



THE REGIONAL MUNICIPALITY OF NIAGARA  
JOINT BOARD OF MANAGEMENT - NIAGARA COURTS  
AGENDA

JBM 2-2024

Thursday, April 18, 2024

3:30 p.m.

Meeting will be held by electronic participation only

If you are interested in viewing this meeting or would like to speak to an item listed on the agenda please contact the Office of the Regional Clerk at [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca).

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|  | Pages   |
|--|---------|
| 1. <u>CALL TO ORDER</u>  |         |
| 2. <u>DISCLOSURES OF PECUNIARY INTEREST</u>  |         |
| 3. <u>PRESENTATIONS</u>  |         |
| 4. <u>DELEGATIONS</u>  |         |
| 5. <u>ITEMS FOR CONSIDERATION</u>  |         |
| 5.1 <u>JBM-C 5-2024</u>  | 3 - 19  |
| Approval of Court Services 2023 Draft Audited Schedule of Revenues,<br>Expenses and Funds Available for Distribution |         |
| 6. <u>CONSENT ITEMS FOR INFORMATION</u>  |         |
| 6.1 <u>JBM-C 4-2024</u>  | 20 - 33 |
| 2023 Year End Report for Provincial Offences Court   |         |
| 6.2 <u>JBM 1-2024</u>  | 34 - 38 |
| Joint Board of Management - Niagara Courts Minutes - February 1, 2024  |         |
| 7. <u>OTHER BUSINESS</u>   |         |
| 8. <u>NEXT MEETING</u>   |         |
| The next meeting will be held on Thursday, August 22, 2024, at 3:30 p.m.   |         |

## 9. ADJOURNMENT

If you require any accommodations for a disability in order to attend or participate in meetings or events, please contact the Accessibility Advisor at 905-980-6000 ext. 3252 (office), 289-929-8376 (cellphone) or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca) (email).

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**Subject:** Approval of Court Services 2023 Draft Audited Schedule of Revenues, Expenses and Funds Available for Distribution

**Report To:** Joint Board of Management

**Report date:** Thursday, April 18, 2024

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## Recommendations

1. That the draft audited Schedule of Revenues, Expenses and Funds Available for Distribution for the year ended December 31, 2023, for The Regional Municipality of Niagara Court Services (“Court Services”) (Appendix 1 to Report JBM-C 5-2024) **BE APPROVED**;
2. That staff **BE DIRECTED** to co-ordinate with the auditor to finalize the statements as presented; and
3. That this report **BE FORWARDED** to the Region’s Audit Committee and to the Ministry of the Attorney General as per the Memorandum of Understanding, for information as required.

## Key Facts

- The purpose of this report is to formally present and seek JBM approval of the 2023 draft audited Schedule of Revenues, Expenses and Funds Available for Distribution (the “schedule”) (attached as Appendix 1 to Report JBM-C 5-2024).
- Court Services received an unmodified audit opinion which indicates that in Deloitte’s opinion the financial information presented, in all material respects, is in accordance with the financial reporting provisions in the Niagara Region Courts Inter-Municipal Agreement dated April 26, 2000 and Amending Agreement dated October 13, 2022.
- As per Financial Reporting and Forecasting Policy (C-F-020), financial statements and/or schedules prepared for Agencies, Boards or Commissions (ABCs) are required to be approved by the governing board of the ABC and then referred to Audit Committee for information.
- As Court Services is an ABC of the Niagara Region, the Court Services operating results (included in the schedule) are incorporated into the Niagara Region’s consolidated financial statements. Niagara Region’s consolidated financial statements will be presented to Audit Committee on May 21, 2024 and recommended for approval at Council on May 23, 2024.

## Financial Considerations

The draft audited schedule has been prepared in compliance with legislation and in accordance with the financial reporting provisions in the Niagara Region Courts Inter-Municipal Agreement dated April 26, 2000, as amended.

A copy of the draft audited schedule for the year ended December 31, 2023 is attached as Appendix 1 to Report JBM-C 5-2024.

The schedule is prepared specifically for the purposes of meeting the requirements outlined in the Niagara Region Courts Inter-Municipal Agreement, as amended, and may not be suitable for other purposes.

## Analysis

The Region's external auditors, Deloitte, completed the audit of the financial information in the schedule. The auditors have indicated that, in their opinion, the financial information for the year ended December 31, 2023, is prepared, in all material respects, in accordance with the financial reporting provisions in the Niagara Region Courts Inter-Municipal Agreement dated April 26, 2000, as amended.

The schedule (as attached in Appendix 1 to Report JBM-C 5-2024) shows that Court Services had \$1,326,472 in funds available for distribution (\$663,236 to local area municipalities ("LAMs") and \$663,236 to the Niagara Region). The funds available for distribution relate solely to operations excluding automated enforcement (part of the Vision Zero Road Safety program), as the revenues/expenditures incurred in 2023 relating to automated enforcement had an overall nil impact to Court Services net revenue.

In 2022, the Niagara Region distributed an advance to the LAMs based on budgeted net revenues of \$159,759 for the first quarter of 2022 and made no further distributions as it was forecasted at that time that Court Services would finish the year in a recovery position. The actual audited operating results for 2022 was a net expenditure of \$276,130, with 50% or \$138,065 to be recovered from the LAMs. As a result, the total net recoverable amount at the end of 2022 from the LAMs was \$297,824.

The 2023 funds available for distribution will entirely offset the 2022 recoverable amount from the LAMs and Court Services will be in net distribution position of \$365,412. Details of the net distribution have been reconciled and are outlined in Appendix 2 to Report JBM-C 5-2024.

## **Alternatives Reviewed**

The draft audited schedule of revenues, expenses, and funds available for distribution is prepared in accordance with the Niagara Region Courts Inter-Municipal Agreement dated April 26, 2000, as amended, and Financial Reporting and Forecasting Policy (C-F-020); therefore, no alternative is available.

## **Relationship to Council Strategic Priorities**

This report supports the Effective Region Council Strategic Priority through the delivery of fiscally responsible services, in accordance with the Intermunicipal Agreement.

## **Other Pertinent Reports**

JBM-C 4-2024 - 2023 Year End Report for Provincial Offences Court

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### **Prepared by:**

Donovan D'Amboise, CPA, CA  
Acting, Associate Director Reporting and  
Analysis  
Corporate Services

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### **Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

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### **Submitted by:**

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was prepared in consultation with Andrea Wheaton, Program Financial Specialist and Miranda Vink, Manager, Court Services.

