



Uniform Case Naming Guidelines

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The Origin of Case Naming

[1] When law professionals are referring to a case in their pleadings, lectures or commentaries, they often refer to a case simply by using the surname of the main party involved in the case. They can do this because in a given context, referring to a surname often suffices to identify a specific case. For example, in the context of *Charter* litigation, every Canadian lawyer knows what the *Oakes* case is about. This intuitive and informal mean of identifying a case has been common practice since the very beginning of case law reporting. Modern citations to cases still include such a case name, often called “style of cause” in Canada¹.

[2] Not so long ago, the case name was one of the few tools law researchers could use to locate and track cases in printed reports². In the early 80’s, the lack of consistency of the case name among publishers was considered a major impediment for case identification and retrieval³, and thus for the reliability of legal research⁴.

[3] In 1987, in an effort to improve case naming uniformity, Canadian law publishers gathered together through the Canadian Law Information Council (“CLIC”) and developed the *Standards for Case Identification*⁵. These “CLIC Standards” provided a means for implementing a common “indexed as” entry that could be included in the headnotes of reported cases, thus allowing for consistent indexation among publishers.

[4] Most publishers substantially adopted the CLIC Standards at the time. However, the CLIC itself was dissolved in 1992 and no revision occurred afterwards. Since then, Canadian publishers each developed their own variations in case name creation⁶.

Why Propose New Guidelines?

[5] As legal documentation is increasingly shifting from paper to digital, the lack of case name consistency among publishers has become a lesser concern than it was before.

¹ The term “case name” used throughout this document means the same as the term “short style of cause” in the *Canadian Guide to the Uniform Preparation of Judgments*, Canadian Citation Committee, 2002, available online at <http://www.lexum.umontreal.ca/ccc-ccr/guide/index_en.html>.

² Mary Burbidge Helleiner, *Standards for headnoting: case identification* (Ottawa, Canadian Law Information Council, 1984) at 2.

³ Shirley A. Louder, *Case law reporting in Canada* (Ottawa, Canadian Law Information Council, 1982) at 26-27.

⁴ Chin-Shih Tang, “The Law of Citation and Citation of Law” (1986), 10:1 Dalhousie L.J. 124.

⁵ Available online: <http://www.lexum.umontreal.ca/ccc-ccr/docs/clic.case.id_en.html>.

⁶ See for example McGill Law Journal, *Canadian Guide to Uniform Legal Citation*, 5th edition, Toronto, Carswell, 2002, p. E-63; Nova Scotia Reports, “Guide to Finding Cases by Name”, in *Digest and Consolidated Indexes [...]*, Fredericton, Maritime Law Book, 2003; compare to the in-house standard used by Quicklaw’s editorial staff, *Case Name Indexing Manual* (Rev. July 1999), Kingston, Quicklaw Inc., 1999.



Electronic tools for legal research offer such features as fielded search that allows for retrieving cases by the name of the parties. Case citators allow users to keep track of a case history in a matter of seconds. Moreover, since the vast majority of the Canadian judiciary has adopted the *Neutral Citation Standard for Case Law*⁷ and the *Canadian Guide to Uniform Preparation of Judgments*⁸, case reporters are now able to provide their customers with powerful means for retrieving cases by any of their specific data elements.

[6] The digital revolution also improves courts' ability to disseminate their own decisions. As courts are increasingly assigning to their decisions a neutral citation which includes a case name, they need guidance as to how to create it. Unfortunately, publishers' current case naming practices, besides their lack of uniformity, would often require editorial and legal training of office personnel, which courts can't always afford.

[7] This is why new guidelines are needed. The underlying rationale for the case name creation has changed since the development of the 1990 CLIC standards. Now that case law dissemination and legal research has entered the digital realm, the case retrieving role of the case name is becoming less salient. Furthermore, the current over-designed case naming practices seem to be unique to Canada. Elsewhere, even in countries that share the same case law reporting tradition, case names are prepared with only a few rules easily laid out over a few pages. It is the opinion of the authors of the present guidelines that the adoption of a simpler scheme will permit regular court personnel to prepare a name for each case in a more straightforward manner. Consistency will be achieved simply, cheaply and easily.

