

## IDENTIFICATION

<i>Position Number</i>	<i>Position Title</i>	
82-2288	Director, Court Services	
<i>Department</i>	<i>Division/Region</i>	<i>Location</i>
Justice	Court Services	Yellowknife

**PURPOSE OF THE POSITION**

Reporting to the Assistant Deputy Minister, Attorney General, the Director is responsible for the management of the court infrastructure, budgets and staff necessary to fulfill the government's statutory obligation to administer justice in the NWT.

In the Canadian system, there are three equal and important branches of government:-the legislative body, the executive, and the judiciary. The judiciary is completely independent of the other branches of government, and accordingly, control and direct those areas of court administration essential to the adjudicative function. The Department of Justice, in administering the courts, must respect and defend the principle of judicial independence while remaining accountable to the executive, the Legislative Assembly and the public. The Director must reconcile these often overlapping imperatives to ensure that justice is served effectively.

**SCOPE**

➤ Reporting to this position are the following:

The Courts Administrator, who holds statutory appointments as the Registrar of the Court of Appeal, the Clerk of the Supreme Court, the Clerk of the Territorial Court, the Registrar in Bankruptcy and District Administrator of the Federal Court of Canada. Under the direction of the Judiciary, the job holder exercises independent statutory authority in the operation of the Courts. Reporting directly to the Courts Administrator are 5 Managers and 2 administrative staff. Twenty-seven court officers located in Yellowknife and in satellite registries in Inuvik and Hay River, report through the subordinate managers.

- The Manager of Sheriff's Services, appointed as Sheriff of the NWT, who enforces civil court orders including seizure and sale of properties and evictions, and maintains order and security in the courts and courthouse including the restraint and physical removal of individuals. Reporting to the Sheriff are 6 full-time Sheriff's Officers, a Jury Administrator plus several relief Sheriff's Officers, casuals and fee for services bailiffs.
  - The Justice of the Peace Coordinator, who, under the direction of the Chief judge, supports the Justice of the Peace program;
  - The Court Librarian who manages the main court library in Yellowknife and a satellite library in Hay River, and supervises a Library Technician. The Court Librarian also performs research services for members of the judiciary as requested;
  - The Chief Court Reporter, who manages four shorthand reporters and independent contractors who produce transcripts providing the official record of court proceedings;
  - The Supervisor of Judicial Support (Supreme Court), who supervises a Judicial Assistant, and the Judicial Assistant (Territorial Court), who work directly for the Judiciary; and
  - In the Office of the Director, a Project Officer who provides administrative support to the Mental Disorder Review Board, processes statutory appointments for the Courts, supports the Supreme Court student law clerk, is responsible for the "Sissons Morrow" collections of Inuit carvings and other valuable works of art in the Courts and implements special projects, e.g. the Giant Mines civil mega trial.
- The Director is responsible for the following Acts and any Regulations made pursuant to them:
- |  |                             |                     |
|--|-----------------------------|---------------------|
| <i>Interprovincial Subpoenas Act</i>                       | <i>Judicature Act</i>       | <i>Jury Act</i>     |
| <i>Justices of the Peace Act</i>                           | <i>Exemptions Act</i>       | <i>Seizures Act</i> |
| <i>Summary Convictions Procedures Act</i>                  | <i>Creditors Relief Act</i> |                     |
| <i>Territorial Court Act</i>                               |                             |                     |
| <i>Reciprocal Enforcement of Judgment Act</i>              |                             |                     |
| <i>Reciprocal Enforcement of Judgments (Canada-UK) Act</i> |                             |                     |
- And responsible for interpretation and implementation of portions of:
- |                                     |                                  |                             |
|-------------------------------------|----------------------------------|-----------------------------|
| <i>Constitution Act 1867</i>        | <i>Northwest Territories Act</i> | <i>Criminal Code</i>        |
| <i>Youth Criminal Justice Act</i>   | <i>Youth Justice Act</i>         | <i>Judges Act (Can)</i>     |
| <i>Interpretation Act (Can)</i>     | <i>Interpretation Act (NWT)</i>  | <i>Federal Court Act</i>    |
| <i>Official Languages Act (NWT)</i> | <i>Change of Names Act</i>       | <i>Victims of Crime Act</i> |
- Various Rules of Court & Directives issued by the Judiciary
- The electronic systems that the Director is responsible for include a major courts case management and information system, a jury management system, three videoconferencing units and connections to broadband services, court reporting software- 'case catalyst' and "audiosync", the courts website and in the library, the court decisions and the catalogue databases.
  - The court facilities that the Director is responsible for consist of the courthouse in Yellowknife (the first 3 floors of the "Courthouse Building"), including the Court Library, and satellite courthouses in Hay River, Fort Smith and Inuvik.
  - Representation of the NWT on the Board of the Association of Canadian Court Administrators and other federal/provincial/territorial initiatives as they arise, such as the

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Canadian Judicial Council's study of court administrative structures.

- The Director interacts with the Judiciary, the Crown prosecutors, the Bar, the lawyers and other officials of the Department of Justice and other Departments, self-represented litigants, RCMP, federal/provincial/territorial counterparts, and the members of the public, businesses, organizations, corporations and government appearing in the Courts.
- The construction of a new stand alone courthouse was approved in 2004 but deferred for 2 years in 2006 and has again been deferred for another 2 years. If the project is approved to proceed in 2010, the incumbent would be part of a team that will be heavily involved in the project.
- DIMENSIONS
  - Staff of 52 FTE (2007/08)
  - Seven resident Judges (2007/08) as well as numerous non-resident Justices of Appeal and Deputy Judges presiding in 3 levels of court.
  - Approximately 50 presiding Justices of the Peace.
  - Five statutory boards.
  - Approximately 2,500 civil cases filed and 12,000 criminal matters commenced annually.
  - Approximately \$2 million worth of goods and land seized by the Sheriff's office annually;
  - Approximately \$1 million of trust funds processed annually.
  - Approximately \$750,000 fines and fees processed annually.
  - Approximately \$10,000,000 budget for salaries and O&M (2007/08).