**Appendices**

Appendix 1 2023 Schedule of Revenues, Expenditures and Funds Available for Distribution

Appendix 2 Reconciliation of Funds Available for Distribution to LAMs as of December 31, 2023

Schedule of revenues, expenses and funds available for  
distribution

**The Regional Municipality of  
Niagara Court Services**

December 31, 2023

# The Regional Municipality of Niagara Court Services

December 31, 2023

## Table of contents

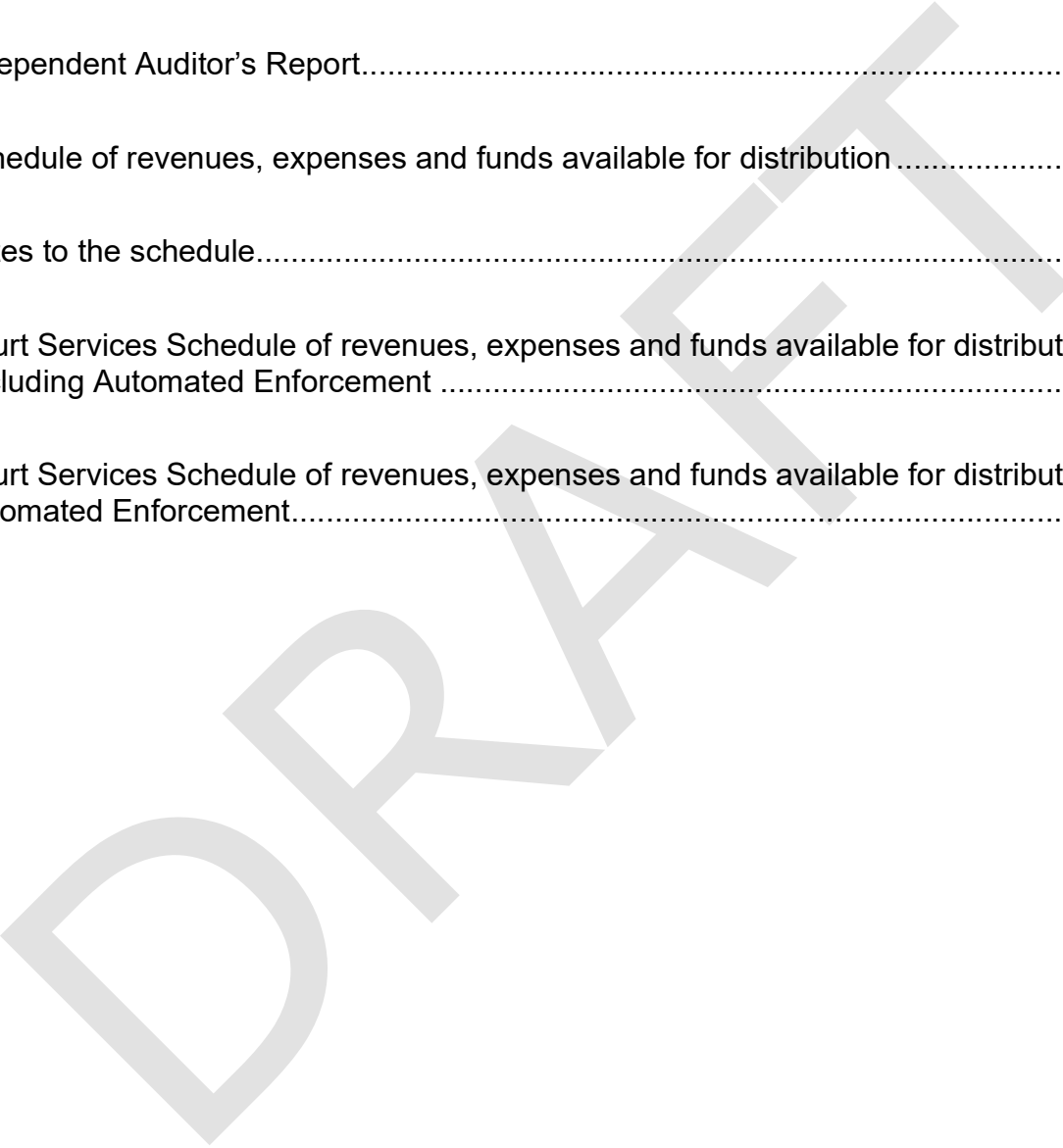
Independent Auditor’s Report..... 1-2

Schedule of revenues, expenses and funds available for distribution ..... 3

Notes to the schedule..... 4-8

Court Services Schedule of revenues, expenses and funds available for distribution  
excluding Automated Enforcement ..... 9

Court Services Schedule of revenues, expenses and funds available for distribution -  
Automated Enforcement..... 10





## Independent Auditor's Report

To those charged with governance of The Regional Municipality of Niagara Court Services

### Opinion

We have audited the accompanying schedule of revenues, expenses and funds available for distribution of The Regional Municipality of Niagara Court Services (the "Court Services") for the year ended December 31, 2023 and notes to the schedule (collectively referred to as the "schedule").

In our opinion, the accompanying schedule for the year ended December 31, 2023, is prepared, in all material respects, in accordance with the financial reporting provisions in the Niagara Region Courts Intermunicipal Agreement dated April 26, 2000 and amending agreement dated October 13, 2022.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards ("Canadian GAAS"). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Schedule* section of our report. We are independent of the Court Services in accordance with the ethical requirements that are relevant to our audit of the schedule in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 to the schedule, which describes the basis of accounting. The schedule is prepared to assist the Court Services in complying with the financial reporting provisions in the Niagara Region Courts Intermunicipal Agreement dated April 26, 2000 and amending agreement dated October 13, 2022. As a result, the schedule may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

## **Responsibilities of Management and Those Charged with Governance for the Schedule**

Management is responsible for the preparation and fair presentation of the schedule in accordance with the basis of accounting as described in Note 1, and for such internal control as management determines is necessary to enable the preparation of the schedule that is free from material misstatement, whether due to fraud or error. Those charged with governance are responsible for overseeing the Court Services' financial reporting process.

## **Auditor's Responsibilities for the Audit of the Schedule**

Our objectives are to obtain reasonable assurance about whether the schedule as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian GAAS will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this schedule.

As part of an audit in accordance with Canadian GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the schedule, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Court Services' internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates, if any, and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants  
Licensed Public Accountants  
[Date]

# THE REGIONAL MUNICIPALITY OF NIAGARA

## COURT SERVICES

Schedule of Revenues, Expenditures and Funds available for Distribution  
Year ended December 31, 2023, with comparative figures for 2022

|  |                    | <b>2023</b>      | 2022      |
|--|--------------------|------------------|-----------|
|  | <b>Budget</b>      | <b>Actual</b>    | Actual    |
|  | \$                 | \$               | \$        |
| Revenue (schedules 1 & 2):                                       |                    |                  |           |
| Offence receipts and other revenue                               | <b>10,340,767</b>  | <b>8,103,408</b> | 5,062,198 |
|  | <b>10,340,767</b>  | <b>8,103,408</b> | 5,062,198 |
| Controllable Expenditures (schedules 1 & 2):                     |                    |                  |           |
| Salaries and benefits  | <b>2,774,393</b>   | <b>2,072,922</b> | 2,112,574 |
| Program support costs (note 4)                                   | <b>1,315,739</b>   | <b>1,345,204</b> | 1,306,100 |
| Collection charges   | <b>180,000</b>     | <b>177,017</b>   | 178,158   |
| Legal  | <b>60,000</b>      | <b>32,442</b>    | 41,763    |
| Call in prosecution  | <b>160,000</b>     | -                | -         |
| Payment processing costs   | <b>127,600</b>     | <b>103,631</b>   | 69,792    |
| Telephone  | <b>7,500</b>       | <b>6,768</b>     | 5,084     |
| Office and administration  | <b>104,876</b>     | <b>66,249</b>    | 78,197    |
|  | <b>4,730,108</b>   | <b>3,804,233</b> | 3,791,668 |
| Uncontrollable Expenditures (schedules 1 & 2):                   |                    |                  |           |
| Revenue collected on behalf of other<br>municipalities/provinces | <b>80,000</b>      | <b>129,894</b>   | 93,715    |
| Victim fine surcharge  | <b>1,464,500</b>   | <b>1,299,721</b> | 721,550   |
| Adjudication   | <b>556,500</b>     | <b>203,916</b>   | 300,945   |
| Dedicated fines  | <b>20,000</b>      | <b>99,363</b>    | 135,733   |
| Other provincial expenditures                                    | <b>426,050</b>     | <b>203,009</b>   | 169,049   |
|  | <b>2,547,050</b>   | <b>1,935,903</b> | 1,420,992 |
| Total expenditures   | <b>7,277,158</b>   | <b>5,740,136</b> | 5,212,660 |
| Excess of revenue over expenditures                              | <b>3,063,609</b>   | <b>2,363,272</b> | (150,462) |
| Change in employee benefits and other liabilities                | -                  | <b>(65,711)</b>  | 74,331    |
| Transfer to Niagara Region (note 2)                              | <b>(2,888,962)</b> | <b>(971,089)</b> | (200,000) |
| Funds available for distribution (note 3)                        | <b>174,647</b>     | <b>1,326,472</b> | (276,131) |

