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Courts Resources, Expenditures and Personnel

1998/99

Canadian Centre for Justice Statistics



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1998/99

Canadian Centre for Justice Statistics

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Courts Program

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The following standard symbols are used in Statistics Canada publications:

..	figures not available
...	figures not appropriate or not applicable
-	nil or zero
--	amount too small to be expressed
x	confidential to meet secrecy requirements of the Statistics Act
e	estimate

Preface

The Canadian Centre for Justice Statistics (CCJS) is the focal point of a federal-provincial-territorial initiative dedicated to the production of national statistics and information on the justice system in Canada. The objective of the Courts Program at the CCJS is to collect and disseminate information on the operation of the court system in Canada. This information includes data on court caseloads, characteristics of cases and persons moving through the court system, resources used in the operation of courts, and provision of legal aid and criminal prosecution services. Descriptive information is also gathered on the organization and operation of courts in Canada.

This report was prepared by the Courts Program with the assistance of the twelve¹ provincial and territorial court jurisdictions as well as the Supreme Court of Canada, the Federal Court of Canada, the Tax Court of Canada and the Office of the Commissioner for Federal Judicial Affairs.

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¹ Nunavut became a territory on April 1st, 1999. This is outside of the reference period for this survey. Total expenditures for Nunavut will be shown separately in future publications.

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1. Highlights

Courts Resources, Expenditures and Personnel, 1998/99

- A total of \$925 million was spent on operating Canadian courts in 1998/99. Employee *Salaries and Benefits* accounted for \$760 million or 82% of the total; *Other Expenditures* represented the remaining \$164 million or 18%.
- *Total Expenditures* for Canadian courts increased by 7% between 1996/97 and 1998/99. After accounting for inflation, this is an increase of 5% over two years.
- In 1998/99, 11,934 people were employed in Canadian provincial, territorial and federal courts, down 2.8% from 1996/97. Of the total number of employees, 9,940 (83%) were employed as court staff and 1,994 (17%) were judges.
- *Per Capita Expenditures* for courts were just over \$30 per person across Canada in 1998/99.
- *Salaries and Benefits* paid to the judiciary totalled \$341 million. The judiciary, although accounting for only 17% of total personnel, received 45% of total salaries.
- Just over half of all judges (1,000) were appointed by the federal government and worked in superior courts (41%), appeal courts (6%) and federal courts (3%).
- Average annual salaries including benefits varied from \$42,056 for court employees to \$146,705 for provincial/territorial judges and \$194,853 for all federally appointed court judges. Since 1996/97, these averages have increased by 4% for provincial/territorial judges, by 7% for court employees and by 18% for federally appointed court judges. Taking inflation into account, the increases are 2.1%, 4.5% and 14.8% respectively.

2. Introduction

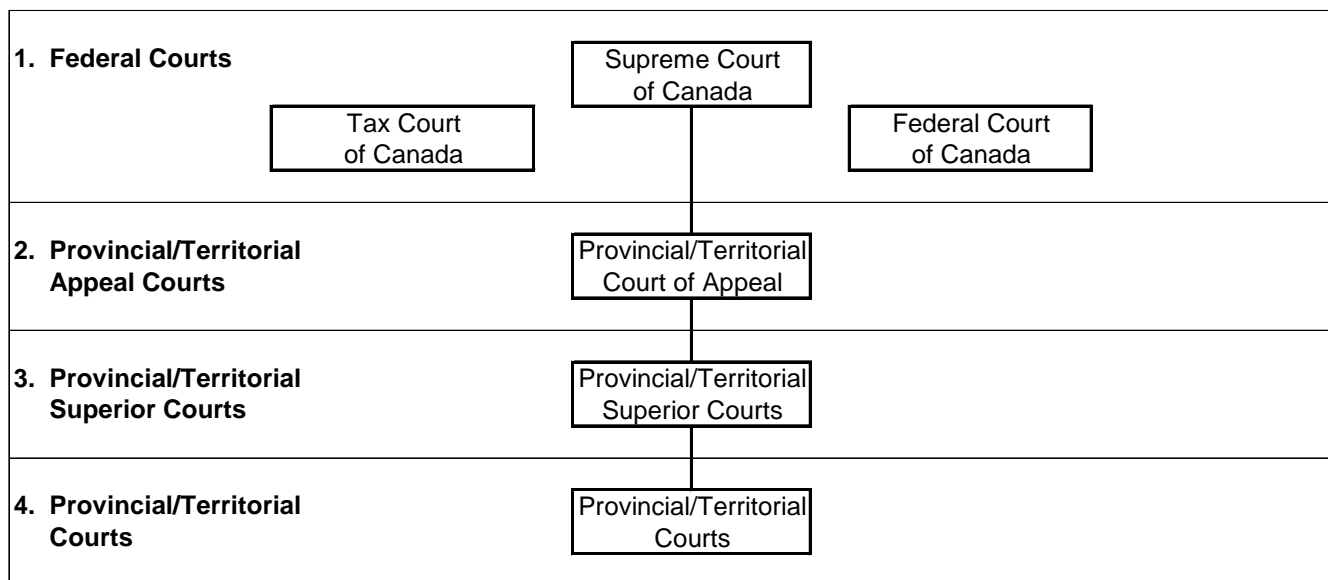
This report provides personnel and expenditure information on the court system in Canada for the 1998/99 fiscal year, as well as some comparisons between current results and findings from the previous survey cycle of 1996/97. (Data for the 1996/97 fiscal year are available in Appendix C). Additionally, this report includes data from the provincial and territorial courts, and the federal courts, which include the Supreme Court of Canada, the Federal Court of Canada, the Tax Court of Canada, and the Office of the Commissioner for Federal Judicial Affairs (OCFJA). The source of this information is the Courts Resources, Expenditures, and Personnel (REP) Survey, which is administered biennially by the Canadian Centre for Justice Statistics (CCJS). This report is the first in a series of biennial reports that will be repeated in 2002 for the 2000-01 fiscal year.

Description of the Court System in Canada²

Responsibility for Canada’s system of courts is divided between the federal and provincial/territorial governments. The *Constitution Act, 1867* gives the federal government authority to create a general court of appeal for Canada and to establish any additional courts for the better administration of the laws of Canada. Section 96 of the Act gives the federal government authority to appoint judges to the superior courts in the provinces and territories. Hence these courts have become known as “Section 96 courts.” Under this authority, Parliament has established the Supreme Court of Canada, the Federal Court of Canada, and the Tax Court of Canada. Section 96 judges' salaries and benefits as well as some other operational costs are paid by the Office of the Commissioner for Federal Judicial Affairs (OCFJA).

Figure 1

Court Structure in Canada



² Sandra Besserer and R. Craig Grimes in *Crime Counts*, eds. Leslie W. Kennedy and Vincent F. Sacco, 1996.

