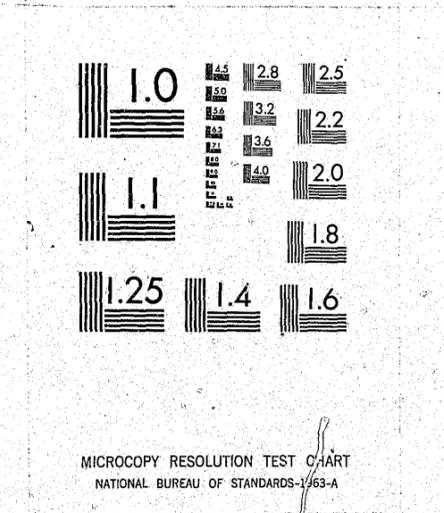


National Criminal Justice Reference Service



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National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

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# Annual Report

YEAR-END MARCH 31, 1980

**Alberta**  
ATTORNEY GENERAL

# Annual Report

YEAR-END MARCH 31, 1980

U.S. Department of Justice  
National Institute of Justice

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**Alberta**  
ATTORNEY GENERAL



ATTORNEY GENERAL AND  
GOVERNMENT HOUSE LEADER

403/427-2339

Office of  
the Minister

227 Legislative Building  
Edmonton, Alberta, Canada  
T5K 2B6

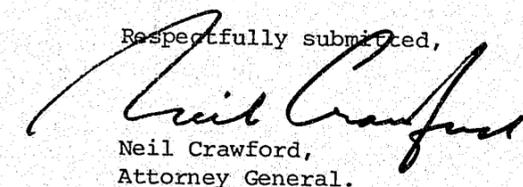
May 15, 1981

The Honourable G. Amerongen,  
Speaker,  
Legislative Assembly of Alberta,  
325 Legislature Building,  
Edmonton, Alberta  
T5K 2B6

Dear Mr. Amerongen:

I have the honour to submit the Annual Report of the  
Department of the Attorney General for the year-end March 31, 1980.

Respectfully submitted,



Neil Crawford,  
Attorney General.

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# Alberta

ATTORNEY GENERAL

403/427-5032

Office of  
the Deputy Attorney General

9833-109 Street  
Edmonton, Alberta, Canada  
T5K 2E8

May 25, 1981

The Honourable Neil Crawford, Q. C.,  
Attorney General of Alberta,  
227 Legislature Building,  
Edmonton, Alberta  
T5K 2B6

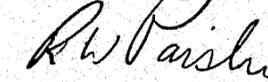
Dear Sir:

I am pleased to present the sixth Annual Report of the Department of the Attorney General for the fiscal year April 1, 1979 to March 31, 1980.

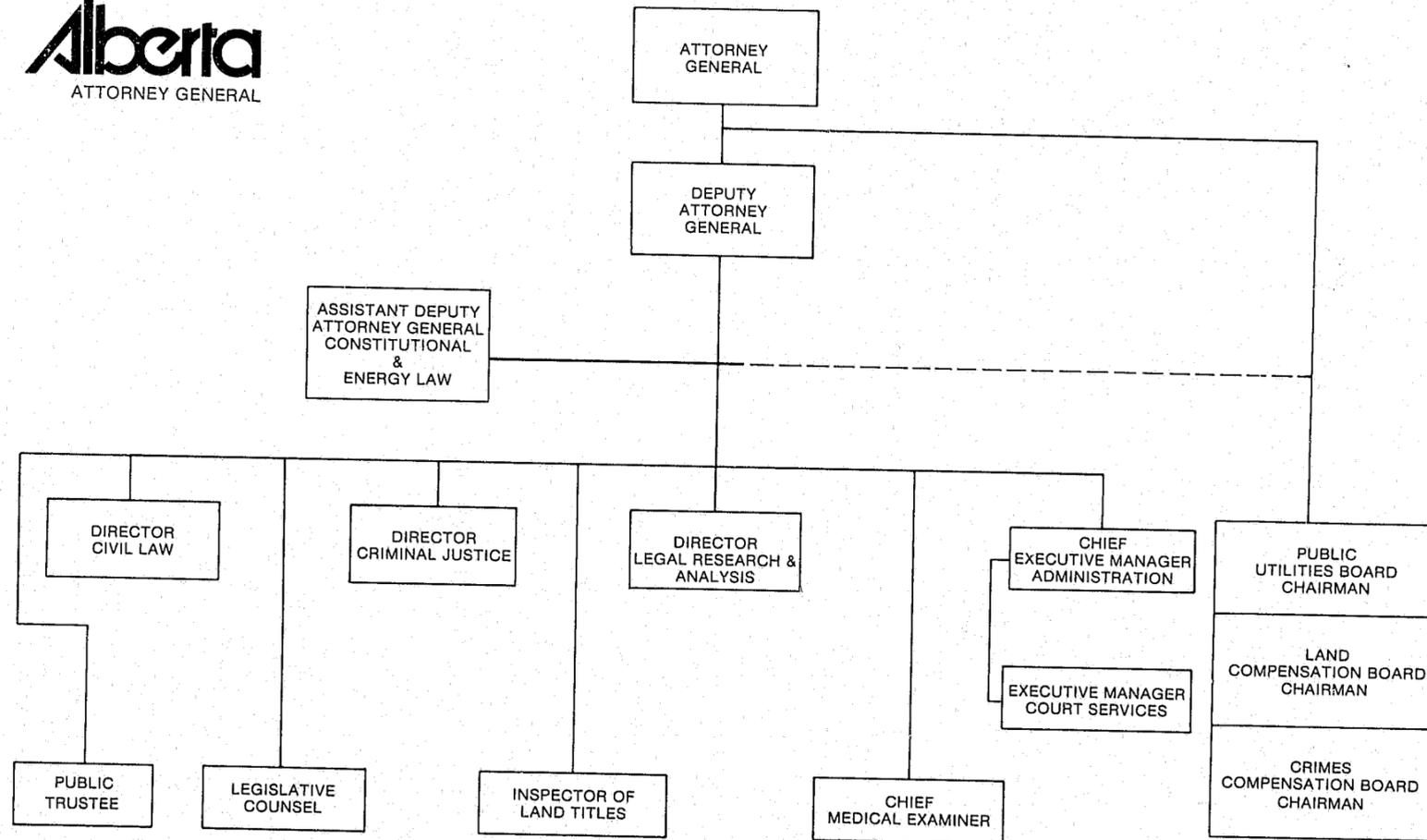
The volume and complexity of the demands placed upon the Department have continued to increase in proportion to the population and economic growth of the Province of Alberta.

That the administration of justice in Alberta is so well served is due in great measure to the Department's dedicated and competent employees.

Respectfully submitted,



Ross W. Paisley, Q. C.,  
Deputy Attorney General.



## The Attorney General of Alberta: Duties and Responsibilities

Section 92 of the British North America Act provides, in part, as follows:

"In each province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is to say . . . 92(14) The Administration of Justice in the Province, including the Constitution, Maintenance, and Organization of Provincial Courts, both of Civil and Criminal Jurisdiction, and including Procedure in Civil Matters in those Courts."

Traditionally in this country, the Attorney General of each province has fulfilled the responsibilities referred to in Section 92(14). The phrase "administration of justice in the province" had been the subject of much comment in the cases over the years since Confederation in 1867. In a 1976 judgment of the Supreme Court of Canada in *Di Iorio and Fontaine v Warden of Common Jail of Montreal and Trunet et al* Mr. Justice Dickson, speaking for the majority, made it clear that this phrase encompasses not only civil justice but also criminal justice.

Although the administration of civil justice is certainly of importance, it is useful to refer to another quotation of Mr. Justice Dickson in the *Di Iorio* case to clarify the extent and scope of the administration of criminal justice. In the *Di Iorio* judgment, Mr. Justice Dickson stated as follows:

"The question in the present case is whether the words 'The Administration of Justice in the Province' are to be given a fair, large and liberal construction or, whether by reason of the abstraction of criminal law and criminal procedure, they must receive such attenuated interpretation as would confine 'administration of justice' to nothing more than 'administration of civil justice'. In my opinion, Canadian legislative history, as well as the development of legal institutions within the provinces since Confederation, favour the broader construction as do, by and large, the authorities, admittedly few in number, which touch upon the subject under consideration.

Since Confederation, the provincial departments of the Attorney General have in practice 'administered justice' in the broadest sense, at great expense to the taxpayers, and irrespective of whether the laws being administered fell legislatively within the purview of provincial legislatures or the federal Parliament. This is reflected in the provision of police services and other enforcement agencies responsible to the provincial Attorneys General for the investigation, detection and control of crime within the respective provinces and in the maintenance of staffs for the prosecution of all types of infractions whether within the purview of provincial legislatures or the federal Parliament. In this way the provinces have perpetuated since Confederation the comprehensive powers in the administration

of justice which they enjoyed and exercised in pre-Confederation times and which the framers of the BNA Act would seem to have intended them to continue to have. Explaining the British North America Bill in the British Parliament, the Earl of Carnarvon stated on 19th February 1867:

"To the Central Parliament will also be assigned the enactment of criminal law. The administration of it indeed is vested in the local authorities; but the power of general legislation is properly reserved for the Central Parliament."

In keeping with the exclusive power given to the provinces by the BNA Act in relation to certain matters, Alberta passed in 1905 the first Attorney General's Act which is found in the present-day statutes of Alberta in substantially the same form as it appeared in 1905, in The Department of the Attorney General Act. Section 3 of that act deals in a more complete way with the scope of the responsibilities of the Attorney General of Alberta, giving due emphasis to functions performed by the Civil Law Division, Court Services, and the Criminal Justice Division, as well as the Public Trustee, the Inspector of Land Titles, the Chief Medical Examiner, Legislative Counsel, the Director of Legal Research and Analysis and the Constitutional Law Section. Section 3 sets out specific responsibilities which are not to be taken as exhaustive.

