

Canadian Citation Committee

The Uniform Preparation of Decisions

About this draft

Distributed: 2008-05-15

Circulation: Canadian Citation Committee

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Notes to the intention of the CCC (this will not be part of the final version)

This draft results from a consolidation and a revision of the 3 current CCC standards, which are currently presented, explained and complemented by the following documentation.

Neutral Citation Standard for Case Law

- Complete text - [\[EN\]](#) [\[FR\]](#)
- Summary - [\[EN\]](#) [\[FR\]](#)
- Frequently Asked Questions (FAQ) - [\[EN\]](#) [\[FR\]](#)
- Implementation Guide - [\[EN\]](#) [\[FR\]](#)

The Canadian Guide to the Uniform Preparation of Judgments

- Complete text: [\[EN\]](#) [\[FR\]](#)
- Executive summary: [\[EN\]](#) [\[FR\]](#)
- Frequently Asked Questions (FAQ): [\[EN\]](#) [\[FR\]](#)

Uniform Case Naming Guidelines

- Uniform Case Naming Guidelines - Complete text: [\[EN\]](#) [\[FR\]](#)

In this draft, changes are brought to take into consideration our implementation experience, questions from users and evolution of technology. As was the case when we revised the 1996 preparation standards in 2002, several rules now seem trivial, while others need to be expanded. In this spirit of modernization, many details present in past documents are omitted, amended or added in order to streamline or clarify some of the rules. We omitted rules that were never implemented and do not seem to be of great importance with respect to improving the timely and efficient dissemination of decisions, in order to be able to focus on the most important issues. The terminology is also updated.

Here are some of the most important changes:

- The complicated file naming scheme is replaced by a couple of suggestions on how to ensure that filenames are unique.
- There are no separated non word-processing files.
- There is no distinction between a “corrigendum” and a “corrected judgment”. All corrigenda must be included in a corrected decision that is considered to be a new version of the decision.

- There is no distinction between “mandatory” or “optional” elements. All required metadata is included in the “heading”, which precedes the reasons, and some other elements are described in a separate section.
- A “Citation” element includes a “Case name” and a “Neutral citation”. The “Core of citation” becomes the Neutral citation itself, in order to conform to practice.
- The court identifier of the neutral citation should not vary by the addition of a language qualifier. Bilingual courts like New Brunswick’s Queen’s Bench that chose to use two identifiers like NBQB and NBBR in accordance with their bilingual context should always use the identifier that corresponds to the reason’s language. The former Neutral citation standard left this to the court’s discretion.
- A standard for citation to legislation is introduced to encourage courts to indicate the coming into force of the cited provision.

Comments should be sent to the CCC listserv at ccc-ccr@lexum.umontreal.ca

Summary
[to come]

Acknowledgements
[to come]

Foreword
[to come]

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The Uniform Preparation of Decisions

1 General

[1] This guide presents guidelines and best practices for preparing and distributing decisions in Canada. It is intended to be used by adjudicative bodies wishing to ensure timely and efficient dissemination of their decisions. The term “court” is used in this guide as a matter of concision to refer to all courts, boards or tribunals.

[2] This guide replaces and supersedes the previous implementation of three standards adopted by the Canadian Citation Committee: the *Neutral Citation Standard for Case Law* (1999), the *Canadian guide to the Uniform Preparation of Judgments* (2002) and the *Case Naming Guidelines* (2006).

[3] All aspects of the preparation and distribution of decisions that are not addressed in this guide such as visual layout and design characteristics of decisions are left to the court’s discretion.

2 Typesetting

[4] In order to prevent the risk that the decision document becomes illegible or difficult to index by search engines after being converted into other formats, the typesetting of decision documents is always performed by using proper features and tools from the word processing application, as opposed to manual formatting. Features and tools specifically designed to properly format text in documents include:

- Paragraph numbering;
- Pagination;
- Paragraph and list alignment, indentation and spacing;
- Character spacing;
- Table formatting;
- Footnotes and endnotes;
- Headers and footers;
- Tables of contents.

Example

The following is an example of a traditional typesetting for the style of cause (see Section 3.6), which is still in use by certain courts. The table's grid is displayed here in dotted light grey lines to show how the table feature was used to properly align words and design elements such as closing parentheses, instead of trying to manually format this text using empty carriage returns and multiple tab characters.

Between)	
)	
HER MAJESTY THE QUEEN)	Alan Collins for the Respondent
)	
- and -)	
)	
CRAIG EDWARDS)	James McAdam for the Appellant
)	
)	
)	HEARD: April 24, 2008

[5] Notwithstanding the foregoing, dates are always entered as text and not as an automated date code. The use of automated features to display a date may cause incorrect dates to appear on the decision when the decision file is subsequently processed or displayed on other media.

3 Heading

[6] Elements of the heading must be present in a decision, when applicable. They are placed at the very beginning of a decision document. Their recommended sequence follows that of their description in the present section (other elements could also be present in the heading; see Section 5 – Other elements). The following table may be used as a quick reference for identifying the elements of the heading.

Heading			
Sub.	Element	Label	Example (fictitious)
3.1	Court name	[Label not required]	<p>In the Court of Appeal of Alberta</p> <p>Citation: R v Martin, 2006 ABCA 39</p> <p>Date: 20060921 Docket: 0704-0185-A Registry : Edmonton</p> <p>Between:</p> <p>Daniel Martin, Appellant – and – Her Majesty the Queen, Respondent</p> <p>[Official English translation]</p> <p>Restriction on publication: By court order made under subsection 486.4(1) of the Criminal Code, information that may identify the person described in this judgment as the complainant may not be published, broadcasted, or transmitted in any manner.</p> <p>Corrected Judgment: The text of the judgment has been corrected accordingly to the appended corrigendum (released November 29, 2006).</p> <p>Before: Mr. Justice James Ward.</p> <p>On appeal from: A interim decision from the Court of Queen's Bench of Alberta dated April 9, 2005 (R. v Martin, 2004 SKQB 231, docket T102665).</p>
3.2	Citation	Citation:	
3.3	Decision date	Date:	
3.4	Docket number	Docket:	
3.5	Registry [if applicable]	Registry:	
3.6	Style of cause	[Label not required]	
3.7	Translation notice [if applicable]	[Label not required]	
3.8	Publication restriction notice [if applicable]	Restriction on publication:	
3.9	Correction notice [if applicable]	Corrected judgment:	
3.10	Name(s) of judge(s) hearing the matter	[Any consistent label]	
3.11	Case origin [if applicable]	On appeal from: or On judicial review from:	

3.1 Court name

[7] The name of the court appears first in a decision. It may include any distinctive visual element such as the court's coat of arms.

Example



The Court of Appeal for Saskatchewan

3.2 Citation

[8] This element is preceded by the label "Citation:". It consists of a case name followed by the neutral citation.

Example

Citation: Jones v. Smith, 2006 NBQB 102

Label	Case name	Neutral citation
-------	-----------	------------------

3.2.1 Case name

[9] The case name is the title of the decision document. It allows for informal identification of the case, based on the names of the main parties involved in the case or on the subject matter of the decision. The following is a quick summary of the applicable case naming guidelines. For further direction, details and examples, please refer to the appended *Case Naming Guidelines*.

Basic format

[10] When the style of cause (see Section 3.6 – Style of cause) lists at least two opposed parties, the case name contains the name of the first party named as the plaintiff, applicant, petitioner or appellant, followed by the name of the first party named as the defendant or respondent. Individuals are referred to by their surname. The names are separated by “v” when the reasons are written in English, and by “c” when the reasons are written in French. References to other parties such as “et al” are omitted.

Example

<i>Style of cause</i>	<i>Case name</i>
Between: George Siket et al., plaintiffs, and Eugeniusz Milczek and David G. Amy, defendants	Siket v Milczek

[11] In criminal proceedings the Crown is always named first and referred to as “R.”

Example

<i>Style of cause</i>	<i>Case name</i>
Between: Her Majesty the Queen, and Dennis Richardson, Accused	R. v Richardson

[12] When the style of cause does not clearly list at least two opposed parties, the case name refers only to the surname of the first party named, followed by “(Re)”.

Example

<i>Style of cause</i>	<i>Case name</i>
In the matter of an application by Michele Cianci pursuant to s. 74(2) of the Firearms Act	Cianci (Re)

Individuals

[13] Individuals are referred to only by their surname or, when identity protection is mandated, by their initials or a pseudonym.

