	1739	34
	2004-05	1310	172	73	265	50	23	1605	1593	35
	2005-06	1643	244	43	198	88	11	2018	1681	26
	2006-07	1265	370	45	217	35	13	1715	1641	31
	2007-08	1575	303	47	188	267	194	2192	2096	35
	2008-09	1285	149	44	175	122	118	1600	3430	65
	2009-10	1697	176	31	125	118	182	2022	4354	64
	2010-11	2016	296	53	170	29	77	2394	4072	113

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
St. John's	2001-02	8532	2254	1605	4403	0	0	12391	133726	N/A
	2002-03	8278	2427	1741	4904	0	0	12446	142722	N/A
	2003-04	9319	2496	1545	4616	0	0	13360	131783	1021
	2004-05	9467	1833	865	3003	0	0	12165	120316	792
	2005-06	9239	1487	728	2301	0	0	11454	130136	814
	2006-07	9089	1603	659	3053	0	0	11351	113331	624
	2007-08	9402	1687	687	2764	4	1	11780	112656	417
	2008-09	10693	1704	674	2846	0	0	13071	120682	410
	2009-10	12057	1356	605	2139	0	0	14018	126687	466
	2010-11	13189	1374	725	2631	0	0	15288	140720	686

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Wabush	2001-02	268	68	321	210	95	0	752	544	N/A
	2002-03	295	85	223	424	147	0	750	603	N/A
	2003-04	295	25	80	161	41	14	441	601	4
	2004-05	419	42	26	127	118	22	605	411	10
	2005-06	224	43	23	86	85	7	375	324	13
	2006-07	316	82	22	67	162	12	582	458	17
	2007-08	235	99	18	56	78	5	430	617	19
	2008-09	428	71	28	102	64	13	591	711	7
	2009-10	615	119	24	106	57	24	815	1266	17
	2010-11	643	43	18	70	74	52	778	1756	34

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Overall	2001-02	19268	5197	4240	10645	3205	0	31910	159167	N/A
	2002-03	18611	5395	3915	11086	3163	0	31084	168276	N/A
	2003-04	20495	4967	3663	10900	1384	1084	30509	152675	1488
	2004-05	21116	3969	1882	6345	1416	976	28383	139967	1289
	2005-06	20444	3617	1489	4683	1526	1268	27076	151861	1431
	2006-07	19889	3872	1256	5263	1469	1205	26486	133777	1293
	2007-08	21307	3724	1326	5033	1219	933	27576	135942	895
	2008-09	22538	3652	1298	4797	1156	938	28644	149472	929
	2009-10	24541	3222	1289	4160	1320	3064	30372	156197	937
	2010-11	25733	2791	1426	4618	1372	1011	31322	170713	1293