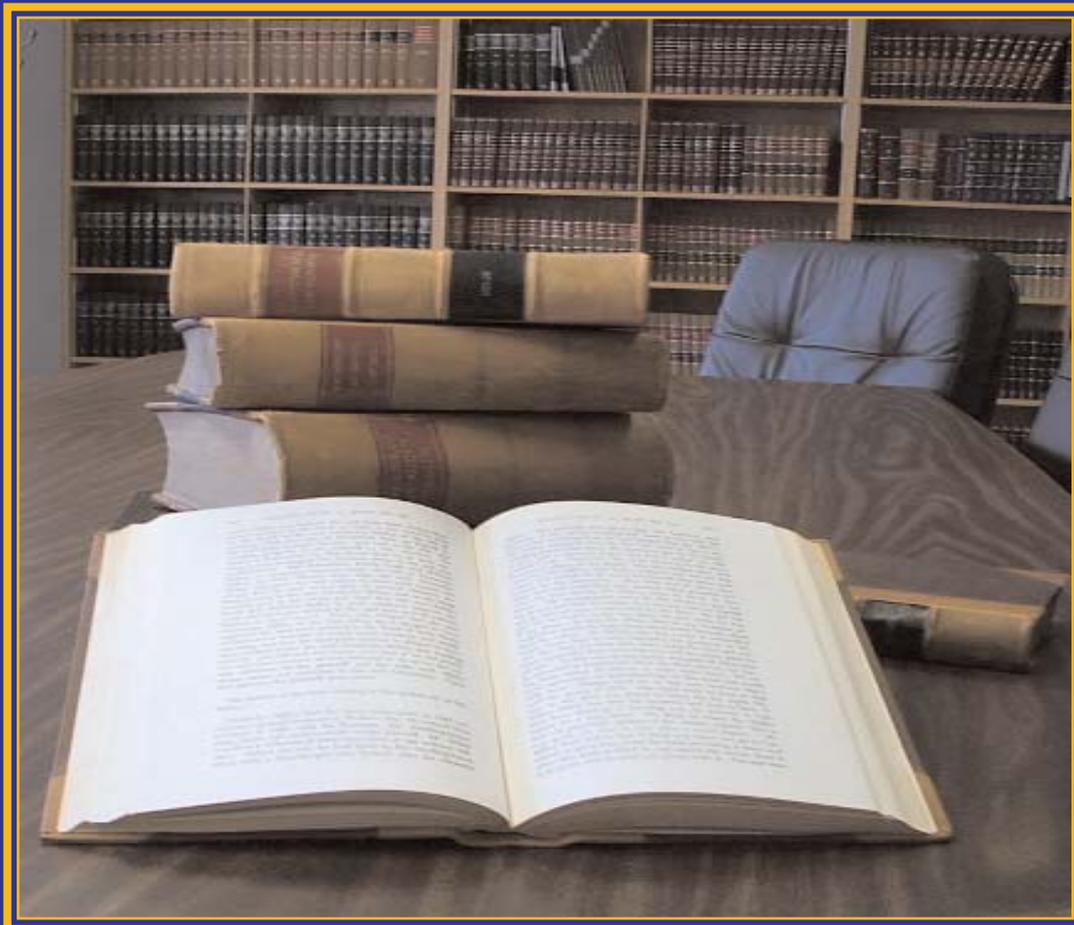




**PROVINCIAL COURT OF  
NEWFOUNDLAND AND LABRADOR**



**2005-2006**

**ANNUAL REPORT**

**The Honourable M. R. Reid**  
Chief Judge



**Box 68, Atlantic Place**  
**215 Water Street**  
**St. John's, NL**  
**A1C 6C9**

**PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR**

*November 2006*

*The Honourable Tom Marshall, Q.C.*  
*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 2005/2006 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.*

*This past year has generally been a busy but productive and satisfying one with advances in the areas of education and professional training for staff and judges, the continued use and development of technological resources and consolidation of judicial services formerly provided by Justices of the Peace.*

*Progress has also been made towards improving our physical facilities notably with the advances through planning for a new courthouse in Corner Brook. Several other centres including Stephenville, Clarenville, and St. John's remain in need of improved facilities.*

*As can be seen from this report, our caseload remains relatively stable and through our on-going strategic planning process we hope for continued progress in keeping the court relevant and responsive to the province's need for judicial and court services.*

*Yours sincerely,*

A handwritten signature in cursive script, appearing to read 'M. R. Reid'.

*M. R. Reid*  
*Chief Judge*

*MRR/amw*  
*Encl.*

**MESSAGE FROM THE CHIEF JUDGE**

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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.

## 2005/06: A YEAR IN REVIEW

by: Pamela Ryder Lahey



Within the province of Newfoundland and Labrador, the Provincial Court continues to play a critical and unique role in the rule of law, advancing best practices in court administration, leading reform and building public trust and confidence.

Staff and judges of the Provincial Court are dedicated and committed to keeping our organization dynamic and flexible. They respond to challenges as they are presented. Without the dedication and commitment of the staff and judiciary, the Provincial Court of Newfoundland and Labrador would not make so many successful advances. It is to them that we bestow our appreciation and thanks.

2005/06 was an exciting year for the Provincial Court of Newfoundland and Labrador, particularly because of the culmination of work and effort into the Certificate in Court Administration and the Provincial Court's partnership with Memorial University of Newfoundland in this very worthwhile endeavour. This program is comprised of seven modules and will see staff from both the Administrator and Court Officer positions complete training on course competencies, including two that are specific to courts. It is expected that it will take 2-3 years for staff to complete all seven modules. These skills will augment existing staff skills, while at the same time encourage staff to independently pursue higher education goals.

The video conferencing expansion into five additional court centres now provides access to this technology in six centres: St. John's, Clarenville, Grand Bank, Corner Brook, Stephenville, and Happy Valley-Goose Bay. Wabush remains a high priority for this court. Video conferencing usage for Jan.-April 2006 increased by 209% over the October-December 2005 period. Usage continues to increase.

05/06 remained relatively stable in terms of the percent of criminal work in the overall workload of the

Provincial Court. Combined adult and youth in 04/05 was 88.4% whereas in 05/06 it was 88.9%. The bigger story is that the ten-year trend demonstrates that the Provincial Court is primarily a criminal court. In 1995-96 criminal caseload was 70.7% and increased by a further 18.2% in 05/06. Small Claims continues with the biggest decrease in caseload over a ten-year period. In 95/96 small claims cases represented 26.1% of total caseload whereas in 05/06 these cases represented 5.5%—a drop of 22.6% over ten years. Over the same ten-year period, family has almost doubled—from 3.3% in 95/96 to 5.6% in 05/06.

In 05/06 programming of the new combined court facility for Corner Brook got underway. By fiscal year end a draft program plan existed, as well as initial meetings had been held with architect Beaton Sheppard.

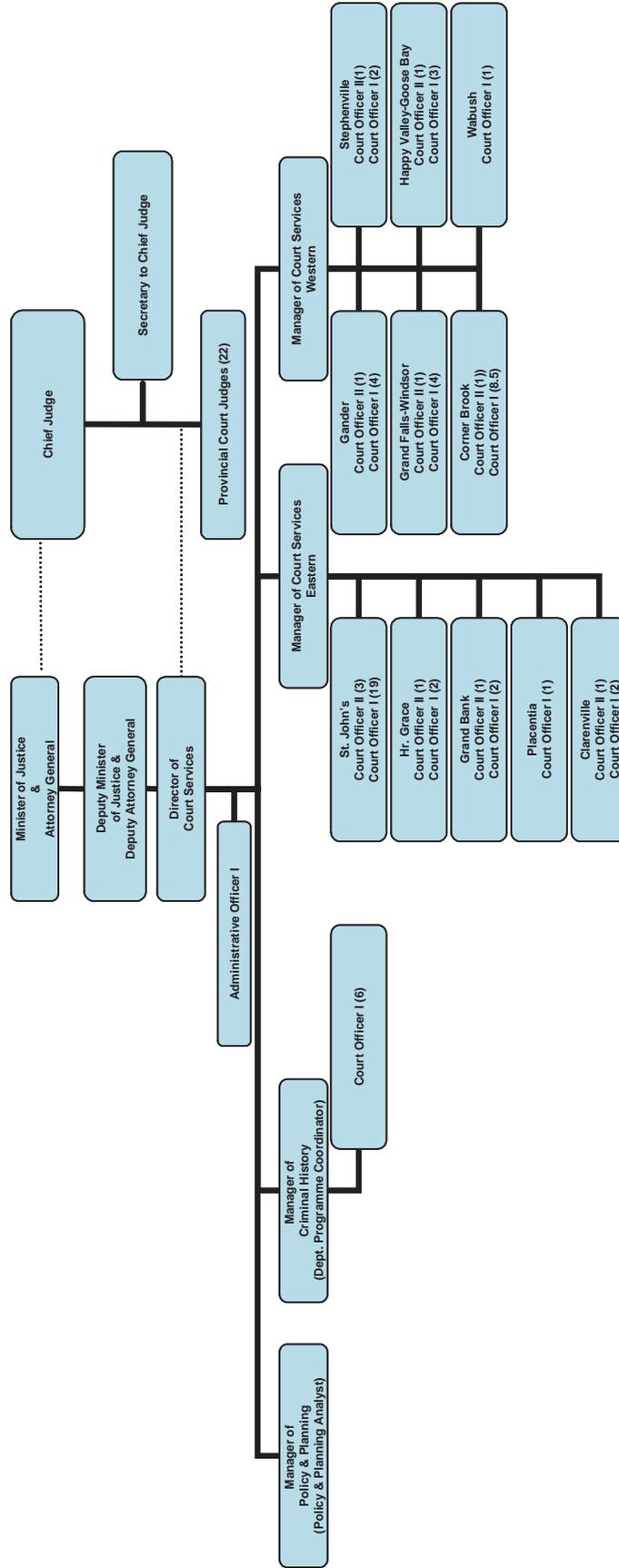
In May 2005, the Wabush Court became a full-time operation again after it had been reduced to a half-time operation in 1996.

In February 2006 the Provincial Court, through the chairmanship of Chief Judge M. R. Reid, took over the administration of the Newfoundland and Labrador Review Board.

A number of committees continued to be active, with representation by both staff and judges. Additionally, several new committees were created around best practices, transcript management and staff orientation.

Much of 2005/06 was spent either in anticipation of or responding to the study on the "Management Organization and Operation of the Provincial Court of Newfoundland and Labrador." To the end of the fiscal year government had not responded to the recommendations of what has become known as the "Norris Report".

Figure: 1.0: 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 Figure 1.0.

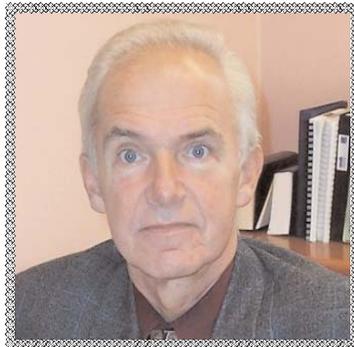
The Provincial Court has a complement of 61 permanent and several temporary staff. Of this number, 4 are management positions including the secretary to the Chief Judge. In judicial matters court staff are under the direction of the judges. But in all non-judicial matters they are directed by the Director of Court Services through the two Regional Managers. Each court center, with the exception of St. John's, which has Divisional Court Administrators, has a Court Administrator who acts as the centre's administrative head. These court administrator positions are classified as non-management positions and do not have human resource and budgetary responsibility.

The Manager of Court Services, Eastern (a non-union position) is responsible for over seeing the operation of five court centres including St. John's. In St. John's the Manager also serves as head of administration of that centre and directs the three Court Administrators who have supervisory responsibility for each division (Criminal, Small Claims/Traffic, and Courtrooms). The Manager of Court Services, Western, is responsible for the supervision of six court centres that comprise the Western Region (including both Labrador court centres).

Staffing in the Provincial Court of Newfoundland and Labrador is predominantly filled by females, as there is only one male employee. Staff positions include Court Officers, Court Administrators, Administrative Officer I, Secretary of the Chief Judge, Policy Analyst, Departmental Program Coordinator, two Managers and a Director.



**Judges**



**Managers**

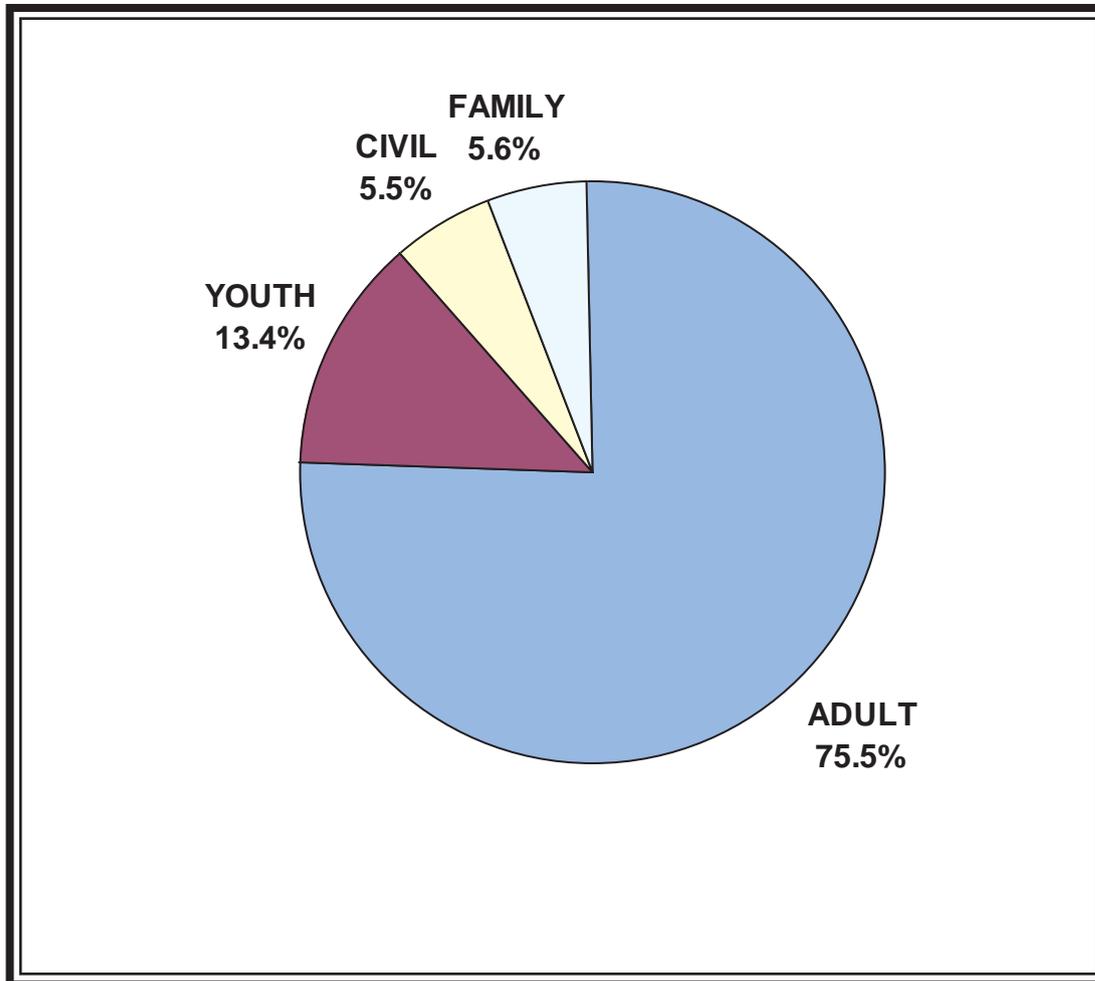


**Court Administrators**



**Court Officers**

## LINES OF BUSINESS



**T**he 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.

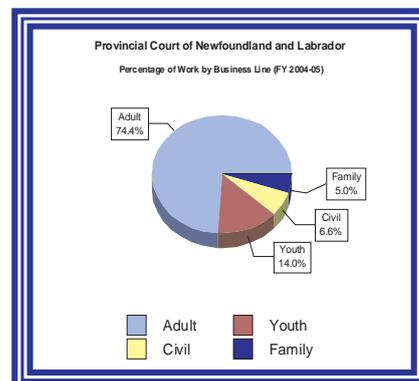
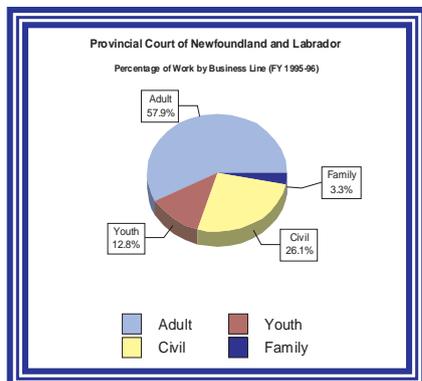
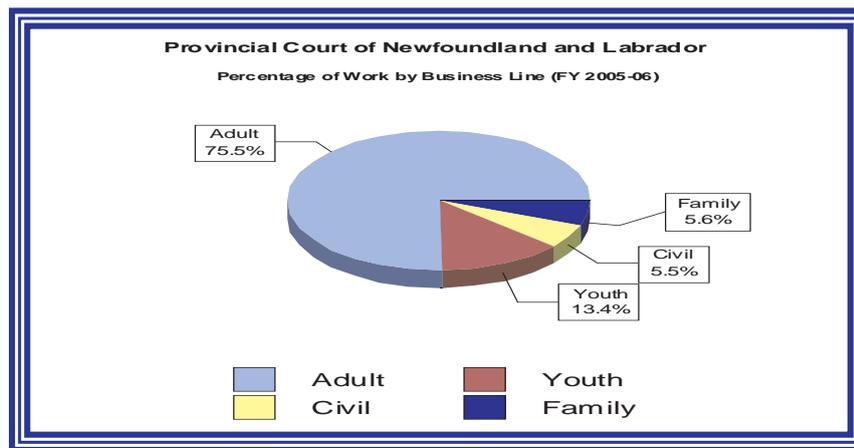
## STATISTICS

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.