Section 3 is set out below:

### 3. The Attorney General shall

- (a) be the official legal advisor of the Lieutenant Governor.
- (b) ensure that public affairs are administered according to law.
- (c) superintend such matters relating to the administration of justice in the Province as are within the powers or jurisdiction of the Legislature or Government of the Province.
- (d) advise on legislative acts and proceedings of the legislature of the Province and generally advise the Crown on matters of law referred to him by the Crown.
- (e) exercise the powers and is charged with the duties attached to the office of the Attorney General of England by law or usage insofar as those powers and duties are applicable to Alberta.
- (f) advise the heads of the several departments of the Government on matters of law connected with them respectively.
- (g) settle instruments issued under the Great Seal of the Province.

- (h) regulate and conduct litigation for or against the Crown or a public department in respect of subjects within the authority or jurisdiction of the Legislature.
- (i) be charged generally with such duties as may be at any time assigned to the Attorney General of the Province by law or by the Lieutenant Governor in Council, and
- (j) be responsible for the conduct of the matters hereinafter set out, the enumeration of which shall not be taken to restrict the general nature of any provision of this Act.
  - (i) Repealed 1973, c. 67, s. 5(b).
  - (ii) the supervision of the administration of the law governing titles to real property in the Province,
  - (iii) the recommendation of the appointment of and the giving of advice to sheriffs, registrars, judicial officers, justices of the peace, coroners, notaries public and commissioners for oaths,
  - (iv) the consideration of applications for bail and attendance thereon,
  - (v) the consideration and argument of appeals from convictions and acquittals of persons charged with indictable offences,
  - (vi) the hearing of applications for the granting of fiats regarding petitions of right, criminal informations, indictments, actions to set aside Crown patents, actions to recover fines and penalties and other actions of a similar nature,
  - (vii) the consideration of applications for the remission of fines and penalties,
  - (viii) the appointment of counsel for the conduct of criminal business,
  - (ix) the arrangement of the sittings of the courts of justice in the Province and the regulation of the work of official court reporters,
  - (x) the supervision of the offices of the courts of law in the Province,
  - (xi) the examination of papers in connection with the admission and discharge of lunatics to and from asylums,
  - (xii) the consideration of proposed legislation and other matters of a public nature, and

- (xiii) the drawing of special conveyances and instruments of a similar nature relating to the sale or purchase of property under any Act relating to public works or otherwise.  
(R.S.A. 1970, c. 95, s. 3; 1973, c.67, s.5)

It has been the custom for the Lieutenant Governor in Council to appoint the Deputy Attorney General of Alberta as inspector of Legal Offices.

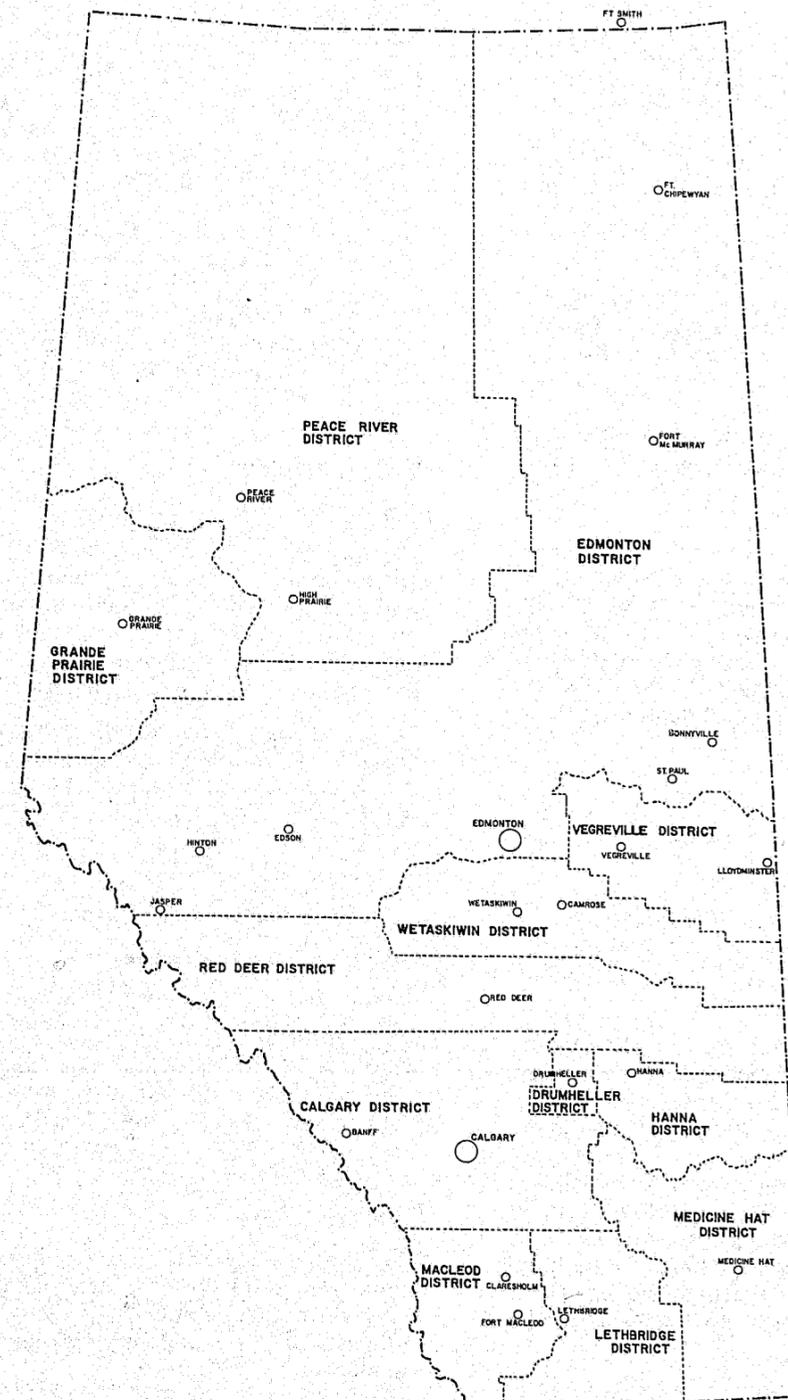
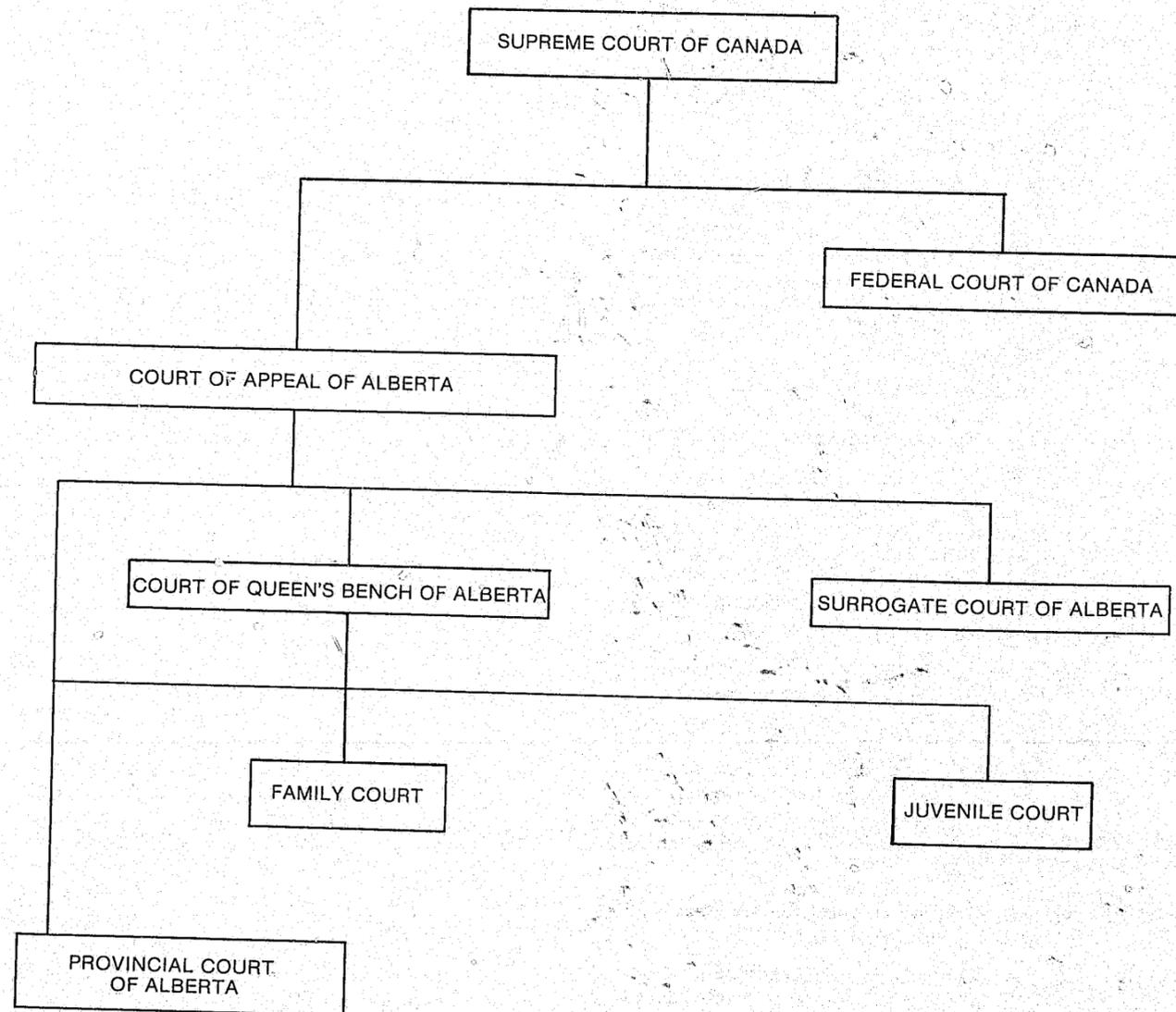
## Courts in Alberta

There are six courts in Alberta, all constituted by provincial statute, which are administered by the Attorney General of Alberta. They are:

- The Court of Appeal of Alberta
- The Court of Queen's Bench of Alberta
- The Surrogate Court
- The Provincial Court of Alberta
- The Family Court
- The Juvenile Court

In addition, registries are maintained by the Attorney General's staff for the Federal Court of Canada in Alberta.