# The Regional Municipality of Niagara Court Services

Notes to the schedule

December 31, 2023

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## 1. Significant accounting policies

The schedule of revenues, expenses and funds available for distribution of The Regional Municipality of Niagara Court Services has been prepared by management in accordance with the financial reporting provisions in the Niagara Region Courts Intermunicipal Agreement dated April 26, 2000 and amending agreement dated October 13, 2022 (the “agreement”).

Significant accounting policies are as follows:

### Revenues

Revenues are recorded on a cash basis.

### Expenses

Court Services follows the accrual method of accounting for controllable expenses. Controllable expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

Uncontrollable expenses are recorded on a cash basis.

### Capital assets

Capital assets and amortization of capital assets are not reported as expenses on the schedule of revenue and expenses and funds available for distribution.

### Transfers to reserves

Transfers to reserves are based on approval by the Board, as provided for in section 8.6 of the agreement.

### Employee future benefits

Court Services provides certain employee benefits which will require funding in future periods. These benefits include sick leave, life insurance, extended health and dental benefits for early retirees.

The costs of sick leave, life insurance, extended health and dental benefits are actuarially determined using management’s best estimate of salary escalation, accumulated sick days at retirement, insurance and health care cost trends, long term inflation rates and discount rates. The cost is actuarially determined using the projected benefits method prorated on service. Under this method, the benefit costs are recognized over the expected average service life of the employee group. Any actuarial gains and losses related to the past service of employees are amortized over the expected average remaining service life of the employee group.

# The Regional Municipality of Niagara Court Services

Notes to the schedule

December 31, 2023

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## 2. Transfer to Niagara Region

### *Transfers Related to Base Operations:*

Court Services transferred \$200,000 (2022 - \$200,000) to the Niagara Region in 2023. \$200,000 was transferred to the Court Services Facility Renewal reserve.

The following represents the transactions through the Court Services Facility Renewal reserve:

|  | <b>2023</b>      | 2022      |
|--|------------------|-----------|
|  | \$               | \$        |
| Reserve held by the Niagara Region, beginning of year      | <b>3,901,104</b> | 3,701,104 |
| Transfers during the year to reserve from operating budget | <b>200,000</b>   | 200,000   |
| Reserve held by the Niagara Region, end of year            | <b>4,101,104</b> | 3,901,104 |

### *Transfers Related to Automated Enforcement Operations:*

As permitted in the Intermunicipal Agreement, Court Services has transferred revenues net of Automated Enforcement Program court costs of \$771,089 (2022 - \$nil) to the Niagara Region's Transportation Planning division to allow the Region to recover its Automated Enforcement Program implementation and operating costs.

# The Regional Municipality of Niagara Court Services

Notes to the schedule

December 31, 2023

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### 3. Distribution to area municipalities

Court Services revenue distribution (net expenditure recovered) by municipality is as follows:

|                     | Budget  | 2023      | 2022      |
|---------------------|---------|-----------|-----------|
|                     | \$      | \$        | \$        |
| Region of Niagara   | 87,324  | 663,236   | (138,065) |
| Niagara Falls       | 16,903  | 128,385   | (26,851)  |
| Port Colborne       | 2,713   | 20,603    | (4,322)   |
| St. Catharines      | 21,194  | 160,964   | (33,740)  |
| Thorold             | 3,951   | 30,008    | (5,956)   |
| Welland             | 7,152   | 54,322    | (11,164)  |
| Fort Erie           | 5,620   | 42,682    | (8,892)   |
| Grimsby             | 6,865   | 52,146    | (10,925)  |
| Lincoln             | 5,981   | 45,426    | (9,338)   |
| Niagara-on-the-Lake | 7,885   | 59,892    | (12,527)  |
| Pelham              | 4,102   | 31,158    | (6,501)   |
| Wainfleet           | 1,606   | 12,200    | (2,552)   |
| West Lincoln        | 3,351   | 25,450    | (5,298)   |
|                     | 174,647 | 1,326,472 | (276,131) |

### 4. Program support costs

Court Services records direct operating expenses to their respective activity. The Regional Municipality of Niagara has a consolidated cost allocation policy with a guiding principle of more closely aligning indirect costs with the support programs and services as defined by the Province in the Financial Information Return (FIR) guidelines. The methodology allocates these indirect costs to end programs/services based on usage drivers.

Under this methodology, all departments providing program/service support functions will allocate their costs using drivers specific to each type of expense.

# The Regional Municipality of Niagara Court Services

Notes to the schedule

December 31, 2023

## 4. Program support costs (continued)

Program support costs which have been allocated are:

|                                 | Budget           | 2023             | 2022      |
|---------------------------------|------------------|------------------|-----------|
|                                 | \$               | \$               | \$        |
| Finance services                | 126,518          | 133,807          | 116,977   |
| Human resources services        | 55,396           | 48,981           | 214,683   |
| Information technology services | 217,976          | 218,212          | 107,529   |
| Legal services                  | 54,035           | 53,039           | 44,680    |
| Insurance costs                 | 2,691            | 2,598            | 2,081     |
| Printing costs                  | 2,396            | 470              | 69        |
| Mail costs                      | 7,979            | 8,187            | 8,438     |
| Communications costs            | 3,792            | 1,919            | 32        |
| Facilities costs                | 844,956          | 877,991          | 811,611   |
|                                 | <b>1,315,739</b> | <b>1,345,204</b> | 1,306,100 |

*Program Support Costs Excluding Automated Enforcement:*

|                                 | Budget           | 2023             | 2022      |
|---------------------------------|------------------|------------------|-----------|
|                                 | \$               | \$               | \$        |
| Finance services                | 126,518          | 133,767          | 116,977   |
| Human resources services        | 55,396           | 44,370           | 214,683   |
| Information technology services | 217,976          | 206,490          | 107,529   |
| Legal services                  | 54,035           | 53,039           | 44,680    |
| Insurance costs                 | 2,691            | 2,598            | 2,081     |
| Printing costs                  | 2,396            | 470              | 69        |
| Mail costs                      | 7,979            | 8,187            | 8,438     |
| Communication costs             | 3,792            | 1,919            | 32        |
| Facilities costs                | 844,956          | 877,991          | 811,611   |
|                                 | <b>1,315,739</b> | <b>1,328,831</b> | 1,306,100 |

# The Regional Municipality of Niagara Court Services

Notes to the schedule

December 31, 2023

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## 4. Program support costs (continued)

*Program Support Costs for Automated Enforcement Only:*

|                                 | Budget | 2023   | 2022 |
|---------------------------------|--------|--------|------|
|                                 | \$     | \$     | \$   |
| Finance services                | -      | 40     | -    |
| Human resources services        | -      | 4,611  | -    |
| Information technology services | -      | 11,722 | -    |
|                                 | -      | 16,373 | -    |

## 5. Comparative Figures:

Certain prior year figures have been reclassified to conform to financial statement presentation adopted in current year.