The graphs below show general trends over a ten-year period for the Newfoundland and Labrador Provincial Court's business lines: adult, youth, civil, and family.

While criminal cases remain as the primary caseload for the Provincial Court some significant changes have occurred over a ten-year period. For instance, in 95/96 the Criminal caseload represented 70.7% of the total caseload. In 05/06 the percentage of criminal cases has increased to 88.9% of the total. At the same time, a significant decline in the relative proportion of our civil caseload has occurred—from 26.1% in 95/96 to just 5.5% in 05/06. The relative percentage of family cases has increased slightly from 3.3% in 95/96 to 5.6% in 05/06.

Compared to the previous year 04/05, the Provincial Court experienced a slight increase in the relative proportion of criminal caseload from 88.4% to 88.9%, the relative percentage of civil cases decreased from 6.6% to 5.5%, while family cases increased by 0.6%.



## COMBINED CASELOAD STATISTICS FY 2005-06

Court Centre	Total Adult	Total Youth	New Civil	New Family	Total Cases
Clarenville	935	73	67	62	1137
Corner Brook	2533	505	150	539	3727
Gander	1172	218	81	138	1609
Grand Bank	839	204	52	82	1177
Grand Falls-Windsor	955	247	218	230	1650
H. V. Goose Bay	1863	352	49	206	2470
Hr. Grace	766	162	72	83	1083
Placentia	275	82	6	13	376
Stephenville	1643	244	43	88	2018
St. John's	9239	1487	728	0	11454
Wabush	224	43	23	85	375
<b>OVERALL TOTAL</b>	<b>20,444</b>	<b>3,617</b>	<b>1,489</b>	<b>1,526</b>	<b>27,076</b>

In terms of total caseload numbers there were 27,076 cases initiated in 2005/06 compared to 28,383 during the previous year. An overall decline of 4.8%, i.e. a difference of 1307 fewer cases.

In general, adult, youth, and civil showed significant decreases (-3.2%, -8.9%, and -21.0%, respectively). Family increased +7.8% and Summary Offence Ticket Trials were up +11%.

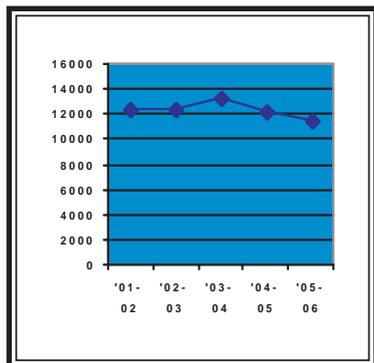
Total caseload in 2005/06 for Stephenville (+25.7%), Corner Brook (+14.4%), Gander (+6.6%), and Harbour Grace (+0.7%) increased compared to the previous year. While Placentia (-41.0%), Wabush (-38%), Clarenville (-19.3%), Grand Falls-Windsor (-17.5%), Happy Valley-Goose Bay (-14.4%), Grand Bank (-10.6%) and St. John's (-5.8%) experienced a decline in caseload.

The following graphs show the total caseload at each centre, as well as a breakdown of case types by court centre. This enables the reader to readily see trends at each court centre over a period of time.

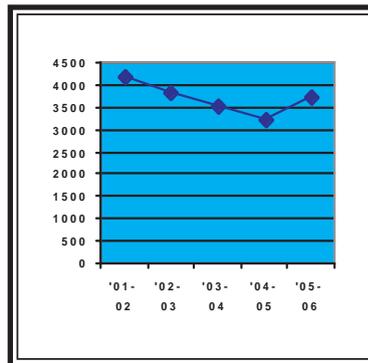
*\*Note: Additional statistical data is found in the Appendix.*

## TOTAL (CASES) for Last Five Years (2001-2006)

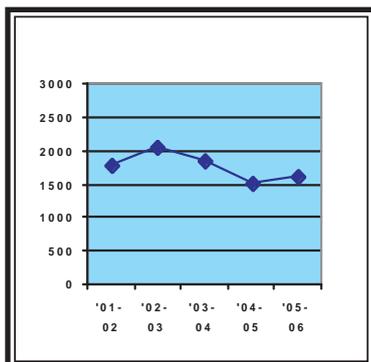
**ST. JOHN'S**



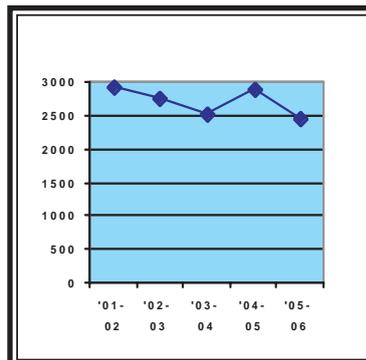
**CORNER BROOK**



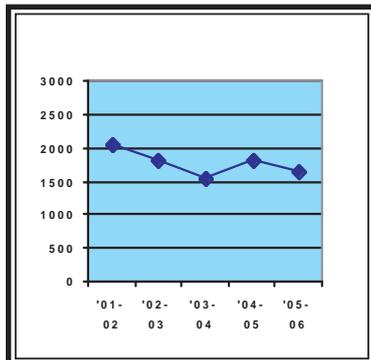
**GANDER**



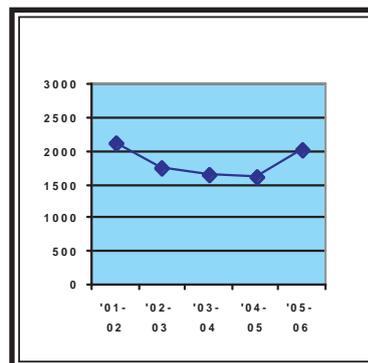
**HAPPY VALLEY-GOOSE BAY**



**GRAND FALLS-WINDSOR**

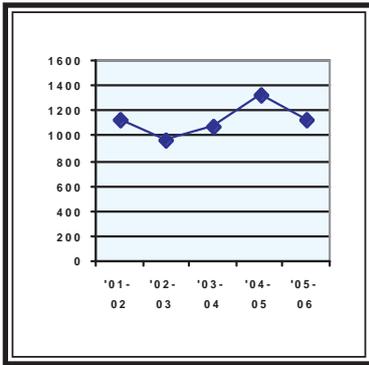


**STEPHENVILLE**

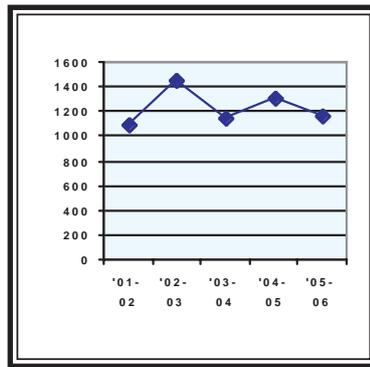


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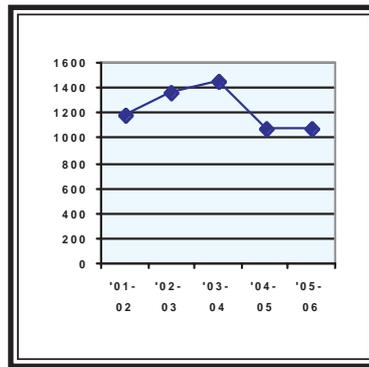
**CLARENVILLE**



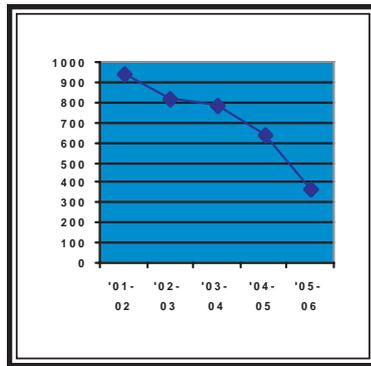
**GRAND BANK**



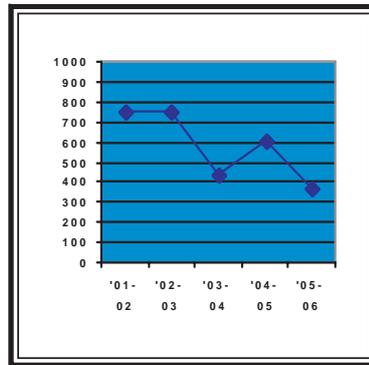
**HARBOUR GRACE**



**PLACENTIA**

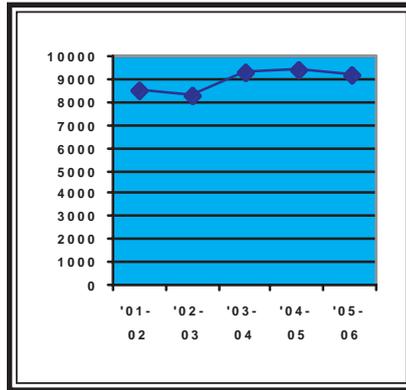


**WABUSH**

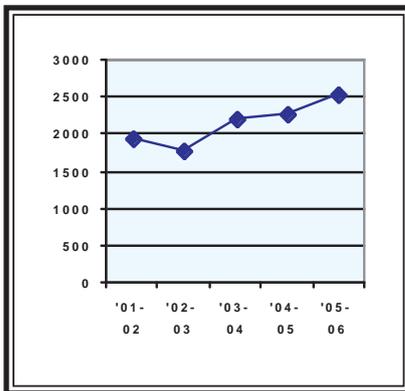


## TOTAL (ADULT CASES) for Last Five Years (2001-2006)

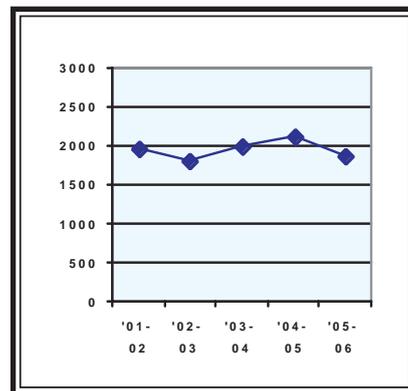
**ST. JOHN'S**



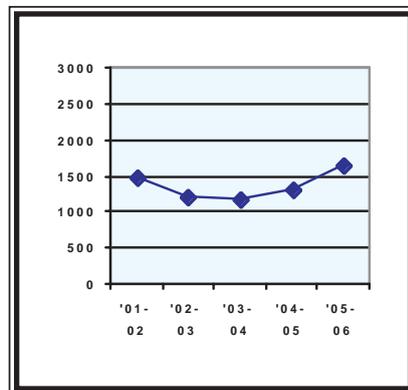
**CORNER BROOK**



**H. V. GOOSE BAY**



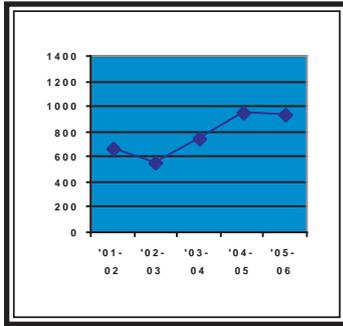
**STEPHENVILLE**



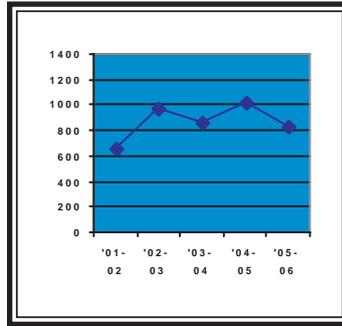
*NOTE: Vertical Scales vary for individual court centres*

## TOTAL (ADULT CASES) for Last Five Years (2001-2006)

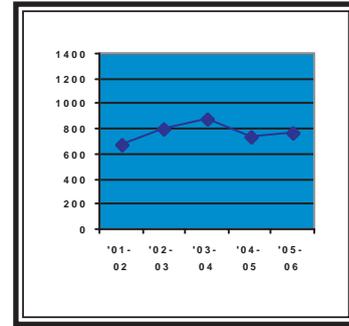
**CLARENVILLE**



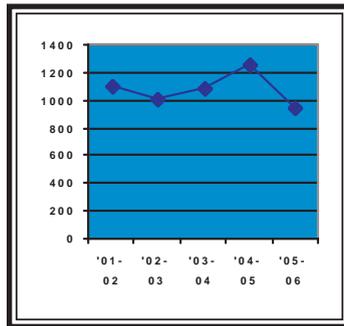
**GRAND BANK**



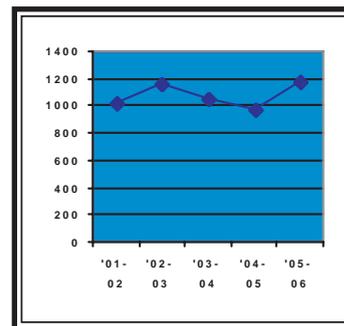
**HARBOUR GRACE**



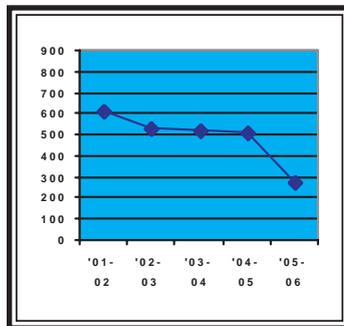
**GRAND FALLS-WINDSOR**



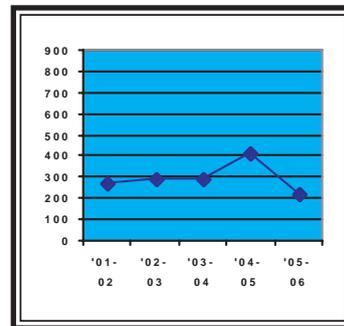
**GANDER**



**PLACENTIA**



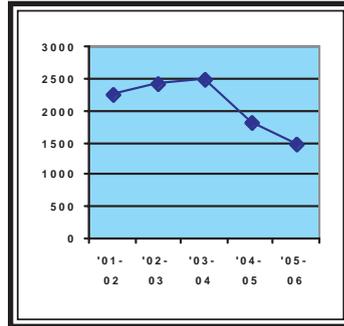
**WABUSH**



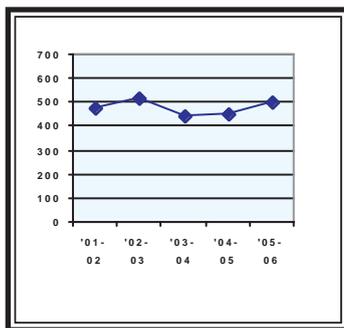
*NOTE: Vertical Scales vary for individual court centres.*