The Supreme Court of Canada, although not constituted or administered provincially, is the court of last appeal for the courts of provincial jurisdiction.



**JUDICIAL DISTRICTS  
PROVINCE OF ALBERTA**

..... JUDICIAL BOUNDARIES

## **Court of Appeal of Alberta**

*Chief Justice of Alberta: Wm. A. McGillivray*

With the amalgamation of the Trial Division of the Supreme Court and the District Court, the Court of Appeal was proclaimed June 30, 1979 to replace the Appellate Division of the Supreme Court of Alberta. The Chief Justice presides over the Court of Appeal of Alberta. In addition to the Chief Justice, this court consists of eight judges called Justices of Appeal who are assigned by the Governor General in Council. The court hears appeals, usually in panels of three justices, over all other courts in the Province of Alberta and the Northwest Territories. Its decisions may be appealed only to the Supreme Court of Canada in Ottawa.

### **Appointments**

No new appointments were made to the Court of Appeal during this period. However, one justice became supernumerary.

### **Caseload Statistics**

During the current fiscal year, both civil and criminal appeals filed and heard increased from the previous fiscal period. Significant increases occurred in the hearing of civil appeals; 43.5% from 209 in 1978-79 to 300 in 1979-80. Also, a substantial increase of 40.1% occurred in the hearing of criminal appeals from 745 in 1978-79 to 1,044 in 1979-80.

## **Court of Queen's Bench of Alberta**

*Chief Justice: W. R. Sinclair*

On June 30, 1979, the District Court of Alberta and the Trial Division of the Supreme Court of Alberta were amalgamated to form the Court of Queen's Bench of Alberta.

The Court of Queen's Bench is presided over by the Chief Justice, and consists of 38 judges who are called Justices of the Court of Queen's Bench. The Court of Queen's Bench is the superior trial court with original jurisdiction in all civil and criminal matters not expressly excluded by statute. In addition, it sits on appeal over The Provincial Court of Alberta in summary conviction offences and small claims matters. Justices of the Court of Queen's Bench are located in Edmonton, Calgary and Lethbridge but hear matters in all judicial centers and several smaller communities.

### **Appointments**

During the fiscal period, four new justices were appointed and another three became supernumerary. As a result, the Court of Queen's Bench now consists

of the Chief Justice, 38 justices and five supernumerary justices.

### **Caseload Statistics**

In order to show a statistical comparison between fiscal 1979 and fiscal 1980 in activities of the Court of Queen's Bench, it was necessary to combine the relative statistics of the Supreme Court Trial Division and the District Court.

During the current fiscal period, major increases were experienced in Court of Queen's Bench. The number of criminal trials heard increased from 2,331 in 1978-79 to 3,037 in 1979-80. The number of criminal appeals heard increased from 555 in 1978-79 to 839 in 1979-80. Details are provided in Table 1 on page 23.

## **Surrogate Court**

*Chief Justice: W. R. Sinclair*

The Surrogate Court is a court of record. It has jurisdiction in relation to testamentary matters and issuance of grants of probate and administration. It also has jurisdiction in matters related to the appointment of guardians and to the person and property of children under guardianship.

The Chief Justice and the other justices of the Court of Queen's Bench of Alberta also sit as judges of the Surrogate Court. The Court of Queen's Bench exercises the jurisdiction given to the Surrogate Court.

## **The Provincial Court of Alberta**

*Chief Judge: R. A. Cawsey*

His Honour R.A. Cawsey was appointed to the Court of Queen's Bench of Alberta in November, 1979. The position of Chief Judge is currently vacant.

The Provincial Court exercises both civil and criminal jurisdiction: civil by virtue of The Small Claims Act and criminal by virtue of the Criminal Code and a variety of provincial statutes.

### **Judicial Appointments**

During the fiscal period, two additional judges were appointed — one for Edmonton and one for Red Deer. As a result, the complement of judicial appointments consists of 86 permanent positions and two per diem positions.

### **Base Points**

The second of five new Provincial Court base points proposed for Edmonton satellite communities was

opened at Leduc in February, 1980. This was preceded by the opening of a base point in Sherwood Park in 1977. Construction on the base point facilities at St. Albert and Fort Saskatchewan are near completion and scheduled to open July 1, 1980 and September 1, 1980, respectively. The fifth base point — Stony Plain — is under construction.

The satellite base points were designed to lessen the workload of the Edmonton Provincial Court and to bring court services closer to the people they serve.

### **Caseload Statistics**

To simplify reporting activity in the Provincial Courts, we are providing the total number of cases dealt with by disposition. These increased from the previous fiscal year by 11.7% from 258,147 dispositions in 1978-79 to 292,277 dispositions in 1979-80.

In addition, an increase of 5.6% occurred in the number of docketed cases, from 389,051 in 1978 to 412,155 in 1979. Docketed cases are the total number of new cases brought before the Provincial Court for disposition. Details are provided in Table 2 on page 23.

## **Family and Juvenile Courts**

*Assistant Chief Judge: W. G. W. White*

The Family Court is a court of record which consists of provincial judges appointed by the Lieutenant Governor in Council. It has jurisdiction in a variety of matters related to the family unit, such as separation, custody, access, maintenance, child welfare and common assaults on spouses or children.

The Juvenile Court exercises the powers vested under The Juvenile Delinquents Act (Canada). Its jurisdiction is limited to young offenders who, because they have not reached the age of 16 years, cannot be tried in adult court. Each justice of the Court of Queen's Bench and each judge of the Provincial Court is ex officio a judge of the Juvenile Court.

The Family and Juvenile Courts operate as a unit under the administrative direction of an Assistant Chief Judge. There are 12 provincial judges who work almost exclusively in these courts throughout the province. Family and Juvenile Courts have been established in eight centres: Edmonton, Calgary, Red Deer, Lethbridge, Medicine Hat, Jasper, Grande Prairie and Fort McMurray. Where Family and Juvenile Courts have not been established, the responsibility for family and juvenile matters is handled by other Provincial Court judges.

## **The Domestic Relations Amendment Act**

The Domestic Relations Amendment Act was proclaimed June, 1979. This legislation provides the Family Court with additional jurisdiction to enforce maintenance orders.

### **Family Court Staff**

During the fiscal period, 15 permanent positions and four project positions were transferred from the Edmonton Family Court to Alberta Social Services and Community Health. The transfers included Family Court counsellors, the Conciliation Unit staff and related support staff. Prior to the transfer, the Attorney General's Department, Alberta Social Services and Community Health, and the Solicitor General's Department provided similar Family Court counselling services.

## Sections on Special Matters

### Civil Law

*Director of Civil Law: Vacant*

The Civil Law Division is responsible for acting as legal advisor to all departments of government and for representing the Crown in all courts of civil jurisdiction.

Lawyers in the Civil Law Division act as counsel in public inquiries under The Fatality Inquiries Act.

### Constitutional and Energy Law

*Assistant Deputy Minister: W. Henkel, Q.C.*

The Constitutional and Energy Law Section gives legal advice to the government primarily on matters involving constitutional law. This involves analysis of proposed or actual provincial or federal legislation to determine if it is within the constitutional authority of a particular legislative body. Constitutional advice is also rendered on the applicability of legislation to a particular situation as, for example, whether federal or provincial labour legislation is applicable to a given undertaking. The section is also concerned with questions such as whether or not provincial legislation is operative in matters involving Indians, Indian reserves and national parks. Of particular concern is Alberta's energy legislation because of its importance to the province and to Canada.

The Constitutional and Energy Law Section also appears in both criminal and civil courts at all levels in the province to argue constitutional matters, whether the government is involved as a party to the action or has been given notice pursuant to The Judicature Act. The section appears in the Supreme Court of Canada where the province is an intervenant or as a party when constitutional law issues are raised. This year appearances were made in the Supreme Court of Canada.

Because the Canadian or Alberta Bill of Rights or the Alberta Individual's Rights Protection Act can have the effect of rendering legislation completely inoperative or at least inapplicable, the section is also responsible for legal advice and appearance in court on matters involving these statutes.

The section, consisting of three solicitors working under the Assistant Deputy Attorney General, also sits on interdepartmental committees of government where constitutional law or bill of rights matters are of concern. A few such examples are the Communications Committee, the Banff/Jasper Townsite Committee, the Electronic Funds Transfer System Committee, and various committees concerned with

native rights. As well, members of the section have been called upon occasionally to speak to groups both in and outside of government on matters of concern in their area of expertise. During the year, the Constitutional Law Section was involved in the federal/provincial discussions on the amendment of Canada's constitution. The subject matter under discussion and the proposals put forward underwent close scrutiny by the section. Solicitors with the Constitutional and Energy Law Section attended and contributed to the meetings held by the Continuing Committee of Ministers on the Constitution.

### Criminal Justice

*Director: Y. Roslak, Q.C.*

The Criminal Justice Division is responsible for the administration of criminal justice throughout the province.

### Staffing

The division has a general prosecutorial staff of 117 full-time Crown counsel located at the following centres: head office 11, Edmonton 38, Calgary 32, Red Deer 5, Lethbridge 8, Medicine Hat 3, Wetaskiwin 4, Drumheller 1, Peace River 5, Grande Prairie 3, Hinton 2, Fort McMurray 2, St. Paul 2, Lloydminster 1.

A group of six Crown counsel in Edmonton and Calgary make up the Special Prosecutions Section which handles cases involving complex corporate or commercial crime or particularly sensitive matters.

The central office of Criminal Justice in Edmonton is charged with general prosecutorial duties, special projects and research projects. It includes responsibility for the judicial district of Vegreville. Certain boards and government agencies, for example, Gaming Control, refer special criminal considerations to this section. Suggestions for amendments to the Criminal Code and other statutes are researched and proposed through this section which is staffed by 11 Crown counsel.

