

ANNUAL REPORT



Court of Appeal for British Columbia
2014

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MESSAGE FROM CHIEF JUSTICE BAUMAN

From exchanging knowledge with other judges internationally to speaking with high school students locally, it is always a great pleasure to communicate with others about the Court of Appeal's ongoing work and projects. This annual report provides a valuable opportunity to convey both the accomplishments of the Court and the challenges faced by the judiciary.

The year 2014 was marked by the sad event of the passing of a sitting justice of the Court, the Honourable Mr. Justice Richard T.A. Low. In September, the Court held a special sitting in honour of Judge Low's contributions to the Court, and his absence continues to be mourned.

By the end of 2014, the Court had only 12 full-time justices of the 15 positions constituting a full Court of Appeal complement. The appointment of the Honourable Mr. Justice John Savage in December 2014 improved circumstances, but the Court has since remained short two full-time judges.

I express my sincere gratitude to the Honourable Justices of the Court of Appeal, who continuously carry out their responsibilities with dedication and diligence. It is a testament to their preparation and hard work that in 2014, 20 percent of civil judgments and 59 percent of criminal judgments were given on the day of hearing, and 91 percent of reserve judgments were released within six months of being heard. The Court has also extended its outreach efforts, sitting several days in the interior of British Columbia, in addition to the usual sittings in Victoria and, as the Yukon Court of Appeal, in the Yukon. Likewise, I extend my thanks to all of the Court's staff, whose efforts have created the productive and collegial environment that the Court enjoys.

What is the role of the Court of Appeal for British Columbia? Of course, the Court is a forum for litigants to appeal decisions. Looking at the Court within its broader societal context, the Court's role must also encompass the responsibility to facilitate access to justice and to adapt to the technological, economic and social changes affecting the Court and the participants in the justice system.

The justice system is not controlled or determined by a single entity; it relies on a cooperative effort between many institutions and individuals. The Court values the collaborative relationships it has developed with the Honourable Suzanne Anton and her Ministry staff, the Law Society of British Columbia, the Canadian Bar Association, the Justice Education Society, British Columbia's three law schools, the Continuing Legal Education Society of British Columbia, the Courthouse Library Society, the Law Foundation and many other provincial, national and international organizations, as well as the many members of the legal profession and general public who contribute their knowledge and resources to support and improve our justice system.

“...the Court's role must also encompass the responsibility to facilitate access to justice and to adapt to the technological, economic and social changes affecting the Court and the participants in the justice system.”

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A number of public reports were issued in 2014 addressing the challenges confronting the justice system. The Canadian Bar Association released its *Futures* report (*Futures: Transforming the Delivery of Legal Services in Canada*), examining innovations that may better accomplish the delivery of legal services in Canada. The Law Society of British Columbia released its *Report of the Legal Services Regulatory Framework Task Force*, recommending new legal services in response to unmet needs. Part of the impetus behind both reports is the concern that too many litigants are not able to access the legal services they need, and end up representing themselves in their legal problems and court proceedings.

The Court's statistics for 2014 indicate that the proportion of self-represented litigants has remained generally consistent during the past five years. The Court saw an overall reduction in the rate of self-representation (that is, an appeal in which at least one party is self-represented) to 26 percent of all civil appeals initiated (by Notice of Appeal or by Application for Leave to Appeal) in 2014 from 30 percent in 2013. However, for family law appeals, the rate increased to nearly 44 percent in 2014 from 38 percent in 2013. The Court is attempting to assist families via the Family Law Pilot Project, which offers case management tools to litigants who are disputing issues affecting children.

By the time civil matters reach the hearing stage, the rate of self-representation is a bit lower, and for criminal appeals, the rate of self-representation has decreased somewhat in 2014. However, such advances should not give us solace. As Chief Justice McLachlin and multiple other voices have observed, barriers to obtaining legal help can produce heavy burdens for Canadians, resulting in individual and societal injustices, in addition to encumbering an already strained legal system. From my perspective as Chief Justice of British Columbia, it is imperative that the legal profession, including, and perhaps especially, judges, respond with meaningful action resulting in improved access to justice.

The National Action Committee on Access to Justice in Civil and Family Matters has recognized that rule reform can be an important tool for improving access to justice. Taking heed of the Committee's remarks, the Court has embarked on a rule reform initiative, beginning with the Court's civil rules. Guided in part by the recommendations made by the Committee in its publications, *Report of the Court Processes Simplification Working Group* and *Access to Civil & Family Justice: A Roadmap for Change*, the project's animating principles include consultation, collaboration, simplification, fairness and efficiency. The overarching purpose of reforming the Court's civil rules is to improve access to justice by listening to the people who participate in the Court's processes. Throughout these endeavors, the Court will ensure that it adopts a path that enhances and reinforces judicial independence.



REGISTRAR'S REPORT

THE COURT'S ACTIVITY

Since 2011, the number of new appeals filed in the Court of Appeal has been slowly increasing, reversing the gradual downward trend since 2002. There were 1,029 filings of new appeals in 2014, an increase from the 995 new filings in 2013, 952 in 2012, and 933 in 2011. In 2014, the Court saw an increase in both civil and criminal filings. Detailed statistics for criminal and civil caseloads for the last thirteen years can be found [in the three appendices](#) at the end of this annual report.

In 2014 the Court delivered written reserve judgments in 283 appeals and 56 chambers applications. In addition, the Court pronounced judgment with oral reasons in a further 153 appeals, and in the vast majority of chambers applications.

SITTINGS OF THE COURT

The Court sat a total of 86 divisions in 2014, two more than in 2013. In 2014, division one sat for 38 weeks; division two sat for 37 weeks; and division three sat for four weeks. The Court also sat two divisions during the summer months. The Court sat for seven weeks in Victoria, eight days in the Yukon as the Yukon Court of Appeal, five days in Kamloops, and one day in Kelowna.

CHAMBERS WORK

Chambers motions are brought by litigants seeking various forms of relief before an appeal is heard. The Court has seen an increase this year in the number of chambers motions, particularly in civil appeals. Some of the increase can be explained when litigants seek the same relief across multiple files in large appeals, driving up the number of motions. In 2014, the Court received 260 more chambers motions than 2013, a year-over-year increase of 21%.

CRIMINAL SENTENCE APPEALS

2014 saw an increase in the number of criminal sentence appeals filed and allowed. Much of this increase can be explained by the Supreme Court of Canada decision in *R v. Summers, 2014 SCC 26*, a case discussing adjustments to inmates' custodial time prior to sentencing. In 2014, there were 78 appeals filed where the grounds of appeal involved *Summers* adjustments. Approximately 51 reserve decisions involving *Summers* factors were issued, the vast majority of which were allowed, often with the consent of the Crown. As the Court disposed of 203 total criminal appeals, these cases represent about one quarter of the Court's criminal dispositions, inflating the proportion of criminal appeals allowed by the Court in 2014 to an unusually high 49%.

“ Since 2011, the number of **new appeals filed** in the Court of Appeal has been slowly increasing... ”

“The list of orders requiring leave replaced an older and more confusing legal test requiring litigants to determine whether the order they wished to appeal was final or interlocutory.”

LEAVE TO APPEAL IN CIVIL CASES

For the minority of appeals, litigants must seek the Court’s permission to appeal their case in a process known as “leave to appeal.” In May of 2012 a regulation was deposited amending the *Court of Appeal Rules* to simplify the leave to appeal process by creating a short list of orders requiring leave to appeal. The list of orders requiring leave replaced an older and more confusing legal test requiring litigants to determine whether the order they wished to appeal was final or interlocutory.

Most of the objectives in creating this rule have been met. Court of Appeal registry staff report less difficulty explaining to litigants how to commence their appeals, resulting in a saving of registry time and effort. Lawyers also report less confusion and effort in determining whether to proceed by right or to request leave. Less subjectively, fewer litigants are filing both types of initiating documents, a process followed when litigants are unsure whether to appeal by leave or by right. Since 2012, such “dual filings” have decreased from 41 to an average of 25 per year.

There has also been a shift since 2012 in the number of overall cases that proceed by leave to appeal and by right. In the statistics section of this report, Figure 4 below shows the increase in appeals by right. In 2010 approximately 20% of civil appeals filed proceeded by leave to appeal, 19% in 2011, 20% in 2012, 14% in 2013 and 13% in 2014.¹

EXTRA-JUDICIAL APPOINTMENTS AND ACTIVITIES

In addition to the justices’ workload in hearing cases and issuing judgments, every justice is involved in activities in the legal profession, the judiciary, for local communities, the Province, and Canada. Justices also attend continuing education seminars, for lawyers and for judges, in Canada and abroad, as participants and speakers. In 2014, justices of the Court participated in activities with the following bodies:

- ✓ The Canadian Judicial Council
- ✓ The Vancouver Foundation
- ✓ The British Columbia Law Institute
- ✓ The Canadian Institute for Administration of Justice
- ✓ The Woodward Foundation
- ✓ The University of British Columbia Peter A. Allard School of Law
- ✓ The University of Victoria Faculty of Law
- ✓ Thompson Rivers University Faculty of Law
- ✓ Various moot court competitions
- ✓ The Appellate Advocacy Section of the Canadian Bar Association

“
In the digital age, court records and judicial administration records throughout their lifecycle require continuous improvements and changes to their management.”

- ✓ Canadian Superior Court Judges’ Association
- ✓ The Continuing Legal Education Society of British Columbia
- ✓ British Columbia Rhodes Scholarship Selection Committee
- ✓ The National Judicial Institute
- ✓ Provincial Court of British Columbia Judges’ Conference
- ✓ Justice Education Society
- ✓ International Commission of Jurists
- ✓ The Commissioner for Federal Judicial Affairs
- ✓ International Society for the Reform of Criminal Law
- ✓ Lawyer’s Inn Programme
- ✓ American College of Trial Lawyers
- ✓ Association des Juristes d’expression Française de Colombie-Britannique
- ✓ The Ride to Conquer Cancer

RECORDS AND INFORMATION MANAGEMENT

In the digital age, court records and judicial administration records throughout their lifecycle require continuous improvements and changes to their management. The Court’s Records Officer develops, delivers and maintains a records and information management program for the Court of Appeal. The Records Officer also supervises the Records Technician and the Usher team.

The daily receipt, processing, organization, delivery, storage and disposition of Court of Appeal court records throughout the hearing process are managed by the Court’s Records Technician. Registry staff manage the case files separately from the books. The daily processing, organization, photocopying and distribution of files, mail, and court records is managed by the Usher team.

Projects

In 2014 the Court’s Records Officer participated in and provided project management support for:

- ✓ efilings enhancements to improve options for filing electronic records;
- ✓ eAppeal pilots;
- ✓ planning for the viewing of electronic transcripts in the courtroom;
- ✓ improvements to the [Record and Courtroom Access Policy](#), in particular access procedures to Court of Appeal transcripts and audio of proceedings;
- ✓ developing information management and recordkeeping requirements for records published on the [Court of Appeal website](#).



There were
1,170 efiled documents in 2014, up from 981 efiled documents in 2013 and 667 efiled documents in 2012.

Operational Highlights

- ✓ The Records Technician and Records Officer promote the continuous improvement to the Court's electronic case tracking system (WebCATS) including procedures to enhance the management of court records. For example in 2014, the creation of labels for judges' sets of court records was automated. The Records Technician and Ushers can now easily and quickly label these records to provide access to justices and staff. This also increases the efficient disposition of these records when their retention period has expired.
- ✓ Book access requests are now tracked in an invoice database. The Records Technician and Ushers can quickly create quotes and invoices for registry staff and the public. In 2014, 143 book requests were processed. All records requests are governed by the Court's Record and Courtroom Access Policy.
- ✓ The Court of Appeal and Supreme Court of British Columbia are entering their second year of a successful service model for the Records Technician and Usher team; the cross-trained Usher team provides backup coverage for the Records Technician. Because we can provide continuous service to justices, staff, the public and the legal profession, court records are effectively made accessible for everyone throughout the hearing process.
- ✓ The team has continuously improved the organization and storage of court records at the courthouse. The annual shipment of court records to off-site storage is now quicker and easier to complete. We have increased the accuracy of retention schedule timelines.
- ✓ Registry and judicial staff both participate in on-going data management projects to ensure filing data is accurate for justices, staff and the public.

WEBCATS AND ELECTRONIC FILING

WebCATS, the web-based Court of Appeal tracking system, is the Court's electronic file management system. WebCATS has been available to the public through Court Services Online (CSO) since 2005, allowing the public to search civil and criminal indices for free and to view individual files for a nominal fee.

Court of Appeal e-filing was officially implemented in October 2012. There were 1,170 efiled documents in 2014, up from 981 efiled documents in 2013, and 667 efiled documents in 2012. In addition to e-filing, scanning of initiating documents, orders and oral judgments is adding further electronic documents to WebCATS. These documents are accessible through CSO. There is a restriction on viewing documents on family and criminal files (with publication bans) as well as on all affidavits.

