



# Office of the Registrar of the Supreme Court of Canada

2021-22 Departmental Plan

**Supplementary Information**



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## Supplementary information

Raison d’être, mandate and role: who we are and what we do

### **Raison d’être**

Created by an Act of Parliament in 1875, the Supreme Court of Canada (SCC) is Canada’s final court of appeal. It serves Canadians by deciding legal issues of public importance, thereby contributing to the development of all branches of law applicable within Canada.

The independence of the Court, the quality of its work and the esteem in which it is held both in Canada and abroad contribute significantly as foundations for a secure, strong and democratic country founded on the Rule of Law. The Supreme Court of Canada is an important national institution, positioned at the pinnacle of the judicial branch of government in Canada, separate from and independent of the executive and legislative branches of government.

The Office of the Registrar of the Supreme Court of Canada (‘ORSCC’) provides all necessary services and support for the Court to process, hear and decide cases. It also serves as the interface between litigants and the Court.

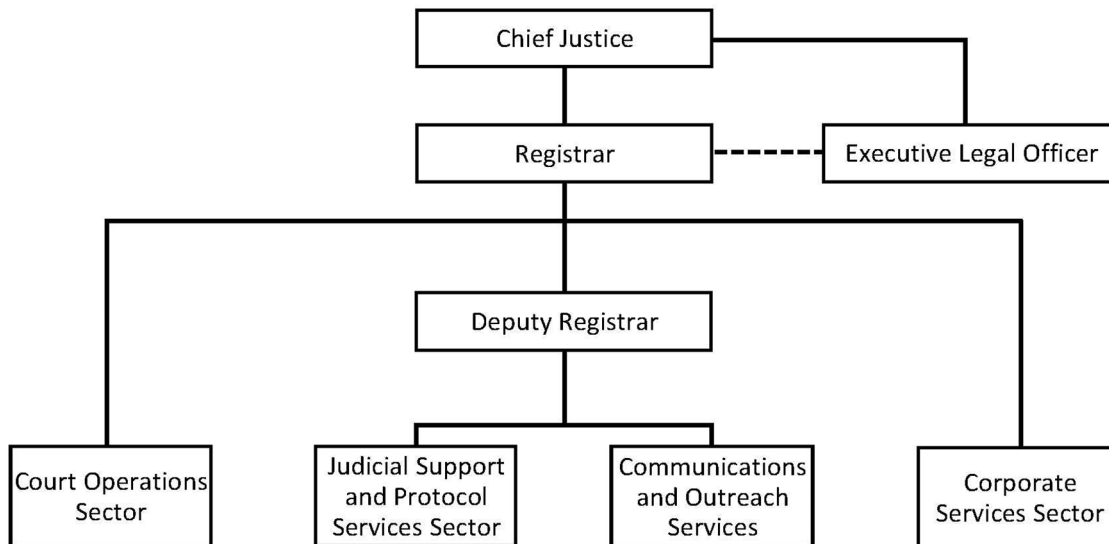
More detailed information on the Court’s responsibilities, the hearing process and judgments is available on the [Supreme Court of Canada website](#).

### **Mandate and role**

In accordance with the *Supreme Court Act*, the Court consists of nine judges, including the Chief Justice of Canada, all of whom are appointed by the Governor in Council. The Court hears appeals from the decisions of the highest courts of final resort of the provinces and territories, as well as from the Federal Court of Appeal and the Court Martial Appeal Court of Canada. In addition, the Court provides advisory opinions on questions referred to it by the Governor in Council. The importance of the Court’s decisions for Canadian society is well recognized. The Court assures uniformity, consistency and correctness in the articulation, development and interpretation of legal principles throughout the Canadian judicial system. Its jurisdiction is derived from the *Supreme Court Act* and other Acts of Parliament, such as the *Criminal Code*.

The *Supreme Court Act* provides that the Registrar shall, under the direction of the Chief Justice, superintend the officers, clerks and employees of the Court, report and publish the judgments of the Court, as well as manage and control the library of the Court. The Registrar is appointed by the Governor in Council and heads the Office, being responsible for the management of its

employees, resources and activities. The organization of the Office is depicted in the following diagram and further explained in the paragraphs below.