## TOTAL (YOUTH CASES) for Last Five Years (2001-2006)

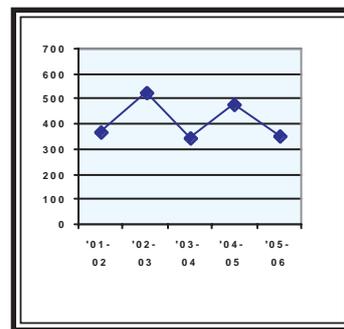
ST. JOHN'S



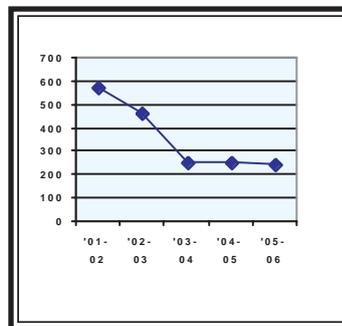
CORNER BROOK



H.V. GOOSE BAY

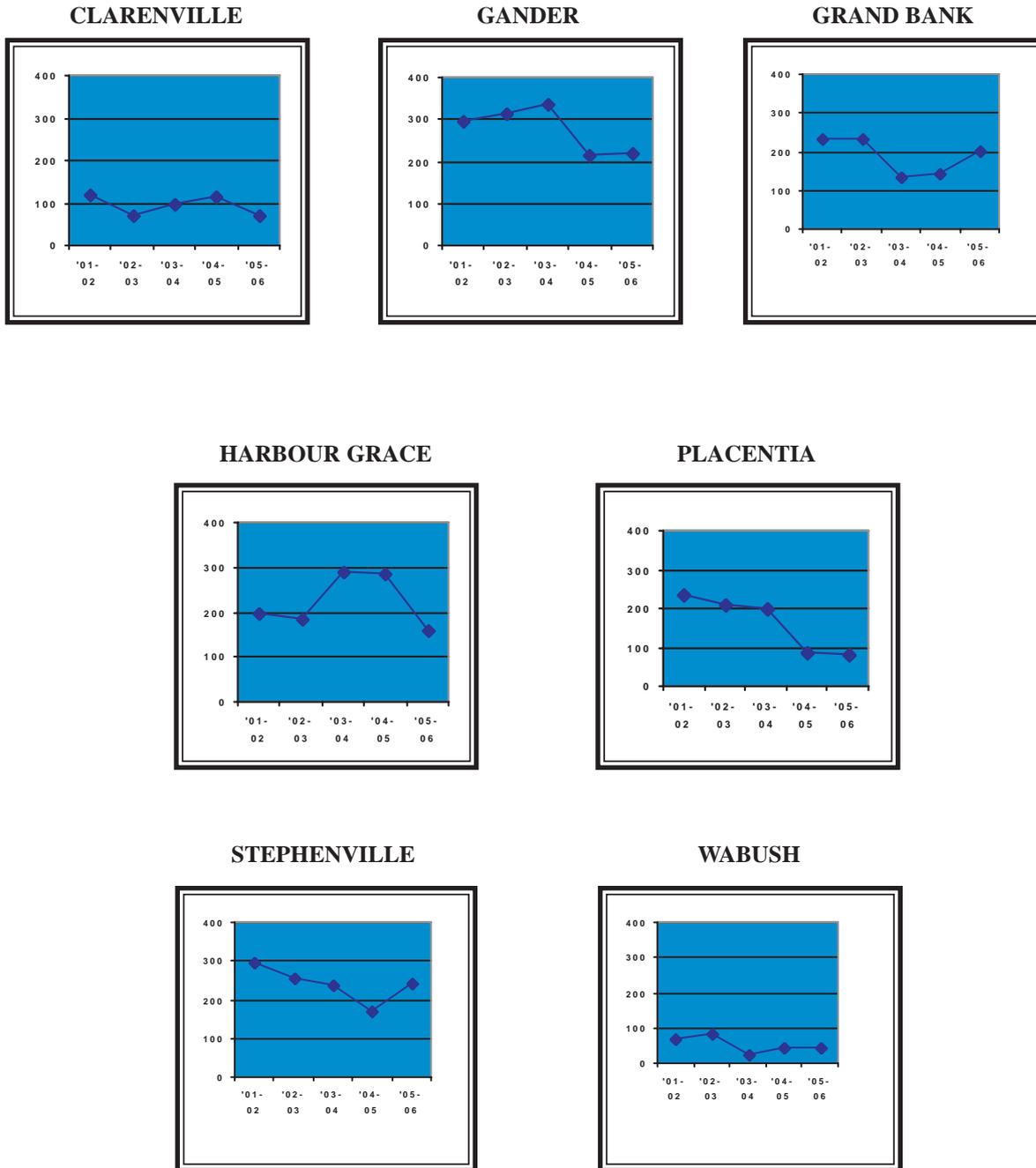


GRAND FALLS-WINDSOR



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

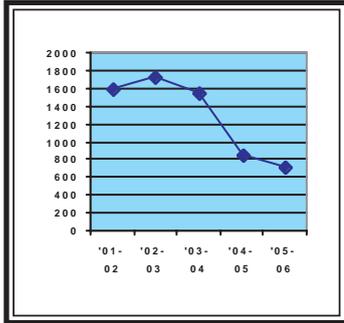
## TOTAL (YOUTH CASES) for Last Five Years (2001-2006)



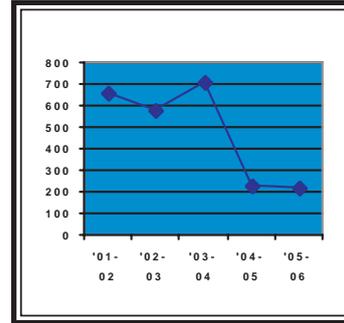
*NOTE: Vertical Scales vary for individual court centres.*

## TOTAL (CIVIL CASES) for Last Five Years (2001-2006)

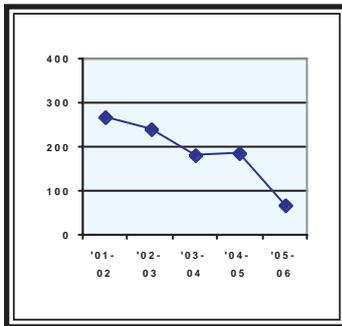
**ST. JOHN'S**



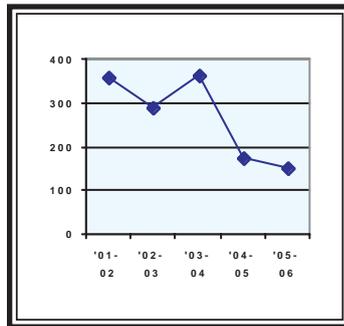
**GRAND FALLS-WINDSOR\***



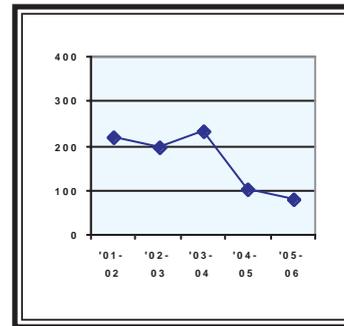
**CLARENVILLE**



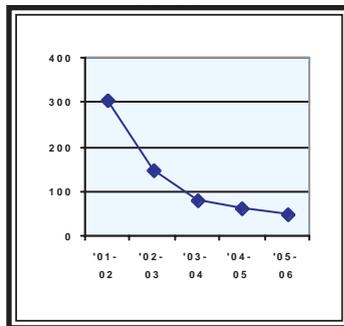
**CORNER BROOK**



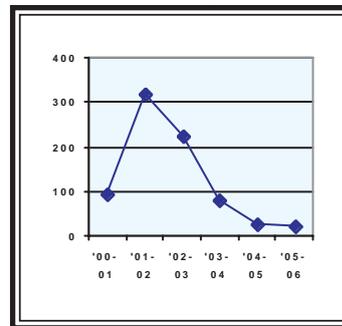
**GANDER**



**H.V. GOOSE BAY**



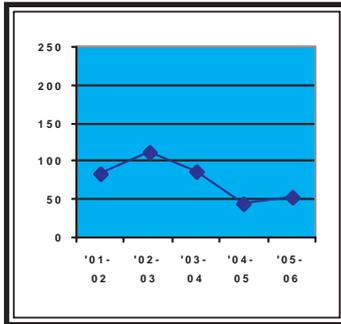
**WABUSH**



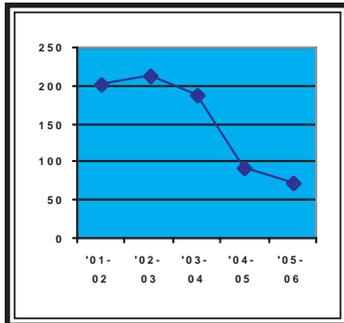
*Note: Springdale Court closed in August 2004, prior to this Small Claims for Grand Falls-Windsor were done by Springdale Court.*

## TOTAL (CIVIL CASES) for Last Five Years (2001-2006)

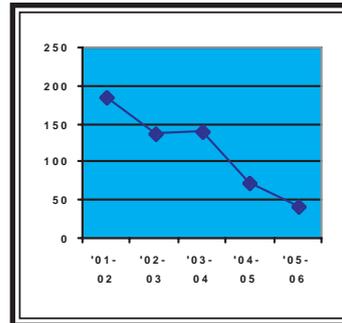
**GRAND BANK**



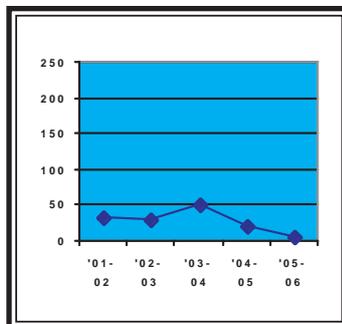
**HARBOUR GRACE**



**STEPHENVILLE**



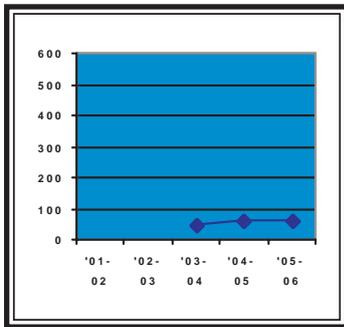
**PLACENTIA**



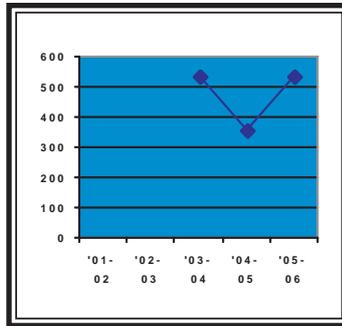
# TOTAL (FAMILY) CASES\*

## for Last Three Years (2003-06)

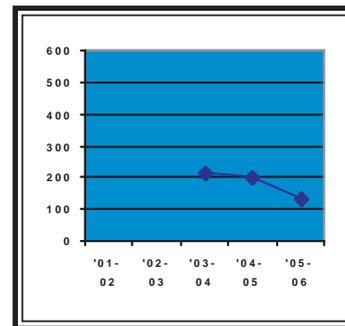
CLARENVILLE



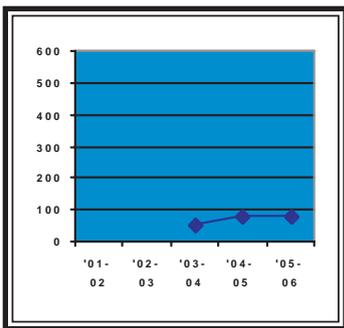
CORNER BROOK



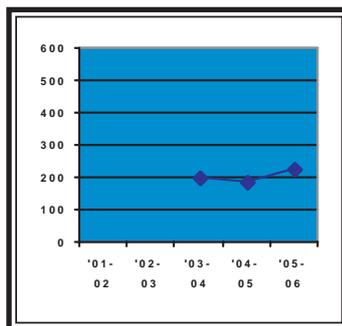
GANDER



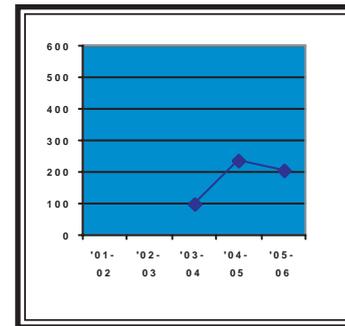
GRAND BANK



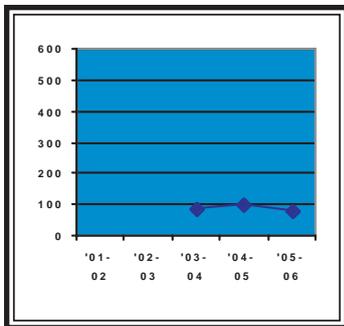
GRAND FALLS-WINDSOR



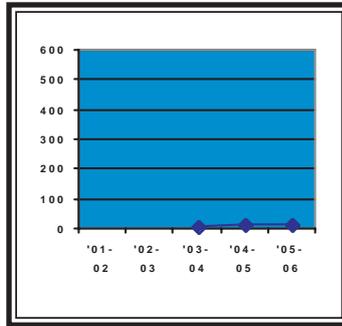
H.V. GOOSE BAY



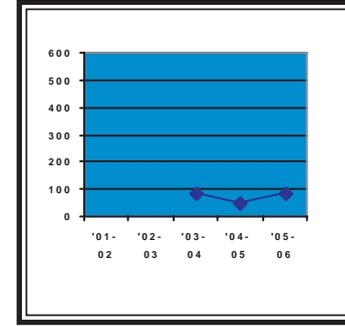
HARBOUR GRACE



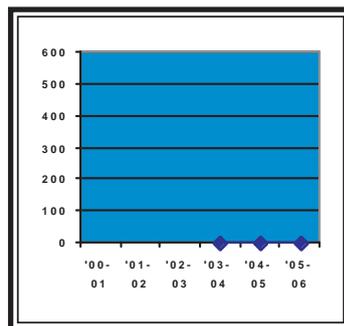
PLACENTIA



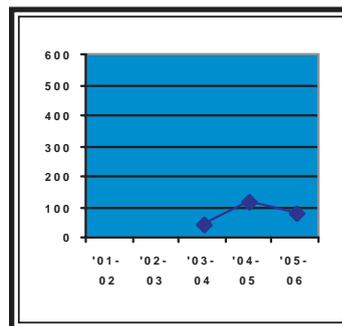
STEPHENVILLE



ST. JOHN'S



WABUSH



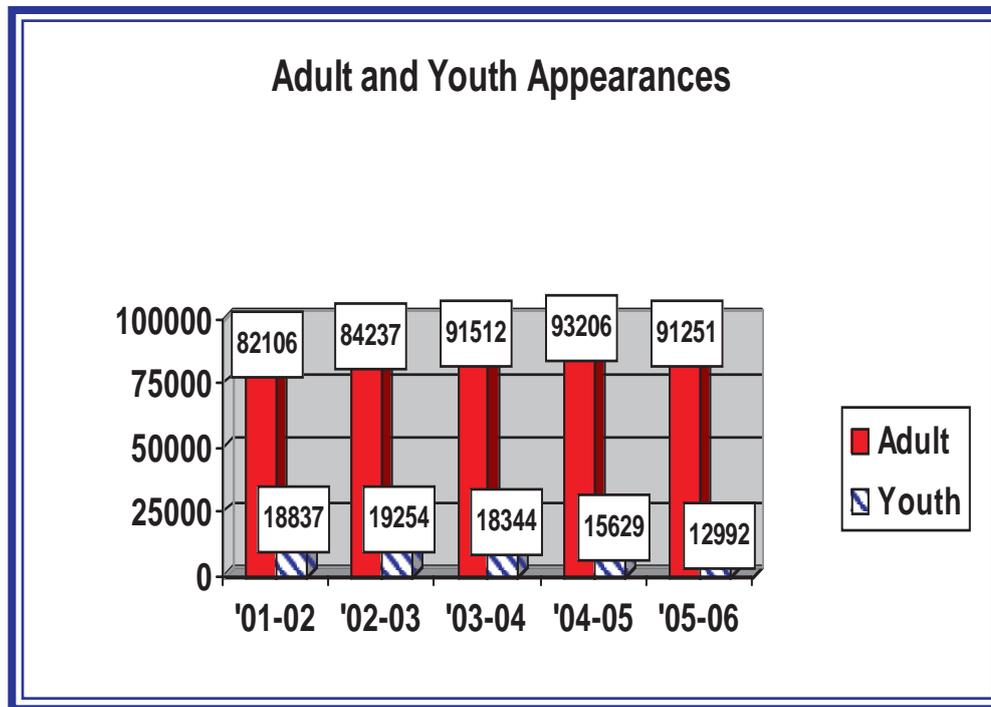
*\*Note: Prior to 2003, new and concluded were added together. From 2003-04 onward just new cases will be added to the total.*

## APPEARANCES FY 2005-06

One of the primary indicators of workload for the court is the number of appearances, as each appearance requires court resources (i.e. courtroom time, a judge and a court clerk) and it generates paper work and often requires the scheduling of future court events. In 2005/06 there was a total of 104,243 appearances for criminal matters. Additionally there were 1,615 appearances associated with civil matters and 3,497 appearances required for family matters for a total of 109,355 appearances. The number of appearances has increased significantly with respect to criminal matters going from a total of 100,943 in 2001/02 to a total of 104,243 in 2005/06, an increase of 3.3% in just five years. It is the adult cases that primarily account for that increase. This is a trend that is occurring right across the country. The Canadian Centre for Justice Statistics

reports that the average number of appearances per criminal case has increased from 4.1 in 1993/94 to 5.9 in 2003/04; consequently, cases are taking much longer to process from 196 days to 220 days on average.

As the chart below reveals, youth appearances have decreased since 2002/03. This trend is likely the result of the introduction of the *Youth Criminal Justice Act* in 2003 providing opportunities for alternative justice measures, and fewer youths being brought before the court.



