



The Law Courts of Newfoundland and Labrador

Provincial Court of
Newfoundland and Labrador

Annual Report 2012-2013



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PART 1: YEAR IN REVIEW

YEAR IN REVIEW

Chief Judge's Report

In 2012, the Provincial Court of Newfoundland and Labrador began implementation of its new Strategic Plan entitled "*Building on our Successes*". The plan sets out the strategic directions, goals and objectives for the Court for the period 2012-2014. Early in 2013, a progress report was completed and posted to our website so that the public can have access to the information about what we have been doing during the year. I am pleased to report that we have taken significant steps towards improving public trust and confidence through greater transparency and accountability. We have also found ways to make use of emerging technologies to improve the Court process and improve timelines and access to justice. It is also apparent to me that we have honored the commitment to strive to achieve a high standard of judicial excellence and provide consistent high quality service and professionalism to the public we serve. I encourage you to review the progress to date in Part 5 of this Report, which provides detailed information about the concrete steps we have been taking to reach our goals and objectives.

During the year, the process for handling complaints against judges by members of the public was finalized. Judges of the Court must follow a set of ethical guidelines and a code of conduct which have been established by the Judicial Council. Complaints from the public are examined initially by the Complaints Review Committee (CRC) which is composed of the Chief Judge as Chair, a member of the Supreme Court appointed by the Chief Justice of that Court and a layperson appointed by the Minister of Justice. Following consideration, and investigation if necessary, the CRC either dismisses the complaint, mediates with the judge and complainant involved, or sends the case on for a hearing to the Judicial Complaints Panel. There is a right of appeal from this decision. The tribunal of three persons hearing a particular complaint is drawn from a panel consisting of two Supreme Court judges, two Provincial Court judges from the Maritime Provinces who are nominated by their respective Chiefs and two lay people appointed by the Minister of Justice. Following a public hearing, the tribunal has the power to impose a range of sanctions including removal of a judge from the bench. The strengthening of this complaints process and finalization of the practices and procedures of the committee ensures that judges are accountable to the public for their actions and ensures that legitimate complaints from the public are pursued and processed in a fashion that is fair and just to everyone involved.

In August of 2012, the Minister of Justice announced the appointment of the Honourable Lori A. Marshall and the Honourable Judge James G. Walsh. Both judges were experienced criminal and civil practitioners and bring a wealth of knowledge to the Court in the judicial centre of St. John's.

We look forward to continuing our efforts to provide excellent service to the people of our province.



D. Mark Pike
Chief Judge

Director's Report

As with previous Annual Reports, this Report will provide information on the Court's workload, performance, Strategic Plan progress and financial activity. However, this year we have made the transition from using an average to a median for the time to disposition statistics and the age of pending cases statistics. Although we have used an average in the past, it has the disadvantage of being affected by any single significantly high or low value when compared to the rest of the sample. Median is a superior measure of mid-point values and will provide more accurate information.

Fiscal year 2012/13 saw continued improvements in Court scheduling, Information Management, Access to Justice and overall improvements in the way we do business.

For instance, in April, the Court began a comprehensive Circuit Review to identify efficiencies. As a result, various circuits were increased, combined, reduced, or eliminated beginning January 1, 2013. In addition, a review of scheduling procedures in Labrador began in July 2012 and new scheduling procedures were implemented in Happy Valley Goose Bay. This contributed to an improved docket and an increase in time allotment for Family and Child Protection matters, allowing for timely resolution.

Centralized coordination of transcripts continues with the implementation of a Provincial Transcript List, making the process more efficient and eliminating pressure on staff in the individual Court Centres. For the first time, transcript turnaround statistics are provided in this Report. As well, TRIM is now being used to store court audio recordings from 2011 forward in St. John's and Corner Brook, with plans for expansion to all other locations by the end of the next fiscal year. This method of storage provides Judges and staff with easy desktop access to court recordings and is a more secure way to preserve these recordings.

The Court continues to deal with staff turnover due to retirements, promotions and resignations. Corporate Services continues to focus on human resource planning and performance management as part of our commitment to high quality service and professionalism. In 2012-13, a concentrated effort was placed on training supervisors across the province in a variety of areas, including performance coaching, supervisory skills, ethics and professionalism, case flow management and team building. I am very proud of the caliber of managers, supervisors and frontline staff who work with the Provincial Court and I commend both new and seasoned employees on their hard work and dedication. Each of you contributes to the success of the Court.



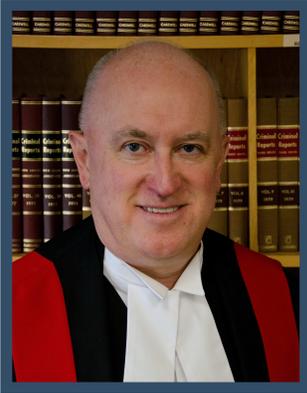
Shelley Organ
Director of Corporate Services



PART 2: OVERVIEW OF THE PROVINCIAL COURT

Corporate Governance

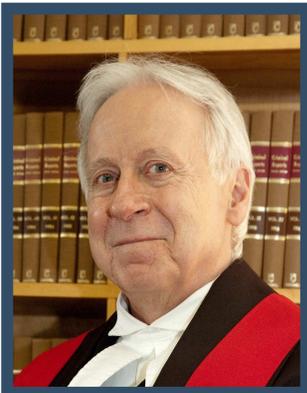
Judicial Officers



The Hon. D. Mark Pike

Chief Judge

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



The Hon. Greg Brown

Associate Chief Judge

| | |
|--------------------------------------|-------------------|
| Called to the Bar: | April 12, 1978 |
| Appointed Judge: | February 28, 1992 |
| Appointed Associate Chief Judge (A): | September 3, 2012 |



The Hon. Michael Madden

Senior Coordinating Judge

| | |
|--------------------------------------|------------------|
| Called to the Bar: | July 3, 1986 |
| Appointed Judge: | February 3, 2010 |
| Appointed Senior Coordinating Judge: | October 2, 2012 |

Judiciary

| JUDGES | DATE APPOINTED | CURRENT COURT CENTRE |
|---------------------------------------|--------------------|--------------------------|
| The Honourable Randolph J. Whiffen | April 11, 1977 | Grand Falls – Windsor |
| The Honourable Kymil Howe | March 11, 1993 | Corner Brook |
| The Honourable David Orr | August 25, 1994 | St. John's |
| The Honourable William English | November 9, 2000 | Happy Valley – Goose Bay |
| The Honourable Wayne Gorman | November 9, 2000 | Corner Brook |
| The Honourable Patrick J.B. Kennedy | April 11, 2001 | Clarenville |
| The Honourable Colin J. Flynn | April 30, 2001 | St. John's |
| The Honourable Harold Porter | October 12, 2001 | Grand Bank |
| The Honourable Timothy Chalker | April 26, 2002 | Grand Falls – Windsor |
| The Honourable Catherine Allen-Westby | October 28, 2002 | Corner Brook |
| The Honourable Bruce Short | November 1, 2003 | Gander |
| The Honourable John Joy | August 1, 2006 | Happy Valley – Goose Bay |
| The Honourable Wynne Anne Trahey | June 8, 2007 | Wabush |
| The Honourable Jacqueline Jenkins | September 24, 2008 | Gander |
| The Honourable Jacqueline Brazil | February 3, 2010 | Harbour Grace |
| The Honourable Lois Skanes | February 15, 2010 | St. John's |
| The Honourable Pamela Goulding | January 30, 2012 | St. John's |
| The Honourable Laura Mennie | January 31, 2012 | Stephenville |
| The Honourable Lori A. Marshall | August 13, 2012 | St. John's |
| The Honourable James G. Walsh | September 3, 2012 | St. John's |

Senior Management



Shelley Organ

Director of Corporate Services

This is the senior non-judicial management position accountable for planning, organizing, directing, and controlling the operations of the Provincial Court throughout the province of Newfoundland and Labrador.



Ethel Chaulk

Manager of Corporate Services

This position is responsible for managing and directing the operations of the Provincial Court, and ensuring the efficient operation of all Court Centres.



Elizabeth Burgess

Manager of Financial Operations

This position is responsible for supervising, directing, and controlling all financial and accounting activities in the Provincial Court.



Krista Hill

Manager of Information Services

This position is responsible for the provision of province-wide quality Information Management (IM) services, and accountable for managing the progression and ongoing advancement of the Provincial Court's IM program.

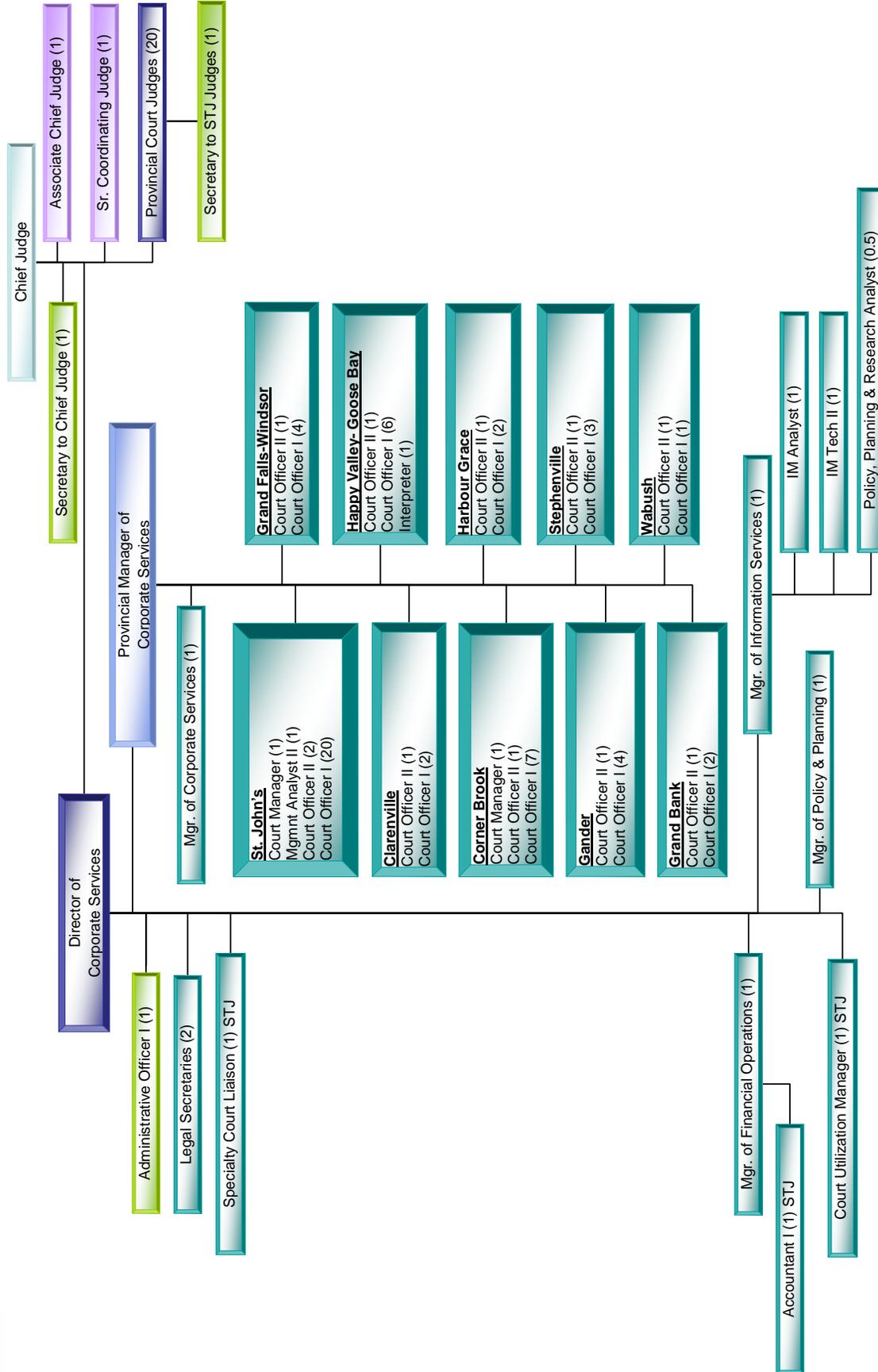


Amanda Hewitt

Manager of Policy and Planning

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

Provincial Court of NL – Organizational Chart



Court Locations

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

| LOCATION | JUDGE(S) | STAFF | CIRCUIT(S) |
|--------------------------|-----------------------------------|-------------|---|
| Clareville | 1 | 3 | Bonavista |
| Corner Brook | 3 | 9 | Port au Choix, Rocky Harbour, St. Anthony |
| Gander | 2 | 5 | None |
| Grand Bank | 1 | 3 | None |
| Grand Falls – Windsor | 2 | 5 | Baie Verte and Head of Bay D'Espoir |
| Happy Valley – Goose Bay | 2 | 8 | Hopedale, Makkovik, Nain, Natuashish, Port Hope Simpson, Postville, Rigolet |
| Harbour Grace | 1 | 3 | Placentia |
| St. John's | 1 CJ, 1 ACJ, 1 SCJ, & 6 Judges | 28 | None |
| Stephenville | 1 | 4 | Port aux Basques |
| Wabush | 1 | 2 | None |
| Corporate Services | 0 | 12.5 | None |
| TOTAL | 23 | 82.5 | 15 |

Registries

There are 11 registries in the 10 Court Centres throughout Newfoundland and Labrador. Registries provide front line services to the public and are staffed permanently. The key functions of the registries are:

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

Corporate Services Division

Headquartered in St. John's, the Corporate Services Division provides support to the 10 Court Centres. Key functions of the Corporate Services Division are:

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

Jurisdiction

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

Adult: all summary conviction offences under federal and provincial statutes; indictable offences, except those excluded under the *Criminal Code*, for example, murder or treason.