The practice of having police officers appear as prosecutors in the Province of Alberta has been practically eliminated. The proceedings of Crown agents for this fiscal period are provided in Table 4 on page 24.

### Student Program

The Criminal Justice Division works with the Civil Law Division to provide a program for articling students. This program is preliminary to a person's admittance to the Alberta Bar. Seven students are articled to senior

members of this division, participating in courtroom work, as well as providing research and briefing material.

### Professional Development

Crown counsel attend in-service training and seminars sponsored by the Alberta Crown Attorneys' Association and the Federation of the Law Societies of Canada, as well as meetings of the Alberta and the Canadian Bar Associations.

The Alberta Crown Attorneys' Association held meetings in May and September, 1979. Discussions, lectures and panels were conducted on legal subjects. Association business was dealt with at the September meeting.

A comprehensive Crown counsel case reporting system installed in 1976 continues. This system allows for evaluation of individual cases for purposes of appeal and other necessary action, as well as providing the director with selected statistical data.

Preparatory work is under way to provide the Criminal Justice Division with computerized assistance at Edmonton and Calgary. This system, when installed, will provide these prosecutorial offices with case tracking facilities and assist in production of certain types of documentation, including subpoenas, notices and other material.

### Gaming Control

*Chief Inspector: R. R. Sheppard*

The Gaming Control Section has 32 full-time staff attending to three areas of responsibility: licencing, audit and investigation.

### Gaming in Alberta

Gaming statistics (provided in Table 5 on page 25) show that in 1979 Albertans spent \$125.1 million at bingos, casinos, raffles and pull tickets — a \$5 million decrease from gaming proceeds reported in 1978.

This decrease, however, was not due to decreased gaming in 1979. Prior to 1979, gaming proceeds were recorded and reported according to the calendar year in which gaming licences were issued.

Last year, the Gaming Control Section began recording and reporting gaming statistics in accordance with the fiscal year in which the licences expired.

The figures for those licences that were granted in 1979 but expired the next calendar year will be reported in the 1980-81 fiscal year.

This new method for statistical inventory will alleviate

the tedious task of and the man-hours required for splitting figures part way through a licence period.

The Citizens' Advisory Committee on Gaming was established in July, 1979 to report to caucus on the regulation and organization of legalized gaming in Alberta. The committee presented its preliminary recommendations to the Caucus Task Force on Gaming in October, 1979.

### Land Titles

*Inspector of Land Titles Offices: H. E. McCombs*

The Inspector of Land Titles is responsible for the province-wide operation of the Land Titles system.

Alberta is divided at Township 34 into two Land Registration Districts with the Land Titles Office for the South District located in Calgary and the Land Titles Office for the North District located in Edmonton. Each office is responsible for the examination and registration of land-related documents, issuance and updating of titles, custody of original documents and titles, and provision of searches of both titles and documents to the public.

### Public Service

The volume of document registrations rose 3.6% to 532,412 in this fiscal year. The trend toward remote title searching continued as TWX searches increased 20.5% to 180,125.

On January 30, 1980, a revised tariff of fees became effective. The new tariff incorporated several changes, notably the reduction of the Assurance Fund share of Land Titles revenue from 10% to 5%, the lowering of title search fees for municipalities and the elimination of all charging of fees to other government departments.

### Productivity

Registrations per man-year rose from 1,486 in 1978-79 to 1,513 in 1979-80. The conversion of titles to the new format was completed by the end of the fiscal year. Details of the activities of Alberta Land Titles during this fiscal period are provided in Table 7 on page 26.

### Land Related Information System

An information systems planning study was initiated to analyze current and anticipated information requirements of Land Titles. The results of this study will recommend which requirements should be delivered through the Land Titles information system, a framework for guiding systems development and an action plan for implementation of systems development.

### Legislative Changes

Changes were made to The Commissioners for Oaths Act and The Notaries Public Act which affected registration procedures in the Land Titles Offices. The Land Titles Act was also amended to permit the appointment of an Assistant Inspector of Land Titles Offices.

### Law Libraries

*Chief Law Librarian: Dr. G. Solt*

Law libraries in Alberta have been established for the Court of Appeal, Court of Queen's Bench, The Provincial Court of Alberta and the Law Society of Alberta.

During 1979-80, 64 law libraries with a book collection of 215,000 volumes were in operation throughout the province.

### Court of Appeal and Court of Queen's Bench Libraries

Fourteen libraries serve the Bench and Bar of the Province of Alberta. These libraries operate under an agreement between the Department of the Attorney General and the Law Society of Alberta.

### Provincial Court Libraries

Forty-nine law libraries serve The Provincial Court of Alberta. The libraries are open to the judiciary, members of the Bar, government officials, the police and on selective service basis to the public.

During the last fiscal year, a Crown counsel office collection was developed for Lloydminster. Law libraries in Edson, High Prairie and Hinton were reorganized and developed into larger legal reference libraries.

Two volumes of indexed judgments of the Provincial, Family and Juvenile Courts were compiled, indexed and published by the library. They provide centralized access to the written decisions of the Provincial Court.

The Provincial Court Library in Edmonton also published an acquisition list, a selected digest of recent Supreme Court of Canada judgments and a Digest of Criminal Sentencing Decisions of the Court of Appeal of Alberta.

### Automated Legal Information Retrieval Service

Search for the Canadian law through computerized data bases of case reports and statutes will become a reality for Alberta's lawyers in the early summer of 1980.

Preparation for the installation of a computerized QL

legal information service in the Calgary Court House Library has been completed. Approval has been received from the Joint Library Committee. A grant of \$60,000 has been given by the Alberta Law Foundation. Preparation for the Edmonton Law Courts Library is also underway and is scheduled for operation in the summer of 1981.

### Attorney General's Library

This library with three staff and 11,000 volumes serves the research, reference and information needs of the departmental solicitors. It also handles requests for the office collections of the court administrators, departmental divisions and Crown counsel - Civil Law and, in certain instances, Crown counsel - Criminal Justice.

### Legal Research and Analysis

*Director: E. F. Gamache*

This section researches and analyzes statute law, judicial decisions and legal periodicals, and provides the Attorney General and his Deputy with legal advice on law reform, revision of law and policy planning.

Members of the section serve on interdepartmental committees studying law reform, professions and occupations, municipal by-laws, the joint Alberta Government/Law Society Committee for law libraries in Alberta, the Institute of Law Research and Reform, the Uniform Law Conference of Canada. This section maintains a liaison with other law reform bodies.

During the fiscal year, the section developed legislation related to chattel security, partition and sale, defamation, The Provincial Court Act, public utilities and reciprocal enforcement of maintenance orders.

This section is also involved in research projects on distress of chattels under lease, gratuitous passengers, personal property security, postal interruptions, builders' liens, interprovincial subpoenas, juries, powers of attorney and prejudgment interest.

### Legislative Counsel Office

*Chief Legislative Counsel: P. J. Pagano*

The Legislative Counsel Office prepared 73 public and general acts assented to during the year ending March 31, 1980 and 1,223 orders-in-council passed by Cabinet during that period. It also drafted the majority of the 419 regulations that were filed under The Regulations Act.

The office has a total staff of 22, including nine lawyers, one of whom is assigned to prepare the revision of the Statutes of Alberta. This revision should be available by the fall of 1981.

The process of computerization of the routine operations of the office continued. In addition, the installation of a search and retrieval system has commenced.

### Office of the Chief Medical Examiner

*Chief Medical Examiner: Dr. J. C. Butt*

The Chief Medical Examiner is based in Calgary with responsibility for the entire province. The northern region is administered by the Deputy Chief Medical Examiner in Edmonton. Construction of a purpose-built Edmonton facility incorporating office, morgue and toxicology laboratory is now underway.

### Medical Examiner System

The Office of the Chief Medical Examiner investigates unexpected or unexplained deaths, including all unnatural deaths in the province.

There is also a requirement for the Medical Examiner's Office to be involved in documentation where cremation, shipment out of province or dissection under The Universities Act is required.

There are about 160 medical examiners appointed on a fee for service basis. There are two full-time forensic pathologists in the Office of the Chief Medical Examiner, and one other pathologist is undergoing post-graduate training as an employee of the province.

### Education

The office continues to educate medical persons, police officers, ambulance operators and funeral directors as to the provisions of The Fatality Inquiries Act and the investigation of sudden death.

The production of a short film on the medical examiner system, "Investigating Sudden Death — a Team Approach", was completed in 1978 through the facilities of ACCESS. In 1979 a second film, "Investigation of Sudden Death — External Examination", was produced by the Office of the Chief Medical Examiner and ACCESS, for release in 1980.

A five-day symposium was held at the Banff Centre in December of 1979. The opening remarks were given by The Honourable Neil Crawford, Attorney General. One hundred and fifty delegates attended from western Canada and the northwestern United States. These participants were mainly medical examiners/coroners

or police officers. Presentations on various aspects of sudden-death investigation were given by recognized experts from throughout North America. The meeting, a first of its kind in Canada, was very successful.

A forensic pathology residency training program was begun at the University of Calgary through the Division of Pathology, Faculty of Medicine. Additionally, a student elective program in co-operation with the Faculty of Medicine, University of Calgary, is attracting an increasing number of undergraduate medical students from across Canada.

### Public Inquiries

A decision on whether to hold a public inquiry (known formerly as an inquest) under The Fatality Inquiries Act is made by the Fatality Review Board, a non-government body. Public inquiries are held before a Provincial Court judge. There were 68 inquiries in 1979, up from 64 in 1978.

### Death Notification

In the 1979-80 fiscal year, there were 3,885 deaths investigated, compared to 3,593 in the previous period. It is hoped that new procedures will promote lower autopsy rates through instruction and encouragement to medical examiners to confine certain of their investigations to external examinations of bodies. Nonetheless, the autopsy rate has decreased slightly from 67% in 1978 to 65% in 1979. Details are provided in Table 6 on page 25.

