

The Honourable M. R. Reid
Chief Judge



Box 68, Atlantic Place
215 Water Street
St. John's, NL
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PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

January 2009

The Honourable Tom Marshall
Minister of Justice and Attorney General
Department of Justice, 4th Floor East Block
Confederation Building
P.O. Box 8700
St. John's, NL
A1B 4J6

Dear Minister:

It is my pleasure, as Chief Judge, to present to you the 2007/2008 Annual Report of the Provincial Court of Newfoundland and Labrador. As in previous years, this report provides comprehensive coverage of the past year's activities and achievements.

Of particular note is the fact that our overall caseload increased by 4% in 2007/08, with the largest increase in adult criminal matters. Our Mental Health Court continues to be a success and provides a valuable service for a very vulnerable sector of society.

Work continues on implementation of our third Strategic Plan.

The Certificate in Court Administration program is on-going with an increasing number of staff participants. Continuing education for both judges and staff will be a concern into the future as the pace of change in the law and the demand for improved service increases.

In the last quarter of 07/08 the Task Force on Justice Efficiencies reported and at year's end we were awaiting government's response to recommendations for increased resources, as suggested by the Task Force.

Yours sincerely,

M. R. Reid
Chief Judge

MRR/amw
Encl.

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PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

Our Governing Values

**Governed by the Constitution of Canada and the rule of law,
we are in 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.

Our 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.

Our Vision

To recognize the value of our 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.

2007/08: A YEAR IN REVIEW

by: Pamela Ryder Lahey



2007/08 saw continued improvement in the utilization of technology to improve access to the Court. From the expansion of video conferencing to all court centres to the Provincial Court bilingual website to the electronic policy and procedure manual for staff on a password-protected section of the court web-

page to new digital recording system for all courtrooms the technological advancements in the 07/08 fiscal year were significant.

The construction of the new Corner Brook Courthouse, housing both Provincial and Supreme Courts, has continued, albeit at a somewhat slower pace than the Court had anticipated. The good news is that when the new facility does open its doors, judges, staff and all court users will have a vastly-improved building in which to work and conduct court business.

The work of some of our staff committees came to a successful conclusion—with the publication of the Customer Services Best Practices Manual, the New Employee Orientation Package, and the Court Reporters' Manual. Many staff partook in these significant pieces of work and the Court is indebted to them. Customer Services Best Practices is a standing agenda item for all staff meetings, as "providing quality services to the public" is an important component of the Provincial Court's mission statement.

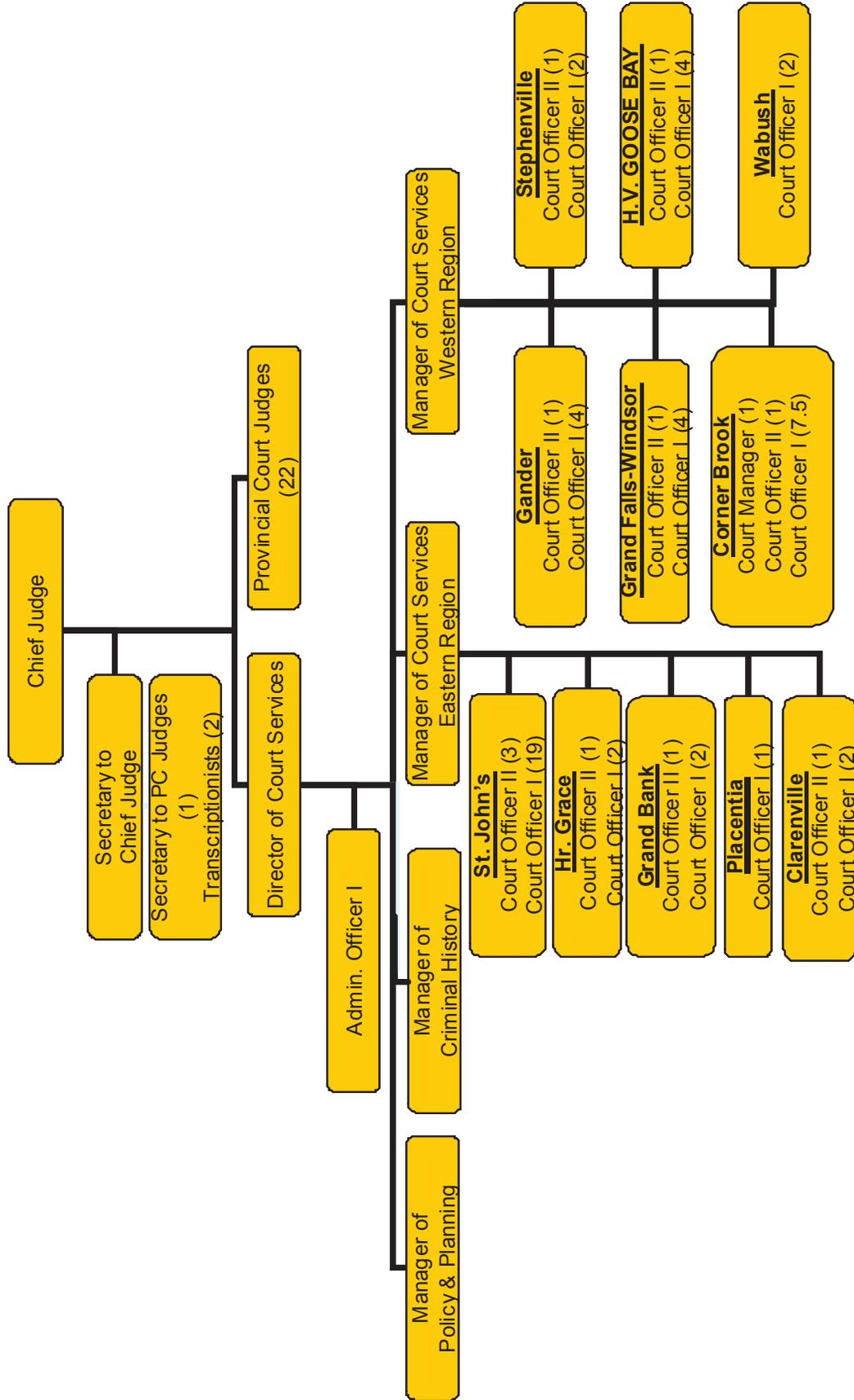
The Court, as a whole, experienced a 4% increase was primarily in the adult criminal workload and 2007/08 adult and youth courtroom appearances increased to 119,361 from 103,812 in 2006/07, a 15% increase. Appearances are a more meaningful measure of workload as each appearance requires courtroom time—preparation of courtroom documents, sitting time, log-notes and sometimes transcripts, and registry time—updating case management system and the preparation of documents including court orders and warrants.

As with every passing year, we must acknowledge the strength of our workforce. Our judges and staff are highly committed to meeting the needs of those who use our court and to the development of management techniques adapted to the special challenges associated with the

administration of justice. In the end, it is these individuals, each and every one, who are the face of our Court, as citizens look to us for resolution with the issues they bring to us.



Provincial Court of Newfoundland and Labrador Organizational Chart



ORGANIZATIONAL STRUCTURE AND STAFFING LEVELS

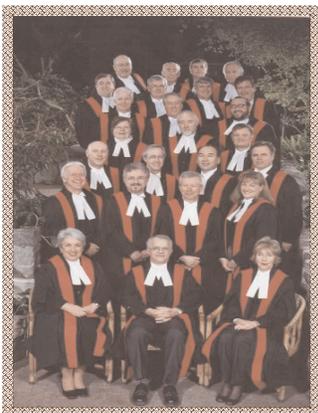
Presently, the Provincial Court of Newfoundland and Labrador consists of 23 judges (4 female and 19 male) directed by the Chief Judge. The Chief Judge also serves as an active judge on the bench. The organizational model is as depicted in the Organizational Chart on p. 3.

The Provincial Court has a complement of 64 permanent and several temporary staff. Of this number, 6 are management positions including the secretary to the Chief Judge and the secretary to the St. John's judges. In judicial matters court staff are under the direction of the judges. But in all non-judicial matters they are directed by the Director of Court Services through the two Regional Managers. The Corner Brook court centre has a Court Manager overseeing that centre's operations. The remaining court centres, with the exception of St. John's—which has Divisional Court Administrators— have a Court Administrator who acts as the centre's administrative head. These court admin-

istrator positions are classified as non-management positions and have limited human resource and budgetary responsibility.

The Manager of Court Services, Eastern has assumed responsibility for the entire province in the absence of the Western Regional Manager.

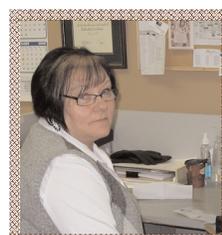
Staffing in the Provincial Court of Newfoundland and Labrador is predominantly filled by females. Staff positions include Court Officers, Court Administrators, Administrative Officer I, Secretary to the Chief Judge, Secretary to Provincial Court Judges, Departmental Program Coordinator, three Managers and a Director.



Judges



Manager

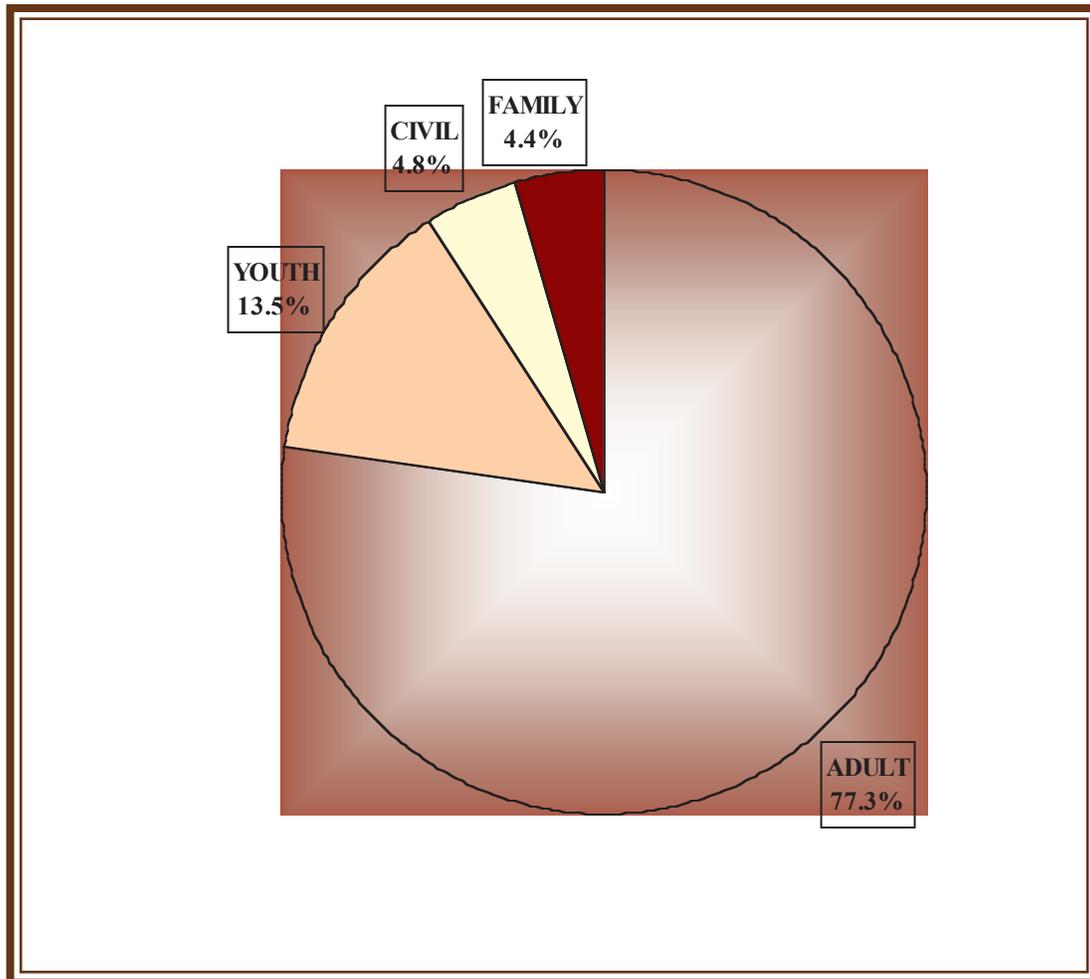


Court Administrators



Court Officers

LINES OF BUSINESS



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

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

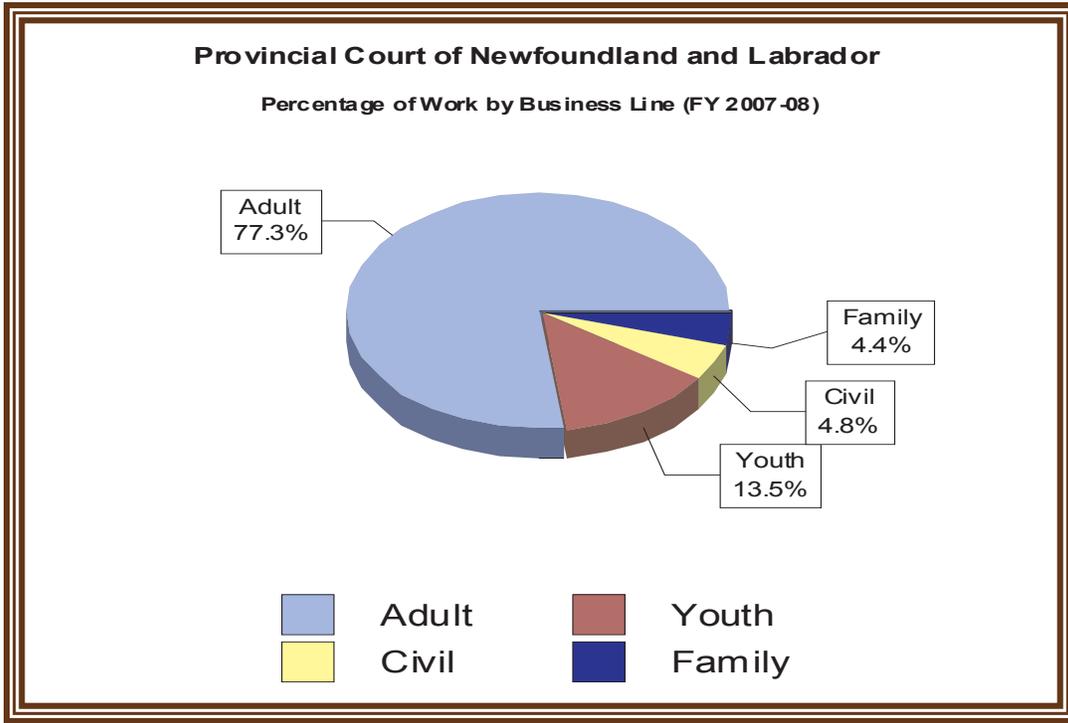
YOUTH: the Court hears all criminal matters involving young offenders.

TRAFFIC: all highway traffic matters

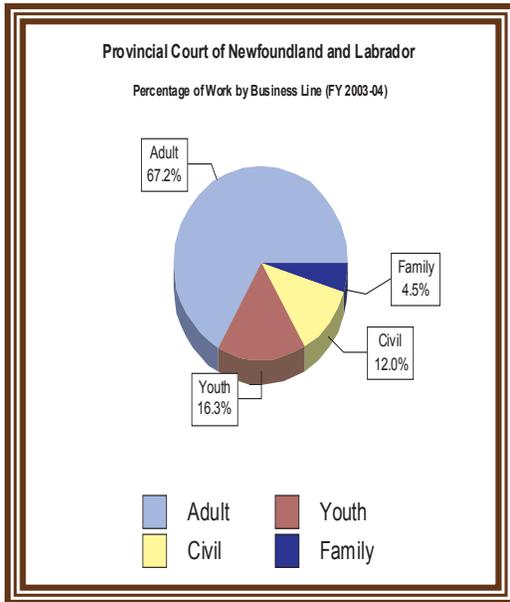
CIVIL: all civil actions where the amount does not exceed \$5,000. The court has no jurisdiction over cases in which title to land is brought into question or malicious prosecution, false imprisonment and defamation, or against a justice or other public official for anything done while executing the duties of office.