## COURTROOM APPEARANCES FY 2005-06

COURT	ADULT*	YOUTH*	CIVIL	FAMILY
Clarenville	3942	326	101	164
Corner Brook**	10034	1855	252	917
Gander	4432	684	77	360
Grand Bank	2883	511	36	205
Grand Falls-Windsor**	3929	1202	117	571
H.V. Goose Bay**	7463	1522	42	615
Harbour Grace	3372	509	61	92
Placentia**	1148	171	2	33
St. John's**	47693	5353	794	0
Stephenville	5142	722	93	383
Wabush**	1213	137	40	157
<b>TOTAL</b>	<b>91,251</b>	<b>12,992</b>	<b>1,615</b>	<b>3,497</b>

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

*\*\*Note: Stats 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  
F/Y 2005-06**

COURT	Pending Cases as of April. 1/05	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/06	Clearance Rates
Clareville	584	976	963	595	99%
Corner Brook	1738	2468	2563	1642	104%
Gander	731	1129	1203	639	107%
Grand Bank	441	851	845	447	99%
Grand Falls-Windsor	804	792	955	641	121%
H. V. Goose Bay	1131	2136	1966	1287	92%
Harbour Grace	596	810	789	617	97%
Placentia	185	251	255	181	102%
Stephenville	1040	1653	1700	990	103%
St. John's	6717	9081	9234	6566	102%
Wabush	326	219	224	321	102%
<b>TOTAL</b>	<b>14,293</b>	<b>20,366</b>	<b>20,697</b>	<b>13,926</b>	<b>102%</b>

**PENDING, INITIATED, AND CONCLUDED CASES  
YOUTH COURT  
F/Y 2005-06**

COURT	Pending Cases as of April. 1/05	Initiated Cases During the Year	Concluded Cases During the Year	Pending Cases March 31/06	Clearance Rates
Clareville	29	106	73	62	69%
Corner Brook	174	530	522	183	99%
Gander	132	171	218	84	128%
Grand Bank	74	191	206	59	108%
Grand Falls-Windsor	127	245	247	125	101%
H. V. Goose Bay	169	357	357	168	100%
Harbour Grace	82	149	166	65	111%
Placentia	6	78	81	3	104%
Stephenville	117	247	250	116	101%
St. John's	438	1492	1485	445	100%
Wabush	27	65	43	49	66%
<b>TOTAL</b>	<b>1,375</b>	<b>3,631</b>	<b>3,648</b>	<b>1,359</b>	<b>101%</b>

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

COURT	'01-02	'02-03	'03-04	'04-05	'05-06
Clarenville	749	915	1092	1150	1376
Corner Brook	1945	2261	2710	2969	3496
Gander	1146	1474	2081	2081	2449
Grand Bank	844	989	837	1104	1040
Grand Falls-Windsor	1992	2783	2423	2300	2590
H. V. Goose Bay	1638	1724	1806	1888	1627
Harbour Grace	860	906	1156	1132	1347
Placentia	551	642	647	584	674
St. John's	8152*	7708	7790	7694	8027
Stephenville	1679	1945	1443	1353	1563
Wabush	144	364	448	438	443
<b>TOTAL</b>	<b>20,340</b>	<b>22,373</b>	<b>23,401</b>	<b>22,946</b>	<b>24,632</b>

*Note: Requests for criminal history records has increased ( 21%) over the last 5 years. In addition to police, crown, and defence requests for such records, civic groups, post-secondary institutions and employers make up a significant portion of the number requested.*

**VIDEOCONFERENCING  
Breakdown of Videoconferencing Activity by Site  
by: Joy Buckle (TETRA)**

Videoconference Site	Total # hours of Videoconferencing for each site from Sept. to Dec. 2005	Total # hours of Videoconferencing for each site from Jan. to Apr. 19/06	% Increase or Decrease in hours compared to Sept. -Dec. 2005	Total Hours
Outside DOJ Network	0	18.5	+18.5	18.5
Clarenville	0	1	+1.0	1
Corner Brook	9	15.5	+6.5	24.5
Stephenville	8.5	5	-3.50	13.5
H.V. Goose Bay	7.5	17.5	+10.0	25.0
St. John's	5.5	37	+31.5	42.5
<b>TOTAL HOURS</b>	<b>30.5</b>	<b>94.5</b>	<b>+64.0%</b>	<b>125</b>

**SUMMARY OFFENCE TICKETS  
FY 2005-06**

Court Centre	Tickets Processed	Tickets to Trial
Clarenville	1,815	20
Corner Brook	8165	209
Gander	3,319	208
Grand Bank	1,524	26
Grand Falls	3,331	68
H.V. Goose Bay	625	15
Harbour Grace	713	26
Placentia	228	6
Stephenville	1,681	26
St. John's	130,136	814
Wabush	324	13
<b>TOTAL</b>	<b>151,009</b>	<b>1,415</b>

**NUMBER OF TRANSCRIBED PAGES  
FY 2005-06**

COURT CENTRE	# OF PAGES
Clarenville	1,119
Corner Brook	2,063
Gander	5,226
H.V. Goose Bay	1,491
Grand Bank	227
Grand Falls-Windsor	*451
Hr. Grace	369
Placentia	416
Stephenville	876
St. John's	12,283
<b>TOTAL</b>	<b>24,521</b>

*\*Note: As of September 2005, Grand Falls-Windsor resumed their own transcripts. Between April 1, 2005 and August 2005, Grand Falls-Windsor transcripts were typed by Gander, due to staff shortage.*

**TEN MOST COMMON OFFENCES  
(Charges)  
FY 2005-06**

TYPE	ADULT
Breach of Court Orders	7379
Assault	2076
Theft	1736
Fraud	1581
Impaired Driving	1522
Mischief	1115
Break and Enter	1015
Drug Offences	970
Sexual Offences	405

**BUDGET EXPENDITURES**  
**Actual vs. Revised**  
**FY 2005-06**

CATEGORY	BUDGET	REVISED	VARIANCE
Salaries	5,930,800	6,505,400	-574,600
Employee Benefits	41,800	65,500	-23,700
Transportation & Communication	335,800	335,800	0
Supplies	132,200	109,000	23,200
Professional Services	10,000	10,000	0
Purchased Services	801,900	750,000	51,900
Property, Furniture & Equipment	5,200	11,800	-6,600
Grants & Subsidies	3,000	3,000	0
<b>TOTAL</b>	<b>7,260,700</b>	<b>7,790,500</b>	<b>-529,800</b>

**STAFF OVERTIME**  
**Time Off In Lieu (TOIL)**

Carried Forward TOIL from  
previous years as of March 31/05   **551 hrs.**

Total Hrs. Worked 05/06           **2071.19 hrs.**

Total Hrs. Taken Off 05-06       **1754.25 hrs.**

Total Hrs. Owed as of  
March 31/06                           **867.94 hrs.**

**COSTS OF**  
**JUDICIAL EXCHANGE\***  
**FY 2005-06**

**\$21,657.19**

*\*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.*

**REVENUE  
COLLECTED AND DISTRIBUTED  
FY 2005-06**

Distribution	Amount	Percent
CCC & Provincial Statutes	329,062	12.0
Federal Statutes	850,412	31.0
Liquor Control Act	8,182	0
Municipal Acts	560	0
Highway Traffic Act	715,642	26.0
Fees and Costs	365,327	13.5
Victim Fine Surcharge	69,043	2.5
Maintenance Compensation	148,540	5.5
Civils (Third Party)	87,470	3.5
Bail/Bonds Sureties	109,886	4.0
Cross Court Payments	28,300	1.0
Bank Interest	939	0
HST	243	0
Other (Third Party)*	39,692	1.0
<b>TOTAL</b>	<b>2,753,298</b>	<b>100.0</b>

*\*Note: Includes JEA Fees of \$27,150 and other amounts.*



**FINES  
IMPOSED SUMMARY  
FY 2005-06**



Distribution	Amount	Percent
CCC/PROV	368,198	14.2
FED	1,648,671	63.2
LCA	12,344	0.4
VFS	180,669	7.0
TMS	393,905	15.0
3RD PARTY	6,385	0.2
<b>TOTAL</b>	<b>2,610,172</b>	<b>100.0</b>

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

**CIRCUIT COURTS**  
**(OPERATIONAL COSTS)**  
**FY 2005-06**

Court Centre	Circuit	Total
Clareville	Bonavista	1,281.11
	<b>TOTAL CLARENVILLE</b>	<b>1,281.11</b>
Corner Brook	Roddickton/St. Anthony	5,569.24
	Port aux Choix/Plum Point	11,149.16
	Woody Point/Rocky Harbour	3,518.04
	<b>TOTAL CORNER BROOK</b>	<b>20,236.44</b>
Happy Valley-Goose Bay	Nain	15,514.33
	Makkovik/Postville/Rigolet/Hopedale	14,302.44
	Port Hope Simpson/Forteau	19,926.08
	Cartwright/Black Tickle	6,416.81
	Natuashish	14,297.69
	<b>TOTAL HAPPY VALLEY-GOOSE BAY</b>	<b>70,457.35</b>
Grand Falls-Windsor	Bay D'Espoir/Hr. Breton/Conne River	12,026.24
	Baie Verte	5,181.49
	Springdale	13,523.79
	<b>TOTAL GRAND FALLS-WINDSOR</b>	<b>30,731.52</b>
Placentia*	Placentia	6,727.15
	<b>TOTAL PLACENTIA</b>	<b>6,727.15</b>
Stephenville	Port aux Basques	4,712.07
	Burgeo	994.09
	<b>TOTAL STEPHENVILLE</b>	<b>5,706.16</b>
Wabush*	Wabush	13,388.06
	<b>TOTAL WABUSH</b>	<b>13,388.06</b>
<b>OVERALL TOTAL</b>		<b>148,528.39</b>

\* Note: Placentia and Wabush have no resident Judge.

**FREQUENCY OF CIRCUIT COURTS**

<u>Clareville</u>	<u>Happy Valley-Goose Bay</u>	<u>Grand Falls-Windsor</u>
Bonavista 8 days/year	Hopedale 16 days/year	Harbour Breton 12 days/year
	Nain 32 days/year	Milltown 12 days/year
<u>Corner Brook</u>	Makkovik 2 days/year	Conne River 12 days/year
Roddickton 6 days/year	Postville 2 days/year	Springdale 36 days/year
Port aux Choix 18 days/year	Rigolet 2 days/year	Baie Verte 13 days/year
Rocky Harbour 8 days/year	Natuashish 32 days/year	
St. Anthony 18 days/year	P. H. Simpson 9 days/year	<u>Stephenville</u>
Plum Point 6 days/year	Cartwright 9 days/year	Port aux Basques 32 days/year
Woody Point 6 days/year	Black Tickle 2 days/year	Burgeo 5 days/year
	Forteau 3 days/year	

## TRAINING

by: Louise Daley

The Provincial Court remains very committed to continued professional development and training. Collectively, the staff and managers of the Provincial Court logged over 220 training days in 2005/06. In the 21st century, the work of the courts has become more complex and demanding in terms of the law, public accountability, media relations, business processes and technology. Recognizing this trend, the management of the Provincial Court has been actively seeking to professionalize the role of the court administrator and upgrade the skill level of court officers. A major step in achieving this goal was initiated in March 2006, with the development of a Certificate Program in Court Administration. This Certificate Program is now offered through Memorial University's Division of Life Long Learning. As of March 2006, twenty-one court employees completed at least two of the seven requisite courses and a further 15 employees completed one of the requisite courses for the certificate program.

This type of training is also seen as an important component in succession planning for the Court. In 2005/06

four of thirteen Court Administrators announced their plans to retire in 2006. Over the next five years an additional three Court Administrators will be eligible to retire. Ensuring that potential candidates for these vacant positions have the necessary skill sets required is a priority for the Court.

Beyond the Certificate Program training covered a wide range of topics including computer skills, time management, customer service, human resource management, customer relations, surveys, project management process and records management just to name a few. The courses were delivered through a number of different venues including: Memorial University of Newfoundland, 5 West Learning Centre, Centre for Management Development, National Centre for State Courts, Community Accounts, Statistics Canada, ARMA International, Association of Canadian Court Administrators, as well as in-house.

## PERFORMANCE COACHING

by: Pamela Ryder Lahey

Performance coaching was identified as one of the Human Resource Development objectives in 2002-2005 Strategic Plan. Performance coaching is designed:

- to ensure individual work is aligned with the organization;
- to coach employees'
- to set goals and measures;
- for career development and planning; and
- for communication and feedback.

This was introduced into the Court for all non-judicial staff in April 2005. A Behavioural Competencies model was chosen after various models were examined. The Behavioural Competencies model minimizes biases, is seen more in a person's control, gives a sense of direction, and is based on actual job requirements which are aligned to the organization's mandate.

SMART (Specific, Measurable, Attainable, Relevant and Recorded, Timebased) performance goals are developed in conjunction with each individual, while at the same time fitting with the mission of the court. Each employee should be able to see how their role fits into the bigger picture of the court and its mandate.

A significant piece of the formal process is discussing an employee's strengths and weaknesses and what can be done to overcome their weaknesses. The process also examines what an employee should continue to do, should stop doing, and should start doing. This is the piece that actually identifies what they do/or do not) as it relates to alignment with the mandate of the Court.

During 05/06 managers, court services staff, and most court administrators and some court officers began the process of performance coaching. While the formal written performance coaching is annual, it opens an ongoing two-way dialogue with employees throughout the year.

## COURT MANAGEMENT CERTIFICATE

*The following is a News Release issued by The National Center for State Courts, Williamsburg, Virginia*

### News Release

Contact: Lorri Montgomery, Communications Manager  
 The National Center for State Courts  
 300 Newport Avenue  
 Williamsburg, VA 23185-4147  
 757.259.1525  
 lmontgomery@ncsc.dni.us



### Provincial Court Manager Receives Court Management Certification

Williamsburg, VA (Nov. 18, 2005) - Shelley Lynn Organ, Manager of Court Services, Eastern, of the Provincial Court of Newfoundland and Labrador, graduated Nov. 18 from the Court Management Program (CMP) of the Institute for Court Management (ICM), which is the educational arm of the National Center for State Courts.

CMP, the only program of its kind in the United States, is a two-phase program established for mid-level court managers interested in strengthening their management knowledge, skills, and abilities. The program complements the training needs of courts implementing the National Association for Court Management's (NACM) core competencies.

The National Center for State Courts is a non-profit organization dedicated to improving the administration of justice by providing leadership and service to the state courts. The National Center, founded in 1971 with the encouragement of then Chief Justice of the United States Warren E. Burger, provides leadership, research, technology, education, and training to the state courts. The National Center also is taking the lead on several key issues facing the justice system. For example, it has established the Civil Justice Reform Initiative, which is a multi-year project that will examine the most efficient practices in civil case management and how complex litigation procedures can be improved through the use of technology. Other national initiatives being driven by the National Center include improving public trust and confidence in the courts, pro se litigation, and the judicial selection process.

# CERTIFICATE IN COURT ADMINISTRATION

During 2005/06 the Provincial Court received funding for staff training and development from the Organization Development Initiative fund. The Provincial Court made an application for funding staff development to the Department of Justice, who vetted the requests before sending to the Public Service Secretariat, the training arm of Treasury Board.

Approval was subsequently received in January 2006. The Director, Manager of Eastern Region, and Manager of Policy & Planning worked on a proposal which sought an institute of higher learning to provide training to court staff on a certificate basis.

Ultimately, the Centre for Lifelong Learning at MUN partnered with the Provincial Court on developing the *Certificate in Court Administration*.

Employees within the Court went through an application process for enrollment in the Program. This process

helped employees “put to paper” their career path, as well as gave management an opportunity to see what ongoing education employees were involved in.

The certificate has seven modules:

- Caseflow Management & Court Performance Standards
- Court Process Re-engineering
- Time Management: Getting the Most Out of Your Day
- Stepping Up To Supervisor
- Customer Service Essentials
- Change Management
- Communicating at Work

The employees are divided into two groups—Eastern and Western. The Eastern group had two one-day modules in March 2006, while the Western group had one two-day module in March 2006. Further training is scheduled for September 2006.

**Memorial University of Newfoundland**

**Skills and competencies for the effective administration of court operations**

**Certificate in Court Administration**

**Division of Lifelong Learning**  
bringing learning to life!

No formal admission to Memorial required.  
No prerequisites required.  
Complete all requirements and receive a certificate of completion.  
Courses may be done individually, i.e., not as part of the certificate.

**M**ore than ever before, courts are being held accountable for their operations and performance. A heightened awareness of the need for managerial expertise to direct the complex operation of the court has resulted in the need for professionalizing court administration.  
© National Association of Court Management, 2006.

Today, court administrative professionals play a key role in the efficient and effective delivery of court services. They are tasked with considerable responsibility and must be prepared to keep pace with a rapidly changing justice environment.

In the course of these seminars you will learn how court administration has evolved and what it takes to operate successfully in a modern court environment. You will understand the court administrator's key role as a leader in caseload management, court process re-engineering, managing change, setting standards for customer service, and communication and time management. Having completed these seminars, you will have acquired the skills and competencies necessary to function as an effective court administrator.

**Certificate Requirements**

**Caseflow Management and Court Performance Standards**  
Effective and efficient caseflow management is the cornerstone to a modern and productive court system. This course examines the court's primary role in managing the progress of cases. Understanding and using administrative and statistical data that actively supports caseload management can increase your court's performance in this area. Court performance standards are being widely used in other jurisdictions as benchmarks by which to examine a court's performance and to measure the public's trust and confidence in the court system.

**Court Process Re-engineering**  
Courts must strive for continual improvement in their business processes in order to meet the increasing demands for timely and effective justice. This course will help you understand the difference between task and process and teach you to apply that knowledge to court processes. You will use process mapping and cycle time management against court processes with a view to improving customer service while at the same time eliminating the seven wastes that result in poor service. A hands-on exercise will take a court process from the "as is" to the "to be". In other words, processes will be examined as they are done today (as is) and how they could more efficiently be done in the future (to be).

**Time Management: Getting the Most Out of Your Day**  
Everyone complains about not having enough time! In reality, you have more time than you think; you just don't use it well or in a way that suits your style! Learn how to set realistic objectives and prioritize them, how to work with others, how to develop short- and long-term plans and how to cope with time wasters that get in the way of effective time utilization.