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

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

Traffic: ticketable offences (summary offence tickets) under the *Highway Traffic Act*, the *Motorized Snow Vehicles and All-Terrain Vehicles Act*, and various municipal or institutional parking by-laws or regulations.

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

In addition, the Provincial Court exercises special jurisdiction to issue emergency protection orders and to conduct inquiries into accidental deaths and fires occurring within the Province. Upon request, the Court provides criminal history checks, certificates of conduct, and Justice of the Peace services. The Provincial Court is responsible for maintaining and updating a province-wide electronic criminal history database that is relied upon by all partners in justice as well as the general public.

Specialty Courts

In 2012-13, the Provincial Court also operated two specialty courts: the Family Violence Intervention Court and the Mental Health Court.

Family Violence Intervention Court

The Family Violence Intervention Court (FVIC) pilot project has been operating in St. John's since March 25, 2009 and sits every second Wednesday in courtroom #8. It is a specialized criminal court intended to address the complex issue of family violence. For the purposes of the pilot project, family violence has been defined as *Criminal Code* offences committed by the accused arising from or related to his or her relationship with an intimate partner or ex-partner. The key component is the relationship between the accused and the victim and cohabitation is not a determining factor. The goal of the Court is to prevent and reduce incidents of family violence. Through a collaborative approach, access to support services and intervention programs is accelerated. The FVIC focuses on enhancing victim safety as well as emphasizing offender accountability and programming.

Mental Health Court

The Mental Health Court (MHC) is a project of the Provincial Court of Newfoundland and Labrador (St. John's), the Public Prosecutions Division of the Department of Justice, the Mental Health Project of the Newfoundland and Labrador Legal Aid Commission, Eastern Health, and Corrections and Community Services. It has been operating at the Provincial Court in St. John's since 2005. MHC sits in courtroom #8 at 2:00 p.m. every second Wednesday. The goal of the MHC is to assist individuals who have had contact with the law in re-establishing themselves in the community with an increased and/or appropriate level of support, both medical and community-based. The Court is based on the recognition that certain offenders who suffer from a mental disorder may commit offences as a consequence of their mental disorder or lifestyle issues related to their mental disorder.



PART 3: PROVINCIAL COURT WORKLOAD

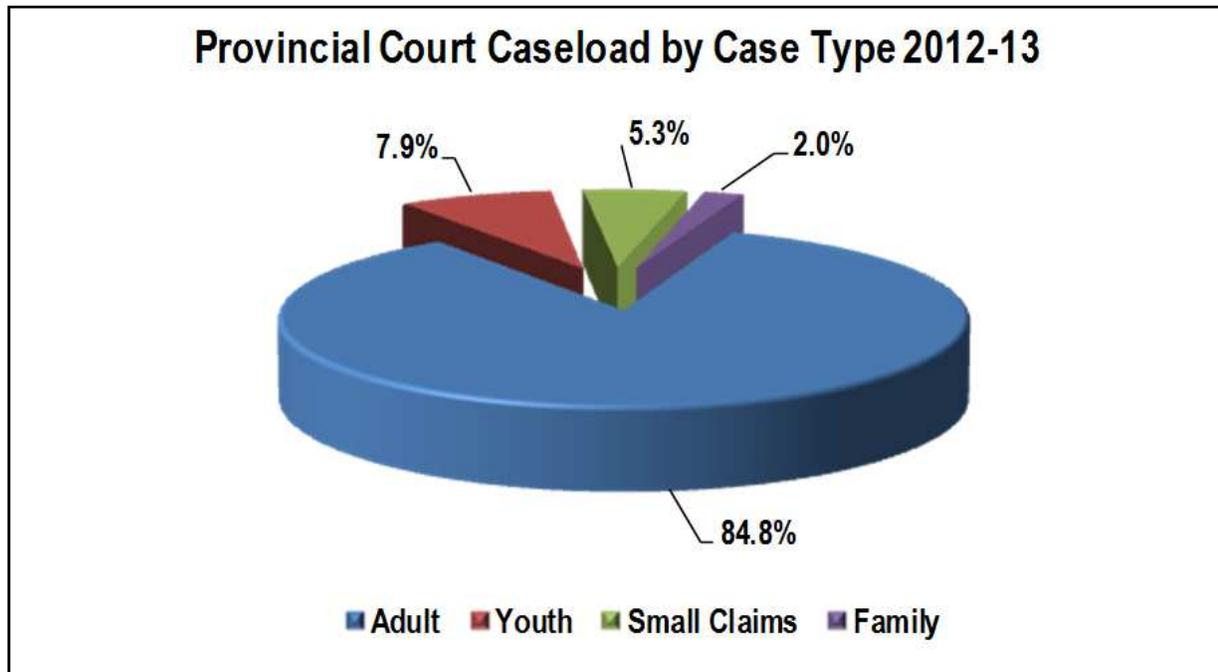
PROVINCIAL COURT WORKLOAD

Definition of Workload

The workload of Provincial Court is determined by the number of cases which are initiated in a given year, as well as cases which may be carried over from the previous year. The workload consists of five business lines, including adult, youth, small claims, traffic, and family. The Court monitors total caseload, as well as weekend arrests, summary offence tickets, and court appearances. The Court also tracks the number of videoconferencing sessions, CourtCall sessions, transcribed pages, CD requests, requests for letters of conduct and records of conviction, and requests for emergency protection orders.

Total Caseload

In 2012-13, the following cases were initiated in Provincial Court: 25,106 adult cases, 2,335 youth cases, 1,563 small claims cases, and 588 family cases. In addition to the four business lines included in the chart below, the Traffic Court processed 159,619 summary offence tickets and conducted 819 trials in 2012-13.

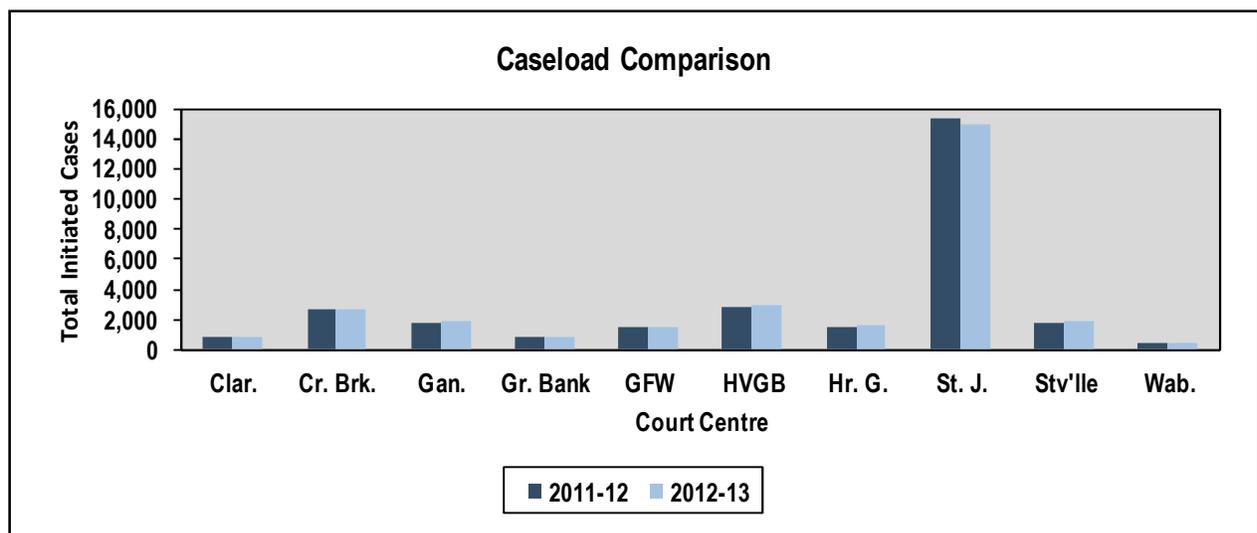


Combined Caseload Statistics

| COURT CENTRE | INITIATED ADULT* | | INITIATED YOUTH* | | INITIATED SMALL CLAIMS | | INITIATED FAMILY** | | TOTAL INITIATED CASES | |
|--------------------------|------------------|---------------|------------------|--------------|------------------------|--------------|--------------------|------------|-----------------------|---------------|
| | 11/12 | 12/13 | 11/12 | 12/13 | 11/12 | 12/13 | 11/12 | 12/13 | 11/12 | 12/13 |
| Clarenville | 706 | 656 | 60 | 80 | 72 | 71 | 31 | 58 | 869 | 865 |
| Corner Brook | 2,225 | 2,202 | 337 | 275 | 168 | 205 | 10 | 5 | 2,740 | 2,687 |
| Gander | 1,402 | 1,489 | 156 | 144 | 96 | 132 | 89 | 95 | 1,743 | 1,860 |
| Grand Bank | 617 | 652 | 131 | 124 | 62 | 55 | 22 | 32 | 832 | 863 |
| Grand Falls – Windsor | 1,111 | 1,061 | 145 | 168 | 74 | 92 | 165 | 146 | 1,495 | 1,467 |
| Happy Valley – Goose Bay | 2,498 | 2,622 | 205 | 203 | 29 | 33 | 123 | 144 | 2,855 | 3,002 |
| Harbour Grace | 1,217 | 1,343 | 142 | 66 | 117 | 169 | 94 | 78 | 1,570 | 1,656 |
| St. John's | 13,379 | 13,102 | 1,249 | 1,079 | 699 | 727 | 0 | 0 | 15,327 | 14,908 |
| Stephenville | 1,601 | 1,638 | 161 | 176 | 44 | 58 | 0 | 0 | 1,806 | 1,872 |
| Wabush | 327 | 341 | 32 | 20 | 16 | 21 | 26 | 30 | 401 | 412 |
| TOTAL | 25,083 | 25,106 | 2,618 | 2,335 | 1,377 | 1,563 | 560 | 588 | 29,638 | 29,592 |

*These figures include Applications and Peace Bonds.

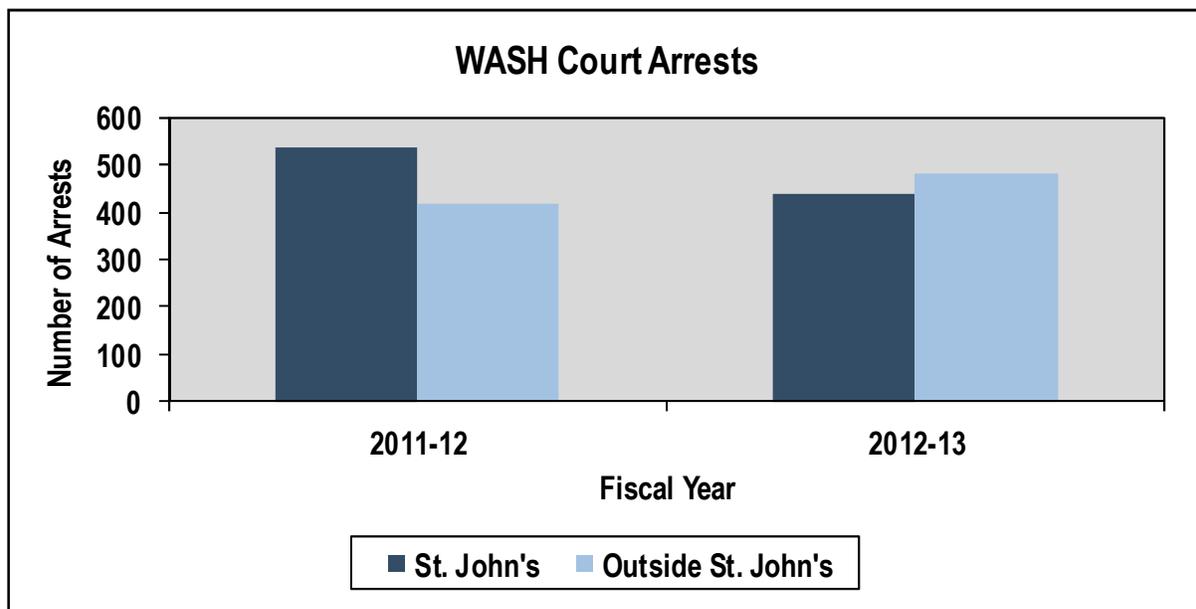
**These figures include Support, Custody, Wardship, Adoption, and Apprehension cases.