REGISTRAR'S HEARINGS

In 2014, the Registrar conducted 77 hearings out of a total of 119 scheduled, an increase in scheduled hearings of about 12% from 2013. Of those 77 hearings, 26 were for the assessment of costs, 24 were to settle orders, 14 were combined settlements of orders and assessments, and 12 were to settle the contents of the transcript or appeal book. There was also one pre-hearing conference held for a complex costs matter.

In 2014, **93%** of civil appeals were disposed of as a percentage of civil filings.

STATISTICS

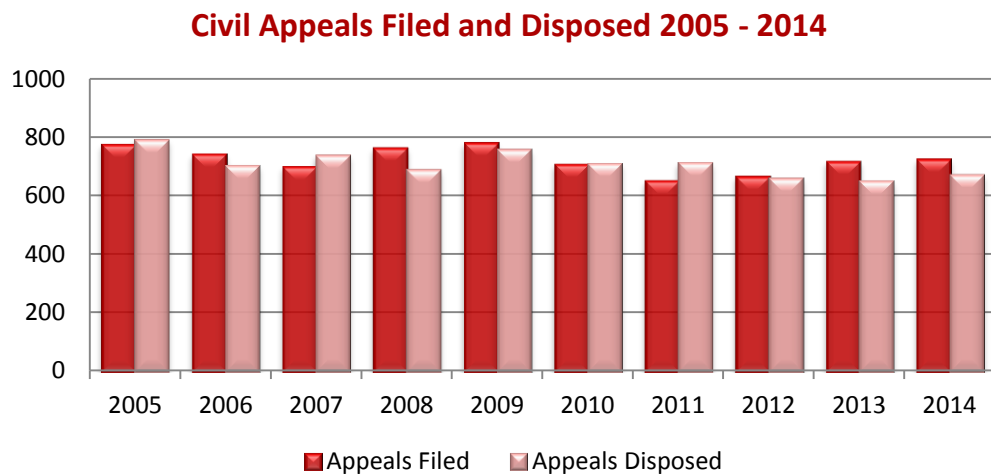
Figures 1 - 4 below show the volume of litigation and compare the number of appeals filed, both civil and criminal, and the number of appeals disposed of for the period 2005 - 2014. The [three appendices](#) at the end of this report provide more detailed criminal and civil statistics over the last thirteen years.

CIVIL APPEALS FILED AND DISPOSED

Figure 1 shows the number of civil appeals filed and disposed from 2005 to 2009, with a drop in filings between 2009 and 2011. Since 2011, the number of civil appeals filed has been slowly rising.

The Court measures the number of civil appeals disposed of as a percentage of the total number of civil appeals filed in a given year. In 2014, 93% of civil appeals were disposed of as a percentage of the civil filings. For greater clarity, an appeal that is “disposed” or “disposed of” means that it has been dismissed, allowed, or abandoned and is no longer on the Court’s docket. Though not a complete measure of the Court’s workload, the purpose of this chart is to show how the Court is keeping up with the cases filed by looking at filings as “inputs” and dispositions as “outputs.”

Figure 1

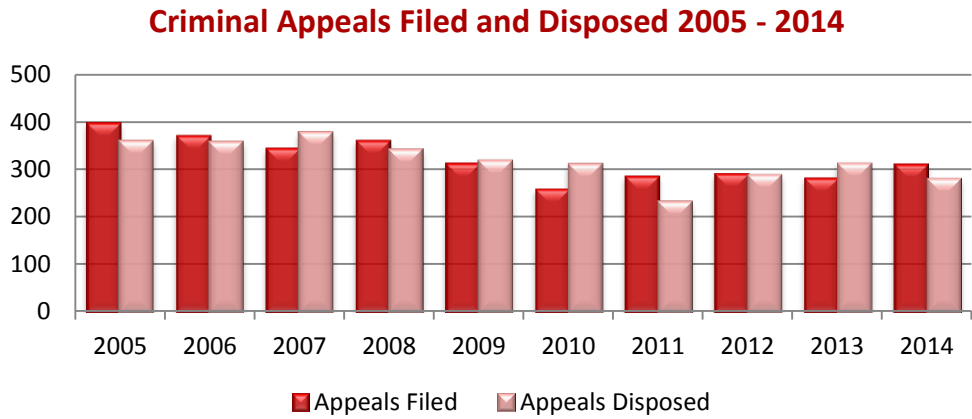


90% of criminal appeals were disposed of as a percentage of criminal filings.

CRIMINAL APPEALS FILED AND DISPOSED

In 2014, 90% of criminal appeals were disposed of as a percentage of criminal filings. There was a slight increase in criminal filings, the first such increase since 2012.

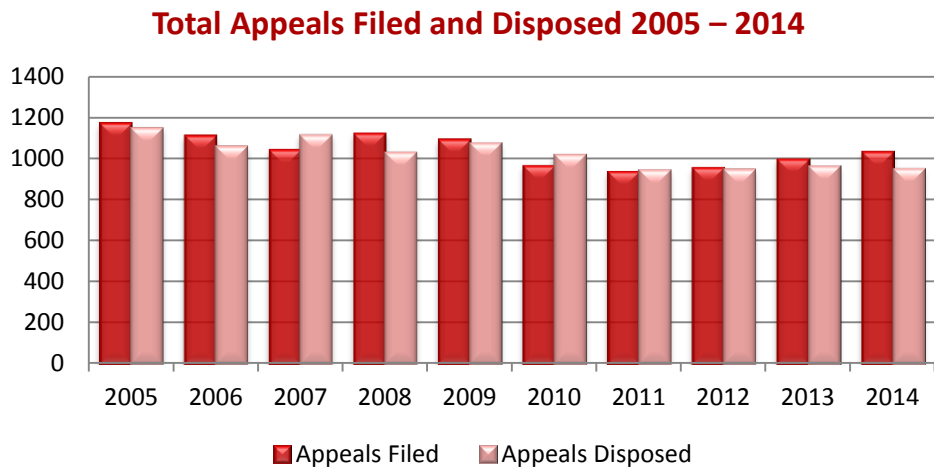
Figure 2



TOTAL APPEALS FILED AND DISPOSED

For a more complete picture of total activity, Figure 3 combines the civil and criminal filings and dispositions. The number of filings was slightly more than the number of dispositions. Overall 92% of appeals were disposed as a percentage of filings.

Figure 3

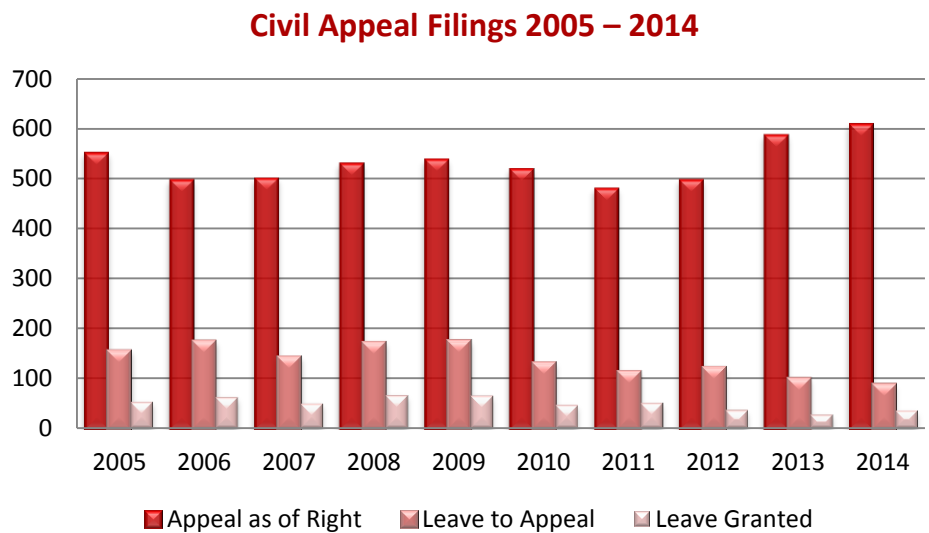


52% of the applications for leave to appeal were granted.

TYPES OF CIVIL APPEALS FILED

Of the civil appeals initiated in 2014, 14% were by applications for leave (or permission) to appeal and of those, 52% were granted. This statistic does not include rare cases when two initiating documents are filed where an appellant is uncertain whether leave is required. Figure 4 shows the comparison of applications for leave to appeal with appeals as of right.

Figure 4



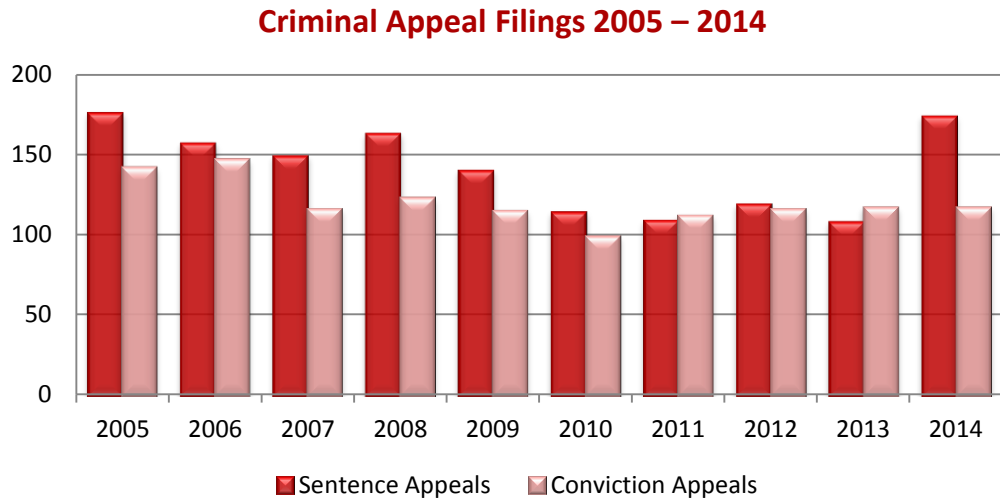
TYPES OF CRIMINAL APPEALS FILED

In criminal matters, appeals from convictions and acquittals take up most of the hearing time of the Court, with sentence appeals and summary conviction appeals requiring less time. Figure 5 gives a comparison of criminal appeals filed between 2005 and 2014.

This year, the Court has seen an increase in sentence appeals arising from the Supreme Court of Canada case in *R v. Summers, 2014 SCC 26*, which resulted in the Court allowing several appeals to adjust pre-custody credit in accordance with the Supreme Court of Canada’s ruling.

As in years past, figures show there were **more appeals from chambers matters and summary trials combined than appeals from trials**, although in 2014 **the number of appeals from trials increased.**

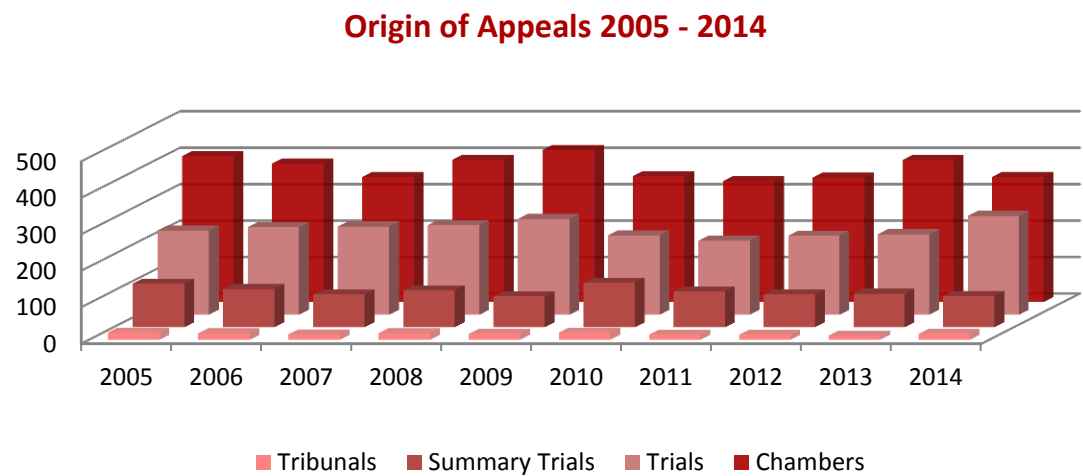
Figure 5



ORIGIN OF APPEALS

In most cases, the Court is able to measure the type of proceeding giving rise to an appeal. As in years past, figures show there were more appeals from chambers matters and summary trials combined than appeals from trials, although in 2014 the number of appeals from trials increased. Figure 6 shows the types of appeals according to the underlying proceeding. In 2014, approximately 61% of appeals were from chambers matters and summary trials.