Example

<i>Style of cause</i>	<i>Case name</i>
Between T. S., an infant by her litigation guardian Mr. Tom Broadbent, Plaintiff And Mrs. Deborah Van de Wiel, Defendant	T.S. v Van de Wiel

[14] The estate of a deceased person is referred to by adding “Estate” after this person’s surname.

Example

<i>Style of cause</i>	<i>Case name</i>
In the matter of the Estate of John James MacNeil	MacNeil Estate (Re)

[1] Individuals whose name appears in the decision’s style of cause merely because of their office in an organization or government body are not acting in a personal capacity in the proceeding, but rather in their official capacity. Therefore, the case name should not refer to the individual’s name but to the organization or government body for which they are acting in the case.

Example

<i>Style of cause</i>	<i>Case name</i>
Mike Perry, director of West Bay Child and Family Services And Chief of Police John Smith (Toronto Police Service)	West Bay Child and Family Services v. Toronto (Police Service)

Organizations

[2] Organizations are referred to only by their corporate name as presented in the decision's style of cause. Other information is generally omitted.

Examples

<i>Style of cause</i>	<i>Case name</i>
Point North Investments (In trust)	Point North Investments
Goodman Price Henderson LLP	Goodman Price Henderson LLP
The College of Teachers, a body corporate	College of Teachers
The Canada Post Corporation	Canada Post Corporation

[3] Municipalities are referred to by their common geographical name, followed by their descriptive designation such as “city”, “municipality” or “regional municipality”, in parentheses. When a municipal subsidiary body is named, the name of this body is added in parentheses instead of the descriptive designation.

Examples

<i>Style of cause</i>	<i>Case name</i>
City of Toronto	Toronto (City)
Regional Municipality of Sudbury	Sudbury (Regional Municipality)
Winnipeg Police Service	Winnipeg (Police Service)
Public Utilities Commission of the Corporation of the Town of Kincardine	Kincardine (Public Utilities Commission)

[4] Worker's unions are referred to by the name of the smallest unit first, followed, as the case may be, by the name of the parent organization(s) and the Local number. The portion(s) of the name which relate to the parent organization is placed between parentheses, using the following format: [Local name] ([parent name], [Local number]). Where both an acronym and a full name are provided for an organization, the acronym is not retained.

Example

<i>Style of cause</i>	<i>Case name</i>
Cape Breton Municipal Office Employees, Canadian Union of Public Employees (CUPE), Local 1545	Cape Breton Municipal Office Employees (Canadian Union of Public Employees, Local 1545)

Government bodies in civil proceedings

[5] Government bodies in civil proceedings are referred to by the common geographical name of the jurisdiction. When the style of cause refers to a specific department, ministry or other core government office (agency, board or commission) or to a court or tribunal, the name of the first entity named is placed in parentheses after the name of the jurisdiction.

Examples

<i>Style of cause</i>	<i>Case name</i>
Her Majesty the Queen in Right of Canada as represented by the Minister of State for Citizenship and Immigration	Canada (Citizenship and Immigration)
Public Works and Government Services Canada	Canada (Public Works and Government Services)
The Minister of National Revenue	Canada (National Revenue)
Minister of Forests and Range and Minister Responsible for Housing	British Columbia (Forests and Range)
Treasury Board of Canada	Canada (Treasury Board)
Canadian Human Rights Commission	Canada (Canadian Human Rights Commission)
The Provincial Court of Alberta	Alberta (Provincial Court)
Cour du Québec	Québec (Cour du Québec)
British Columbia Labour Relations Board	British Columbia (Labour Relations Board) Canada (Secretary of State (Multiculturalism and Citizenship))

3.2.2 Neutral citation

[6] The neutral citation contains 3 elements: a year, a tribunal identifier and a number.

Example

2006	NBQB	102
Year	Identifier	Number

Year

[7] This element corresponds to the year of the decision date (see Section 3.3, below). It consists of four digits.

Identifier

[8] This element is chosen by the court for all its decisions, in accordance with the following naming conventions. In order to make certain that each court identifier is unique, it is of paramount importance that each and every court and tribunal complies with these conventions. In each jurisdiction, a central body should be responsible for ensuring that the identifier chosen by the court or tribunal is unique for that jurisdiction. The Canadian Citation Committee acts as coordinator in jurisdictions where such a body was not locally determined.

[9] For courts and tribunals created at the federal level, the identifier corresponds to the name of the court or tribunal.

[10] For courts and tribunals created at the provincial or territorial level, the identifier has a prefix corresponding to the two-letter code of the jurisdiction, according to the international standard *Country subdivision codes* (ISO-3166-2), and a suffix of at least two letters. The suffix corresponds to the name of the court or tribunal. For provincial and territorial courts, the established practice goes as follows:

- CA for a Court of Appeal
- SC for a Superior Court (CS in French)
- SCTD for a Supreme Court Trial Division;
- QB for a Court of Queen's Bench (BR in French);
- PC for a Provincial Court (CP in French and CQ in Quebec); and
- CJ for a Court of Justice.

Examples:

ONCA for the Court of Appeal of Ontario

PESCTD for the Supreme Court of Prince Edward Island -Trial Division

QCCQ for the Cour du Québec.

[11] All in all, the identifier should not contain more than eight characters.

[12] The language used in the reasons for decision may have an impact on the determination of its identifier. Bodies that are bound to issue their decisions in both official languages will generally choose two identifiers, one for each

language. Bodies that do not have this obligation will generally choose only one identifier for all decisions. In any event, the language of reasons do not have to be reflected in the tribunal identifier, as two linguistic versions of a decision may have exactly the same neutral citation. However, when two identifiers are chosen, they shall be used consistently in connection to the language of the reasons.

Example:

The Federal Court uses FC for decisions in English and CF for decisions in French.

The Quebec Superior Court uses QCCS for all decisions, in French or English.

The New Brunswick Court of Queen's Bench uses NBQB for decisions in English and NBBR for decisions in French.

[13] When used in an international context, the neutral citation would be preceded by a three-letter international standard Country code (ISO 3166-1 alpha-3), which is CAN for Canada.

Example

Euro-Excellence Inc. v Kraft Canada Inc., CAN 2007 SCC 37

Number

[14] The number is the element that makes a neutral citation unique for a decision, in combination with the year and a court identifier. It comes from a unique sequence. It starts at one on January 1st of each year, for each court. It does not contain any internal separator.

[15] A translation (see Section 6.1 - Translations) and a corrected decision (see Section 6.2 – Corrected decisions) have the same number as the original version of the decision. Supplementary reasons (also called “addendum”, see section 6.2 – Supplementary reasons) are considered to be a new decision and should be assigned a new number.

[16] The number normally represents the chronological order in which decisions are rendered in a given calendar year, although there is no requirement to this

effect. It might also be the case that a given number is assigned, but for whatever reason never used in an actual decision. Gaps in the sequence of numbers are permitted. Courts might want to apply a more restrictive rule as they see fit, since an uninterrupted sequence helps in the assessment of the number of decisions published in a given year. Nonetheless, the only requirement is that each decision has a unique neutral citation.

[17] This number should be assigned to decisions with a certain degree of coordination among the various judicial districts and registries of a given court, in order to ensure that each decision has a unique neutral citation. The attribution of a unique number for any given year will depend upon a court's management structure. Most probably, the number will be obtained by the court clerk's office or by an automated system under his or her supervision.

[18] Where decisions may be issued from many different locations, and where there are no means to centralize the attribution of unique numbers, a good practice would be to add a numeral prefix to the number assigned locally in order allow for multiple series of fixed-length numbers.

Example

Local registries could assign numbers beginning with the prefix 01 for district #1, 02 for district #2, and so on. Thus, the number would be formatted as follows:

020001 for the 1st decision of the year in district #2;

080345 for the 345th decision of the year in district #8;

240023 for the 23rd decision of the year in district #24.

3.3 Decision date

[19] This element is preceded by the label "Date:". The decision date corresponds to the moment it becomes effective, which may depend upon the law of the issuing court. It is usually the date of delivery or the filing date of the decision.

[20] The decision date is formatted according to the international standard for the representation of the date (ISO 8601), using eight digits: four for the year, two for the month and two for the day, the month and the day being filled with a leading zero as required. Although the basic format of the decision date does not need separators between the year, month and day (yyyymmdd), the hyphen may be used as a separator for increased readability (yyyy-mm-dd).

Example

Date: 20080421

Date: 2008-04-21

3.4 Docket number

[21] This element is preceded by the label “Docket:”. The docket number (also called “file number”), is attributed by a court to an action. There may be more than one docket number per action, and more than one decision per docket number.

