

Hon. Mr. Justice Charles Joseph Gonthier (appointed January 23, 1989)

Hon. Mr. Justice Peter de Carteret Cory (appointed January 23, 1989).

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 10 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 September 2, 1988:

Chief Justice, Hon. Mr. Justice Frank Iacobucci (appointed Chief Justice September 2, 1988)

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

Federal Court of Appeal:

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

Hon. Mr. Justice Darrel Verner Heald (appointed to trial division June 30, 1971; appointed to appeal division December 4, 1975)

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

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 James Knatchbull Hugessen (appointed July 18, 1983)

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

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

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

Hon. Madam Justice Alice Desjardins (appointed June 29, 1987).

Federal Court Trial Division:

Hon. Mr. Justice Frank U. Collier (appointed September 16, 1971) became a supernumerary judge as of November 1, 1987

Hon. Mr. Justice George A. Addy (appointed September 17, 1973; became a supernumerary judge as of September 1, 1983)

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

Hon. Mr. Justice Paul Rouleau (appointed August 5, 1982)

Hon. Mr. Justice Francis C. Muldoon (appointed July 18, 1983)

Hon. Mr. Justice Barry Louis Strayer (appointed July 18, 1983)

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

Hon. Madam Justice Barbara Joan Reed (appointed November 17, 1983)

Hon. Mr. Justice Pierre Denault (appointed June 29, 1984)

Hon. Mr. Justice Yvon Pinard (appointed June 29, 1984)

Hon. Mr. Justice L. Marcel Joyal (appointed June 29, 1984)

Hon. Mr. Justice Bud Cullen (appointed July 26, 1984)

Hon. Mr. Justice Leonard A. Martin (appointed October 29, 1985)

Hon. Mr. Justice Max M. Tietelbaum (appointed October 29, 1985)

Hon. Mr. Justice W. Andrew MacKay (appointed September 2, 1988).

20.2.4 Provincial judiciary

Certain provisions of the constitution 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.