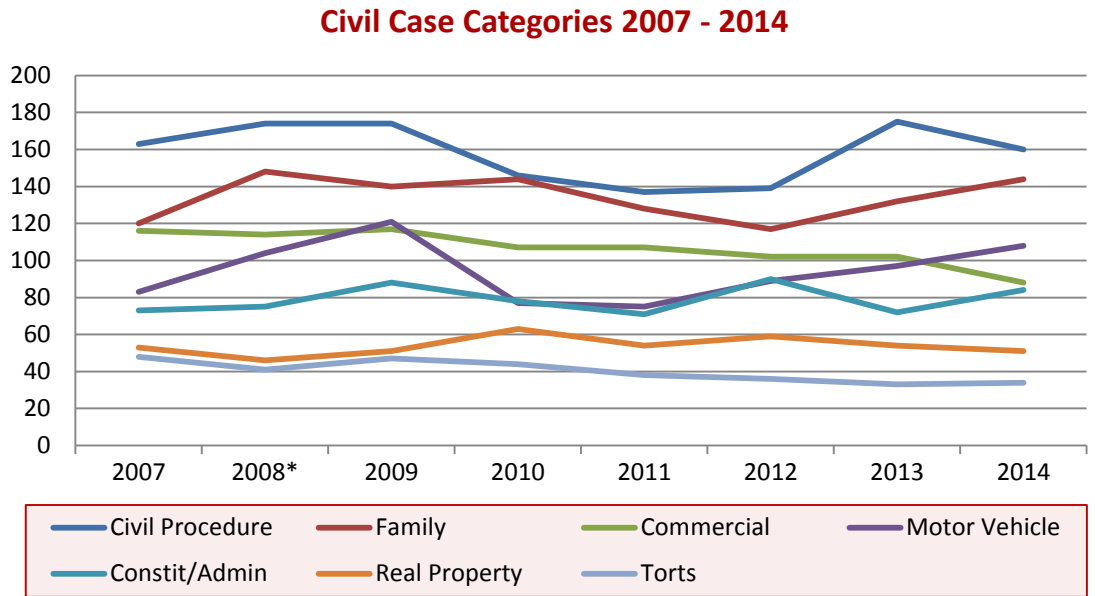
Figure 6



CIVIL CASE CATEGORIES

When a civil case is filed with the Court, litigants provide the subject of the appeal in the document initiating their appeal. Figure 7 shows the top seven categories of cases before the Court between 2007 and 2014 by number of cases.

Figure 7

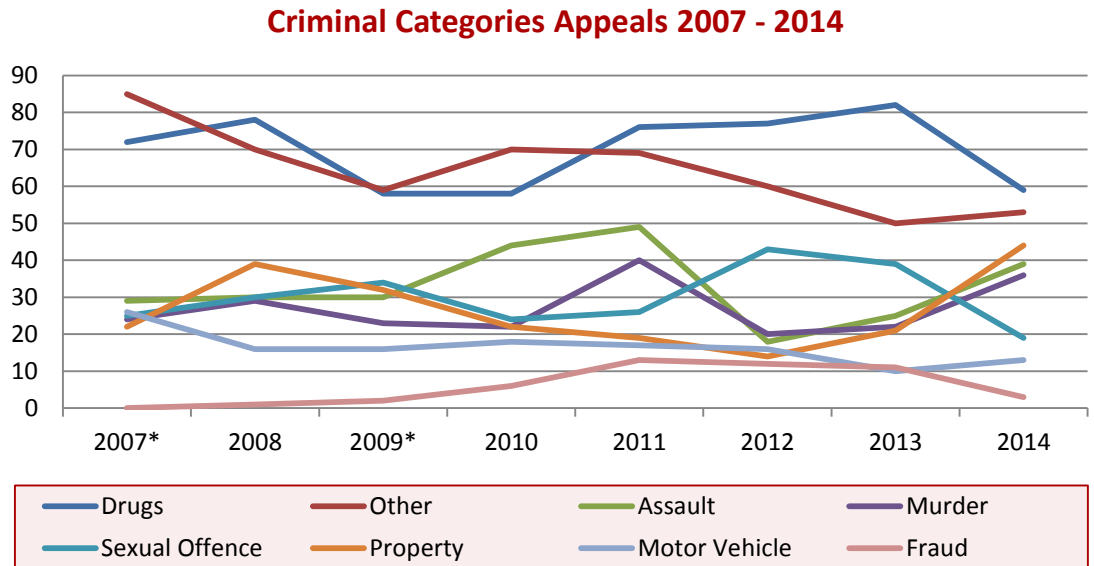


* Correction made

CRIMINAL CASE CATEGORIES

The Court also tracks the subject of the various criminal cases. Figure 8 shows the top eight categories of cases before the Court between 2007 and 2014 by number of cases. “Other” covers various offences such as arson, mischief, extradition, and *habeas corpus* cases.

Figure 8



* These two years were revised

“In 2014 the proportion of civil appeals allowed was 40% of the total civil appeals heard.”

APPEALS ALLOWED/DISMISSED

The rate of civil and criminal appeals allowed over the past seven years has varied. In 2014 the proportion of civil appeals allowed was 40% of the total civil appeals heard. For criminal appeals, 49% were allowed. The “allowed” statistics include appeals partially allowed (i.e. any variations in the order) as well as appeals in which new trials were ordered.

Figure 9 shows the number of civil appeals allowed and dismissed and Figure 10 shows the number of criminal appeals allowed and dismissed. As discussed above, the spike in allowed criminal appeals in Figure 10 is due to appeals allowed as a result of *R. v. Summers*.

Figure 9

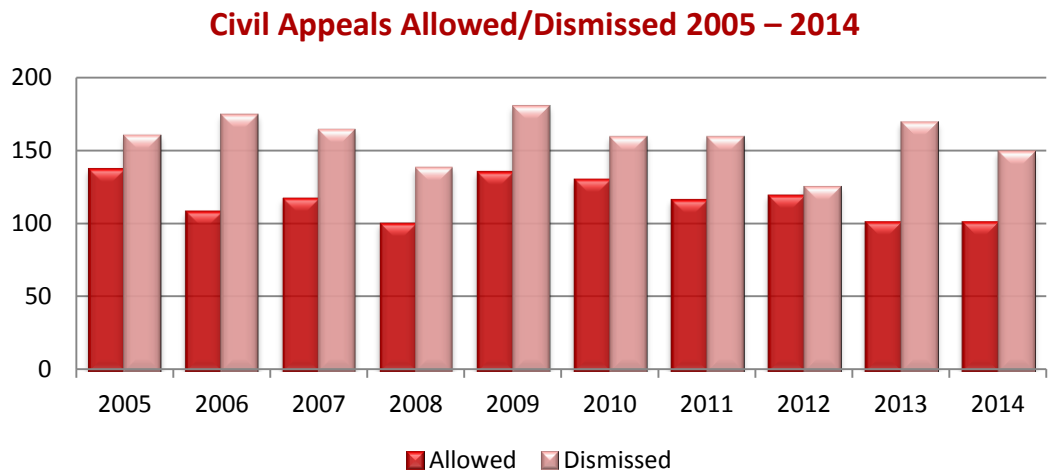
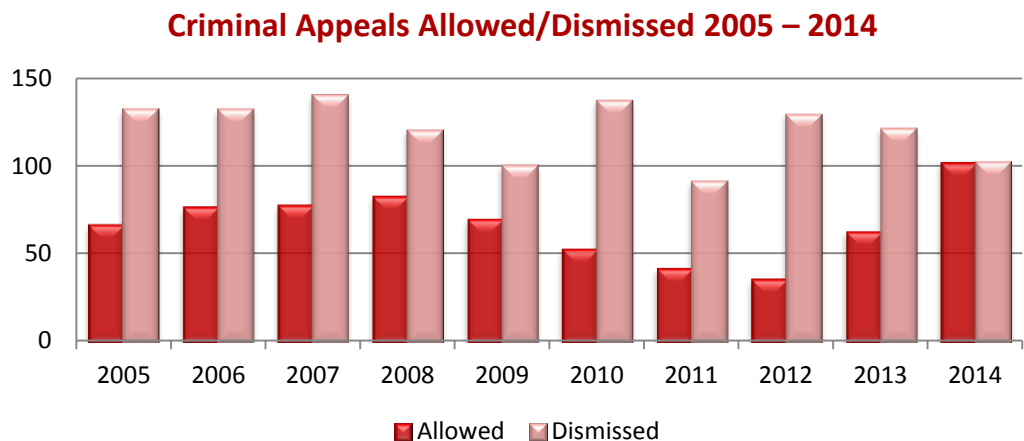


Figure 10



“ In 2014, out of 720 civil appeals and applications for leave to appeal filed, **188 cases (26%)** involved a self-represented litigant.

SELF-REPRESENTED LITIGANTS

Figures 11 - 13 below show the number of self-represented litigants that were either appellants or respondents in a new appeal filed between 2005 and 2014.

In 2014, out of 720 civil appeals and applications for leave to appeal filed, 188 cases (26%) involved a self-represented litigant. This is a decrease from 2013, where the figure was 30%. Of 250 civil cases disposed of by the Court in 2014, 52 (21%) involved at least one self-represented litigant. This is also a decrease from 2013, where the figure was 24%.

There is a higher prevalence of self-represented litigants in family appeals. In 2014, almost 44% of the family appeals heard involved self-represented litigants. This is an increase from 2013, where the figure was almost 38%.

On the criminal side, there were 309 appeals or applications for leave to appeal filed. Of that total, 53 (17%) were appeals or applications involving self-represented litigants. This represents an increase from 2013, where the figure was 14%.² Of the 203 criminal appeals disposed by the Court in 2014, 11 (5%) involved self-represented litigants, a drop from 11% in 2013.

Figure 11

Civil Appeals Filed - Self-Represented Litigants 2005 - 2014

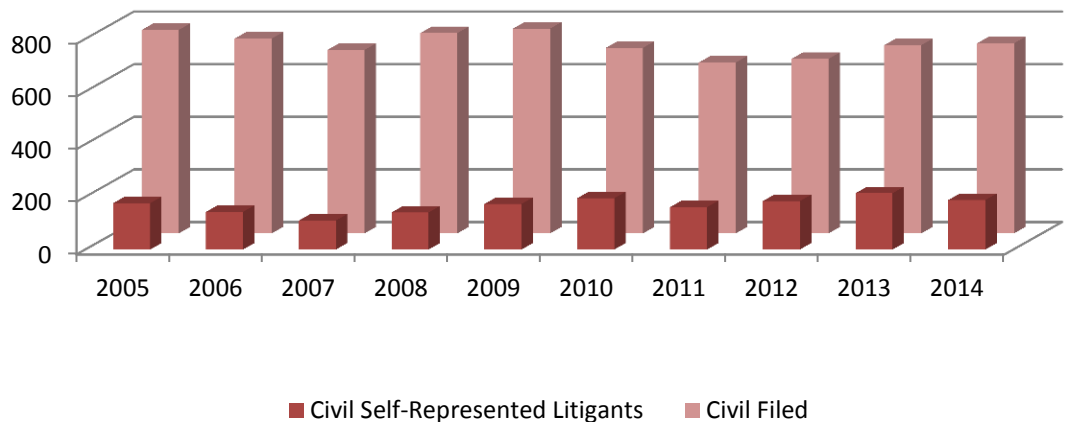


Figure 12

Criminal Appeals Filed - Self-Represented Litigants 2005 - 2014

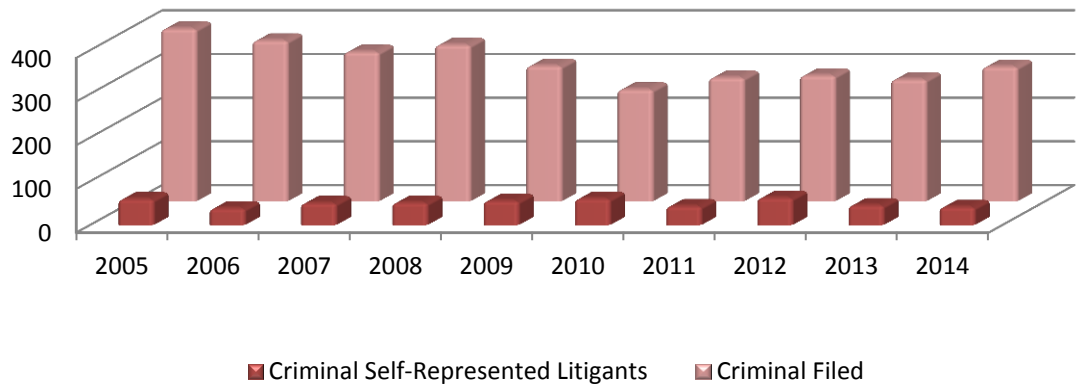
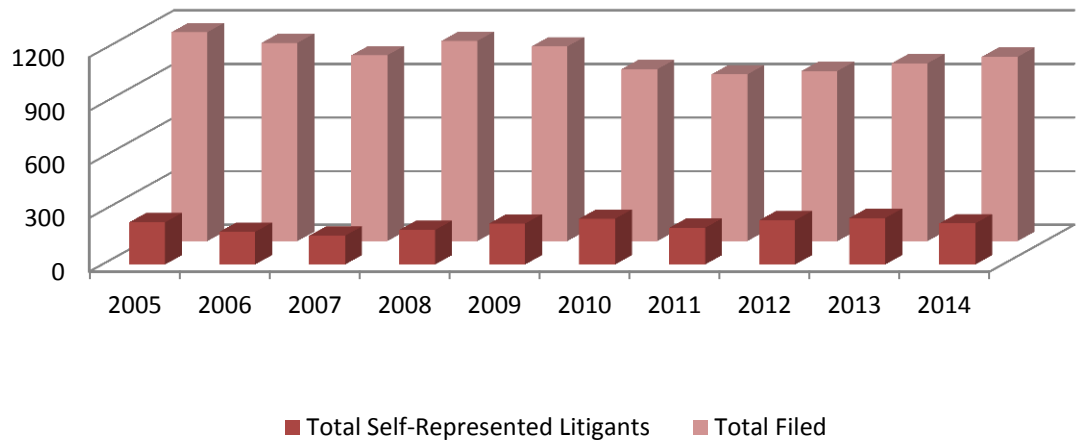


Figure 13

Total Appeals Filed - Self-Represented Litigants 2005 - 2014



“The Court’s available dates fluctuate, but generally the parties may obtain a date for hearing the appeal **within three months** of a request.”