WASH (Weekend and Statutory Holiday) Court Statistics

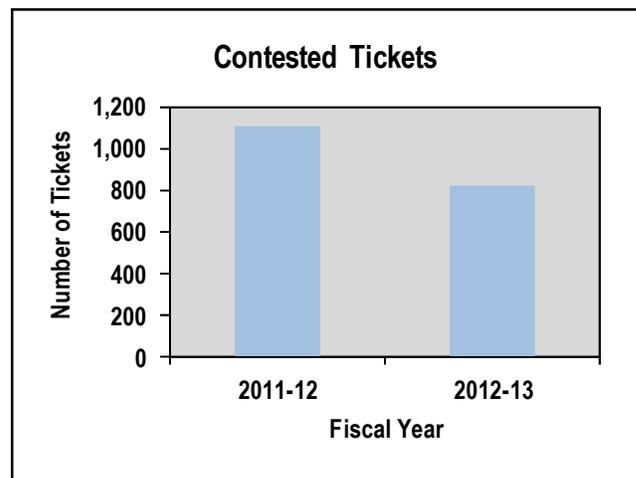
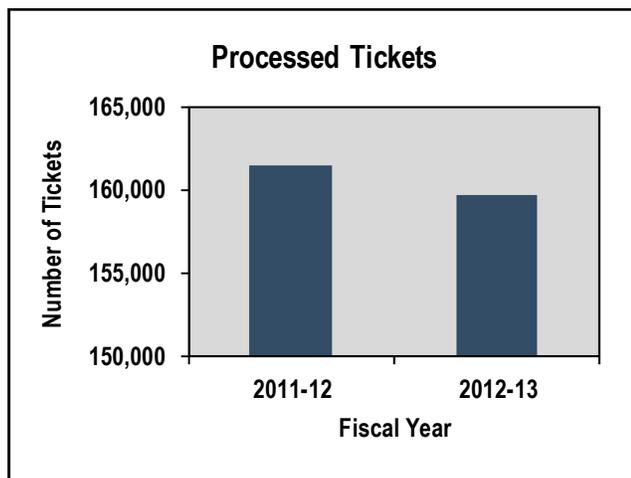
Section 503 of the *Criminal Code* provides that an accused must appear before a judge within 24 hours of arrest. Therefore, the Provincial Court operates 24/7, 365 days per year. The Court has an on-call judge system to fulfill the *Criminal Code* requirement. The judge could be from any jurisdiction in the province. However, all court proceedings are funneled through the St. John's Court Centre with a clerk, Crown, and Duty Counsel present.

In 2012-13, WASH Court sat for a total of 118 days. There were 922 weekend arrests, 439 within the St. John's area and 483 outside of St. John's. This represents a slight decrease from 955 arrests in 2011-12.



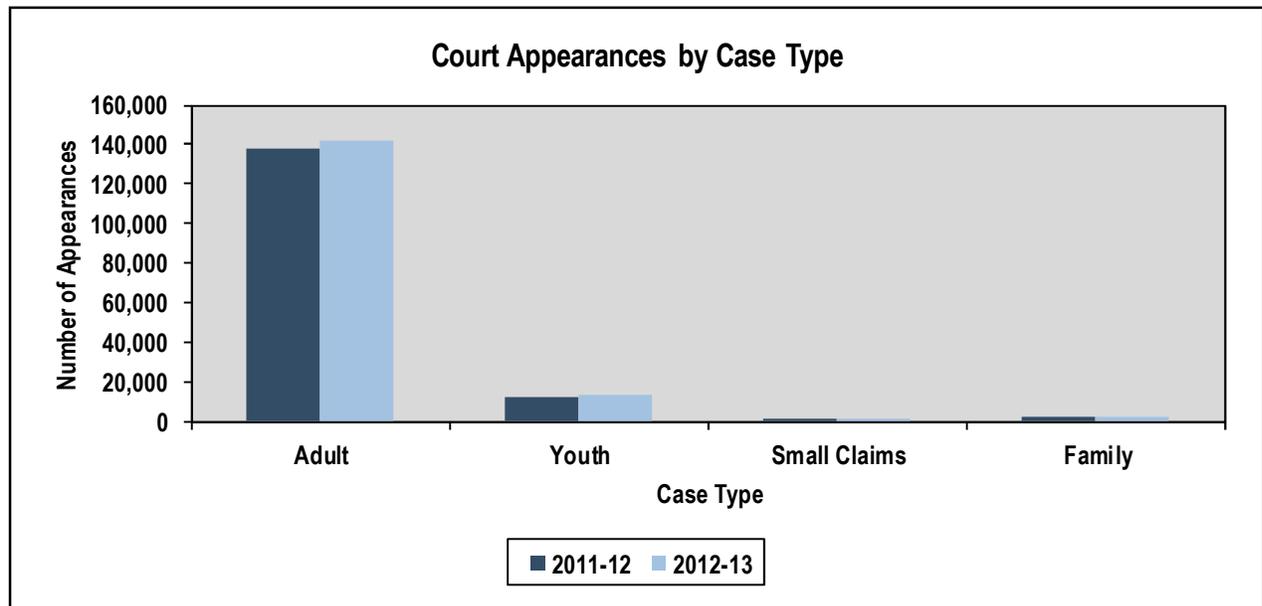
Summary Offence Tickets

| COURT CENTRE | PROCESSED TICKETS | | CONTESTED TICKETS (TRIALS) | |
|--------------------------|-------------------|----------------|----------------------------|------------|
| | 2011-12 | 2012-13 | 2011-12 | 2012-13 |
| Clarenville | 1,500 | 1,515 | 6 | 27 |
| Corner Brook | 9,987 | 11,942 | 87 | 101 |
| Gander | 3,149 | 4,345 | 131 | 81 |
| Grand Bank | 2,390 | 1,895 | 37 | 25 |
| Grand Falls – Windsor | 2,480 | 2,786 | 61 | 61 |
| Happy Valley – Goose Bay | 1,093 | 907 | 6 | 8 |
| Harbour Grace | 1,505 | 1,600 | 41 | 20 |
| St. John's | 133,801 | 128,633 | 655 | 410 |
| Stephenville | 3,734 | 3,262 | 67 | 74 |
| Wabush | 1,745 | 2,734 | 14 | 12 |
| TOTAL | 161,384 | 159,619 | 1,105 | 819 |



Court Appearances

| COURT CENTRE | ADULT | | YOUTH | | SMALL CLAIMS | | FAMILY | |
|--------------------------|----------------|----------------|---------------|---------------|--------------|--------------|--------------|--------------|
| | 11/12 | 12/13 | 11/12 | 12/13 | 11/12 | 12/13 | 11/12 | 12/13 |
| Clarenville | 4,035 | 3,634 | 378 | 342 | 46 | 76 | 77 | 95 |
| Corner Brook | 14,737 | 12,785 | 1,613 | 2,264 | 208 | 263 | 0 | 24 |
| Gander | 5,612 | 7,330 | 728 | 797 | 143 | 161 | 243 | 303 |
| Grand Bank | 2,249 | 1,927 | 392 | 325 | 21 | 19 | 39 | 44 |
| Grand Falls – Windsor | 6,251 | 6,567 | 804 | 1,226 | 126 | 103 | 635 | 602 |
| Happy Valley – Goose Bay | 19,425 | 21,115 | 1,936 | 1,578 | 24 | 10 | 1,020 | 941 |
| Harbour Grace | 6,311 | 6,141 | 433 | 330 | 69 | 133 | 152 | 136 |
| St. John's | 68,585 | 71,452 | 4,828 | 4,871 | 731 | 792 | 0 | 0 |
| Stephenville | 7,569 | 9,405 | 1,179 | 1,229 | 77 | 74 | 0 | 0 |
| Wabush | 2,839 | 2,103 | 132 | 109 | 48 | 23 | 185 | 137 |
| TOTAL | 137,613 | 142,459 | 12,423 | 13,071 | 1,493 | 1,654 | 2,351 | 2,282 |



Videoconferencing

In 2012-13, video links between the Provincial Court and Her Majesty's Penitentiary, the Newfoundland and Labrador Youth Centre, the Newfoundland and Labrador Correctional Centre for Women, the Labrador Correctional Centre, and the West Coast Correctional Institution resulted in a total of 168 video sessions for in-custody persons required to appear for non-evidentiary court appearances. Additional video appearances included the following: accommodation of out-of-town witnesses and counsel; judicial assistance provided to other centres; and administrative matters such as meetings, training, and interviews.

| COURT CENTRE | SESSIONS | | HOURS | |
|--------------------------|------------|------------|-----------------|-----------------|
| | 2011-12 | 2012-13 | 2011-12 | 2012-13 |
| Clarenville | 31 | 30 | 49.33 | 44.25 |
| Corner Brook | 83 | 89 | 126.50 | 157.75 |
| Gander | 53 | 48 | 73.15 | 76.25 |
| Grand Bank | 39 | 21 | 55.50 | 31.50 |
| Grand Falls – Windsor | 26 | 28 | 37.40 | 57.00 |
| Happy Valley – Goose Bay | 140 | 125 | 202.00 | 221.73 |
| Harbour Grace | 27 | 48 | 37.50 | 60.25 |
| St. John's | 269 | 329 | 263.23 | 357.50 |
| Stephenville | 41 | 42 | 55.00 | 59.75 |
| Wabush | 91 | 85 | 212.50 | 171.50 |
| Outside Court Network | 60 | 141 | 109.50 | 233.75 |
| TOTAL | 860 | 986 | 1,221.61 | 1,471.23 |

CourtCall

CourtCall is a service offered by an American company that provides lawyers with the option of making appearances via teleconferencing for routine hearings. By providing this service, the Provincial Court has reduced the need for lawyers to make unnecessary trips to court for non-evidentiary appearances. Instead, a lawyer can conduct other business and simply call into the court at the appointed time. This allows for direct savings which can be passed on to clients, reducing the cost of litigation and improving access to justice.

| COURT CENTRE | SESSIONS | |
|--------------------------|---------------|--------------|
| | 2011-12 | 2012-13 |
| Clarenville | 126 | 119 |
| Corner Brook | 147 | 104 |
| Gander | 154 | 290 |
| Grand Bank | 68 | 98 |
| Grand Falls – Windsor | 187 | 321 |
| Happy Valley – Goose Bay | 359 | 596 |
| Harbour Grace | 270 | 250 |
| St. John's | 64 | 101 |
| Stephenville | 98 | 149 |
| Wabush | 209 | 257 |
| Circuit Courts | not available | 435 |
| TOTAL | 1,682 | 2,720 |

Transcribed Pages and CD Requests

| PROVINCIAL STATISTICS | 2011-12 | 2012-13 |
|-----------------------|---------|---------|
| Transcribed Pages | 27,455 | 21,097 |
| CD Requests | 722 | 713 |

Requests for Letters of Conduct and Records of Conviction

| PROVINCIAL STATISTICS | 2011-12 | 2012-13 |
|-----------------------|---------------|---------------|
| Letters of Conduct | 17,684 | 17,653 |
| Records of Conviction | 11,022 | 11,209 |
| TOTAL | 28,706 | 28,862 |

Emergency Protection Orders (EPOs)

| PROVINCIAL STATISTICS | 2011-12 | 2012-13 |
|---|---------|---------|
| Number of Applications Received | 243 | 314 |
| Number of EPOs Granted | 193 | 246 |
| Number of EPOs Denied | 32 | 40 |
| Number of EPOs Pending | 0 | 0 |
| Number of EPOs dealt with by Other means (e.g. withdrawn, dismissed etc.) | 18 | 29 |



PART 4: PROVINCIAL COURT PERFORMANCE

PROVINCIAL COURT PERFORMANCE

Definition of Performance

The performance of the Provincial Court is determined by how efficiently and effectively the Court processes cases. With respect to the specialty courts, performance is determined by programming completion rates and the various types of dispositions. With respect to transcripts, efficiency is determined by the turnaround time for completing transcript requests. With respect to criminal cases, performance can be determined by analyzing statistical data such as clearance rates, time to disposition, and age of active pending cases.