[22] A docket number is made up of a continuous string of numbers or letters, without spaces, and may contain a separator to distinguish its components. It is better practice to use the hyphen as a separator in docket numbers.

Example

Docket: T-98-3119

[23] If more than one docket number is assigned to an action, the second and following numbers are separated from the preceding ones by a semi-colon and should not be separated by any other data element.

Example

Citation: R. v. Smith, 2001 MBQB 311

Date: 20010430

Docket: CI01-03-25672;
CI01-03-25672

Registry: Winnipeg

But not (where the registry locale breaks the sequence of docket numbers):

Citation: R. v. Smith, 2001 MBQB 311

Date: 20010430

Docket: CI01-03-25672;
CI01-03-25672

Registry: Winnipeg

3.5 Registry

[24] Where applicable, the registry’s locale (or “judicial district”) is preceded by the label “Registry:”. This element must be included in the heading where the docket numbering system does not prevent duplicate docket numbers to be assigned by local registries.

Example

Docket: CI01-03-20729

Registry: Winnipeg

3.6 Style of cause

[25] The style of cause is a description of the action. It usually contains the full names, status and other information about the parties. It may also contain titles of statutory enactments that form the matter of an application.

Example

Between:

Charles Davidson – Respondent

– and –

Paul Jones – Appellant

[26] The names of parties appear in an accurate mix of upper and lower case fonts. The use of all upper case characters can cause confusion especially as to the proper capitalization of names, and is discouraged.

Example

Use MacKenzie, not MACKENZIE.

[27] There may be more than one style of cause in the heading of a decision document. Where a decision deals with several matters involving multiple dockets, it is important to keep elements such as the docket number, registry locale and style of cause information grouped together meaningfully.

Example

Citation: Davidson v. Jones, 2008 PESCAD 23	Date: 20080223
	Docket: AD-03-0915
	Registry:
Charlottetown	
Between:	
	Charles Davidson – Respondent
	– and –
	Paul Jones – Appellant
And	
	Docket: AD-03-0916
	Registry:
Charlottetown	
	Between:
	Frank Webber – Respondent
	– and –
	John Smith – Appellant

3.7 Translation notice

[28] If a judgment is a translated version, a notice to this effect is added to the judgment. The notice specifies whether or not the translation is official, as in “[Unofficial English translation]”.

Example

[Official English translation]

3.8 Publication restriction notice

[29] When it applies, this element is preceded by a standard label such as “Restriction on publication:” or “Ban on publication:”. The publication restriction notice is a statement informing members of the public and the media that the

publication of this specific decision is restricted by a court order or by a statutory provision. It also provides information about the content of the publication ban so that the decision can be reported or published in full compliance with the law.

[30] The publication restriction notice must include the following details:

- a mention of the existence of the applicable statutory provision or court order;
- a description of the scope of the ban and of the type of information that should not be published, as for instance a reference to the specific individual whose identity must remain confidential, e.g. a complainant, a witness, a child; and
- as it applies:
 - for interim restrictions, the date or event after which the restriction will expire, when it is possible to determine this date or event, or
 - the fact that the decision released by the court to the public complies with the restriction and can be published, if that is the case.

Examples

Restriction on publication: By court order made under subsection 486.4(3) of the Criminal Code, information that may identify the persons who are the subjects of child pornography mentioned in this judgment shall not be published in any document or broadcast or transmitted in any way. This public version of the judgment has been redacted to comply with the court order.

Restriction on publication: Pursuant to subsection 648(1) of the Criminal Code, no information regarding this portion of the trial shall be published in any document or broadcast or transmitted in any way before the jury retires to consider its verdict. This publication restriction has expired on September 19, 2007.

[31] For matters where publication ban orders are routinely made and in situations where a statutory restriction usually applies, it remains important to use the publication restriction notice even where the public version of the decision complies with the restriction, in order to avoid any uncertainty in this regard.

3.9 Correction notice

[32] This element is preceded by the label “Corrected decision:” or “Amended decision:”. When a corrected judgment is issued, a correction notice is added in the judgment. The correction notice is a statement informing readers that the

current document is a revision of a previously distributed judgment. The notice states whether or not the corrections were integrated into the main text of the original judgment. It also indicates if a corrigendum is appended and its release date.

Example

Corrected judgment:

The text of the original judgment has been corrected and the text of the corrigendum (released November 29, 2007) is appended.

3.10 Judge Name

[33] This element is preceded by any consistent label chosen by the court, such as “Judge:”, “Before:” or “Coram:”. The names of the judges are styled at the court’s discretion.

Examples

Judge: W.J. Quinn, Master in Chambers

Coram: Justices Morden, Carthy and Moldaver.

3.11 Case origin

[34] The origin of a case is labelled with the opening words “On appeal from” or “On judicial review from”. The case origin is a short statement that allows for tracking the decision’s judicial history, where applicable. It mentions the name of the body or bodies that rendered the appealed or reviewed decisions, as the case may be, followed by the decision’s neutral citation. The statement may also contain other relevant information such as the date and docket number as well as parallel citations.

Examples

On judicial review from a decision in the Provincial Court, cited as 2007 MBPC 598.

On appeal from a decision of the Quebec Court of Appeal, 2005 QCCA 277, [2005] R.J.D.T. 693, [2005] Q.J. No. 1724 (QL), setting aside a decision of the Quebec Superior Court, 2004 QCCS 3121, [2004] Q.J. No. 7555 (QL), dismissing an application for judicial review of an arbitral award.

4 Reasons for decision

[35] The reasons for decision begin with any consistent title chosen by the court, such as “Judgment”, “Memorandum of Judgment”, “Reasons for Order”, or “By the Court”.

[36] The reasons contain a sequence of numbered paragraphs. They may also contain a table of contents, subtitles and citations. When the decision contains multiple opinions, the order of the opinions is at the discretion of the court.

4.1 Paragraphs

[37] Each paragraph of the reasons is numbered using consecutive numbers placed between square brackets, from the beginning to the end of the reasons. Where the reasons consist of many opinions, their paragraphs are numbered in the same continuous sequence, from the beginning of the first opinion to the end of the last opinion.

[38] A paragraph may contain many components such as: lists, indented quotations, tables, graphical elements. These components are not considered to be paragraphs in and of themselves. Thus, they are not numbered in the main sequence of paragraphs.

Example

[43] The respondent was responsible for all of the company's accounting, even though he was not an accountant by profession.

He performed such varied tasks as:

- a) collecting overdue accounts
- b) bookkeeping
- c) performing bank deposits and withdrawals
- d) managing supplies

[44] Therefore, the Court concludes that...

4.2 Citations

[39] When footnotes or endnotes are used in reasons, they are numbered in one sequence from the beginning to the end of the reasons, and from the beginning to the end of the opinions, as the case may be. Footnotes and endnotes are not used together in the same decision document.

4.2.1 Case law

[40] The citation of a case includes its neutral citation, if there is one.

[41] Pinpoint references shall be made to paragraph numbers where available, preceded by "at para." or "at paras.".

Example

Smith v Jones, 2006 NBQB 435, at paras. 34 and 36-39.

[42] Parallel citations may be added, the neutral citation always being placed first after the case name.

Example

Smith v. Jones, 2006 NBQB 435, 87 D.L.R. (4th) 334, [2006] N.B.J. No. 198 (QL).

4.2.2 Legislation

[43] When a legislative enactment is referred to, its full citation must be included at least once in the reasons.

[44] It is good practice to include between parentheses, after the citation to a legislative enactment, an indication of the date the cited provision came into force, preceded by “as coming into force on”.

Example

Subsection 3(2) of the Hazardous Products Act, R.S.C. 1985, c. H-3 (as coming into force on 2004-12-31)

5 Other elements

[45] According to their tradition and needs, courts may include several elements that are not described in the above sections, e.g. keywords, authorities cited, summary, disposition. They may be placed anywhere in the decision, with the exception of appendices, cover and backing sheets, which are placed at the very end of the decision document. The present section further describes a few of these elements which may not be needed in every decision of any given court.

5.1 Counsel or Solicitors Names

[46] This element is preceded by any consistent label chosen by the court such as “Appearances:”, “Counsel:” or “Solicitor of Record:”, as the case may be. The names of counsel or solicitors are generally preceded or followed by a short statement denoting their roles in the matter.

Examples

Appearances:

Anne W. Smith, Q.C., for the Applicant.

Kevin Dawson, and Robert Potvin, for the Respondent.

Solicitors for the Applicant: Smith, Norris and Martin, Toronto.