TIME LAPSE STATISTICS: FILING TO HEARING

The four charts below represent two timeframes showing the progress of appeals through the Court. The term “filing to perfection” measures the time in days from the filing of the initiating document to the time an appeal is ready to be scheduled for hearing. The term “perfection to hearing” measures the time in days from when it is ready to be scheduled until it is heard. The Court’s available dates fluctuate, but generally the parties may obtain a date for hearing the appeal within three months of a request. With certain limited exceptions, the parties choose the date they want the appeal to be heard.

Figure 14

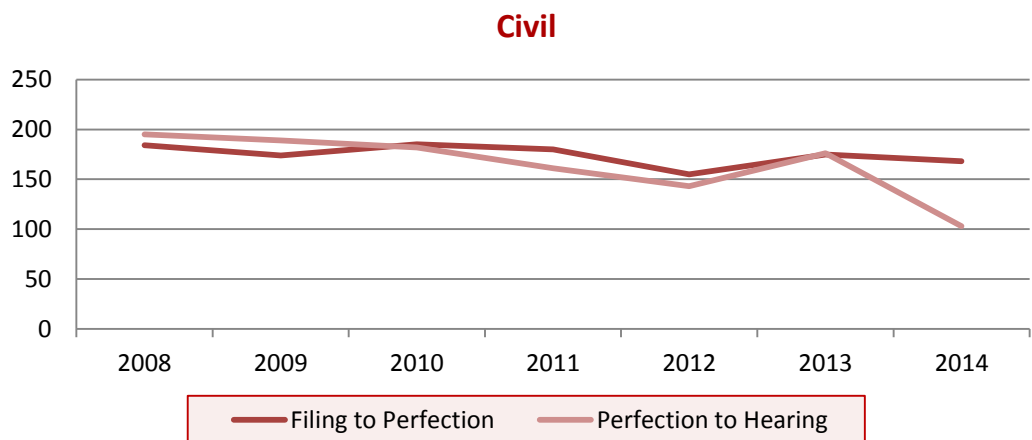


Figure 15

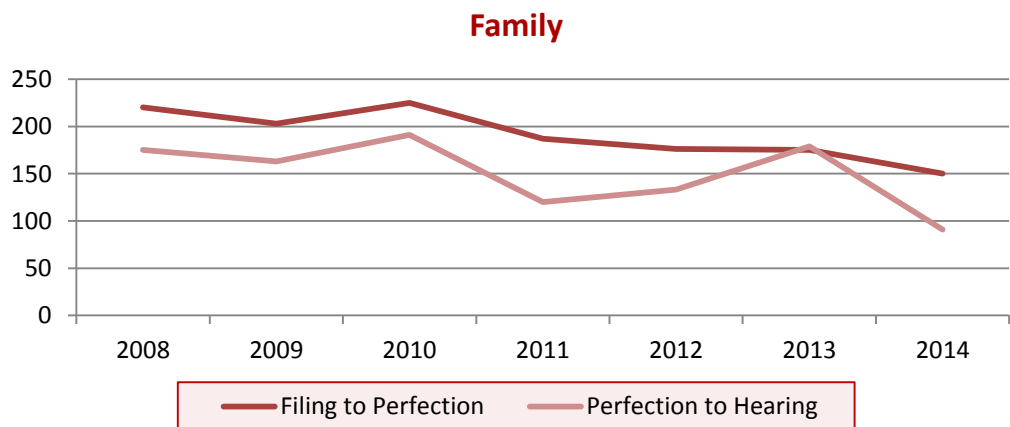


Figure 16

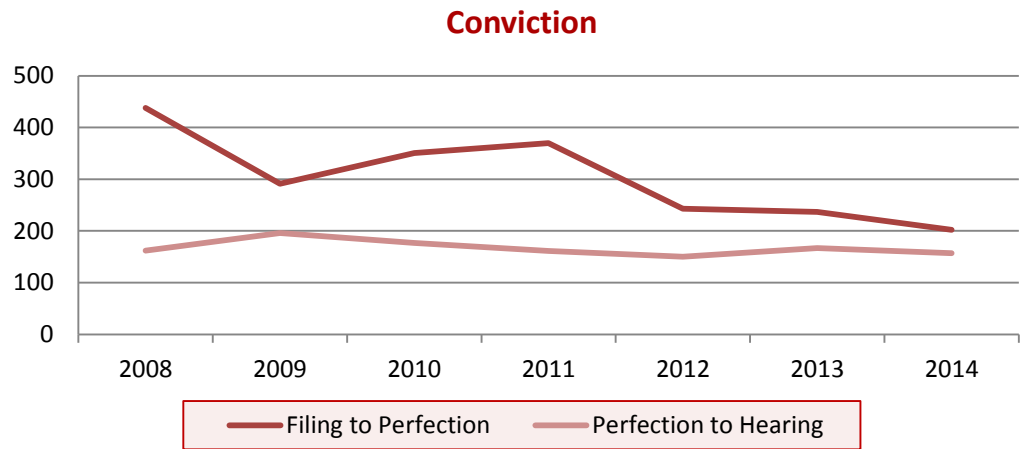
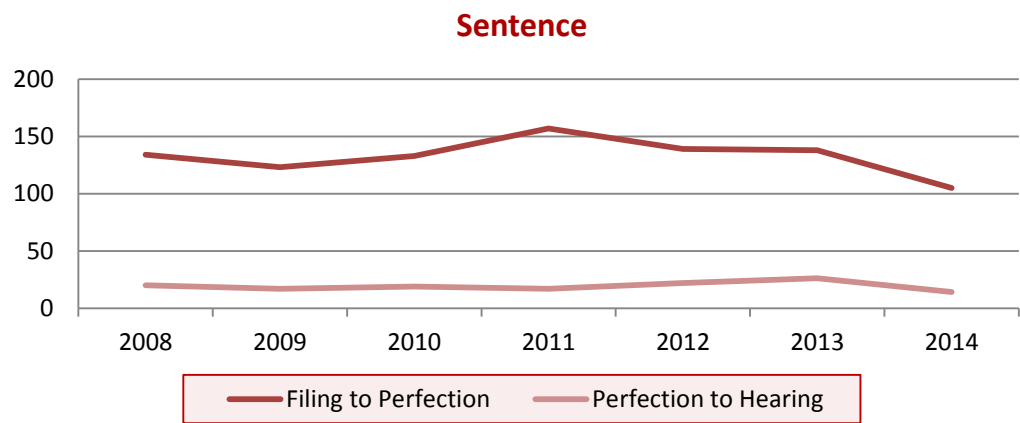


Figure 17



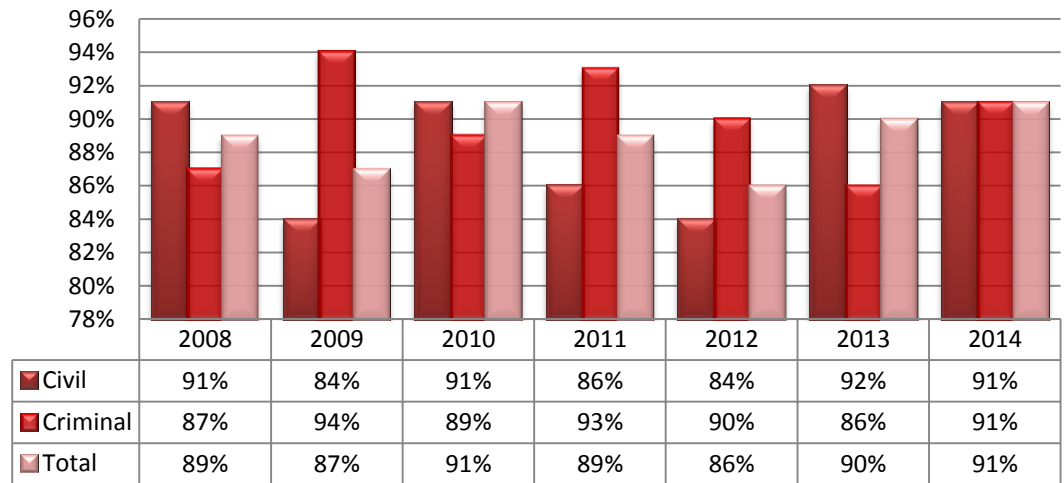
“ In 2014, the Court reserved judgment in **80% of civil cases and 41% of criminal cases.** ”

TIME LAPSE STATISTICS: HEARING TO JUDGMENT

The Canadian Judicial Council provides a six-month guideline for the release of reserved judgments, which are judgments given orally or in writing after the appeal concludes. Figure 18 represents the percentage of Court of Appeal reserve judgments released within that six-month period, sorted by civil, criminal, and total reserve judgments. In 2014, the Court reserved judgment in 80% of civil cases and 41% of criminal cases. This chart does not include those cases where judgment is given the day of the hearing.

Figure 18

Percentage of Reserve Judgments Released within Six Months Guideline





In 2014, there were **eight successful applications** to the Supreme Court of Canada for leave to appeal of **71 total considered**, with nine remaining undecided.

APPEALS TO THE SUPREME COURT OF CANADA

Statistics from the Supreme Court of Canada show that the Court of Appeal is the Court of last resort for most British Columbians. In most cases, litigants must seek permission, or leave, to appeal a case from the British Columbia Court of Appeal to the Supreme Court of Canada. In 2014, there were eight successful applications to the Supreme Court of Canada for leave to appeal of 71 total, with nine remaining undecided as of 31 December 2014.

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
B.C. Leave Applications Considered	64	75	105	61	70	66	34	67	76	80
Granted	8	7	19	8	13	10	5	12	7	8
Dismissed	45	56	65	46	51	49	27	46	59	63
Pending	11	12	21	7	6	7	2	9	10	9
Percentage from B.C.	11%	16%	16%	12%	13%	15%	6%	13%	14%	10%
B.C. Appeals Heard	21	9	13	20	9	13	13	14	12	8
Allowed	6	1	2	7	5	4	3	3	3	2
Dismissed	8	2	3	4	0	2	4	5	3	2
Pending	7	6	8	9	4	7	6	6	6	4
Percentage from B.C.	21%	11%	22%	25%	20%	14%	18%	18%	14%	13%

“The mandate of the Planning and Priorities Committee is to consider **matters of general importance** to the operation of the Court, including **court reform, new policies, initiatives, and changes** to Court administration.
”

PLANNING, PRIORITIES, AND ACCESS TO JUSTICE COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman (Chair)
The Honourable Madam Justice Saunders
The Honourable Mr. Justice Chiasson
The Honourable Mr. Justice Frankel
The Honourable Mr. Justice Tysoe
The Honourable Madam Justice Neilson
The Honourable Mr. Justice Groberman
Jennifer Jordan, Registrar (until June 30, 2014)
Timothy Outerbridge, Legal Counsel and Registrar (from July 1, 2014)
Frank Kraemer, Q.C., Executive Director and Senior Counsel
Sally Rudolf, Legal Counsel (from July 14, 2014)

The mandate of the Planning, Priorities, and Access to Justice Committee is to consider matters of general importance to the operation of the Court, including court reform, new policies, initiatives, and changes to Court administration. The Committee functions as the Court’s Executive Committee.

The following matters were considered in 2014:

JUSTICE AND PUBLIC SAFETY COUNCIL STRATEGIC PLAN

The Court received the annual [strategic plan](#) from the Justice and Public Safety Council as required by the [Justice Reform and Transparency Act](#) and attended the government’s justice summits in May and November 2014.

LOCAL APPEALS, LOCAL HEARINGS

As reported last year, the Committee was exploring changing the default location for the hearings of appeals originating in Kamloops, Kelowna, and the Okanagan Valley to Kamloops or Kelowna rather than Vancouver. To complete this change, consultation with the local bars as well as Crown Counsel and Court Services staff was conducted. After consulting with each of these groups, the Court decided that appeals originating from Kamloops, Kelowna, Vernon, Penticton, and Salmon Arm will be heard at either Kamloops or Kelowna, unless the Registrar directs the appeal to be heard in Vancouver.