Specialty Court Statistics

Family Violence Intervention Court

During the fiscal year 2012-13, 72 people appeared in the Family Violence Intervention Court (FVIC). The types of offences ranged from mischief relating to property, uttering threats, forcible confinement, trespassing and being unlawfully in a dwelling house to criminal harassment, assault, assault causing bodily harm and assault with a weapon. Charges also included breaches of undertakings, recognizances, and probation orders. Of the 72 people who appeared, 21 (29.2%) were not interested in participating and 1 (1.4%) was not eligible to participate.

As of March 31, 2013, a total of 50 people (69.4%) had agreed to participate in the FVIC; 48 had entered guilty pleas and were referred to family violence programming with 2 participants awaiting agreed facts. Of the 48 people who had entered guilty pleas, 21 (43.8%) had successfully completed the programming and 23 (47.9%) were attending programming. A total of 4 people (8.3%) were unable to complete the programming.

The sentences for those who did complete the counseling ranged from absolute discharges and conditional discharges to conditional sentences along with varying periods of probation. The sentences have typically included other ancillary orders such as victim fine surcharges, DNA orders, and firearms prohibitions.

At the end of the fiscal year, programming was ongoing for 23 of the participants; however, the FVIC retention rate was 86.7%.

Mental Health Court

During the fiscal year 2012-13, 39 people appeared in Mental Health Court (MHC) in relation to 150 initiated cases and 89 cases that were pending on April 01, 2012. The types of substantive offences included unlawful trespassing, causing a disturbance, mischief, theft and fraud under \$5,000, failure to comply with court orders, threats, assault, assault with a weapon and being unlawfully in a dwelling house.

A total of 16 people, in relation to 78 cases (32.6%), were referred from MHC to the traditional system, for reasons such as the accused wished to plead not guilty or the accused did not meet the eligibility criteria. One matter is outstanding due to the status of a warrant of arrest. As of March 31, 2013, 50 cases were pending in MHC, resulting in a clearance rate of 154.2%.

Of the 161 cases (67.4%) before the MHC in 2012-2013, 111 were concluded in that fiscal year. The Crown withdrew 53 cases (47.7%) which is slightly higher than previous fiscal years. The Crown proceeded to sentencing on the remaining 58 cases (52.3%). Sentences included jail terms from 1-3 days time served, suspended sentences, conditional sentences, and conditional and absolute discharges along with probation orders, fines and victim fine surcharges.

Transcript Turnaround Time

The Provincial Court recognizes the important role of the provision of accurate and timely transcripts in the administration of justice. Corporate Services continues to monitor, prioritize, and coordinate the sharing of transcription between all of the ten Court Centres. To that end, a Corporate Services employee has been designated to coordinate transcript production throughout the province.

| 2011-12 | | | 2012-13 | | |
|---|--------------------|-------------------|---|--------------------|--------------------|
| Total Transcripts Completed: 286 | | | Total Transcripts Completed: 215 | | |
| Turnaround | | | Turnaround | | |
| Days | Transcripts | Percentage | Days | Transcripts | Percentages |
| 0 – 30 | 163 | 56.99 % | 0 – 30 | 118 | 54.88 % |
| 31 – 60 | 72 | 25.17 % | 31 – 60 | 57 | 26.51 % |
| 61 – 90 | 37 | 12.94 % | 61 – 90 | 26 | 12.09 % |
| 91 – 120 | 12 | 4.20 % | 91 – 120 | 10 | 4.65 % |
| 121 – 150 | 1 | 0.35 % | 121 – 150 | 3 | 1.40 % |
| Over 150 | 1 | 0.35 % | Over 150 | 1 | 0.47 % |
| Average: 35.06 Days | | | Average: 35.55 Days | | |
| Oldest: 196 Days | | | Oldest: 155 Days | | |

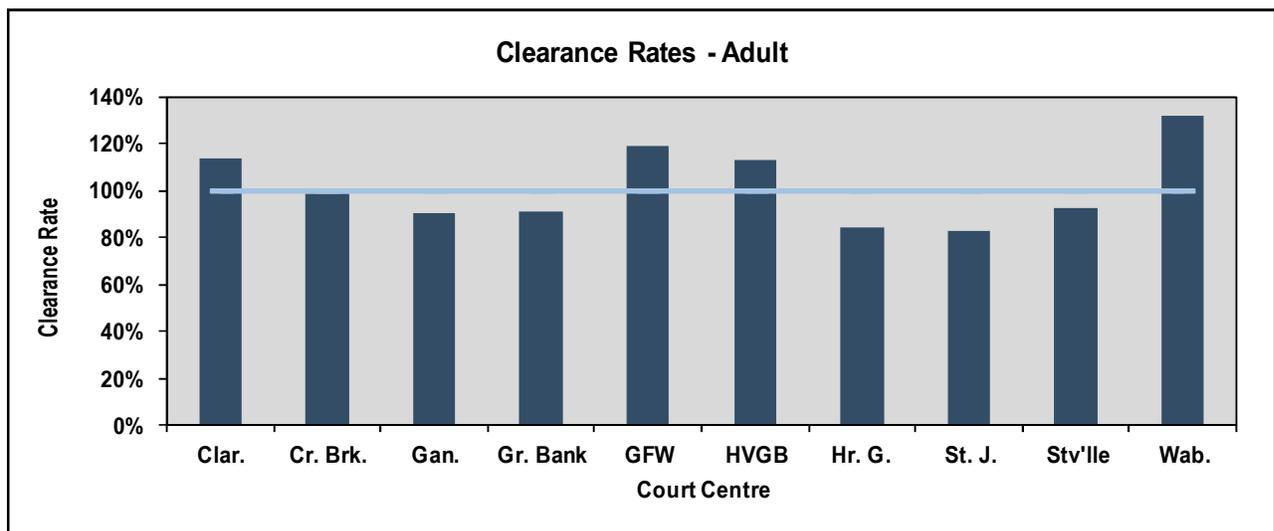
Clearance Rates

The Provincial Court aims for a minimum clearance rate of 100% – that means finalizing cases at the same rate new cases are initiated. A rate greater than 100% indicates that the Court is concluding cases that were filed in previous years, thereby reducing the backlog of pending cases. A rate less than 100% indicates that the number of pending cases is increasing.

Adult

| ADULT COURT | | | | | |
|--------------------------|-----------------------------|----------------------------|----------------------------|------------------------------|----------------|
| COURT CENTRE | PENDING CASES APRIL 1/12 | INITIATED CASES 2012/13 | CONCLUDED CASES 2012/13 | PENDING CASES MARCH 31/13 | CLEARANCE RATE |
| Clarenville | 417 | 496 | 565 | 349 | 113.7% |
| Corner Brook | 1,819 | 1,793 | 1,774 | 1,841 | 98.8% |
| Gander | 937 | 1,311 | 1,183 | 1,065 | 90.2% |
| Grand Bank | 214 | 594 | 539 | 269 | 90.7% |
| Grand Falls – Windsor | 1,006 | 813 | 967 | 852 | 118.9% |
| Happy Valley – Goose Bay | 1,941 | 2,260 | 2,553 | 1,648 | 113.0% |
| Harbour Grace | 702 | 1,077 | 904 | 875 | 83.9% |
| St. John's | 7,187 | 11,308 | 9,343 | 9,165 | 82.5% |
| Stephenville | 1,209 | 1,244 | 1,156 | 1,299 | 92.8% |
| Wabush | 362 | 279 | 368 | 273 | 131.9% |
| TOTAL | 15,794 | 21,175 | 19,352 | 17,636 | 91.3% |

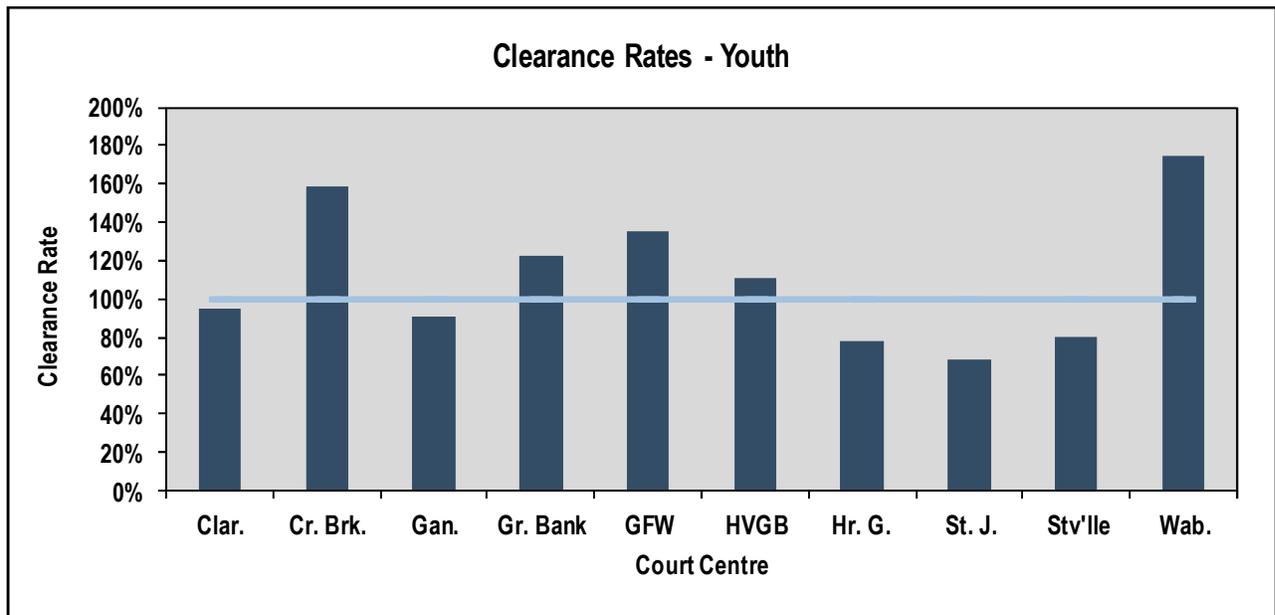
Note: These figures do not include Applications and Peace Bonds.



Youth

| YOUTH COURT | | | | | |
|--------------------------|-----------------------------|----------------------------|----------------------------|------------------------------|----------------|
| COURT CENTRE | PENDING CASES APRIL 1/12 | INITIATED CASES 2012/13 | CONCLUDED CASES 2012/13 | PENDING CASES MARCH 31/13 | CLEARANCE RATE |
| Clarenville | 77 | 66 | 63 | 80 | 95.5% |
| Corner Brook | 324 | 257 | 407 | 174 | 158.4% |
| Gander | 82 | 139 | 126 | 95 | 90.6% |
| Grand Bank | 43 | 119 | 146 | 16 | 122.7% |
| Grand Falls – Windsor | 149 | 163 | 220 | 92 | 135.0% |
| Happy Valley – Goose Bay | 108 | 198 | 220 | 86 | 111.1% |
| Harbour Grace | 40 | 59 | 46 | 53 | 78.0% |
| St. John's | 199 | 1,002 | 687 | 514 | 68.6% |
| Stephenville | 107 | 169 | 135 | 141 | 79.9% |
| Wabush | 18 | 16 | 28 | 6 | 175.0% |
| TOTAL | 1,147 | 2,188 | 2,078 | 1,257 | 94.9% |

Note: These figures do not include Applications and Peace Bonds.