**Stepping Up To Supervisor**  
Making the transition from working beside fellow employees to supervising them can be both exciting and challenging for everyone involved. It's a different working relationship requiring a different set of skills. This class will identify those skills you need to function effectively in a supervisory role.

**Customer Service Essentials**  
Customers are the most important people to enter a place of work—whether in person, on the phone, by fax, over the Internet or via e-mail. This course is essential for those who have responsibility for maintaining relationships with customers.

**Change Management**  
Change is constant and the need for workplace change has never been greater. This course covers understanding resistance to change; stages of the change cycle; overcoming mistrust and miscommunication; change as an opportunity and moving from powerlessness to empowerment.

**Communicating at Work**  
Your ability to communicate effectively can determine whether or not you can earn the respect and have the influence you need to get things done for yourself and your organization. Everyone has a predominant style that both helps and hinders understanding between people. Most often communication fails because what was said was not what was heard. This course helps you to assert your need while confidently handling the assertion needs of others. This is key to personal performance and well-being.

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## GANDER COURTHOUSE- “SMELL BE GONE”

The Gander Law Courts opened on October 29, 1993. Shortly after the opening, the judge and staff assigned to Provincial Court, Courtroom No. 2, began noticing a distinctive odour. Requests to Works and Transportation were frequently made to have the air quality examined and tested. This was done on several occasions. The tests always showed the air quality to be at acceptable levels and not registering any contaminants.

Over the years, the odour problem escalated to the point that during the summer of 2005 the local judge, with the support of the Chief Judge and Court Administration, said enough is enough and refused to sit in that courtroom. The judge’s stand was also prompted by a new leak in the ceiling. W&T contracted Newfoundland HVAC Limited initially to look at the air handling unit to see if a solution could be found. This did not resolve the issue and subsequently Pinchin LeBlanc Environmental Ltd. conducted more indepth tests on the air quality and did a mold investigation in Courtroom No. 2.

Essentially, after their tests were complete, the source of the odour was still not found.

In the meantime, Court Administration were able to reach an agreement with the United Church in Gander to use their parish hall for court sittings. There was a delay of about one week while the arrangements for the church hall were being made. However, overall there was not a significant loss of court time in this court centre due to the understanding and accommodation by the judges, court staff, lawyers, police and public. In total, the court sat in the church hall for five weeks.

Eventually, a decision was made by Works and Transportation, in conjunction with the Chief Judge and Court Administration, to remove several sections of the oak wall paneling. This was almost a last-ditch effort to see if the source of odour could be pinpointed. Finally, the solution was found. All oak paneling in that courtroom was subsequently removed, drywall installed, and the smell be gone!

## WABUSH COURT FULL-TIME AGAIN

In May 2005 the Wabush Court Centre again became a full-time operation. Linda Fitzgerald became the Court Administrator in 1996—the year that long-time Court Administrator Joan Davis left and the year that the Wabush Court went to a part-time operation.

Residents, lawyers and RNC members of the Labrador West area have all expressed gratitude that the court office is available to them on a full-time basis. Staff

Sergeant Robert Garland, RNC, said “our members need access to court documents, especially criminal records, on a daily basis. This access has greatly improved our ability to do our investigative work”.

In an interesting turn of events, Linda Fitzgerald retired on March 31, 2006, and Joan Davis returned to the position she left in 1996. She says “it’s like coming full circle. I’ll finish my career where I started.”

## CORNER BROOK COURTHOUSE PLANNING

Budget 05/06 approved funding for the programming of the consolidated Corner Brook Courthouse. Currently both the Supreme and Provincial Courts are housed in the Sir Richard Squires Building, which is the centre of the Provincial Government operation in the province’s second largest city.

The site location has been chosen. It will face Mt. Bernard Avenue and will share a parking lot with the Sir

Richard Squires Building, as well as have an additional parking lot on the other side of the new building.

Geraldine Phillet, Planning Consultant, was hired to develop the facility program. This draft document was presented to both courts in January 2006. Subsequently, Beaton Sheppard of Sheppard, Case Architects was engaged to design and develop the blueprints for the courthouse. Work on both the facility program and the blueprints were continuing as 05/06 drew to a close.

## UPDATE ON AUTOMATIC RECALCULATION OF CHILD SUPPORT ORDERS IN THE WESTERN REGION

by Judge Kymil Howe



Last year's Annual Report allowed me an opportunity to introduce the recalculation pilot project which has been ongoing in the Western Region since 2002 to many people in the province. Recalculation is that process whereby a payor of child support files his/her annual income tax return and notice of assessment with the recalculation clerk without the necessity of an application to the Court. His/her line 150 income can then be applied to the guideline tables to ascertain if child support payments for the next year should change. Any change in the amount payable is then incorporated in a new child support order.

In 2004-05, the Provincial Court at Corner Brook filed 148 recalculated child support orders. In 2005-06, that number increased by almost 25% to 184.

Perhaps the most significant indicator of the success enjoyed by the pilot project is a proposal to expand the recalculation service province-wide. Budgetary allocations have been made which would allow for the hiring of additional recalculation clerks and it is anticipated that this expanded service will be available by the end of the current calendar year.

The proposed expansion of the recalculation service will bring with it the need for new or expanded regulations as the *Western Child Support Service Regulations* (NLR 9/02) restrict recalculation to those areas served by the Provincial Court centres at Corner Brook and Stephenville and the Supreme court (Trial Division) at Corner Brook. Seeing an opportunity to perhaps enhance the service presently being offered, representatives from various agencies involved with the existing service strut a committee to review the present regulations and make suggestions as to how they might be improved upon. That committee is made up of representatives of the Provincial Court, the Supreme Court (Trial Division), Family Justice Services Western, the Support Enforcement Agency and the Department of Human Resources, Labour and employment.

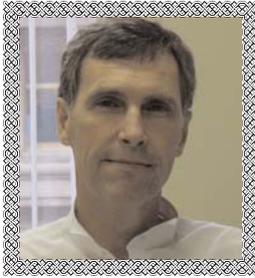
Perhaps the ultimate test of the success of any pilot project is the extent to which it is able to bring about lasting change or improvement in the service provided. The next year may well provide us with an opportunity to determine whether or not the recalculation project in the Western Region has made the grade.



UPDATES

## UPDATE OF MENTAL HEALTH COURT AT ST. JOHN'S

by: Judge David Orr



Since the late 1980's there has been a movement within the Justice system both in Canada and the United States to develop specialized courts to deal with particular types of offences and offenders. Perhaps the best known and earliest of these specialized types of courts were the drug treatment courts. These courts were successful and essentially were based on the premise that an accused suffering from a substance abuse problem could avoid a jail sentence if they undertook a treatment program. Historically, a disproportionate number of people suffering from mental illness have come in contact with the criminal justice system and the courts have found themselves ill equipped to deal with their specific needs. Tragically, the result has been that many people have found themselves in revolving door process that failed to address the underlying causes of their problems and left them in a situation where they were constantly in conflict with the law. In response to this, mental health courts were established in the 1990s with one of the earliest Canadian courts being the Toronto Mental Health Court which was opened in 1994.

In Newfoundland and Labrador there was a need identified for help for persons suffering from a mental disorder who came into conflict with the Justice system. Community based advocacy groups and service providers estimated that 10 to 25% of their clients have been in conflict with the law. In response to this need, the Chief Judge in conjunction with the Court Strategic Planning Committee decided that a specialized court should be developed to better accommodate the needs of accused persons suffering from a mental disability. In the fall of 2004, a plan for this court was developed in conjunction with Legal Aid, the Crown Attorney's Office, Victim Services, Adult Corrections, the Health Care Corporation and the Canadian Mental Health Association.

The court was aimed at individuals aged 18 or older with persistent recurring mental illness where the criminogenic basis of the criminal activity was the mental disorder and the issues arising from that disorder. It was clear to everyone involved with the project clear that to simply attempt to deal with the mentally disordered population

only within the strict parameters set out by the criminal code would not capture the full problem. Many individuals did not have a full legal defense to a particular charge as they could not establish one or more of the requirements set out in law. However, there was often little doubt that the offence was wither a direct or indirect result of their illness which frequently had resulted in the accused person being either homeless or living in poor circumstances or other wise being seriously impaired in their ability to function within the community. It was determined that a more flexible response was required.

At the same time as the court initiative commenced the Newfoundland and Labrador Legal Aid Commission received funding to develop and administer programs for persons with mental disabilities. As a result the Newfoundland Legal Commission was able to incorporate some of this funding toward programming aimed at using the Mental Health Court. To that end they hired a case manager and support persons through the Health Care Corporation and made them available to persons who were being dealt with by the court. Specific counsel for the crown were assigned to act at the Mental Health court and criteria were developed for persons to be admitted to the court.

Initially, the standard developed was modeled on the Mental Health Court model used in Ontario with some elements from the model currently used in New Brunswick. It was felt that while the Ontario model was better suited to the needs of people in this Province it was not directly transferable because of the much smaller population to be serviced. It was eventually agreed that the court would sit every second Wednesday afternoon. A decision was made to use the Small Claims courtroom as it was located in an area separate from the criminal courts and it afforded a degree of privacy (criminal proceedings are of course public) in the sense that it was not located in a busy area and proceedings are not as subject to interruption.

Each case brought forward to the court is evaluated by defense and crown counsel with a view to determining the specific needs of the offender. If it was determined that the accused does suffer from a persistent mental disability and it is this disability that has brought him or her into conflict with the justice system he or she may be adjudged a suitable candidate for the court. Over the ini-

## MENTAL HEALTH COURT

(CONTINUED)

tial nine-month period the court was in operation, 48 persons were interviewed for the mental health court and of those 29 went through the mental health court process. Of those evaluated for the process none have been rejected on the basis of the offence with which they are charged. It was decided early on that the nature of the charge would not act as an automatic exclusion unless the offence carried a mandatory minimum punishment.

The goal of the court is to place less emphasis on incarceration and to make greater use of community supports in order to prevent the offender from coming into further conflict with the justice system. An equally importantly to provide an opportunity for the early resolution of proceedings through extra judicial remedies such as the entering of a stay of proceedings once community supports have been put in place.

In September of 2005, an independent evaluation of the project was carried out. As part of that process in addition to other persons involved in the project people who were dealt with by the court were interviewed. All of them expressed that their treatment by the court had been beneficial and provided a less stressful and more supportive framework within which they could resolve their legal problems. The following views expressed by "Sharon" are representative: "They (court support staff) have a better understanding of how mental health is connected to what you have done. It has been a lot less stressful--these people know and understand. People with mental problems feel more relieved with this process."

Despite all these positive aspects there are some practical problems that have yet to be resolved. One problem is that the small size of the population to be served creates a difficulty in that it is not practical for the court to sit every day. As a result, it is not feasible to have staff assigned to the court on a permanent basis with Mental Health Court as their only duty. This results in the court being inflexible in its schedule and often unavailable to persons who might benefit from it. In addition, the Waterford Hospital located in St. John's is the site of the only forensic psychiatric facility in the province. Consequently, they must return to those areas of the Province to resolve their cases and cannot be followed by the Mental Health Court. This limits the availability of

the program to the St. John's area and its residents.

The long-term goal is to broaden the court criteria and deal with a larger population base. More recently the court has been used to deal with individuals who suffer from a mental disorder but who were not thought to be suitable candidates to be dealt with through a community-based sentence. None the less, these cases went to the mental health court as it was felt that the individuals concerned would benefit from contacts made for them by program personnel.

The court will continue to be evaluated to ensure that it continues to fulfill its purpose and is providing a useful service. Given the experience in other Provinces and the early success we have enjoyed it seems probable that the court will provide a long-term benefit and become a permanent part of the Newfoundland and Labrador Provincial Court structure.

## 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.

After some deliberation, 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 would obviate 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 2005 have participated in the process and all of them have reported they found the experience to be very useful. We anticipate the same response from the 2006 class.

On the litigation itself the success rate in terms of settling cases via mediation has not been high but it has been significant. On average over the years mediators have settled between 30 and 40 percent of the cases. Despite this, however, the majority of litigants have been positive about the process finding that even if a full settlement of their case was not achieved, at least some of the issues were resolved and they were more prepared for trial. We had initially referred all cases to the medication process. Experience over the past six years has shown us that some cases are not amenable to mediation and will not settle. This has proved to be the case in motor vehicle accident cases. Generally speaking before starting the

court process these cases have already been through a form of mediation in that insurance adjusters have negotiated with the parties and further mediation or discussion between them at court is pointless. Most vehicle accident cases involve a determination of fault and turn on the findings of fact and parties are interested in having a trial and a determination being made by a Judge. As a result, the Small Claims Rules Committee has decided that this year, motor vehicle accident cases will no longer be mediated and instead will proceed directly to trial. All the remainder of the cases will still go through the mediation process.

In July 2004, the monetary limit in Small Claims Court was increased from \$3,000 to \$5,000. At the same time, the cost to issue a statement of claim has increased as a result, there has been no increase in number of cases. The increase in the limit has meant that there are a greater number of complex matters before the court and as a result the availability of mediation has become more important.

Overall the mediation project has been very successful for the Court. It has provided an opportunity for education for new lawyers allowing actual court experience at a very early time in their careers. In addition, a considerable number of cases have been resolved without the necessity of a trial, and litigants have been provided with support and education in the process. Finally, the mediation project has also helped to foster the growth of alternative dispute resolution in the province by providing a forum where it can take place on a regular basis.



Small Claims Court  
St. John's

## WEEKEND AND STATUTORY HOLIDAY COURT (WASH) COURT

**W**ASH Court has been operating province-wide since February 2005. There is an average of 4.3 arrests per day. The court is staffed by a Court Officer from 9-5 each weekend and statutory holiday. This Court Officer is assigned permanent weekend hours, which gives consistency in service to stakeholders and lessens the need to require staff to work overtime. Judges province-wide rotate the WASH Court schedule, while the Crown and Legal Aid lawyers are located in St. John's.

Generally, the Criminal Code of Canada requirement to have an accused in custody appear before a justice within 24 hours is being met. WASH Court had a successful run for well over a year before it became apparent that in all the contingencies, there was one risk that hadn't been planned—winter storms. A storm in the Northeast Avalon prevented the WASH Court from opening at its appointed time on February 25, 2006.

While all local personnel involved in the WASH Court knew what was happening, those, in particular police officers with accused in custody outside St. John's, did not.

As a result of the delays caused by the storm, a storm protocol was appended to the WASH Court Protocol. No further storms were experienced on weekends/statutory holidays; however, the amended protocol awaits the storm season of 2006/07.

**NOTE:** *The number of accused dealt with by the WASH Court is in Appendix D.*

## TESTIMONIAL

### AIDS

**I**n January 2006 changes to the *Criminal Code of Canada* resulted in the implementation of Bill C-2, an Act to amend the *Criminal Code of Canada* (Protection of Children and Other Vulnerable Persons) and the *Canada Evidence Act*.

To support jurisdictions and their ability to provide testimonial aids, the Federal Government made available to each jurisdiction \$50,000 per year for each of five years commencing with the 2005/06 fiscal year. This funding is available through the Victim's Fund Initiative.

Unfortunately, Newfoundland and Labrador was not able to avail of the first \$50,000 in 05/06. Given that it was the last quarter before the fund was made available to

jurisdictions, a cabinet paper, proposal and contract with the Federal Government was not able to be completed on time. As well, going to public tender and delivery by March 31, 2006, was not possible. However, a four-year plan, cabinet paper, proposal and contract with the Federal Government is underway for the 2006/07 fiscal year.

**NATIONAL  
SEX OFFENDER  
REGISTRY**

The National Sex Offender Registry came into effect on December 15, 2004. During the fiscal year of 2005/06, there were 80 people in total ordered to report to the Registry. The majority of those ordered (66%) came from the jurisdictions of Happy Valley-Goose Bay (31 persons) and St. John's (22 persons).



**IGNITION  
INTERLOCK  
APPLICATIONS**

Effective April 1, 2005, persons convicted of alcohol driving offences can make application to the Provincial Court of Newfoundland and Labrador for an ignition interlock system. If granted by the Judge, the convicted person can apply to the Registrar of Motor Vehicle to have a vehicle ignition interlock device supplied on their vehicle.

Applications must be made prior to sentencing as a ruling from the Supreme Court of Newfoundland and Labrador indicates that the legislation is not retroactive.

The number received for the fiscal year 2004/05 was 240; while the numbers for 2005/06 was 255, an increase of 6.25%

**CRIMINAL HISTORY AND  
INTEGRATED PROVINCIAL COURT INFORMATION SYSTEM  
(IPCIS)**

As of September 2005, the Criminal History project was completed provincially. This includes all criminal convictions back to 1980 and prior to 1980 upon request. This was a major project that took a lot of time and effort but has huge benefits for the criminal justice system. As each court centre comes online, the history data is integrated, thereby reducing duplication of records in different court centres. One record can now be generated from integrated data for the court centres already online.