Canadian courts are organized in a four-tiered structure consisting of federally established courts operating at the national level, and federally and provincially established courts operating at the provincial and territorial level. The Supreme Court of Canada holds the highest position in the Canadian court structure. Below the Supreme Court are the Tax Court and the Federal Court. All three courts have national authority and are the administrative responsibility of the federal government.

The Courts of Appeal, the highest courts in the provinces and territories, make up the second level. These courts are "Section 96 courts," provincially administered but presided over by federally appointed judges. The third level consists of provincial/territorial superior courts, which are also Section 96 courts. Finally, the fourth level of courts is made up of the provincial and territorial courts. At this level, both court administration and the appointment of judges are the exclusive responsibility of the provincial and territorial governments.

3. Summary of Findings, 1998/99

Personnel

- In 1998/99, there were 11,934 people employed by Canadian courts. (**Table 1**) Of this total, 9,940 (83%) worked as court staff and 1,994 (17%) were judges.³

Distribution of Personnel by Sex

- The distribution of employees by sex is not available for every jurisdiction, therefore the ratio of male to female personnel at the national level cannot be calculated. However, for the jurisdictions that reported this breakdown, the overall proportion was 40% males and 60% females in 1998/99. (**Table 1**)
- This proportion was quite different for judges than for court staff. Males accounted for 81% of all judges, but accounted for only 22% of all court/administrative staff. There has been little change in these ratios in the recent past – in 1996/97, males accounted for 83% and 21%.⁴

The Judiciary

- The proportion of personnel accounted for by judges was lower for the federal courts and the territories than the provinces. The proportion of judges ranged from 6% of the total personnel at the Supreme Court to 16% in the Tax Court of Canada.
- Among the provinces, the proportion of personnel accounted for by judges ranged from 15% in British Columbia to 27% in Saskatchewan and 28% in Newfoundland. (**Table 2**)
- Eighty-eight percent of the judges worked full-time while the remaining 12% (239) were employed in a supernumerary capacity.⁵
- In 1998/99, provincial/territorial courts employed just under 50% of all judges in Canada.
- Federally appointed (or Section 96) judges accounted for one of every two judges (50%) working in Canadian courts. Superior court judges accounted for 41% of all judges; appeal court judges represented 6% and judges presiding over federal courts (Supreme Court, Federal Court and Tax Court) accounted for 3% of all judges.

³ (In this report, all personnel figures presented are full-time equivalents. For further information on this method of calculating the number of employees, see Part A of the Scoring Rules in Appendix B.)

⁴ The jurisdictions unavailable for the 1998/99 calculation were Quebec and British Columbia for both judiciary and court staff figures, and Ontario and Nova Scotia figures were unavailable for the court staff calculation. Additionally, male/female distribution data for the Northwest Territories and Manitoba were unavailable in 1996/97.

⁵ The category of supernumerary judges includes all non-retired, active judges over the age of 65 years.

Expenditures

- A total of \$925 million was spent on the operation of courts in Canada in 1998/99, which represents a 7% increase over a two-year period since the data were last collected in 1996/97. (Table 4)⁶
- After adjusting for inflation, the percentage increase is reduced to 5% over 2 years.
- The courts expenditures total is an amalgamation of two major categories: *Salaries and Benefits* and *Other Expenditures* such as law libraries, witness costs, systems costs and Section 96 judges' benefits and annuities. These figures are presented in Table 3.
- Employee *Salaries and Benefits* accounted for 82% of total expenditures with the remaining 18% allocated to *Other Expenditures*. (Table 3)
- The proportion of *Total Expenditures* accounted for by *Salaries and Benefits* was generally lower in the federal courts and the territories. In this group, the smallest proportion expended on *Salaries and Benefits* was 48% in the Northwest Territories and ranged up to 71% in the Federal Court of Canada and 72% in the Yukon.
- Among the provinces, the proportions of *Total Expenditures* incurred by *Salaries and Benefits* were more comparable, ranging from 78% in New Brunswick to 88% in Newfoundland.
- In 1998/99, the OCFJA disbursed approximately \$183 million to Section 96 judges across Canada.⁷
- In 1998/99, \$5 million in additional expenditures were incurred on *External Expenditures*, which are expenditures paid by sources other than the responding jurisdiction's budget or the OCFJA. The jurisdictions reporting *External Expenditures* were New Brunswick (\$1,926,200), Saskatchewan (\$1,077,210), Alberta (\$1,636,560), Yukon (\$143,571^e), Northwest Territories (\$205,000^e), and the Tax Court (\$14,000).⁸

Changes from 1996/97 to 1998/99

- Across Canada, there was a 5% increase in *Total Expenditures* using constant dollar figures based on the Consumer Price Index. (Table 4) Part of this increase is due to a salary increase for federally appointed judges.
- Examining recent changes in constant dollar expenditures in the eastern provinces, a substantial range of increases and decreases are visible. Newfoundland's *Total Expenditures* decreased by 9% and Prince Edward Island's by 2% during the two-year period. On the other hand, New Brunswick and Nova Scotia increased by 9% and 12% respectively. (Table 4)
- In central Canada, *Total Expenditures* between 1996/97 and 1998/99 for Quebec courts remained stable using constant dollar figures, while expenditures in Ontario increased by 6% over the two-year period.
- In the western provinces, the change in *Total Expenditures* between 1996/97 and 1998/99 also varied. Examining the constant dollar expenditures, British Columbia reported a 3% drop over two years while Manitoba increased at the same rate as the national average (5%). Alberta (17%) and Saskatchewan's (15%) expenditures increased more noticeably.

⁶ Please note that all expenditure figures presented in this report are in current dollars unless otherwise indicated.

⁷ To get a picture of the true cost of operating the courts, it is useful to show expenditures against the jurisdictions where the judges are working even though these costs are actually borne by the OCFJA. This is shown in Table 3. The OCFJA expenditures in Table 3 reflect administrative costs only.

⁸ These expenditures are not included in total operating expenditures due to the unique nature of many of these expenditures which makes comparison between jurisdictions difficult.

- *Salaries and Benefits* accounted for 82% of *Total Expenditures* and increased nationally by 7% between 1996/97 and 1998/99. (**Table 3**) Overall, judicial *Salaries and Benefits* (which accounted for 37% of *Total Expenditures*) increased by 13% nationally.