FAMILY: outside the St. John's area, the court has jurisdiction over custody, support maintenance, child welfare, legitimacy, paternity, adoption, and inter-spousal Criminal Code offences. It does not deal with divorce or division of property under the Family Law Act. Family Justice Services Division, a division of both Provincial and Supreme Courts, provides parent education sessions, mediation and counselling, to all family applications filed in either level of court.

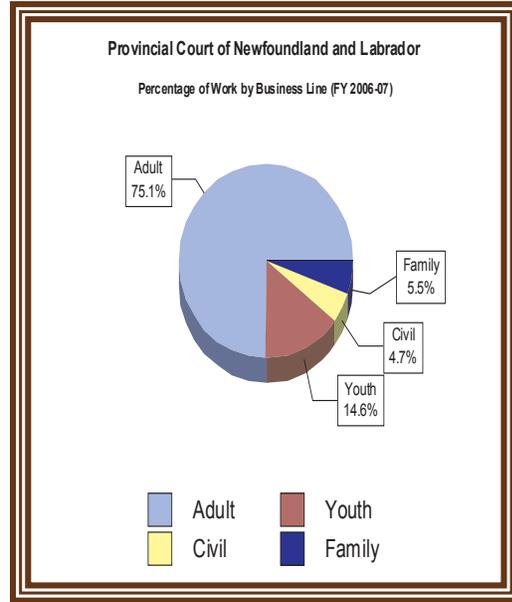
FY 2007-08



FY 2003-04



FY 2006-07



COMBINED CASELOAD STATISTICS

FY 2007-08

Court Centre	Total Adult	Total Youth	New Civil	New Family	Total Cases
Clareville	944	119	113	42	1218
Corner Brook	2347	428	169	163	3107
Gander	1180	154	53	137	1524
Grand Bank	970	123	44	48	1185
Grand Falls-Windsor	1125	132	69	168	1494
H. V. Goose Bay	2634	449	50	232	3365
Hr. Grace	763	194	68	70	1095
Placentia	132	36	8	10	186
Stephenville	1575	303	47	267	2192
St. John's	9402	1687	687	4	11780
Wabush	235	99	18	78	430
OVERALL TOTAL	21,307	3,724	1,326	1,219	27,576

Statistical data is extracted from the Provincial Court Information System, Civil Case Management System, Family Case Management System, and monthly reports submitted by the courts to Court Services.

In terms of total caseload numbers, there were 27,576 cases initiated in 2007/2008 compared to 26,486 cases in the previous year. The Provincial Court experienced an overall increase of 4% or 1,090 more cases.

CHANGES FROM THE PREVIOUS YEAR:

The above Table provides the detailed case numbers for each of the individual court centres. If one examines the 2007/2008 figures and contrasts them to the 2006/2007 figures the 4% overall increase was primarily the result of an increase in the Adult Criminal caseload of 1,418 cases, which is a 7 % increase in Adult Criminal cases. To a lesser extent, civil cases increased, by 6%, representing an additional 70 cases. In 2007/2008 both Family and Youth caseloads decreased by 250 cases (-17%), and 148 cases (-4%), respectively. It is difficult to explain this increase in criminal caseload but a number of factors may have contributed. For example, an increased police pres-

ence in the province may have resulted in increased arrests and, consequently, increases in the laying of more criminal charges. In addition, for the first time in a number of years the province experienced a population increase: for the fiscal year 2007/2008 there was an increase of 930 persons. In terms of Summary Offence Tickets (SOTs) compared to the previous year, 2006/2007, SOTs have increased by 2% or 2165, totaling 135,942 for 2007/2008. In terms of SOT trials, the number has declined from 1293 in 2006/2007 to 895 in 2007/2008, a -30% decline.

In terms of total caseload for individual court centres, compared to the previous year (2006/2007) the following courts experienced increased caseloads: St. John's (4%, +429 cases) Stephenville (20%, +342 cases), Happy Valley-Goose Bay (8%, +240 cases), Clareville (29%, 214 cases) and Grand Bank (21%, +206 cases). The significant increases experienced by Clareville, (29%) occurred for all four case categories, Criminal, Youth, Civil and Family. For Grand Bank (21%) the increases occurred in the Adult and Youth categories, with small declines in Civil and Family cases. Stephenville (20%) experienced significant increases primarily in Adult and Family cases, with a much smaller increase in civil cases, and a decreased Youth caseload. Happy Valley-Goose Bay (8%) increase was the result of a significant increase

**Note: Additional statistical data is found in the Appendix.*

STATISTICS

cont'd

in Adult cases which more than offset the decreases that occurred in Youth, Civil and Family caseloads. St. John's (4%) experienced increases in all caseload types with Adult caseload contributing the greatest gains.

Courts reporting declining caseloads in 2007/2008 of 5% or higher are: Corner Brook (-6%, -191 cases), Wabush (-26%, -152 cases), and Placentia (-33%, -91 cases). Corner Brook experienced a decline in Youth and Family caseload, while increases occurred in both Adult and Civil caseloads. Wabush experienced declines in all caseload types. Placentia which does not have a sitting judge experienced a decline in Adult and Family cases and an increase in Youth and Civil matters.

FIVE YEAR TRENDS:

The following charts show general trends over a five-year period for four of the Provincial Court's business lines: adult, youth, civil and family.

Over a five-year period, from 2003/2004 to 2007/2008, the Court experienced a decline of 10% in its total caseload (that is -2,933 cases). In contrast, the Court's Adult caseload increased by 4% (812 cases) over the same time period. Meanwhile, all other categories show a decrease in caseload for the same period: Youth -25%, -1243 cases, Civil -64%, -2,377 cases, and Family -12%, -165 cases.

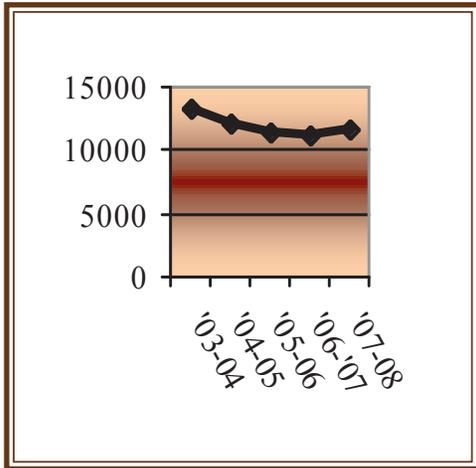
The primary focus of the Provincial Court's work has evolved to focus more directly upon Adult and Youth matters. Ten years ago, 1998/1999, the combined Adult and Youth caseloads would have accounted for 75% of the Court's total caseload. Five years later, in 2003/2004, Adult and Youth cases accounted for 83% of the total caseload. By 2007/2008 Adult and Youth cases now represent 91% of the Court's total caseload.

Summary Offence Tickets (SOTs) have declined since 2003/2004 when they totaled 152,675. In 2007/2008 there was a total of 135,942 SOTs, representing a decline of -11% over a five year period. With respect to SOT Trials the number has decreased from 1488 in 2003/2004 to 895 in 2007/2008, a -40% decline.

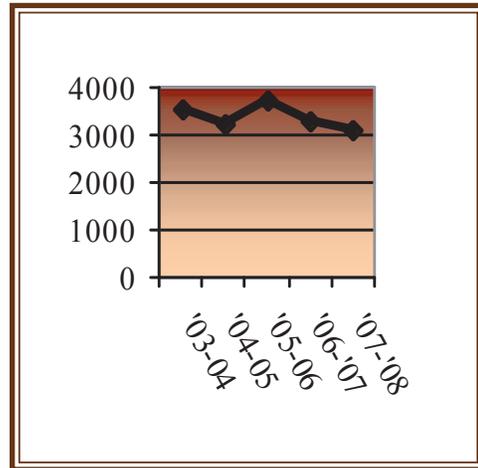


TOTAL (OVERALL CASES) for Last Five Years (2003-2008)

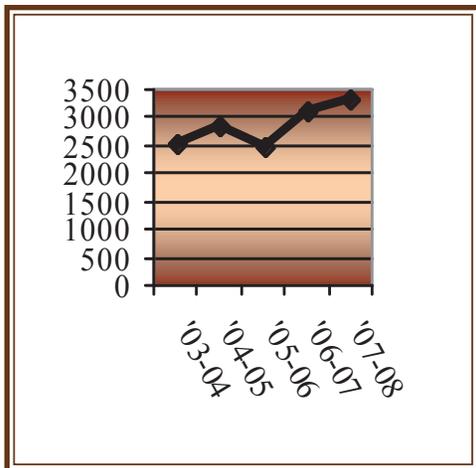
ST. JOHN'S



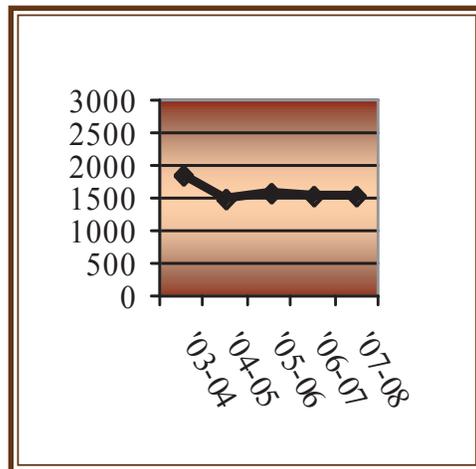
CORNER BROOK



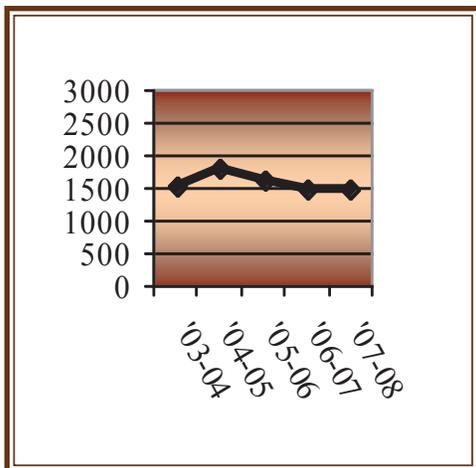
HAPPY VALLEY-GOOSE BAY



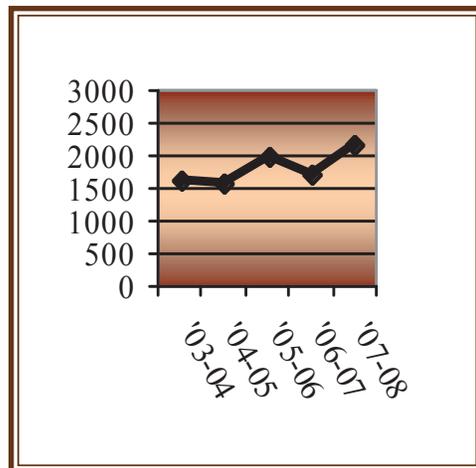
GANDER



GRAND FALLS-WINDSOR

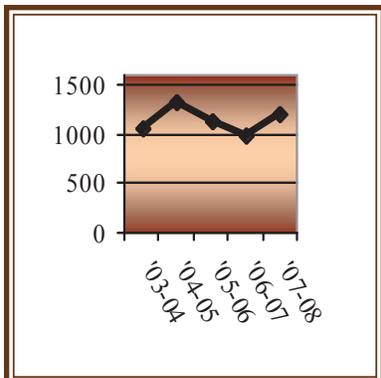


STEPHENVILLE

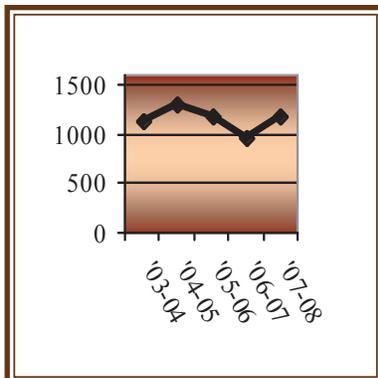


TOTAL (OVERALL CASES) for Last Five Years (2003-2008)

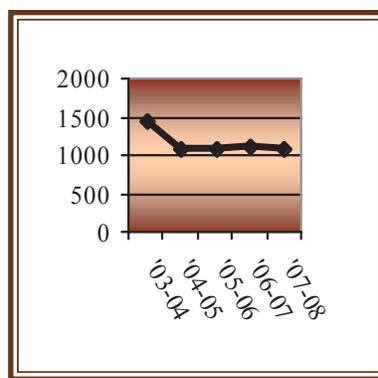
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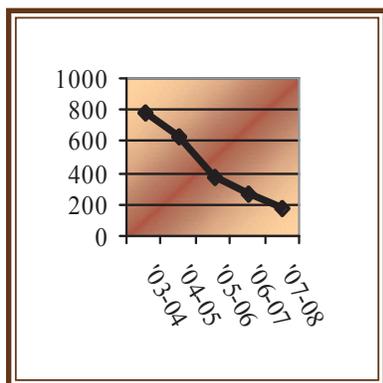
GRAND BANK



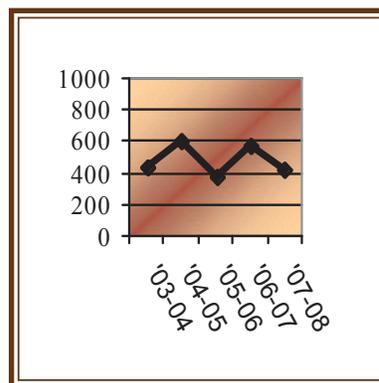
HARBOUR GRACE



PLACENTIA

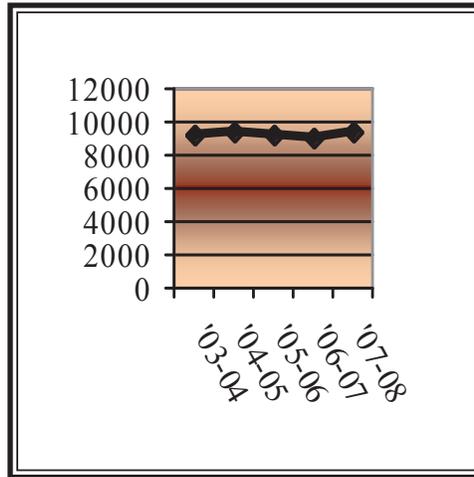


WABUSH

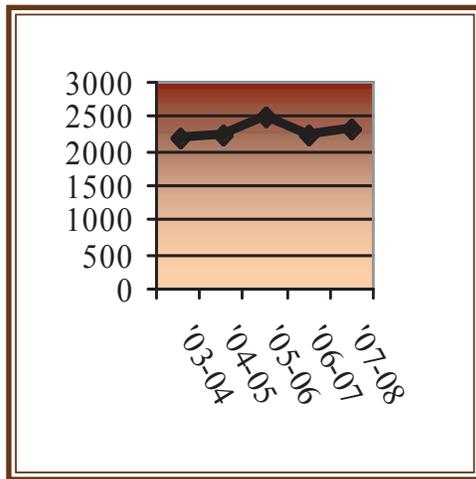


TOTAL (ADULT CASES) for Last Five Years (2003-2008)