Solicitor for the Respondent: the Attorney General of Canada, Montreal.

5.2 Date of hearing and other dates

[47] Where a court chooses to include dates of hearing and other dates that are not the decision date, these dates are labelled and presented in a way that clearly differentiates them from the decision date (see Section 3.3 – Decision date). The format of these other dates is at the court’s discretion.

Examples

Appeal heard on October 6, 7 and 8, 2006, in Vancouver, B.C.

Written reasons: January 11, 2007.

5.3 Appendices

[48] Appendices are located after the reasons. When they contain numbered paragraphs, they use a sequence that is distinct from those of the reasons.

5.4 Cover and backing sheets

[49] Courts sometimes include cover sheets or backing sheets to distinctively identify printed decisions according to rules of practice or court tradition. These pages are placed at the very end of the judgment file.

[50] No data elements needed to identify a judgment are contingent on the presence of cover and backing sheets.

6 Distribution of decisions

[51] A distributed decision contains all text and elements pertaining to a single decision, including multiple opinions, schedules and images.

6.1 Translations

[52] The original and translated versions of a decision are saved as separate files (see also Section 6.4 – Filename) and have the same neutral citation, except where the court chooses to have different court identifiers for French and English versions.

Example

A translated decision from the Quebec Court of Appeal will have the exact same neutral citation as the original version, because this court has only one possible court identifier, which is QCCA. In contrast, the Tax Court of Canada has different identifiers for English and French decisions (for example, an English decision could have citation 2006 TCC 102 and the French translation would have citation 2006 CCI 102).

6.2 Supplementary reasons

[53] Where courts issue supplementary reasons (also called “addendum”), which are additional reasons related to a case in which a decision on the merits has already been issued, they are considered as a new decision with a new neutral citation. They are saved in a separate file.

6.3 Corrected decision

[54] To correct errors that occurred in a distributed judgment, courts may issue a corrected decision, which replaces a previously distributed one (See also 3.9 – Correction notice). The corrected decision has the same neutral citation as the original decision but it is saved in a separate file (See also 6.4 – Filename). At the discretion of the court or tribunal, there are two possible ways to issue a corrected decision. It may either contain:

- a) only the corrected text of the decision; or
- b) the text of the decision, corrected or not, with an appended corrigendum.

6.4 Filename

[55] The filename of a decision shall be unique. It is based on the decision’s neutral citation, followed by a dot and a suffix indicating its file format.

Example

Neutral citation: “2008 NSCA 34”

Filename: “2008nsca34.wpd”

[56] In order to obtain a fixed-length filename and thus facilitate sorting decision files, leading zeros may be added to the number in the filename.

Example

Neutral citation: “2008 BCSC 56”

Fixed-length filename: “2008bcsc0056.doc”.

[57] For translated decisions, where the court identifier of the neutral citation does not by itself provide a unique filename for the translated version, the filename includes a consistent language qualifier such as “-fr” or “-en”, added after the cardinal number. The court may also choose to add a language qualifier to decisions written in a language that is not commonly used in that court.

Example

English version: “2007onca345.doc”

French version: “2007onca345-fr.doc”

[58] For corrected decisions, where the erroneous version has been previously distributed to the public, the filename includes a consistent correction qualifier such as “-cor”.

Example

Neutral citation: “2008 SKQB 24”

Filename: “2008skqb24-cor.wpd”

6.5 Hidden data

[59] Some of the features and settings of word processing software may insert hidden information in a decision file that may not be intended for publication. Courts should use appropriate methods to ensure that revision marks, comments or text coming from previous versions of the document is effectively removed

when decisions are prepared for public distribution. The most important measure that should be taken is to use a recent version of the word processing application, which has safety features to prevent hidden text to be publicly distributed. As the time of this writing (May 2008) the most recent versions of Word and WordPerfect applications offer excellent safeguards to ensure that a document is not distributed or printed with hidden data.

**Appendix: Case Naming Guidelines
(Revised May 2008)**

Uniform Case Naming Guidelines

Revised May 2008 (draft)

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A. General Principles

1. Definition

In these Guidelines, the “case name” is the abbreviated name created solely for purposes of case identification. This abbreviated case name identifies the main parties involved in the case, or the main subject matter of the case. It is drawn from the full “style of cause” which appears on the first page of the decision – the complete statement of all parties or subject matters involved in the case.

2. Location

According to the *Neutral Citation Standard for Case Law*, the case name is the first element of the neutral citation to a case. The case name appears after the label “Citation:” in English and “Référence :” in French. It is followed by the “core of citation”. The neutral citation appears above the full style of cause.

Examples

<i>Label</i>	<i>Case name</i>	<i>Core of citation</i>
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Citation:	Arsenault-Cameron v. Prince Edward Island,	2000 SCC 1
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Référence :	Renvoi relatif à la Loi sur les armes à feu (CA),	2005 CSC 31
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3. Font Style

The font style is left to the court’s discretion. However, terms should appear with proper capitalization, *i.e.* not in full caps like “MACDOUGALL” but rather like “MacDougall”.

4. Language

The case name is created in the same language as the reasons for decision it is assigned to. When a party has a bilingual name, only the name corresponding to the language of the reasons is retained.

5. Multiple Proceedings

When the decision involves one or more separate proceedings, the case name refers only to the first proceeding listed.

Example

	<i>Decision’s heading</i>	<i>Case name</i>
1.	Between: John Smith, Plaintiff, and Dave’s Equipment Inc., Defendant, And Between: Jane O’Brien, Plaintiff, and Dave’s Equipment Inc., Defendant.	Smith v. Dave’s Equipment Inc.

B. Name of a Party

The case name refers to a party by a standardized or abbreviated name, as specified in the following guidelines, depending upon the party's type, namely: individual, organization or government body. The court should make all attempts to ensure that a party is referred to consistently in all proceedings and cases in which this party is involved.

B.1 Individual

6. Surname of Individual

Individuals are referred to only by their surname as provided in the full style of cause, except as otherwise stated in the following guidelines. The first name and initials are omitted as well as any title, alias or other descriptive term.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
2.	Robert T. McTeague Jr., Q.C.	McTeague
3.	Terry Sean deWitt (a.k.a. Ross)	deWitt
4.	Mr. Robert Lepage-Johnson, Esq.	Lepage-Johnson
5.	Mrs. Deborah Van de Wiel, a bankrupt,	Van de Wiel
6.	Chief Terry Peter Paul	Peter Paul
7.	Capt. Ali Mohammed Abu Sheika	Abu Sheika

Note

In case of uncertainty about how to segregate the surname from the full name – which might happen more often for names with particles, aboriginal names or names of foreign origin – try to find hints in the decision's text, locate other decisions involving this party or refer to the Chicago Manual of Style, under the section "Personal Names". When still in doubt, retain only the last word of the individual's full name.

7. Uniform Protection of Identities

When the identity of a person named in the case name must legally remain undisclosed at some point in court proceedings, the same identity protection should continue throughout any subsequent proceeding in this case as well as in any citation made to this case in other decisions.

Notes

1) Types of persons whose identity must be protected in decisions may vary depending upon the jurisdiction. Special attention should be paid to:

- *Persons accused of criminal sex offences, where their name could lead to the identification of a complainant or minor witness;*
- *Children and parents involved in proceedings regarding family and child protection;*
- *Young offenders.*

2) When a real name has to be replaced by initials or by a pseudonym because of a publication ban on the individual's identity, follow the instructions found in the Canadian Judicial Council's document entitled "*Removing Names from Decisions*", which constitutes Appendix A of "*Use of Personal Information in Judgments and Recommended Protocol*", online at <http://www.cjc-ccm.gc.ca/article.asp?id=2816>.

8. Unknown or Anonymous Person

Unknown or anonymous persons are referred to by the full fictitious name or set of initials provided in the full style of cause, without modification. In rare instances where an individual is not named in the decision, a standard term such as "Unnamed person" in English and "Personne anonyme" in French can be used.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
8.	Jane Doe and other persons unknown	Jane Doe <i>but not Doe</i>
9.	Mr. X, A Patient at Regional Mental Health Care (Windsor)	Mr. X <i>but not X</i>
10.	D.S., an infant	D.S. <i>but not S.(D.)</i>

9. Estate of a Deceased Person

Estates of deceased persons are referred to by adding "Estate" after the surname of the deceased person, or "(Succession)" in French (ex. 11, 12).

Except as noted below, the name of an executor or administrator representing the estate, or a public trustee acting for the estate, should be omitted from the case name (ex. 13, 14). See also Rule 28 - Entity Representing a Party.