Per Capita Expenditures for Court Services⁹

- The increase in *Total Expenditures* in 1998/99 was reflected in a small increase in *Per Capita Expenditures*. Using constant dollars, the operation of the court system cost \$27.96 per Canadian in 1998/99, up from \$27.19 in 1996/97. This is an increase of 2.8%.
- In constant dollars, *Per Capita Expenditure* for the provinces and territories alone was \$24.85 in 1996/97 and \$25.49 (a 2.6% increase) in 1998/99.
- *Per Capita Expenditures* were higher in the sparsely populated Yukon and Northwest Territories at \$132.36 and \$136.59 respectively.¹⁰

Court Salaries and Benefits

- *Salaries and Benefits* accounted for the largest proportion of *Total Expenditures* incurred by each jurisdiction (\$760 million or 82%). (**Table 3**)
- *Salaries and Benefits* paid to members of the judiciary totalled \$341 million or 45% of all salaries (**Table 5**) although the judiciary accounted for only 17% of all personnel. (**Table 1**) The judiciary includes all provincially and federally appointed judges from all levels of courts.
- Using person-year figures from **Tables 1 and 2**, average salaries were calculated for each category of judge as well as for court employees. These were \$194,853 annually, including benefits, for federally appointed judges, \$146,704 for provincial/territorial court judges and \$43,063 for court and administrative staff.
- *Salaries and Benefits* paid to federally appointed judges increased by 19% from 1996/97 to 1998/99. However, the number of federally appointed judges only increased by 1.1% during the same time period.
- Between 1996/97 and 1998/99, the number of provincial court judges increased by only 1.4%; during this same time period, total expenditures on *Salaries and Benefits* to provincial court judges increased by about 6%.
- Court staff *Salaries and Benefits* increased 3% since 1996/97, and accounted for 55% of the total salary expenditures.¹¹

Other Expenditures¹²

Due to the fact that the types of costs included in the category *Other Expenditures* varied from one jurisdiction to another, caution must be used when making inter-jurisdictional comparisons. In some

⁹ **Table 3** lists *Total Expenditures* by the jurisdiction that incurred the expense. These figures are used in conjunction with population data to determine the *Per Capita Expenditures*. (**Table 4**)

¹⁰ In small jurisdictions, factors such as high transportation costs or a few large and complex cases can have a noticeable effect on total operating expenditures for any given year. (See Section 4, page 7 of this report for details on the population data used to calculate per capita figures).

¹¹ Court staff includes any staff employed by court services branches, not presiding over court functions. (A more detailed description can be found in Appendix B in the scoring rules).

¹² Other expenditures include law library/publication costs, witness costs, transcription costs, Section 96 judges' allowances and annuities, travel, communications, office and computer supplies, maintenance and repair services, training and development. They exclude, however, building occupancy costs, capital costs related to building construction, maintenance or leasing, staff expenditures associated with Crown prosecutions or coroner inquests, and prisoner escort services. (For more details on the type of expenditures included in this category, see Appendix B.)

cases, jurisdictions do not incur certain expenditures or may have expenditures paid by other organisations. Witness costs, for example, fall under the courts' budgets in six jurisdictions only: Prince Edward Island, New Brunswick, Ontario, Alberta, Yukon and Northwest Territories. Variations exist as well among other operating expenditures.

- Federal and provincial/territorial courts spent \$164 million on *Other Expenditures*. This figure represents 18% of *Total Expenditures*.
- The majority of this amount (\$151 million or 92%) was spent on such items as Section 96 judges' allowances, systems costs, and administration or human resources expenditures. The remaining 8% or \$13 million was spent on witness costs and law libraries. (**Table 3**)

4. Methodology

Population Data

The population data used in this report to calculate per capita amounts are updated postcensal estimates as of October 1st 1998 taken from the publication "Quarterly Demographic Statistics, 1998" produced by the Demography Division, Census and Demographic Statistics Branch, Statistics Canada. The following table shows the actual figures used.

Population Estimates, 1998

Province	
Newfoundland	542,276
Prince Edward Island	136,641
Nova Scotia	935,582
New Brunswick	753,102
Quebec	7,344,856
Ontario	11,459,190
Manitoba	1,139,509
Saskatchewan	1,026,620
Alberta	2,933,357
British Columbia	4,016,767
Yukon	31,223
Northwest Territories	67,458
Canada	30,386,581

Scope, Coverage and Data Collection Method

The objective of the Courts Resources, Expenditures, and Personnel (REP) Survey is to provide information on the human resources and costs associated with the operation of Canadian courts. Data are provided by all provincial and territorial jurisdictions as well as the Supreme Court of Canada, Federal Court of Canada, Tax Court of Canada, and the Office of the Commissioner for Federal Judicial Affairs.

Data collected cover the 1998/99 fiscal year, which runs from April 1st, 1998 to March 31st, 1999. All staffing and operating expenditures that are part of court budgets for each jurisdiction are included in the data.

Jurisdictions completed the survey form according to specific scoring rules. Upon receipt of the completed form, the Canadian Centre for Justice Statistics (CCJS) followed a manual verification of the data on the form to ensure that it was consistent with the survey's definitions. Prior to publication, respondents verified their data. 1998/99 represents the first year that the data are available in a separate publication. Prior to 1998/99, related information on court expenditures can be found in the publication *Justice Spending in Canada*.

All calculations reported in tables are made using the complete reported figures; slight variations in these tables may occur due to rounding.

1998/99 — DATA TABLES:

Table 1
Personnel, 1998-99

Jurisdiction	Judiciary									Court/ Administration Staff			Total Personnel		
	Full-Time			Supernumerary			Total Judiciary			Male	Female	Total	Males	Females	Total
	Male	Female	Total	Male	Female	Total	Male	Female	Total						
No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Newfoundland ¹	44	6	50	5	-	5	49	6	55	10	133	143	59	139	198
Prince Edward Island	8	3	11	...	...	...	8	3	11	6	45	51	14	48	62
Nova Scotia	64	20	84	6	-	6	70	20	90	..	..	465	..	..	555
New Brunswick	42	8	50	4	-	4	46	8	54	25	151	176	71	159	230
Quebec	..	..	426	..	..	44	..	..	470	..	..	1,793	..	..	2,263
Ontario	391	108	499	57	3	60	448	111	559	..	..	3,240	..	..	3,799
Manitoba	47	17	64	26	1	27	73	18	91	163	265	428	236	283	519
Saskatchewan	64	22	86	11	-	11	75	22	97	34	224	258	109	246	355
Alberta	133	39	172	41	3	44	174	42	216	121	914	1,035	295	956	1,251
British Columbia	..	..	246	..	..	25	..	..	271	..	..	1,545	..	..	1,816
Yukon	4	-	4	1	-	1	5	-	5	4	33	37	9	33	42
Northwest Territories	5	2	7	...	...	...	5	2	7	13	41	54	18	43	61
Supreme Court	7	2	9	...	...	...	7	2	9	60	86	146	67	88	155
Federal Court	22	6	28	9	-	9	31	6	37	139	271	410	170	277	447
Tax Court	17	2	19	3	-	3	20	2	22	38	75	113	58	77	135
OCFJA ²	...	...	...	...	...	...	...	...	...	20	26	46	20	26	46
Canada	..	..	1,755	..	..	239	..	..	1,994	..	..	9,940	..	..	11,934

¹ Includes fines administration personnel.