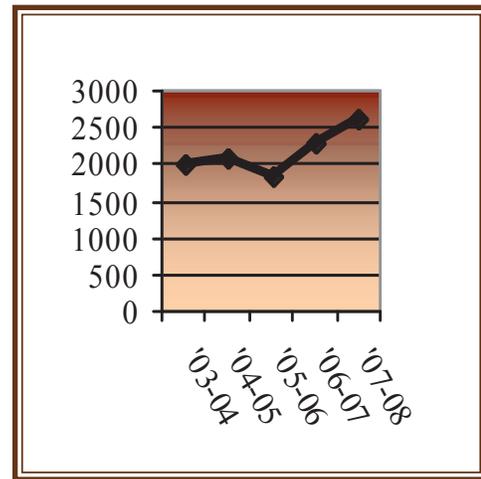
ST. JOHN'S



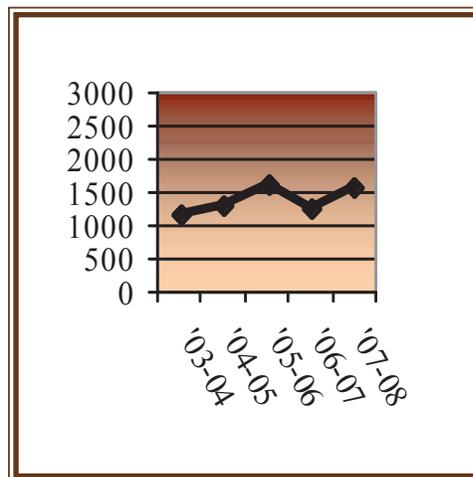
CORNER BROOK



H. V. GOOSE BAY



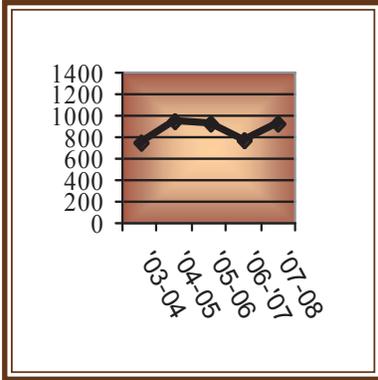
STEPHENVILLE



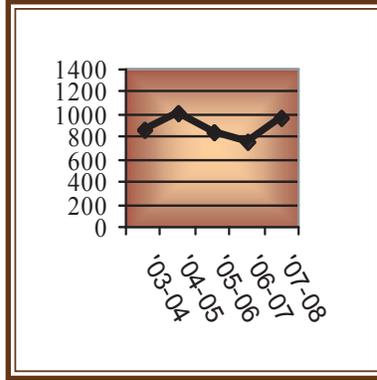
** NOTE: Vertical Scales vary for individual court centres*

TOTAL (ADULT CASES) for Last Five Years (2003-2008)

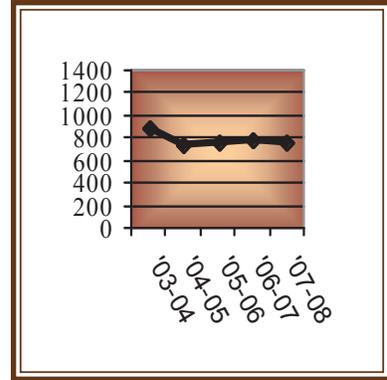
CLARENVILLE



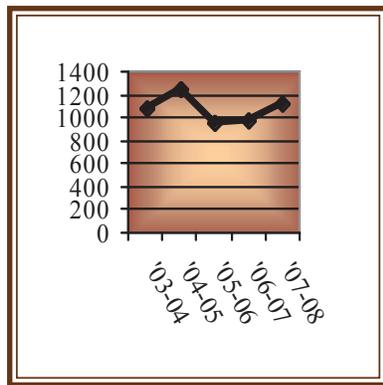
GRAND BANK



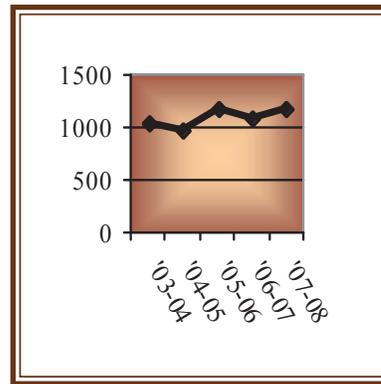
HARBOUR GRACE



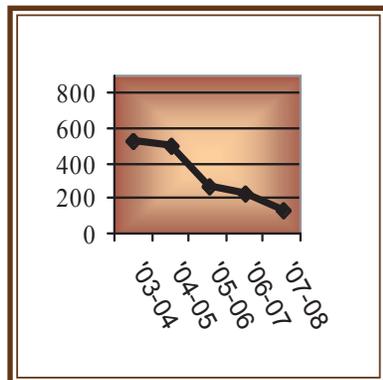
GRAND FALLS-WINDSOR



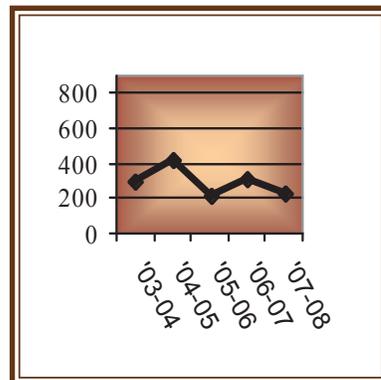
GANDER



PLACENTIA



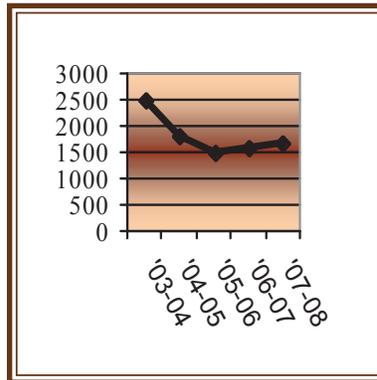
WABUSH



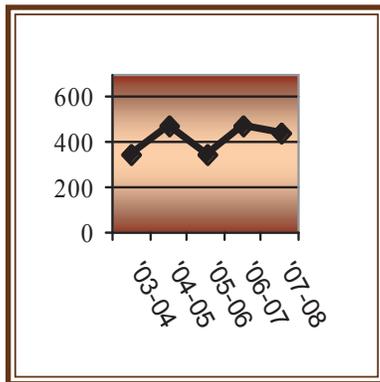
** NOTE: Vertical Scales vary for individual court centres.*

TOTAL (YOUTH CASES) for Last Five Years (2003-2008)

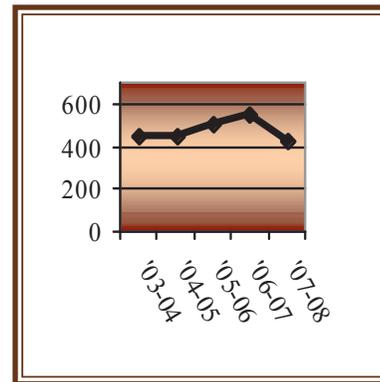
ST. JOHN'S



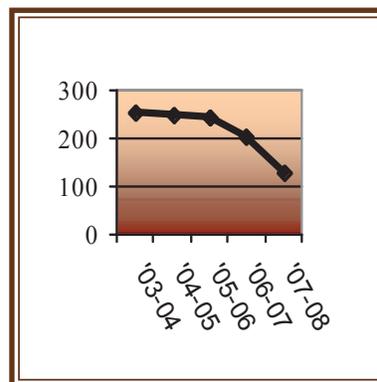
H.V. GOOSE BAY



CORNER BROOK



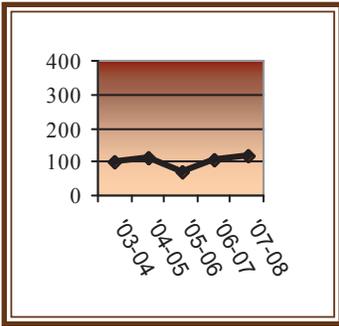
GRAND FALLS-WINDSOR



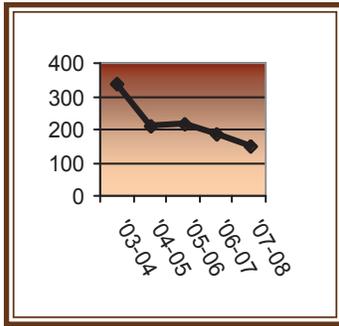
* **NOTE:** Vertical Scales vary for individual court centres.

TOTAL (YOUTH CASES) for Last Five Years (2003-2008)

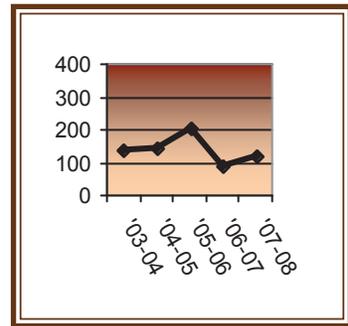
CLARENVILLE



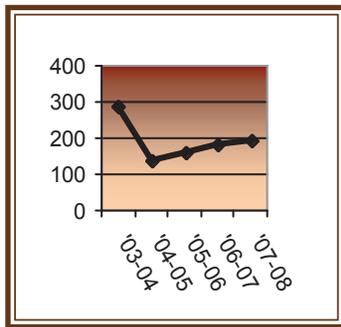
GANDER



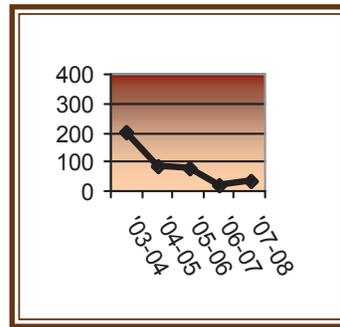
GRAND BANK



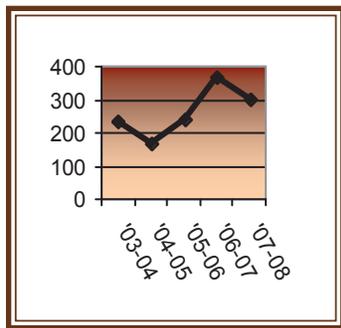
HARBOUR GRACE



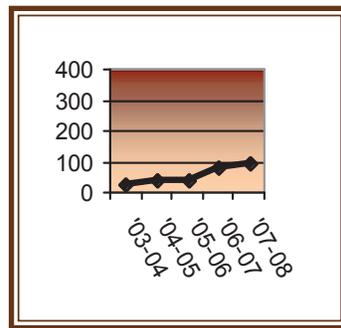
PLACENTIA



STEPHENVILLE



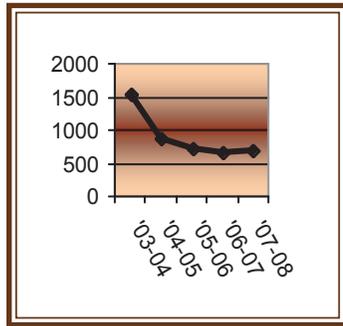
WABUSH



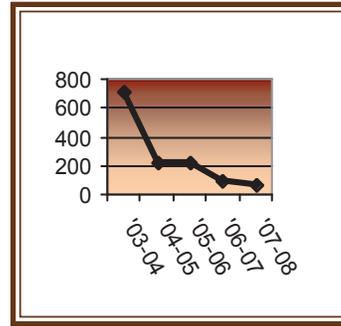
* NOTE: Vertical Scales vary for individual court centres.

TOTAL (CIVIL CASES) for Last Five Years (2003-2008)

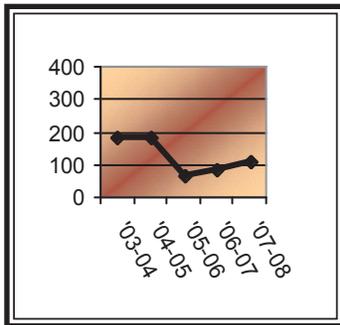
ST. JOHN'S



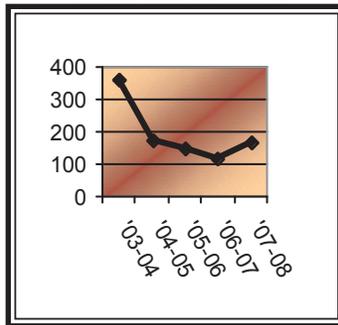
GRAND FALLS-WINDSOR*



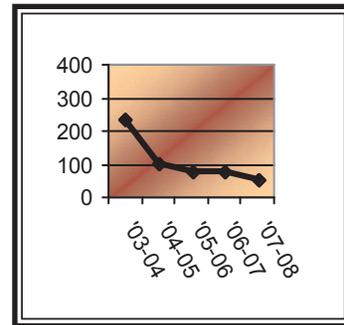
CLARENVILLE



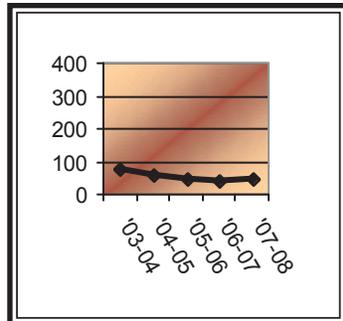
CORNER BROOK



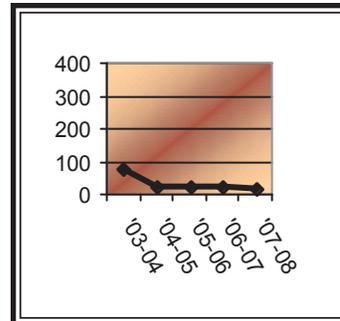
GANDER



H.V. GOOSE BAY



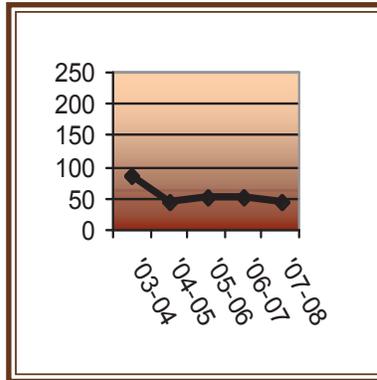
WABUSH



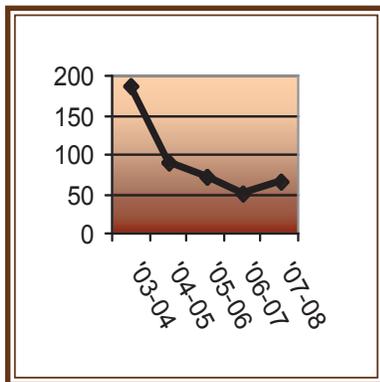
** Note: Springdale Court closed in August 2004, prior to this Small Claims for Grand Falls-Windsor were done by Springdale Court.*

TOTAL (CIVIL CASES) for Last Five Years (2003-2008)

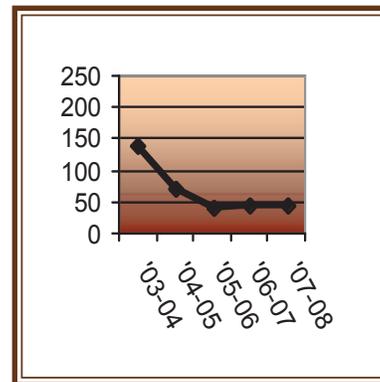
GRAND BANK



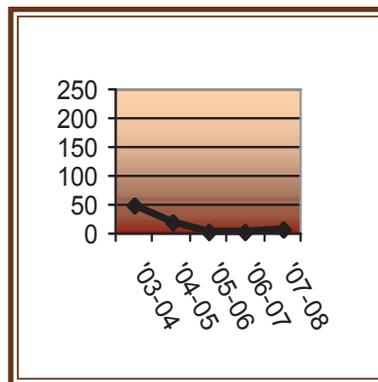
HARBOUR GRACE



STEPHENVILLE

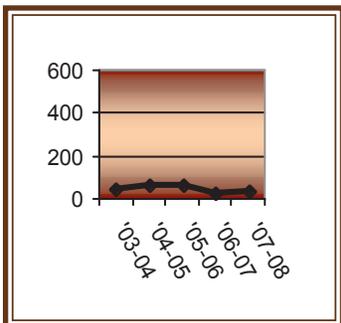


PLACENTIA

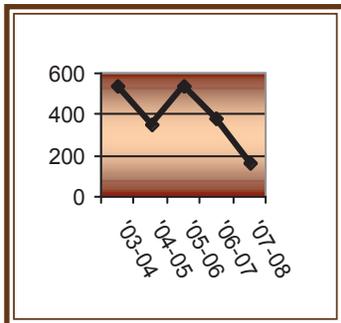


TOTAL (FAMILY) CASES for Last Five Years (2003-08)