Integrated Provincial Court Information System (IPCIS) was implemented in St. John's on June 21, 2005. Data from Grand Falls-Windsor and Springdale courts was integrated in February 2006; followed by Placentia in February and Wabush in March 2006. All staff in these locations were given a two-day training session and provided with a very detailed step-by-step user manual. Very positive feedback has been received. The system

can also accommodate cross court payments. One of the biggest advantages is that "look-up" access has been given to criminal justice partners—Legal Aid, RNC, Crown Attorney's Offices, Victim Services, Correctional Facilities, HMP, Lock-up, Sheriff's Office, Pre-trial Services, Whitbourne Youth Facility, Adult Corrections, and Youth Corrections. A training seminar and partner's manual was provided to many of these stakeholders with very positive feedback. Access to youth data has only been provided to those as governed by the Youth Criminal Justice Act. Through the IPCIS, daily and weekly dockets are now provided via e-mail to private law firms, Federal Prosecutions, Correctional Service Canada, and Customs and Immigration. This has proven to be quite effective and has reduced inquiries and subsequently improved staff processing time as their efforts are now directed at their core duties.

## VIDEO CONFERENCING EXPANSION

The fall of 2005 saw video-conferencing expand into five additional court centres. In addition to Happy Valley-Goose Bay, video conferencing capability now exists in St. John's (both Provincial and Supreme Courts), Grand Bank (both Provincial and Supreme Courts), Clarenville (in Supreme Court circuit location, which is also available to Provincial Court), Corner Brook (initially only in Provincial Court but was subsequently expanded to Supreme Court), Stephenville and Happy Valley-Goose Bay.

The expansion of video conferencing was helped immensely by the successful pilot project that occurred in 2004/05 in Happy Valley-Goose Bay. Data from the Provincial Court/RCMP/Smart Labrador joint initiative in Happy Valley-Goose Bay strengthened the business case that was put to both the Department of Justice and Treasury Board.

During the first four months the usage was low compared to expectations. However, it appears that after separate presentations were made to judges and crown attorneys that the usage increased by 209%(see chart on page20). This trend continues and is expected to continue as more and more participants become familiar with this technology.



*Video  
Conferencing Unit*

## NEWFOUNDLAND AND LABRADOR REVIEW BOARD

Effective February 1, 2006, Chief Judge Reginald Reid assumed the role of Chairperson of the Newfoundland & Labrador Review Board. This seat was previously held by Mr. Wayne Thistle, Q.C. of the law firm McInnes Cooper. This Board is appointed by the Lieutenant Governor-in-Council pursuant to Section 672.38 of the Criminal Code of Canada and must consist of not fewer than five members. Along with Chief Judge Reid, the other current board members are local psychiatrists Dr. Kevin Hogan, Dr. Martin Hogan, and Dr. Michael Nurse, as well as Peggy Hatcher of the Public Service Commission.

Marilyn Warren coordinates these Hearings which are held on a monthly basis to make or review dispositions concerning Accused who are found Not Criminally Responsible by reason of mental disorder or Unfit to Stand Trial. There are currently 33 active files before the Board.

## CANADIAN ASSOCIATION OF PROVINCIAL COURT JUDGES

The Canadian Association of Provincial Court Judges is a national federation of all Provincial and Territorial Judges' Associations in Canada. The Association is established primarily for the education and development of the provincial judiciary throughout the country and has taken the lead in a number of initiatives such as mentoring and counselling and assistance programmes. It also sponsors the highly accredited New Judges' Training Programme held each year. The Association also acts as a consultative body to governments and other agencies involved in reforming the justice system.

The Canadian Association was formed in Newfoundland and Labrador in 1973. Since that time, judges from this province have played a key role in leadership of the organization.

Presidents from Newfoundland and Labrador have included Judges Lloyd Wicks, Gerald Barnable, and Robert Hyslop. Judges Reginald Reid and Garrett

Handrigan served as editors of the national publication, *The Journal*. A number of judges have served as National Committee Chairs over the years as well as Provincial Representatives on the Board of Directors.

The tradition continues with the contribution of two judges who are currently chairing two national committees.

**Judge Greg Brown** is the present Webmaster who is responsible for electronic communications among the judiciary and electronic outreach to the public. Judge Brown is extremely knowledgeable in the IT field and the Association has come to rely on his skill in upgrading and reorganizing the website so that the work done by the organization is accessible both to sitting judges throughout the country and to the general public. The Association has come to realize that computer technology has become an effective, rapid, and inexpensive tool for improving organization communication in this huge diverse country. The website may be accessed at [www.judges-juges.ca](http://www.judges-juges.ca)

**Judge David Orr** has assumed responsibility for the vitally important Committee on the Law. This Committee keeps abreast of all legislative amendments to the Criminal Code, Youth Criminal Justice Act, and Controlled Drugs and Substances Act, as well as other legislation that may have a bearing on the work of judges across the country. The Committee also has direct input into law reform initiatives and is represented at the annual Uniform Law Conference. One of the most important jobs of the committee is to keep sitting judges informed of all legislative amendments and proclamation dates.

**Judge Patrick Kennedy** is the current representative of this province on the Board of Directors. His responsibility is to attend Board Meetings twice a year and to cast his vote on behalf of all the judges of this province during the business meetings, as well as to communicate with the local membership about the day-to-day activities of the national organization. He holds the position by virtue of his presidency of the Newfoundland and Labrador Provincial Judges' Association.

## STRATEGIC PLAN

by: Louise Daley

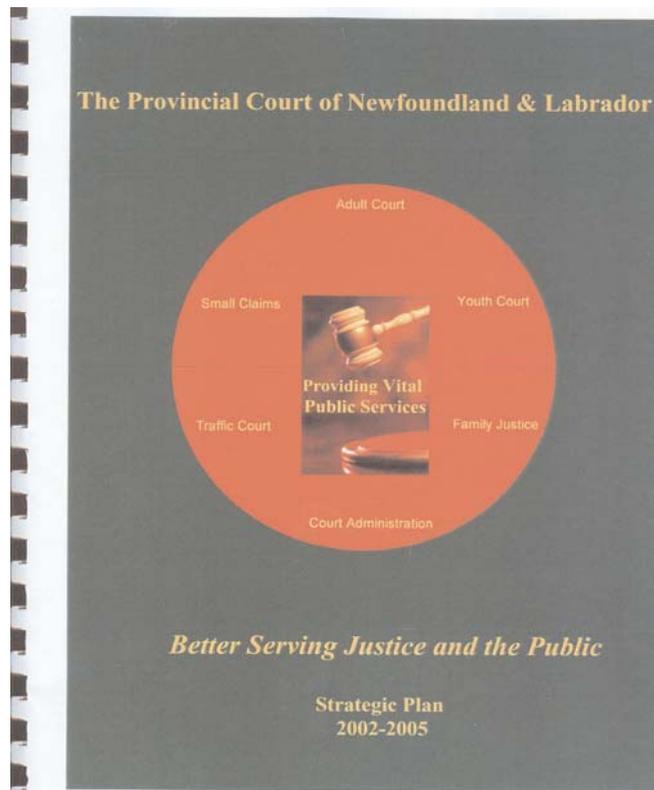


The Provincial Court's Strategic Management Planning Committee completed its consultation with court staff and the judiciary regarding the development of the Court's 2006-2009 Strategic Plan. These consultations were done via video-conference and in person and included all court centres.

As part of the consultation process, the Committee reviewed current national and provincial justice trends, provincial demographic trends, and court workload trends that impact upon the Provincial Court and will affect the Court over the life of the next Strategic Plan. As well, the Committee outlined the progress achieved under the Court's last Strategic Plan "Better Serving Justice and the Public, 2002-2005". All staff and judges helped to play a role in achieving the goals and objectives of the last plan and should be commended for their

efforts. There was much accomplished. (See Strategic Plan Report Card in Appendix C). It is hoped that the success of the last plan will inspire the Provincial Court to carry the next plan forward into 2009 with the same level of commitment.

A number of new strategic directions have been identified for the next plan including: e-courts, adoption of emerging technology, expansion of videoconferencing, interpretation standards, electronic and paper records management, improved court security, improved public access, court administration certification, and problem-solving courts-- to mention a few. The plan will be based on the model of continuous improvement which the Provincial Court adopted in its last strategic plan. By choosing to actively pursue modest and practical goals and objectives that contribute to improving court services to the public, the Provincial Court believes it has and can make significant progress. The plan will also include target dates and measures to continuously track progress on each of the objectives identified in the plan.



## STRATEGIC MANAGEMENT STEERING COMMITTEE

The Strategic Management Steering Committee (SMSC) is comprised of Chief Judge M. R. Reid, Judge C. Flynn, Judge H. Porter, Pamela Ryder Lahey, Shelley Organ, Bob Mavin, Louise Daley, and Vince Withers. Mr. Withers is a volunteer representative of the public and has sat on this committee for the last five years. The SMSC meets quarterly to discuss the implementation of the strategic plan, which may require corrective action from time to time. In addition, the SMSC discusses matters of court policy, budget, case-flow management, training and development of both judiciary and staff, future direction, and administrative improvements. Significant policy issues are approved by the SMSC.

The mandate of the committee is to ensure that the court's future is strategically aligned with environmental,

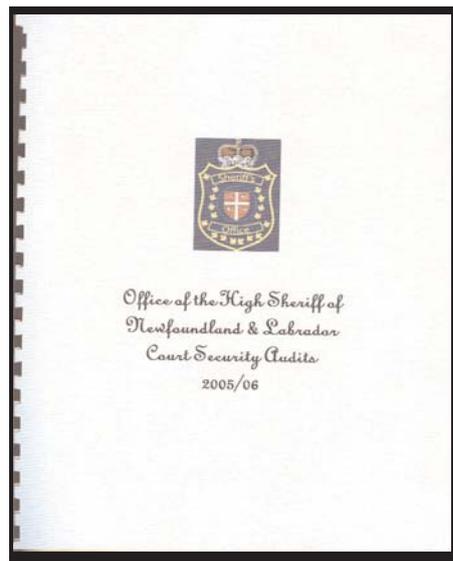
technological, demographic, justice and societal trends in accordance with our Governing Values and Mission Statement. The Provincial Court has successfully implemented its second Strategic Plan 2002-2005, following implementation of its first Strategic Plan 1997-2002. Planning for the third strategic plan, 2006-2009 is currently underway.

The successive strategic plans of the Court have been developed with input from both internal and external stakeholders, following province-wide consultations. The value of the plan has been proven time and again as it has been used to demonstrate to the Court's funding agency a vision for the court, as well as accountability for the expenditure of public resources.

## COURT SECURITY COMMITTEE

The Provincial Court Security Committee consists of seven members and is co-chaired by Louise Daley, Manager of Strategic Planning, and Chris O'Neil, Deputy Sheriff Supervisor, for the St. John's Provincial Court. Members include representatives from St. John's (Shelley Organ and Dayna Wicks), Happy Valley-Goose Bay (Judy Blake) and Corner Brook (Deborah LeMoine) court centres and Fines Administration Division, St. John's (Anne Donnelly). The members from outside St. John's are included via teleconference for the quarterly meetings. One of the prime areas that the Committee is working towards is the delivery of court security training for both staff and judges. In the fall of 2005, the Committee identified court security training objectives as part of its training development plan. The Committee has also finalized a Court Security Handbook that will be used as a companion piece to the court security training. It is the Committee's hope that regional court security training will be delivered in 2006. In addition, the Committee reviews court security incidents which occur and the

responsive actions taken. The Committee also reviews the bi-annual court security audits, as well as identifies the need for new or revised court security policies.



## OCCUPATIONAL HEALTH & SAFETY COMMITTEE

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/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 though individual staff members who are trained to recognize the risks that exist in our everyday working environments.

The Occupational Health and Safety Committee at Atlantic Place, St. John's, is made up of management and employee representatives as well as a representative from Martek, the company that manages Atlantic Place. Provincial Court representatives are Joanne Spurrell, Court Officer I, Anne Donnelly, Manager of Fines and Administration and Shelley Organ, Manager of Court Services, Eastern.

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

## WORKPLACE IMPROVEMENT COMMITTEE

The Employer and Union recognize the value of open and effective communications in maintaining a constructive labour/management relationship. To this end, this committee provides a regular opportunity to discuss ongoing issues and problems and a chance to resolve these problems to the benefit of both parties. The employer and the union hope that their effort in this initiative will help to build trust between them and create a more harmonious workplace for every-

one. Provincial Court, St. John's has an active Workplace Improvement Committee which is made up of employer and employee representatives. The committee also organizes staff socials. Committee members include Court Officers, Joanne Spurrell, Elaine Mayo, Cynthia Thorne, and Anne Donnelly, Manager of Fines Administration, and Shelley Organ, Manager of Court Services, Eastern.

## NEW EMPLOYEE ORIENTATION COMMITTEE

The Provincial Court had previously developed a New Employee Orientation Handbook that was given to all new employees and served as an introduction and reference tool. While this handbook served its purpose, it is 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. In January 2006, a new committee was formed with the objective to develop and maintain an orientation

package and program for new employees, as well as to provide guidelines for supervisors on their role in orientating new employees. The committee consists of staff from various Court Centres throughout the province, as follows: Corrine Avery(Chair) and Tonya Bishop, Clarenville, Bernice Brown, Stephenville, Christine Jenkins, Gander, Anna Warford and Shelley Organ, St. John's. Completion of this package is scheduled for the fall of 2006.

## CUSTOMER SERVICES BEST PRACTICES COMMITTEE

This new committee was organized to research and develop guidelines for best practices for dealing with internal and external stakeholders of the Provincial Courts. The committee will also address the types of services that are offered by the Court. Committee members are: Christine Care (Chair),

Cynthia Thorne, Shelley Organ, and Jody Shea, St. John's; Greta Miller, Grand Bank; Marilyn McGrath and Mary Butt, Harbour Grace. These guidelines should be available in early 2007.

## TRANSCRIPT STANDARDS MANUAL COMMITTEE

The new Transcript Standards Manual Committee was organized to develop a new comprehensive Transcript Standards Manual to assist all who prepare and/or maintain transcripts for the Provincial Court of Newfoundland and Labrador, ensuring further uniformity. The committee will also be responsible for updating and revising the manual as necessary. Committee members are: Dayna Wicks(Chair), Andrea Butt,

Shelley Organ, Dorothy O'Keefe, St. John's; Glenys Walters, Placentia; Cora Hamel, Happy Valley-Goose Bay; and Marilyn McGrath, Harbour Grace. This manual should be available in early 2007.

## PROVINCIAL COURT WEBPAGE COMMITTEE

With the assistance of Necie Mouland and Jonathan Rogers of the Office of the Chief Information Officer, the Provincial Court has embarked upon a complete redesign of its current webpage. The Provincial Court is extremely pleased with the layout and design expertise provided to them by Ms. Mouland and Mr. Rogers. The redesign will update the look of the webpage and make it easier for users to navigate and find information of interest regarding the Provincial Court. There will now be a common opening page shared by the Provincial and Supreme Courts, which will then provide access into the separate websites for each Court. The Webpage Committee consists of

Chief Judge Reid, Judge Greg Brown, Pamela Ryder Lahey, Louise Daley, Anna Warford, and Marilyn Warren. Judge Brown, in particular, has had considerable experience in webpage design and has contributed greatly to the development of the new webpage. The Committee is hopeful that the new webpage will be online as of September 2006.

## JUDGES ENROLL IN THE LL.M. MASTERS OF LAW'S PROGRAM

Over the past year Judges Flynn, Hyslop and Kennedy have enrolled in the LL.M. (Masters of Laws) External Program under the auspices of the University of London, England. All are embarked on an advanced Criminal Law Degree and will be able to use the knowledge and research within the scope of their judicial work. This is a time-consuming undertaking that the judges have undertaken outside of their normal work commitments. All three judges have successfully passed the first year in their studies. We wish them well in their final examinations as they complete the programme.



Judge Colin Flynn



Judge Robert Hyslop



Judge Patrick Kennedy



### CANADA-RUSSIA JUDICIAL PARTNERSHIP PROGRAM CONTINUES FOR 3 MORE YEARS



#### Canada-Russia Judicial Partnership Program enters Phase II

In May 2000 the Director of Court Services was asked by the Commissioner for Federal Judicial Affairs to participate in a Canadian International Development Agency (CIDA) sponsored court reform project in Russia. Working with Provincial Court judges from Calgary, Ottawa, Hull and Quebec City, Pamela Ryder-Lahey travelled to Russia over a five-year period to develop model courts in Kursk, Kaluga, and Voronezh. These model courts included administrative improvements, devolution of non-judicial functions from judges to court staff, development of court administrator positions, caseload management, and business process reengineering of court processes.

In September 2005 Pamela Ryder Lahey attended the first meeting in Russia of the three-year Phase II. While Phase II continues to support the Model Courts, the emphasis of the project has shifted to become more of a training program aimed at reaching more courts in Russia, through the arms of the Russian Judicial Academy. The Judicial Academy train judges and court staff and has branches in 10 regions of the Russian Federation. Phase II has also brought together the American (USAID sponsored) project with the Canadian project to build on synergies each donor country brings to court reform. Ryder Lahey will work with both American Court Managers and Russian professors of the Academy to incorporate caseload management, access to justice, and court process reengineering into their existing training programs. A train-the-trainer approach will be used to disseminate information to all 10 regional branches of the Judicial Academy. Internship will follow at the previously-developed model courts under Phase I.