“
In 2014, the Court’s self-help website had **15,395 visitors with 51,355 page views** and an average time on the website of two minutes and thirty seconds.

The Planning Committee approved a practice note, *Court Sittings in Kamloops and Kelowna (Civil & Criminal Practice Note, 27 June 2014)* reflecting this change.

SETTLEMENT CONFERENCES

In 2014 the Court of Appeal successfully settled two appeals through its settlement conference program. To make the process more accessible and understandable to lay litigants, the Court reissued and clarified its practice directive on the topic: *Judicial Settlement Conferences (Civil Practice Directive, 27 June 2014)*.

FAMILY PILOT PROJECT

The Court has initiated a pilot project affecting family law files which involve the rights and interests of children. Matters such as child custody or support and maintenance will be more actively case managed when a filing deadline is missed. The Court intends to measure the effect of this case management by comparing the outcomes of these cases before and after the pilot project commenced in September 2014.

WEBCASTING

The Court did not conduct a webcast in 2014, but is actively looking for higher profile cases to webcast as part of its pilot project in 2015.

SELF-HELP WEBSITE

The Court’s [self-help website](#) is a partnership between the Court of Appeal and the Justice Education Society. In 2014, there were some inquiries from other Courts about the self-help website and the Court agreed to share some of its content with the Courts of Saskatchewan in an effort to facilitate greater access to justice for all courts. In 2014, the self-help website had 15,395 visitors with 51,355 page views and an average time on the website of two minutes and thirty seconds. The Court is grateful for the relationship it has formed with the Justice Education Society and all of its work to maintain this important resource.

LEGAL SERVICES REGULATORY FRAMEWORK TASK FORCE

A proposal by the Legal Services Regulatory Framework Task Force was considered by the committee. The Law Society has been exploring ways to provide access to affordable, competent legal services. The focus thus far has been on limited scope retainers and expanding the permitted roles of paralegals and articling students. The committee agreed that the Court should continue to monitor developments in this area.

“The results showed that some litigants are **concerned about the e-filing process** and in particular with the service provided by the current e-filing solution, CSO.”

PROPOSAL FOR ELECTRONIC FILING OF FACTUMS

As discussed in last year’s report, the Court sees the e-filing of larger documents in the Court of Appeal as a key priority. Electronic filings are currently processed through the Court’s electronic registry, Court Services Online (CSO). Presently, CSO infrastructure does not allow factums or larger books to be electronically filed. The goal set in the last annual report was to have mandatory electronic filing of factums and statements by January 2016 following a consultation with the bar. The Court’s consultation commenced on 3 February 2014 and concluded with the [release of the results of the consultation in October](#).

The results showed that some litigants are concerned about the e-filing process and in particular with the service provided by the current e-filing solution, CSO. Some feel that the CSO architecture is not in a sufficient state to achieve the Court’s goals. The Court Services Branch agreed that the existing CSO e-filing solution needs improvement and have commenced a project to improve its function. The project to improve CSO is managed by the Court Services Branch and feedback is provided by the Technology Committee and Court staff. The project employs modern project management and a user experience design process to enhance the e-filing system in iterations. A prototype is expected in April 2015.

ACCESS TO JUSTICE COMMITTEE

In June, the Chief Justice met with Dean Crawford, President of the British Columbia Branch of the Canadian Bar Association and Professor Jerry McHale, Q.C. of the University of Victoria to discuss their proposal to create an “Access to Justice Committee” in British Columbia. The aim of the meeting was to gauge the Court’s interest in being involved in this initiative. The proposal would be similar to access to justice commissions, used primarily in the United States as a method to bring together the courts, bar, civil legal aid providers, and other users of the justice system to coordinate their work on improving access to justice. The Court is dedicated to pursuing initiatives which enhance access to justice and this proposal is one means that can facilitate coordinated planning among the various justice partners.

ACCESS PRO BONO

The Court continued to involve Access Pro Bono in addressing the needs of self-represented litigants. Access Pro Bono is an organization where pro bono lawyers provide free legal advice and representation to low- and modest-income individuals on a wide range of legal issues, including family, immigration, criminal, and civil law (such as debt, employment, welfare, and housing). For the Court of

“The services of all these lawyers, without fee, are of great assistance to the Court, and are very much appreciated.”

Appeal, Access Pro Bono provides both assistance in Chambers through its civil duty counsel project and assistance with full appeals through its Court of Appeal Roster program. The lawyers in the Roster Program who provided pro bono services on Court of Appeal cases in 2014 are:

Greg Allen	Georgiale A. Lang	Michelle A. Quigg
Todd S. Brayer	Jamie F. Maclaren	Taymaz Rastin
Heather Cochran	Brent B. Olthuis	Clara A.K. Richardson
Simon R. Coval	Mark S. Oulton	Rebecca Robb
Mathew Good	Ryan W. Parsons	Priyan M. B. Samarakoone
Angus M. Gunn, Q.C.	Richard C.C. Peck, Q.C.	Jennifer M. Spencer
David A. Hainey	Dana G. Quantz	Jonathan J. Weisman
Claire E. Hunter		

The Court of Appeal Roster Program coordinators also put in many volunteer hours reviewing cases for merit. These coordinators are Angus Gunn, Q.C. and Simon R. Coval (civil), Richard C.C. Peck, Q.C. (criminal), and Georgiale A. Lang (family). The services of all these lawyers, without fee, are of great assistance to the Court, and are very much appreciated.



The mandate of the Rules and Practice Committee is to **review, enhance and simplify** the practice and procedure of the Court.

RULES AND PRACTICE COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman
The Honourable Madam Justice Newbury
The Honourable Madam Justice Bennett
The Honourable Madam Justice Garson (Chair)
The Honourable Madam Justice MacKenzie
The Honourable Mr. Justice Harris
Jennifer Jordan, Registrar (until June 30, 2014)
Timothy Outerbridge, Legal Counsel and Registrar (from July 1, 2014)
Sally Rudolf, Legal Counsel (from July 14, 2014)

The mandate of the Court of Appeal Rules and Practice Committee is to review, enhance and simplify the practice and procedure of the Court. The Committee meets regularly throughout the year to discuss proposals by the justices of the Court, the Registrar, lawyers, and the public for amendments to the *Court of Appeal Act* and the *Court of Appeal Rules*, and the *Court of Appeal Criminal Appeal Rules, 1986* (the “Rules”). The Committee consults with members of the bar and other organizations, such as the Canadian Bar Association, when there is a proposal that significantly changes the Court’s practice and procedure.

CIVIL APPEAL RULES REFORM PROJECT

Beginning in January 2014, the Court of Appeal began to review its civil procedure by proposing a project to amend the *Court of Appeal Act* and the *Court of Appeal Rules*.

The *Court of Appeal Act* and *Court of Appeal Rules* were last revised in 1995. Since then, this Court has added many new rules and issued many new practice directives and practice notes. Amendments have been made to various civil court forms, encoding aspects of appellate practice in different places. Simplification of process through rule reform has been recognized in several recent reports as a way for courts to modernize.

The National Action Committee on Access to Justice in Civil and Family Matters produced a *Report on the Court Processes Simplification Working Group* in May, 2012 and the final *Roadmap for Change* report in October, 2013. The *Roadmap* report stresses the need to achieve simplification as a guiding

“In early 2015, the Court will begin its **public consultation, asking litigants and members of the public** about their experiences with the Court’s *Act* and *Rules*.”

principle: “Overall, and in all cases, rules and processes should be simplified to promote and balance the principles of proportionality, simplification, efficiency, fairness and justice.” Reflecting a similar view, the *Simplification* Report states that “no new rules of court should be contemplated that do not contribute to the simplification of court procedures and the overall improvement of access to justice.”

Throughout 2014, the Court of Appeal consulted internally on areas where the Court felt that rule reform practices should focus, forming sub-committees. The Court also began an informal external consultation, meeting with the Appellate Advocacy Section of the Canadian Bar Association to discuss areas where reform was required. In early 2015, the Court will begin its public consultation, asking litigants and members of the public about their experiences with the Court’s *Act* and *Rules*. In 2015, the Court hopes to release a series of consultation papers, outlining the priorities identified by both the Court and its many users.

CRIMINAL PILOT PROJECT AND CRIMINAL RULE AMENDMENTS

The Pilot Project to reduce delay in the prosecution of criminal conviction and acquittal appeals ended December 31, 2013 and last year’s annual report discussed some of that project’s various successes, including a four-month reduction in the average time it takes an appeal to be heard. A public copy of [the final report](#) evaluating the criminal pilot was released on the Court’s website on 12 May 2014.

Presently, the timelines set by that pilot program are still in force by operation of the practice directive, [Criminal Conviction/Acquittal Appeals Timeline \(Criminal Practice Directive, 13 January 2014\)](#). Until a new set of criminal rules is developed reflecting these timelines, this practice directive will remain in force ensuring that all parties continue to see the benefits of the pilot project’s successes.

The Court continues to rely on the advisory group of defence and Crown counsel who have been available to meet to discuss the Pilot Project and to make suggestions as the Pilot Project progressed. Appreciation is expressed to the following members of the Criminal Advisory Group:

Ian Donaldson, Q.C.	Greg DelBigio, Q.C.	Jeff Ray
Richard Fowler, Q.C.	Rod Holloway, Q.C.	Marilyn Sandford
John Gordon, Q.C.	Jim Blazina	Deborah Strachan
Gil McKinnon, Q.C.	Ursula Botz	Shelley Sugarman
Paul Riley, Q.C.	Valerie Hartney	Brock Martland
Michael Tammen, Q.C.		

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...now requires all parties, except for when it is a demonstrated hardship for a self-represented litigant, to deliver **electronic versions when filing existing paper factums and statements** with the Court.

AMENDMENTS TO CIVIL RULE 2.1 AND RULE 20

On 11 April 2014, a regulation was deposited amending the *Court of Appeal Rules* to include, as limited appeal orders, certain activities of the Supreme Court Registrar associated with foreclosure proceedings to ensure such proceedings would require leave to appeal. This set of amendments also fixed a problem identified where a limited appeal order was heard by a Supreme Court judge, where such an appeal could progress in the Court of Appeal by right rather than by leave. This round of amendments also gave a justice in chambers the ability to exclude testimony from the transcript of an appeal.

DELIVERY OF FACTUMS AND STATEMENTS ELECTRONICALLY

The Committee approved amendments to *Submission of Electronic Factums and Statements (Civil & Criminal Practice Directive, 27 June 2014)*, which now requires all parties, except for when it is a demonstrated hardship for a self-represented litigant, to deliver electronic versions when filing existing paper factums and statements with the Court.

ACCESS TO AUDIO RECORDINGS & ORAL REASONS FOR JUDGMENT

In an effort to centralize the location of information around the process for accessing audio recordings and oral reasons of the Court, the repeal of two practice directives and one practice note was approved:

- ✓ *Digital Recording Policy in the Court of Appeal* (Civil & Criminal Practice Note, 19 September 2011)
- ✓ *Obtaining Oral Reasons for Judgment* (Civil & Criminal Practice Note, 19 September 2011)
- ✓ *Oral Reasons for Judgment* (Civil and Criminal Practice Directive, 19 September 2011)

Access to audio recordings and oral reasons of the Court will now be dealt with in the Court's *Record and Courtroom Access Policy*.

“...all appeals originating from Kamloops, Kelowna, Vernon, Penticton and Salmon Arm will be heard at either Kamloops or Kelowna, unless the Registrar directs the appeal to be heard in Vancouver.”

PRACTICE DIRECTIVE AND NOTES ISSUED OR UPDATED IN 2014

A [table of concordance](#) for both civil and criminal practice directives and notes may be found on the Court’s website.

Timeline for Criminal Conviction / Acquittal Appeals

As discussed above, the Pilot Project for Criminal Appeals concluded December 31, 2013. [Criminal Conviction/Acquittal Appeals Timeline \(Criminal Practice Directive, 13 January 2014\)](#) preserves the timelines set out in the Pilot Project and introduces some minor changes to the way criminal conviction/acquittal appeals are monitored by the Court.

Extradition Model Order for Bail Pending Committal

[Extradition Appeals \(Civil & Criminal Practice Note, March 21, 2014\)](#) creates a model order to reduce the number of appearances required in extradition proceedings. The model order allows judicial interim release (bail) pending an appeal from committal to continue without a further application in chambers, should the Minister of Justice order the person sought surrendered.

Court Sittings in Kamloops and Kelowna

[Court Sittings in Kamloops and Kelowna \(Civil & Criminal Practice Note, 27 June 2014\)](#) requires that all appeals originating from Kamloops, Kelowna, Vernon, Penticton and Salmon Arm will be heard at either Kamloops or Kelowna, unless the Registrar directs the appeal to be heard in Vancouver.

Judicial Settlement Conferences

[Judicial Settlement Conferences \(Civil Practice Directive, 27 June 2014\)](#) provides a more clearly worded update to the practice directive governing the settlement conference program in the Court of Appeal.