### Statistical Unit

A computer system was developed, compiling case-file information from 1975-1979 medical examiner cases. The system's primary function has been to supply statistics to interested agencies. Refinement of the data base and improved efficiency continue to be an ongoing priority. This system and the data stored constitutes the largest bank of such information currently available on computer in Canada. As such, it is widely sought by outsiders from social, government and educational institutions throughout the country.

### Public Trustee

*Public Trustee: L. W. Gardiner, Q.C.*

The Public Trustee provides three major trust services to protect the assets and financial interests of disadvantaged persons by acting as:

1. guardian of the estates of missing persons and of children under 18 years of age;
2. administrator of the estates of persons who are legally unable to handle their own business

affairs by reason of mental or physical disability;

3. administrator of the estates of deceased persons who die intestate having no relative in the province, or where the next of kin are not prepared to administer the estate and request the Public Trustee to act.

The 1,237 new guardianship administrations commenced during the year to protect the financial interests of children under 18 years of age and missing persons represented an increase of 8.3% from the 1,142 commenced during the previous period. Funds received on behalf of infants originated primarily from their beneficial interests in estates of deceased persons or as compensation for injury resulting from motor vehicle accidents. A large percentage of the money received, in excess of estimated requirements for maintenance or education, was invested in interest bearing trustee securities at prevailing rates during the year with yields as high as 14.75%. Cash held on deposit earned 9% compounded semi-annually.

The number of new administrations of estates of dependent adults increased by 23.5% to 242, compared to 196 commenced during the previous period (details are provided in Table 8 on page 27.) Applications to Review Panels are now required every two years under The Dependent Adults Act to consider whether there is a continuing need for Certificates of Incapacity on approximately 3,800 existing trust administrations. This work has added significantly to the time required in the administration of dependent adult trusts. Applications to the court, now required every three years, were also commenced for a review of all existing Orders under which the Public Trustee was appointed by the court as committee of the estates of mentally incapacitated persons.

During the fiscal period under review, 700 new deceased estate administrations were undertaken, a reduction of 5.9% from the 744 commenced during the preceding year. Administrative time required to handle these deceased estates remained very high owing to increased legal and financial complexity encountered in this type of administration. Requirements under the new Matrimonial Property Act have increased administrative responsibility in regard to determination of the rights of spouses and former spouses of deceased persons. Seminars were arranged during the year in which senior officials of the Estate and Trust Taxation Division of Revenue Canada reviewed, for the benefit of our staff, current legislation, regulations and procedural directives related to income and capital gains taxes as applied to estates of individuals whose affairs are administered by the Public Trustee.

A total of 2,179 new trust administrations were commenced during the year compared to 2,082 for the previous period, an overall increase of 4.7%. Cash deposits in Public Trustee bank accounts increased by 21.4% from \$43.4 million to \$52.7 million. Trust assets, as recorded for administrative purposes, increased by 4.4% from \$90.3 million to \$94.3 million. The Trust Balance Sheet, shown in Table 9 on page 27, provides a comparative analysis of the assets and liabilities of estates and trusts under the control of the Public Trustee.

## Administration

*Chief Executive Manager: C. R. Shank*

The office of Chief Executive Manager oversees the administration of all departmental non-legal staff functions, and provides line management with advice, guidance and support in these matters.

The areas reporting to the office of the executive are: Administrative Services, Communications, Court Services, Financial Services, Motor Vehicle Accident Claims, Personal Property Registration, Personnel Services and Planning, Research and Development.

### Administrative Services

*Manager: H. A. Brinton*

This branch was established in March, 1980 to oversee general administrative functions such as directives, forms management, materials and facilities, micrographics, official documents and appointments, records management and reprographics.

The areas reporting to the manager of this branch are: Special Services, Materials and Facilities Management, Micrographic Services, Official Documents and Appointments and Central Records.

#### Special Services

Special Services undertakes the analysis and design of departmental forms and reports, and conducts methods studies, records disposition, reprographics, policy and manuals distribution.

Methods studies were conducted for registration of mobile homes, bills of sale and deeds of title. Project support was provided for computerization of the registries, development of The Personal Property Security Act and computerization of the accounting system for the Motor Vehicle Accident Claims Fund.

#### Materials and Facilities Management

Materials and Facilities Management provides a central purchasing/supply function and the administration of the facility/accommodation projects constructed on behalf of the Department of the Attorney General.

Fiscal 1979-80 was highlighted by major progress in the court facility construction program and numerous refinements to the purchasing/distribution system.

New base point courthouses were opened at Leduc and St. Albert. New circuit point courthouses were completed at Boyle, Fox Creek, Okotoks and Vulcan. New/renovated court facilities in leased premises were provided at Killam, Manning, Morinville, Red Deer and Redwater.

Other court facilities in new provincial buildings were opened at Bashaw, Lloydminster and Valleyview. Renovations to existing accommodation at the Edson and High Prairie provincial buildings were also realized.

It is estimated that the Edmonton Law Courts addition will be completed in spring 1983. Construction of new facilities for the Medical Examiner's Edmonton office commenced in 1979-80 and the programming for a new Medical Examiner's facility in Calgary was completed. To accommodate head-office staff of the Attorney General, major renovations to the Natural Resources Building, located at 109 Street and 98 Avenue are in progress. The building is scheduled for occupancy by fall 1980.

A large number of facility projects were initiated in 1979-80 to provide improved accommodation in government-owned or leased premises across the province. These include: office accommodation for Crown counsel; upgrading of the Calgary and Edmonton Land Titles Offices; expansion of and renovation to the Public Utilities Board's Calgary and Edmonton offices and the Medical Examiner's office in Calgary; relocation of the Land Compensation Board's office to a new office tower in downtown Calgary; and new accommodation for Motor Vehicle Accident Claims' staff.

#### Micrographic Services

Micrographic Services provides microfilming, processing, editing, and duplicating services to the department through two labs in the Land Titles Offices. The unit also provides advice and assistance on micrographic systems.

During the year, the section completed a change to the Land Titles Offices microfilm retrieval system. The change involved the reorganization of four years' records in Edmonton and seven years' records in Calgary.

#### Official Documents and Appointments

Official Documents and Appointments is responsible for the administration of the appointments of commissioners for oaths, notaries public and the administration of the Provincial Secretary's Office. An amendment to The Commissioners for Oaths Act, extending the appointment period from two to three years, produced a \$34,680 decrease in revenue for 1979-80.

## Communications

*Manager: S. E. Kelly*

The Communications unit provides consultation for and assistance with print projects, advertising and media liaison for the department.

### News Media Services

Communications issued 141 news releases in 1979-80. The unit also handled daily requests from the news media for information and interviews and provided a news-clipping service and transcripts of media reports to department officials.

### Print and Audio/Visual Projects

The unit produced information pamphlets and booklets for use within the department and by the general public in addition to producing a bi-monthly newsletter.

An ongoing program of revision to The Jury and the Justice System, An Introduction to Alberta Land Titles, and Witness and the Justice System was continued to ensure that departmental publications remained up to date.

Work continued on the Court of Appeal, Court of Queen's Bench and Provincial Court photograph galleries.

### Advertising

The Communications unit was responsible for co-ordination, production and placement of advertising for the Public Utilities Board, the Office of the Chief Medical Examiner and Commissioner for Oaths.

### Conferences and Seminars

Communications supplied consultation, print and media-liaison services for several conferences and seminars during the year. These included: the International Conference of Crime Victims Compensation Boards held in Calgary, July, 1979; Office of the Chief Medical Examiner, Investigation of Sudden Death held in Banff, December, 1979; Gaming Control's staff workshop in Calgary, March, 1980 and Court Services management workshop in Edmonton, June, 1979.

## Court Services

*Acting Executive Manager: M. W. G. Bruce*

Court services assists the administration of justice by providing administrative support to all courts in the province as well as the court reporters, justices of the peace and sheriff's services.

## Staffing

The position complement of Court Services was increased by 23 positions during the fiscal period. These positions were distributed as follows: four were placed in the Calgary and Edmonton Law Libraries; six in the Witness Central Management Units in the Calgary and Edmonton Court of Queen's Bench; and eight in the newly established base points of Leduc and St. Albert. The five remaining positions were placed in Peace River and the Court of Queen's Bench and the Provincial Court (Criminal) in Calgary.

### Classification and Training

It is anticipated that the Judicial Clerk Series Review will be completed and submitted to the Alberta Union of Provincial Employees by the Personnel Administration Office in the summer of 1980. It is intended that this series review will enhance career planning and development.

With the support of the judiciary, para-legal training continues to attract career-oriented employees. During the fiscal period, four para-legal courses were attended by 70 staff members.

Seventy-seven staff were trained in the operation of court recording equipment and in the standards and procedures required for the production of court transcripts.

The training of justices of the peace continued in 1979-80 to assist them in their duties and to establish a working relationship with the judiciary and court staff.

### Court Automation Project

Court Services has been actively involved in the development of court automation during the fiscal period. The initial phase of the Court Automation Project (CAP) was completed in April, 1979. This phase, identifying the scope of the project, determined that CAP would address four major functions performed in the Provincial Court and in criminal cases in the Court of Queen's Bench. These functions involve specified penalties and voluntary payments, cash receipts and disbursement, case tracking and court operational reports.

The next phase of the project, the analysis phase, began in October, 1979 and is scheduled for completion late in 1980. This phase will identify the requirements of the Court Automation Project in detail.

## Financial Services

*Manager: D. Medwid*

Financial Services provides financial support in budgeting, revenue and expenditures, pay and benefits, and the administration of the Fines and Statistics Trust Account.

### Revenue and Expenditures

Revenue for the fiscal year-end March 31, 1980 increased from \$44,499,686 to \$47,362,526. Expenditures increased by \$3,671,722 to \$56,146,348. Details are provided in Table 10 on page 28.