## LUNCH WITH A JUDGE PROGRAM

This year's "Lunch with a Judge Program" was another success. Approximately 68 students from both Bishop Abraham and Holy Cross Elementary attended. Lunch with a Judge Program targets students who may be "at risk" for 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 Whitbourne Correctional Facility for Youth and is the same lunch that a youth in custody would receive if they were in custody at the Provincial Court holding cells.

The following article was reprinted with permission from Kim Kielley, a reporter with *The Express*.

### Judgement Call

Program shows youth the lock-up and feeds them prison food--hopes to act as deterrent.

The empty holding cell seems to impact the children the most.

All admit feeling cold and scared by the sight of it. The mindless etchings in the paint on the battered cement walls appear to freak them out the most.

Jeremy Simms thinks the person used their fingernails to scratch out a non-descript word. Kayla Daley suggests the person used a shoe. They all know that whoever did it must have been desperate and very much alone, sitting on an icy bench, waiting for a turn in court.

Minutes before, Patrick Dwyer tried on the handcuffs. No one giggled or made silly noises. Everyone was deadpan serious.

After seeing the holding cell, it's lunchtime. But Jeremy, Kayla, Patrick and classmate Kennedy Patrick—all Grade 6 students at Bishop Abraham Elementary School—weren't treated to pizza and pop.

Instead, they were given a typical prison lunch. It consisted of gooey white bread, glued together with a slice of bologna and mayonnaise. A cup of milk and an apple were also on the menu.

Joining them for lunch—and eating the same food—was Judge Greg Brown.

The meal, eaten in the judges' library and reading room, was the end of a two-hour tour of the courthouse. The field trip was part of a partnership between the Eastern School District and the provincial court of Newfoundland and Labrador. The initiative is called "Lunch with a Judge."

There are only two schools in St. John's participating, says Pamela Ryder Lahey, Director of Court Services.

That program, and four similar ones, were part of the Provincial Court Services' Strategic Plan. The intention was to strengthen the identity of the courts in the justice system and in society in general, explains Ryder Lahey.

In 1977, she continues, an Angus Reid poll identified a lack of public confidence in the justice system nationally.

"We were doing our strategic plan and we wanted to do something to strengthen the court in society," Ryder-Lahey says.

"The strategic plan recognized that there was a lack of public trust and confidence out there in the community."

A steering committee was struck that included court workers, judges, teachers and guidance counsellors.

"We didn't want to start big," Ryder Lahey says. "It was quite deliberate that we wanted to start working with kids from Grades 6 to 9. Twelve years old is the age when you first can get charged. We thought we'd get to them from 11 and 12, and make the formative teen years the targeted group."

Originally four schools were involved. Working through the other programs didn't prove to be as successful as concentrating on Lunch with a Judge.

It's a great partnership, says Heather Martin, guidance counsellor at Bishop Abraham Elementary School. For the past three years, her school has been participating.

Martin says it's more of a preventative thing and "reinforces what we're teaching in our curriculum."

Principal JoAnn Skinner agrees. She says that it reinforces the Roots of Empathy classes at the school.

"It's really providing the children with the best information to make the best choices," she says.

"The program is phenomenal. The kids aren't aware of the judicial system. Now that they're turning 12, they need to know what happens if you break the law," says Martin.

But the program isn't all about breaking the law and how it applies to a youth after the 12th birthday.

It also stresses the importance of maintaining a good reputation and avoiding drugs and alcohol.

Judge Brown, who been with Lunch with a Judge almost since the beginning, has played a major role in the programs's success.

He's joined by a handful of provincial judges and court staff who also volunteer during their lunch hours.

If time allows, Brown also accompanies the children through their tour of the courts and cells.

"You don't want them (the children) to go in there and say this is a happy place," Martin says.

"It's not supposed to be pleasant and that's not a bad thing."

*The Court is indebted to Judge G. Brown, Judge D. Orr, Judge R. Hyslop, Christine Care, Dolores Hutton, Shelley Organ and Anna Warford for their continuing involvement and being the "face" of the Court in this volunteer program.*



## STUDENTS

On Wednesday, November 2, 2005, two students from Clarenville High School attended a full day at the Provincial Court, Clarenville, as part of their “Take your Kids to Work Day”. These students observed a sitting of the court and then spent the remainder of the day in the general office/registry assisting staff when needed. This program is a requirement for all Grade 9 students. These students were eager to observe and learn and participate in the day to day operation of the court.

This program is developed to give kids a greater understanding of what it is like to be in the workforce. Marilyn Avery’s daughter, Carol, participated as did Tonya Bishop’s daughter, Samantha.



L-R: Samantha Bishop, Judge P. Kennedy, and Carol Avery

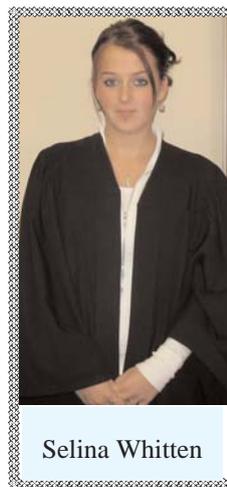
Carol Avery

Samantha Bishop

Linda Gallant, a student from the College of the North Atlantic in Carbonear, did a four-week work term with the Harbour Grace, Provincial Court. Linda is doing a Business Administration course which includes courses such as accounting and marketing, amongst others.

Linda was a great asset to the court during her work term. She was punctual, eager and willing to learn and blended well with her co-workers. In a very short time it was obvious that Linda was a quick learner and a reliable worker. Her tasks included entering cards on Criminal History, making entries on our Provincial Court Information System (PCIS)—both new and updates, coding traffic tickets and sitting in Court.

The staff of the Harbour Grace Provincial Court welcomed and were pleased to have Linda work with them.



Selina Whitten

Selina Whitten is a Co-op student from Gonzaga High School who spent two afternoons a week at the St. John’s Provincial Court. Selina observed and assisted in all divisions at the Provincial Court and found it to be very interesting. She opened and closed court, swore in witnesses, labeled exhibits, assisted in the Registry, checked approximately 9000 criminal record cards, matched up traffic tickets for entry into the Ticket Management System, and assisted in general day-to-day operations of the Provincial Court. Selina hopes to pursue a career as a Court Officer I.

## THE NORRIS REPORT

Much of 2005/06 was spent either in anticipation of or responding to the Study on the “*Management, Organization and Operations of the Provincial Court of Newfoundland and Labrador*,” of what is now known as “*The Norris Report*”. The Terms of Reference follow:

In accordance with the strategic planning initiative which has been undertaken by the Court, and taking account of the announcement by Government of a government-wide programme renewal exercise in 2004, and pursuant to an understanding between the Chief Judge of the Provincial Court of Newfoundland and Labrador and the Minister of Justice and Attorney General of Newfoundland and Labrador, the Provincial Court will conduct a review of its management, administration and operations in accordance with the following Terms of Reference.

1. The review will encompass the management, administration and operation of the Provincial Court of Newfoundland and Labrador.
2. The objectives of the review are:
  - (a) to examine the existing management and administrative structure of the Court in terms of efficiency, service delivery, equality of availability of services and general public accessibility;
  - (b) to assess policies relating to staff development, training, management of resources, including court-rooms, and current information technology support;
  - (c) to identify and assess the needs of the Court with respect to its function as an independent branch of government and its position in the constitutional structure of the country, and to assess existing funding levels;
  - (d) to examine the Court’s approach to the development of performance standards with respect to service to the public;
  - (e) to identify operational efficiencies and how savings resulting from such efficiencies can be better and more productively employed;
  - (f) to examine the Court’s approach to strategic planning;

(g) to examine the adequacy of courthouse facilities and to make recommendations for long-term development of physical facilities;

(h) to consider the potential benefits that may flow from, and the feasibility and extent of possible sharing of resources with respect to administration in the Provincial Court and the Trial Division of the Supreme Court without undermining the independent character of the Court’s operations;

(i) to assess the needs of the Court for improved electronic information and document management and the use of information technology, and to make recommendations concerning same;

(j) to assess the feasibility of the use of technology such as videoconferencing, in the operation of the Court, particularly in remote locations and how that could improve efficiency and service delivery;

(k) to review the disparity in security services at the various judicial centres, and to consider the appropriateness of extending sheriff’s service across the province;

(l) to make preliminary observations on possible appropriate models of administrative relationships between the Court and the executive branch of government.

3. The review process will be governed by the following general principles:

(a) the need to ensure the maintenance of the independence of the judiciary and the place of the Court, in the constitutional structure of the country;

(b) the need to ensure accountability for the expenditure of public funds.

4. The review process shall include consultations with:

(a) the Chief Judge;

(b) the Minister;

## THE NORRIS REPORT CONT'D

- (c) Provincial Court Judges;
- (d) Court staff (who shall be encouraged to provide input and ideas for improvement);
- (e) such other officials of the Court as may be designated by the Chief Judge or whom the consultant deems it appropriate to consult;
- (f) such officials of the Department of Justice, the Executive Council and Treasury Board as may be designated by the Minister or whom the consultant deems it appropriate to consult;
- (g) such officials of the Supreme Court of Newfoundland and Labrador as may be designated by the Chief Judge or the Minister, on consultation with the Chief Justice;
- (h) the High Sheriff of Newfoundland and Labrador and such officials of his office as the consultant deems it appropriate to consult;
- (i) such officials of the Department of Transportation and Works as may be designated by the Minister or whom the consultant deems it appropriate to consult;
- (j) such officials of other Canadian Courts in comparable circumstances as may provide other perspectives on court organization;
- (k) such other parties as recommended by the Chief Judge.

5. The deliverable of the review will be a report which will address the matters contained in these Terms of Reference, as well as other matters necessary to achieve the objectives of the review.

6. The report will be delivered, first to the Chief Judge who will consult with the Minister. After approval, the report will be delivered to the newly-created Court Services Advisory Board. Following review by the Board, the report will be submitted to Cabinet for consideration as part of the government's budget process.

7. The consultant will conduct the investigation and examination of the various aspects of the management, administration and operation of the Court, and be accountable for reflecting these Terms of Reference in the recommendations in the final report.

8. The consultant will seek advice and information from the various stakeholders in the operation of the Court, including the Law Society and the Newfoundland Branch of the Canadian Bar Association, and may also consult with representatives of citizens who come before the Court as litigants.

The Norris Report was tabled in December 2005. The findings were subsequently presented to judges and staff in January/February 2006 through a series of lunch hour presentations, both in person and through electronic means.

In summary, the key recommendations included the integration of the administration of both courts with a new organizational structure, headed by an Executive Director of Courts. This proposed integration recommended a single Manager/Supervisor for both levels of court in centres where both courts share the same facility.

The Report also recommended that the Courts' budget be sent to the Courts Administration Advisory Board initially and then to Treasury Board, bypassing the Department of Justice. Other recommendations dealt with resource allocations, facility recommendations, and the development of performance standards.

By the end of the 2005/06 fiscal year, Government had not formally responded to the recommendations in the Report.

## LINDA FITZGERALD - COURT ADMINISTRATOR-WABUSH RETIRES

by: *Judy Blake*



Linda Fitzgerald started with the Provincial Court in Wabush in June 1992. The court office at that time operated on a full-time basis but court sittings only operated at one week per month. She worked as Court Clerk, mainly in the courtroom, with the duties of a Court

Reporter. She also relieved the Court Administrator in the office, when she was on leave.

In 1996 the Provincial Court in Wabush went into half-time operation, with a judge sitting only one week per month. Linda then took on the role of Court Administrator. She relays that the job has been challenging is an understatement. There have been many changes in the 14 years she has been working in the court system. During her years with the Provincial Court, she has worked with five different judges— mainly those working out of Happy Valley-Goose Bay. One of the biggest changes she has witnessed was the courtroom recording system being changed from dual cassette recording to the new FTR recording equipment. This equipment, together with the use of a computer is used to enter log notes, whereas before the log notes, were handwritten. Linda states that the administrative part of the court is changing every day. When she started, most of the court orders were done using a typewriter filling in the blanks, now it is all computerized. Linda has also seen changes in Small Claims, Family and Youth. When you finally think you have the changes conquered, wham! new policy and procedures are being implemented. Linda comments that “it’s a new learning experience every day”.

Linda has worked mainly as the sole employee in the office except for court week and says that in itself was an experience. She says the cooperation of all the people she has met and those she has only spoken with were a tremendous help to her. She also states that working only 12 hours per week was stressful, at times, to say the least. The office has since resumed its full-time status since May 2005.

This past 14 years has also brought many personal changes to Linda as well. Her husband, Dave, has been retired for three years and her children are now married and living away. Her daughter Denise is living in Vancouver, BC, and her son Blair is living in Peterborough, ON. Linda has been blessed with two beautiful grandchildren, Hailey age 2 and Shane 8 months. Linda says that although she is now planning her retirement from work, she still plans to be very active in her retirement years and she is hoping to travel, spend time with her children and grandchildren, relax and have fun. She has no immediate plans on leaving Labrador.

Some of Linda’s most favorable memories working with the court were the times she spent attending court conferences. Linda says it was a means to interact with other Court Administrators, to learn, to compare and, of course, to form lasting friendships. She says that she thinks that the things she will miss most are first and foremost the people that she interacted and worked with everyday. Linda goes on to say that she will miss being a member of the working class and she thinks that she will “sometimes” even miss the stress associated with the job. However, she says she will definitely **NOT** miss getting up at 46 degrees below zero to go to work.

All court administrators, judges and staff wish Linda nothing but the best of good health and many, many happy retirement years.

## FLORENCE TUCKER - COURT ADMINISTRATOR GRAND FALLS-WINDSOR RETIRES

From a farmer's daughter in Chamberlains, Conception Bay South, to Court Administrator in Grand Falls-Windsor, NL.

Church and community. She states, "I can now take time to smell the roses and ride my motor cycle with the wind beneath my wings."

Florence's career began upon completion of a Business Course at Seal Cove District Vocational School in 1965 to a position with the Department of Health, St. John's to the RCMP Criminal Investigation's Branch at Pleasantville under the supervision of Staff Sergeant A.S. LeGrow who later became Judge A.S. Legrow. From there to Instructor at Burin District Vocational School and then to the Bank of Nova Scotia, Grand Falls-Windsor, where she once again met up with Judge LeGrow and commenced employment with the Provincial Court on July 15, 1975, temporarily and was made permanent on September 8, 1975. Florence came with the Court as a Court Reporter and was promoted to a Court Officer II in October 1987. She has worked with several Judges, including Judges LeGrow, Davis, Stone, Reid, Whiffen, Fowler, Goulding, and Chalker.