Exception: If the first named person in the full style of cause is an executor or administrator *acting on his or her own behalf* as well as on behalf of the Estate, their personal name is used in the case name (ex. 15).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
11.	The Estate of Robert Leonard Todd	Todd Estate
12.	La succession de Paul-Émile Tremblay	Tremblay (Succession)
13.	Adrian Thompson, executor of the estate of Gerald Anderson	Anderson Estate

14.	The Public Trustee of Manitoba, as the Administrator of the Estate of Richard Parker, Deceased	Parker Estate
15.	Marjolaine Pelletier, on her own behalf and as Executrix of the Estate of the Late Raphael Lionel Beauchemin	Pelletier

10. Individual Acting in an Official Capacity

Except as noted below, a person whose name appears in the decision's full style of cause merely because of his or her office in an organization or government body is not acting in a *personal* capacity in the proceeding, but rather in their *official* capacity. Therefore, the case name should not refer to this person's name but to the organization or government body for which he or she is acting in the case. See also Rule 25 – Officer or Body Appointed under an Act.

Exceptions:

- When the first named party is a person who is acting both personally (on his or her own behalf) as well as in an official capacity, the person's own name is used in the case name (ex. 24). See also Rule 28 – Entity representing a party.
- When both opposing parties appear to be acting in an official capacity for the same organization (for example, when the Chief and council members of a First Nation council are the opposing parties), see Rule 18.1 – First Nation Chief and Councillors.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
16.	Robert Brighton, C.E.O. of RB Corporation	RB Corporation
17.	Mike Perry, director of West Bay Child and Family Services	West Bay Child and Family Services
18.	Max O'Connor, in his capacity as chair of the Disciplinary Board of Kingston Penitentiary	Kingston Penitentiary (Disciplinary Board)
19.	Chief of Police John Smith (Toronto Police Service)	Toronto (Police Service)
20.	Patrick Sellers, Deputy Minister of the Priorities and Planning Secretariat	Nova Scotia (Priorities and Planning Secretariat)
21.	The Honourable Jason Welsh M.P., Speaker of the House of Commons	Canada (House of Commons)
22.	The Honourable Robert Solomon, Provincial Court Judge	Manitoba (Provincial Court)
23.	Jim Many Grey Horses, Chief of the Beaver First Nation	Beaver First Nation
24.	James Maurer and John Smith, on their own behalf and on behalf of McMaster University Faculty Association	Maurer

11. Ship, Aircraft and Other *In Rem* Party

When a party listed in the decision's full style of cause is a thing and no owner is named as a party, this party is referred to by this thing's name or other identifier – e.g. trademark, model and serial number –, followed in parentheses by a descriptive term such as “Ship” or “Aircraft”, as specified by the full style of cause. The name of a ship or vessel should be reproduced as presented in the decision's heading, including definite articles such as “The” and “Le” if they are part of the name.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
25.	The Owners and all others interested in the Ship “The JENNIE Q”	The Jennie Q (Ship)
26.	The Vessel “M/V Ralph Misener” and the owners and all others interested in this Vessel	M/V Ralph Misener (Vessel)
27.	The wrecked and abandoned Boeing SB-17G aircraft, Serial No. 44-83790, its apparel and cargo, its owners and its charterers	Boeing SB-17G, Serial No. 44-83790 (Aircraft)

B.2 Organization

12. Name of Organization

Organizations are referred to by their full name as presented in the decision's full style of cause, except as otherwise stated in the following guidelines.

“Organization” means, for the purposes of the present guidelines:

- private-sector groups, partnerships, institutions, associations or corporations (ex. 28 to 32), including regulated professional corporations (ex. 33), religious groups (ex. 34), and workers' unions (see Rule 20 – Worker's Union);
- public entities created by statute as a “corporation” or “body corporate”, including:
 - Crown corporations and departmental corporations (ex. 35, 36)
 - incorporated public boards, commissions and agencies (ex. 37);
 - publicly funded incorporated councils, institutes and foundations as well as educational, research, health, social service, and correctional institutions (ex. 38-41);
 - intergovernmental bodies (international/federal/provincial/municipal) (ex. 36, 68);
 - municipalities and municipal corporations (see Rule 17 – Municipality);
 - aboriginal communities and corporations (see Rule 18 – Aboriginal community);
 - school boards (see Rule 19 – School Board).

Abbreviations: Terms such as Incorporated, Limited or Association should not be abbreviated in the case name unless they are already abbreviated in the full style of cause.

Omitted terms: The following terms should be omitted from the case name:

- Narrative descriptions of corporate status appearing after the name, such as “..., a corporate body” or “..., a partnership” or “In trust” (ex. 28, 29)
- Definite articles such as “The”, unless they cannot be segregated from the full name (ex. 30).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
28.	Wappen-Reederei GmbH & Co. KG, a body politic and corporate of Hamburg, Germany	Wappen-Reederei GmbH & Co. KG
29.	Point North Investments (In trust)	Point North Investments
30.	The Banker & the Bandit Ltd.	as named
31.	Michelin North America (Canada) Incorporated	as named
32.	Goodman Price Henderson LLP	as named
33.	College of Teachers	as named
34.	Roman Catholic Episcopal Corporation of the Diocese of Hamilton	as named
35.	Canada Post Corporation	as named
36.	Canadian International Grains Institute	as named
37.	Alberta Alcohol and Drug Abuse Commission	as named
38.	St. Francis Xavier University	as named
39.	Alberta Science and Research Authority	as named
40.	Children's Aid Society of Ottawa	as named
41.	Matsqui Institution	as named

Note

When in doubt as to how to handle a public board, commission or agency, consult the corresponding jurisdiction's list of public bodies maintained by the Canadian Citation Committee at <http://www.lexum.umontreal.ca/ccr-ccr/neutral/cn.list_en.html>. See also 2.3 - Government Body.

13. Former Name, Trade Name and Alias

Former names, trade names and aliases appearing in the decision's full style of cause should be retained after the organization's name, in parentheses.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
42.	30620 Nova Scotia Ltd., carrying on business as "Tallpix Internet"	30620 Nova Scotia Ltd. (Tallpix Internet)
43.	Metro Transit, an operating name of Metropolitan Authority	Metropolitan Authority (Metro Transit)
44.	The Salvation Army Maternity Hospital, (also known as the Grace Maternity Hospital)	Salvation Army Maternity Hospital (Grace Maternity Hospital)

14. Governing Body of an Organization

An organization's governing bodies, such as the "Board of Trustees", "Governors", or "Director of Operations" are considered to be acting for the organization or representing the organization. These terms should be omitted and only the organization's name should be used. See also Rule 17 – Municipality (ex. 61, 62); Rule 18.1- First Nation Chief and Councillors (ex. 73-76); Rule 19 - School Board (ex. 79-82).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
45.	The Board of Management of the Grace Maternity Hospital	Grace Maternity Hospital
46.	Board of Governors of Trent University	Trent University

15. Division of an Organization or Corporation

Except as noted below, where the full style of cause includes the name of a division of an organization, refer only to the **parent organization** where:

- the division name *follows* the name of the parent organization (ex. 47), or
- the division name appears first, but that name *cannot stand alone* and be understood without reference to the name of the parent organization (ex. 48).

Refer only to the **division** name where:

- a division of a private corporation is named first (ex. 49).

Exception: If the organization is a worker's union, see Rule 20 - Worker's Union.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
47.	The Nova Scotia Woodlot Owners and Operators Association – Central Wood Suppliers Division	Nova Scotia Woodlot Owners and Operators Association

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
48.	Branch Affiliate of the Metro Toronto High Unit of the Ontario English Catholic Teachers Association	Ontario English Catholic Teachers Association
49.	Molson Sports and Entertainment, a division of Molson Canada	Molson Sports and Entertainment

16. Subsidiary of an Organization

Subsidiary and adjudicative bodies (such as appeal panels and disciplinary bodies), established by organizations (such as municipalities, aboriginal communities, correctional institutions and professional regulatory bodies), are referred to by the name of the parent organization, followed by the name of the subsidiary body in parentheses. See also Rule 17.1 – Municipal Government Body; Rule 18.2 – Subsidiary Body of an Aboriginal Community.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
50.	The Matsqui Institution Inmate Disciplinary Board	Matsqui Institution (Inmate Disciplinary Board)
51.	The Disciplinary Hearing Subcommittee of the College of Teachers	College of Teachers (Disciplinary Hearing Subcommittee)
52.	Subdivision and Development Appeal Board of the City of Edmonton	Edmonton (Subdivision and Development Appeal Board)
53.	Election Appeal Board of the Samson Cree Nation	Samson Cree Nation (Election Appeal Board)

17. Municipality

Municipalities or similar local communities (such as cities, villages or regional districts) are corporations with authority delegated by provincial legislation. They are referred to by their common geographical name, followed by their descriptive designation (such as “city”, “municipality” or “regional municipality”) in parentheses. When there is more than one descriptive designation, only the most specific one is retained (ex. 60).