Goals and Objectives

[8] The case name can now be considered as the mere title of a document, which is primarily designed to play a mnemonic role in case identification, corresponding to the way law professionals and the media are naturally inclined to informally identify a case. As such, the present guidelines aim at providing courts and tribunals with a simple method for assigning a significant case name to their decisions, just like legislative bodies are assigning a title to their enactments. The resulting case name will be easy to create by regular court personnel.

[9] Where possible, these guidelines remain in line with well-established case naming customs adopted by publishers in Canada and abroad⁹, but only to the extent that the criteria of simplicity, clarity, concision and consistency are met.

⁷ Canadian Citation Committee, *Neutral citation Standard for Case Law*, 1999, available online: <http://www.lexum.umontreal.ca/ccc-ccr/neutral/index_en.html>.

⁸ Canadian Citation Committee, *Canadian Guide to the Uniform Preparation of Judgments*, 2002, available online: <http://www.lexum.umontreal.ca/ccc-ccr/guide/index_en.html>.

⁹ Style guides from foreign countries were also taken into account, as the following works were closely examined: *The Bluebook: A Uniform System of Citation*, 17th edition, Cambridge (Mass.), Harvard Law Review Association, 2000; *ALWD Citation Manual: A Professional System of Citation*, 2nd edition, New York, Association of Legal Writing Directors, Aspen Publishers, 2003; *Australian Guide to Legal Citation*,



[10] Finally, it is important to note that the rules outlined in this document are guidelines; that is to say, they are meant to be flexible rather than strict. It is quite possible that some courts or jurisdictions will have to bring certain variations to these rules in order to better adapt them to their particular context. As long as these variations are applied in a consistent manner, they remain in line with the spirit that inspired the following guidelines.

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2nd edition, Melbourne, Melbourne University Law Review Association, 2002; Derek FRENCH, *How to Cite Legal Authorities*, London, Blackstone Press, 1996.



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1 General Principles

1.1 Definition

The case name – also called “style of cause” – is an informal and mnemonic data element for case identification. It generally refers to the main parties involved in a case, according to the full style of cause laid out in the decision’s heading.

1.2 Location

According to the *Neutral Citation Standard for Case Law*, the case name is the first element of the neutral citation to a case. When present in the neutral citation, the case name appears before the “core of citation” in the decision’s heading, after the label “Citation:” in English and “Référence :” in French.

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

Référence : Renvoi relatif à la Loi sur les armes à feu (CA), 2005 CSC 31

1.3 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”.

1.4 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.

1.5 Many Cases

When the decision involves many cases, the case name refers only to the first case listed.

Example

<i>Decision’s heading</i>	<i>Case name</i>
---------------------------	------------------

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.



2 Name of a Party

The case name refers to a party by a standardized or abbreviated name, as specified in the following subsections, 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.

2.1 Individual

Individuals are referred to only by their surname as presented in the decision's heading, except as otherwise stated in the following subsections. The first name and initials are omitted as well as any title, alias or other descriptive term.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Robert T. McTeague Jr., Q.C.	McTeague
Terry Sean deWitt (a.k.a. Ross)	deWitt
Mr. Robert Lepage-Johnson, Esq.	Lepage-Johnson
Mrs. Deborah Van de Wiel, a bankrupt,	Van de Wiel
Chief Terry Peter Paul	Peter Paul
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.

2.1.1 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 child 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>>.

2.1.2 Unknown or Anonymous Person

Unknown or anonymous persons are referred to by the full fictitious name or set of initials used in the decision's heading, 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 decision's heading</i>	<i>Party named in the case name</i>
Jane Doe and other persons unknown	Jane Doe <i>but not Doe</i>
Mr. X, A Patient at Regional Mental Health Care (Windsor)	Mr. X <i>but not X</i>
D.S., an infant	D.S. <i>but not S.(D.)</i>

2.1.3 Estate of a Deceased Person

Estates of deceased persons are referred to by adding "Estate" after the surname of the deceased person and "(Succession)" in French.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
The Estate of Robert Leonard Todd	Todd Estate
La succession de Paul-Émile Tremblay	Tremblay (Succession)

Note

The name of an executor or administrator representing the estate as well as the name of a public trustee acting for the estate should be omitted unless they are also acting personally in the proceedings. See 2.4 - Entity Representing A Party.