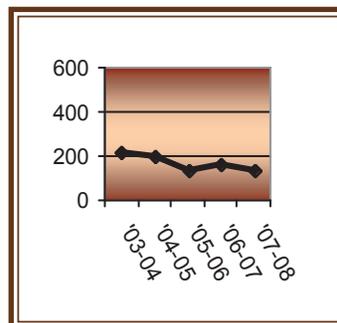
CLARENVILLE



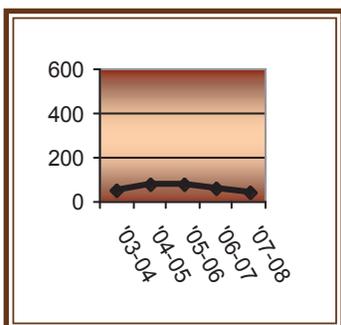
CORNER BROOK



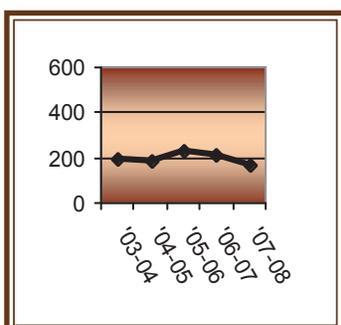
GANDER



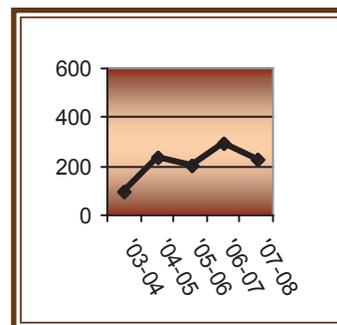
GRAND BANK



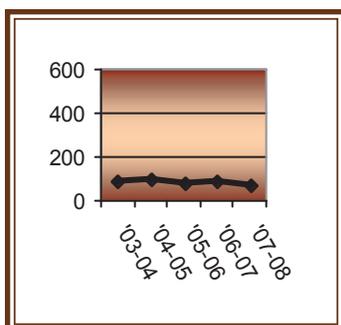
GRAND FALLS-WINDSOR



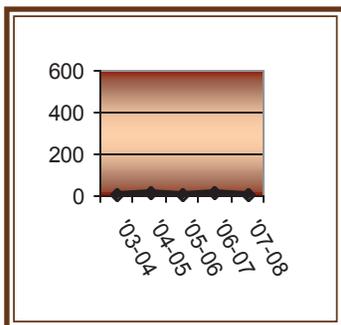
H.V. GOOSE BAY



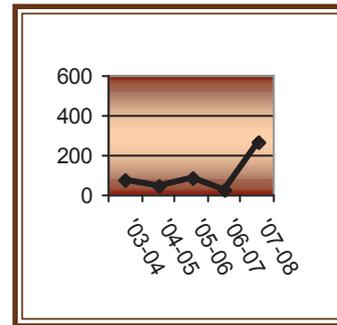
HARBOUR GRACE



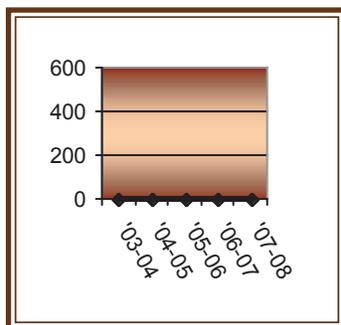
PLACENTIA



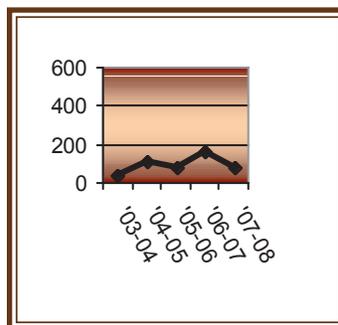
STEPHENVILLE



ST. JOHN'S



WABUSH



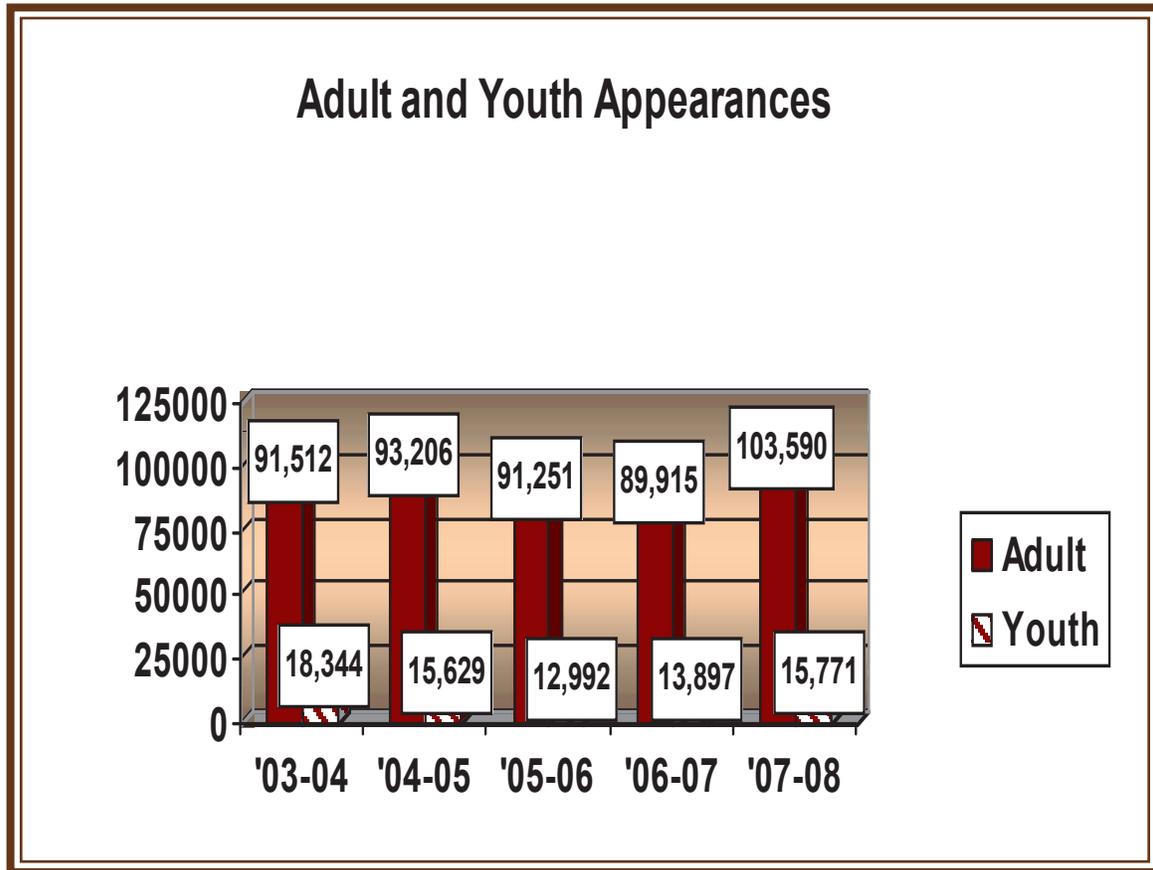
APPEARANCES FY 2007-08

In 2007/2008 there were a total of 119,361 appearances involving adult criminal and youth matters. Additionally, there were 2,393 appearances associated with Family cases and 1418 appearances related to Civil cases for an overall total of 123,172 appearances for 2007/2008. This represents an increase of 13% or 14,475 appearances compared to 2006/2007 when appearances totaled 108,697. Compared to the previous year, both adult and youth appearances were up by 15% (+13,675), and 13% (+1874) respectively. In contrast,, Family and Civil appearances declined compared to the previous year by -18% (-512), and- 6% (-84), respectively.

In terms of five-year trends, Adult Criminal appearances increased from 91,512 in 2003/2004 to 103,590 in 2007/2008 ,a significant increase of 14% in just five years. If one examines the past five years on an annual basis, both appearances and case number have fluctuated up and down. In 2003/2004 and 2004/2005

appearances were up followed by two years of declines in 2005/2006 and 2006/2007, followed by a rebound in 2007/2008. Adult caseload followed the same pattern on a year-by-year basis.

With respect to Youth the trend has been the exact opposite, with 18,344 appearances in 2003/2004, compared to 15,771 in 2007/2008 a decline of -14% (-2573). The drop in the number of Youth appearances coincides with the number of youth cases decreasing steadily since 2003/2004, with the exception of a small spike in 2006/2007, which was followed by a decline in 2007/2008. The decline in youth cases is probably a reflection of the introduction of Youth Criminal Justice Act in 2003, which offers the police alternative measures to deal with youth, rather than the court system.



**COURTROOM APPEARANCES
FY 2007-08**

COURT	ADULT*	YOUTH*	CIVIL	FAMILY
Clarenville	3,247	494	26	88
Corner Brook**	10,530	1,428	232	624
Gander	5,079	584	106	268
Grand Bank	2,431	400	65	72
Grand Falls-Windsor**	4,922	713	86	350
H.V. Goose Bay**	12,483	2,481	30	485
Harbour Grace	3,580	469	44	59
Placentia**	483	104	3	3
St. John's**	53,416	7,652	760	0
Stephenville	5,623	1,031	45	359
Wabush**	1,796	415	21	85
TOTAL	103,590	15,771	1,418	2,393

**Note: A court hearing on two charges is counted as two appearances as per the methodology of the Canadian Centre for Justice Statistics.*

***Note: Statistics for these Court Centres are taken from new IPCIS and do not include appearances on applications. Applications are requests before the Court that do not flow directly from a statute of law. Applications flow from statutes of application or from the formal rules of court.*

**PENDING, INITIATED, AND CONCLUDED CASES
ADULT COURT**

COURT	Pending Cases as of April. 1/07	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/08	Clearance Rates
Clarenceville	615	651	807	459	123.4%
Corner Brook	1760	2083	1931	1912	92.7%
Gander	797	1001	1018	780	101.7%
Grand Bank	357	532	770	119	144.7%
Grand Falls-Windsor	697	870	902	665	103.7%
H. V. Goose Bay	1411	1927	2373	965	123.1%
Harbour Grace	525	577	713	389	123.6%
Placentia	82	124	99	107	79.8%
Stephenville	947	1198	1213	932	101.3%
St. John's	7717	8977	8194	8500	91.3%
Wabush	276	224	204	296	91.1%
TOTAL	15,184	18,164	18,224	15,124	100.3%

**PENDING, INITIATED, AND CONCLUDED CASES
YOUTH COURT**

COURT	Pending Cases as of April. 1/07	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/08	Clearance Rates
Clarenceville	47	131	107	71	81.7%
Corner Brook	239	298	389	148	130.5%
Gander	78	142	140	80	98.6%
Grand Bank	53	164	112	105	68.3%
Grand Falls-Windsor	85	163	128	120	78.5%
H. V. Goose Bay	147	424	446	125	105.2%
Harbour Grace	59	116	102	73	87.9%
Placentia	11	31	28	14	90.3%
Stephenville	135	237	294	78	124.1%
St. John's	518	1748	1569	697	89.8%
Wabush	50	68	94	24	138.2%
TOTAL	1422	3,522	3,409	1,535	96.8%

Clearance Rate: is the number of concluded cases as a percentage of the initiated cases i.e. the number of outgoing cases as a percentage of the number of incoming cases.

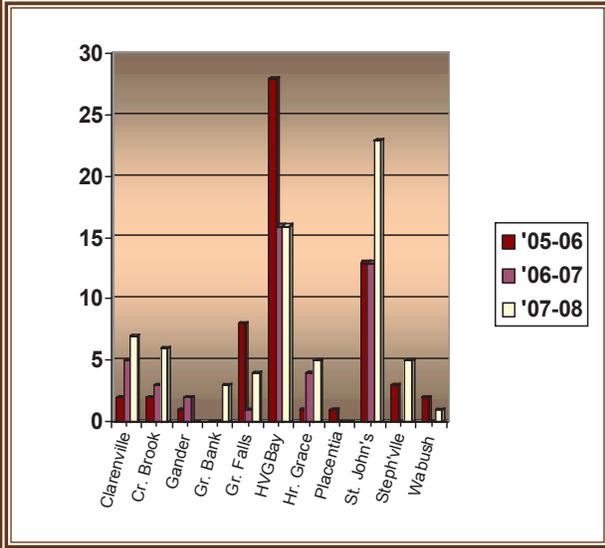
**REQUESTS FOR
CRIMINAL HISTORY RECORDS(Five Year Period)**

COURT	'03-04	'04-05	'05-06	'06-07	'07-08
Clareville	1092	1150	1376	1112	1222
Corner Brook	2710	2969	3496	3533	3424
Gander	2081	2081	2449	2678	2729
Grand Bank	837	1104	1040	1053	1224
Grand Falls-Windsor	3607	2553	2590	2647	2928
H. V. Goose Bay	1806	1888	1627	1586	1433
Harbour Grace	1156	1132	1347	1366	1590
Placentia	647	584	674	533	580
St. John's	7790	7694	8027	6950	7937
Stephenville	1584	1353	1563	1736	1912
Wabush	448	438	443	491	504
TOTAL	23,758	22,946	24,632	23,685	25,483

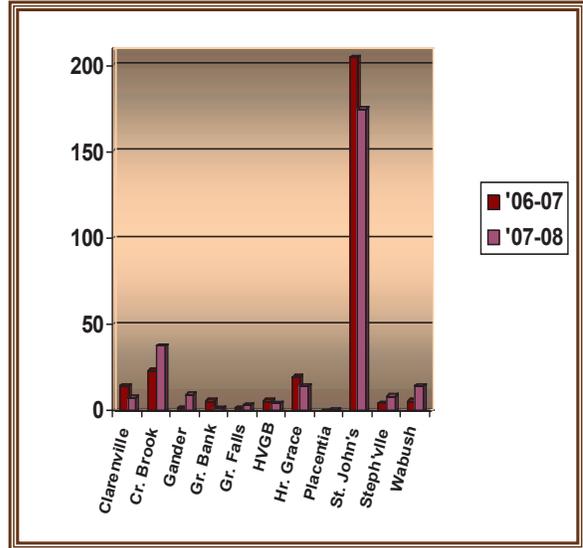
**VIDEO CONFERENCING
Breakdown of Video Conferencing Activity by Site**

Videoconference Site	Total # of Videoconferencing Sessions from Apr. 1/06 - Mar. 31/07	Total # hours of Videoconferencing for each site from Apr. 1/06-Mar. 31/07	Total # of Videoconferencing Sessions from Apr. 1/07 - Mar. 31/08	Total # hours of Videoconferencing for each site from Apr. 1/07 - Mar. 31/08
Outside Court Network	21	34.17	N/A	N/A
Clareville	1	2.67	4	11.5
Corner Brook	18	26.5	13	34
Stephenville	3	3	5	10
H.V. Goose Bay	28	41.5	52	59.25
St. John's	41	66.5	34	61
Grand Bank	3	4.67	1	1
Wabush	0	0	20	23.25
TOTAL	115	179.01	129	200

**NATIONAL
SEX OFFENDER REGISTRY
FY 2005/06-2007/08**



**IGNITION
INTERLOCK APPLICATIONS
FY 2006/07-2007/08**



National Sex Offence Registry (Data)			
COURT	'05-06	'06-07	'07-08
Clarenville	2	5	7
Corner Brook	2	3	6
Gander	1	2	0
Grand Bank	0	0	3
Grand Falls-Windsor	8	1	4
H.V. Goose Bay	28	16	16
Hr. Grace	1	4	5
Placentia	1	0	0
Stephenville	3	0	5
St. John's	13	13	23
Wabush	2	0	1
TOTAL	61	44	70