**Judicial Support and Protocol Services Sector:** The Judicial Support and Protocol Services Sector is responsible for the delivery of all judicial support services to the Chief Justice of Canada and to the judges of the Court, including protocol matters and facilitating the Court’s international role, as well as the development and delivery of integrated judicial support programs and services, judicial support administration and the Law Clerk program.

**Communications and Outreach Services:** The Communications and Outreach Services Branch develops and implements communication strategies, plans and programs to increase public awareness and understanding of the Supreme Court of Canada, as well as responds to requests for information and provides guided tours of the Court building. It also works to enhance internal communications within the Court.

**Court Operations Sector:** Composed of the Law Branch, Reports Branch, Registry Branch, Library Branch, and Information Management Branch, this sector is responsible for the planning, direction and provision of legal advice and operational support for the judges of the Court in regard to all aspects of the case management process, from the initial filing to the final judgment on an appeal. This includes processing and recording proceedings, scheduling of cases, legal and jurilinguistic services, legal research and library services, legal editing services and the publication of the *Canada Supreme Court Reports*. Information management services include case-related and corporate records information. The Registry is the point of contact between the

Court and litigants and provides information and services to counsel and litigants, including unrepresented litigants.

**Corporate Services Sector:** Administrative and operational support for all the Court’s judges and staff is provided by the Corporate Services Sector, which is responsible for: strategic, business and resource planning; corporate reporting; management accountability; integrated risk management; finance; procurement; accommodations (including telecommunications, mail and printing services); human resources; security; health and safety; emergency management and preparedness; IT services; as well as business continuity planning.

## Operating context

The operating environment of the ORSCC is continuously evolving. The focus in recent years has been on business process improvement, information management and enhancing electronic access for litigants and the public. As the ORSCC prepares for a building rehabilitation initiative for the Supreme Court of Canada Building, resources are dedicated over the short and long term to ensure that pressures related to the aging Court building and operational facilities are managed effectively. In collaboration with Public Services and Procurement Canada, work is continuing on planning all aspects of the building.

In recent years, the Court has seen relative stability in its caseload, but there continue to be operational pressures on the ORSCC. These arise from the requirement to (i) provide more services to the Court, litigants, and the public; (ii) meet the needs of a significant number of self-represented litigants; and (iii) maintain operations in aging facilities with limited resources.

There is also a continued focus on the electronic exchange of information between or from the judges, Court staff, the legal community and the public, since there is an expectation that electronic tools and processes can be used to obtain or provide Court information, as well as to file documents. In that regard, the complete series of the *Canada Supreme Court Reports* has been made available on the website. The 2019 amendments to the *Rules of the Supreme Court of Canada* allow parties to serve all documents by e-mail, provide hyperlinks instead of photocopies of supporting documents, reduce the requirement to file paper copies of some documents and permit the electronic management of specified processes by allowing for facsimile signatures on Court orders. These and other amendments serve to enhance the critical importance of the business transformation program to achieve its current and future milestones, namely the ability:

- to receive, manage and preserve Court records in electronic format;
- to enable electronic filing by the legal community and parties to proceedings in a secure portal;

- to communicate effectively with counsel and litigants through multiple and secure channels;
- for Court staff to manage both paper and digital documents in a single management system simultaneously; and
- to manage a robust information security permissions framework so as to limit access to documents with restrictions, as appropriate.

In addition to the above, self-represented litigants brought 17% of the applications for leave to appeal in 2020, which represents a significant percentage of the Court’s filings. This underlies the continuous need for the Registry Branch to enhance its resources for self-represented litigants, whether the resources are maintained by Court staff or with external stakeholders, such as Pro Bono Ontario.

The Court also continues to face heightened concerns about physical and information security, which must be balanced with the need to provide a secure environment in the context of the operational requirements of a Court which is accessible to the public. As well, when responding to demands by government for operational efficiencies by way of the consolidation of various services, the ORSCC must ensure the protection of judicial and institutional independence.

The operating environment is also evolving from an outreach and communications perspective. There is increased public interest in the Court’s cases and growing visibility of the SCC judges in Canada and abroad. As such, raising public and stakeholders’ awareness of the Court and increasing the information available to the public remains a priority for the ORSCC.

Finally, as the Court hearings have resumed, ensuring a safe and healthy working environment in light of the COVID-19 pandemic is a top priority for the ORSCC.

In light of all the factors described above, the ORSCC continues to dedicate ongoing efforts aimed at ensuring that all resources are used in the most efficient and effective manner possible.