2.1.4 Individual Acting in an Official Capacity

An individual whose name appears in the decision's heading merely because of his or her office in an organization or government body, does not act personally. Therefore, the case name should not refer to this individual but to the organization or government body for which he or she is acting in the case.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Robert Brighton, C.E.O. of RB Corporation	RB Corporation
Mike Perry, director of West Bay Child and Family Services	West Bay Child and Family Services
Max O'Connor, in his capacity as chair of the Disciplinary Board of Kingston Penitentiary	Kingston Penitentiary
Chief of Police John Smith (Toronto Police Service)	Toronto Police Service
Patrick Sellers, Deputy Minister of the Priorities and Planning Secretariat	Nova Scotia (Priorities and Planning Secretariat)
The Honourable Peter Fox, in his capacity as Member of Parliament for Ottawa South	Canada (Parliament)
The Honourable Jason Welsh M.P., Speaker of the House of Commons	Canada (House of Commons)
The Honourable Robert Solomon, Provincial Court Judge	Manitoba (Provincial Court)
Jim Many Grey Horses, Chief of the Beaver First Nation	Beaver First Nation

Notes

- 1) When an individual is acting both personally and in an official capacity in the case, then the case name refers to this individual when named first.
- 2) In cases where both opposing parties are acting in an official capacity for the same organization, as it sometimes happen, for example, in first nations band councils between the chief and council members, see note 3) in 2.2.4 - Aboriginal Community.

2.1.5 Ship, Aircraft and Other *In Rem* Party

When a party listed in the decision's heading 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 between parentheses by a descriptive term such as “Ship” or “Aircraft”, as it appears in the decision's heading. 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 decision's heading</i>	<i>Party named in the case name</i>
The Owners and all others interested in the Ship "The JENNIE Q"	The Jennie Q (Ship)
The Vessel "M/V Ralph Misener" and the owners and all others interested in this Vessel	M/V Ralph Misener (Vessel)
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)



2.2 Organization

Organizations are referred to by their full name as presented in the decision's heading, except as otherwise stated in the following subsections. "Organization" means, for the purposes of the present guidelines:

- private-sector groups, partnerships, institutions, associations or corporations, including regulated professional corporations, workers' unions and religious groups;
- public entities created by statute as a "corporation" or "body corporate", including:
 - Crown corporations and departmental corporations;
 - incorporated public boards, commissions and agencies, including municipal and aboriginal boards;
 - publicly funded incorporated councils, institutes and foundations as well as educational, research, health, social service, police and correctional institutions
 - municipalities and aboriginal communities.

Examples

Organisations named in the case name

Goodman Price Henderson LLP

Defence Construction (1951) Limited

Michelin North America (Canada) Incorporated

Manitoba Public Insurance Corporation

Greater Toronto Airports Authority

Royal Canadian Mounted Police

Canada Post Corporation

Canadian International Grains Institute

Children's Aid Society of Ottawa

St. Francis Xavier University

Subdivision and Development Appeal Board of the City of Edmonton

Kwanlin Dun First Nation By-Election Appeals Board



Notes

1) 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/ccc-ccr/neutr/cn.list_en.html>. See also 2.3 - Government Body.

2) Corporate designations such as Incorporated or Limited should not be abbreviated in the case name except where already abbreviated in the decision's heading.