² Represents administration staff only.

Note: Figures may not add up to totals due to rounding.

Table 2
Judiciary, 1998-99

Jurisdiction	Courts of Appeal			Superior Courts			Provincial/ Territorial Courts			Federal Courts			Total Judiciary		
	Full- time	Super- numary	Total	Full- time	Super- numary	Total	Full- time	Super- numary	Total	Full- time	Super- numary	Total	Full- time	Super- numary	Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Newfoundland	6	3	9	20	2	22	24	-	24	...	...	...	50	5	55
Prince Edward Island	3	-	3	5	-	5	3	-	3	...	...	...	11	-	11
Nova Scotia	8	2	10	33	4	37	43	...	43	...	...	...	84	6	90
New Brunswick	6	1	7	20	3	23	24	-	24	...	...	...	50	4	54
Quebec	20	2	22	140	42	182	266	-	266	...	...	...	426	44	470
Ontario	19	3	22	207	57	264	273	...	273	...	...	...	499	60	559
Manitoba	6	2	8	34	7	41	28	14	42	...	...	...	68	23	91
Saskatchewan	8	1	9	32	10	42	46	-	46	...	...	...	86	11	97
Alberta	12	4	16	62	21	83	98	19	117	...	...	...	172	44	216
British Columbia	15	5	20	88	14	102	143	6	149	...	...	...	246	25	271
Yukon	-	-	-	1	1	2	3	-	3	...	...	...	4	1	5
Northwest Territories	-	-	-	3	-	3	4	-	4	...	...	...	7	-	7
Supreme Court	...	...	...	...	...	...	...	...	...	9	-	9	9	-	9
Federal Court	...	...	...	...	...	...	...	...	...	28	9	37	28	9	37
Tax Court of Canada	...	...	...	...	...	...	...	...	...	19	3	22	19	3	22
OCFJA	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Canada	103	23	126	645	161	806	955	39	994	56	12	68	1,759	235	1,994

Note: Figures may not add up to totals due to rounding.

Table 3
Court Expenditures by Type and Jurisdiction, 1998-99
Jurisdiction where Expenditures were Incurred

Jurisdiction	Personnel	Salaries and Benefits ¹				Other Expenditures			Total Expenditures
		Salaries	Benefits ²	Total	Proportion of Total Expenditures	Law Library and Witness Fees	Other Operating Expenditures ³	Total Other Expenditures	
		\$'000	\$'000	\$'000	(%)	\$'000	\$'000	\$'000	\$'000
Newfoundland	198	11,942	374	12,316	88	-	1,759	1,759	14,075
Prince Edward Island	62	3,221	231	3,452	83	32	690	722	4,175
Nova Scotia	555	28,705	3,511	32,216	80	336	7,495	7,831	40,047
New Brunswick ⁴	232	14,514	1,615	16,129	78	309	4,109	4,419	20,548
Quebec	2,269	134,687	2,447	137,134	85	-	24,493	24,493	161,627
Ontario	3,540	206,873	40,269	247,141	85	5,995	36,784	42,779	289,920
Manitoba	519	30,963	2,569	33,531	83	408	6,305	6,713	40,244
Saskatchewan ⁴	355	24,437	2,871	27,307	82	389	5,776	6,165	33,472
Alberta	1,252	65,795	9,731	75,526	81	2,805	14,984	17,790	93,316
British Columbia	1,812	96,525	17,431	113,957	86	-	18,308	18,308	132,265
Yukon	42	2,504	476	2,980	72	199	954	1,153	4,133
Northwest Territories	61	3,981	407	4,388	48	422	4,404	4,826	9,214
Supreme Court	155	8,799	1,894	10,694	67	1,002	4,229	5,231	15,924
Federal Court	447	25,094	4,536	29,630	71	788	11,382	12,170	41,800
Tax Court	135	9,673	1,393	11,066	60	280	7,090	7,370	18,436
OCFJA ⁵	46	2,477	429	2,906	52	...	2,665	2,665	5,571
Canada	11,680	670,190	90,183	760,373	82	12,965	151,428	164,393	924,767

¹ Includes both the judiciary and court staff.

² Benefits for Section 96 judges are included but are paid by the Treasury Board.

³ Excludes building occupancy costs, capital costs related to building construction, maintenance, leasing, staff expenditures associated with Crown prosecutions, costs associated with coroner inquests, and prisoner escort services. Includes Sect. 96 judges' allowances and annuities paid by OCFJA which are entered under the jurisdiction rather than the OCFJA.

⁴ Benefits for provincial court judges and court staff totalling \$2,145,984 in Saskatchewan and \$895,800 in New Brunswick have been paid by the Department of Finance but are included in this total.

⁵ Represents administration staff only.

Note: Figures may not add up to totals due to rounding.

Table 4
Per Capita Expenditures, 1996-97 and 1998-99
Jurisdiction where Expenditures were Incurred