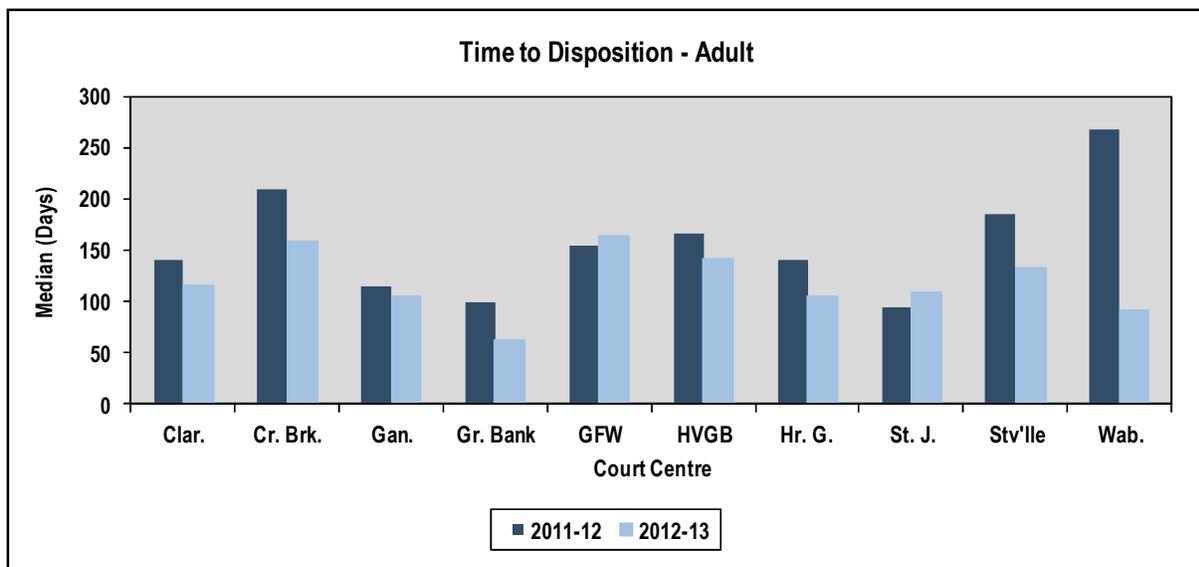


Time to Disposition

Timeliness is of fundamental importance in the criminal justice process. The time to disposition statistics outline the median length of time for a criminal case to conclude in each of the ten Court Centres. The Provincial Court aims to conclude cases as promptly as possible while still ensuring that justice is served.

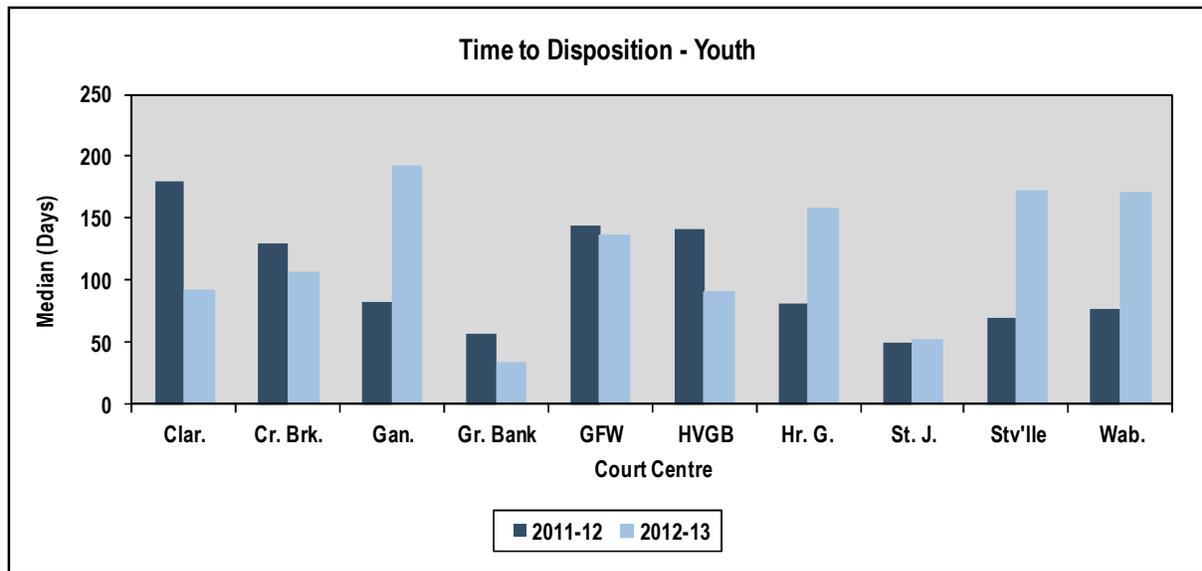
Adult

| COURT CENTRE | MEDIAN TIME TO DISPOSITION (DAYS) | |
|--------------------------|-----------------------------------|------------|
| | 2011-12 | 2012-13 |
| Clarenville | 141 | 115 |
| Corner Brook | 209 | 159 |
| Gander | 114 | 105 |
| Grand Bank | 100 | 62 |
| Grand Falls – Windsor | 154 | 163 |
| Happy Valley – Goose Bay | 166 | 141 |
| Harbour Grace | 141 | 105 |
| St. John's | 95 | 109 |
| Stephenville | 185 | 133 |
| Wabush | 268 | 91 |
| MEDIAN | 157 | 118 |



Youth

| COURT CENTRE | MEDIAN TIME TO DISPOSITION (DAYS) | |
|--------------------------|-----------------------------------|------------|
| | 2011-12 | 2012-13 |
| Clarenville | 180 | 92 |
| Corner Brook | 130 | 106 |
| Gander | 83 | 192 |
| Grand Bank | 57 | 34 |
| Grand Falls – Windsor | 144 | 137 |
| Happy Valley – Goose Bay | 142 | 90 |
| Harbour Grace | 81 | 158 |
| St. John's | 50 | 52 |
| Stephenville | 70 | 172 |
| Wabush | 77 | 170 |
| MEDIAN | 101 | 120 |

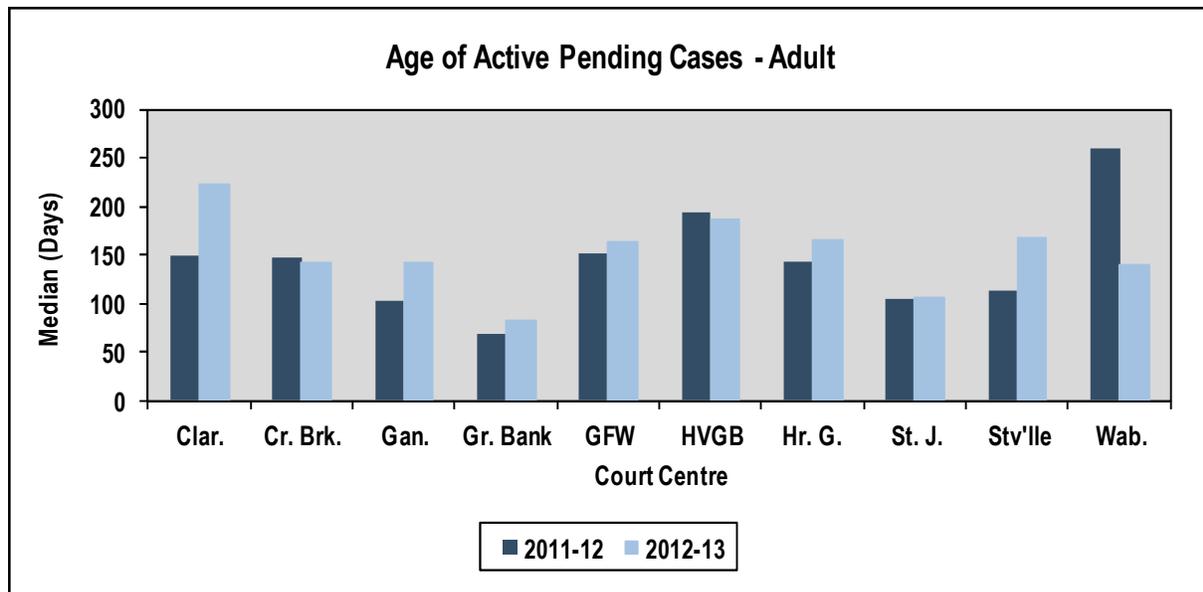


Age of Active Pending Cases

The age of active pending cases statistics outline the median age of a criminal case as of March 31st in each of the ten Court Centres. The Provincial Court aims to minimize the number of older cases and maximize the proportion of younger cases. The nature of high-conflict and complex cases inevitably means that those case types will take longer to progress through to conclusion.

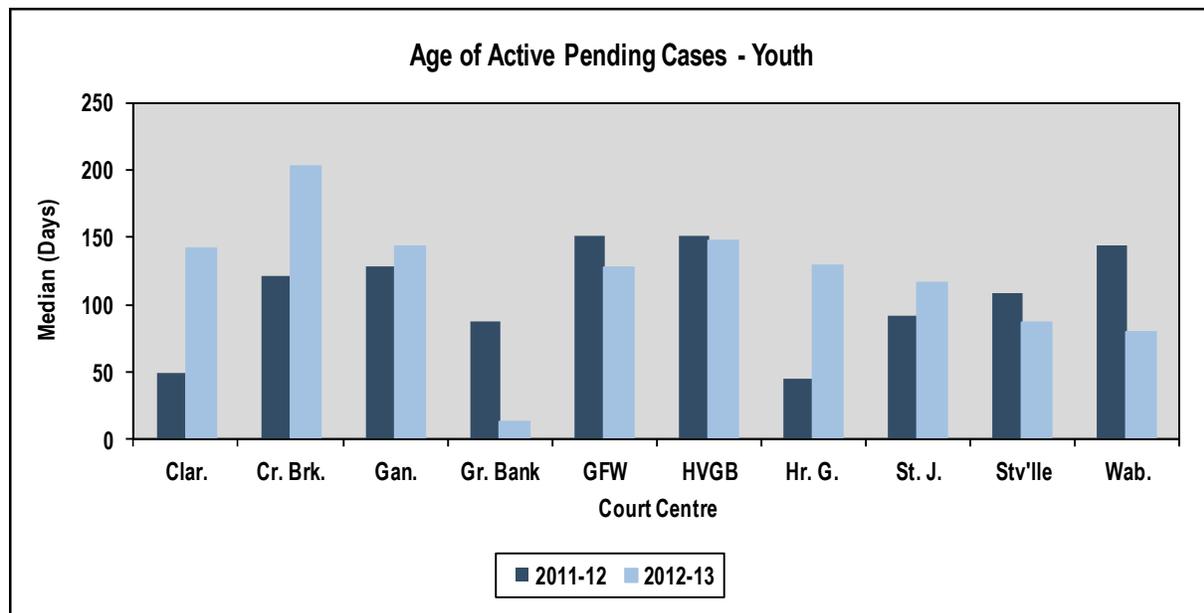
Adult

| COURT CENTRE | MEDIAN AGE (DAYS) | |
|--------------------------|-------------------|------------|
| | 2011-12 | 2012-13 |
| Clarenville | 149 | 222 |
| Corner Brook | 148 | 142 |
| Gander | 103 | 143 |
| Grand Bank | 68 | 83 |
| Grand Falls – Windsor | 151 | 164 |
| Happy Valley – Goose Bay | 195 | 186 |
| Harbour Grace | 144 | 165 |
| St. John's | 104 | 106 |
| Stephenville | 113 | 167 |
| Wabush | 260 | 140 |
| MEDIAN | 144 | 152 |



Youth

| COURT CENTRE | MEDIAN AGE (DAYS) | |
|--------------------------|-------------------|------------|
| | 2011-12 | 2012-13 |
| Clarenville | 49 | 142 |
| Corner Brook | 121 | 202 |
| Gander | 129 | 143 |
| Grand Bank | 88 | 13 |
| Grand Falls – Windsor | 151 | 127 |
| Happy Valley – Goose Bay | 151 | 148 |
| Harbour Grace | 45 | 129 |
| St. John's | 92 | 116 |
| Stephenville | 109 | 86 |
| Wabush | 144 | 79 |
| MEDIAN | 108 | 119 |





PART 5: PROVINCIAL COURT STRATEGIC PLAN UPDATE

PROVINCIAL COURT STRATEGIC PLAN UPDATE

Overview of the Strategic Plan 2012-14

The Provincial Court of Newfoundland and Labrador recognizes the importance of strategic planning. The Strategic Plan enables the Court to clearly articulate and communicate its most important priorities to the Court's judges, senior managers, and staff as well as its partners in justice and the general public. The 2012-2014 Strategic Plan, ***Building on Our Successes***, identifies new strategic directions for the Provincial Court. It also continues to build upon the work that was initiated in its previous Strategic Plan, ***Committed to Continuous Improvement***. Progress to date regarding specific objectives from the Strategic Plan is outlined in the following charts.