# THE REGIONAL MUNICIPALITY OF NIAGARA

## SCHEDULE 1 - COURT SERVICES - EXCLUDING AUTOMATED ENFORCEMENT

Schedule of Revenues, Expenditures and Funds available for Distribution

Year ended December 31, 2023, with comparative figures for 2022

|  |                  | 2023             | 2022      |
|--|------------------|------------------|-----------|
|  | Budget           | Actual           | Actual    |
|  | \$               | \$               | \$        |
| Revenue:   |                  |                  |           |
| Offence receipts and other revenue                               | 5,115,200        | 6,867,534        | 5,062,198 |
| Controllable Expenditures:                                       |                  |                  |           |
| Salaries and benefits  | 1,928,238        | 1,883,650        | 2,112,574 |
| Program support costs (note 4)                                   | 1,315,739        | 1,328,831        | 1,306,100 |
| Collection charges   | 180,000          | 177,017          | 178,158   |
| Legal  | 60,000           | 32,442           | 41,763    |
| Payment processing costs   | 68,800           | 91,431           | 69,792    |
| Telephone  | 7,500            | 6,768            | 5,084     |
| Office and administration  | 67,676           | 63,624           | 78,197    |
|  | <b>3,627,953</b> | <b>3,583,763</b> | 3,791,668 |
| Uncontrollable Expenditures:                                     |                  |                  |           |
| Revenue collected on behalf of other<br>municipalities/provinces | 80,000           | 129,894          | 93,715    |
| Victim fine surcharge  | 453,600          | 1,085,861        | 721,550   |
| Adjudication   | 335,000          | 203,916          | 300,945   |
| Dedicated fines  | 20,000           | 99,363           | 135,733   |
| Other provincial expenditures                                    | 224,000          | 172,553          | 169,049   |
|  | <b>1,112,600</b> | <b>1,691,587</b> | 1,420,992 |
| Total expenditures   | <b>4,740,553</b> | <b>5,275,350</b> | 5,212,660 |
| Excess of revenue over expenditures                              | 374,647          | 1,592,184        | (150,462) |
| Change in employee benefits and other liabilities                | -                | (65,711)         | 74,331    |
| Transfer to Niagara Region (note 2)                              | (200,000)        | (200,000)        | (200,000) |
| Funds available for distribution (note 3)                        | <b>174,647</b>   | <b>1,326,473</b> | (276,131) |

# THE REGIONAL MUNICIPALITY OF NIAGARA

## SCHEDULE 2 - COURT SERVICES - AUTOMATED ENFORCEMENT

Schedule of Revenues, Expenditures and Funds available for Distribution

Year ended December 31, 2023, with comparative figures for 2022

|   |             | 2023      | 2022   |
|---|-------------|-----------|--------|
|   | Budget      | Actual    | Actual |
|   | \$          | \$        | \$     |
| Revenue:                                  |             |           |        |
| Offence receipts and other revenue        | 5,225,567   | 1,235,874 | -      |
| Controllable Expenditures:                |             |           |        |
| Salaries and benefits                     | 846,155     | 189,272   | -      |
| Program support costs (note 4)            | -           | 16,373    | -      |
| Call in prosecution                       | 160,000     | -         | -      |
| Payment processing costs                  | 58,800      | 12,200    | -      |
| Office and administration                 | 37,200      | 2,625     | -      |
|   | 1,102,155   | 220,470   | -      |
| Uncontrollable Expenditures:              |             |           |        |
| Victim fine surcharge                     | 1,010,900   | 213,860   | -      |
| Adjudication                              | 221,500     | -         | -      |
| Other provincial expenditures             | 202,050     | 30,456    | -      |
|   | 1,434,450   | 244,316   | -      |
| Total expenditures                        | 2,536,605   | 464,786   | -      |
| Excess of revenue over expenditures       | 2,688,962   | 771,089   | -      |
| Transfer to Niagara Region (note 2)       | (2,688,962) | (771,089) | -      |
| Funds available for distribution (note 3) | -           | -         | -      |

**Reconciliation of Funds Available for Distribution to LAMs as of December 31, 2023  
Summary by Local Area Municipality**

JBM-C 5-2024  
Appendix 2

| <b>Local Area Municipality</b> | <b>Due from/(to) LAMs at Q4 2022 (*)</b> | <b>Due from/(to) LAMs Based on Audited 2023 Financial Results</b> | <b>Net due from/(to) LAMs at Q4 2023</b> |
|--------------------------------|--|---|--|
| Niagara Falls                  | \$ 57,921                                | \$ (128,385)  | \$ (70,464)                              |
| Port Colborne                  | \$ 9,323                                 | \$ (20,604)   | \$ (11,281)                              |
| St. Catharines                 | \$ 72,782                                | \$ (160,964)  | \$ (88,182)                              |
| Thorold                        | \$ 12,848                                | \$ (30,008)   | \$ (17,160)                              |
| Welland                        | \$ 24,081                                | \$ (54,322)   | \$ (30,240)                              |
| Fort Erie                      | \$ 19,181                                | \$ (42,682)   | \$ (23,501)                              |
| Grimsby                        | \$ 23,566                                | \$ (52,146)   | \$ (28,580)                              |
| Lincoln                        | \$ 20,144                                | \$ (45,426)   | \$ (25,282)                              |
| NOTL                           | \$ 27,022                                | \$ (59,892)   | \$ (32,870)                              |
| Pelham                         | \$ 14,022                                | \$ (31,158)   | \$ (17,136)                              |
| Wainfleet                      | \$ 5,506                                 | \$ (12,200)   | \$ (6,694)                               |
| West Lincoln                   | \$ 11,428                                | \$ (25,450)   | \$ (14,023)                              |
| <b>Total</b>                   | <b>\$ 297,824</b>                        | <b>\$ (663,236)</b>   | <b>\$ (365,412)</b>                      |

(\*) Includes Q1 2022 distribution paid plus recoverable amount based on 2022 audited financial statements

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**Subject:** 2023 Year End Report for Provincial Offences Court

**Report To:** Joint Board of Management

**Report date:** Thursday, April 18, 2024

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## Recommendations

1. That this Report **BE RECEIVED** for information.

## Key Facts

- Pursuant to the 2001 Memorandum of Understanding and Local Side Agreement with the Ministry of the Attorney General (“MAG”) and the Inter-Municipal Agreement, The Regional Municipality of Niagara (the “Region”) acts as agent on behalf of the 12 local area municipalities (the “LAMs”) to operate the Niagara Region Provincial Offences Court located in Welland.
- Court Services staff administer violations under the Highway Traffic Act, the Trespass to Property Act, the Liquor License Act, municipal by-laws, other provincial and federal offences and more serious matters such as charges under the Compulsory Automobile Insurance Act, the Environmental Protection Act, the Fire Prevention and Protection Act and the Alcohol & Gaming Control Act.
- The purpose of this report is to provide JBM with an overview of court operations, challenges, and successes in 2023. Appendix 1 to Report JBM-C 4-2023 provides some key highlights and Appendix 2 provides the year end operating statement for Court Services including explanation of any significant variances from budget.