Jurisdiction		Current Dollars			Constant Dollars			Population ⁵
		Percentage Change			Percentage Change			
		Total Expenditures	From Previous Report's Total	Per Capita	Total Expenditures	From Previous Report's Total	Per Capita	
	(\$, 000)	(%)	(\$)	(\$, 000)	(%)	(\$)	(000's)	
Newfoundland	1996-97	15,153.3	..	27.12	14,241.8	..	25.49	558.7
	1998-99	14,075.5	-7	25.96	12,931.1	-9	23.85	542.3
Prince Edward Island	1996-97	4,156.9	..	30.45	3,906.9	..	28.61	136.5
	1998-99	4,174.7	0	30.55	3,835.3	-2	28.07	136.6
Nova Scotia	1996-97	34,924.7	..	37.44	32,824.0	..	35.19	932.7
	1998-99	40,046.8	15	42.80	36,790.8	12	39.32	935.6
New Brunswick	1996-97	18,394.1	..	24.42	17,287.7	..	22.95	753.3
	1998-99	20,547.9	12	27.28	18,877.2	9	25.07	753.1
Quebec	1996-97	158,137.0	..	21.70	148,625.0	..	20.40	7,286.7
	1998-99	161,627.1	2	22.01	148,486.1	0	20.22	7,344.9
Ontario	1996-97	266,298.6	..	23.88	250,280.6	..	22.44	11,152.8
	1998-99	289,920.4	9	25.30	266,348.5	6	23.24	11,459.2
Manitoba	1996-97	37,504.8	..	33.05	35,248.9	..	31.06	1,134.8
	1998-99	40,244.2	7	35.32	36,972.2	5	32.45	1,139.5
Saskatchewan	1996-97	28,408.5	..	27.83	26,699.7	..	26.15	1,020.9
	1998-99	33,472.4	18	32.60	30,750.9	15	29.95	1,026.6
Alberta	1996-97	78,068.4	..	27.92	73,372.5	..	26.25	2,795.7
	1998-99	93,315.8	20	31.81	85,728.8	17	29.23	2,933.4
British Columbia	1996-97	133,656.2	..	34.20	125,616.7	..	32.14	3,908.4
	1998-99	132,264.6	-1	32.93	121,510.9	-3	30.25	4,016.8
Yukon	1996-97	3,819.3	..	118.89	3,589.5	..	111.74	32.1
	1998-99	4,132.7	8	132.36	3,796.7	6	121.60	31.2
Northwest Territories	1996-97	8,964.4	..	132.72	8,425.2	..	124.73	67.5
	1998-99	9,213.9	3	136.59	8,464.8	0	125.48	67.5
PROVINCIAL TOTAL ^{1,3}	1996-97	787,486.0	..	26.44	740,118.4	..	24.85	29,780.1
	1998-99	843,036.0	7	27.74	774,493.3	5	25.49	30,386.6
Supreme Court	1996-97	14,545.0	..	0.49	13,670.1	..	0.46	29,780.1
	1998-99	15,924.4	9	0.52	14,629.6	7	0.48	30,386.6
Federal Court	1996-97	36,689.5	..	1.23	34,482.6	..	1.16	29,780.1
	1998-99	41,799.6	14	1.38	38,401.1	11	1.26	30,386.6
Tax Court	1996-97	16,726.2	..	0.56	15,720.1	..	0.53	29,780.1
	1998-99	18,436.0	10	0.61	16,937.1	8	0.56	30,386.6
OCFJA	1996-97	5,991.0	..	0.20	5,630.7	..	0.19	29,780.1
	1998-99	5,570.7	-7	0.18	5,117.8	-9	0.17	30,386.6
FEDERAL COURTS TOTAL ^{1,2}	1996-97	73,951.8	..	2.48	69,503.5	..	2.33	29,780.1
	1998-99	81,730.7	11	2.69	75,085.7	8	2.47	30,386.6
CANADA TOTAL⁶	1996-97	861,437.8	..	28.93	809,622.0	..	27.19	29,780.1
	1998-99	924,766.7	7	30.43	849,579.0	5	27.96	30,386.6

Notes:

¹ Total may not add up due to rounding.

² Includes the Supreme Court, Federal Court, Tax Court and OCFJA.

³ Includes Yukon and Northwest Territories.

⁴ To control for inflation, the indexed changes in year-to-year expenditures by consumers for goods and services as reported by Statistics Canada's August 1999 addition of *The Consumer Price Index*, Catalogue No. 62-001, have been used to calculate constant dollar figures using the annual average of a fiscal year from April 1st to March 31st.

⁵ Updated post-censal estimates: October 1, 1996 and October 1, 1998. Statistics Canada - *Quarterly Demographic Statistics*, Vol. 12, no. 4.

⁶ Includes Provincial/Territorial and Federal Courts Totals.

Table 5
Salaries and Benefits, 1998/99

Jurisdiction	Judiciary					Court/ Administra- tion Staff	Total
	Courts of Appeal	Superior Courts	Provincial/ Territorial Courts	Federal Courts	Total Judiciary		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Newfoundland	1,540	3,983	2,489	...	8,012	4,304	12,316
Prince Edward Island	602	987	365	...	1,954	1,498	3,452
Nova Scotia	1,855	5,890	5,571	...	13,317	18,899	32,216
New Brunswick ²	1,563	4,426	3,168	...	9,156	6,077	16,129
Quebec ¹	3,877	35,652	31,967	...	71,495	65,639	137,134
Ontario	4,022	52,823	48,568	...	105,413	141,728	247,141
Manitoba	1,567	7,943	4,977	...	14,488	19,043	33,531
Saskatchewan ²	1,768	7,954	6,213	...	15,935	11,373	27,307
Alberta	2,740	16,251	17,524	...	36,515	39,011	75,526
British Columbia	3,276	20,929	24,571	...	48,777	65,180	113,957
Yukon	-	x	x	...	910	2,069	2,980
Northwest Territories	-	602	650	...	1,252	3,136	4,388
Supreme Court	...	...	...	2,473	2,473	8,221	10,694
Federal Court	...	...	...	7,116	7,116	22,514	29,630
Tax Court	...	...	...	4,624	4,624	6,442	11,066
OCFJA ³	...	...	...	...	...	2,906	2,906
Canada⁴	22,809	157,441	146,063	14,213	341,437	418,040	760,373

¹ Excludes benefits for provincial court judges and court staff.

² Benefits for provincial court judges and court staff totalling \$2,145,984 in Saskatchewan and \$895,800 in New Brunswick have been paid by the Department of Finance but are included in this total.

³ Represents administration staff only.

⁴ Totals for Supreme Courts and Provincial/Territorial Courts exclude the Yukon.

Notes: Salaries and benefits for judges working in appeal courts, superior courts, the Federal Court and the Tax Court have been split and shown by jurisdiction. These amounts, however, are paid by the OCFJA and the Treasury Board respectively.

Figures may not add up to totals due to rounding.

Appendix A

TABLE 1: Actual Personnel as of March 31, 1999 by Category and Sex (rounded to the nearest full-time equivalent)

Category of Personnel

		Male	Female	Total
Judiciary				
Full-time	1			
Supernumerary	2			
Total Judiciary (sum of lines 1 and 2)	3			
Court Staff	4			
Total Personnel (sum of lines 3 and 4)	5			

TABLE 2: Judiciary as of March 31, 1999 by Level of Court (rounded to the nearest full-time equivalent)

Judiciary		Courts of Appeal	Superior Courts	Provincial/Territorial Courts	Total
Full-time	6				
Supernumerary	7				
Total Judiciary (sum of lines 6 and 7)	8				

TABLE 3: Courts Expenditures

Type of Expenditure

			\$ Actual - 1998/99 (to nearest dollar)
Salaries and Wages			
Judiciary			
Courts of Appeal	9		\$
Superior Courts	10		\$
Provincial/Territorial Courts	11		\$
Total Salaries and Wages Paid to Judiciary (sum of lines 9 to 11)	12		\$
Court Staff	13		\$
Total Salaries and Wages (sum of lines 12 and 13)	14		\$
Benefits			
Judiciary			
Courts of Appeal	15		\$
Superior Courts	16		\$
Provincial/Territorial Courts	17		\$
Total Benefits Paid to Judiciary (sum of lines 15 to 17)	18		\$
Court Staff	19		\$
Total Benefits (sum of lines 18 and 19)	20		\$
Operating Expenditures			
Law Library/ Publication Costs			
Witness Costs			
Other Operating Expenditures (paid directly through courts budget)			
* If any expenditures are paid by external sources, please complete Part B			
Total Operating Expenditures (sum of lines 21 to 23)	24		\$
Total Expenditures (sum of lines 14, 20, and 24)	25		\$

Part of Court Services Budget?