Submission of Electronic Factums and Statements

[Submission of Electronic Factums and Statements \(Civil & Criminal Practice Directive, 27 June 2014\)](#) was updated to require parties to deliver electronic copies of their factums and statements to the Court when they are filed in paper.

Addressing the Court

[Addressing the Court \(Civil & Criminal Practice Note, 24 October, 2014\)](#) was issued by the Registrar for the benefit of more recently called members of the legal profession who are, or will be, making their first appearances before the Court, but is also of use to those who are self-represented.

On April 28-30, 2014, the Court conducted the appeal from *R. v. Kembo*, 2010 BCSC 967 in electronic format.

COURT OF APPEAL TECHNOLOGY COMMITTEE

MEMBERS

The Honourable Chief Justice Bauman (*ex officio*)
The Honourable Mr. Justice Tysoe
The Honourable Mr. Justice Groberman
The Honourable Madam Justice Bennett (Chair)
The Honourable Mr. Justice Willcock
Jennifer Jordan, Registrar (until June 30, 2014)
Timothy Outerbridge, Legal Counsel and Registrar (from July 1, 2014)
Frank Kraemer, Q.C., Executive Director and Senior Counsel
Sally Rudolf, Legal Counsel (from July 14, 2014)

The Court of Appeal Technology Committee was originally created to deal with issues arising from the use of computers in the courtroom, but has expanded beyond that to encompass a supervisory role over projects meant to enhance the use of technology in the Court of Appeal.

FILLABLE PORTABLE DOCUMENT FORMAT (PDF) FORMS

Many of the old Microsoft Word forms in civil cases have been updated with fillable Portable Document Format (PDF) forms available on [the Court's website](#). The Court has also provided some limited instructions to assist the completion of these forms, which it hopes to improve in 2015.

ELECTRONIC FILING PROJECT

As discussed above in the Planning, Priorities, and Access to Justice Committee report, the Court of Appeal conducted a consultation on the electronic filing of factums and statements in 2014. The results of that consultation made it clear that the Court Services Branch (CSB) electronic filing system was in need of some improvement. In late 2014, the Technology Committee met and discussed a CSB-led project that will follow a user-experience design model and modern project management approach to the development of future electronic filing.

PAPERLESS APPEALS IN LARGER CASES

On April 28-30, 2014, the Court conducted the appeal from *R. v. Kembo*, 2010 BCSC 967 in electronic format. A PDF "binder" was created (eAppeal binder) containing all of the appeal documents in electronic form. All documents were made available to counsel and the judges electronically, and the

“The greatest efficiency anticipated is the ability to search the electronic record much faster than with paper.”

courtroom was equipped for the electronic presentation and viewing of those documents during the hearing. The Court of Appeal conducted a similar electronic appeal (eAppeal) in October 2012 for the *Federation of Law Societies v. Canada (A.G.)*, 2013 BCCA 147 case. Overall, the *Kembo* eAppeal was a success. The hearing ran smoothly, with no significant delays or interruptions caused by technical issues. All participants were satisfied with the experience, and all counsel indicated that they would recommend an eAppeal to their clients.

Although their experience with the technology was not always perfect, judges and counsel from both eAppeals were optimistic that once participants have more experience with the technology, electronic appeals will facilitate their work. The greatest efficiency anticipated is the ability to search the electronic record much faster than with paper. Counsel are also optimistic that access to justice may be improved through a reduction in paper usage which would in turn lead to a reduction in litigation costs.

Each electronic appeal conducted by the Court is independently evaluated and measured through a set of qualitative interviews with all participants in an effort to improve, through an iterative process, the experience for each successive electronic appeal. A draft protocol for electronic appeals, which helps to guide the process for all involved, is constantly being improved as a result of the feedback in each electronic appeal. In 2015, the Court hopes to conduct another large criminal appeal in a fully paperless environment or, alternatively, experiment with some smaller cases to determine whether they are cost-effective.

COMPUTER USE AND TECHNOLOGY UPGRADES

As many justices are now beginning to use computers in the courtroom to access the internet and the Court's case management system (WebCATS), the Court is responding by adding technology to the various courtrooms. As discussed in last year's report, both Courtroom 60 and 61 are now fully "wired" for the judges so they may hear a fully electronic appeal. Approval was granted to upgrade Courtroom 70 to ensure power and internet would be available to the presiding judge in Chambers, which should provide intranet and power to the justices in the first quarter of 2015.

JUDICIAL ACCESS TO TRANSCRIPTS IN CIVIL APPEALS PILOT PROJECT

For some time, the Court has accepted electronic versions of transcripts in both civil and criminal appeals, which are available electronically in WebCATS. For several months, the Court has had screens installed in Courtrooms 60 and 61 to provide access on demand to the electronic versions of transcripts when requested by a justice. When the request is made, the Court Clerk pulls up the reference, which is displayed on the screens for both the justices and counsel to see. This process is currently available to the Court in civil appeals where references are made outside of the transcript extract books.

“ Law at Lunch is an informal lunch meeting of the judges, held about once a month, at which a speaker presents a topic that relates generally to the work of judges and its impact on others.”

EDUCATION COMMITTEE

MEMBERS

The Honourable Mr. Justice Chiasson
The Honourable Mr. Justice Groberman (Chair)
The Honourable Madam Justice Bennett
The Honourable Mr. Justice Harris

The Education Committee is responsible for presenting education programs for the judges of the Court.

Law at Lunch is an informal lunch meeting of the judges, held about once a month, at which a speaker presents a topic that relates generally to the work of judges and its impact on others. Programs of greater length are presented twice a year, usually at the Court’s semi-annual meetings. Judges also have the opportunity to attend educational programs offered by various organizations, including the National Judicial Institute, the Canadian Institute for the Administration of Justice, the Federation of Law Societies, the Continuing Legal Education Society of British Columbia, the Canadian Bar Association, and university law schools. All of these educational activities are designed to assist judges to remain current in the understanding of substantive and procedural legal developments, as well as in some of the broader issues that form the background to judicial work.

This year, in addition to sessions devoted to the workings of the Court itself, our invited speakers for Law at Lunch sessions included:

- ✓ Mary E. Mouat, Q.C. and Morag M.J. MacLeod, who spoke on the *Family Law Act*
- ✓ Registrar Jennifer Jordan and Legal Counsel Timothy Outerbridge, who gave a presentation on Court technology
- ✓ Hon. Thomas Cromwell of the Supreme Court of Canada and Mark Benton, Q.C. of the Legal Services Society, who presented a session on access to justice
- ✓ Hon. Wally Oppal, Q.C., who gave a session about his work and experiences in leading the Missing Women’s Inquiry
- ✓ Brent Merchant, British Columbia Assistant Deputy Minister of Corrections, who gave a presentation on the role of British Columbia Corrections in the justice system, together with Bill Small (Provincial Director, Community Corrections), Pete Coulson (Provincial Director, Adult Custody), and Elenore Clark (Provincial Director, Strategic Operations)

- ✓ Gib van Ert, who spoke about the use of international law in appeals.

At its spring meeting, the court heard a presentation from Tamara Levy, Director of the University of British Columbia Innocence Project dealing with wrongful convictions and the work of the Project.

The Court usually has an education presentation at its fall meeting. This year, instead, the Court held a one-day education conference in November, in conjunction with the British Columbia Supreme Court and the National Judicial Institute. Dr. Keith Ahamad of the British Columbia Centre for Excellence in HIV/AIDS addressed the causes and context of substance addiction and the role the justice system plays in helping and inhibiting treatment and recovery. Professor Kent McNeil of Osgoode Hall Law School and Mr. Justice Harry Slade addressed issues arising out of the Supreme Court of Canada's decision in *Tsilhqot'in Nation v. British Columbia*, 2014 SCC 44. A panel discussion on judicial ethics was also included in the program. Panelists included the Honourable Justice C. Adèle Kent, the Honourable Richard J. Scott, Professor Richard Devlin, and Professor Stephen G.A. Pitel.

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In 2014 the
Committee
**focused on
the
development
of a mobile
device policy
for both courts.**

JOINT COURTS TECHNOLOGY COMMITTEE

MEMBERS

The Honourable Madam Justice Levine

The Honourable Mr. Justice Groberman

The Honourable Mr. Justice Masuhara (Chair)

The Honourable Mr. Justice Myers

The Honourable Madam Justice Adair

The Honourable Mr. Justice Punnett

The Honourable Master D. Baker

Jennifer Jordan, Registrar (until June 30, 2014)

Timothy Outerbridge, Legal Counsel, Court of Appeal and Registrar (from July 1, 2014)

Frank Kraemer, Q.C., Executive Director and Senior Counsel

Kevin Arens, Director, Information Technology and Finance

Cindy Friesen, Director, Supreme Court Scheduling

Sally Rudolf, Legal Counsel, Court of Appeal (from July 14, 2014)

Heidi McBride, Legal Counsel, Supreme Court

In 2014 the Committee focussed on the development of a mobile device policy for both courts. Committee members also participated in various other technology initiatives for the courts. The Committee continues to review developments in technology and their corresponding impact on the work of the courts.

During the year the Committee considered and recommended approval of a number of applications from a variety of government agencies and departments for access to court records in order to fulfill their statutory mandates or to improve the efficiency of their operations.

JUDICIAL ACCESS POLICY WORKING GROUP

MEMBERS

Dominique Bohn, Executive Director, Service Reform, Court Services Branch
Dan Chiddell, Director Strategic Information & Business Applications, Court Services Branch
Janet Donald, Director of Policy, Legislation and Issue Management, Court Services Branch
Gene Jamieson, Q.C., Legal Officer, Provincial Court
Jennifer Jordan, Registrar, Court of Appeal (to July 1, 2014)
Frank Kraemer, Q.C., Executive Director and Senior Counsel
Karen Leung, Legal Officer, Provincial Court
Grant Marchand, Manager, Judicial Resource Analysis & Management Information Systems, Provincial Court
Heidi McBride, Legal Counsel, Supreme Court (Chair)
Timothy Outerbridge, Legal Counsel, Court of Appeal and Registrar (from July 1, 2014)
Sally Rudolf, Legal Counsel, Court of Appeal (from July 14, 2014)
Kathryn Thomson, Legal Policy Advisor

The Judicial Access Policy Working Group is a joint committee consisting of representatives from all three courts and Court Services Branch employees. The Committee develops draft policies and interacts with the various court committees, seeking guidance and approval for draft policies relating to access to court records, particularly those in electronic format. The Chief Justices and Chief Judge give approval before a policy is adopted. In addition to policy work, the Committee also reviews access applications for those seeking bulk access to court record information.

WORK OF THE COMMITTEE

In 2014, the work of the committee included the following:

Access Applications

During the year the Committee considered and recommended approval of a number of applications from a variety of government agencies and departments for access to court records in order to fulfill their statutory mandates or to improve the efficiency of their operations. The Committee also considered and recommended approval of access applications from universities and other academic organizations for research purposes.

Government Reorganization

Following upon work that began in 2013, the Committee continued to work on developing a long term solution to access to court record information by government employees employed outside of the Court Services Branch. This work involved considering the opportunities and risks presented by non-Court Services Branch employees having electronic access to court record information under different management structures.

Government Data Modeling Project

The Committee approved a request to use anonymous information for data models to assist Court Services Branch in assessing the impact of changes in legislation and other system changes.

Membership of the Committee

In 2014, Jennifer Jordan retired as Registrar of the Court of Appeal and as the Committee's Chair. Registrar Jordan had served as the Committee's Chair since the Committee's creation in 2002 and was instrumental in establishing its policies and procedures. Registrar Jordan lead the Committee and its members as it and they developed and implemented principled and practical approaches to access to court records. The Committee is grateful for the innumerable contributions that Registrar Jordan made to its work.

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In January 2014, the judicial law clerk program received **148 applications for the 30 law clerk positions** available in the two courts for the 2015 – 2016 term.

LAW CLERK COMMITTEE

MEMBERS

The Honourable Madam Justice Newbury
The Honourable Mr. Justice Tysoe (Chair)
The Honourable Madam Justice D. Smith
The Honourable Madam Justice Bennett
Timothy Outerbridge, Legal Counsel (to June 30, 2014)
Sally Rudolf, Legal Counsel (from July 14, 2014)

The Law Clerk Committee provides general supervision of the Court of Appeal’s judicial law clerk program. The Legal Counsel provides day-to-day supervision of the law clerks. One of the major tasks of the Committee is to interview the short list of candidates, following the first round of interviews conducted by the Legal Counsel of the Supreme Court and Court of Appeal. Law clerks in the Court of Appeal commence their terms in the first week of September each year and finish variously after 10, 11, or 12 months (i.e. at the end of June, July, or August).

In January 2014, the judicial law clerk program received 148 applications for the 30 law clerk positions available in the two courts for the 2015 – 2016 term (12 at the Court of Appeal and 18 at the Supreme Court). Most applicants were students from the University of British Columbia or the University of Victoria law schools and the remainder were from other Canadian and foreign law schools.