2.2.1 Omitted terms

Except as otherwise stated in the following subsections, information that is not part of the name of the organization itself should be omitted, including:

- Names of divisions or affiliated bodies of the organization;
- Descriptions of constituent bodies such as “Board of trustees”, “Governors”, “Director of Operations” or “Disciplinary Board”;
- Narrative descriptions of corporate status added after the name such as “..., a corporate body” or “..., a partnership”;
- Definite articles, unless it can't be segregated from the full name.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
The Nova Scotia Woodlot Owners and Operators Association – Central Wood Suppliers Division	Nova Scotia Woodlot Owners and Operators Association
Point North Investments (In trust)	Point North Investments
Board of Governors of Trent University	Trent University
Wappen-Reederei GmbH & Co. KG, a body politic and corporate of Hamburg, Germany	Wappen-Reederei GmbH & Co. KG
The Matsqui Institution Inmate Disciplinary Board	Matsqui Institution
The Disciplinary Hearing Subcommittee of The College of Teachers	College of Teachers
The Banker & the Bandit Ltd.	The Banker & the Bandit Ltd.



2.2.2 Former Name, Trade Name and Alias

Former names, trade names and aliases appearing in the decision's heading should be added between parentheses after the organization's name.

Examples

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

2.2.3 Municipality

Municipalities or similar local communities such as cities, villages or regional districts are referred to by the common name of the municipality, followed between parentheses by the descriptive designation found in the decision's heading such as "city", "municipality" or "regional municipality". When there is more than one descriptive designation in the name of the municipality, only the most specific designation is retained.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
City of Toronto	Toronto (City)
The Municipality of Metropolitan Toronto	Metropolitan Toronto (Municipality)
Greater Vancouver Regional District	Greater Vancouver (Regional District)
Regional Municipality of Sudbury	Sudbury (Regional Municipality)
Township of West Lincoln	West Lincoln (Township)
United Counties of Prescott and Russell	Prescott and Russell (United Counties)
Municipality of the County of Pictou	Pictou (County)

Note

This guideline does not apply to municipal boards, commissions and agencies or other organizations which merely contain the name of a municipality in their corporate name. For example, "Winnipeg Police Service" and "Greater Fredericton Airport Authority"



are not municipalities and therefore should be treated like any other organization: they are referred to only by their full name. See 2.2 - Organization.

2.2.4 Aboriginal Community

An aboriginal community is referred to by its official name, which might differ from the one used in the decision's heading. References to constituent bodies such as "band council" or "chief" are omitted.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Driftpile First Nation Band Council	Driftpile First Nation
Yekooche First Nation Indian Band	Yekooche First Nation
Treaty Six Grand Chief Danny Bradshaw	Confederacy of Treaty Six First Nations

Notes

- 1) Use only the term "First Nation" instead of "Indian Band", which is not used anymore 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.
- 2) This guideline does not apply to aboriginal boards, commissions and agencies which are not aboriginal communities. For example, "Pelican Lake Band Appeal Board" is not an aboriginal community and therefore should be treated like any other organization. See 2.2 - Organization.
- 3) When the case opposes individual Councilors on one side and the Chief (with or without other Councilors) of a band council on the other side, use the name of the community for the Chief, and use the surname of the first-named Councilor for the opposing parties, as in the following example: *Wanderingspirit v. Salt River First Nation*.

2.2.5 Public School Board

A Public school board is referred to by the name that corresponds to any consistent standard format used by local authorities. In jurisdictions where there is less consistency, the official name of the public school board is used.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Board of Education of the Regina School Division No. 4 of Saskatchewan	Regina School Division No. 4
Toronto Catholic School Board	Toronto Catholic District School Board



<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Board of School Trustees of School District No. 91 (Nechako Lakes)	School District No. 91 (Nechako Lakes)
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/ccr-neutr/cn.list_en.html>.

2.2.6 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. If only a parent union is named, plus one or more local numbers, only the parent name followed by the first named local number is used, without parentheses, using the format: [parent name], [local number].