Ignition Interlock Applications (Data)		
COURT	'06-07	'07-08
Clarenville	15	8
Corner Brook	24	38
Gander	2	10
Grand Bank	6	2
Grand Falls-Windsor	2	4
H.V. Goose Bay	6	5
Hr. Grace	20	15
Placentia	0	1
Stephenville	5	9
St. John's	205	175
Wabush	6	15
TOTAL	291	282

**SUMMARY OFFENCE TICKETS
FY 2007-08**

Court Centre	Tickets Processed	Tickets to Trial
Clarenville	1991	23
Corner Brook	6652	156
Gander	3538	131
Grand Bank	1195	11
Grand Falls	3343	71
H.V. Goose Bay-Windsor	1142	4
Harbour Grace	2367	28
Placentia	345	0
Stephenville	2096	35
St. John's	112656	417
Wabush	617	19
TOTAL	135,942	895

**NUMBER OF TRANSCRIBED PAGES
FY 2007-08**

COURT CENTRE	# OF PAGES
Clarenville	568
Corner Brook	2082
Gander	1675
H.V. Goose Bay	1486
Grand Bank	337
Grand Falls-Windsor	1542
Hr. Grace	767
Placentia	509
Stephenville	330
St. John's	10063
Wabush	135
TOTAL	19,494

**TEN MOST COMMON OFFENCES
(Charges—Adult & Youth)
FY 2007-08**

TYPE	ADULT	YOUTH
Breach of Court Orders	5665	1472
Assault	1968	407
Impaired Driving	1748	391
Theft	1595	283
Uttering Threats	925	242
Frauds	762	143
Mischief	698	55
Drug Offences	558	47
Break and Enters	547	45
Sexual Offences	301	42

FINANCIAL

BUDGET EXPENDITURES Actual vs. Revised FY 2007-08

CATEGORY	BUDGET	REVISED	VARIANCE
Salaries	7,036,600	7,139,328	-102,728
Employee Benefits	53,300	57,091	-3,791
Transportation & Communication	347,100	376,915	-29,815
Supplies	64,600	52,497	12,103
Professional Services	25,200	48,413	-23,213
Purchased Services	873,500	858,096	15,404
Property, Furniture & Equipment	203,000	189,490	13,510
Grants & Subsidies	3,000	3,000	0
TOTAL	8,606,300	8,724,830	-118,530

FINANCIAL

STAFF OVERTIME Time Off In Lieu (TOIL)

Carried Forward TOIL from previous years as of March 31/07 **910 hrs.**

Total Hrs. Worked 07/08 **690 hrs.**

Total Hrs. Taken Off 07-08 **663 hrs.**

Total Hrs. Owed as of March 31/08 **937 hrs.**

COSTS OF JUDICIAL EXCHANGE*

FY 2007-08

\$ 21,881.91

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

FINANCIAL

REVENUE COLLECTED AND DISTRIBUTED FY 2007-08

Distribution	Amount	Percent
CCC & Provincial Statutes	332,186	12.21
Federal Statutes	479,637	17.64
Liquor Control Act	3,778	.14
Municipal Acts	2,155	.08
Highway Traffic Act	1,066,212	39.20
Fees and Costs	321,528	11.82
Victim Fine Surcharge	70,064	2.58
Prov. Victim Fine Surcharge	4,101	.16
Maintenance Compensation	144,842	5.33
Civils (Third Party)	48,198	1.77
Bail/Bonds Sureties	140,541	5.16
Cross Court Payments	67,182	2.46
Bank Interest	3,202	.12
HST	0	0
Other (Third Party)*	36,167	1.33
TOTAL	2,719,793	100.00

**Note: Includes Judgment Enforcement Act Fees of \$10,455 and other amounts.*



FINES IMPOSED SUMMARY FY 2007-08

Distribution	Amount	Percent
CCC/PROV	1,364,818	39.81
FED	1,369,269	39.94
LCA	49,255	1.44
VFS	160,871	4.69
PVFS	9,806	.29
TMS	466,733	13.61
3RD PARTY	7,700	.22
TOTAL	3,428,452	100.00

CCC - Criminal Code Canada
PROV - Provincial Statutes
FED - Federal Statutes
LCA - Liquor Control Act
VFS - Victim Fine Surcharge
PVFS - Prov. Victim Fine Surcharge
TMS - Ticket Management System

**COST OF CIRCUIT COURTS
(OPERATIONAL COSTS)
FY 2007-08**

Court Centre	Circuit	Total
Clarenville	Bonavista	1,543.48
	TOTAL CLARENVILLE	1,543.48
Corner Brook	Baie Verte	5,639.77
	Roddickton/St. Anthony	8,635.20
	Port aux Choix/Plum Point	6973.48
	Woody Point/Rocky Harbour	4,722.33
	TOTAL CORNER BROOK	25,970.78
Happy Valley-Goose Bay	Judge sent to help with Circuit Court	9,317.91
	Nain	34,809.71
	Makkovik/Postville/Rigolet/Hopedale	40,402.71
	Port Hope Simpson/Forteau	40,409.02
	Cartwright/L'Anse Au Clair	16,754.25
	Natuashish	17,817.21
	TOTAL HAPPY VALLEY-GOOSE BAY	159,510.81
Grand Falls-Windsor	Bay D'Espoir/Hr. Breton/Conne River	8,547.73
	Springdale	14,895.41
	TOTAL GRAND FALLS-WINDSOR	23,443.14
Placentia*	Placentia	3,825.78
	TOTAL PLACENTIA	3,825.78
Stephenville	Port aux Basques	4,729.09
	Burgeo	958.59
	TOTAL STEPHENVILLE	5,687.68
	OVERALL TOTAL	219,927.48

* Note: Placentia has no resident Judge.

FREQUENCY OF CIRCUIT COURTS

<u>Clarenville</u>		<u>Happy Valley-Goose Bay</u>		<u>Grand Falls-Windsor</u>	
Bonavista	8 days/year	Hopedale	17 days/year	Harbour Breton	6 days/year
		Nain	63 days/year	Head Bay D'Espoir	6 days/year
<u>Corner Brook</u>		Makkovik	4 days/year	Conne River	6 days/year
Roddickton	5 days/year	Postville	2 days/year	Springdale	36 days/year
Port aux Choix	15 days/year	Rigolet	4 days/year		
Rocky Harbour	9 days/year	Natuashish	48 days/year	<u>Stephenville</u>	
St. Anthony	9 days/year	P. H. Simpson	14 days/year	Port aux Basques	33 days/year
Plum Point	1 days/year	Cartwright	13 days/year	Burgeo	6 days/year
Baie Verte	15 days/year	Lanse Au Clair	5 days/year		

TRAINING

by: Louise Daley

In 2007/2008 collectively the Provincial Court's staff logged 128 training days. One of the primary areas of the Court's training efforts consisted of staff completing Court Security Training offered by the Office of the High Sheriff. The replacement of the court's digital recording equipment required training focused on the newly acquired Encompass Software solution and all staff who have court reporter responsibilities availed of this training in 2007/2008. In addition, the court's employees participated in training focused on Caseload Management, Quick Law, Respectful Workplace, Violence Awareness, Effective Leadership, Microsoft Word Levels I and II. The Provincial Court also sent representatives to a number of court-related conferences in Canada and the United States.



PERFORMANCE COACHING

by: Pamela Ryder Lahey

Performance Coaching continues to be a valuable tool for both supervisors and employees. It causes both to reflect upon the work performance, strengths and weaknesses of the employee, what is working well, what needs to be changed or even stopped. In addition, goals and objectives that support the vision of the court and the employee's role in the Court are developed at the end of the annual session. Training needs are specifically identified to target and improve the employee's weaknesses. This annual formal review is also used periodically throughout the year for informal discussions between supervisor and employee.



VIDEO CONFERENCING EXPANSION

by: Louise Daley

Videoconferencing has now been implemented in all Provincial Court centres, with the exception of Placentia. In centres where Provincial and Supreme Courts share the same building, these units are shared between both levels of court.

Since its introduction there has been an increasing rate of usage and demand for this equipment. In particular, this technology has been successfully utilized for bail hearings, remands, expert and witness testimony. The Provincial Court's staff and judges have availed of the equipment for judge and staff meetings.

The partnership with Professional Development and Conferencing Services, (PDCS) formerly known as Telehealth and Educational Technology Resource Agency (TETRA), is continuing. PDCS built the customized workstations and provide installation, training, scheduling, bridging and support for the Courts' videoconferencing network.

INFORMATION MANAGEMENT NEEDS OF THE PROVINCIAL COURT

by: Louise Daley

The Provincial Court recognizes that there is an urgent need to ensure the long-term integrity and security of both its paper and electronic records. In addition, in order for the Court to proceed with the implementation of the Small Claims E-filing Pilot Project a TRIM Administrator is required. The Office of the Chief Information Officer (OCIO) hired an independent consultant to review the Provincial Court information management practices using the Information Management Capacity Assessment Tool (IMCAT) in 2007. The IMCAT report determined the St. John's Adult Court alone generates 2.66 million sheets of paper per year for criminal records only. In terms of active records St. John's Provincial Court has over 14,609,900 sheets of paper files. If the Provincial Court stacked its paper records, it would be equivalent to 5.37 x the height of the CN Tower (1815 feet tall) or 1.84 miles of files. In addition, there are thousands of audio records of criminal court proceedings which must be captured, copied, filed, and kept intact for possible future needs. These records are stored on a number of different media and the long-term integrity of these records is of great concern.

The Department of Justice hired an Information Management Analyst in 2007/2008 which was to provide half-time Records Management support to the Provincial Court and half-time support to the Supreme Court. It has been determined by both Courts and the incumbent that this position cannot provide the minimum functions required to both courts. In fact, this position has been solely dedicated to performing work for the Court of Appeal full-time since February of 2008 and will be continuing to do so until at least the Fall of 2008.

E-FILING

BY KEITH COOK

The Province of Newfoundland and Labrador is committed to implementing an electronic filing system in the law courts. This pilot project will introduce electronic document management, large scale integration between various court case management systems, and web-based public interaction. Under this joint project the Law Courts and the Office of the Chief Information Officer will work together to build a shared, secure infrastructure upon which to build further initiatives for e-Filing and electronic disclosure. It is important that it is generally known amongst stakeholders, sponsors, and onlookers alike that this project is considered to be a ground-breaker for continued, more broad e-Filing initiatives in each court. Success is critical for further buy-in.

Work began on this project in April, 2006. To date the initial research, precedents in other jurisdictions, and consultations with the law courts have helped to narrow the scope of the project to include one area from each of the province's two law courts:

- Small Claims in the Provincial Court
- Probate and Administration in the Supreme Court

These two areas have been selected as lower risk areas of the court, that would provide positive impact to the public, and that have finite, structured, and well-defined processes. Parties involved in these matters can be self-represented, and so a helpful, informative electronic filing initiative should serve to ease and streamline the process for the public, increasing the accessibility of services offered by the law courts. An equally important goal is to ensure that a positive impact is felt by the administration of the two courts. An electronic filing system should reduce operational costs and staff workloads in the courts.

The most basic definition of e-Filing is the electronic submission of documents. Implementing e-Filing at this basic level of functionality would only partially achieve the objectives and benefits intended by the initiative. Therefore the Project Sponsors and Business Issues Committees have agreed that the following functionality should be included within the scope of the e-Filing initiative:

- Electronic Submission of Selected Court Documents (Most Small Claims and Probate and Administration case documents)
- Electronic Payment of Application/Court Fees
- Integration with Case Management Systems
- Electronic Document Management
- Electronic Access to Status of e-Filed documents

- Automated Electronic (email) Notification of Process Status
- E-Registry of Court Documents (Probate and Administration only)

Specifically excluded from the scope of the initial e-Filing initiative are the following:

- Paperless Flow of e-Filed Documents through Court Processes
- Electronic Service of Court Documents
- Electronic Payment of Enforcement Payments (Small Claims)

The first stage undertaken in the project was the Requirements Analysis stage. The scope of work for this stage involved the gathering of business requirements for e-Filing for Small Claims cases in the Provincial Court and Probate and Administration cases of the Supreme Court. This was accomplished through a series of interviews and/or workshops with court staff, administration, and judiciary to fully document current business processes and workflows and to develop the business and functional requirements of a mutually agreeable solution for e-Filing. These requirements also encompass changes to existing internal case management systems. Requirements also address functionality for document and records management of e-Filed documents in accordance with Information Management practices and guidelines.

Another essential component of this work, elicited from the consultation process, is the identification and documentation of areas of required modifications to the Rules and administrative policies at the affected courts, and the identification and resolution of related business issues.

CORNER BROOK COURTHOUSE PLANNING

by: *Greg Childs*

The fiscal year of 2007/2008 saw significant site work and the establishment of the footprint for the new courthouse in Corner Brook. While construction work seemed slow at times there was a lot of activity to prepare the site and ensure the new facility had ample services to meet its needs now and in the future. In addition, the contractor, Allied Construction, worked in conjunction with the project management team, from the Department of Works Services and Transportation, and the design team, Sheppard Case Architects, to maintain the future integrity and aesthetics of the site.

The new courthouse which will house both the Provincial and Supreme Court divisions is scheduled to be completed in the summer of 2009 with occupancy to occur shortly thereafter.



WATER DAMAGE AT STEPHENVILLE COURT

by *Bernice Brown*

The Stephenville Provincial Court is finally back to normal after more than a year of moving and disruption to the Provincial Court as the offices underwent major remediation due to water damage from December of 2006. On December 14, 2006, areas of the Provincial Building were sealed and unavailable for use until remediation of the building had taken place, which included Courtroom # 2.

Defence Counsel room with no holding cell. Three female staff, the Judge and Deputy Sheriff had to share a small washroom which made life interesting!

On August 7, 2007, remediation began on the North Wing of the building. This consisted of the North Wing (half of the Provincial office space) being sealed off while construction was taking place. As a result the Provincial Court was left without the use of Courtroom #2, Public Washrooms, Waiting Area, Crown/Defence offices and the 2nd Judge's Office. This made for quite trying and interesting times as lawyers were interviewing clients in washrooms and hallways; clients were directed to use Motor Registration Division's waiting areas and public washrooms on the 2nd floor which were totally removed from the Provincial Court offices. The work on the North Wing was finally completed on October 26, 2007.

After 412 days the remediation was finally completed and the court was able to get back to normal. On January 30 and 31st, with the help of Works, Services and Transportation, Provincial Court staff relocated the offices for the final time. As a result of this major remediation the building received new siding and windows. The Provincial Court offices were newly painted; new carpet was laid in both Courtrooms and the second Judge's office; two new storage rooms were constructed; a larger exhibit locker was constructed; and the waiting room walls removed and benches installed. The law library was renovated into a fully functioning Sheriff's office with two prisoner holding cells, a secure prisoner interview room, and a storage locker.

Work was scheduled to commence on the South Wing of the building on October 29, 2007. Staff had to relocate the office equipment, files, computers, etc. to the North Wing over the weekend of October 27 and 28. It was a challenge trying to fit 3 staff members, a Judge, a Deputy Sheriff and all the equipment and files into three small file rooms. The offices being used for staff were not big enough to accommodate file cabinets, desks, computers, fax machines, photocopiers, and most of these items had to be stored in offices that were formally the Crown Counsel rooms. The Deputy Sheriff was relocated to the

While it is nice to be back into newly painted offices with new windows, the building layout is totally unsuitable for a courthouse and still has major deficiencies. The most significant is that the Court is located on the second floor of a building, which does not have barrier-free accessibility.



CONTINUING DEVELOPMENTS IN FAMILY LAW

by Judge Kymil Howe

The 2007-08 fiscal year was the Court's first full year of operation under the Provincial Court Family Rules, 2007 which came into force on March 1, 2007. It was also the first full year for the province-wide operation of Family Justice Services and the Recalculation Office.