In February 2014, the Legal Counsel interviewed 103 of the applicants. Subsequently, the judges of the Court of Appeal Law Clerk Committee interviewed 26 applicants and selected 12 for the positions at the Court of Appeal.

In September 2014, 12 clerks began their clerkships at the Court of Appeal for the 2014 – 2015 term. Six clerks are from the University of British Columbia, three from the University of Victoria, two from the University of Toronto and one from Thompson Rivers University.

In October and November 2014, judges from the two courts’ Law Clerk Committees, the Legal Counsel, and some former and current clerks, attended recruitment information sessions at the University of British Columbia, the University of Victoria and Thompson Rivers University law schools. The Legal Counsel and the members of the Law Clerk Committees continue to refine the recruitment and

application process. In 2014, the Committee conducted interviews with applicants residing east of Manitoba through the use of Skype to reduce any financial hardship to students.

The Committee expresses its thanks to Jill Leacock and Heidi McBride, the Legal Counsel to the Supreme Court; to Timothy Outerbridge and Sally Rudolf; and to Alix Going and Andrea Baedak for their assistance.

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In 2014, the library published on the court website 279 civil judgments, 190 criminal judgments, and 34 family judgments arising from proceedings in the Court of Appeal.

LIBRARY COMMITTEE

MEMBERS

The Honourable Mr. Justice Goepel
The Honourable Madam Justice Humphries
The Honourable Madam Justice Kloegman
The Honourable Mr. Justice Skolrood
The Honourable Madam Justice Griffin (Chair)
Frank Kraemer, Q.C., Executive Director & Senior Counsel
Ms. Diane Lemieux, Librarian

The Library continues to find ways to balance its budget and provide current resources to its users. The total amount spent for the year was \$409,850.02, an increase of approximately \$12,000 (3%). The majority of funds have gone towards loose-leaf services, law reports and standing orders (annuals).

The cancellation or reduction of 38 loose-leaf services (the majority coming from Carswell and Thomsen Reuters businesses which include Canada Law Book, Canvasback, Sweet & Maxwell and Editions Yvon Blais) and a reduction in print law reporters late in 2013 was instrumental in the library staying close to the amount spent in last year's budget. Another key factor which helped keep costs down was a forced spending freeze for new acquisitions for most of the year with only a few exceptions for "must have" titles including *Sullivan on the Construction of Statutes* by Ruth Sullivan, *The Law of Evidence in Canada* by Sopinka, Lederman & Bryant, and the new McGill Guide.

As in previous years, all efforts are made to recycle items replaced annually such as Criminal Codes, Annual Practice volumes and bankruptcy materials. Replaced editions are forwarded to outside locations, and out of date or cancelled loose-leaves are given labels that indicate currency and whether the updated item is available in Vancouver.

In 2014, the Library published on the court website 1466 civil judgments, 468 criminal judgments and 365 family judgments arising from proceedings in the Supreme Court and 279 civil judgments, 190 criminal judgments, and 34 family judgments arising from proceedings in the Court of Appeal.

The judicial members of the Committee express their thanks to staff for their work over the past year.

MEMBERS OF THE COURT OF APPEAL

CHIEF JUSTICE

Chief Justice Robert James Bauman

- June 20, 1996 (Supreme Court)
- February 20, 2008 (Court of Appeal)
- September 9, 2009 (Chief Justice Supreme Court)
- June 16, 2013 (Chief Justice of British Columbia)

JUSTICES OF THE COURT OF APPEAL

Mr. Justice Ian T. Donald

- June 30, 1989 (Supreme Court)
- January 28, 1994 (Court of Appeal)
- January 1, 2008 (Supernumerary)

Madam Justice Mary V. Newbury

- July 9, 1991 (Supreme Court)
- September 26, 1995 (Court of Appeal)

Mr. Justice John E. Hall

- July 11, 1991 (Supreme Court)
- December 19, 1996 (Court of Appeal)
- August 1, 2006 (Supernumerary)
- May 15, 2014 (Retired)

Madam Justice Mary E. Saunders

- December 23, 1991 (Supreme Court)
- July 2, 1999 (Court of Appeal)

Mr. Justice Richard T. Low

- March 31, 1977 (County Court)
- July 1, 1990 (Supreme Court)
- July 28, 2000 (Court of Appeal)
- August 15, 2014 (Died in office)

Madam Justice Risa E. Levine

- September 26, 1995 (Supreme Court)
- February 6, 2001 (Court of Appeal)
- January 1, 2012 (Supernumerary)
- December 31, 2014 (Retired)

Mr. Justice Peter D. Lowry

- October 11, 1991 (Supreme Court)
- June 30, 2003 (Court of Appeal)
- January 1, 2011 (Supernumerary)

Madam Justice Pamela A. Kirkpatrick

- November 20, 1989 (Supreme Court Master)
- November 27, 1992 (Supreme Court)
- June 2, 2005 (Court of Appeal)
- January 1, 2012 (Supernumerary)

Mr. Justice Edward C. Chiasson

- September 14, 2006 (Court of Appeal)

Mr. Justice S. David Frankel

- March 2, 2007 (Supreme Court)
- May 10, 2007 (Court of Appeal)

Mr. Justice David F. Tysoe

- June 24, 1992 (Supreme Court)
- June 22, 2007 (Court of Appeal)
- January 1, 2012 (Supernumerary)

Madam Justice Daphne M. Smith

- December 19, 1996 (Supreme Court)
- May 8, 2008 (Court of Appeal)

Madam Justice Kathryn E. Neilson

- July 1, 1999 (Supreme Court)
- May 8, 2008 (Court of Appeal)
- July 1, 2014 (Supernumerary)

Mr. Justice Harvey M. Groberman

- December 14, 2001 (Supreme Court)
- May 8, 2008 (Court of Appeal)

Madam Justice Elizabeth A. Bennett

- August 27, 1997 (Supreme Court)
- May 14, 2009 (Court of Appeal)

Madam Justice Nicole J. Garson

- March 21, 2001 (Supreme Court)
- May 14, 2009 (Court of Appeal)

Madam Justice Anne W. MacKenzie

- July 5, 1990 (Provincial Court)
- June 20, 1996 (Supreme Court)
- April 23, 2010 (Associate Chief Justice Supreme Court)
- December 31, 2011 (Court of Appeal)
- November 30, 2014 (Supernumerary)

Mr. Justice David C. Harris

- March 19, 2010 (Supreme Court)
- April 10, 2012 (Court of Appeal)

Madam Justice Sunni Stromberg-Stein

- December 4, 1989 (Provincial Court)
- February 16, 1996 (Supreme Court)
- June 7, 2013 (Court of Appeal)
- September 1, 2014 (Supernumerary)

Mr. Justice Peter M. Willcock

- June 19, 2009 (Supreme Court)
- June 7, 2013 (Court of Appeal)

Mr. Justice Richard B.T. Goepel

- September 27, 2001 (Supreme Court)
- November 7, 2013 (Court of Appeal)

Mr. Justice John E.D. Savage

- May 8, 2008 (Supreme Court)
- December 11, 2014 (Court of Appeal)

CHANGES TO THE COURT'S COMPLEMENT

INTRODUCTION

2014 was marked by the passing in office of the Honourable Mr. Justice Low. A tribute to his legacy as a judge in British Columbia was marked by a special sitting of the Court of Appeal on 7 November 2014. The Court also marked the passing this year of two former justices: The Honourable Josiah Wood and the Honourable Brian Carrothers. The Honourable Josiah Wood was honoured with a special sitting on 26 September 2014.

During 2014 there were three vacancies in the Court arising from the election to supernumerary status of three justices: The Honourable Justices Neilson, MacKenzie, and Stromberg-Stein. One of those vacancies was filled by the appointment of Mr. Justice Savage on 11 December 2014. There were two retirements in 2014: the Honourable Mr. Justice Hall on 15 May 2014 and the Honourable Madam Justice Levine on 31 December 2014.

APPOINTMENTS TO THE COURT

The Honourable Mr. Justice Savage

The Honourable Mr. Justice John Savage was appointed a judge of the Court of Appeal for British Columbia on December 12, 2014. He was previously appointed a judge of the Supreme Court of British Columbia in 2008.

Justice Savage received a Bachelor of Laws from the University of British Columbia in 1977 and a Bachelor of Arts from Simon Fraser University in 1972. He was admitted to the Bar of British Columbia in 1978. From 1978 to his appointment to the Supreme Court of British Columbia, he practiced administrative law and real property assessment at Crease Harman & Company.

Prior to his appointment to the bench, Justice Savage served as Honourary Solicitor for Scouts Canada in British Columbia. He co-authored the original *B.C. Real Property Assessment Manual* and sat on the CLE Editorial Board, which annually updates the publication. In addition, he was a member of various administrative tribunals including the Financial Services Tribunal, the Employment Standards Tribunal, the Forest Appeals Commission and the Environmental Appeal Board. In 2003, he was awarded the Queen's Golden Jubilee Medal for service to the community.

RETIREMENTS FROM THE COURT

The Honourable Mr. Justice Hall

The Honourable Mr. Justice John Hall retired from the British Columbia Court of Appeal on May 15, 2014. He was appointed to the Court of Appeal in 1996, and had previously served on the Supreme Court of British Columbia from 1991–1996.

Justice Hall received his Bachelor of Laws from the University of Western Ontario in 1963 and was called to the Bar of British Columbia in 1964. Justice Hall practiced with DuMoulin Thorsteinssons Black in Vancouver. Throughout his years of practice, Justice Hall often served as special counsel to the Crown, prosecuting many high-profile prosecutions. He was appointed Queen’s Counsel in 1982.

Prior to his appointment to the bench, Justice Hall served as President of the Vancouver Bar Association through 1977-78. While in private practice, he served as counsel to the British Columbia Commission of Inquiry on Female Offenders in 1978, and as a federal commissioner of the Westbank Indian Band Inquiry in 1988. He has also acted as counsel to the British Columbia Human Rights Commission and lectured at numerous Continuing Legal Education courses. In 2012-13 he chaired the federal Electoral Boundaries Commission for British Columbia.

The Honourable Madam Justice Levine

The Honourable Madam Justice Risa Levine retired from the British Columbia Court of Appeal on December 31, 2014. She served as a judge of the Court of Appeal for more than 13 years, having been appointed in 2001. She previously served as a judge of the Supreme Court of British Columbia from 1995–2001.

Justice Levine completed both a Bachelors and a Masters degree at the University of Toronto in sociology in 1969 and 1970, respectively. She received her Bachelor of Laws from the University of British Columbia in 1977, where she was the Gold Medalist and an Associate Editor of the University of British Columbia Law Review. After being called to the bar, she practiced at Thorsteinssons LLP for 17 years in the area of taxation.

Prior to her appointment to the bench, Justice Levine taught corporate taxation as an adjunct professor at the University of British Columbia Faculty of Law; was a member of the Dean’s Advisory Committee of the University of British Columbia Faculty of Law; and was a member of the board of directors and executive committee of the Jewish Federation of Greater Vancouver. Before and while serving as a judge, Justice Levine was a director and a member of the Honourary Advisory Committee of the Vancouver Foundation.

IN MEMORIAM

The Honourable Richard Low

On August 15, 2014, the Honourable Mr. Justice Richard T. A. Low passed away in his 74th year.

Justice Low will be remembered for his quiet good humour and ultimate gentleness of spirit, as well as his unparalleled breadth of experience as a judge. Justice Low was born in Rock Bay, British Columbia on July 30, 1940 and received his law degree from the University of British Columbia in 1964. Having articulated with Crease & Company in Victoria, he was called to the bar in 1965. He then moved to Prince George, where he practiced with F.A. Howard-Gibbon and then Cashman, Hope, Heinrich & Co and finally Wilson, King & Company. Justice Low was appointed to the County Court of Prince Rupert in 1977, to the Supreme Court of British Columbia in 1990, and finally to the Court of Appeal in 2000. At the time of his passing, he was the longest-serving federally-appointed judge sitting in Canada.

On his passing, Chief Justice Bauman stated, "I have known Dick Low since I was a young articulated law student in Prince George. He mentored me and numerous young lawyers and judges over his long judicial career. For a man appointed at a very young age to the bench, he never lost his ability to relate to his greater community nor his empathy for the people who appeared before him. Judge Low was assuredly learned in the law but above all he was rich in common sense and an appreciation for simple justice."

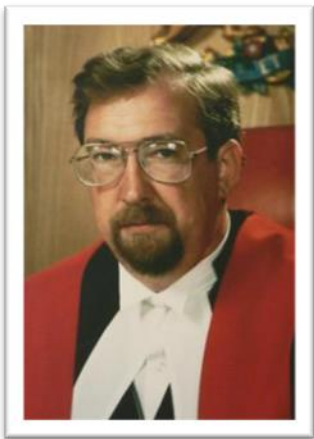
He brought to the courts of British Columbia the perspective of a lawyer who had lived and practiced in the north and a strong understanding and knowledge of the criminal law. In the Court of Appeal, Judge Low sat on significant cases such as *R v. Henry* and *R v. Pickton*. Judge Low is survived by his wife, three children, and four grandchildren.