## Financial Considerations

As per the Inter-Municipal Agreement, 50% of the net revenues/net expenditures are shared with/recovered from the LAMs. Based on the actual unaudited operating results for 2023, Court Services operated at a net revenue position of \$1,326 thousand, of which \$663 thousand will be allocated to the Region and \$663 thousand will be allocated to the LAMs. The net revenues of \$663 thousand represents a \$576 thousand surplus over the budgeted distribution of \$87 thousand. The surplus is related to non-Vision Zero, or base operations, as the revenues/expenditures incurred in 2023 relating to the Vision Zero Road Safety Program had an overall nil impact to Court Services net revenue.

Actual audited operating results for 2022 was a net expenditure of \$276 thousand, with 50% or \$138 thousand to be recovered from the LAMs. The Niagara Region distributed budgeted net revenues of \$160 thousand to the LAMs for the first quarter of 2022 and made no further distributions as it was forecasted at that time that Court Services would finish the year in a recovery position. As a result, the total net recoverable amount at the end of 2022 from the LAMs was \$298 thousand. Funds were not collected from the LAMs at the end of 2022 and a decision was made to wait and see what 2023 operating results were before proceeding with any collection from the LAMs, if necessary, throughout 2023.

Based on the actual operating results for 2023 of \$663 thousand, the total net recoverable amount for 2022 from the LAMs of \$298 thousand will be entirely recovered, and Court Services will be in a net distribution position to the LAMs in the amount of \$365 thousand. Upon approval of the financial statements Staff will proceed with processing the net distribution to the LAMs.

Court Services participates in the Niagara Region's quarterly financial reporting process which provides analysis and commentary on budget to actual results. The Niagara Region Q4 2023 Financial Update report, as well as previous reports, can be accessed on Niagara Region's external website.

<https://www.niagararegion.ca/government/budget/finance/default.aspx>)

Appendix 2 to Report JBM-C 4-2024 contains an analysis of the 2023 budget versus actual operating results for Court Services.

Since assuming responsibility for the administration of Provincial Offences Court in 2001, the Region has received \$21.4 million in net revenue, and as per the Inter-Municipal Agreement, the LAMs have shared \$21.4 million in net revenue (based on the unaudited 2023 results). The Region has paid the Province \$39.3 million inclusive of Victim Fine Surcharges (VFS), adjudication fees, part III prosecution charges, dedicated fines, monitoring and enforcement charges and ICON processing charges

## **Analysis**

### **Introduction of Automated Speed Enforcement Charges**

Limited information is available to demonstrate the true ongoing operational impacts of Vision Zero matters in 2023 from a Court Services perspective due to ASE charges launching in September 2023 and the introduction Red Light Camera (RLC) charges being deferred to Q1 2024. Public Works staff prepared a report for consideration at the

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Public Works Committee meeting held on April 9, 2024 (Report PW 11-2024 Vision Zero: Automated Speed Enforcement Preliminary Results and Next Steps) that provided an overview of the preliminary results and influence on driver behaviour, as well as further development of the program. While information related to ASE charging volumes, expenses, revenue, and pre-paid fine rates are outlined within this report, other critical program information will remain unavailable until Q1-Q2 2024 due to the inherent timeframes associated with the lifecycle of these charges. For example, there were no judicial hours dedicated to Vision Zero in 2023, due to the first Early Resolution pleas and trials for ASE matters being scheduled for the following year in 2024. Additionally, it takes several months for fines to become delinquent, so no collections activities were completed in 2023 for ASE charges.

Court Services will continue to provide further updates as additional data becomes available and Staff gain more experience regarding the full lifecycle of these charges.

## Revenue

Gross revenue is typically influenced by a variety of factors, including but not limited to, applications for extension of time to pay, delinquent fine rates, license suspensions and charges laid.

The following factors also contributed to revenue impacts throughout the year:

- Anomalous large fine payments related to base operations
  - In an effort to have better oversight of infraction and delinquent revenues, and in order to assist with better budgeting and financial reporting, Court Services staff have started to track significant fine payments which may not reflect revenues received in the normal course of business operations. Included in the 2023 actual operating results are \$1.1 million of revenues resulting from significant fine payments which are outside of the normal course of business operations.
- Applications for extension of time to pay fines:
  - The number of applications from 2023 (4424) compared to 2022 (4540) decreased by 2.5%. There is typically a correlation between extension requests and revenue, as defendants usually file for extensions for economic reasons.
- Appeals:
  - The number of appeals received and processed by staff decreased by 6.2% in 2023 (151) compared to 2022 (161).

- Reopenings:
  - There was a slight decrease in applications for reopenings (by 4%) in 2023 (1044) compared to 2022 (1088).
  - As of September 2023, the authority to approve reopenings was downloaded to the clerk of the court, where previously this was a judicial administrative function.
- FTR Convictions:
  - Staff completed 11,957 FTR convictions in 2023; a 27% increase compared to 2022 (9,402). Based on charge type, they are broken down as follows:
    - 7,761 Base Charge FTRs
    - 4,196 VZ Charge FTRs
  - It is important to note that an increase or decrease in FTR convictions does not correlate with any change of revenue following conviction; these convictions occur as a result of the individual's lack of action related to their charge and do not necessarily result in action being taken by those individuals related to payment.
- Suspension of driver's licences:
  - The number of suspensions decreased in 2023 (3504) compared to 2022 (4680). Suspensions occur as an enforcement method when certain fines are not paid by the default date. Revenue is impacted through either a delay in a fine being paid or not being paid at all. The likelihood of successfully collecting on revenue decreases as time passes.
- Total Base (Non-VZ) Charges Laid:
  - The number of base (non-VZ) charges increased by 14.5% (3636 charges) in 2023 over 2022. The 2022 charging volume was the lowest historical amount experienced since Court Services assumed responsibility for POA Administration in 2001.

| Year | New Base (Non-VZ) POA<br>Offence Number |
|------|---|
| 2014 | 53,913                                  |
| 2015 | 48,303                                  |
| 2016 | 40,026                                  |
| 2017 | 34,709                                  |
| 2018 | 31,957                                  |
| 2019 | 35,890                                  |
| 2020 | 27,308                                  |
| 2021 | 26,393                                  |
| 2022 | 25,086                                  |
| 2023 | 28,722                                  |

- Total ASE charges laid:
  - ASE launched in September 2023. This resulted in 14,651 charges being received from September to December 2023 for these new camera-based offences.
  - Due to the short timeframe of the program operating in 2023 and limited statistical data available due to the length of time since launch, it is not yet possible to gain an accurate sense of typical charging volumes moving forward, however the agreement with the Joint Processing Centre (JPC) currently specifies that the annual number of charges processed will be approximately 45,000 per year.
- Delinquent Fine Rates:
  - In 2022, there was a substantial increase in delinquent fine rates, however current data is showing a return to previous trend rates. Statistics from 2023 show that the monthly delinquent case average is 607 cases per month. This is a decrease of 33% compared to 2022 (888 cases/month; which was a historic high since 2015 when rate tracking was implemented). However, it does still reflect an historical overall increase in



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delinquent fines when compared to the monthly average of 518 for 2019-2021.

