



NOTICE TO THE MEMBERS OF THE BAR
SUPERIOR COURT – DISTRICT OF MONTRÉAL
MODIFICATIONS TO THE COMMUNIQUÉ
REVISED ON FEBRUARY 26, 2021

MAY 20, 2022

(Application for Authorization for Care)

In accordance with the Directive of May 16, 2022 regarding all Applications for Authorization for Care **presented as of May 30th, 2022** in any of the districts of the Montreal division, certain measures announced in the *Communiqué de la Cour supérieure*, revised on February 26, 2021, are replaced by the following measures:

1. Authorization for Care

The person who is subject of an Application for Authorization for Care **presented as of May 30, 2022 must be heard in person** at the Montreal Courthouse.

In all hearings of Applications for Authorization for Care, **all other witnesses must be heard in person**, unless the court decides otherwise.

Exceptionally, the court may authorize the person subject to such application to be heard virtually if a duly motivated request is made by such person, himself or herself or, if it is shown to the court that requiring that such a person to testify could be harmful to their health or safety or, the health or safety of another person. Such requests will be heard in accordance with sub-section 1 of section 101 CCP.

Any request to proceed virtually must be addressed to the judge in charge of the civil practice division (Courtroom 2.08) **no later than two working days** before the date of presentation set by the Master of the Rolls of the civil practice division, by submitting the revised [Application for Authorization for Care](#) form.

Except for urgent applications authorized by the judge in charge of the civil practice division, or the Coordinating Judge for the Civil and Family Matters, the date of presentation of an application for authorization for care must be reserved by the Master of the Rolls of the civil practice division **by noon on the Thursday preceding the week in question**.

To reserve a date, the attorney must not only identify the Plaintiff and the respective hospital, but also provide the name and contact information (email address and cellular telephone number) of the attorney who will present the day of the application hearing. In

the event of a change of attorney, the judge in charge of the civil practice division must be informed and provided with the contact information of the substitute attorney.

All Applications for Authorization for Care, including the exhibits, must be filed at the court office and submitted by email to the judge in charge of the civil practice division, **no later than two working days** before the date of presentation fixed by the Master of the Rolls.

The judge in charge of the civil practice division must also receive, **no later than two working days** before the date of presentation, fixed by the Master of the Rolls, a duly completed [Application for Authorization for Care](#) form as well as a Word version of the Draft Order, in which the following statement: “**CONSIDERING** the reasons stated orally and recorded digitally” must be included.

If the hearing of an Application for Authorization for Care does not proceed on the initial reserved date, the judge in charge of the civil practice division must be informed **without delay** and, must be informed if a safeguard order will be requested, or not, and if so, the anticipated hearing duration for such an order must also be specified to the judge.

If the hearing of an Application for Authorization for Care is postponed, the above-mentioned procedure must also be followed, therefore allowing the following judge in charge of the civil division to be informed of all relevant information.

**The honourable Chantal Tremblay
Coordinating Judge for the Civil and Family
Matters of the district of Montréal**