The Honourable Josiah Wood

On June 9, 2014, the Honourable Judge Josiah Wood passed away in his 74th year.

He was born in Riverbend, Quebec, on April 22, 1941, and was raised in Montreal and Ontario before moving to British Columbia when he was 14. He received his Bachelor of Laws from the University of British Columbia in 1967. Following his call to the bar in 1968, the Honourable Judge Wood began practicing criminal law in an office near the Provincial Courts in Vancouver, an area of the law on which he would leave a lasting impression in the years ahead.

As a criminal defence lawyer, he was remembered as a passionate advocate for his clients, just as he would later be known as a passionate advocate for criminal reform. He served for many years on the faculty of the Criminal Law Program for the Federation of Law Societies; he was a founder of the



International Society for the Reform of the Criminal Law; and he was regarded from early in his career as a leading jurist in criminal law.

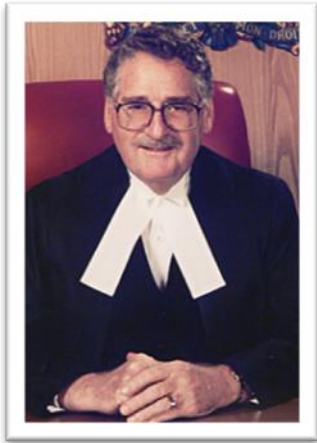
He served on the Supreme Court of British Columbia from 1983 to 1989, and on the British Columbia Court of Appeal from 1989 to 1996. Following his retirement from the Court of Appeal, he joined the law offices of Blake, Cassels & Graydon LLP in Vancouver. He was appointed Queen's Counsel in 1997. Most notably, after such a storied and successful career, the Honourable Judge Wood continued to heed the call of service by accepting an appointment to the Provincial Court of British Columbia in 2007. As a Provincial Court judge, he continued to press for criminal law reform, initiating Duncan's First Nations court, which is described as a judge-initiated sentencing project, designed to address the overrepresentation of aboriginal people in the criminal justice system. He is survived by his wife of 42 years, two sons, three granddaughters, and one grandson.

The Honourable Brian Carrothers

On December 4, 2014, the Honourable A. Brian B. Carrothers passed away in his 92nd year.

The Honourable Brian Carrothers, Q.C. was born in Saskatoon in 1923. He attended school in Saskatoon and England before his family moved to Vancouver in 1930. At the end of his third year in law school at the University of British Columbia, he enlisted in the Canadian Scottish Regiment to fight in World War II. As an infantryman, the Honourable Brian Carrothers landed on Juno Beach on D-Day. Of all the infantry battalions of the assaulting brigades in the British Second Army landing on that day, his battalion went farthest through the enemy's defences. After suffering an injury and being evacuated, he served the remainder of the war as an instructor at the "live ammunition" Canadian Battle School in England.

Following his return to Canada after the war, the Honourable Brian Carrothers graduated from law school in 1949. He joined Douglas Symes & Brissenden as a partner in 1956, where he practiced in the area of builders liens until he was appointed directly to the British Columbia Court of Appeal in 1973. Prior to his appointment to the bench, he served 18 years on the councils of the Canadian Bar Association, serving as Vice-President for British Columbia from 1967–68. In 1959, he was elected the first Chairman of the Fellows of the Foundation for Legal Research in Canada. He served 10 years as a Bencher of the Law Society, where he was elected Treasurer in 1972, and was instrumental in establishing the Continuing Legal Education Society of British Columbia. He was also a governor of the Law Foundation. He is survived by his wife, brother, three children, four grandchildren, and one great-grandchild.





The Court of Appeal is fortunate to have such committed staff serving the **public and the judges** with **enthusiasm** and **dedication**.

STAFF OF THE COURT OF APPEAL

CHANGES TO STAFFING COMPLEMENT

The Court of Appeal is fortunate to have such committed staff serving the public and the judges with enthusiasm and dedication. In times of budget restraint and staff shortages, it is a credit to the staff that the level of service remains high.

In 2014, the Court welcomed Timothy Outerbridge in July as the Court’s new Registrar following the retirement of Registrar Jennifer Jordan on 30 June 2014. To replace the vacancy left in the office of the Legal Counsel, the Court welcomed Sally Rudolf who had worked previously in the Federal Department of Justice. The Court also welcomed Felicity Lee as a court clerk. Felicity started with the Registry in March replacing Diane Schwab who retired at the end of February. The Court also welcomed Khrystyna Mushkevych as court clerk replacing Susan Lang who relocated to the Provincial Court in Port Coquitlam. Court clerk Shayna Irvine went on maternity leave in August and Teresa Pol took a temporary appointment to fill in for Shayna. Teresa returns to us from the Provincial Court in Surrey, having served in the Court of Appeal from 1990 to 1999.

STAFF & POSITIONS

Jennifer Jordan	Registrar (until June 30, 2014)
Timothy Outerbridge	Registrar (from July 1, 2014)
Sally Rudolf	Legal Counsel (from July 14, 2014)
Linda Rainaldi	Legal Counsel
Maria Littlejohn	Associate/Deputy Registrar
Vicki Jang	Manager/Deputy Registrar
Alix Going	Administrative Associate
Gail Woods	Judicial Coordinator to Chief Justice Bauman
Christine Gergich	Supervisor and Appellate Court Records Officer
Wayne Ziants	Records Technician

Judicial Law Clerks 2014 - 2015

Trevor Bant	Robyn Gifford	Glynnis Morgan
Vlad Calina	Andrew Guaglio	Tim Pritchard
Ashley Caron	Savannah Hamilton	Noah Stewart
Shawn Erker	Aria Laskin	Xiaoshan Zheng

Judicial Staff

Adrien Amadeo-Vittone	Cathy Clough	Bonnie Marcaccini
Val Belina	Susan Devenish	Cherry Mills
Tina Cheung	Bonnie Healy	Victoria Osborne-Hughes

Registry Staff

Torri Enderton	Michelle Mailhot	Erin Smith
Shayna Irvine	Christina McKenzie	Moira Syring
Susan Lang	Michelle McPhee	Jennifer Unwin
Felicity Lee	Khrystyna Mushkevych	Kim Wilson
Robert Loy	Teresa Pol	Jacqueline Windsor
Daniela Macdonald	Jennifer Rahiman	Marilyn Yuckin
Michael Magone	Diane Schwab	

Ushers

Gerry Cumming	Heather Kelly	Darren Scherck
Ryan Going	Chantelle Sanderson	Alex Smolen

Judicial Administration

Frank Kraemer, Q.C.	Senior Counsel and Executive Director
Michelle McConnachie	Director of Human Resources and Support Services
Kevin Arens	Director of Information Technology and Finance
Tammy McCullough	Assistant to Senior Counsel and Executive Director
Cheryl Steele	Finance and Administration Clerk
Michelle Sam	Judicial Assistant
Diane Lemieux	Judges' Librarian
Connie Kang	Library Technician
Cynthia Dale	Website Support & Business Information Analyst
Tannes Gentner	Judicial Administrative Practice Advisor (to May 2014)
Samantha Servis	Judicial Administrative Practice Advisor (from Nov. 2014)

IT Services (provided by Microserve Business Computer Services)

Mark Hujanen	Service Delivery Manager
David Chow	Infrastructure Project Analyst
Andre Drewitt	Infrastructure Project Analyst
Eddie Chan	Helpdesk Operations Analyst
William Huang	Helpdesk Operations Analyst
Michael Le	Helpdesk Technician
Jimmy Wu	Helpdesk Technician

APPENDIX 1 - CIVIL STATISTICS 2002 - 2014

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
APPEALS FILED:													
Notice of Appeal	582	532	468	550	494	498	530	538	519	480	497	587	607
Leave to Appeal	236	204	171	154	170	144	172	175	131	114	122	100	88
Notice of Appeal and Leave			54	69	76	55	59	65	55	55	44	28	25
TOTAL FILED	818	736	693	773	740	697	761	778	705	649	663	715	720
COURT DISPOSITIONS:													
Appeals Allowed	137	121	112	137	108	117	100	135	130	116	119	101	101
Appeals Allowed %	42%	38%	40%	46%	38%	42%	42%	43%	45%	42%	49%	37%	40%
Appeals Dismissed	189	199	168	160	174	164	138	180	159	159	125	169	149
Appeals Dismissed %	58%	62%	60%	54%	62%	58%	58%	57%	55%	58%	51%	63%	60%
TOTAL COURT DISPOSITIONS	326	320	280	297	282	281	238	315	289	275	244	270	250
Appeals Concluded in Chambers or Abandoned	492	455	498	492	419	455	449	441	419	436	414	379	420
TOTAL DISPOSITIONS	818	775	778	789	701	736	687	756	708	711	658	649	670
Dispositions as % of Filings	100%	105%	112%	102%	95%	106%	90%	97%	100%	110%	100%	91%	93%
Judgments Reserved (Court)	193	181	210	197	221	197	192	245	233	241	176	201	199
Judgments Reserved (Chambers)	n/a	n/a	99	66	79	88	87	63	62	83	80	70	52
Appeals with 5 Judges	10	16	4	1	1	3	2	7	1	3	2	2	3
Court Motions: Reviews	17	13	15	13	19	13	14	20	25	28	19	18	16
Granted	2	7	3	5	5	2	2	4	3	8	3	1	2
Refused	15	6	12	8	14	11	12	16	22	20	16	17	14
Chambers Motions	427	451	494	435	426	423	423	539	503	537	533	536	788
LEAVE TO APPEAL													
Granted	65	56	60	62	66	58	66	65	47	51	37	37	36
Refused	26	30	56	42	38	42	47	51	30	55	34	24	19
Total	91	86	116	104	104	100	113	116	77	106	71	61	55

APPENDIX 2 - CRIMINAL STATISTICS 2002 - 2014

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
APPEALS FILED:													
Sentence	133	126	162	176	157	149	163	140	114	109	119	108	174
Conviction	128	130	137	142	147	116	123	115	99	112	116	117	87
Summary Conviction	47	33	41	18	15	17	23	12	16	24	14	9	18
Acquittal & Other	64	57	69	60	50	61	50	44	28	39	40	46	30
TOTAL FILED	372	346	409	396	369	343	359	311	257	284	289	280	309
COURT DISPOSITIONS:													
Appeals Allowed	70	72	82	66	76	77	82	69	52	41	35	62	101
Appeals Allowed %	31%	27%	40%	33%	37%	35%	41%	41%	28%	31%	21%	34%	49%
Appeals Dismissed	159	193	124	132	132	140	120	100	137	91	129	121	102
Appeals Dismissed %	69%	73%	60%	67%	63%	65%	59%	59%	72%	69%	79%	66%	51%
TOTAL	229	265	206	198	208	217	202	169	189	132	164	183	203
Summary Dismissals Abandonments in Court/Chambers	137	105	140	161	149	160	139	149	121	99	123	129	76
TOTAL DISPOSITIONS	366	370	346	359	357	377	341	318	310	231	287	312	279
Appeals Disposed % of Filings	98%	107%	85%	91%	97%	110%	95%	102%	121%	82%	99%	111%	90%
Judgments Reserved (Court)	86	109	84	85	85	81	76	88	88	82	102	97	84
Judgments Reserved (Chambers)	n/a	n/a	21	10	10	28	11	11	13	22	28	25	4
Appeals with 5 Judges	0	1	0	1	0	0	2	0	1	1	2	0	0
Chambers Motions	230	219	244	275	298	248	242	265	272	210	295	430	438

APPENDIX 3 - COMBINED STATISTICS 2002 - 2014

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
APPEALS FILED:	1190	1082	1102	1169	1109	1040	1120	1089	962	933	952	995	1029
COURT DISPOSITIONS:	555	585	486	495	490	498	440	484	478	407	408	453	453
Appeals Allowed	207	179	194	203	184	194	182	204	182	157	154	163	202
Appeals Allowed %	37%	32%	40%	41%	38%	39%	41%	42%	38%	39%	38%	36%	45%
Appeals Dismissed	348	383	292	292	306	304	258	280	296	250	254	290	251
Appeals Dismissed %	63%	68%	60%	59%	62%	61%	59%	58%	62%	61%	62%	64%	55%
TOTAL	555	562	486	495	490	498	440	484	478	407	408	453	453
Appeals Concluded in Chambers or Abandoned	629	560	638	653	568	615	588	590	540	535	537	508	496
TOTAL DISPOSITIONS	1184	1145	1124	1148	1058	1113	1028	1074	1018	942	945	961	949
Dispositions as % of Filings	99%	106%	102%	98%	95%	107%	92%	99%	106%	101%	99%	97%	92%
Judgments Reserved	279	290	414	358	395	394	366	407	396	426	386	393	339
Appeals with 5 Judges	10	17	4	2	2	3	4	7	2	4	4	2	3
Chambers Motions	657	670	738	710	724	671	665	804	775	747	828	966	1226

¹ Correction made

² Correction made