Since a municipality’s **governing bodies** (such as the “Mayor”, “Town Council”, or “Councillors”) are considered to be simply representing the organization, these terms should be omitted from the case name (ex. 61, 62).

For municipal **by-law prosecutions**, when the municipality rather than Her Majesty the Queen is named as the prosecutor, use the name of the municipality rather than “R.” as the prosecutor in the case name.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
54.	City of Toronto	Toronto (City)

55.	The Municipality of Metropolitan Toronto	Metropolitan Toronto (Municipality)
56.	Greater Vancouver Regional District	Greater Vancouver (Regional District)
57.	Regional Municipality of Sudbury	Sudbury (Regional Municipality)
58.	Township of West Lincoln	West Lincoln (Township)
59.	United Counties of Prescott and Russell	Prescott and Russell (United Counties)
60.	Municipality of the County of Pictou	Pictou (County)
61.	Mayor of Ottawa	Ottawa (City)
62.	The Town Council of the Town of Conception Bay South	Conception Bay South (Town)

17.1 Municipal government body

Municipal government bodies are referred to by the name of the community, followed by the name of the subsidiary body in parentheses. Omit the descriptive designation for the community (ex. 64-66). Examples:

- police services and fires services (ex. 63, 64);
- municipal boards, commissions and agencies (ex. 65);
- adjudicative bodies established by municipalities, such as assessment appeal boards and planning appeal boards (ex. 66).

Municipal body v. provincial body:

- Bodies that appear to be municipal are sometimes provincial bodies, requiring the name of the province (rather than the municipality) (ex. 67).
- Where provincial legislation delegates authority to a municipality to appoint officers, use the name of the municipality (ex. 68).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
63.	Winnipeg Police Service	Winnipeg (Police Service)
64.	Regional Municipality of Durham Police Services Board	Durham (Police Services Board)
65.	Public Utilities Commission of the Corporation of the Town of Kincardine	Kincardine (Public Utilities Commission)
66.	Subdivision and Development Appeal Board of the City of Edmonton	Edmonton (Subdivision and Development Appeal Board)
67.	District Registrar of the Winnipeg Land Titles Office	Manitoba (Land Titles)

68.	Development Officer appointed under the Municipal Government Act for the Municipality of the County of Annapolis	Annapolis (Development Officer)
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17.2 Municipal corporation

Corporate entities established by a municipality, or by two or more levels of government, (which have terms such as "Incorporated", "Corporation", Limited", or "Authority" in their name) are treated as organizations. See Part B.2 - Organization.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
69.	Calgary Arts Development Authority Ltd.	as named
70.	Vancouver International Airport Authority	as named

18. Aboriginal Community

An aboriginal community is referred to by its official name, which might differ from the one used in the decision's full style of cause. Use the term "First Nation" instead of "Indian Band", which is no longer used in official names.

The "Aboriginal Canada Portal" website maintained by the Department of Indian and Northern Affairs at <<http://www.aboriginalcanada.gc.ca/acp/site.nsf/en/index.html>> is a helpful tool to find official names of First Nation, Métis and Inuit communities. However, further research might be required.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
71.	Whitefish Lake Band of Indians	Whitefish Lake First Nation
72.	Yekooche First Nation Indian Band	Yekooche First Nation
73.	Nisga'a Lisims Government	as named
74.	East Prairie Metis Settlement	as named

18.1 First Nation Chief and Councillors

References to governing bodies such as "Chief" or "band council" are omitted because they are merely acting for the First Nation (ex. 75, 76). Please note:

- When the first named party is the Chief or Councillors of an aboriginal First Nation who are acting *on their own behalf* as well as representing the First

- Nation, the name of the **First Nation** rather than the individual is used in the case name (ex. 77).
- When the style of cause lists individual Councillors on one side and the Chief (with or without other Councillors) on the other side, use the name of the First Nation for the Chief, and use the surname of the first-named Councillor for the opposing parties (ex. 78).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
75.	Jim Many Grey Horses, Chief of the Beaver First Nation	Beaver First Nation
76.	Treaty Six Grand Chief Danny Bradshaw	Confederacy of Treaty Six First Nations
77.	Peter Collins, Chief of the Fort William Indian Band, on his own behalf and on behalf of the members of the Fort William Indian Band (also known as Fort William First Nation)	Fort William First Nation
78.	Melvin Wanderingspirit and Delphine Beaulieu in their capacity as councillors of the Salt River First Nation v. Victor Marie, Chief of the Salt River First Nation	Wanderingspirit v. Salt River First Nation

18.2 Subsidiary Body of an Aboriginal Community

Aboriginal boards, commissions and agencies, as well as adjudicative bodies established by aboriginal communities, are referred to by the name of the aboriginal community, followed by the name of the body in parentheses.

Example

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
79.	Election Appeal Board of the Samson Cree Nation	Samson Cree Nation (Election Appeal Board)

18.3 Aboriginal Corporation

Aboriginal corporations (which have terms such as “Incorporated”, “Corporation”, or Limited” in their name) are treated as organizations. See Part B.2 - Organization.

Example

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
80.	Fort William First Nation Development Corporation	as named

19. School Board

A school board is a corporation. Where local authorities have a consistent standard for the names of their school boards, that name is used. The name of the community should be included as the first element of the name. If the local practice is to place the community name following the district number, retain that format (ex. 84). In jurisdictions where there is less consistency, the official name of the public school board is used.

Names of governing bodies such as “Board of Education” and “Board of Trustees” are omitted unless they are an integral part of the name (ex. 83).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
81.	Lakeview School Division No. 142	as named
82.	Board of Education of the Regina School Division No. 4 of Saskatchewan	Regina School Division No. 4
83.	Grand Erie District Board of Education	Grand Erie District Board of Education
84.	Board of School Trustees of School District No. 91 (Nechako Lakes)	School District No. 91 (Nechako Lakes)
85.	Board of Trustees of Calgary Separate School District No. 1	Calgary Roman Catholic Separate School District No. 1

Note

For further information about name formats used by local authorities and official names of public school boards, consult the corresponding jurisdiction’s list of public bodies maintained by the Canadian Citation Committee at

<http://www.lexum.umontreal.ca/ccc-ccr/neutr/cn.list_en.html>.

20. Worker’s Union

A worker’s union is referred to by the name of the smallest unit first, followed, as the case may be, by the name of the parent organization(s) and the Local number. The portion(s) of the name which relate to the parent organization is placed between parentheses, using the following format: [Local name] ([parent name], [Local number]).

Where both an acronym and a full name are provided for an organization, the acronym is not retained (ex. 86, 88).

If only a parent union is named, plus one or more Locals, only the parent name followed by the first named Local number are used, without parentheses, using the format: [parent name], [Local number] (ex. 91).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
86.	Cape Breton Municipal Office Employees, Canadian Union of Public	Cape Breton Municipal Office Employees (Canadian Union of Public Employees,

Party named in the full style of cause
Employees (CUPE), Local 1545

Party named in the case name
Local 1545)

87.	Construction & General Workers Union, Local 92 of the Labourers' International Union of North America	Construction & General Workers Union (Labourers' International Union of North America, Local 92)
88.	Construction workers' Union (CLAC) Local 63, Affiliated with the Christian Labour Association of Canada	Construction Workers' Union (Christian Labour Association of Canada, Local 63)
89.	Industrial Union of Marine and Shipbuilding Workers, Local No. 1 (CAW/MWF)	Industrial Union of Marine and Shipbuilding Workers (CAW/MWF, Local 1)
90.	The Professional Association of Canadian Talent (A Branch of the Canadian Media Guild, Local 30213 of The Newspaper Guild/Communications Workers of America)	Professional Association of Canadian Talent (Canadian Media Guild, Newspaper Guild/Communications Workers of America, Local 30213)
91.	International Longshoremen's and Warehousemen's Union -- Canada Area Locals 500, 502, 503, 504, 505, 506, 508, 515 and 519	International Longshoremen's and Warehousemen's Union, Canada Area Local 500

21. Group of Persons

When the party is a group of persons that is described in the full style of cause without using a distinctive name, a short name should be created in the form “Tenants of [civic address]” or “Employees of [name of employer]”. In a class action (also called representative action or class proceeding), only the surname of the first listed representative should be used (ex. 95).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
92.	All tenants of the residential complex at 400 Devonshire Avenue	Tenants of 400 Devonshire Avenue
93.	A Group of concerned residents of Thames and Mersey Avenues	Residents of Thames and Mersey Avenues
94.	A Group of Employees of Dairy Farms Inc.	Employees of Dairy Farms Inc.
95.	Edward Mint, Sam Stroud, Steve Dundas, representatives of all residents of Alberta who are holders of Class "B" Debentures issued by Vegas Gambling Inc.	Mint

B.3 Government Body in Civil Proceedings

22. Name of Government Body

Government bodies are referred to by the common geographical name of the jurisdiction, as stated in the following guidelines. Definite articles are always omitted.

