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APPOINTMENT OF REGIONAL NOMINEE TO JOINT BOARD OF MANAGEMENT

The Finance and Administration Committee recommends the adoption of the recommendation contained in the following report, February 28, 2005, from the Chief Administrative Officer:

1. RECOMMENDATION

It is recommended that:

1. Jim Davidson be appointed as the member representing York Region on the Joint Board of Management of the York Region Courts.

2. PURPOSE

To appoint a staff member to the Joint Board of Management of the York Region Courts.

3. BACKGROUND

On June 7, 1999, the Region of York entered into an agreement with the nine area municipalities titled "York Region Courts Intermunicipal Agreement". This agreement requires the establishment of a Joint Board of Management of the York Region Courts. The Board shall total ten members, composed of one staff person appointed by the Council of each Municipality.

4. ANALYSIS AND OPTIONS

Under the unique governance model of the Court Services program in York Region, the Director of Court Services currently takes strategic direction from a Board comprised mainly of Area Municipal By-Law Enforcement Officers. This model brings serious governance and accountability problems and can be perceived to undermine public confidence in the integrity of the administration of justice.

In York Region, our Inter-municipal Agreement confirms that it is the obligation of the Region to resource the program appropriately (Sections 3, 9 and 11 address this in detail). Furthermore, in practice it has always been the Region's duty to respond to complaints and court actions where there is an allegation that services have not been delivered appropriately. This governance model places legal and financial accountability with the

Region but at the same time it requires Area Municipal staff to make strategic decisions about the Region's resources, obligations and liabilities.

The CAOs of the Region and the nine Area Municipalities have recently agreed in principle that the Area Municipalities will in future be represented on the Board by staff members who are able to take strategic decisions from an independent standpoint, thereby avoiding any perception of conflict of interest.

As Commissioner of Corporate Services, Jim Davidson has program responsibility for Court Services and he is the immediate line manager of the Director of Court Services. His formal appointment as the Region's representative on the Board will ensure appropriate lines of accountability as well as efficient administration of the program.

5. FINANCIAL IMPLICATIONS

There is no financial impact to this report.

6. LOCAL MUNICIPAL IMPACT

There is no local municipal impact to this report.

7. CONCLUSION

To ensure appropriate lines of accountability as well as efficient administration of the Court Services Program, Jim Davidson should be formally authorized by Council to represent the Region's interests on the Joint Board of Management of the York Region Courts.