Information with respect to the Family Rules is now readily available on the family section of the Court website at:

www.court.nl.ca/provincial/family/default.htm

The opening page provides an overview of the jurisdiction of the Provincial Court in family law cases, in terms of both geography and the subject matter of the proceeding. There is also a direct link to each of the Acts mentioned in the Rules and to the standard forms to be used in making and/or responding to an application. While these forms may be filled in online, they must then be printed and filed with the Court in a paper format as electronic filing is not yet available in family court matters.

Further information with respect to some of the types of applications which may be made under each of the Acts can be accessed by selecting the appropriate link at the bottom of the opening page. That explanatory material also contains links to pertinent Regulations and where available, materials prepared by other agencies. For example, if "Adoption" is selected, the explanatory materials will show a link to not only the Adoption Act but also to the "Step-parent and Relative Self-help Adoption Kit" supplied by Health and Community Services. That kit consists of a booklet outlining the process as well as all of the specialized forms necessary to make a step-parent or relative adoption application to the Provincial Court.

Rule 19 sets out the manner in which most court applications with respect to custody, access, child support and spousal support will be directed to Family Justice Services. Further information as to that process can be found by selecting either "Children's Law" or "Family Law" at the bottom of the opening page of the family section of the Court website. A separate website for Family Justice Services is under construction and is expected to be up and running in late 2008.

During the past year, the expansion of Family Justice Services from regional pilot projects to a province-wide service has, from time to time and in some geographic

areas more so than others, resulted in anticipated growing pains. This has been especially true as regards staffing and accommodations. As a result, sessions have been held and reports commissioned to deal with topics ranging from the governance and administration of the service to methods of service delivery. Further reports in that regard are anticipated later in 2008.

Family Justice Services at Corner Brook also houses the Recalculation Office. With the implementation of the Child Support Service Regulations, NLR 31/07, on April 1, 2007, it also became a province-wide service. The practical result of the expansion is that for this past year, child support orders made anywhere in the Province have been eligible to have the standard form "recalculation clause" included in the order. (The "recalculation clause" is one of the forms available on the family section of the Court website.) It is also noteworthy that the Regulations only provide for recalculation in relation to the table amount of child support and not special or extraordinary expenses or spousal support. Given that the automatic annual recalculation process, as it is currently structured, anticipates that recalculation will occur on the annual anniversary date of the court order, it will not be until 2008-09 that orders from areas other than the West Coast will actually be recalculated.

Other provinces have followed the lead of Newfoundland and Labrador in implementing programs whereby the table amount of child support can be recalculated on an annual basis without the necessity of an application to the courts. For that reason, a committee has been struck to review the legislation and models currently in use or under development elsewhere in Canada with a view to ascertaining if there are changes which can be recommended so as to improve on the service available here. That committee expects to report to Family Justice Services this year.

UPDATE OF MENTAL HEALTH COURT AT ST. JOHN'S

by: Judge David Orr



The mental health court pilot project has continued to operate in St. John's throughout 2007 and 2008. The court is operating on regular sitting days in court room eight every second Wednesday afternoon. Since its beginning in 2004, the court's client base has

expanded as more practitioners and other professionals became aware of its operation. By and large the initial contacts were made by counsel working in the court identifying persons who would benefit from the court programs. However, in the past year referrals have come from other trial courts, crown and defence counsel and health professionals.

One aspect that will prove a challenge over the next year is court accessibility. There has been a tendency for all matters referred to the court to come first through the mental health project at Legal Aid. Private defence counsel have wanted to access the court without using the Legal Aid project personnel and there is not currently in place an appropriate mechanism to do this. The court by its nature must have a reviewable process and we are currently attempting to develop a mechanism to address this issue. Typically matters that are accepted into the court are resolved with either a withdrawal of the charge or a community-based disposition. More recently, however, we have tried to expand the court service to include uncontested NCR defences. And we hope to further expand the fitness component of the court's role in the next year or so.

Usually the time to reach a resolution of an individual

case takes a little longer than in a regular trial court. It requires more appearances before the court as the accused must work with court support services staff to ensure that there are community supports in place to enable him or her to avoid further conflict with the law. As well, there is often a time needed to allow the individual to demonstrate that the particular supports in place for them are working and more intervention is not required.

With the amendment of section 720 of the Criminal Code in force as of October 1, 2008 it seems there is now a legislative basis for developing a process that will allow for more frequent and lengthy adjournments of the trial while the accused undergoes court-supervised treatment programs. This will provide a needed legislative structure to the program that, to date in most jurisdictions, has been functioning on a consent basis.

Mr. Peter Ralph who has been lead counsel at the mental health project is leaving Legal Aid for the private sector. Mr. Ralph will be greatly missed as he has provided effective leadership to the mental health team. The court support services team continue to work with all of the persons appearing before the court. The increased use of the court services is a real testament to how well and effectively they have come to the aid of individuals who have a particular need not met by the regular criminal courts.

I am looking forward to another year sitting as the judge in the mental health court and with the addition of the family violence project it seems very likely that it will continue as a permanent part of the Provincial Court System.

EMERGENCY PROTECTION ORDERS

On July 1, 2006, new legislation was introduced under the Provincial Court Family Violence Protection Rules which would allow applicants to apply for an emergency protection order through the courts (in person) during the regular workweek or through police assistance by way of the on-call duty judge by facsimile telecommunications after regular court hours, Saturdays and Sundays, and statutory holidays.

For the period of April 1, 2007 to March 31, 2008, there were 233 applications received provincially; 186 were granted; 28 denied, 4 were still pending; and 15 matters dealt with by "other" means, i.e., withdrawn, peace bond ordered, etc.

FAMILY VIOLENCE COURT

by: Judge David Orr

In January of 2008 I was asked by Justice Minister Jerome Kennedy to co-chair a committee to study the feasibility of setting up a specialty court dedicated to dealing with issues of family violence. After discussions with the Chief Judge as to the feasibility of this project for the Provincial Court, I agreed to assist on behalf of the Court. Ms. Heather Jacobs of the Justice Department was designated as the other chair of the committee. There followed a series of meetings and discussions to prepare a feasibility report. The members of the committee included Ms. Wilma McInnes, Ms. Anita Stanley of Victim Services, Mr. Wayne Payne of Adult Corrections, Inspector Robert Johnson of the Royal Newfoundland Constabulary, Mr. Peter Ralph of the Newfoundland and Labrador Legal Aid Commission, and Ms. J. Dreddy of HRDC Canada .

A report was prepared and submitted to the Justice Minister in May of 2008 and funding was approved for the project. What has been recommended is a specialized court designed to be a treatment-based model that will move beyond fast-tracking and emphasize the treatment of the abusive behavior, as well as counseling supports for victims and children. The pilot project will focus upon early intervention for offenders who plead guilty and voluntarily choose to avail of the specialized court process. It has been proposed that the court process should be completed within eight months from the date of charge to completion. The court project will be a 12-month pilot.

The key aspect of any treatment-based model is the amount of resources that are dedicated to the court. Quite obviously no specialized court can succeed if it is not furnished with the resources to fulfill its stated purpose. During the feasibility discussions meetings were held with the John Howard Society who indicated that they did have programming developed specifically to address family violence issues. They estimated that by dedicating two additional staff they could provide two levels of programming that would meet the court's stated objective. As well, it was decided that an additional staff person would be added at Legal Aid to perform a screening function for the program. Essentially the John Howard programming is designed for persons who have identifiable risk factors. Individuals who score outside those parameters are not suitable for the programming. It is, of course, necessary to identify persons as appropriate before accepting them into the programming. It is essential that this process respect both concerns of solicitor/client privilege and objectivity for purposes of program delivery. As a result, an employee will be dedicated from the men-

tal health project at Legal Aid to carry out this important function.

In addition, Victim Services has agreed to provide additional support for persons affected by family violence and will provide services to the Court for that purpose. It is expected that the role of the Victims worker will be expanded in that they will provide a conduit between the complainant and the Court to address ongoing concerns surrounding any family issues as they arise during the court process. Adult Corrections have agreed that they will undertake a new program of Judicial Interim release supervision, which is a departure from their current role which is focused on post-conviction supervision. They will now supervise offenders released by the family violence Court on judicial interim release. Finally, a new staff person will be added to the Provincial Court staff to co-ordinate the new court process. It is thought that this person may also be able to assist with the Mental Health Court scheduling if they have any additional time.

All of the funding is in place and the process of filling the new positions has started. There will be further discussions with stakeholders and ongoing consultation until the court begins to hear cases in January of 2009.

THE CRIMINAL CODE MENTAL DISORDER REVIEW BOARD

The Criminal Code Mental Disorder Review Board is chaired by the Chief Judge of the Provincial Court, Judge M. R. Reid. Members of the Board are appointed by the province's Lieutenant Governor-in-Council and presently include:

- Judge M. R. Reid, Chief Judge
- Judge J. A. Woodrow, Alternate Chair
- Dr. Martin W. Hogan, M.D., F.R.C.P.C., Psychiatrist
- Dr. Michael C. Nurse, M. D., F.R.C.P.C., Psychiatrist
- Dr. Kevin P. Hogan, M.D., F.R.C.P.C., Psychiatrist
- Ms. Peggy Hatcher, EAP Coordinator, Public Service Commission, Government of Newfoundland and Labrador

The Board is provided administrative assistance by Marilyn Warren, Secretary to the Chief Judge. The Board meets on a monthly basis at the Waterford Hospital in St. John's.

The mandate of the Criminal Code Mental Disorder Review Board is contained Part XX.1 Mental Disorder of the *Criminal Code of Canada, R.S., 1985, c. C-46*. The Board is responsible for issuing dispositions related to the management of those individuals who have been

found unfit to stand trial or those individuals who have been found not criminally responsible by reason of mental disorder. Each individual is entitled to an annual review and may be reviewed more often at the request of the individual, the crown, or the Board itself.

For those who are found not criminally responsible, the Board may impose a conditional discharge or detention, with or without conditions.

For those who are found not fit to stand trial, the Board may impose a conditional discharge or hospital detention. The individual is reviewed at least annually; and if found, at a later review, to be fit to stand trial, the Board must order return of the individual to Court.

As of March 31, 2008, there are 38 individuals who fall under the jurisdiction of the Criminal Code Mental Disorder Review Board. Of these, seven are individuals who were found not fit to stand trial and the remainder were found not criminally responsible by reason of mental disorder. During 2007-08, the Board became responsible for 12 new individuals and reduced its caseload by eight through various dispositions.

TASKFORCE ON CRIMINAL JUSTICE EFFICIENCIES

by Chief Judge M. R. Reid

During FY 07/08 the Court participated in a Task Force study and report aimed at identifying efficiencies in processing criminal cases in the Provincial Court, particularly in the St. John's court.

The Task Force, which was co-chaired by the Chief Judge and the Deputy Attorney General, conducted its study from early December 2007 to mid-February 2008. Besides representation from the court and Department of Justice Administration, the Task Force group was also comprised of representatives from the Prosecution Service, the Legal Aid Commission, and the private bar.

The whole spectrum of case processing, from police laying of charges to final disposition came under review. The study culminated in a report in mid-February 2008

(available on the government website) with recommendations aimed at achieving efficiencies in case processing.

Among the recommendations were several pertaining to additional resources that would be required to implement the procedural recommendations. At the end of the fiscal year we were awaiting passage of the new budget in order to determine future steps.

MEDIATION CONTINUES IN SMALL CLAIMS COURT

by: Judge David Orr

In May of 1999 a "pilot" project was started in the Small Claims Court to incorporate interest-based mediation into the small claims process. The hope was that by using mediation fewer cases would go to trial and issues could be resolved at the settlement conference stage. Prior to introducing mediation the procedure was to hold a settlement conference pursuant to Section 10 of the Small Claims Act S.N.L. 1990. The settlement conference was chaired by the Judge and was essentially a first appearance to ensure that the parties were ready for trial. At the settlement conference, the Judge would explore the possibility of settlement with the litigants or make other orders such as default judgments in the event of a non-appearance but there was little opportunity for mediation.

In 1999 the Small Claims Rules Committee decided to use third-year law students who were completing their articling as the mediators in the proposed mediation process. This obviated the need for any financing for the project as the mediation could be done on a volunteer basis; and as the law clerks were all members of the Law Society, there was already a regulatory body in place to maintain professional standards. At the time it was hoped that the law students would welcome a chance to be directly involved in the litigation process and that obtaining volunteers would not be a problem. This hope has come to fruition and the number of volunteers has, on some occasions, outstripped the number of cases to mediate. To date all of the law clerks in the bar admission course from 1999 to 2007 have participated in the process and all of them have reported they found the experience to be very useful.

We continued with the project this year despite a shortage of judicial resources which arose as a result of retirements and illness. We had a well attended organizational meeting with the law students in August and started to assign the mediation sessions in September. Not all of the 2008 class have had a chance to mediate as of the writing of this article but all of those who have completed a session reported that they enjoyed the experience and several have asked that they be given another mediation opportunity. The students since 1999 have been exposed to more ADR courses in law school and successive classes have grown much more comfortable in the role since the inception of the program. The settlement rate remains very high and it has been a great benefit to the many unrepresented litigants appearing in small claims court.

Ms. Christine Care, the Small Claims Court Administrator, has worked very hard to ensure that the

process has been well co-ordinated. It requires an extra effort on her part to ensure that the process works, and she has been a key component of the process and is certainly a large part of the programs success.

The student experience compliments the bar admission course and it continues to be a very positive process for litigants, the Court, and the Bar. Interestingly our program has had an international effect. A delegation of judges from Eastern Europe was at the Court for a visit in the fall of 2007. They were extremely interested in our mediation program and we have since heard that they hoped to design a similar program to ours in their home courts utilizing their student Judges.



Small Claims Court
St. John's

DEPLOYMENT OF NEW DIGITAL RECORDING SOLUTION

by: Louise Daley

In the Fall of 2007 OCIO issued a Request For Proposal (RFP) to acquire a new Court Digital Recording System including all necessary software, peripherals, documentation, installation support, training, maintenance and support, for all courts throughout the Newfoundland and Labrador. The Provincial Court has 27 courtrooms, and an additional nine units required for circuit locations that required portable standalone systems. The digital recording system had to be able to operate independently in each courtroom, in addition to, having the ability to connect to the network and have the ability to transfer data from the standalone system to central server(s). The Department of Justice operates an extensive Wide Area Network across the province. The Provincial Court is part of this network, all of which are Ethernet based Local Area Networks (LANs) with connectivity to servers running IP Protocols.

The successful bidder was VIQ Solutions, with their Encompass software solution. This replaced the existing hardware solution, FTR Recorder Decks, which had been purchased and deployed in 2002 throughout the court system. Unfortunately, the FTR hardware solution throughout its lifecycle at the Courts required an inordinate amount of repair and maintenance by computer support specialist assigned to the Court by the OCIO. In fact, the failure rate of the equipment deemed it undependable and the Court sought to find a more effective and dependable solution.

Presently, all 27 courtrooms are equipped with the new software and all court staff, who perform courtroom duties, have been trained on the new software. In addition, the portable circuit court solution which consists of a laptop with the software loaded, mixer and microphones stored in a custom-designed travel case are now ready for deployment. As with the introduction of any new technology, there have been some minor growing pains but overall the system appears to be functioning very well.

To truly optimize upon the full potential of the new system, the Provincial Court would need to acquire its own independent central server. This would allow the Court to directly store copies of the recordings on their own server and allow judges and staff to password-protected access to any digital recording from any of its 27 courtrooms and nine circuit locations from their own workstation or laptop. The acquisition of these servers is being pursued in the next budget year.



STRATEGIC PLAN

by Louise Daley



The Provincial Court released its third, in a series of Strategic Plans, in 2007 entitled: "Committed to Continuous Improvement, 2007-2009." As the title implies, this plan's primary focus is to enable the Provincial Court to continue to improve and evolve as a modern-day court.