“Government body” means, for the purposes of Rules 22 to 25:

- the Crown (but not Crown corporations or other incorporated public bodies under Part B.2, and not criminal proceedings under Part B.4);
- core government entities and subsidiary bodies (see Rule 23);
- courts, administrative tribunals and commissions of inquiry (see Rule 24);
- officers or bodies appointed under an Act (see Rule 25);
- foreign countries (see Rule 26).

References to the Crown (ex. Her Majesty the Queen) are omitted (ex. 96-98, 99).

If the name of the jurisdiction is not obvious in the full style of cause it can be determined by looking at the reasons or by any other reliable means (ex. 98).

If the proceedings involve criminal, quasi-criminal or statutory offences, see Part B.4 – Criminal Proceedings.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
96.	Her Majesty the Queen in Right of Canada	Canada
97.	Her Majesty The Queen in the right of the Province of Alberta	Alberta
98.	Her Majesty the Queen [civil proceedings involving the province of British Columbia]	British Columbia

23. Core Government Entity

When the full style of cause refers to a specific core government entity, the name of this entity is placed in parentheses after the name of the jurisdiction (ex. 99-112).

Exceptions:

- When a Ministry is named as the prosecutor in a quasi-criminal or statutory offence case, refer to the Ministry as “R.”. See B.4 – Criminal Proceedings (ex. 129).
- When a Canadian government ministry is acting on behalf of a foreign country, refer to the name of the foreign country. See Rule 26 – Foreign Country.

Omitted terms:

- When the Crown or a government is “represented by” a department, ministry or office of the government, only the name of the department, ministry, or office is used (ex. 99).
- Redundant references to the jurisdiction are omitted from the parentheses (ex. 100). Note that “Canadian” is not considered redundant (ex. 108, 112).

- Redundant designations such as “Minister of”, “Department of”, “Minister responsible for”, “Minister of State for” or “Secretary of State for” are omitted from the parentheses (ex. 99, 101-102).
- When a minister is named for two or more unrelated portfolios, only one should be used, either the most relevant in relation to the matter decided in the case (for example, "Attorney General") or the first named in the style of cause (ex. 102).
- Designations such as “Director of”, “Registrar of”, “Office of” or “Commissioner of” are omitted from the parentheses (ex. 103, 109), unless they are an integral part of the name (ex. 111).

Official and unofficial names:

- When the statute that created a government entity (a program, office, branch, division, commission, board, panel or tribunal) is silent on its official name, its common name should be used. The "common name" is the name used in subordinate legislation or by the government in its public communications (ex. 108)

This guideline applies to:

- Government departments, ministries, offices (ex. 99-103);
- Legislative institutions (ex. 104, 105);
- Core government agencies, boards, and commissions which are not incorporated (ex. 104-111). Note: The legislation which established the entity specifies whether it is a body corporate or not. Publicly-funded agencies that are incorporated and independent from the government are treated as organizations, with no preceding geographical name (ex. 36, 37, 39). See Part B.2 - Organization.
- Federal and provincial police services (ex. 112). For municipal policing, see Rule 17.1 – Municipal government body.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
99.	Her Majesty the Queen in Right of Canada as represented by the Department of Citizenship and Immigration	Canada (Citizenship and Immigration)
100.	Public Works and Government Services Canada	Canada (Public Works and Government Services)
101.	The Minister of National Revenue	Canada (National Revenue)
102.	Minister of Forests and Range and Minister Responsible for Housing	British Columbia (Forests and Range)
103.	Office of the Auditor General	New Brunswick (Auditor General)
104.	The Honourable Jason Welsh M.P., Speaker of the House of Commons	Canada (House of Commons)
105.	Library of Parliament	Canada (Library of Parliament)

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
106.	Treasury Board of Canada	Canada (Treasury Board)
107.	Canada Firearms Centre	Canada (Firearms Centre)
108.	Canadian Human Rights Commission	Canada (Canadian Human Rights Commission)
109.	The Director of Family and Child Services	British Columbia (Family and Child Services)
110.	Information and Privacy Commissioner	Ontario (Information and Privacy Commissioner)
111.	Appeal board appointed pursuant to the Social Assistance Act	Nova Scotia (Social Assistance Appeal Board)
112.	Royal Canadian Mounted Police	Canada (Royal Canadian Mounted Police)

Note

When in doubt as to how to handle a public board, commission or agency that seems to be a core governmental entity under this guideline, consult the corresponding jurisdiction's list of public bodies maintained by the Canadian Citation Committee at <http://www.lexum.umontreal.ca/ccc-ccr/neutr/cn.list_en.html>. When the entity is not listed, it is most likely a Crown corporation or an incorporated public entity that should be treated as an organization. See 12 – Name of Organization.

24. Court, Administrative Tribunal and Commission of Inquiry

Courts and decision-making entities of the government (such as administrative boards and tribunals or commissions of inquiry) are referred to by the common geographical name of their jurisdiction, followed by their name in parentheses. References to the jurisdiction can be omitted from the parentheses when too redundant, although “Canadian” should be retained (ex. 119).

Adjudicative bodies established by organizations such as municipalities, aboriginal First Nations, correctional institutions or professional regulatory bodies are referred to by the name of the parent organization, followed by the tribunal name in parentheses. See Rule 16 – Subsidiary of an Organization; Rule 17.1 – Municipal government body; and Rule 18.2 – Subsidiary of an Aboriginal Community.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
113.	The Provincial Court of Alberta	Alberta (Provincial Court)
114.	Ontario Court of Justice	Ontario (Court of Justice)

115.	Registrar of Probate for the County of Miramichi	New Brunswick (Probate Court)
116.	Cour du Québec	Québec (Cour du Québec)
117.	British Columbia Labour Relations Board	British Columbia (Labour Relations Board)
118.	Yukon Workers' Compensation Appeal Tribunal	Yukon (Workers' Compensation Appeal Tribunal)
119.	Canadian International Trade Tribunal	Canada (Canadian International Trade Tribunal)
120.	Commission of Inquiry into the Sponsorship Program and Advertising Activities	Canada (Commission of Inquiry into the Sponsorship Program and Advertising Activities)

25. Officer or Body Appointed Under an Act

When the full style of cause refers to a public officer, adjudicator or adjudicative body appointed under an Act, rather than to a specific government entity, the case name should contain: the geographical name of the jurisdiction, followed in parentheses by the short title of the Act, followed by the title of the appointed officer or body.

Official and unofficial names: When the statute that created the entity (a public officer or adjudicative body) is silent on its official name, its common name should be used. The "common name" is the name used in subordinate legislation or by the government in its public communications (ex. 123). Where needed, a common name should be created, using the same format (ex. 121-122).

If a public officer is named personally, only their title should be referred to (ex. 124). See also Rule 10 – Individual Acting in an Official Capacity.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
121.	Arbitrator appointed pursuant to the Occupational Health and Safety Act	Prince Edward Island (Occupational Health and Safety Arbitrator)
122.	Appeal Panel appointed pursuant to Section 8 of the Widows' Pension Act	Alberta (Widows' Pension Appeal Panel)
123.	Appeal board appointed pursuant to the Social Assistance Act	Nova Scotia (Social Assistance Appeal Board)
124.	The Honourable Justice Richard L. Miller, in his capacity as Commissioner under the Inquiries Act	New Brunswick (Commission of Inquiry into the Kingsclear Youth Training Centre)

26. Foreign Country

Foreign countries are referred to only by their short name, in accordance with the ISO 3166-1 standard (International Standards Organization).