- Prepaid Fine Rates
  - Prepaid fine rates impact revenue as well as dispute rates as the payment of a fine before proceeding to Early Resolution, Trial or FTR equates to a guilty plea of the charge. The prepayment of a fine also reduces the overall amount of time and Staff resources required to process that charge.
  - The 2023 prepaid rates were as follows:
    - Base charges:
      - 44% of all base charges were pre-paid
    - Vision Zero ASE charges:
      - 65% of all base charges were pre-paid
- Early Resolution & Trial Request Rates:
  - As of December 31, 2023, Court Services has a 90% resolution rate for matters proceeding to Early Resolution (“ER”), which is an increase over 2022 (85%); resulting in 10% of those matters being set for trial. However, the trial request rate coming out of ER remains slightly above pre-pandemic averages. The ER process was launched in 2012 and from 2013 to 2019, the average percentage of matters set for trial following ER was 9%. This has an additional impact to revenue as the wait for an Early Resolution Meeting is typically as short as 6-8 weeks, whereas a significantly longer wait time for trials increases the timeline between the charges being laid and the final disposition of the matter.
  - Court Services also saw a decrease in ER matters completed in 2023 compared to previous years as follows:
    - 4,222 in 2023
    - 4,779 in 2022
    - 5,379 in 2021
    - 5,267 in 2020
    - 6,244 in 2019
    - 5,843 in 2018

This decrease can be attributed to the decrease in charging volumes, as well as court scheduling restraints throughout the year as a result of limited judicial resources. Additionally, in 2023 there were many ER court days converted to trial days as a strategy to address trial backlogs from pandemic-related trial adjournments.

- It is also important to note that trials were adjourned as of March 2020 as a result of the COVID-19 pandemic and did not restart until April 2021,

which left the first 4 months of 2021 with additional time to dedicate to ER, compared to 2022 and 2023 which saw 12 months of trials running.

- Judicial Resources & Time to Trial:
  - Limited judicial resources have caused court closures and reductions in court time allocated to Niagara to hear pending matters, which causes delays in convictions and corresponding payments.
  - Time to trial increased significantly since March 2020 as a result of the 13-month adjournment of trials due to the COVID-19 pandemic, creating a backlog of matters awaiting trial during that period of time.
  - In 2019, pre-pandemic, the average time to trial for Part I matters was approximately 6.5 months. As of December 2023, the average time to trial for Part I matters was approximately 9 months. This is significant improvement over December 2022, which had a time to trial of 17 months.
  - During 2023, Court Services experienced 6 court closures due to lack of judicial resources, impacting 253 defendants.
  - At this time, Court Services regularly has only 1.5 of the three (3) available courtrooms scheduled based on judicial resources assigned. While there is no indication that our third courtroom will be scheduled consistently during the first half of 2024, Court Services has implemented numerous strategies to assist in addressing resulting backlog, such as:
    - “Blitz” trial days for addressing a higher volume of similar matters in a tier which typically require less time to complete;
    - Adding a 2nd prosecutor to Early Resolution dates to maximize the use of the court time;
    - Enhancing the Early Resolution model to explore alternative processes which may help to further maximize the use of court time when judiciary are available;
    - Continuous review of pending matters to explore potential for resolution prior to trial;
    - Review of court utilization statistics and refining time allocation for matters scheduled within the tiers to maximize the use of court time within all tiers;
    - Ongoing review of the Court Master Plan by the Trial Coordinator in partnership with MAG scheduling team.
- COVID-19 Charges:
  - Court Services received approximately 2035 cases under a variety of different acts and municipal by-laws related to the pandemic. Many of these charges are dedicated fines, which do not result in revenue for Court Services but do represent increased workload for prosecutors (e.g.

high volume of disclosure, lower likelihood of early resolution) and pressures on court time.

- Of the total charges, 1975 (just over 97%) have been disposed of and 58 matters (3%) are still awaiting a final disposition. Court Services was able to address of these matters in an efficient manner by using the “blitz” court model, resulting in 696 matters being completed in 2023.
- Staff have collected a total of \$525,744 to date; approximately \$358,285 of which has been redirected to the Province/Federal Government.
- A total of \$2.4 million remains outstanding, of which \$2.2 million, if paid, would be redirected to the Province/Federal Government as they relate to Quarantine Act Charges.

## **Expenditures**

Expenditures are typically impacted by several operational factors, including but not limited to, charging volumes and the types of charges, trial requests, number of appearances to resolution, re-opening applications, applications for extension of time to pay, appeal requests, as well as the need to undertake enforcement to collect on delinquent fines.

The overall average of court appearances to resolution in 2023 was 3.2 appearances per case – a slight decrease of 20% from 2022 (4 appearances). This overall decrease in number of court appearances is largely driven by an overall increase of matters resolved in 2023 at ER without the need for trial appearance.

Due to a shortage of judicial resources, Niagara and other municipalities within the Central West Region experienced the cancellation or reduction of court dates throughout 2023. This reduced the expenses related to adjudication and prosecution costs compared to historical courtroom scheduling and related expenses pre-2020.

## **Delinquent Fine Enforcement**

In 2023, \$2.6 million in delinquent fines were collected, which represents a 3.7% increase (\$93 thousand) compared to 2022.

Despite the significant increase in delinquent fine rates over the last several years, it is important to note that there has been an increase in the number of lower-value fines being paid, while the overall value of the delinquent fines has decreased.

A partnership was created between the Region and all 12 of the LAMs in the “add to tax roll” program, which has proven to be an effective enforcement tool. Since its implementation in 2014, \$ 2 million has been added to tax rolls in the Region and to date \$1.66 million has been collected, which is an 82% collection rate. In 2023, \$201,810 of that amount was collected.

Staff utilize several other enforcement methods. These include the suspension of driver’s license, plate denial, use of third party collection agencies, and civil enforcement. Civil enforcement includes the garnishment of wages, bank accounts and the filing of Writs of Execution to secure property owned by the offender.

Through ongoing investigative and collection efforts by staff, \$7.136 million has been secured and \$4.64 million collected (a 65% collection rate) since implementing the writ process in 2003. It is anticipated that these Writs of Execution will continue to contribute to revenue in future years.

### **Continuous Improvement**

Court Services continues to leverage every opportunity to do business differently through innovation and process improvements to ensure access to justice while simultaneously increasing productivity and improving operational efficiencies.

Continuous improvement initiatives achieved in 2023 include;

- Continued delivery of virtual and hybrid court services. Since April 2022, Niagara Court Services has delivered hybrid court matters which encompass a combination of in-person and virtual attendance by participants while the Courtroom Clerks, Regional prosecutors and judiciary are onsite in the courtroom. Defendants and representatives may opt to attend their matter in-person or virtually via Zoom. In some instances, Justices of the Peace may order all participants to attend in-person. At the present time, the majority (80%) of individuals opt to participate via the Zoom virtual courtroom where permitted.
- To address reduced Judicial resources and scheduling backlogs, Niagara Court Services launched an enhanced Early Resolution scheduling model in February 2023, whereby meetings with the Prosecutor are proactively scheduled to optimize courtroom time where the Justice of the Peace is present.
  - Prosecutors are permitted to meet with defendants to discuss potential resolutions in advance of meeting with the judiciary. These pleas are then

subsequently entered in court on the record with a Justice of the Peace who may approve the resolution as proposed.

