

capacity to cope with the purely judicial work of the court is provided by the authority to invite retired federally appointed judges to act as deputy judges of the court (Section 10). This authority extends also to federally appointed judges who are still in office, but only with the consent of the appropriate chief justice or attorney general. Former district judges in admiralty are also deputy judges of the court and their services can be used on a limited basis (Section 60).

Provision is also made in the act for quasi-judicial officers called prothonotaries (Section 12). Their duties are defined by the rules and may be of a judicial nature (Section 46). In addition to being taxing-masters, they can, subject to supervision by the court, deal with interlocutory work, and even take trials in minor matters as the associate chief justice may find expedient in order to ensure the expeditious dispatch of the court's business.

While all the full-time judges must live in or near the national capital region (Section 7), each division of the court can sit any place in Canada and the place and time of the sittings must be arranged to suit the convenience of the litigants (Sections 15 and 16). In addition, there is authority in the statute (Section 7) for a rotation of judges to provide for a continuity of judicial availability in any place where the volume of work, or other circumstances, makes such an arrangement expedient.

Judges of the Federal Court of Canada as at January 1, 1978

Chief Justice, Hon. Wilbur Roy Jackett (*appointed June 1, 1971*)
 Associate Chief Justice, Hon. Arthur Louis Thurlow (*appointed to Court of Appeal, June 1, 1971; appointed Associate Chief Justice, December 4, 1975*)
 Court of Appeal Judges: Hon. Louis Pratte (*appointed to Trial Division, June 10, 1971; appointed to Court of Appeal, March 5, 1973*), Hon. Darrel Verner Heald (*appointed to Trial Division, July 9, 1971; appointed to Court of Appeal, December 4, 1975*), Hon. John J. Urie (*appointed June 8, 1973*), Hon. William F. Ryan (*appointed April 11, 1974*), Hon. Gerald Eric Le Dain (*appointed September 1, 1975*)
 Trial Division Judges: Hon. Angus Alexander Cattanach (*appointed June 1, 1971*), Hon. Hugh Francis Gibson (*appointed June 1, 1971*), Hon. Allison Arthur Mariotti Walsh (*appointed June 1, 1971*), Hon. Frank U. Collier (*appointed September 16, 1971*), Hon. George A. Addy (*appointed September 17, 1973*), Hon. Patrick M. Mahoney PC (*appointed September 17, 1973*), Hon. Raymond G. Decary (*appointed September 17, 1973*), Hon. Jean-Eudes Dubé PC (*appointed April 24, 1975*), Hon. Louis Marceau (*appointed December 23, 1975*)
 Deputy Judges of the Federal Court (Section 60(3), Federal Court Act): Hon. Robert S. Furlong, Hon. Dalton C. Wells.

The provincial judiciary

2.4.2

Certain provisions of the British North America Act govern to some extent the provincial judiciary. Under Section 92(14) the legislature of each province exclusively may make laws in relation to the administration of justice in the province including the constitution, maintenance and organization of provincial courts of both civil and criminal jurisdiction. Section 96 provides that the Governor General shall appoint the judges of the superior, district and county courts in each province, except those of the courts of probate in Nova Scotia and New Brunswick.

The territorial judiciary

2.4.3

In 1971 amendments [now cited as RSC 1970, c.48 (1st Supplement)] to the Yukon Act and the Northwest Territories Act were proclaimed in force, simultaneously with certain ordinances of the Yukon Territory and the Northwest Territories, allowing the territorial governments to assume responsibility for the administration of justice other than the conduct of criminal prosecutions.

In the Yukon Territory, provision was made for a territorial (now supreme) court, a magistrate's court, justices of the peace and a court of appeal. The supreme court consists of a single judge of superior court rank and the magistrate's court. Both are located in Whitehorse, although from time to time magistrate's court sittings are held in other communities. There are 32 justices of the peace, appointed by the commissioner, located at 15 points in the Yukon Territory. The judge of the Supreme Court of the