### Fines and Statistics

This section continues to be responsible for the administration of the Fines and Statistics Trust Account, the provision of statistics to various agencies and government departments, and the redistribution of fines levied in the Provincial Court. The section during the year processed in excess of 600,000 documents with a distribution involving \$28,293,107. Details of the distributions are provided in Table 11 on page 29.

## Motor Vehicle Accident Claims

*Administrator: N. Semotiuk*

The Motor Vehicle Accident Claims Fund offers financial protection to the public against uninsured and hit-and-run motorists who cause property damage, injury and death.

Alberta's Motor Vehicle Accident Claims Fund now pays claims up to \$100,000 for personal injury and property damage when the person responsible is unknown or cannot be located or the person suffering damages cannot collect.

At March 31, 1980, the fund's expenditures in claims for personal injury, property damage, hospital, medical and ambulance charges, auto repairs and other costs had increased to \$5,462,377. Receipts for the same period were \$5,653,603. The fund is financed by annual assessments of \$5 per vehicle through motor vehicle licence fees.

## Personal Property Registration

*Manager: J. Gallo*

The amalgamation of several Central and Vehicle Registries functions and the administrative restructuring of the two registry units have been completed. The

Central and Vehicle Registries Computerized Information System has progressed from the detailed analysis and functional specification phases to the design phase.

### Central Registry

In addition to personal property, this section registers limited partnership as well as partnerships and trade names. During 1979-80, 150,407 documents were registered and 62,089 searches conducted, representing a 15% increase over the previous year. The total revenue generated was \$256,345.

### Vehicle Registry

During 1979-80, Vehicle Registry registered 412,758 documents and conducted 325,711 searches, representing a 6% increase over the previous year. The total revenue generated was \$564,626.

## Personnel Services

*Manager: R. J. Capell*

Personnel Services provides a professional human-resource-management advisory service to management and employees in meeting organizational objectives.

### Employment

This section is responsible for the recruitment and selection of staff for all position levels within the department. During the fiscal period, there were approximately 895 requests for staffing action, and 311 competitions were held. Overall, 820 appointments were made, including 483 commencements, 160 in-service promotions and 177 transfers.

### Organization Analysis and Classification

The classification activity of this section increased significantly during this fiscal period. Seventy-six positions were created, 346 positions were reclassified and 217 were updated. In addition, 623 Court Services positions, including management, were reviewed and classified during the Court Services reorganization.

In total, the section handled over 1,260 classification transactions through the fiscal year.

### Human Resources Planning and Development

Personnel Services co-ordinated staff training and manpower planning for the department. The number of participants attending courses increased this fiscal year and is represented as follows:

	Participants
In-house courses	213
In-service (PAO) courses	106
Outside courses	240
<b>TOTAL</b>	<b>559</b>

#### Employee Relations

Personnel Services provided services related to collective agreement interpretation, employee benefits and grievance handling to an increased number of staff during the past fiscal year. Pay issues and disciplinary matters featured prominently in the section's activities; however, all cases were resolved by mutual agreement and none were referred to the Public Service Appeal Board for adjudication.

#### Planning, Research and Development

*Acting Manager: B. Pickering*

This division provides the department with services in planning, research, policy and program analysis and evaluation, systems development and implementation.

During the last fiscal year, the division co-ordinated the following projects: strategy development for meeting the court facilities requirement in Calgary; evaluating the operation of the Edmonton docket court; evaluating the Edmonton and Calgary Hearing Officer program; co-ordinating the activities related to the introduction of the Court of Queen's Bench; and a study of specific issues related to the enforcement and handling of municipal by-laws.

Progress was also attained on activities which were initiated in the previous year. Significant work was completed toward defining the systems requirements for the automation of case-related administrative activities in the Provincial Court, the Court of Queen's Bench and the Appeal Courts for criminal code, and provincial and municipal offences. The Court Automation Project when completed in 1982-83 will focus on the operational needs of court administrators and provide a base component for future systems development, such as the Default Judgment System.

Work on the centralized witness service progressed to the point which indicated implementation of the service in Edmonton and Calgary in 1980.

The co-ordination and monitoring of the activities associated with the implementation of the responses to the fourth report of the Kirby Board of Review continued to form part of the division's activities.

Consistent with its responsibility to provide certain department-wide services, Planning, Research and Development was involved with a number of new activities and projects. Support is being provided on a project to investigate and subsequently implement a

Prosecutor Oriented Management Information System (PROMIS) in Edmonton and Calgary in late fall of 1980. The division is also participating in a study initiated to determine Land Titles' overall requirements for information systems. In the justice area, the division is involved in the co-ordination and monitoring of various research and evaluation activities such as the High Level Project, a study of the Juvenile Court structure, and the development of national statistics and information.

## Boards and Associated Agencies

### The Crimes Compensation Board

*Chairman: E. S. Watkins, Q.C.*

Alberta's Crimes Compensation Board was established in 1969 to help victims of violent crime who suffer financial loss as a direct result of injuries.

During the last year, the number of applications for compensation continued to rise, from 190 in the previous year to 217 — 166 from males, 51 from females. All were based on crimes committed in Alberta but 13 came from residents of other provinces.

Of the 217 applications, 189 were from individuals who had been injured and suffered loss; the remainder, 24, were for loss resulting from death, including claims for support by dependents. The board held hearings on 51 days during this year — 32 in Edmonton, 15 in Calgary and one each in Lethbridge, Red Deer, Grande Prairie and Peace River.

The number of decisions made and recorded by the board totalled 331. Of these, 189 were final awards, 36 were refusals of the claims and the remainder were interim or supplemental awards, principally to victims with some permanent disability.

The total compensation ordered by the board to be paid in the year was \$541,563, an increase of \$103,034 (23%) over the previous year. Of this \$194,666 was paid in the form of monthly payments for continuing liability. This increase is due partly to the rise in number of claims and partly to the general rise in wage levels and the cost of living. For example, in the previous year the amount paid for lost earnings was \$264,542. Last year it was \$363,081, an increase of \$98,540 (37%).

Because the medical and hospital expenses of most victims in Alberta are covered by the provincial health plans, the medical expenses paid by the board last year, \$45,174, were mainly for dental work. The fact that these liabilities are met in this way tends to obscure the real cost of compensating the victims of violent crime. Payments to dependents and for funeral expenses totalled \$83,525, while \$7,730 was paid in legal fees to lawyers appearing on behalf of applicants.

All the crimes giving rise to applications involved violence of one form or another. The most frequent were:

Assault causing bodily harm	115
Murder	19
Attempted Murder	12
Manslaughter	11

Thirty-eight crimes involved the use of firearms while 31 involved the use of knives. Based on the evidence, it is the opinion of the board that approximately half

(106) of the applications resulted from excessive use of alcohol.

#### Periodic Payments

The board remains confident that its power to make awards involving periodic payments to a victim, usually on a monthly basis, is a most valuable remedy. There are many instances in which payment of a single lump sum to a victim would be inappropriate, particularly in times of inflation. A monthly payment involves an annual review by the board, when changes can be made as circumstances change. It must also be borne in mind that over an extended period, the total of monthly payments may well equal the amount the civil courts might have awarded by way of damages.

At the present time, 45 victims are receiving monthly payments, ranging in amount from \$50 (in one case) to \$1,000. Each amount depends on the former earning capacity of the victim. The largest amount paid to any one applicant is \$87,488 to a man totally disabled in June, 1968 by a blow to the head causing permanent damage to his brain. Other cases extending over ten years now have totals of \$60,006, \$57,610 and \$55,774. All these applicants would have been entitled to social assistance but the payments by the board correspond more closely to the earnings they have lost as a result of a violent crime.

#### Pain and Suffering

As previously reported, the power of the board to award compensation for what is termed pain and suffering is limited, both in circumstances and amount. The total paid last year was \$21,450, which compares with \$15,780 paid the previous year. The scale of these awards is well below that of comparable awards in the civil courts and if payments by the board were brought into line with those by the civil courts, the increase in the cost of the scheme would be phenomenal. The board has no desire to recommend any change, save in cases of injury to housewives, pensioners, men and women who monetarily are "non-earners", often elderly and often suffering from profound and continuous shock as a consequence of a violent assault.

The board considers that public concern for this class of victim might be met by empowering the board at its discretion to order a payment, for example, of not more than \$5,000 to such a victim. The cost to the province would be very small. The value to the victim might be incalculable.

#### Publicity

The board believes that knowledge of The Crimes Compensation Act and of the existence and duties of the board is spreading through the province, although

the process is far from complete. One indication of this is the increase in the number of applications which are filed within a few days of the event.

During the year the board in co-operation with Communications prepared a revised brochure designed to outline the work of the board and the relief it can provide. This is now in course of distribution. The police forces in the province have also been provided with a summarized information card which can be given to a victim at the time the crime is being investigated.

The news media have played a most useful part in spreading information and the board is very appreciative of the co-operation it has received from these quarters. It is a part of the war against crime that all the casualties shall be properly and promptly cared for.

### **The Land Compensation Board**

*Chairman: K.J. Boyd*

The Land Compensation Board began the fiscal year with 29 active cases in its docket. During 1979, it received 60 additional applications of which 50 were applications to determine compensation and eight were applications by way of notice of motion asking the board to decide issues arising out of the expropriation procedure. The board was also required to act as Approving Authority for two expropriations.

The board heard 25 cases during 1979 and issued 15 orders determining final compensation for expropriated property; eight orders on notices of motion; and two Certificates of Approval authorizing expropriations. Twenty cases were settled by the parties without need of formal hearings before the board. Thirty-eight active cases remained in the docket at the end of the year.

### **Extensive Review**

In 1978, the board undertook an extensive review of the provisions of The Expropriation Act related to the determination and allowance of costs to expropriated owners. The review resulted in preparation of a report to the Attorney General containing an analysis of the present provisions of the act and the board's suggestions for restructuring and changing the provisions. A number of amendments have now been prepared and it is anticipated these will be presented to the fall session of the legislature.

### **Staffing**

The board consists of five members, including the chairman, two full-time members and two part-time members. At year-end, there was one vacancy on the board. The board has a support staff of four.