Based on consultations with stakeholders and research regarding current national and provincial trends, the Provincial Court has decided to focus on the following strategic directions:

1. Improved Public Trust and Confidence through Greater Transparency and Accountability
2. Improved Timeliness and Access
3. Wise Use of Emerging Technology to Improve Court Processes
4. High Quality Service and Professionalism
5. Strengthened Court Security
6. Comprehensive Information Management Strategy

Improved Public Trust and Confidence

Goal 1: Improve Provincial Court's media relations so that citizens of the province have an accurate understanding of how the Court works and its role in society.

| | |
|-------------------------|---|
| Objective: | Invite the local press who cover the Court to meet with the Chief Judge to begin a dialogue, identify, and discuss issues of mutual concern. |
| | |
| Results to Date: | During the past fiscal year, there have been several informal meetings with the local media personnel who regularly cover events at the courts in St. John's. In addition, there have been seven live interviews with the Chief Judge, three of which were television, two radio and two with print media regarding issues which impact on the service provided by the court to the public. The Chief has responded to all media requests within two hours. |

| | |
|-------------------------|--|
| Objective: | Develop a set of ethical guidelines for the judiciary with respect to the media, so that the boundaries placed on the judge, with respect to commenting on specific cases or other issues that impact the Court, are clear to all parties. |
| | |
| Results to Date: | Guidelines for the judiciary are currently being developed in conjunction with the Canadian Council of Chief Judges and Justices. |

| | |
|-------------------------|--|
| Objective: | Develop a set of guidelines for the media that outline expectations regarding professional standards of behavior for reporting on court matters and the use of electronic equipment, including cameras, in the courthouse. |
| | |
| Results to Date: | The guidelines for the media as adopted by the Canadian Judicial Council have been circulated. |

Goal 2: Expand public outreach to improve citizens' understanding of the Provincial Court system and its role in society.

| | |
|-------------------------|---|
| Objective: | Expand the current Lunch with a Judge Program by working with all Court Centres throughout the province to support their efforts to offer the program. |
| | |
| Results to Date: | The Lunch with a Judge Program has been expanded to eight Court Centres. Nine schools and a total of 368 students participated in the program in 2012-13. |

| | |
|-------------------------|---|
| Objective: | Develop an online school education program, available through the Provincial Court's website, focused on the role of the Court and the consequences a criminal record can have on a person's everyday life. |
| | |
| Results to Date: | Video footage for an online school education program has been compiled and editing is in progress. |

Goal 3: Increase the functionality of the Provincial Court's website.

| | |
|-------------------------|--|
| Objective: | Revise the Court's website to provide real time accurate information in a user-friendly format that offers the public specific information about how Adult Criminal, Youth, Small Claims, Family, and Traffic Courts operate. |
| | |
| Results to Date: | The website has been continuously updated to reflect legislative and organizational changes. The Small Claims e-filing site has also been updated. The production of a virtual Lunch with a Judge program is well underway and should be uploaded to the Outreach portion of the website by the end of Summer 2013. New and updated forms have also been added to the site, allowing the public to complete and save forms electronically. |

| | |
|-------------------------|--|
| Objective: | Publish performance indicators online in the Annual Report by July 31st of each calendar year. |
| | |
| Results to Date: | The Provincial Court's 2011-12 Annual Report was posted online on August 2, 2012. |

| | |
|-------------------------|---|
| Objective: | Publish the Provincial Court's Strategic Plan online and report progress on meeting established objectives by March 31st of each calendar year. |
| | |
| Results to Date: | The Provincial Court's 2012-14 Strategic Plan Progress Report was posted online on April 1, 2013. |

Goal 4: Proactively communicate key messages about the Provincial Court to partners in justice and the citizens of the province.

| | |
|-------------------------|---|
| Objective: | Initiate a Court Stakeholders Committee that meets quarterly or as required to improve the lines of communication and openly discuss issues pertaining to the Court and stakeholder groups. |
| | |
| Results to Date: | Court Stakeholders Committees have been initiated on both regional and provincial levels. |

| | |
|-------------------------|---|
| Objective: | Consult in advance with partners in justice before embarking on any new Court initiatives that may directly or indirectly impact upon their operations. |
| | |
| Results to Date: | Justice partners are consulted in advance of new initiatives. |

Improved Timeliness and Access

Goal 1: Reduce the number of appearances and the length of time it takes to dispose of cases from first appearance until final disposition.

| | |
|-------------------------|---|
| Objective: | Roll-out the Case Assignment and Retrieval System (CAARS) to all Court Centres by tasking Court Administrators and designated staff with a more active role in case scheduling. |
| | |
| Results to Date: | The principles of the Case Assignment and Retrieval System (CAARS) have been introduced to all Court Centres and circuit courts. |

| | |
|-------------------------|--|
| Objective: | Adopt as a best practice a rigorous approach to court scheduling and develop a set of standards for court scheduling practices, particularly for routine matters, with low tolerance for court delays. |
| | |
| Results to Date: | Work is progressing on standards for court scheduling practices. Once these standards have been finalized and approved, they will be circulated to Court Administrators / Managers in each Court Centre. |

| | |
|-------------------------|--|
| Objective: | Train and task Court Administrators and designated employees with follow-up work on gathering case information for those cases that fall beyond the established benchmarks. |
| | |
| Results to Date: | A case management presentation was given to Court Administrators / Managers from each Court Centre in September 2012. Court Administrators / Managers were tasked with reviewing current caseloads to ensure appropriate action was taken with respect to stale-dated cases. |

Goal 2: Increase accessibility of Provincial Court services for all citizens of the province.

| | |
|-------------------------|---|
| Objective: | Improve assistance provided to self-represented litigants by developing a guide and providing online assistance in an easily understood format that can help lead self-represented litigants through the court process. |
| | |
| Results to Date: | A Self-Represented Litigants Committee has been established, a project charter has been adopted and quarterly meetings are held. The Committee's first priority is to review all current resources (printed and electronic) for usability and plain language. |

| | |
|-------------------------|--|
| Objective: | Improve online access by offering more fillable forms, allowing for more electronically filed documents, and providing the option for online payment of fees and provincial fines. |
| | |
| Results to Date: | PDF fillable forms were created for Small Claims and Family Court and added to the website. In addition, online fillable PDFs were posted for Peace Bond applications. This new format allows users to complete these forms online and to save them electronically. These forms are also readable by programs such as Jaws and Dragon screen reading software and therefore provide greater access to those users who are visually impaired. |

Wise Use of Emerging Technology

Goal 1: Continuously improve court processes through the thoughtful application of emerging technology.

| | |
|-------------------------|---|
| Objective: | Adopt as a best practice the preferred use of videoconferencing for all court hearings where it makes practical sense in terms of time and cost savings. |
| | |
| Results to Date: | New and replacement videoconferencing equipment was installed in four Court Centres. All correction institutions now have videoconferencing equipment and the Court is in the process of expanding remand video appearances provincially. |

| | |
|-------------------------|---|
| Objective: | Demonstrate a green philosophy by moving towards a "Paper on Demand" model, which replaces paper records with electronic records, wherever feasible, resulting in a reduction in the time and costs associated with printing, searching, and storing paper records. |
| | |
| Results to Date: | A Green Initiatives Committee has been established, terms of reference have been adopted, a majority of Court Centres have been surveyed for current green practices, and a work plan has been compiled. |

High Quality Service and Professionalism

Goal 1: Provide all court users and the public with consistent high quality service and professionalism in the delivery of court services.

| | |
|-------------------------|---|
| Objective: | Measure client satisfaction by administering the CourTools Client Service Survey. |
| | |
| Results to Date: | The Client Satisfaction Survey has been drafted and is awaiting final approval. |

| | |
|-------------------------|--|
| Objective: | Continue to conduct a formal annual performance review and training needs assessments for every employee of the Provincial Court. |
| | |
| Results to Date: | Performance reviews and training needs assessments continued over the last fiscal year. As a result, a total of 52 employees availed of training opportunities and collectively tallied 184.48 training days in 2012-13. |

| | |
|-------------------------|---|
| Objective: | Finalize and implement a Code of Conduct for Provincial Court staff and deliver training to all staff on the Code of Conduct. |
| | |
| Results to Date: | A Code of Conduct has been drafted and is awaiting final approval. |

| | |
|-------------------------|--|
| Objective: | Continue to update the Provincial Court New Employee Orientation Guide as necessary. Implement a formal training program that clearly details orientation activities to occur over the first 12 months of employment with the Court. |
| | |
| Results to Date: | The New Employee Orientation Guide has been updated and distributed. A formal training program has been developed and is available for use upon the hiring of new employees. |

| | |
|-------------------------|---|
| Objective: | Ensure that the Provincial Court builds a pool of excellent candidates by expanding recruitment efforts in high schools and technical colleges across the province and raising awareness through the Court's website of jobs available and benefits of working with the Provincial Court. |
| | |
| Results to Date: | Recruitment efforts have been assisted by the addition of key position descriptions to the Court's website. The Court continues to provide opportunities for work-term and summer students. |

Goal 1: Provide all court users and the public with consistent high quality service and professionalism in the delivery of court services.

| | |
|-------------------------|--|
| Objective: | Develop an employee recognition program that serves to recognize, motivate, and engage employees in the Court's mission. |
| | |
| Results to Date: | An Employee Recognition Program was implemented within Provincial Court in September 2012. This program promotes consistent staff recognition at all levels. |

| | |
|-------------------------|--|
| Objective: | Establish a change management team to assist with implementation of projects which will impact the Court and its employees. |
| | |
| Results to Date: | A Change Management Steering Committee has been established, terms of reference have been adopted, and an information sheet and checklist have been circulated to staff. |

Goal 2: Commit the Provincial Court to a high standard of judicial excellence, for the benefit of all court users and the public, by cultivating a court culture typified by a knowledgeable and well-educated judiciary.

| | |
|-------------------------|--|
| Objective: | Formally adopt a rigorous judicial mentoring program for all new judges. |
| | |
| Results to Date: | A mentoring program has been implemented and all seven judges appointed since 2009 have been assigned mentors. The effectiveness of the program is reviewed every six months. The first in the series of reviews was completed in March of 2013. |

| | |
|-------------------------|---|
| Objective: | Develop a succession plan for administrative judges. |
| | |
| Results to Date: | The plan has been developed to ensure that the positions of Senior Coordinating Judge (appointed by the Chief Judge) and the position of Associate Chief Judge as well as the Chief Judge (both appointed by the Lieutenant Governor in Council) are not based on seniority alone but on demonstrated leadership and administrative ability and vision. |

Goal 2: Commit the Provincial Court to a high standard of judicial excellence, for the benefit of all court users and the public, by cultivating a court culture typified by a knowledgeable and well-educated judiciary.

| | |
|-------------------------|--|
| Objective: | Provide specialized training for administrative judges. |
| Results to Date: | Working with the National Judicial Institute and the Ontario Court of Justice, the Administrative Judges have attended educational programs designed to enhance and improve their ability to meet the challenges of judicial administration and progress to achieving a high performance court. This training will continue. |

| | |
|-------------------------|--|
| Objective: | Increase accountability for case flow decisions. |
| Results to Date: | As an adjunct to the centralized scheduling Case Assignment and Retrieval System (CAARS), multiple aspects of the Management Information System have been upgraded. This enhancement of the availability of performance statistics and tools to measure judicial performance and case flow (processing) is continuing. Indicators such as sitting times, number of reserved and written decisions, length of time reserved for decisions and number of non-sitting days used are collected and distributed to all judges in St. John's on a pilot basis. General case processing statistics and measures are collected daily and distributed to all judges in the province at the end of each month. |

| | |
|-------------------------|---|
| Objective: | Provide opportunities for external professional development for the judiciary. |
| Results to Date: | In 2012 – 2013, intensive experiential based seminars and lectures through the National Judicial Institute (NJI) have been provided to individual judges of the Court on sixteen different occasions. These have included sending all new judges to the Newly Appointed Provincial and Territorial Judges Skills Seminar held for judges across Canada in Ontario each year. New judges also attend the intensive criminal law program in Bromont, P.Q. Other programs attended include: Science and the Law, Preventing Wrongful Convictions and Specialized French Language Training for the Courtroom. In February 2013, eleven judges of the court participated in an online education program called "Charter on the Streets". |

| | |
|-------------------------|--|
| Objective: | Process judicial complaints impartially and efficiently. |
| Results to Date: | Appointment of the Complaints Review Committee, with a secretary and legal counsel, has been completed. The Committee, chaired by the Chief Judge, includes a representative of the public, and has processed a number of complaints in the last fiscal year. The Committee continues to meet and consider other complaints. |