No	Yes	
<input type="checkbox"/>	<input type="checkbox"/>	→
<input type="checkbox"/>	<input type="checkbox"/>	→

21	\$
22	\$
23	\$

In Table 4 please report all court expenditures paid by sources external to the court services branch. If any of these data are not available, please provide the type(s) of expenditure and the name of a person we may contact in Table 5 below.

N.B. Previously reported external expenditures include: Salaries, Wages and Benefits, and other expenditures (e.g. language training and development) for Section 96 Judiciary; Personnel and Finance; and Computer Service.

TABLE 4: External Expenditures

<u>Type of Expenditure</u>	Establishment Accountable for Payment	Amount of Expenditure
.....	\$
.....	\$
.....	\$
Other external expenditures (please specify)		
.....	\$
.....	\$
.....	\$
Total External Expenditures		\$

TABLE 5: External Expenditures Not Available From Court Services (Include the name(s) of persons we may contact)

Type of Expenditure	Establishment Responsible	Name of Person to Contact for this Information	Phone Number (include area code)

Additional Notes and/or Comments

Name and Signature of Correspondent

Name: _____ **Date:** _____

Title: _____ **Telephone:** () _____

Signature: _____ **Facsimile:** () _____

Appendix B

Courts Resources, Expenditures and Personnel Survey Scoring Rules

GENERAL NOTES AND INSTRUCTIONS:

1. Purpose of Survey

The Courts Personnel and Expenditures Survey, conducted biennially by the Courts Program, Canadian Centre for Justice Statistics, collects information on court personnel and the costs of operating the Canadian court system. This information assists the partners in the Justice Initiative in addressing their policy and management agendas.

2. Organization of Survey

The survey consists of two parts:

Part A : Courts Personnel and Expenditures (Tables 1 - 3)

Part B: External Expenditures (Tables 4 and 5), Additional Notes and/or Comments, and Contact Information

3. Fiscal Year

All data requested pertain to the fiscal year April 1, 1998 to March 31, 1999.

4. When Data are Not Available or Not Applicable:

If you are unable to break down the categories into their component parts (e.g. Full-time Judiciary by Sex), please provide the aggregate total and indicate 'N/Av'(Not Available) in the appropriate cell(s).

Similarly, if a particular figure is not available, please indicate 'N/Av' or, preferably, provide a reasonable estimate of the figure - estimates should be indicated by 'e' (estimate). For example, an estimate of \$565,000 in Salaries and Wages for Judiciary of the Superior Courts would be written as '\$565,000 (e)' in the corresponding cell.

If a particular category is not applicable, please indicate 'N/Ap' (Not Applicable).

PART A

TABLE 1: Actual Personnel as of March 31, 1999 by Category and Sex (rounded to the nearest full-time equivalent)

1. This table refers to the **actual number** of **full-time** as well as **permanent part-time** employees who were on the courts services branch payroll as of March 31. If counts are only available from the pay period ending closest to March 31 (but not beyond), report these figures.
2. Convert 'permanent part-time' employees to a **full-time equivalent**. For example, three permanent part-time employees who each work twelve hours a week should be scored as one full-time employee.
3. **'Contracted services' (i.e. individuals or agencies who are not on the court services payroll) are excluded** from the personnel counts; however, the costs associated with this work should be included with 'Other Operating Expenditures' (line 23) in Table 3.
4. Ensure that the sub-total is completed for Total Judiciary (line 3). This line is then added together with Court Staff (line 4) to obtain Total Personnel (line 5).

Category of Personnel

Judiciary

Include all provincially and federally appointed judiciary. Judges from all levels of courts within your province/territory should be included (i.e. Provincial/Territorial Courts, Superior Courts, Courts of Appeal).

Exclude justices of the peace, prothonotaries, masters, registrars, judicial officers and clerks of the court performing quasi-judicial functions. These should be included in Court Staff (line 4).

Full-time Judiciary (line 1) **Include** all full-time judges appointed by the Minister of Justice Canada or by the Province.

Supernumerary Judiciary (line 2) **Include** all non-retired, active judges over the age of 65 years.

Total Judiciary (line 3) Provide the total number of judiciary by sex and the total number for judiciary (sum of lines 1 and 2).

Court Staff (line 4) **Include** any staff employed by court services branch, not presiding over court functions, such as: justices of the peace; prothonotaries; masters; registrars; judicial officers; clerks of the court; administrative support; legal researchers; court reporters/recorders; ushers; security; sheriffs; registry staff; management and central services; students; court stenographers; law library and legal research staff; judges' secretaries; native court workers; victim/witness program workers; maintenance enforcement program workers; other court program workers; clerical support; bailiffs; court social workers; systems support; mail and messenger services, etc.

Total Personnel (line 5) This is the total of all personnel by sex and the grand total of all personnel (sum of lines 3 and 4).

TABLE 2: Judiciary as of March 31, 1999 by Level of Court (lines 6 to 8)

1. Allocate the number of full-time and supernumerary judiciary (full-time equivalents) into their respective court of jurisdiction (i.e. Courts of Appeal, Superior Courts, or Provincial/Territorial Courts).
2. The total number of full-time and supernumerary judiciary should match the totals provided in Table 1.

TABLE 3: Courts Expenditures

General Rules:

1. Report actual expenditures to the nearest dollar.
2. Expenditures represent gross expenditures. Do not include revenues and recoveries. (In the case of cost-recoveries, the gross amount of the expenditure should still be reported, regardless of the recovery amount).
3. Do not include large 'capital' expenditures (i.e. expenditures for the purchase of long-term assets). **Small capital expenditures such as furniture, cabinets and shelving should be included.**
4. **Record only those expenditures that are paid from the courts services budget.** If a particular expenditure is not part of the courts budget, then it should be indicated by writing 'N/Ap' in the appropriate cell.
5. **All court expenditures paid by sources external to the court services branch should be reported in Part B** as opposed to Table 3 (i.e. if another branch within your department, or another department is responsible incurs the expense for a particular expenditure which is part of the delivery of court services).
6. Since the Office of the Commission for Federal Judicial Affairs is currently responsible for the payment of salaries, benefits and other expenditures, such as language training and development for **Section 96 judiciary** (i.e. Judges of the Appeal and Superior Courts), these expenditures (if available) should be reported in Part B, Table 4. Please note that we will also be collecting these particular data from the Office of the Commissioner for Federal Judicial Affairs; so if these expenditures are not readily accessible from Court Services Branch, do not feel compelled to report these particular figures.