### **Board Orders**

All decisions of the board are given in writing with reasons. Copies of each decision are filed with provincial courthouses, the law libraries of the University of Alberta and the University of Calgary, Canada Law Book Limited, and the board's office in Calgary. The board provides free copies of specific decisions on request.

### **The Legal Aid Society of Alberta**

*Executive Director: T. G. Schollie*

The Legal Aid Society arranges for legal services for qualified applicants. All serious criminal charges and those less serious where jail terms or loss of employment would likely result are covered by the plan. Where possible, applicants make a contribution toward the cost of supplying counsel. The society is directed in its day-to-day activities by three lawyers and a registered industrial accountant. All legal advice and assistance is supplied by members of the Alberta Bar acting at a tariff of fees which is one-half to one-third of regular client/solicitor fees and represents their contribution towards the plan.

Policy is set by the Law Society of Alberta. Guidance is supplied by the Board of Directors of the Legal Aid Society, which is composed of 15 members representing the provincial and federal governments, the Law Society of Alberta and the public.

The society has an approved staffing level of 61 full-time staff throughout the province.

### **Funding**

The Legal Aid Society received \$4,518,000 in funds from the Alberta Government which in turn will recover from the Federal Government a contribution of \$0.90 per capita for fiscal year 1979-80, plus a sum from a formula tied to the gross national product.

### **Applications**

In the fiscal year 1979-80, the society received 17,387 applications, an increase of 4.2% over the previous year. However, the number of applications approved remained unchanged from the previous year.

### **Administrative Matters**

The Law Society of Alberta approved a 10% increase in the Legal Aid Tariff, unchanged since 1976.

### **Other Agencies**

The Legal Aid Society continues to work in close co-operation with social agencies, referring applicants in

appropriate circumstances. There was good co-operation with the Native Counselling Services of Alberta, Calgary Legal Guidance service and Student Legal Services in Edmonton.

### **Receipts and Disbursements**

For the year-end March 31, 1980, the society received \$5,083,684, including \$4,518,000 from the Government of Alberta, \$418,818 from recoveries, and \$146,866 from interest and sundry receipts. Disbursements for 1979-80 came to \$4,556,029 of which \$3,278,525 or 72% went to pay lawyers' fees and disbursements. Salary and fringe benefit costs were 21.9% while administrative costs were held to 6.1%

Recoveries and contributions for the year totalled \$418,818 up 20.3% from the previous year.

The average cost per federal criminal case was \$232 (9,785 completed, an increase of 8%), and \$235 in civil cases (4,122 completed, a decrease of 10%) for average cost increases of 3% to 14% respectively. The duty counsel program assisted 11,975 persons at a cost of \$274,213.

**Statistical Tables**

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TABLE 1

## Court of Queen's Bench of Alberta Caseload Statistics for Year-End March 31, 1980

	<u>1979-80</u>	<u>1978-79</u>	<u>Increase (Decrease)</u>	<u>% Change</u>
Civil actions commenced (excluding divorce)	65,203	56,709	8,494	15.0
Civil trials heard (excluding divorce)	2,064	1,981	83	4.2
Petitions for divorce commenced	10,206	9,074	1,132	12.5
Decree nisi granted	7,212	6,482	730	11.3
Criminal trials heard	3,037	2,331	706	30.3
Criminal appeals filed	1,541	1,113	428	38.4
Criminal appeals heard	839	555	284	51.2
<b>Sheriff</b>				
Writs of execution filed	21,130	18,817	2,313	12.3
Distress warrants filed	17,117	14,824	2,293	15.5
Seizures made (all kinds)	9,970	8,001	1,969	24.6
Attempted seizures	10,245	8,244	2,001	24.3
Process served	26,210	23,617	2,593	11.0
<b>Revenue</b>				
Sheriff's fees	\$ 453,633	\$421,213	\$32,420	7.7
Court fees	\$2,637,679	\$1,984,932	\$652,727	32.8

TABLE 2

## Provincial Court of Alberta Caseload Statistics for the Year-End March 31, 1980

	<u>1979-80</u>	<u>1978-79</u>	<u>Increase (Decrease)</u>	<u>% Change</u>
*Docketed cases	412,155	389,051	23,104	5.6
Disposed cases	292,277	258,147	34,130	11.7
Voluntary payments	307,446	295,867	11,579	3.8
Late voluntary payments	93,778	75,139	18,639	19.9

## Small Claims Actions Commenced

<b>Damages</b>				
Under \$200	330	462	(132)	(40.0)
Over \$200	950	973	(23)	(2.4)
<b>Total Damages</b>	1,280	1,435	(155)	(12.1)
<b>Debts</b>				
Under \$500	15,158	14,836	322	2.1
Over \$500	6,466	5,452	1,014	15.7
<b>Total Debts</b>	21,624	20,288	1,336	6.2

\* The statistics for docketed cases have been reported by calendar years 1978 and 1979.

**TABLE 3**

**Provincial Court and Court of Queen's Bench Trials - Verdicts, Year-End March 31, 1980**

<u>Offence</u>	<u>Charges</u>	<u>Conviction</u>	<u>Acquittal</u>	<u>Stays/ Withdrawals</u>	<u>Other</u>
Murder	35	18	13	4	-
Attempted murder	35	7	10	18	-
Manslaughter	31	26	4	1	-
Rape	74	34	16	24	-
Other sexual offences	333	210	45	78	-
Wounding	106	46	18	42	-
Assault	331	219	42	67	3
Robbery	348	200	52	96	-
Break and enter	2,664	2,053	133	477	1
Theft-auto	140	105	6	29	-
Theft	1,012	745	79	187	1
Possession - stolen goods	1,008	688	90	228	2
Prostitution	35	16	15	4	-
Offensive weapons	571	324	107	136	4
*Other indictable	2,844	2,079	280	480	5
<b>Total Criminal Code</b>	<b>9,567</b>	<b>6,770</b>	<b>910</b>	<b>1,871</b>	<b>16</b>
<b>Other Federal Statute</b>	<b>16</b>	<b>10</b>	<b>-</b>	<b>6</b>	<b>-</b>
<b>Provincial Statute</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>

\* Gaming and betting included in other indictable.

**TABLE 4**

**Proceedings of Crown Agents by Region and by Nature of Court for Year-End March 31, 1980**

	<u>Special Prosecution</u>	<u>Northern Region</u>	<u>Southern Region</u>	<u>Total</u>
<b>Provincial Court</b>				
Trials	6	3,243	3,596	6,845
<b>Court of Queen's Bench</b>				
Trials - judge	10	1,382	1,201	2,593
Trials - judge and jury	-	68	76	144
Appeals - by accused	-	17	24	41
Appeals - by Crown	-	6	9	15
<b>Court of Appeal</b>				
Appeals - by accused	-	320	277	597
Appeals - by Crown	-	87	38	125

Crown agent report figures show only cases reported and cover only indictable offences on which an election is given. Charges laid under the Criminal Code are not included in these figures.

**TABLE 5**

**Gaming Control**

**Statement of Licencing, Events and Fees, Year-End March 31, 1980**

<u>Type of Event</u>	<u>No. of Licences</u>	<u>No. of Events</u>	<u>Licence Fees</u>	<u>Total Gross</u>	<u>Prizes Winnings</u>	<u>Expenses</u>	<u>Net Profit</u>
Bingo	1,341	19,382	\$ -	\$ 25,552,312	\$17,319,261	\$ 2,308,693	\$ 5,924,358
Casino	420	808	254,570	51,463,356	37,647,599	5,040,208	8,775,549
Raffle	2,486	6,246	21,678	8,410,335	3,153,731	1,240,549	4,016,055
Pull ticket	394	394	413,790	39,669,372	29,274,535	2,274,352	8,120,485
<b>Totals</b>	<b>4,641</b>	<b>26,830</b>	<b>\$690,038</b>	<b>\$125,095,375</b>	<b>\$87,395,126</b>	<b>\$10,863,802</b>	<b>\$26,836,447</b>

**TABLE 6**

**Office of the Chief Medical Examiner - Deaths Reported to Year-End March 31, 1980**

<u>Manner of Death</u>	<u>Calgary</u>		<u>Southern Rural</u>		<u>Total Southern Region</u>		<u>Edmonton</u>		<u>Northern Rural</u>		<u>Total Northern Region</u>		<u>Provincial Total</u>	
	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>
Natural	574	494	451	425	1,025	919	653	508	368	387	1,021	895	2,046	1,814
Accidental	74	70	117	127	191	197	90	90	154	159	244	249	436	446
Motor vehicle	81	68	201	181	282	249	108	92	283	236	391	328	673	577
Suicide	86	85	75	86	161	171	106	95	86	82	192	177	353	348
Homicide	21	19	6	12	27	31	25	24	18	25	43	49	70	80
Unclassified	49	50	32	26	81	76	82	72	38	47	120	119	201	195
Undetermined	38	27	14	16	52	43	19	54	26	19	45	73	97	116
Unknown	0	3	3	7	3	10	3	5	4	2	7	7	10	17
<b>Totals</b>	<b>923</b>	<b>816</b>	<b>889</b>	<b>880</b>	<b>1,882</b>	<b>1,696</b>	<b>1,086</b>	<b>940</b>	<b>977</b>	<b>957</b>	<b>2,063</b>	<b>1,897</b>	<b>3,885</b>	<b>3,593</b>
Cremations, shipments out, dissections					1,570	1,412					1,432	1,298	3,002	2,710
Shipments in					128	92					118	135	246	227