Strengthened Court Security

Goal 1: Minimize the risks in operating Courts for all staff judges, stakeholders, and the public by improving court security measures.

| | |
|-------------------------|--|
| Objective: | Review the procedures related to the handling of exhibits to reduce risk of injury, enhance integrity and security of exhibits, and improve their management and control. |
| | |
| Results to Date: | All Court Centres have completed audits regarding current procedures for handling exhibits. The next step is to develop recommendations for standardization and improvements, which will be completed early in the next fiscal year. |

Comprehensive Information Management Strategy

Goal 1: Develop a comprehensive information management strategy for the Provincial Court that embraces a data quality standards program for the management and long-term integrity of both electronic and paper records.

| | |
|-------------------------|---|
| Objective: | Adopt a data quality standards and monitoring program and ensure each Court Centre is following consistent and robust information management practices. |
| | |
| Results to Date: | Data Quality Project Report has been drafted and reviewed by senior management. Work is progressing on a manual regarding case file integrity. |

| | |
|-------------------------|--|
| Objective: | Implement TRIM for Adult Criminal, Youth, Small Claims, Family, Traffic, and Corporate records. |
| | |
| Results to Date: | TRIM has been implemented for criminal case files (adult and youth) in St. John's. TRIM is also being used to manage records relating to Family Violence Intervention Court and record suspensions. This provides desktop access to court records, allows for an electronic backup of the material, and reduces the time spent searching for physical records. In addition, TRIM is now being used to store court audio recordings from 2011 forwards for St. John's and Corner Brook Court Centres, with plans for expansion to all other locations by the end of the next fiscal year. |

Comprehensive Information Management Strategy

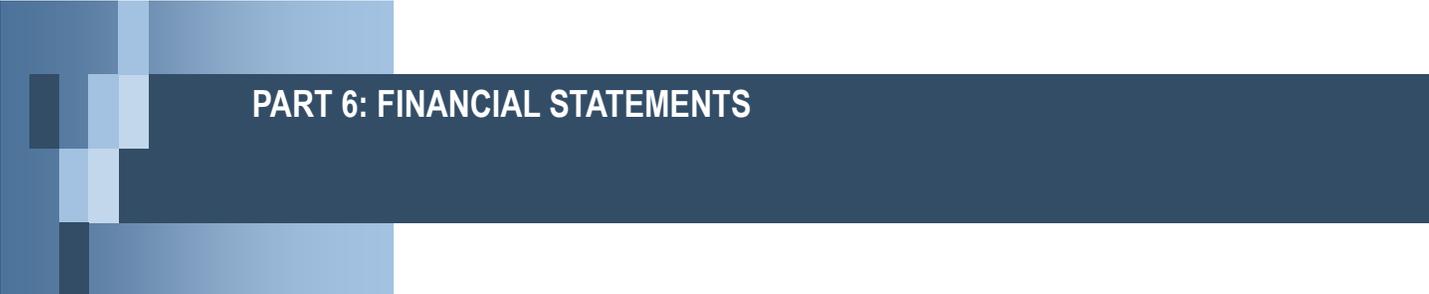
Goal 1: Develop a comprehensive information management strategy for the Provincial Court that embraces a data quality standards program for the management and long-term integrity of both electronic and paper records.

| | |
|-------------------------|--|
| Objective: | Complete the Adoption Records Project by centralizing all adoption records in a secure records vault, indexing the records, and providing filing solutions that ensure their long-term integrity and security. |
| | |
| Results to Date: | The Adoption Records Project has been completed in seven Court Centres. |

| | |
|-------------------------|---|
| Objective: | Pursue a technological solution that would provide the security, integrity, and capacity for the long-term storage of the Court's electronic files. |
| | |
| Results to Date: | Court audio recordings prior to 2011 are being migrated to a server which will allow for recordings to be moved from CDs, a medium that is not archival and has a limited lifespan, to a server that is backed up multiple times in OCIO data storage facilities. |

| | |
|-------------------------|---|
| Objective: | Develop and seek approval of retention schedules for Youth, Family, and Traffic records. |
| | |
| Results to Date: | An amendment to the Adult Record Retention Schedule has been submitted to the Government Records Committee. |

| | |
|-------------------------|---|
| Objective: | Make it a priority to explore and implement options for replacing Traffic Court's manual processes with automated solutions. |
| | |
| Results to Date: | A Business Case was presented to the OCIO in March 2013 for the automation of Traffic Court's procedures for contested tickets requiring trials and payments. |



PART 6: FINANCIAL STATEMENTS

FINANCIAL STATEMENTS

Budget Expenditures 2012-13

| CATEGORY | BUDGET | ACTUAL | VARIANCE |
|----------------------------------|-------------------|-------------------|------------------|
| Salaries | 9,195,700 | 9,768,561 | (572,861) |
| Employee Benefits | 54,500 | 59,675 | (5,175) |
| Transportation & Communication | 310,300 | 296,645 | 13,655 |
| Supplies | 58,800 | 68,906 | (10,106) |
| Professional Services | 25,000 | 25,825 | (825) |
| Purchased Services | 1,244,700 | 1,251,453 | (6,753) |
| Property, Furniture, & Equipment | 22,700 | 21,994 | 706 |
| Grants & Subsidies | 3,000 | 8,000 | (5,000) |
| TOTAL | 10,914,700 | 11,501,060 | (586,360) |

Staff Overtime**Time Off in Lieu (TOIL)**

Carried forward from March 31/12 1,157 hrs.
(equivalent to \$33,834.91)

Balance as of March 31/13 1,174.25 hrs.
(equivalent to \$33,925.38)

Paid Overtime

Fiscal 2011-12 \$36,049.18

Fiscal 2012-13 \$12,500.00

Costs of Judicial Exchange*

2011-12 \$43,738.47

2012-13 \$42,485.15

**Judicial Exchange occurs when a judge has a conflict at his / her court centre or due to leave. Subsequently, a judge is brought in from a different centre to hear the matters. This also includes a judge assisting Happy Valley – Goose Bay, traveling from Wabush approximately one week per month.*

Operational Costs of Circuit Courts

| COURT CENTRE | CIRCUIT | 2011-12 | 2012-13 |
|---|---|-------------------|-------------------|
| Clarenville | Bonavista | 987.21 | 1,227.20 |
| | TOTAL CLARENVILLE | 987.21 | 1,227.20 |
| Corner Brook | Baie Verte* | 7,509.47 | 4,455.77 |
| | Plum Point** / Port aux Choix | 16,954.93 | 8,370.82 |
| | Rocky Harbour | 10,984.08 | 6,453.30 |
| | St. Anthony | 10,439.94 | 7,876.61 |
| | TOTAL CORNER BROOK | 45,888.42 | 27,156.50 |
| Grand Falls – Windsor | Conne River / Harbour Breton / Head of Bay D'Espoir | 5,216.12 | 3,261.81 |
| | Springdale** | 16,514.90 | 14,534.68 |
| | TOTAL GRAND FALLS–WINDSOR | 21,731.02 | 17,796.49 |
| Happy Valley – Goose Bay | Cartwright*** / L'Anse au Clair*** | 7,750.48 | 10,356.21 |
| | Hopedale / Makkovik / Postville / Rigolet | 27,858.18 | 11,850.13 |
| | Nain | 32,599.68 | 29,369.12 |
| | Natuashish | 30,610.41 | 37,676.34 |
| | Port Hope Simpson | 15,245.87 | 15,188.35 |
| | TOTAL HAPPY VALLEY–GOOSE BAY | 114,064.62 | 104,440.15 |
| Harbour Grace | Placentia | 4,509.25 | 2,183.65 |
| | TOTAL HARBOUR GRACE | 4,509.25 | 2,183.65 |
| Stephenville | Burgeo** | 790.08 | 879.26 |
| | Port aux Basques | 6,008.83 | 6,296.55 |
| | TOTAL STEPHENVILLE | 6,798.91 | 7,175.81 |
| TOTAL | ALL CIRCUITS | 193,979.43 | 159,979.80 |
| <p><i>*Effective January 1, 2013, responsibility for this circuit was transferred to Grand Falls – Windsor.</i></p> <p><i>**Effective January 1, 2013, these circuit court locations were eliminated.</i></p> <p><i>***Effective January 1, 2013, these circuit court locations were combined with Port Hope Simpson.</i></p> | | | |

Frequency of Circuit Courts

| COURT CENTRE AND CIRCUIT | SCHEDULED DAYS | | ACTUAL DAYS | |
|--|----------------|------------|--------------|--------------|
| | 2011-12 | 2012-13 | 2011-12 | 2012-13 |
| CLARENVILLE | | | | |
| Bonavista | 8 | 8 | 7 | 8 |
| CORNER BROOK | | | | |
| Baie Verte* | 15 | 12 | 12 | 8 |
| Plum Point ** | 6 | 2 | 6 | 2 |
| Port aux Choix | 29 | 20 | 24 | 18 |
| Rocky Harbour | 34 | 16 | 27 | 11.5 |
| St. Anthony | 25 | 24 | 19 | 15 |
| GRAND FALLS – WINDSOR | | | | |
| Conne River*** | 6 | 3 | 5 | 3 |
| Harbour Breton*** | 7 | 5 | 5 | 5 |
| Head of Bay D'Espoir | 8 | 5 | 6 | 4 |
| Springdale** | 28 | 23 | 19 | 20 |
| HAPPY VALLEY – GOOSE BAY | | | | |
| Cartwright*** | 3 | 6 | 2 | 3 |
| Hopedale | 20 | 24 | 18 | 11 |
| L'Anse au Clair*** | 4 | 6 | 5.5 | 4 |
| Makkovik | 4 | 1 | 5.5 | 0 |
| Nain | 48 | 44 | 32.5 | 31 |
| Natuashish | 50 | 45 | 41 | 36 |
| Port Hope Simpson | 4 | 13 | 7 | 4 |
| Postville | 4 | 2 | 3 | 2 |
| Rigolet | 4 | 2 | 5 | 2 |
| HARBOUR GRACE | | | | |
| Placentia | 38 | 22 | 26 | 15 |
| STEPHEENVILLE | | | | |
| Burgeo** | 4 | 4 | 4 | 3 |
| Port aux Basques | 38 | 34 | 29 | 27 |
| TOTAL | 387 | 321 | 308.5 | 232.5 |
| *Effective January 1, 2013, responsibility for this circuit was transferred to Grand Falls – Windsor. | | | | |
| **Effective January 1, 2013, these circuit court locations were eliminated. | | | | |
| ***Effective January 1, 2013, these circuit court locations were combined with Head of Bay D'Espoir and Port Hope Simpson. | | | | |

Monetary Amounts Collected and Distributed

| TYPE | 2011-12 | | 2012-13 | |
|-------------------------------------|------------------|---------------|------------------|---------------|
| | Amount | Percent | Amount | Percent |
| Criminal Code & Provincial Statutes | 236,099 | 6.15 | 489,354 | 11.32 |
| Federal Statutes | 1,233,569 | 32.12 | 1,031,099 | 23.86 |
| Liquor Control Act | 5,355 | 0.14 | 2,015 | 0.05 |
| Municipal Acts | 1,690 | 0.04 | 1,335 | 0.03 |
| Highway Traffic Act | 1,469,424 | 38.27 | 1,383,550 | 32.01 |
| Fees and Costs | 338,457 | 8.81 | 342,843 | 7.93 |
| Victim Fine Surcharge | 92,194 | 2.40 | 85,185 | 1.97 |
| Provincial Victim Fine Surcharge | 15,600 | 0.41 | 58,771 | 1.36 |
| Maintenance/Compensation | 137,846 | 3.59 | 293,733 | 6.80 |
| Civil (Third Party) | 52,880 | 1.38 | 89,723 | 2.08 |
| Bail/Bonds Sureties | 243,461 | 6.34 | 525,845 | 12.17 |
| Bank Interest | (151) | 0.00 | - | 0.00 |
| Judgment Enforcement Act | 7,270 | 0.19 | 7,805 | 0.18 |
| Other (Third Party) | 6,300 | 0.16 | 10,478 | 0.24 |
| TOTAL | 3,839,994 | 100.00 | 4,321,736 | 100.00 |