- With this new approach, prosecution staff are able to optimize time by completing “blitz pleas” on the record with the judiciary without having to pause to conduct meetings with defendants as they have already occurred.
- This has allowed for a significant maximization of courtroom time and judicial resources. Since introducing this new approach in February and up to the end of December 2023, Niagara gained 15 additional Part 1 Trial Court days; maximizing court time and allowing a higher volume of Early Resolutions to be completed within the allotted court schedule, while also increasing the number of trial days (thereby reducing trial scheduling backlogs).
- As part of the modernization of Court Services, a significant update to Niagara’s local case management solution, the Court Administration Management System (CAMS), was completed in September 2023, to ensure that changing business needs are accommodated through technology updates. This update also supports the administration of new ASE and pending RLC charges.

## **Customer Service**

Following the introduction of the ASE charges in Q4 of 2023, the overall increase in POA charges laid combined with the novelty of camera-based offences in Niagara have resulted in an increase in the number of customer interactions via telephone and in person. The average monthly number of counter service (in-person) visitors nearly doubled (95% increase) in Q4 (1426 monthly visitors) as compared to Q1 through Q3 (733 monthly visitors). Average monthly number of phone calls also increased by 64% in Q4 (2192 monthly calls) as compared to Q1 through Q3 (1338 monthly calls).

Court Services hosted two information sessions in 2023 (“POA Prosecution” and “The Life Cycle of a POA Charge”) which were both well-attended by enforcement agencies and LAMs. Staff also continue to work with enforcement agencies on an ongoing basis to provide guidance in working toward consistent charging and prosecutorial practices.

A variety of information, including service changes, frequently asked questions and answers, were regularly updated on the Court Services webpage to assist members of the public with information regarding business changes and current court procedures.

Highlights of Court Services' 2023 operations are provided in Appendix 1 to Report JBM-C 4-2024.

### **Alternatives Reviewed**

Not applicable; this report is provided for information.

### **Relationship to Council Strategic Priorities**

This report supports the Effective Region Council Strategic Priority through the delivery of fiscally responsible services, in accordance with the Inter-municipal Agreement.

### **Other Pertinent Reports**

- JBM-C 9-2022 – Court Services 2023 Operating Budget
- JBM-C 4-2023 – 2022 Year End Report for Provincial Offences Court

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#### **Prepared by:**

Miranda Vink  
Manager, Court Services  
Corporate Services

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#### **Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

This report was prepared in consultation with Andrea Wheaton, Program Financial Specialist, Renee Muzzell, Manager, Program Financial Support, and reviewed by Donna Gibbs, Director, Legal & Court Services.

### **Appendices**

|            |   |
|------------|---|
| Appendix 1 | Court Services Highlights 2023                          |
| Appendix 2 | Court Services 2023 Budget vs. Actual Variance Analysis |

# Court Services 2023 Highlights

## Charging volumes



**40,753**

**total charges**

(62% increase compared to 2022)

Including **14,651** Automated Speed Enforcement charges since September 2023

## Fine Outcomes



**53%** prepaid

**16%** disputed

**31%** convicted as fail to respond

## Customers Served



**10,874** individuals in person served (+55% over 2022)

**18,621** phone calls (+13% over 2022)

## Early resolution



**4,223**

Early Resolution meetings completed

**90%** of matters resolved without proceeding to trial

## Virtual court



**80%**

of individuals participated in court virtually where eligible (Total **41,721** Zoom Court participants in 2023)

## Time to trial



**9 month**

time to trial as of Dec. 31, 2023 (Reduction from 17 months in Dec. 2022)

## Delinquent fine enforcement



**\$2.6 Million** in delinquent fine revenue collected in 2023

**\$1.66 Million** collected through tax rolls since 2014

**\$4.64 Million** has been collected through writs since 2003

## Financial



**\$42.8 million**

value of net revenue received since 2001

(50% - **\$21.4 million** to the Local Area Municipalities)

## Operations



### Staff processed:

**1,044** Reopenings

**3,504** Drivers Licence Suspensions

**4,424** Applications for Extension of time to pay

**11,957** Fail to Respond Convictions

**Court Services 2023 Budget vs. Actual Variance Analysis**  
(in thousands of dollars)

Appendix 2  
JBM-C 4-2024

|  | <b>Budget</b>     | <b>Actual</b>     | <b>Budget vs. Actual<br/>Variance (\$)</b> | <b>Budget vs. Actual<br/>Variance (%)</b> | <b>Note</b> |
|--|-------------------|-------------------|--|---|-------------|
| Labour Related Costs   | \$ 2,768          | \$ 2,137          | \$ 631                                     | 22.8%                                     | 1           |
| Administrative   | \$ 2,667          | \$ 1,927          | \$ 740                                     | 27.7%                                     | 2           |
| Operational and Supply   | \$ 420            | \$ 859            | \$ (439)                                   | -104.5%                                   | 3           |
| Equipment, Vehicles and Technology   | \$ 14             | \$ 24             | \$ (10)                                    | -73.0%                                    |             |
| Financial Expenditures   | \$ 179            | \$ 176            | \$ 3                                       | 1.5%                                      |             |
| <b>Total Expenditures</b>  | <b>\$ 6,048</b>   | <b>\$ 5,124</b>   | <b>\$ 924</b>                              | <b>15.3%</b>                              |             |
| Revenues   | \$ (10,340)       | \$ (8,103)        | \$ (2,237)                                 | -21.6%                                    | 4           |
| Intercompany Charges   | \$ 2,688          | \$ 770            | \$ 1,918                                   | 71.4%                                     | 5           |
| <b>Net Expenditure (Revenue) Before Transfers<br/>and Indirect Allocations</b> | <b>\$ (1,603)</b> | <b>\$ (2,208)</b> | <b>\$ 605</b>                              | <b>37.8%</b>                              |             |
| Transfer to Funds  | \$ 200            | \$ 200            | \$ (0)                                     | 0.0%                                      |             |
| <b>Net Expenditure (Revenue) Before Indirect<br/>Allocations</b>               | <b>\$ (1,403)</b> | <b>\$ (2,008)</b> | <b>\$ 605</b>                              | <b>43.2%</b>                              |             |
| Indirect Allocations and Debt  | \$ 1,316          | \$ 1,345          | \$ (29)                                    | -2.2%                                     |             |
| <b>Net Expenditure (Revenue) After Transfers<br/>and Indirect Allocations</b>  | <b>\$ (87)</b>    | <b>\$ (663)</b>   | <b>\$ 576</b>                              | <b>662.3%</b>                             |             |



Note 1 - The favourable year end variance is \$631. Savings related to Vision Zero are \$657 with an unfavourable variance of \$26 relating to non-Vision Zero operations (base operations) position management as a result of job evaluations associated with recent restructuring.