## **RESPONSIBILITIES**

1. Manages the Court Services Division of the Department of Justice to provide administrative services to the Judicial Branch of Government. An added complexity is that the Judiciary control and directs the areas of administration that are essential to their adjudicative functions.
2. In conjunction with the Legal Division, interprets statutes, provides advice and direction to staff regarding problems arising in the course of business and ensures that policies and practices are in compliance with the law.
3. Engages in the ongoing legislative and structural reform of the courts and the justice system jointly with the Directorate and other officials and in consultation with the Judiciary.
4. Plans, monitors and manages financial resources in accordance with government statutes, regulations, policies and directives where much of the expenditure is a function of operational decisions made by the Judiciary, e.g. court sittings and circuit travel.
5. Plans, monitors and manages the human resources in accordance with government

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statutes, regulations, policies and directives where the Judiciary have authority to direct the operational functions of staff.

6. Oversees the compilation of statistics and information required for management and reporting purposes, in consultation with the Judiciary, the Court Administrator and Information Systems.
7. Plans for, acquires, implements and ensures the operation of the electronic technology and systems required by the courts system in conjunction with the Directorate, the Judiciary, the Court Administrator and Information Services.
8. Contributes to the management of the Department by assisting the Deputy Minister and the Assistant Deputy Minister, Attorney General with projects and issues as requested and by participation in Department and Interdepartmental committees and working groups.
9. The Director sits on various national committees as required and has delegated authority to represent the interests of the Department of Justice. Authority may be given to represent the NWT judiciary on national committees. *Ex Officio* is a Director on the Board of the Association of Canadian Court Administrators.
10. Communicates with all participants in the justice community to ensure that the delivery of the administration of Justice is maintained at a high level.
11. Ensures that the appointments, and where required, administrative contracts, for territorial judges, justices of the peace, court officers and statutory boards for which the Director is responsible, are current, complete and in place.
12. Ensures that appropriate physical facilities are available for the Courts and the Judiciary, in conjunction with the Judiciary, the Court Administrator, the Directorate, the physical plant section of the Finance Division and the Department of Public Works and Services.
13. Ensures that appropriate security is provided to the Courts and the Judiciary, in conjunction with the Judiciary, the Sheriff, the Directorate, the physical plant section of the Finance Division and the Department of Public Works and Services.
14. Participates actively as a member of the project team responsible for the construction of the new courthouse.

**KNOWLEDGE, SKILLS AND ABILITIES**

- A demonstrated understanding of the independence of the judicial branch of Government.
- Demonstrated working knowledge of and experience in:
  - Aboriginal and northern issues in general, and
  - Government policies, practices and initiatives.
- Demonstrated maturity and judgment in addressing legal issues.
- Proven and effective written and verbal communication skills.
- Demonstrated ability to work effectively with all those involved in the justice system.
- Demonstrated ability to work to deadlines, and to respond to changing deadlines,
- Proven ability to effectively manage a diverse team of individuals.
- Proven ability to supervise the management of several diverse budgets.
- Demonstrated ability to work effectively as a member of a management team.
- Proven aptitude for the use, development and acquisition of technology.
- Demonstrated sensitivity to the role of the Judiciary and judicial needs and expectations.
- Demonstrated Discretion and tact to reconcile the requirements of the executive arm of the government with the independence of the Judiciary.

These KSA's will typically be acquired by a combination of:

- Formal education such as a degree in business or public administration, plus 5 years of progressively more responsible management experience in a public sector setting and with some exposure to judicial or quasi judicial practices/functions.

**WORKING CONDITIONS****Physical Demands**

	Frequency	Duration	Intensity
Those experienced in a typical GNWT Office Environment			

**Environmental Conditions**

	Frequency	Duration	Intensity
Those experienced in a typical GNWT Office Environment			

**Sensory Demands**

	Frequency	Duration	Intensity
Most of the day is spent is at a desk in front of a computer screen, the cumulative effect of which can be enervating.			

**Mental Demands**

	Frequency	Duration	Intensity
Required to respond quickly & tactfully to emerging situations and demands from the Judiciary, the Directorate, the public, outside agencies and public servants & to frequent changes in priorities.	Daily	One – two days	Med.
Very short timelines, usually influenced by outside agencies	Weekly	One day	Med
Required to reconcile the independence of the Courts with the public administration requirements of the Executive Branch of Government and to reconcile his or her role as a public servant and service to the Judiciary	Daily	Continuously	Med
A high volume of material must be read and absorbed.	Daily	Continuously	Low
Many hours in excess of the regular work week are required in order to meet the demands of the job.	Daily	One – two hours	Low

## ADDITIONAL REQUIREMENTS

**Position Security** (check one)

- ☐ No criminal records check required  
☐ Position of Trust – criminal records check required  
☒ **Highly sensitive position – requires verification of identity and a criminal records check**

Official Language Considerations (**check one**)

- ☐ Not required  
☐ Bilingual required (state language): \_\_\_\_\_