

Federal Court



Cour fédérale

**NOTICE TO THE PARTIES AND THE PROFESSION  
PUBLICATION OF DECISIONS OF PRECEDENTIAL VALUE**

June 19, 2015

**Preamble**

It is within a judicial officer's discretion to decide both the *substance* and the *form* of a decision. If the presiding judge or prothonotary considers that a decision has precedential value, the Court generally will issue it in a form that includes a neutral citation number for publication.

**Precedential Decisions**

Final decisions that are considered by the presiding judicial officer to have precedential value are normally issued in the form of "Judgment and Reasons." These decisions are assigned a neutral citation number and posted on the Court's website. They will be translated and posted in the other official language expeditiously. There may also be situations where an interlocutory decision is considered to have precedential value and merits translation and posting on the Court's website. If so, it may be issued by the Court as an "Order and Reasons." These decisions will be assigned a neutral citation number, translated, and then posted in both official languages.

**Non-Precedential Decisions**

Final decisions that are considered by the presiding judicial officer not to have precedential value are normally issued in the form of a "Judgment", without detailed reasons. These decisions will not be given a neutral citation number and will not appear on the Court's website. Interlocutory decisions that are considered not to have precedential value are normally issued as an "Order," again without detailed reasons, in which case they are not given neutral citation numbers and are not posted on the Court's website. This category typically includes "speaking orders" or "endorsement"-style decisions, including judgments rendered orally in open court and reduced to writing thereafter.

**Use of Unpublished Decisions**

The assignment of a neutral citation number to a decision, followed by its publication, is indicative of the presiding judicial officer's view that the decision has precedential value. Similarly, the absence of a neutral citation number and the fact that it is not published are indicative of the presiding judicial officer's view that the decision has no precedential value. However, this does not preclude a party from taking a different position regarding its precedential value.

**Access to Court Decisions**

An entry is made in the on-line [Court Index and Docket](#) setting out a summary of each decision once it is issued. If formal "reasons" for decision are also issued, they will be made available on the Court's web site at the [Decisions](#) page, usually within a few days after the decision is signed, though with a longer delay for interlocutory decisions. You can also contact your local [Registry Office](#) to request a copy. Note: there is a fee of \$0.40 per page to get a copy of Court decisions, either in person or by fax.

« Paul Crampton »  
Chief Justice