There are seven main planning themes outlined in the plan:

- Improved Public Access to Court Services
- Focus on Court Performance
- Public Accountability and Confidence in the Court
- Emerging Technology in Court Processes
- Comprehensive Information Management Strategy
- Investment in Human Resource Development
- Advocating for and Supporting Improved Court Security

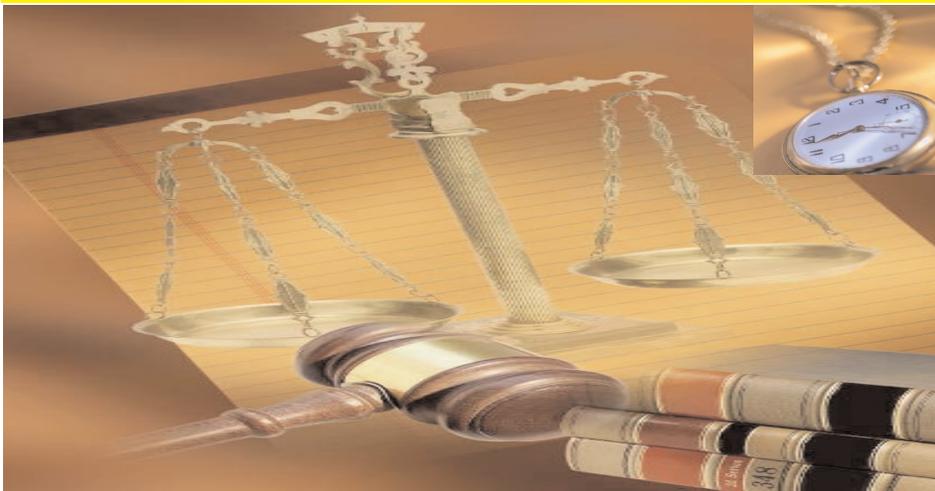
The strategic directions and goals that flow from these themes more specifically detail steps to be taken to achieve continuous improvement. For example, providing more timely and accessible justice via videoconfer-

encing, closed circuit TV for vulnerable witnesses, hiring court staff with aboriginal language skills, operating the court on a 24/7 basis, and improving transcript turn-around time by hiring transcriptionists. Other steps include using the integration of emerging technologies to improve upon court services and ensuring that our staff and judges receive the required training to keep pace with a rapidly changing justice environment. Perhaps the most prominent strategic direction is the institution of a formal Case Flow Management System which will allow the senior management of the Court to actively manage the court's resources to improve case processing by tracking: the time to disposition, age of our active pending caseload, and clearance rates. This will ensure that we are constantly aware of how long it is taking to dispose of cases and enable us to identify problem areas and apply resources required to resolve any bottlenecks in the system.

The plan also recognizes the need to review the Court's mandate, including its public image and name, with a view to assessing its future role in a changing court environment. The need to position the Court for inevitable change demands a fresh examination of the many challenges and opportunities ahead of us.

PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

COMMITTED TO CONTINUOUS IMPROVEMENT



Strategic Plan
2007-2009

LUNCH WITH A JUDGE PROGRAM

by: Anna Warford

This year's "Lunch with a Judge Program" in St. John's was another success. There were 69 students from both Bishop Abraham and Holy Cross Elementary who attended. Lunch with a Judge 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. Four students at a time, along with their teacher/guidance counselor, come to the Court to have lunch with a judge and court administrator, tour the Youth Court, and visit the holding cells. This visit involves the judge talking to the students interactively about their reputation, the meaning of a criminal record, and answering the many questions students have. Lunches are prepared by the HMP Correctional Facility (Avalon Catering) and is the same lunch that a youth in custody would receive if they were in custody at the Provincial Court holding cells.

The St. John's Court is indebted to Judge G. Brown, Judge R. Hyslop, Judge R. Smith, Judge L. Spracklin, Judge G. Harding, Christine Care, Dolores Hutton, Patricia Ricketts, Dayna Wicks, Anna Warford and the Deputy Sheriffs of St. John's for their continuing involvement and being the "face" of the Court in this volunteer program.



Students listening to a talk/demonstration given by a Deputy Sheriff in the Holding Cells



Students in the Courtroom



Having lunch with the Judge

Lunch provided by HMP and is what a Youth would receive for lunch while in custody.

NEW EMPLOYEE ORIENTATION COMMITTEE

by: Shelley Organ

The Provincial Court of Newfoundland and Labrador had been providing new employees with a New Employee Orientation Handbook for several years. However, it was recognized that new employee orientation is one of the most important stages in a court employee's career and more emphasis should be placed on it. To that effect, a committee was formed with the objective to develop and maintain a New Employee Orientation Package.

Since its inception in January 2006, this committee has worked very hard to develop this package that is both comprehensive and informative to all staff of the Provincial Court. In February 2008, a draft binder was assembled and sent to Management for review. Once

approval was received, all information gathered was assembled and the final Binder was rolled out in late March 2008. The response to this binder has been overwhelming. Corrine Avery, Committee Chair, and committee members, Tonya Bishop, Christine Jenkins and Bernice Brown all remain committed to this project and encourage all staff across the island to submit any new suggestions to them for inclusion in this binder. The committee has agreed to meet periodically to discuss any new suggestions and will continue to update the New Orientation Binder as the need arises. All new employees to the Provincial Court will now be presented with this valuable tool upon the start of their employment.

RESPECTFUL WORKPLACE COMMITTEE

by: Shelley Organ

The Provincial Court of Newfoundland and Labrador is committed to creating a work environment that is respectful and free from harassment. It supports dealing with conflict in a constructive and supportive manner.

To this end, Provincial Court has implemented a Respectful Workplace Committee in St. John's with the assistance and support of Respectful Workplace Coordinator, Public Service Commission, and the Human Resources Division, Department of Justice.

The Committee held its first meeting June 7, 2007, and meets at least quarterly. To date, the Committee has drafted a survey which was sent to all Provincial Court employees in St. John's for their input in helping the Committee ascertain and understand the kind of environment staff feel they work in, and how we can make our environment one that supports and practices respect and conflict resolution.

Two members of the RWP Committee, Christine Care and Cynthia Thorne, took part in the Respectful Workplace (RWP) Seminar, Train-the-Trainer, in November 2007. As a result of this training, they are invited to attend meetings of the Presenters Committee, and to take part in offering RWP training to the Court.

As with Customer Service Best Practices, Respectful Workplace has been added to the standing Agenda of monthly staff meetings, providing an opportunity for discussion on this issue.

The Committee members are Christine Care (Chair); Shelley Organ (Management); Pam Penton, Patricia Ricketts, Barbara Evans, and Cynthia Thorne

OCCUPATIONAL HEALTH AND SAFETY COMMITTEE

by: *Shelley Organ*

An Occupational Health and Safety Committee has the primary objective of protecting employees from workplace injury and illness. While the Department of Justice is responsible for ensuring compliance with the provisions of Occupational Health and Safety Legislation, it is incumbent upon local managers and supervisory staff to accept responsibility to ensure that workers are not placed at risk of injury or illness due to workplace requirements or conditions. Every employee is required to protect his or her own health and safety and to respect other worker's rights to enjoy a safe and healthful workplace. The Provincial Court participates on these committees through individual staff members who are trained to recognize the risks that exist in our everyday working environments.

St. John's

The Occupational Health and Safety Committee at Atlantic Place, St. John's is made of Department of Justice management and employee representatives throughout the building and includes the Sheriff's Office, Adult Probation, the Crown Attorney's Office and Victim Services. Provincial Court representatives are Joanne Spurrell, Anne Donnelly and Shelley Organ.

The Committee has dealt with various issues over the past year, two of these were air and water quality, and exploring the implementation of a chemical-free policy.

In addition to the above Committee, Joanne Spurrell represents the Court on the Department of Justice Regional Occupational Health and Safety Committee which meet regularly at the Confederation.

Corner Brook

The Justice Occupational Health and Safety committee is also active at the Sir Richard Squires Building in Corner Brook even though actually getting together for a meeting can be difficult with the varying schedules of the members. The committee consists of members from Provincial Court, Supreme Court, Support Enforcement, Victim Services, Crown Attorney's Office and soon to be joined by the Sheriff's Office. Carolyn Hobbs, Court Officer I, is the Provincial Court representative.

The committee continues to address some ongoing issues throughout the building and are in the process of setting up workplace inspections to identify any hazards that may make the workplace unsafe for the employees.

Outside Centres

Court Officers Kathy Oake of Grand Falls-Windsor, Jennifer Dawson-Hobbs of Stephenville, Tonya Bishop of Clarenville and Court Administrators Marilyn McGrath of Harbour Grace and Rita Pritchett of Gander, each represent their Centre on the local area or building Occupational Health and Safety Committees.

PROVINCIAL COURT WEBPAGE COMMITTEE

by: *Anna Warford*

The 2007-08 fiscal year continues to provide a wealth of information, interactive forms, and helpful links to stakeholders and the public. The webpage is user friendly and has easy-to-find information regarding of interest regarding the Provincial Court. The webpage has up-to-date information thanks to the continuing assistance from the Websupport Division of the Office of the Chief Information Officer.

The Webpage Committee consists of Chief Judge Reid, Judge Greg Brown, Pamela Ryder Lahey, Louise Daley, Anna Warford, and Marilyn Warren.

Visit our website at:

www.court.nl.ca/provincial/

SOCIAL COMMITTEE

by: *Shelley Organ*

The St. John's Provincial Court Social Committee organizes staff socials, team-building exercises, and collecting for those in need throughout the year. Committee members are: Tamara Church, Melanie Hamlyn, Wendy Penney, Shelley Organ, and Anne Donnelly.

The major event for the year was our Public Service Week festivities, where various activities were held over the course of the week which included a nutrition break, a speaker from the Body Image Network, one day of divisional luncheons and an afternoon barbeque. There were also contests which consisted of a daily Who Am I contest, Who Are These Beautiful Babies, and a fun and competitive Scavenger Hunt Game comprised of randomly assigned teams from every division. Each team had a week to gather their items and present them to our judges for adjudication during our staff Barbeque. One unique object on the Scavenger Hunt list was to obtain a picture of your group wearing suspenders - we have the photos to prove it! Prizes for all contests were awarded at the barbeque.

The committee also hosted a bowling party with Santa for children of Provincial Court and Deputy Sheriff's staff.



T-B: *Melanie Hamlyn, Anna warford, Patricia Ricketts, Maureen Quinn and Elaine Mayo*



T-B: *Michelle Cook, Patricia Sheehan, Shelley Organ, Tamara Church, and Joanne Spurrell*



L-R: *Andrea Butt, Denise Wade, Christine Care, Marilyn Warren and Cynthia Thorne*



L-R: *Louise Daley, Dayna Wicks, Barb Evans, Pam Penton and Wendy Penney*

CUSTOMER SERVICE BEST PRACTICE COMMITTEE

The Customer Service Best Practices Committee (CSBP Committee) was organized in the spring of 2006 to research and develop guidelines for best practices for dealing with internal and external stakeholders of the Provincial Court of Newfoundland and Labrador. The Committee is made up of Provincial Court employees throughout the Province including, Christine Care of St. John's (Chair), Shelley Organ (Advisor), Marilyn McGrath of Harbour Grace, Greta Miller of Grand Bank, and Judy Blake of Happy Valley-Goose Bay.

Over the past year, the CSBP Committee, in consultation with stakeholders and staff, and through regular meetings, completed the Provincial Court of Newfoundland and Labrador Customer Service Best Practice Guidelines.

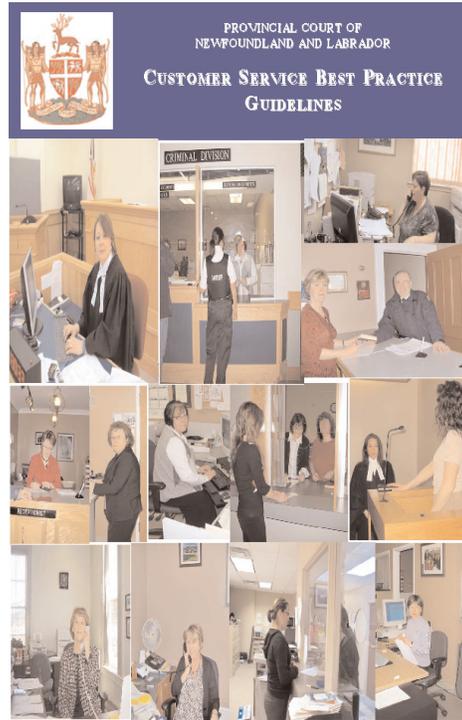
These guidelines include the following sections:

- Telephone/Voice Mail
- E-mail Etiquette
- Correspondence
- Walk-In Scheduling Service
- Ethical Practice
- Dealing with Difficult Clients
- Public Complaint Process
- Supporting Addendums

Each court centre was provided with a copy of the guidelines in addition to it being placed in the Staff Section of the Provincial Court website. It will be an excellent resource in helping the Court reach its mission to uphold

and provide quality service to the public. These Guidelines will also help bring consistency to procedures throughout the province.

In the future, the Committee plans to develop a section to aid court staff in providing assistance to self-represented litigants, which will form part of the Guidelines.



JUDGE COLIN FLYNN WINS AWARD MASTERS OF LAW'S PROGRAM



Judge Colin Flynn was awarded the degree of Master of Laws (LLM) (with Merit) from the University of London in December 2007. The degree was in the specialty of Criminal justice. In addition to the degree Judge Flynn also obtained a Post-graduate Diploma in International Criminal Law. Judge Flynn began his studies in the United Kingdom as an External student in 2004 with two other judges of this court who

have also completed the degree. In 2005 he switched to the “new” LLM programme which offered a greater variety of courses than had been the case with the older programme. This afforded him the opportunity to obtain exposure to the international aspects of Criminal Law.

Judge Flynn was able to complete this programme over three years in addition to discharging his duties in the busy Judicial Centre of Harbour Grace. Convocation took place in the Barbican centre in London on March 10, 2008. Our sincere congratulations are extended to him.

UKRAINIAN DELEGATION VISITS PROVINCIAL COURT OF NL

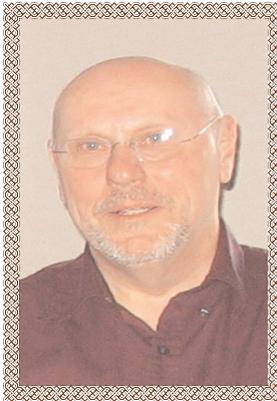


From November 12-16, 2007, a group of Ukrainian judges and court administrators visited the province of Newfoundland and Labrador, in particular, the Provincial Court. During their visit, they met with Chief Judge Reid and Pamela Ryder Lahey to discuss the Court’s Strategic Plan and the executive team model of managing the Provincial Court. They observed court proceedings and had a demonstration on digital recording technology used by the Court. They met with Judge D. Orr who spoke about the court’s mediation program and partnership with the Law Society and the article clerk mediator program. Lieutenant-Governor Ed Roberts hosted a morning coffee and discussion on judi-

cial independence and the three branches of government. They met with Chief Justice D. Green about pre-trial procedures in the Trial Division and with Justice M. Rowe of the Court of Appeal. During the week they sat in and observed the “Lunch with a Judge” program with Judge L. Spracklin. The week flew by and by all accounts was deemed to be a success. Various social events were organized, which included hosting the delegation to dinners at private homes and an evening touring “The Rooms and enjoying dinner and the view.

Judge John Rorke RETIRES

by: Judge G. Brown



The Honourable Judge John F. Rorke retired as a Judge of the Provincial Court of Newfoundland and Labrador on April 30, 2007.

