

The Supreme Court sits only in Ottawa and its sessions are open to the public. A quorum consists of five members, but the full court of nine sits in most cases; however, in a few cases, five are assigned to sit, and sometimes seven, when a member is ill or disqualifies himself. Since most of the cases have been screened through successful applications for leave to appeal, they involve, by and large, important questions of general concern that ought to be heard by the full court of nine. The main categories include constitutional, criminal and administrative law cases. Some cases may raise points of particular concern which do not need the attention of the full court. Unless by special leave of the court, the only persons who may appear before the court to argue, apart from litigants themselves, are lawyers from any Canadian province. The judgment of the Supreme Court of Canada in all cases is final and conclusive.

Chief Justice and judges of the Supreme Court of Canada, as at April 16, 1987:

Chief Justice of Canada, Rt. Hon. Mr. Justice Brian Dickson, PC (appointed April 18, 1984; first appointed a judge of the Supreme Court March 28, 1973)

Hon. Mr. Justice Joseph Philemon Jean Marie Beetz (appointed January 22, 1974)

Hon. Mr. Justice Willard Zebedee Estey (appointed September 29, 1977)

Hon. Mr. Justice William Rogers McIntyre (appointed January 1, 1979)

Hon. Mr. Justice Antonio Lamer (appointed March 28, 1980)

Hon. Madam Justice Bertha Wilson (appointed March 4, 1982)

Hon. Mr. Justice Gerald Eric Willoughby Le Dain (appointed May 29, 1984)

Hon. Mr. Justice Gerard V. La Forest (appointed January 16, 1985)

Hon. Madam Justice Claire L'Heureux-Dubé (appointed April 15, 1987).

The Federal Court of Canada came into existence in June 1971. It was constituted by an act of Parliament under Section 101 of the British North America Act (Constitution Act, 1867) which, after authorizing the creation of the Supreme Court of Canada, confers on Parliament the authority to constitute other courts for the better administration of the laws of Canada. According to the Federal Court Act (RSC 1970, c.10), the court was established as a court of law, equity and admiralty, and it is a superior court of record having both civil and criminal jurisdiction. The Federal Court replaced the Exchequer Court of Canada which had been in operation since 1875.

The court has two divisions, an appeal division and a trial division. The court of appeal consists of the Chief Justice and nine other judges. The trial division consists of the Associate Chief Justice and 13 other judges. Every judge is an ex officio member of the division of which he is not a regular member.

While all judges must live in or near the National Capital Region, each division of the court can sit any place in Canada. The place and time of the sittings must be arranged to suit the convenience of the litigants. There is authority in the statute for a rotation of judges to provide for continuity of judicial availability in any place where the volume of work, or other circumstances, makes such an arrangement expedient.

Chief Justice and judges of the Federal Court of Canada, as of October 29, 1985:

Chief Justice, Hon. Mr. Justice Arthur Louis Thurlow (appointed to appeal division June 1, 1971; appointed Associate Chief Justice December 4, 1975; appointed Chief Justice January 4, 1980)

Associate Chief Justice, Hon. Mr. Justice James Alexander Jerome (appointed February 18, 1980).

Federal Court of Appeal:

Hon. Mr. Justice Darrel Verner Heald (appointed to trial division July 9, 1971; appointed to appeal division December 4, 1975)

Hon. Mr. Justice James Knatchbull Hugessen (appointed July 18, 1983)

Hon. Mr. Justice Patrick Morgan Mahoney, PC (appointed to trial division September 13, 1973; appointed to appeal division July 18, 1983)

Hon. Mr. Justice Joseph Augustine Louis Marceau (appointed to trial division December 23, 1975; appointed to appeal division July 18, 1983)

Hon. Mr. Justice Louis Pratte (appointed to trial division June 10, 1971; appointed to appeal division January 25, 1973)

Hon. Mr. Justice Arthur Joseph Stone (appointed July 18, 1983)

Hon. Mr. Justice John J. Urie (appointed April 19, 1973)

Hon. Mr. Justice Mark MacGuigan (appointed June 29, 1984)

Hon. Mr. Justice Bertrand Lacombe (appointed October 29, 1985).

Federal Court Trial Division:

Hon. Mr. Justice Frank U. Collier (appointed September 16, 1971)

Hon. Mr. Justice Jean-Eudes Dubé, PC (appointed April 9, 1975)

Hon. Mr. Justice John C. McNair (appointed July 18, 1983)