Type of Expenditure

Salaries and Wages (lines 9 to 14)

Include all salaries and wages for all personnel as indicated in Table 1, including overtime and awards for full-time civil servants. Holiday pay, long service payments, isolation pay and bursaries should also be reported here.

Exclude honorariums paid to justices of the peace. These should be included in 'Other Operating Expenditures' (line 23).

Benefits (lines 15 to 20)

All payments made to employees which are neither salaries nor wages, are considered benefits.

If benefits are not paid for by the Courts Branch they should be reported in Table 4 (External Expenditures) of Part B.

If the exact benefit payment amount is unknown, an estimate is acceptable (e.g. a percentage value applied to the total salary amount). Please indicate in the Comments Section of Part B how the estimate was obtained.

Examples of benefits would include employer's contribution to:

- Canada Pension Plan (CPP)
- Employment Insurance (UIC)
- Superannuation/Pension Plan
- Health Insurance Plan
- Dental Plan
- Group Life Insurance Plan
- miscellaneous allowances (e.g. contribution to plans such as Visioncare)
- death benefits
- worker's compensation/disability payments
- maternity leave payments
- severance pay
- clothing allowance
- transportation allowance

Operating Expenditures

In addition to providing the requested Operating Expenditures, please indicate in the appropriate box (**No** or **Yes**) with an 'x' whether the following expenditures are part of the court services budget: Law Library/Publication Costs; and Witness Costs. If the answer is **No**, then do not provide a figure in the corresponding cell, and indicate in the Additional Notes and/or Comments section which budget assumes responsibility for the expenditure. If the answer is **Yes**, please provide the amount of the expenditure in the appropriate cell. These particular expenditures have been isolated because various other areas (e.g. Prosecutions Branch) may assume responsibility for the provision of these services and the associated costs.

Law Library/Publication Costs (line 21)

Include all costs associated with the operation of law libraries and publication costs (e.g. purchases of journals, subscriptions, etc.), excluding salaries. Only libraries associated with the operation of the courts should be included.

N.B. If law library and publication costs are not part of the court services budget, please provide the expenditure incurred by the branch/establishment responsible for the expense in Table 4 of Part B.

Witness Costs (line 22)

Include all costs incurred for witnesses (e.g. witness fees, transportation, accommodation, meal expenses, etc.).

Other Operating Expenditures (line 23)

Include all other operating expenditures not elsewhere mentioned such as: travel; communications (e.g. telephone-related expenses, telex, fax); office and computer supplies; maintenance and repair services; contractual payments for work to provide court services to the public (such as fee-for-service transcription costs, legal services and fee inspectors), jurors' fees, honorariums for justices of the peace, victim/witness programs, aboriginal programs, other court services programs, medical services; printing of forms; vehicle repair and maintenance; transportation; storage, furniture and equipment; training and development (including all costs incurred for the training and development of staff such as: course costs; tuition fees; reference materials; associated supplies, etc.).

Do not include building occupancy costs, capital costs related to building construction, maintenance, or leasing and staff expenditures associated with Crown prosecutions, costs associated with coroner inquests, and prisoner escort services.

Total Operating Expenditures (line 24) The sum of lines 21 to 23.

Total Expenditures (line 25) The sum of all salaries and wages, benefits, and all operating expenditures (sum of lines 14, 20, and 24).

PART B

TABLE 4: External Expenditures

In the past, it was noted that there are some expenditures which are fundamental to the function of the courts which are not actually part of the courts budget. Rather, another branch or another department incurs the expense for these items. For instance, court services branch expenditures such as court security provided by the police, law libraries, computers and computer service, communications, furniture, legal advice, personnel and finance, and translation may be covered by a central administration branch, or another department. Also, salaries and benefits for judiciary of the Federal and Tax Courts, and language training for all federally appointed judiciary are paid from the budget of the Office of the Commission for Federal Judicial Affairs. Such expenditures should be listed in this section.

1. List the type(s) of external expenditures, the amount paid by the external source, as well as the establishment responsible for the payment of each expenditure.
2. Note that a list of external expenditures reported in your last data submission (for the 1996/97 fiscal year) has been provided, if applicable.

TABLE 5: External Expenditures Not Available from Court Services

If you are unable to provide the dollar value of any expenditure paid by an external source, please provide the details as to the type of expenditure, the establishment responsible for the payment, as well as the name and telephone number of a person whom we could contact that could possibly provide this information.

Note: These details are not required for OCFJA expenditures since CCJS will contact the OCFJA directly.

APPENDIX C

COURTS RESOURCES, EXPENDITURES AND PERSONNEL SURVEY

1996/97 DATA TABLES

Table 1
Personnel, 1996-97

Jurisdiction	Judiciary Administration Staff									Court/ Personnel			Total		
	Full-Time			Supernumerary			Total Judiciary			Male	Female	Total	Males	Females	Total
	Male	Female	Total	Male	Female	Total	Male	Female	Total						
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Newfoundland ¹	44	5	49	2	-	2	46	5	51	15	134	149	61	139	200
Prince Edward Island	8	2	10	-	-	-	8	2	10	10	28	38	18	30	48
Nova Scotia	61	15	76	6	-	6	67	15	82	..	..	461	..	..	543
New Brunswick	45	6	51	5	-	5	50	6	56	23	152	175	73	158	231
Quebec	..	..	438	..	..	36	..	..	474	..	..	2,065	..	..	2,539
Ontario	392	97	489	54	4	58	446	101	547	...	...	3,431	..	..	3,978
Manitoba	55	15	70	24	-	24	79	15	94	..	..	442	..	..	536
Saskatchewan	63	19	82	11	1	12	74	20	94	45	221	266	119	241	360
Alberta ²	141	35	176	34	1	35	175	36	211	139	879	1,018	314	915	1,229
British Columbia	..	..	236	..	..	30	..	..	266	..	..	1,404	..	..	1,670
Yukon	3	1	4	1	-	1	4	1	5	4	32	36	8	33	41
Northwest Territories	6	2	8	..	..	..	6	2	8	..	..	54	..	..	62
Supreme Court	7	2	9	...	...	...	7	2	9	57	86	143	64	88	152
Federal Court	26	5	31	5	-	5	31	5	36	157	292	449	188	297	485
Tax Court	20	2	22	4	-	4	24	2	26	45	80	125	69	82	151
OCFJA ³	...	...	...	...	...	...	...	...	...	20	25	45	20	25	45
Canada	..	..	1,751	..	..	218	..	..	1,969	..	..	10,301	..	..	12,271

¹ Includes fines administration personnel.

² Distribution by sex for court staff is calculated according to current ratio males =13.6% and females=86.4%.

³ Represents administration staff only.

Note: Figures may not add up to totals due to rounding.