**TABLE 7**

**Alberta Land Titles Office**

**Activities of the Alberta Land Titles Office at Year-End March 31, 1980**

	<u>1979-80</u>	<u>1978-79</u>	<u>Increase (Decrease)</u>	<u>% Change</u>
<b>Document Registrations</b>				
Transfers	140,803	138,830	1,973	1.4
Mortgages	105,456	108,649	(3,193)	(2.9)
Caveats	67,887	59,730	8,157	13.7
Liens	13,232	9,993	3,239	32.4
Discharges	135,904	136,344	(440)	(0.3)
Easements	14,323	11,144	3,179	28.5
Miscellaneous	54,807	49,452	5,355	10.8
<b>Total</b>	<b>532,412</b>	<b>514,142</b>	<b>18,270</b>	<b>3.6</b>
<b>Survey Plan Registrations</b>				
Subdivision plans	1,879	2,134	(255)	(11.9)
Condominium plans	197	196	1	0.5
Road plans	603	621	(18)	(2.9)
Right of way plans	1,763	1,968	(205)	(10.4)
Others	129	299	(170)	(56.9)
<b>Total</b>	<b>4,571</b>	<b>5,218</b>	<b>(647)</b>	<b>(12.4)</b>
<b>Tax Recovery</b>				
Titles endorsed	6,877	6,527	350	5.4
Tax notices issued	17,112	16,270	842	5.2
<b>Certificates of Title Issued</b>				
On transfers	191,794	191,393	401	0.2
On new subdivision plans	33,609	38,845	(5,236)	(13.5)
On new condominium plans	8,483	9,036	(553)	(6.1)
<b>Total</b>	<b>233,886</b>	<b>239,274</b>	<b>(5,388)</b>	<b>(2.3)</b>
<b>Services</b>				
TWX searches	180,125	149,494	30,631	20.5
Telephone searches	42,535	40,076	2,459	6.1
Photocopies of titles and documents	4,258,251	3,693,532	564,719	15.3

**TABLE 8**

**Public Trustee**

**New Administrations Commenced by Year-End March 31, 1980**

	<u>Edmonton</u>		<u>Calgary</u>		<u>Total</u>	
	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>	<u>1979-80</u>	<u>1978-79</u>
<b>New Administrations</b>						
Official guardian	1,237	1,142	-	-	1,237	1,142
Incapacitated persons estates	141	153	101	43	242	196
Deceased estates	417	486	283	258	700	744
<b>Total Estates under Administration</b>	<b>13,922</b>	<b>15,220</b>	<b>1,243</b>	<b>1,146</b>	<b>15,165</b>	<b>16,366</b>

**TABLE 9**

**Public Trustee**

**Trust Balance Sheet for Year-End March 31, 1980**

	<u>1979-80</u>	<u>1978-79</u>
<b>Assets</b>		
Estate and beneficiaries assets —		
consolidated investment fund	\$36,216,474	\$36,189,050
Cash in banks	971,122	1,998,413
	<u>37,187,596</u>	<u>38,187,463</u>
<b>Investments</b>		
Mortgages, agreements and notes receivable	2,483,283	2,346,619
Accounts and rent receivables	758,591	712,691
Real estate	4,954,299	5,711,242
Miscellaneous assets	488,994	707,512
<b>Total</b>	<u>\$94,251,378</u>	<u>\$90,273,217</u>
<b>Liabilities</b>		
Estate and beneficiaries liabilities —		
advances due to the Provincial		
Treasurer	\$ 19,682	\$ 14,184
Accounts payable	705,330	692,430
Agreements and mortgages payable	338,565	642,294
	<u>1,063,577</u>	<u>1,348,908</u>
<b>Estate and Beneficiaries Capital</b>	<u>93,187,801</u>	<u>88,924,309</u>
<b>Total</b>	<u>\$94,251,378</u>	<u>\$90,273,217</u>

**TABLE 10**  
**Financial Services**  
**Statement of Revenue and Expenditures for Year-End March 31, 1980**

	1979-80	1978-79	Increase (Decrease)
<b>Revenue</b>			
*Land Titles Act — registration	\$21,342,206	\$18,598,548	\$2,743,658
Government of Canada — statutory fines	8,323,965	8,627,350	(303,385)
Province of Alberta — statutory fines	8,208,567	7,001,997	1,196,570
Clerks of the Court Act — fees	2,610,125	2,110,950	499,175
**Government of Canada — Legal Aid	1,845,154	3,357,754	(1,512,600)
Central and Vehicle Registries	820,971	764,564	56,407
Public Trustee — fees and earnings	1,538,364	1,270,373	267,991
Other	2,673,174	2,758,150	(84,976)
<b>Total</b>	<u>\$47,362,526</u>	<u>\$44,499,686</u>	<u>\$2,862,840</u>
<b>Expenditures</b>			
Minister's office	\$ 141,463	\$ 120,012	\$ 21,451
General administration	5,856,418	6,030,802	(174,384)
Law libraries	995,868	781,604	214,264
Court operations	21,527,545	21,150,018	377,526
Crown counsel and legal services	9,853,101	8,375,878	1,477,223
Legal Aid Plan	4,518,000	4,100,000	418,000
Land Titles Office - Calgary	2,075,682	1,877,334	198,348
Land Titles Office - Edmonton	3,221,487	3,020,827	200,660
Public Trustee	2,608,985	2,309,861	299,124
Motor Vehicle Accident Claims	310,925	270,834	40,091
Central and Vehicle Registries	1,099,079	862,840	236,239
Medical Examiners	1,619,972	1,485,687	134,285
Crimes Compensation Board	653,884	584,593	69,291
Land Compensation Board	180,194	162,632	17,562
Public Utilities Board	1,483,745	1,341,704	142,041
<b>Total</b>	<u>\$56,146,348</u>	<u>\$52,474,626</u>	<u>\$3,671,722</u>

\* The 1978-79 figures have been adjusted to delete the Land Titles Assurance Fund balance of \$4,505,707 from other income.

\*\* Income for Legal Aid reflects revenues earned over a two-year period: 1977-78 — \$1,557,754; 1978-79 — \$1,800,000.

The 1978-79 figures presented in the table of revenue have been adjusted to reflect accounts receivable accruals.

**TABLE 11**  
**Financial Services**  
**Statement of Fines Distribution for the Year-End March 31, 1980**

	1979-80	1978-79	Increase (Decrease)
Fines paid to province	\$16,358,684	\$12,917,369	\$ 3,441,315
Fines paid to federal government	1,050,656	1,101,421	(50,765)
Costs paid to federal government	4	461	(457)
Fines paid to municipalities	10,881,074	9,173,589	1,707,485
Costs paid to federal government	7	25	(18)
Fines paid to Oil and Gas Conservation Board	400	750	(350)
Fees paid to justices of the peace	2,282	37,732	(35,450)
<b>Total</b>	<u>\$28,293,107</u>	<u>\$23,231,347</u>	<u>\$5,061,760</u>

## Acts Administered by the Attorney General

Administration of Estates Act  
Administrative Procedures Act  
Age of Majority Act  
Alimony Orders Enforcement Act  
Animal Protection Act  
Arbitration Act  
Assignment of Book Debts Act  
Bills of Sale Act  
Blind Persons' White Cane Act  
Builders' Lien Act  
Bulk Sales Act  
Chattel Security Registries Act  
Clerks of the Court Act  
Commissioners for Oaths Act  
Common Parties Contracts and Conveyances Act  
Conditional Sales Act  
Constitutional Questions Act  
Contributory Negligence Act  
Court Forms Act  
Court of Appeal Act  
Court of Queen's Bench Act  
Criminal Injuries Compensation Act  
Dangerous Dogs Act  
Daylight Saving Time Act  
Defamation Act  
Defence of Common Employment Act  
Demise of the Crown Act  
Department of the Attorney General Act  
Devolution of Real Property Act  
Domestic Relations Act  
Dower Act  
Alberta Evidence Act  
Execution Creditors Act  
Exemptions Act  
Expropriation Act  
Extra-Curial Orders Act  
Extra-Provincial Enforcement of Custody Orders Act  
Factors Act  
Family Court Act  
Family Relief Act  
Fatal Accidents Act  
Fatality Inquiries Act  
Federal Courts Jurisdiction Act  
Fraudulent Preferences Act  
Frustrated Contracts Act  
Garagemen's Lien Act  
Gas Utilities Act  
Guarantees Acknowledgement Act  
Infants Act  
Inkeepers Act  
Interpretation Act  
Intestate Succession Act  
Judicature Act  
Jury Act  
Justices of the Peace Act  
Juvenile Court Act  
Land Surveyors Act  
Land Titles Act  
Land Titles Act Clarification Act

Landlord's Rights on Bankruptcy Act  
Legal Profession Act  
Legitimacy Act  
Limitation of Actions Act  
Liquor Control Act\*  
Alberta Lord's Day Act  
Maintenance Order Act  
Married Women's Act  
Masters and Servants Act  
Matrimonial Property Act  
Mechanical Recording of Evidence Act  
Motor Vehicle Accident Claims Act  
National Housing Loans Act (Alberta)  
Notaries Pulic Act  
Oaths of Office Act  
Occupier's Liability Act  
Partition and Sales Act  
Partnership Act  
Perpetuities Act  
Petty Trespass Act  
Police Act, 1973\*  
Possessory Liens Act  
Private Streets Act  
Proceedings Against the Crown Act  
Provincial Court Act  
Public Inquiries Act  
Public Trustee Act  
Public Utilities Board Act  
Queen's Counsel Act  
Reciprocal Enforcement of Judgments Act  
Reciprocal Enforcement of Maintenance Orders Act  
Regulations Act  
Reports of Judicial Proceedings Act  
Revised Statutes 1980 Act  
Road Building Machinery Equipment Act  
Sale of Goods Act  
Seduction Act  
Seizures Act  
Sex Disqualification Removal Act  
Small Claims Act  
Statutes Act  
Summary Convictions Act  
Surrogate Court Act  
Survival of Actions Act  
Survivorship Act  
Tort-Feasors Act  
Transfer and Descent of Land Act  
Trustee Act  
Ultimate Heir Act  
Unconscionable Transactions Act  
Uniformity of Legislation Act  
Warehouse Receipts Act  
Warehousemen's Lien Act  
Wills Act  
Women's Institute Act  
Woodmen's Lien Act

\* Jointly administered by the Solicitor General and the Attorney General.

**END**