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Cape Breton Municipal Office Employees, Canadian Union of Public Employees, Local 1545	Cape Breton Municipal Office Employees (Canadian Union of Public Employees, Local 1545)
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)
Construction workers' Union (CLAC) Local 63, Affiliated with the Christian Labour Association of Canada	Construction Workers' Union (Christian Labour Association of Canada, Local 63)
Industrial Union of Marine and Shipbuilding Workers, Local No. 1 (CAW/MWF)	Industrial Union of Marine and Shipbuilding Workers (CAW/MWF, Local 1)
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)
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



2.2.7 Group of Persons

When the party is a group of persons that is described in the decision's heading 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, only the surname of the first listed representative should be used.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
All tenants of the residential complex at 400 Devonshire Avenue	Tenants of 400 Devonshire Avenue
A Group of concerned residents of Thames and Mersey Avenues	Residents of Thames and Mersey Avenues
A Group of Employees of Dairy Farms Inc.	Employees of Dairy Farms Inc.
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



2.3 Government Body

Government bodies are referred to by the common geographical name of the jurisdiction, as stated in the following subsections. Definite articles are always omitted. “Government body” means, for the purposes of the present guidelines:

- the Crown (but not Crown corporations);
- core federal, provincial and territorial government entities (but not municipalities and aboriginal communities);
- courts, administrative tribunals and commissions of inquiry;
- foreign countries.

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 2.2 - Organization.

2.3.1 Crown and Core Government Entities

The Crown in civil proceedings is referred to only by the common geographical name of the jurisdiction. When the decision’s heading refers to a specific core government entity, the name of this entity is added between parentheses after the common geographical name of the jurisdiction. References to the Crown and designations such as “department of”, as well as redundant references to the jurisdiction, are omitted from the parentheses. This guideline applies to core government entities such as departments, ministries, offices, legislative institutions as well as to unincorporated government agencies, boards and commissions.

Examples

<i>Party named in the decision’s heading</i>	<i>Party named in the case name</i>
Her Majesty the Queen in Right of Canada	Canada
Her Majesty the Queen in Right of Canada as represented by the Attorney General of Canada	Canada (Attorney General)
Her Majesty the Queen	British Columbia
The Department of Citizenship and Immigration	Canada (Citizenship and Immigration)
The Minister of National Revenue	Canada (National Revenue)
Treasury Board of Canada	Canada (Treasury Board)



<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Public Works and Government Services Canada	Canada (Public Works and Government Services)
Office of the Auditor General	New Brunswick (Auditor General)
Library of Parliament	Canada (Library of Parliament)

Notes

- 1) If the jurisdiction is not obvious in the decision's heading, it can be determined by looking at the reasons or by any other reliable means.
- 2) An "Office" or "Board" which is a core government entity as specified in the Financial Administration Act (or equivalent) for a jurisdiction is treated under this guideline. Incorporated boards and offices that are independent from the government are treated as organizations: they are referred to only by their full name. See 2.2 - Organization.

2.3.2 Crown in Criminal Proceedings

The Crown in criminal proceedings is referred to only by the abbreviation "R.", which stands for "Rex" or "Regina". For the purposes of the present guidelines, "Criminal proceeding" means a prosecution that sanctions any criminal, quasi-criminal or regulatory offence, in which the Crown is the prosecutor.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Her Majesty the Queen	R.
The King	R.

Notes

- 1) Reasons for decisions rendered in criminal, quasi-criminal and regulatory offence cases usually contain terms such as "charged", "offence", "convicted", "accused" or "sentence" (in French: "prévenu", "infraction", "condamné", "accusé" or "peine").
- 2) When a municipality is named as the prosecutor instead of the Crown, use the municipality's name to refer to the prosecutor. See 2.2.3 - Municipality.
- 3) In rare cases where the prosecutor is an individual instead of the Crown, use this individual's surname. See 2.1 - Individual.
- 4) The case name always puts the Crown first in criminal proceedings, in the form "R. v. [accused]". See 3.1 – Adversarial Form.