Florence attended all Court Officers' Conferences and over the years completed numerous training courses in leadership and supervision offered by the Department and Public Service Commission, as well as a variety of business/computer upgrading courses offered by the local Community College and Private Schools. Florence also completed French Language training up to Intermediate I in 2005. In addition to Court Administrator duties, over the years Florence has had extensive involvement with public and private post-secondary institutions by accepting work-term students, providing training, supervision and evaluations, as well as providing classroom presentations. Florence says she has enjoyed her 30 plus years with the Department of Justice collaborating with Judges, Lawyers, Crown, RCMP, Probation Officers, Youth Workers, General Public, and "even our offenders, God bless them". To Supervisors, Peers, and Staff that she has had the pleasure of working with over the years, she expresses her appreciation and wishes them good health, success and God's peace. In retirement, Florence intends to enjoy summers camping with her husband, Doug, in their RV, more time with her family and remain active within her



*Florence Tucker*  
*Court Administrator - Grand Falls-Windsor*

**PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR**  
**JUDGES AND STAFF**  
**FY 2005/06**

<b><u>Chief Judge's Office</u></b> Chief Judge M. R. Reid Marilyn Warren	<b><u>St. John's</u></b> Judge J. A. Woodrow Judge W. Baker Judge G. Brown Judge R. Hyslop Judge D. Orr Judge D. Power Judge J. Rorke Judge L. Spracklin Judge R. Smith	Andrea Butt Christine Care Michelle Cook Anastasia Dunn Susie Fewer Gwen Halliday Darlene Haring Dolores Hutton Marlene Kenney Elaine Mayo Dorothy O'Keefe Wendy Penney Pamela Penton	Anne Power Jackie Power Maureen Quinn Patricia Ricketts Jody Healey Patricia Sheehan Joanne Spurrell Cynthia Thorne Denise Wade Joanne Walsh Dayna Wicks
<b><u>Court Services</u></b> Pamela Ryder Lahey Shelley Organ Bob Mavin (Cr. Brook) Louise Daley Anna Warford			

<b><u>Harbour Grace</u></b> Judge C. Flynn Mary Butt Shirley Hogan Marilyn McGrath	<b><u>Corner Brook</u></b> Judge D.S. Luther Judge W. Gorman Judge K. Howe Brenda Eldridge Catherine Halbot Suzan Hartley Carolyn Hobbs Mary Hynes Deborah Lemoine Erika Perry Lynn Ruth Madonna Vaters Beverly Young	<b><u>Stephenville</u></b> Judge Allen-Westby Bernice Brown Jennifer Dawson Agnes Kendall	<b><u>H.V. -Goose Bay</u></b> Judge Wm. English Judge Bruce Short Judy Blake Debbie Fillier Cora Hamel Lisa Winters
<b><u>Placentia</u></b> Glenys Walters		<b><u>Grand Falls-Windsor</u></b> Judge T. Chalker Judge R. Whiffen Donna Antle Vicki Caravan Terry Harvey Katherine Oake Mary Ann Rowsell <b><i>Florence Tucker*</i></b> Sandra Wheeler	<b><u>Wabush</u></b> <b><i>Linda Fitzgerald*</i></b> Joan Davis Paige Blake (P/T)
<b><u>Clarenville</u></b> Judge P. Kennedy Corrine Avery Marilyn Avery Tonya Bishop			
<b><u>Grand Bank</u></b> Judge H. Porter Mildred Bennett Lucy Dominaux Greta Miller	<b><u>Gander</u></b> Judge D. Peddle Judge G. Harding Phoebe Broomfield Christine Jenkins Cindy Oldford Rita Pritchett Mary Rose		<b><i>*NOTE: Florence Tucker and Linda Fitzgerald retired during the 2005-06 fiscal year.</i></b>

**JUDGES AND STAFF**

# APPENDICES

## APPENDIX “A”

**Total Appearances - Adult Court  
Five Year Period  
FY 2001-2006**

Court	'01-02	'02-03	'03-04	'04-05	'05-06
Clarenville	2599	2871	3596	3997	3942
Corner Brook	8085	7445	10476	9967	10034
Gander	4520	4801	4589	3838	4432
Grand Bank	2241	2569	2296	2802	2883
Grand Falls-Windsor	4178	4644	4511	3998	3929
Happy Valley-Goose Bay	7110	7049	7462	7358	7463
Harbour Grace	3017	4159	4342	4338	3372
Placentia	2042	1971	1866	1760	1148
Springdale*	1099	981	1335	583	0
St. John's	41633	42607	45397	48800	47693
Stephenville	4585	4210	4622	4240	5142
Wabush	994	930	1020	1525	1213
<b>TOTAL</b>	<b>82103</b>	<b>84237</b>	<b>91512</b>	<b>93206</b>	<b>91251</b>

**Total Appearances - Youth Court  
Five Year Period  
FY 2001-2006**

Court	'01-02	02-03	'03-04	'04-05	'05-06
Clarenville	358	412	299	427	326
Corner Brook	1628	2171	1872	1856	1855
Gander	1611	1055	1016	1122	684
Grand Bank	687	449	367	349	511
Grand Falls-Windsor	2226	1762	809	738	1202
Happy Valley-Goose Bay	1597	2067	1178	1480	1522
Harbour Grace	619	650	1250	1033	509
Placentia	691	554	623	322	171
Springdale*	211	529	340	43	0
St. John's	8020	8620	9646	7655	5353
Stephenville	948	760	860	486	722
Wabush	241	225	84	118	137
<b>TOTAL</b>	<b>18837</b>	<b>19254</b>	<b>18344</b>	<b>15629</b>	<b>12992</b>

*\*Note: Springdale Court closed August 2005*

## **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	1996-97	1002	212	613	1185	144	0	1971
	1997-98	885	131	247	1081	342	0	1605
	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

SOTs Procs'd	SOTs Trials
2354	N/A
2127	N/A
1567	N/A
1939	N/A
1759	N/A
2016	N/A
3609	N/A
2107	47
1418	96
1815	20

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family New	Family Concluded	TOTAL
Corner	1996-97	2156	864	1439	2319	830	0	5289
Brook	1997-98	2238	708	1103	776	910	0	4959
	1998-99	2442	646	644	1053	1570	0	5302
	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

SOTs Procs'd	SOTs Trials
10244	N/A
10869	N/A
10458	N/A
9894	N/A
8615	N/A
8618	N/A
9228	N/A
6856	164
7164	183
8165	209

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Gander	1996-97	1296	312	651	1512	144	0	2403
	1997-98	1152	275	395	734	234	0	2056
	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

SOTs Procs'd	SOTs Trials
7066	N/A
3885	N/A
3962	N/A
3277	N/A
2859	N/A
2904	N/A
2888	N/A
2991	38
2513	43
3319	208

*\*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
<b>Grand</b>	<b>1996-97</b>	832	127	211	417	66	0	<b>1236</b>
<b>Bank</b>	<b>1997-98</b>	764	151	134	229	250	0	<b>1299</b>
	<b>1998-99</b>	778	146	123	228	186	0	<b>1233</b>
	<b>1999-00</b>	699	192	141	225	73	0	<b>1105</b>
	<b>2000-01</b>	680	155	75	173	111	0	<b>1021</b>
	<b>2001-02</b>	657	232	83	232	126	0	<b>1098</b>
	<b>2002-03</b>	979	235	111	289	129	0	<b>1454</b>
	<b>2003-04</b>	869	137	88	197	57	72	<b>1151</b>
	<b>2004-05</b>	1023	164	45	167	84	38	<b>1316</b>
	<b>2005-06</b>	839	204	52	115	82	24	<b>1177</b>

SOTs Procs'd	SOTs Trials
1488	N/A
1100	N/A
773	N/A
1210	N/A
753	N/A
618	N/A
875	N/A
787	5
767	6
1524	26

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family New	Family Concluded	TOTAL
<b>Grand</b>	<b>1996-97</b>	1233	426	0	154	305	0	<b>1964</b>
<b>Falls-</b>	<b>1997-98</b>	957	279	0	79	362	0	<b>1677</b>
<b>Windsor</b>	<b>1998-99</b>	739	313	0	132	365	0	<b>1417</b>
	<b>1999-00</b>	874	361	0	116	339	0	<b>1690</b>
	<b>2000-01</b>	745	266	0	184	366	0	<b>1377</b>
	<b>2001-02</b>	1108	573	7	92	359	0	<b>2047</b>
	<b>2002-03</b>	1011	467	0	73	357	0	<b>1835</b>
	<b>2003-04</b>	1096	254	29	59	169	51	<b>1548</b>
	<b>2004-05</b>	1256	252	147	492	172	114	<b>1827</b>
	<b>2005-06</b>	955	247	218	646	230	182	<b>1650</b>

SOTs Procs'd	SOTs Trials
3216	N/A
3914	N/A
4203	N/A
4638	N/A
4187	N/A
3987	N/A
3145	N/A
3361	81
3721	76
3331	268

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family New	Family Concluded	TOTAL
<b>Harbour</b>	<b>1996-97</b>	1020	157	432	839	102	0	<b>1711</b>
<b>Grace</b>	<b>1997-98</b>	931	263	268	237	242	0	<b>1704</b>
	<b>1998-99</b>	913	224	262	167	192	0	<b>1591</b>
	<b>1999-00</b>	1012	253	245	130	151	0	<b>1661</b>
	<b>2000-01</b>	814	164	193	233	129	0	<b>1300</b>
	<b>2001-02</b>	680	196	203	277	115	0	<b>1194</b>
	<b>2002-03</b>	797	185	213	321	174	0	<b>1369</b>
	<b>2003-04</b>	883	290	187	319	91	43	<b>1451</b>
	<b>2004-05</b>	746	139	92	213	99	58	<b>1076</b>
	<b>2005-06</b>	766	162	72	176	83	75	<b>1083</b>

SOTs Procs'd	SOTs Trials
1546	N/A
842	N/A
787	N/A
1353	N/A
1927	N/A
1970	N/A
892	N/A
672	22
791	33
713	26

**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-	1996-97	1393	704	150	495	131	0	2378
Goose	1997-98	1432	624	112	183	191	0	2359
Bay	1998-99	1624	488	148	190	194	0	2454
	1999-00	1503	408	103	172	187	0	2201
	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

SOTs Procs'd	SOTs Trials
799	N/A
1461	N/A
1003	N/A
1201	N/A
1239	N/A
669	N/A
706	N/A
739	0
435	5
625	15

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Placentia	1996-97	668	124	63	103	93	0	948
	1997-98	735	165	27	26	124	0	1051
	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

SOTs Procs'd	SOTs Trials
904	N/A
1214	N/A
887	N/A
1168	N/A
852	N/A
752	N/A
467	N/A
449	18
553	10
228	6

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Springdale**	1996-97	544	117	1246	1892	170	0	2077
	1997-98	407	131	694	1588	241	0	1473
	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

SOTs Procs'd	SOTs Trials
1162	N/A
665	N/A
913	N/A
1073	N/A
1361	N/A
1147	N/A
768	N/A
590	54
285	0
0	0

**\*\*NOTE:** As of August 2004, Springdale Court is a Circuit 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	1996-97	1424	474	908	720	521	0	3327
	1997-98	1350	393	230	816	616	0	2589
	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

SOTs Procs'd	SOTs Trials
2554	N/A
2741	N/A
2093	N/A
3343	N/A
2120	N/A
2219	N/A
2373	N/A
1739	34
1593	35
1681	26

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
St. John's	1996-97	8950	3139	4833	5920	0	0	16922
	1997-98	8925	1868	3205	4056	0	0	13998
	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

SOTs Procs'd	SOTs Trials
0	N/A
0	N/A
2914	N/A
2001	N/A
103479	N/A
133726	N/A
142722	N/A
131783	1021
120316	792
130136	814

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Wabush	1996-97	370	142	41	54	19	0	572
	1997-98	326	130	175	42	52	0	683
	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

SOTs Procs'd	SOTs Trials
483	N/A
766	N/A
774	N/A
593	N/A
494	N/A
544	N/A
603	N/A
601	4
411	10
324	13

Court	Fiscal Year	Adult	Youth	Civil New	Civil Follow-up	Family* New	Family Concluded	TOTAL
Overall	1996-97	20888	6798	10587	15610	2525	0	40798
	1997-98	20102	5118	6590	9847	3564	0	35374
	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

SOTs Procs'd	SOTs Trials
31816	N/A
29584	N/A
30334	N/A
31690	N/A
129645	N/A
159167	N/A
168276	N/A
152675	1488
139967	1289
151861	1431

## APPENDIX “C”

# STRATEGIC PLANNING REPORT CARD

*by: Louise Daley*

<b>STRATEGIC DIRECTION: Human Resources Development</b>		
<b>STRATEGIC GOALS</b>		
<b>(A=Accomplished, NC=Not Completed, NA=Not Applicable, O=Ongoing)</b>		<b>2005/06</b>
1.	Develop a formal policy paper and guidelines for the professional development of the judiciary.	<b>NC</b>
2.	Draft a specific set of guidelines focused on developing the administrative and managerial skills of Court Administrators.	<b>A</b>
3.	Prepare a specific set of guidelines for job skills development for court officers focused on development of computer skills, quality service, small claims administration, transcript production and management, with special emphasis on the "Train the Trainer" Model.	<b>A</b>
4.	Designate a Professional Development and Training Budget Allocation in future budgets tied to an indicator (days training/employee and/or a percent of budget)	<b>A</b>
5.	Develop a separate annual training plans for the judiciary, management, and staff (identify a prime mover and include a training needs assessment survey).	<b>A</b>
6.	Initiate an annual personnel performance review for every court employee, with emphasis on career planning.	<b>A</b>
7.	Review the organizational model with a view to strengthening the administration and equitable distribution of responsibility for Human Resources issues.	<b>A</b>
8.	Develop a staff recognition program based on service, performance and volunteerism.	<b>A</b>

<b>STRATEGIC DIRECTION: Technology/Facilities Requirements</b>		
<b>STRATEGIC GOALS</b>		
<b>(A=Accomplished, NC=Not Completed, NA=Not Applicable, O=Ongoing)</b>		<b>2005/06</b>
1.	Digital Recording Equipment Implementation: Provide a process for training, continuous upgrade, and explore accessibility options.	<b>A</b>
2.	Expand video conferencing application for circuit court matters.	<b>A</b>
3.	Expand Webpage to include: Policy and Procedure Manual, Legal Forms and Trial Dockets.	<b>A</b>
4.	Develop a position paper on feasibility of the Smart Courtroom concept that reflects the latest and best practices in courtroom administration and security.	<b>A</b>
5.	Redesign the Case Management Tracking System to support active Caseload Management throughout the Provincial Court System.	<b>A</b>
6.	Complete province-wide access requirement to PCIS to partners in Justice.	<b>A</b>
7.	Acquire laptops for all Provincial Court Judges	<b>N/A</b>
8.	Acquire laptops and printers for circuit court locations without computer support.	<b>A</b>
9.	For Circuit Court held within government-owned buildings establish computer workstations.	<b>A</b>
10.	Provide access to legal databases from the Bench.	<b>O</b>



<b>STRATEGIC DIRECTION: Administrative Improvements (cont'd)</b>		
<b>STRATEGIC GOALS</b>		
<b>(A=Accomplished, NC=Not Completed, NA=Not Applicable, O=Ongoing)</b>		<b>2005/06</b>
9.	Proactively move the Provincial Court towards a Court Performance Standards Model. - Develop a measurement system of approximately 10 key indicators that measure the broad performance of court. These must be reasonable benchmarks that focus on the measurement of timeliness, accessibility and operational efficiency	<b>O</b>
10.	Make Interac and Visa available as a method of payment	<b>O</b>
11.	Develop a dress code for staff who are assigned to the courtroom.	<b>A</b>
12.	Conduct an Annual Review of Circuit Court System to determine its overall effectiveness.	<b>A</b>

<b>STRATEGIC DIRECTION: Strengthen Internal and External Communication</b>		
<b>STRATEGIC GOALS</b>		
<b>(A=Accomplished, NC=Not Completed, NA=Not Applicable, O=Ongoing)</b>		<b>2005/06</b>
1.	Expand and develop the webpage as a tool for internal communication (i.e. Policy and Procedure Manual) and public education.	<b>A</b>
2.	Improve communication with the Department of Justice by: - Preparing and presenting Annual Report to the Minister on activities and priorities of the Provincial Court.  - Preparing and presenting a mid-year Progress Report including priorities for next fiscal year	<b>A</b>  <b>A</b>
3.	Produce a quarterly Newsletter (brief informative)	<b>A</b>
4.	Develop a Public Education Program - Investigate the idea of a Court Day similar to Law Day - Continue the "Taking the Courthouse to the Schoolroom Program" - Institute visitation by Judges. Program to include post-secondary institutes. - Introduce a reasonable education program for relevant court stakeholder group.	<b>NC</b> <b>A</b> <b>NC</b> <b>A</b>
5.	Improve our Internal Communications Program by: - Annual Court visits by the Director - Quarterly meetings of the Judges by Teleconference - Monthly staff meetings at each court centre and forward minutes to the Director - Bi-monthly teleconference meetings between the Director and Court Administrator	<b>A</b> <b>A</b> <b>A</b> <b>NC</b>
6.	Develop and implement a bi-annual Employee Opinion Survey and prepare analysis and report on actions required.	<b>A</b>
7.	Develop and implement an annual Opinion Survey for relevant external stakeholders.	<b>NC</b>
8.	Strengthen our communication with the Supreme Court on matters such as Case Management and to avail of shared opportunities with respect to operational efficiencies.	<b>A</b>
9.	Develop an Employee Information Guide	<b>A</b>

<b>STRATEGIC DIRECTION: Court Performance Standards</b>		
<b>STRATEGIC GOALS</b>		
<b>(A=Accomplished, NC=Not Completed, NA=Not Applicable, O=Ongoing)</b>		<b>2005/06</b>
1.	Establish a set of Key Indicators for Court Performance*	<b>O</b>
2.	Collect and review caseload information to establish past and current performance levels.	<b>A</b>
3.	Establish Benchmark Performance Indicators for efficient caseload management.	<b>O</b>
4.	Revise Case Management Database format to ensure it captures essential case statistics.	<b>A</b>
5.	Establish format and content for monthly statistical reports for Chief Judge's review and action.	<b>A</b>
6.	Develop Court Rules to support collection of case information (i.e. reason for request for delay)	<b>A</b>
7.	Publish key indicators for internal use.	<b>O</b>

**\*NOTE: Examples include: Caseload per court centre, age of cases, rates of court delay, transcript production rates, average case processing time, etc.**

**APPENDIX “D”**

## WEEKEND ARRESTS FY 2005-06

MONTH	NUMBER OF ARRESTS ST. JOHN'S	NUMBER OF PROVINCE ARRESTS OUTSIDE ST. JOHN'S	PROVINCIAL TOTAL
APRIL 2005	32	26	58
MAY 2005	20	14	34
JUNE 2005	24	14	38
JULY 2005	24	22	46
AUGUST 2005	17	16	33
SEPTEMBER 2005	28	14	42
OCTOBER 2005	32	23	55
NOVEMBER 2005	38	19	57
DECEMBER 2005	37	14	51
JANUARY 2006	29	4	33
FEBRUARY 2006	17	15	32
MARCH 2006	26	9	35
<b>TOTAL</b>	<b>300</b>	<b>190</b>	<b>490</b>

*The Total Average Arrests per day = 4.3*