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
125.	The Czech Republic, Requesting State	Czech Republic
126.	The Attorney General of Canada, on behalf of the Republic of Italy, Applicant	Italy

Note

In the above examples, the descriptive term “Republic” is treated differently for each country, accordingly with ISO 3166-1. The ISO 3166-1 list of short names of countries is available online at: <<http://www.iso.org/iso/en/prods-services/iso3166ma/02iso-3166-code-lists/list-en1.html>>.

B.4 Criminal Proceedings

27. Crown in criminal proceedings

Except as noted below, the Crown in criminal proceedings is referred to only by the abbreviation “R.”, which stands for “Rex” or “Regina”. For purposes of the present guidelines, “Criminal proceeding” means a prosecution involving any criminal, quasi-criminal or regulatory offence, in which the Crown is the prosecutor. The reasons for decision contain terms such as “charged”, “offence”, “convicted”, “accused” or “sentence” (in French: “prévenu”, “infraction”, “condamné”, “accusé” or “peine”).

The abbreviation “R.” is also used when a government Ministry is named as the prosecutor in cases involving quasi-criminal or statutory offences (ex. 129).

Exceptions:

- For municipal by-law prosecutions where the municipality rather than Her Majesty the Queen is named as the prosecutor, use the name of the municipality as the prosecutor in the case name (ex. 129). See Rule 17 - Municipality.
- In rare cases where the prosecutor is an individual instead of the Crown (referred to as a private prosecution), use this individual’s surname. See Part B.1 - Individual.
- In criminal extradition proceedings, use the name of the foreign government involved in the proceedings. See Rule 26 – Foreign Country.

Form of name:

In criminal proceedings the Crown is always named first in the case name, in the form “R. v. [accused]”. See Rule 29 – Adversarial Form.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
127.	Her Majesty the Queen	R.
128.	The King	R.

129. Ontario Ministry of the Environment
[case involving environmental offences] R.

B.5 Entity Representing A Party

28. Entity representing a party

Except as noted below, when the first named person or organization in the style of cause merely represents a party or acts on behalf of a party, that person or organization should not be referred to in the case name. Only the name of the represented party is used.

Examples of omitted parties:

- Trustees and receivers in bankruptcy proceedings (ex. 130);
- Executors/executrixes and administrators of estates of deceased persons. (ex. 131), including public trustees appointed by governments (ex. 132). See Rule 9 – Estate of a Deceased Person.
- Persons representing minors or representing incapacitated persons (ex. 133, 134).
- The Government of Canada when representing a foreign government (Rule 26, ex. 126).

Exceptions:

- When the first named person is acting on his or her own behalf as well as representing another party, their personal name is used (ex. 135).
- When the first named person is representing a group of persons in a class action or class proceeding, their personal name is used. See Rule 21 – Group of persons (ex. 95).
- When the Crown or a government is “represented by” a department, ministry or office of the government, the name of the department, ministry or office is used (ex. 136). See Rule 23 – Core Government Entity.
- When the Chief of an aboriginal First Nation is acting on his or her own behalf as well as representing the First Nation, the name of the First Nation is used in the case name (ex. 137). See Rule 18.1 – First Nation Chiefs and Councillors.

Examples

	<i>Party named in the full style of cause</i>	<i>Party named in the case name</i>
130.	PricewaterhouseCoopers, trustee in bankruptcy of Lowry Computers Inc.	Lowry Computers Inc.
131.	Adrian Thompson, executor of the estate of Gerald Anderson	Anderson Estate
132.	The Public Trustee, as the Administrator of the Estate of Richard Parker, Deceased	Parker Estate
133.	Roger Wise, litigation guardian of Samuel Young	Young
134.	Anne Marsden and David Marsden, Substitute Decision Makers for Mrs. Eva Bourgoin	Bourgoin

135.	Linda Joan Jennings on her own behalf and as Administrator of the Estate of David Vernon Batke	Jennings
136.	Her Majesty the Queen in Right of Canada as represented by the Department of Citizenship and Immigration	Canada (Citizenship and Immigration)
137.	Peter Collins, Chief of the Fort William Indian Band, on his own behalf and on behalf of the members of the Fort William Indian Band (also known as Fort William First Nation)	Fort William First Nation

C. Form of Case Name

Depending upon the type of proceeding, the case name is either of adversarial or non-adversarial form.

29. Adversarial Form

Except as noted below, when the full style of cause lists at least two opposed parties, the case name refers to:

- the first party named as the plaintiff, applicant, petitioner or appellant, and to
- the first party named as the defendant or respondent.

The names are separated by “v.” if the reasons are written in English and by “c.” if the reasons are written in French. References to other parties such as “et al.” are omitted.

Exceptions:

- In criminal proceedings the Crown is always named first in the case name, in the form “R. v. [accused]”, regardless of the role of the parties in the full style of cause (ex. 139, 140).
- With respect to appeals, some appellate courts retain the order of the parties established at the trial level (ex. 141). Others list the appellant first, regardless of whether that party was the plaintiff or defendant at the trial level (ex. 142). The case name should reflect the practice of the particular court.

Examples

	<i>Full style of cause</i>	<i>Case name</i>
138.	Between: George Siket et al., plaintiffs, and Eugeniusz Milczek and David G. Amy, defendants	Siket v. Milczek
139.	Between: Her Majesty The Queen and Dennis Richardson, Accused	R. v. Richardson
140.	Entre : Capitaine Jean Leduc, Appelant et Sa Majesté la Reine, Intimée	R. c. Leduc

141.	Between : Mid-Sask Terminal Ltd., Respondent (Plaintiff), and Pioneer Grain Company Limited, Appellant (Defendant)	Mid-Sask Terminal Ltd. v. Pioneer Grain Company Limited
142.	Between: Robert T. McTeague and Ethel R. Mason, Defendants/Appellants and J.R. Smith & Sons Limited and Jonathan Smith, Plaintiffs/Respondents	McTeague v. J.R. Smith & Sons Limited

30. Non adversarial Form

When the full style of cause does not clearly list at least two opposed parties (that is, it is non-adversarial), the case name refers only to the first person or organization named, followed by “(Re)”.

When both non-adversarial and adversarial forms are present in the decision’s heading, the adversarial form is preferred (ex. 139). See Rule 29 – Adversarial Form.

The abbreviation “Re” usually stands for “In the matter of”, but it should be used as well for any other procedural phrase that may be found in non-adversarial proceedings.

Examples

	<i>Full style of cause</i>	<i>Case name</i>
143.	In the matter of a petition for the adoption of J.S., Birth Reg. No. 31 558	J.S. (Re)
144.	In the matter of the Estate of John James MacNeil	MacNeil Estate (Re)
145.	In the matter of an application by Michele Cianci pursuant to s. 74(2) of the Firearms Act	Cianci (Re)
146.	In the matter of the Estate of Dale William Semanski, deceased	
	Between Marilyn Linder, Plaintiff, and City of Regina, Defendant	Linder v. Regina (City)

31. Reference

The case name of an opinion rendered under the reference jurisdiction of a court is created by using a concise and significant description of its subject matter, either with the surname of an individual or with the subject or title of the legislation to be interpreted. The subject matter is preceded by “Reference re” in English and “Renvoi relatif [à/au]” in French.

When the reference pertains to a legislative text, and its description does not contain any indication of the enacting jurisdiction, the name of the legislation is followed by the ISO 3166-2:CA two-letter code of the enacting jurisdiction, in parentheses (ex. 148, 149).

Examples

	<i>Full style of cause</i>	<i>Case name</i>
147.	In the matter of a Reference by the Governor in Council concerning whether the conviction of David Milgaard in Saskatoon, Saskatchewan, on January 31, 1970 for the murder of [...] constitutes a miscarriage of justice, and [...]	Reference re Milgaard
148.	In the matter of a reference to the Court of Appeal pursuant to Section 19 of the Courts of Justice Act, 1984, [...] Respecting Bill 30, An Act to amend the Education Act to provide full funding for Roman Catholic Separate High Schools	Reference re Bill 30, An Act to Amend the Education Act (ON)
149.	Dans l'affaire d'un renvoi par la Gouverneure en conseil au sujet de la Proposition de loi concernant certaines conditions de fond du mariage civil formulée dans le décret C.P. [...]	Renvoi relatif au mariage entre personnes du même sexe (CA)

Note

The jurisdictions' ISO 3166-2:CA two-letter codes are available on the Statistics Canada web site at <<http://www.statcan.ca/english/Subjects/Standard/sgc/2001/2001-sgc-classmenu.htm>>.

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