2.3.3 Court, Administrative Tribunal and Commission of Inquiry

Courts and decision-making entities of the government such as tribunals, administrative boards or commissions of inquiry are referred to by the common geographical name of their jurisdiction, followed by their name between parentheses. References to the jurisdiction can be omitted from the parentheses when too redundant.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
The Provincial Court of Alberta	Alberta (Provincial Court)
Ontario Court of Justice	Ontario (Court of Justice)
Registrar of Probate for the County of Miramichi	New Brunswick (Probate Court)
Yukon Workers' Compensation Appeal Tribunal	Yukon (Workers' Compensation Appeal Tribunal)
Commission of Inquiry into the Sponsorship Program and Advertising Activities	Canada (Commission of Inquiry into the Sponsorship Program and Advertising Activities)
Saskatchewan Police Commission	Saskatchewan (Police Commission)
Cour du Québec	Québec (Cour du Québec)
Canadian Human Rights Commission	Canada (Canadian Human Rights Commission)

2.3.4 Officer Appointed Under an Act

When the decision's heading refers to a public officer or adjudicator appointed under an Act instead of a specific entity of the government, the common geographical name of the jurisdiction is followed in parentheses by the short title of the Act followed by the title of the appointed officer.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
Administrator appointed under subsection 3(1) of the Security Frauds Prevention Act	New Brunswick (Security Frauds Prevention Act, Administrator)
Arbitrator appointed pursuant to the Occupational Health and Safety Act	Prince Edward Island (Occupational Health and Safety Act, Arbitrator)
The Hon. Justice Peter Richard, Commissioner under the Public Inquiries Act	Northwest Territories (Public Inquiries Act, Commissioner)



2.3.5 Foreign Country

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

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
The Czech Republic, Requesting State	Czech Republic
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>>.

2.4 Entity Representing A Party

When an individual or organization named in the decision's heading is not a party but merely represents a party or merely acts on behalf of a party, it should not be referred to in the case name. Only the name of the represented party is used.

Examples

<i>Party named in the decision's heading</i>	<i>Party named in the case name</i>
The Public Trustee, as the Administrator of the Estate of Richard Parker, Deceased	Parker Estate
PricewaterhouseCoopers, trustee in bankruptcy of Lowry Computers Inc.	Lowry Computers Inc.
Roger Wise, litigation guardian of Samuel Young	Young
Adrian Thompson, executor of the estate of Gerald Anderson	Anderson Estate

Note

1) This guideline does not apply to the Crown or a government that is “represented by” a department, ministry or office of the government. See 2.3 – Government Body.

2) Trustees and receiverships in bankruptcy proceedings as well as Executors/Executrices of wills are not named under this guideline as they represent a party only.



3 Form of Case Name

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

3.1 Adversarial Form

When the case 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. As an exception, the Crown in criminal proceedings always appears first so that the case name is styled “R. v. [accused]”, regardless of the role of the parties in the decision’s heading.

Examples

<i>Decision’s heading</i>	<i>Case name</i>
Between: Robert T. McTeague, Ann Matthews and Ethel R. Mason, Defendants/Appellants And J.R. Smith & Sons Limited and Jonathan Smith, Plaintiffs/Respondents	McTeague v. J.R. Smith & Sons Limited
Between: Her Majesty The Queen and Dennis Richardson, Accused	R. v. Richardson
Entre : Capitaine Jean Leduc, Appelant Et Sa Majesté la Reine, Intimée	R. c. Leduc

Note

With respect to appeals, some appellate courts may either retain the order of the parties established at the trial level or list the appellant first, regardless of whether that party was the plaintiff or defendant at the trial level. The case name should reflect the practice of the particular court.

3.2 Non adversarial Form

When the decision’s heading does not clearly list at least two opposed parties, the case name refers only to the first person or organization named, followed by “(Re)”.

Examples

<i>Decision’s heading</i>	<i>Case name</i>
In the matter of a petition for the adoption of J.S., Birth Reg. No. 31 558	J.S. (Re)



<i>Decision's heading</i>	<i>Case name</i>
In the matter of the Estate of John James MacNeil	MacNeil Estate (Re)
In the matter of an application by Michele Cianci pursuant to s. 74(2) of the Firearms Act	Cianci (Re)

Notes

- 1) 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.
- 2) When both adversarial and non-adversarial forms are present in the decision's heading, the adversarial form is preferred.

3.3 Reference

The case name of an opinion rendered under a reference jurisdiction of the 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, it is followed between parentheses by the ISO 3166-2:CA two-letter code of the enacting jurisdiction.

Examples

<i>Decision's heading</i>	<i>Case name</i>
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
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)
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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