Judge Rorke is a native of Carbonear and graduated from MUN with a BA (Anthropology) in 1973. Judge Rorke acquired his interest in the law while he worked as a court reporter for the Evening Telegram during 1969-70. He entered Dalhousie Law School in 1973 and graduated in 1976. He served his articles with David Riche of O'Neil Riche and O'Reilly and John Kelly of the Department of Justice. After a brief stint with the Department of Justice as a prosecutor, he spent several years in private practice before once again becoming a crown prosecutor with the Department of Justice in September 1981.

Judge Rorke was appointed to the Bench on May 23, 1989 and spent a couple of years in Corner Brook before

moving to the St. John's Court where he served until his retirement.

Judge Rorke was renowned for his wit and humour, his story-telling prowess, and his ability to see all the angles in any given situation. During his judicial career Judge Rorke was a very active member of the Judges' Association, and at one time or another held all executive positions in the Association. His contributions to the Association and the judges during the difficult years of the 1990s were, and still are, much appreciated by his colleagues. Judge Rorke spent most of his career as a Judge doing adult criminal trial work, though he also spent several years in each of the Youth and first Appearance Court. He was appreciated by those who appeared before him for his insight into human behavior and his ability to get the parties to "cut to the chase".

Judge Rorke will marry Jackie Campbell June 28, 2008. His only advice for us is "If you can afford to go - go!"

We thank Judge Rorke for his many years of service and wish him and Jackie a healthy, long and happy post-Bench life.

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Some of the Retired Judges from Provincial Court who attended Judge Rorke's retirement.
L-R Standing: Judges Baker, Seabright, Barnable, Scott, Rorke, Trahey
L-R Sitting: Judges Wicks and Corbett

PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR
JUDGES AND STAFF
FY 2007/08

<u>Chief Judge's Office</u>	<u>St. John's</u>	Andrea Butt	Pamela Penton
Chief Judge M. R. Reid	Judge J. A. Woodrow	Christine Care	Anne Power
Marilyn Warren	Judge G. Brown	Tamara Church	Jackie Power
	Judge G. Harding	Barb Evans	Maureen Quinn
<u>Court Services</u>	Judge R. Hyslop	Lynn Godden	Patricia Ricketts
Pamela Ryder Lahey	Judge D. Orr	Gwen Halliday	Jody Healey
Shelley Organ	Judge D. Power	Darlene Haring	Patricia Sheehan
Bob Mavin (Cr. Brook)	Judge J. Rorke(<i>Retired</i>)	Janice Harrigan	Joanne Spurrell
Louise Daley	Judge L. Spracklin	Dolores Hutton	Mitzi Sullivan
Anna Warford	Judge R. Smith	Marlene Kenney	Cynthia Thorne
		Melanie Hamlyn	Denise Wade
	Michelle Cook	Elaine Mayo	Dayna Wicks
		Wendy Penney	

<u>Harbour Grace</u>	<u>Corner Brook</u>	<u>Stephenville</u>	<u>H.V. -Goose Bay</u>
Judge C. Flynn	Judge C. Allen-Westby	Judge M. Monaghan	Judge Wm. English
Shirley Hogan	Judge W. Gorman	Bernice Brown	Judge J. Joy
Marilyn McGrath	Judge K. Howe	Jennifer Dawson-Hobbs	Judy Blake
Philomena Parsons	Greg Childs	Agnes Kendall	Debbie Fillier
	Brenda Eldridge		Cora Hamel
<u>Placentia</u>	Suzan Hartley		Shirley Hill
Glenys Walters	Carolyn Hobbs	<u>Grand Falls-Windsor</u>	Shirley White
	Lynn Lawton	Judge T. Chalker	Lisa Winters
<u>Clareville</u>	Deborah Lemoine	Judge R. Whiffen	
Judge P. Kennedy	Tracey Leyte	Donna Antle	<u>Wabush</u>
Corrine Avery	Erika Perry	Vicki Caravan	Joan Davis
Marilyn Avery	Lynn Ruth	Terry Harvey	Marnie Daigle
Tonya Bishop	Madonna Vaters	Katherine Oake	Paige Blake (P/T)
		Mary Ann Rowsell	
<u>Grand Bank</u>	<u>Gander</u>	Pam Arnold	
Judge H. Porter	Judge D. Peddle		
Mildred Bennett	Judge B. Short		
Lucy Dominaux	Phoebe Broomfield		
Greta Miller	Christine Jenkins		
	Cindy Oldford		
	Rita Pritchett		
	Mary Rose		

APPENDICES

APPENDIX “A”

**Total Appearances - Adult Court
Five Year Period
FY 2003-2008**

Court	'03-04	'04-05	'05-06	'06-07	'07-08
Clarenville	3596	3997	3942	2546	3247
Corner Brook	10476	9967	10034	8536	10530
Gander	4589	3838	4432	4462	5079
Grand Bank	2296	2802	2883	2639	2431
Grand Falls-Windsor	4511	3998	3929	3528	4922
Happy Valley-Goose Bay	7462	7358	7463	11409	12483
Harbour Grace	4342	4338	3372	3247	3580
Placentia	1866	1760	1148	694	483
Springdale*	1335	583	0	0	0
St. John's	45397	48800	47693	48126	53416
Stephenville	4622	4240	5142	3663	5623
Wabush	1020	1525	1213	1065	1796
TOTAL	91,512	93,206	91,251	89,915	103,590

**Total Appearances - Youth Court
Five Year Period
FY 2003-2008**

Court	'03-04	'04-05	'05-06	'06-07	'07-08
Clarenville	299	427	326	329	494
Corner Brook	1872	1856	1855	1942	1428
Gander	1016	1122	684	566	584
Grand Bank	367	349	511	229	400
Grand Falls-Windsor	809	738	1202	832	712
Happy Valley-Goose Bay	1178	1480	1522	1944	2481
Harbour Grace	1250	1033	509	440	469
Placentia	623	322	171	76	104
Springdale*	340	43	0	0	0
St. John's	9646	7655	5353	5931	7652
Stephenville	860	486	722	1133	1031
Wabush	84	118	137	475	415
TOTAL	18,344	15,629	12,992	13,897	15,770

**Note: Springdale Court closed August 2005 and is now a circuit of Grand Falls-Windsor*

APPENDIX “B”

**Provincial Court of Newfoundland and Labrador
Ten Year Statistics**

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Clarenville	1998-99	920	191	195	402	142	0	1448
	1999-00	985	189	212	399	130	0	1516
	2000-01	826	88	297	340	127	0	1338
	2001-02	672	119	266	437	84	0	1141
	2002-03	557	73	241	387	92	0	963
	2003-04	747	99	182	451	45	30	1073
	2004-05	962	115	187	389	62	8	1326
	2005-06	935	73	67	214	62	15	1137
	2006-07	783	105	84	122	32	7	1004
	2007-08	944	119	113	196	42	4	1218

SOTs Procs'd	SOTs Trials
1567	N/A
1939	N/A
1759	N/A
2016	N/A
3609	N/A
2107	47
1418	96
1815	20
1867	26
1991	23

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Corner	1998-99	2442	646	644	1053	1570	0	5302
Brook	1999-00	1844	405	506	616	1466	0	4221
	2000-01	2138	437	488	735	1490	0	4553
	2001-02	1941	479	358	1296	1421	0	4199
	2002-03	1780	520	290	936	1237	0	3827
	2003-04	2213	446	361	1215	538	517	3558
	2004-05	2271	452	176	860	358	460	3257
	2005-06	2533	505	150	534	539	709	3727
	2006-07	2239	553	118	617	388	543	3298
	2007-08	2347	428	169	619	163	310	3107

SOTs Procs'd	SOTs Trials
10458	N/A
9894	N/A
8615	N/A
8615	N/A
9228	N/A
6856	164
7164	183
8165	209
6975	161
6652	156

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Gander	1998-99	1199	235	390	698	273	0	2097
	1999-00	1242	238	222	374	225	0	1927
	2000-01	1119	185	252	574	226	0	1782
	2001-02	1022	297	218	851	238	0	1775
	2002-03	1160	314	197	824	381	0	2052
	2003-04	1053	337	235	879	218	149	1843
	2004-05	973	231	104	393	202	120	1510
	2005-06	1172	218	81	226	138	161	1609
	2006-07	1102	185	78	280	162	125	1527
	2007-08	1180	154	53	329	137	91	1524

SOTs Procs'd	SOTs Trials
3962	N/A
3277	N/A
2859	N/A
2904	N/A
2888	N/A
2991	38
2513	43
3319	208
3441	87
3538	131

Note: Prior to 2003-04 Family Statistics were combined.

**Provincial Court of Newfoundland and Labrador
Ten Year Statistics**

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Grand	1998-99	778	146	123	228	186	0	1233	773	N/A
Bank	1999-00	699	192	141	225	73	0	1105	1210	N/A
	2000-01	680	155	75	173	111	0	1021	753	N/A
	2001-02	657	232	83	232	126	0	1098	618	N/A
	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

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Grand	1998-99	739	313	0	132	365	0	1417	4203	N/A
Falls-	1999-00	874	361	0	116	339	0	1574	4638	N/A
Windsor	2000-01	745	266	0	184	366	0	1377	4187	N/A
	2001-02	1108	573	7	92	359	0	2047	3987	N/A
	2002-03	1011	467	0	73	357	0	1835	3145	N/A
	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

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL	SOTs Procs'd	SOTs Trials
Harbour	1998-99	913	224	262	167	192	0	1591	787	N/A
Grace	1999-00	1012	253	245	130	151	0	1661	1353	N/A
	2000-01	814	164	193	233	129	0	1300	1927	N/A
	2001-02	680	196	203	277	115	0	1194	1970	N/A
	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

Provincial Court of Newfoundland and Labrador Ten Year Statistics

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
H.Valley-	1998-99	1624	488	148	190	194	0	2454
Goose	1999-00	1503	408	103	172	187	0	2201
Bay	2000-01	1512	451	107	180	214	0	2284
	2001-02	1954	368	305	143	316	0	2943
	2002-03	1811	529	150	312	286	0	2776
	2003-04	1999	350	79	188	100	69	2528
	2004-05	2110	476	62	145	237	112	2885
	2005-06	1863	352	49	135	206	71	2470
	2006-07	2311	473	43	150	298	191	3125
	2007-08	2634	449	50	130	232	126	3365

SOTs Procs'd	SOTs Trials
1003	N/A
1201	N/A
1239	N/A
669	N/A
706	N/A
739	0
435	5
625	15
892	15
1142	4

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Placentia	1998-99	709	198	31	42	70	0	1008
	1999-00	726	196	32	43	57	0	1011
	2000-01	790	202	45	58	77	0	1114
	2001-02	614	234	33	91	59	0	940
	2002-03	532	210	31	63	48	0	821
	2003-04	526	200	52	114	9	26	787
	2004-05	511	88	22	36	16	9	637
	2005-06	275	82	6	52	13	13	376
	2006-07	238	19	5	12	15	16	277
	2007-08	132	36	8	13	10	8	186

SOTs Procs'd	SOTs Trials
887	N/A
1168	N/A
852	N/A
752	N/A
467	N/A
449	18
553	10
228	6
371	14
345	0

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Springdale**	1998-99	363	142	739	1968	185	0	1429
	1999-00	325	75	379	1409	179	0	958
	2000-01	315	28	690	1640	148	0	1181
	2001-02	342	79	656	1992	215	0	1292
	2002-03	203	92	581	2172	178	0	1054
	2003-04	300	94	685	2264	32	42	1111
	2004-05	68	5	83	255	18	12	174
	2005-06	0	0	0	0	0	0	0
	2006-07	0	0	0	0	0	0	0
	2007-08	0	0	0	0	0	0	0

SOTs Procs'd	SOTs Trials
913	N/A
1073	N/A
1361	N/A
1147	N/A
768	N/A
590	54
285	0
0	0
0	0
0	0

****NOTE:** As of August 2004, Springdale Court became a Circuit Court. of Grand Falls-Windsor Prov. Court

**Provincial Court of Newfoundland and Labrador
Ten Year Statistics**

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Stephenville	1998-99	1290	288	235	809	159	0	1972
	1999-00	1486	392	143	560	176	0	2197
	2000-01	1620	356	249	625	198	0	2423
	2001-02	1478	298	185	621	177	0	2138
	2002-03	1208	258	137	381	134	0	1737
	2003-04	1195	239	140	437	84	71	1658
	2004-05	1310	172	73	265	50	23	1605
	2005-06	1643	244	43	198	88	11	2018
	2006-07	1265	370	45	217	35	13	1715
	2007-08	1575	303	47	188	267	194	2192

SOTs Procs'd	SOTs Trials
2093	N/A
3343	N/A
2120	N/A
2219	N/A
2373	N/A
1739	34
1593	35
1681	26
1641	31
2096	35

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
St. John's	1998-99	10078	2231	2571	3759	7	0	14887
	1999-00	7906	1574	2209	3025	2	0	11691
	2000-01	7885	1869	1927	3050	0	0	11681
	2001-02	8532	2254	1605	4403	0	0	12391
	2002-03	8278	2427	1741	4904	0	0	12446
	2003-04	9319	2496	1545	4616	0	0	13360
	2004-05	9467	1833	865	3003	0	0	12165
	2005-06	9239	1487	728	2301	0	0	11454
	2006-07	9089	1603	659	3053	0	0	11351
	2007-08	9402	1687	687	2764	4	1	11780

SOTs Procs'd	SOTs Trials
2914	N/A
2001	N/A
103479	N/A
133726	N/A
142722	N/A
131783	1021
120316	792
130136	814
113331	624
112656	417

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Wabush	1998-99	190	163	163	34	67	0	583
	1999-00	268	111	136	60	93	0	608
	2000-01	242	93	93	108	84	0	512
	2001-02	268	68	321	210	95	0	752
	2002-03	295	85	223	424	147	0	750
	2003-04	295	25	80	161	41	14	441
	2004-05	419	42	26	127	118	22	605
	2005-06	224	43	23	86	85	7	375
	2006-07	316	82	22	67	162	12	582
	2007-08	235	99	18	56	78	5	430

SOTs Procs'd	SOTs Trials
774	N/A
593	N/A
494	N/A
544	N/A
603	N/A
601	4
411	10
324	13
458	17
617	19

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Overall	1998-99	21245	5265	5501	9482	3410	0	35421
	1999-00	18870	4394	4328	7129	3078	0	30670
	2000-01	18686	4294	4416	7900	3170	0	30566
	2001-02	19268	5197	4240	10645	3205	0	31910
	2002-03	18611	5395	3915	11086	3163	0	31084
	2003-04	20495	4967	3663	10900	1384	1084	30509
	2004-05	21116	3969	1882	6345	1416	976	28383
	2005-06	20444	3617	1489	4683	1526	1268	27076
	2006-07	19889	3872	1256	5263	1469	1205	26486
	2007-08	21307	3724	1326	5033	1219	933	27576

SOTs Procs'd	SOTs Trials
30,334	N/A
31,690	N/A
129,645	N/A
159,167	N/A
168,276	N/A
152,675	1488
139,967	1289
151,861	1431
133,777	1293
135,942	895

APPENDIX “C”

WEEKEND ARRESTS FY 2007-08

MONTH	NUMBER OF ARRESTS ST. JOHN'S	NUMBER OF PROVINCE ARRESTS OUTSIDE ST. JOHN'S	PROVINCIAL TOTAL
APRIL 2007	46	32	78
MAY 2007	30	28	58
JUNE 2007	30	25	55
JULY 2007	38	42	80
AUGUST 2007	39	33	72
SEPTEMBER 2007	49	40	89
OCTOBER 2007	32	28	60
NOVEMBER 2007	28	36	64
DECEMBER 2007	43	32	75
JANUARY 2008	25	14	39
FEBRUARY 2008	25	25	50
MARCH 2008	44	25	69
TOTAL	429	360	789

Total Days of Weekend Court = 116
Total Number of Arrest FY = 789
The Total Average Arrests per day = 6.8