Note 2 - The favourable year end variance is \$739. Savings related to Vision Zero are \$1,238 with an unfavourable variance of \$499 relating to base operations largely due to increased Victim Fine Surcharges and ICON processing charges as a result of increased ticket volumes and fine payments. The unfavourable variance has been partially offset by lower than budgeted court costs including interpreter expenses, adjudication costs, and external legal expenses. While some of these cost savings are due to efficiencies created by Court Services in 2023 such as blitz courts and enhancements to the Early Resolution program, the reduction in costs is largely driven by limited courtroom scheduling due to judicial resourcing challenges and is beyond the scope of control of Court Services.

Note 3 - The unfavourable variance is \$439. Savings related to Vision Zero are \$195. The unfavourable variance in base operations is largely driven by higher than budgeted distribution to local area municipalities.

Note 4 - The unfavourable variance is \$2,237 of which \$3,990 is the Vision Zero program revenue deficit resulting from the delayed launch of the program. This has been partially offset by a \$1,753 favourable variance from base operations. The favourable base operations variance is due to higher than anticipated infraction revenue received during the year as well as anomalous large fine payments. In an effort to have better oversight of infraction and delinquent revenues, and in order to assist with better budgeting and financial reporting, Court Services staff have started to track significant fine payments which may not reflect revenues received within the normal course of business operations. Included in the 2023 actual operating results are \$1,115 of revenues which are deemed to be outside of the normal course of business operations. Since these significant ticket payments are outside of the normal course of business operations, they are not included when setting budgets or forecasting operational results.

Note 6 - The favourable variance is \$1,918 and is solely related to the transfer of the net Vision Zero operating surplus to the Region's Transportation Services division in order to offset their operating expenditures. Overall, there is a nil surplus in the Vision Zero Road Safety Program for 2023.

**THE REGIONAL MUNICIPALITY OF NIAGARA  
JOINT BOARD OF MANAGEMENT - NIAGARA COURTS  
MINUTES**

**JBM 1-2024  
Thursday, February 1, 2024  
Meeting held by electronic participation**

Committee: J. Bartol (West Lincoln), K. Douglas (St. Catharines), D. Gibbs (Niagara Region), J. Simpson (Thorold), M. Tardif (Wainfleet)

Absent/Regrets: N. Punyarthi (Niagara Falls), C. Woodsford (Welland)

Staff: S. Fraser, Associate Director, Transportation Planning, T. Harrison, Commissioner/Treasurer, Corporate Services, K. Lotimer, Deputy Regional Clerk, R. Muzzell, Manager, Program Financial Support, M. Vink, Manager, Court Services

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**1. CALL TO ORDER**

Kelly Lotimer, Deputy Regional Clerk, called the meeting to order at 3:35 p.m.

**2. DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

**3. SELECTION OF BOARD CHAIR AND VICE-CHAIR**

**3.1 Call for Nominations for Board Chair**

Kelly Lotimer, Deputy Clerk, called for nominations for the position of Chair of the Joint Board of Management - Niagara Courts for 2024.

Moved by K. Douglas  
Seconded by J. Bartol

That Mark Tardif **BE NOMINATED** as Chair of the Joint Board of Management - Niagara Courts for 2024.

3.2 Motion to Close Nominations for Board Chair

Kelly Lotimer, Deputy Clerk, called a second and third time for nominations for the position of Chair of the Joint Board of Management - Niagara Courts. There being no further nominations, it was:

Moved by J. Simpson  
Seconded by D. Gibbs

That nominations for the position of Chair of the Joint Board of Management - Niagara Courts **BE CLOSED**.

**Carried**

3.3 Voting for the Position of Board Chair

There being only one nominee for the position, Ms. Lotimer announced that Mark Tardif would be the Chair of the Joint Board of Management - Niagara Courts for 2024.

3.4 Call for Nominations for Board Vice-Chair

Kelly Lotimer, Deputy Clerk, called for nominations for the position of Vice-Chair of the Joint Board of Management - Niagara Courts for 2024.

Moved by D. Gibbs  
Seconded by M. Tardif

That Jason Simpson **BE NOMINATED** for the position of Vice-Chair of the Joint Board of Management - Niagara Courts for 2024.

3.5 Motion to Close Nominations for Board Vice-Chair

Kelly Lotimer, Deputy Clerk, called a second and third time for nominations for the position of Vice-Chair of the Joint Board of Management - Niagara Courts. There being no further nominations, it was:

Moved by D. Gibbs  
Seconded by K. Douglas

That nominations for the position of Vice-Chair of the Joint Board of Management - Niagara Courts **BE CLOSED**.

**Carried**

3.6 Voting for the Position of Board Vice-Chair

There being only one nominee for the position, Ms. Lotimer announced that Jason Simpson would be the Vice-Chair of the Joint Board of Management - Niagara Courts for 2024.

At this point in the meeting, Mark Tardif assumed the chair.

4. PRESENTATIONS

There were no presentations.

5. DELEGATIONS

There were no delegations.

6. ITEMS FOR CONSIDERATION

6.1 JBM-C 1-2024

2024 Joint Board of Management Meeting Dates

Moved by D. Gibbs

Seconded by K. Douglas

That Memorandum JBM-C 1-2024, dated February 1, 2024, respecting 2024 Joint Board of Management Meeting Dates, **BE RECEIVED**; and

That the Joint Board of Management Niagara Courts meetings **BE HELD** on Thursdays at 3:30 p.m. on the following dates in 2024:

April 18, August 22, October 17, November 28.

**Carried**

6.2 JBM-C 2-2024

Court Services Write-Off Recommendations for the Period ending December 31, 2023

Moved by D. Gibbs

Seconded by K. Douglas

That Report JBM-C 2-2024, dated February 1, 2024, respecting Court Services Write-Off Recommendations for the Period Ending December 31, 2023, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the delinquent cases summarized in the Analysis Section of Report JBM-C 2-2024, **BE APPROVED** for write-off and removal from the Integrated Court Offences Network (ICON) system in accordance with the Ministry of the Attorney General (MAG) *Provincial Offences Act* Write-off Directive and Operating Guideline and the Niagara Region Courts approved write off criteria.

**Carried**

**7. CONSENT ITEMS FOR INFORMATION**

7.1 JBM-C 3-2024

Council Approval of 2024 Court Services Budget

Moved by J. Simpson

Seconded by K. Douglas

That Memorandum JBM-C 3-2024, dated February 1, 2024 respecting Council Approval of 2024 Court Services Budget, **BE RECEIVED** for information.

**Carried**

7.2 JBM 5-2023

Joint Board of Management - Niagara Courts Minutes - September 18, 2023

Moved by K. Douglas

Seconded by D. Gibbs

That Minutes JBM 5-2023, being the minutes of the Joint Board of Management – Niagara Courts meeting held on September 18, 2023, **BE RECEIVED** for information.

**Carried**

**8. OTHER BUSINESS**

8.1 Vision Zero Update

Miranda Vink, Manager, Court Services, provided an update of the Vision Zero Road Safety Initiative, advising that Automated Speed Enforcement launched on September 8, 2023, and Red Light Cameras are set to launch in the first quarter of 2024.

**9. NEXT MEETING**

The next meeting will be held on Thursday, April 18, 2024 at 3:30 p.m.

**10. ADJOURNMENT**

There being no further business, the meeting adjourned at 3:58 p.m.

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Mark Tardif  
Board Chair

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Kelly Lotimer  
Deputy Regional Clerk

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Ann-Marie Norio  
Regional Clerk