Table 2
Judiciary, 1996-97

Jurisdiction	Courts of Appeal			Superior Courts			Provincial/Territorial Courts			Federal Courts			Total Judiciary		
	Full-time	Super-numary	Total	Full-time	Super-numary	Total	Full-time	Super-numary	Total	Full-time	Super-numary	Total	Full-time	Super-numary	Total
	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.	No.
Newfoundland	6	2	8	19	-	19	24	-	24	...	...	...	49	2	51
Prince Edward Island	3	-	3	4	-	4	3	-	3	...	...	...	10	-	10
Nova Scotia	8	3	11	23	3	26	45	-	45	...	...	...	76	6	82
New Brunswick	6	-	6	23	2	25	22	3	25	...	...	...	51	5	56
Quebec	20	2	22	143	34	177	275	-	275	...	...	...	438	36	474
Ontario	19	3	22	212	55	267	258	-	258	...	...	...	489	58	547
Manitoba	6	2	8	30	10	40	34	12	46	...	...	...	70	24	94
Saskatchewan	8	1	9	30	11	41	44	-	44	...	...	...	82	12	94
Alberta	13	4	17	62	20	82	101	11	112	...	...	...	176	35	211
British Columbia	15	6	21	87	18	105	134	6	140	...	...	...	236	30	266
Yukon	-	-	-	1	1	2	3	-	3	...	...	...	4	1	5
Northwest Territories	-	-	-	3	...	3	5	-	5	...	...	...	8	-	8
Supreme Court	...	...	...	...	...	...	...	...	...	9	-	9	9	-	9
Federal Court	...	...	...	...	...	...	...	...	...	31	5	36	31	5	36
Tax Court of Canada	...	...	...	...	...	...	...	...	...	22	4	26	22	4	26
OCFJA	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Canada	104	23	127	637	154	791	948	32	980	62	9	71	1,751	218	1,969

Note: Figures may not add up to totals due to rounding.

Table 3
Court Expenditures by Type and Jurisdiction, 1996-97
Jurisdiction where Expenditures were Incurred

Jurisdiction	Personnel	Salaries and Benefits ¹			Proportion of Total Expenditures (%)	Other Expenditures			Total Expenditures
		Salaries	Benefits ²	Total		Law Library and Witness Fees	Other Operating Expenditures ³	Total Other Expenditures	
		\$'000	\$'000	\$'000		\$'000	\$'000	\$'000	
Newfoundland	200	12,765	269	13,034	86	-	2,119	2,119	15,153
Prince Edward Island	48	3,181	233	3,414	82	48	695	743	4,157
Nova Scotia	543	25,149	3,184	28,333	81	379	6,213	6,592	34,925
New Brunswick	231	13,126	1,931	15,058	82	241	3,095	3,336	18,394
Quebec ⁶	2,539	133,729	1,800	135,529	86	3,929	18,679	22,608	158,137
Ontario	3,978	191,213	35,997	227,209	85	5,779	33,310	39,089	266,299
Manitoba	536	28,791	2,403	31,194	83	522	5,788	6,311	37,505
Saskatchewan ⁴	360	20,825	2,206	23,032	81	623	4,754	5,377	28,409
Alberta	1,229	56,428	7,459	63,887	82	2,760	11,422	14,182	78,068
British Columbia	1,670	94,399	16,367	110,766	83	179	22,710	22,890	133,656
Yukon	41	2,429	298	2,727	71	156	936	1,092	3,819
Northwest Territories	62	4,251	521	4,772	53	352	3,841	4,193	8,964
Supreme Court	152	7,930	1,524	9,454	65	1,761	3,330	5,091	14,545
Federal Court	485	23,511	3,090	26,601	73	709	9,379	10,088	36,690
Tax Court	151	9,550	1,012	10,562	63	258	5,906	6,164	16,726
OCFJA ⁵	45	2,319	426	2,745	46	...	3,246	3,246	5,991
Canada	12,270	629,597	78,720	708,316	82	17,697	135,424	153,121	861,438

¹ Includes both the judiciary and court staff.

² Benefits for Section 96 judges are included but are paid by the Treasury Board.

³ Excludes building occupancy costs, capital costs related to building construction, maintenance, or leasing and staff expenditures associated with Crown prosecutions, costs associated with coroner inquests, and prisoner escort services. Includes Sect. 96 judges' allowances and annuities paid by OCFJA which are entered under the jurisdiction rather than the OCFJA and includes law library/publication costs, witness costs and transcription costs (Saskatchewan only).

⁴ Benefits for provincial court judges and court staff totalling \$1,719,390 have been paid by the Department of Finance and are included in this total.

⁵ Represents administration staff only.

⁶ Benefits amounts for provincial judges and court staff are unavailable.

Note: Figures may not add up to totals due to rounding.

Table 5
Salaries and Benefits, 1996/97

Jurisdiction	Judiciary					Court/ Administra- tion Staff	Total
	Courts of Appeal	Superior Courts	Provincial/ Territorial Courts	Federal Courts	Total Judiciary		
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Newfoundland	1,292	3,198	2,221	...	6,710	6,324	13,034
Prince Edward Island	495	775	349	...	1,618	1,796	3,414
Nova Scotia	1,662	4,484	4,672	...	10,818	17,515	28,333
New Brunswick	1,155	4,054	2,661	...	7,870	6,351	14,221
Quebec ¹	3,490	29,883	32,509	...	65,883	69,646	135,529
Ontario	3,117	44,293	48,423	...	95,832	131,378	227,209
Manitoba	1,168	6,755	4,082	...	12,006	19,189	31,194
Saskatchewan ²	1,498	6,534	5,013	...	13,045	9,987	23,032
Alberta	2,730	13,515	13,380	...	29,626	34,260	63,887
British Columbia	3,082	17,563	23,704	...	44,349	66,417	110,766
Yukon	-	x	x	...	787	1,940	2,727
Northwest Territories	-	554	809	...	1,363	3,408	4,772
Supreme Court	...	...	...	2,015	2,015	7,439	9,454
Federal Court	...	...	...	5,978	5,978	20,623	26,601
Tax Court	...	...	...	4,368	4,368	6,194	10,562
OCFJA ³	...	...	...	...	...	2,745	2,745
Canada⁴	19,689	131,609	137,823	12,361	302,269	405,211	707,480

¹ Excludes benefits for provincial court judges and court staff.

² Benefits for provincial court judges and court staff totalling \$1,719,390 have been paid by the Department of Finance and included in these figures.

³ Represents administration staff only.

⁴ Totals for Supreme Courts and Provincial/Territorial Courts exclude the Yukon.

Notes: Salaries and benefits for judges working in appeal courts, superior courts, the Federal Court and the Tax Court have been split and shown by jurisdiction. These amounts, however, are paid by the OCFJA and the Treasury Board respectively.
Figures may not add up to totals due to rounding.