Fines Imposed Summary

| TYPE | 2011-12 | | 2012-13 | |
|-------------------------------------|------------------|---------------|------------------|---------------|
| | Amount | Percent | Amount | Percent |
| Criminal Code & Provincial Statutes | 978,192 | 26.40 | 847,665 | 25.96 |
| Federal Statutes | 1,735,200 | 46.82 | 1,383,488 | 42.37 |
| Liquor Control Act | 6,050 | 0.16 | 3,750 | 0.11 |
| Victim Fine Surcharge | 200,230 | 5.40 | 164,383 | 5.03 |
| Provincial Victim Fine Surcharge | 21,250 | 0.57 | 75,638 | 2.32 |
| Ticket Management System | 757,530 | 20.44 | 784,015 | 24.01 |
| Other (Third Party) | 7,325 | 0.20 | 6,500 | 0.20 |
| TOTAL | 3,705,777 | 100.00 | 3,265,439 | 100.00 |



PART 7: APPENDIX

Ten-Year Statistics

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Clarenville | 2003-04 | 747 | 99 | 182 | 45 | 1073 | 2107 | 47 |
| | 2004-05 | 962 | 115 | 187 | 62 | 1326 | 1418 | 96 |
| | 2005-06 | 935 | 73 | 67 | 62 | 1137 | 1815 | 20 |
| | 2006-07 | 783 | 105 | 84 | 32 | 1004 | 1867 | 26 |
| | 2007-08 | 944 | 119 | 113 | 42 | 1218 | 1991 | 23 |
| | 2008-09 | 770 | 163 | 44 | 44 | 1021 | 2030 | 12 |
| | 2009-10 | 714 | 60 | 78 | 50 | 902 | 2252 | 29 |
| | 2010-11 | 815 | 109 | 53 | 38 | 1015 | 1644 | 7 |
| | 2011-12 | 706 | 60 | 72 | 31 | 869 | 1500 | 6 |
| | 2012-13 | 656 | 80 | 71 | 58 | 865 | 1515 | 27 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Corner Brook | 2003-04 | 2213 | 446 | 361 | 538 | 3558 | 6856 | 164 |
| | 2004-05 | 2271 | 452 | 176 | 358 | 3257 | 7164 | 183 |
| | 2005-06 | 2533 | 505 | 150 | 539 | 3727 | 8165 | 209 |
| | 2006-07 | 2239 | 553 | 118 | 388 | 3298 | 6975 | 161 |
| | 2007-08 | 2347 | 428 | 169 | 163 | 3107 | 6652 | 156 |
| | 2008-09 | 2654 | 353 | 174 | 188 | 3369 | 8917 | 133 |
| | 2009-10 | 2405 | 510 | 176 | 236 | 3327 | 8823 | 133 |
| | 2010-11 | 2545 | 349 | 198 | 32 | 3124 | 10386 | 123 |
| | 2011-12 | 2225 | 337 | 168 | 10 | 2740 | 9987 | 87 |
| | 2012-13 | 2202 | 275 | 205 | 5 | 2687 | 11942 | 101 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Gander | 2003-04 | 1053 | 337 | 235 | 218 | 1843 | 2991 | 38 |
| | 2004-05 | 973 | 231 | 104 | 202 | 1510 | 2513 | 43 |
| | 2005-06 | 1172 | 218 | 81 | 138 | 1609 | 3319 | 208 |
| | 2006-07 | 1102 | 185 | 78 | 162 | 1527 | 3441 | 87 |
| | 2007-08 | 1180 | 154 | 53 | 137 | 1524 | 3538 | 131 |
| | 2008-09 | 1260 | 126 | 69 | 153 | 1608 | 4569 | 143 |
| | 2009-10 | 1314 | 160 | 92 | 163 | 1729 | 4033 | 90 |
| | 2010-11 | 1378 | 86 | 101 | 142 | 1707 | 4016 | 182 |
| | 2011-12 | 1402 | 156 | 96 | 89 | 1743 | 3149 | 131 |
| | 2012-13 | 1489 | 144 | 132 | 95 | 1860 | 4345 | 81 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Grand Bank | 2003-04 | 869 | 137 | 88 | 57 | 1151 | 787 | 5 |
| | 2004-05 | 1023 | 164 | 45 | 84 | 1316 | 767 | 6 |
| | 2005-06 | 839 | 204 | 52 | 82 | 1177 | 1524 | 26 |
| | 2006-07 | 767 | 93 | 54 | 65 | 979 | 1176 | 207 |
| | 2007-08 | 970 | 123 | 44 | 48 | 1185 | 1195 | 11 |
| | 2008-09 | 789 | 139 | 57 | 51 | 1036 | 1426 | 5 |
| | 2009-10 | 821 | 150 | 44 | 40 | 1055 | 1819 | 18 |
| | 2010-11 | 736 | 142 | 42 | 27 | 947 | 2459 | 47 |
| | 2011-12 | 617 | 131 | 62 | 22 | 832 | 2390 | 37 |
| | 2012-13 | 652 | 124 | 55 | 32 | 863 | 1895 | 25 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|-------------------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Grand Falls- Windsor | 2003-04 | 1096 | 254 | 29 | 169 | 1548 | 3361 | 81 |
| | 2004-05 | 1256 | 252 | 147 | 172 | 1827 | 3721 | 76 |
| | 2005-06 | 955 | 247 | 218 | 230 | 1650 | 3331 | 68 |
| | 2006-07 | 992 | 207 | 96 | 218 | 1513 | 2672 | 79 |
| | 2007-08 | 1125 | 132 | 69 | 168 | 1494 | 3343 | 71 |
| | 2008-09 | 1121 | 245 | 88 | 220 | 1674 | 3295 | 74 |
| | 2009-10 | 1413 | 196 | 103 | 239 | 1951 | 3397 | 59 |
| | 2010-11 | 1169 | 85 | 114 | 189 | 1557 | 2660 | 67 |
| | 2011-12 | 1111 | 145 | 74 | 165 | 1495 | 2480 | 61 |
| | 2012-13 | 1061 | 168 | 92 | 146 | 1467 | 2786 | 61 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|----------------------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Happy Valley- Goose Bay | 2003-04 | 1999 | 350 | 79 | 100 | 2528 | 739 | 0 |
| | 2004-05 | 2110 | 476 | 62 | 237 | 2885 | 435 | 5 |
| | 2005-06 | 1863 | 352 | 49 | 206 | 2470 | 625 | 15 |
| | 2006-07 | 2311 | 473 | 43 | 298 | 3125 | 892 | 15 |
| | 2007-08 | 2634 | 449 | 50 | 232 | 3365 | 1142 | 4 |
| | 2008-09 | 2460 | 569 | 32 | 197 | 3258 | 1540 | 7 |
| | 2009-10 | 2344 | 379 | 34 | 306 | 3063 | 1318 | 8 |
| | 2010-11 | 2165 | 173 | 23 | 209 | 2570 | 1199 | 3 |
| | 2011-12 | 2498 | 205 | 29 | 123 | 2855 | 1093 | 6 |
| | 2012-13 | 2622 | 203 | 33 | 144 | 3002 | 907 | 8 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Harbour | 2003-04 | 883 | 290 | 187 | 91 | 1451 | 672 | 22 |
| Grace | 2004-05 | 746 | 139 | 92 | 99 | 1076 | 791 | 33 |
| | 2005-06 | 766 | 162 | 72 | 83 | 1083 | 713 | 26 |
| | 2006-07 | 787 | 182 | 52 | 94 | 1115 | 953 | 32 |
| | 2007-08 | 763 | 194 | 68 | 70 | 1095 | 2367 | 28 |
| | 2008-09 | 958 | 102 | 82 | 103 | 1245 | 2622 | 64 |
| | 2009-10 | 1161 | 116 | 102 | 111 | 1490 | 2248 | 53 |
| | 2010-11 | 1077 | 134 | 99 | 103 | 1413 | 1801 | 31 |
| | 2011-12 | 1217 | 142 | 117 | 94 | 1570 | 1505 | 41 |
| | 2012-13 | 1343 | 66 | 169 | 78 | 1656 | 1600 | 20 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| St. John's | 2003-04 | 9319 | 2496 | 1545 | 0 | 13360 | 131783 | 1021 |
| | 2004-05 | 9467 | 1833 | 865 | 0 | 12165 | 120316 | 792 |
| | 2005-06 | 9239 | 1487 | 728 | 0 | 11454 | 130136 | 814 |
| | 2006-07 | 9089 | 1603 | 659 | 0 | 11351 | 113331 | 624 |
| | 2007-08 | 9402 | 1687 | 687 | 4 | 11780 | 112656 | 417 |
| | 2008-09 | 10693 | 1704 | 674 | 0 | 13071 | 120682 | 410 |
| | 2009-10 | 12057 | 1356 | 605 | 0 | 14018 | 126687 | 466 |
| | 2010-11 | 13189 | 1374 | 725 | 0 | 15288 | 140720 | 686 |
| | 2011-12 | 13379 | 1249 | 699 | 0 | 15327 | 133801 | 655 |
| | 2012-13 | 13102 | 1079 | 727 | 0 | 14908 | 128633 | 410 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Stephenville | 2003-04 | 1195 | 239 | 140 | 84 | 1658 | 1739 | 34 |
| | 2004-05 | 1310 | 172 | 73 | 50 | 1605 | 1593 | 35 |
| | 2005-06 | 1643 | 244 | 43 | 88 | 2018 | 1681 | 26 |
| | 2006-07 | 1265 | 370 | 45 | 35 | 1715 | 1641 | 31 |
| | 2007-08 | 1575 | 303 | 47 | 267 | 2192 | 2096 | 35 |
| | 2008-09 | 1285 | 149 | 44 | 122 | 1600 | 3430 | 65 |
| | 2009-10 | 1697 | 176 | 31 | 118 | 2022 | 4354 | 64 |
| | 2010-11 | 2016 | 296 | 53 | 18 | 2383 | 4072 | 113 |
| | 2011-12 | 1601 | 161 | 44 | 0 | 1806 | 3734 | 67 |
| | 2012-13 | 1638 | 176 | 58 | 0 | 1872 | 3262 | 74 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| Wabush | 2003-04 | 295 | 25 | 80 | 41 | 441 | 601 | 4 |
| | 2004-05 | 419 | 42 | 26 | 118 | 605 | 411 | 10 |
| | 2005-06 | 224 | 43 | 23 | 85 | 375 | 324 | 13 |
| | 2006-07 | 316 | 82 | 22 | 162 | 582 | 458 | 17 |
| | 2007-08 | 235 | 99 | 18 | 78 | 430 | 617 | 19 |
| | 2008-09 | 428 | 71 | 28 | 64 | 591 | 711 | 7 |
| | 2009-10 | 615 | 119 | 24 | 57 | 815 | 1266 | 17 |
| | 2010-11 | 643 | 43 | 18 | 45 | 749 | 1756 | 34 |
| | 2011-12 | 327 | 32 | 16 | 26 | 401 | 1745 | 14 |
| | 2012-13 | 341 | 20 | 21 | 30 | 412 | 2734 | 12 |

| Court Centre | Fiscal Year | Initiated Adult | Initiated Youth | Initiated Civil | Initiated Family | Total | SOTs Procs'd | SOTs Trials |
|--------------|-------------|-----------------|-----------------|-----------------|------------------|-------|--------------|-------------|
| OVERALL | 2003-04 | 20495 | 4967 | 3663 | 1384 | 30509 | 152675 | 1488 |
| | 2004-05 | 21116 | 3969 | 1882 | 1416 | 28383 | 139967 | 1289 |
| | 2005-06 | 20444 | 3617 | 1489 | 1526 | 27076 | 151861 | 1431 |
| | 2006-07 | 19889 | 3872 | 1256 | 1469 | 26486 | 133777 | 1293 |
| | 2007-08 | 21307 | 3724 | 1326 | 1219 | 27576 | 135942 | 895 |
| | 2008-09 | 22538 | 3652 | 1298 | 1156 | 28644 | 149472 | 929 |
| | 2009-10 | 24541 | 3222 | 1289 | 1320 | 30372 | 156197 | 937 |
| | 2010-11 | 25733 | 2791 | 1426 | 803 | 30753 | 170713 | 1293 |
| | 2011-12 | 25083 | 2618 | 1377 | 560 | 29638 | 161384 | 1105 |
| | 2012-13 | 25106 | 2335 | 1563 | 588 | 29592 | 159619 | 819 |