



SUPERIOR COURT OF QUÉBEC

**COMMUNIQUÉ OF NOVEMBER 16, 2020
REVISED ON FEBRUARY 26, 2021**

PLAN FOR THE MAINTENANCE OF ACTIVITIES OF THE SUPERIOR COURT CIVIL AND FAMILY MATTERS (DISTRICT OF MONTREAL)

SUMMARY

As of March 15, 2021, the Superior Court will modify some of the measures announced on November 16, 2020, in order to improve the conduct of its activities (**Revised Communiqué**).

Additions to the text “Plan for the Maintenance of the Activities of the Superior Court in Civil and Family Matters (District of Montreal)” (**Plan for the Maintenance of Activities**) are underlined and deletions are indicated using parentheses and ellipses.

The purpose of this summary is to bring to the reader’s attention the measures and modifications that require particular attention. However, this summary does not replace a comprehensive reading of the Revised Communiqué:

Remote or in-person hearings

- 1) **As of March 15, 2021**, the rule according to which the parties and their attorneys proceed exclusively by virtual hearings when there is no testimonial evidence will be maintained until further notice. This rule applies in civil, family and commercial matters for all applications, in the course of a proceeding, or on the merits.
- 2) For hearings involving testimony, the presence at the Montreal courthouse of the parties and of the attorneys will continue to be left to the discretion of the judge designated to hear the case.
- 3) It remains necessary to obtain the prior authorization of a judge in order to participate in a hearing in person, exception made for applications for authorization of a care order. The attorneys involved in these cases may participate in person at the hearing, without obtaining the prior authorization of a judge.
- 4) For applications to be added to the roll in Courtroom 2.16 or 2.17, attorneys and unrepresented parties no longer have to attend in person but must follow the process more fully set out in the Revised Communiqué.

Request for a hearing form

- 5) **As of March 15, 2021**, the *Request for a hearing form*, attached herewith at **Schedule C** for civil matters and at **Schedule D** for family matters, remains mandatory for uncontested applications and becomes optional for contested applications.

- 6) The form must be received by email at the address courpratique-217@justice.gouv.qc.ca or cour-pratique.216@justice.gouv.qc.ca, , between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation and the adverse party must be copied on this email.
- 7) All applications, for which a compliant *Request for a hearing form* has been received will be sent in priority to the judge. If no form has been received for a contested application, attorneys and unrepresented parties must participate in the virtual calling of the roll in Courtroom 2.16 or 2.17.
- 8) An incomplete or non-complaint *Request for a hearing form* will be rejected by the special clerk, without further consideration. Attorneys and unrepresented parties must then participate in the virtual calling of the roll in Courtroom 2.16 or 2.17.
- 9) Only one form per file must be sent per date of presentation on the roll. If more than one form is received, they will be refused by the special clerk, without further consideration. Attorneys and unrepresented parties must then participate in the calling of the virtual roll in Courtroom 2.16 or 2.17.
- 10) The email addresses courpratique-217@justice.gouv.qc.ca and cour-pratique.216@justice.gouv.qc.ca should never be copied on email exchanges between attorneys and unrepresented parties regarding the completion of the *Request for a hearing form*.
- 11) In civil matters, no form is required for an application for which the plaintiff wishes to have a default confirmed. In order to have the default confirmed, it is important to participate in the virtual calling of the roll of Courtroom 2.16. As for applications dealt with according to the procedure for non-contentious proceedings in accordance with the Book III of the *Code of Civil Procedure*, they will continue to be referred to the court office for proof, as long as no contradictory representations are made during the calling of the roll.
- 12) Similarly, no *Request for a hearing form* is required for an application for which the plaintiff wishes to have a default confirmed in family matters. In order to have the default confirmed, it is important to participate in the virtual calling of the roll of Courtroom 2.17. The subsequent steps of the file based on the nature of the application is more fully described in the Revised Communiqué.

Request to obtain a hearing date in civil matters

- 13) **As of March 15, 2021**, all applications in civil practice for which the expected **duration** of the hearing is **more than one hour** will be fixed on the roll of Courtroom 2.08. The process for fixing a hearing date is more fully described in the Revised Communiqué.

Transfer before a judge

- 14) **As of March 15, 2021**, when a case is transferred before a judge, attorneys and unrepresented parties will no longer be informed by email to join the designated courtroom. They must now follow these steps:
 - a) Join the **virtual waiting room associated with the courtroom designated by the special clerk** by using one of the permanent Teams connection links assigned to that virtual waiting room:

- i) At 9:00 a.m. on the day of presentation, if they've received the previous day a confirmation from the special clerk that their case has been transferred to a judge, without the need to participate in the virtual calling of the roll of Courtroom 2.16 or 2.17; or
 - ii) Following the transfer of their case by the special clerk during the virtual calling of the roll of Courtroom 2.16 or 2.17;
- b) Wait until their case is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

Filing of pleadings and documents

- 15) It remains **ESSENTIAL** that the time limits provided by law for the filing of pleadings, exhibits, and other documents at the court office be respected so that they may be recorded and sent to the court file. Authorized filings through the Digital Court Office of Québec are very limited. You will find the list of Authorized filings at <https://gnjq.justice.gouv.qc.ca/en/Accueil>. The processing time for documents filed through the Digital Court Office is longer than that of the regular court office.
- 16) The “production tardive” email addresses allow judges, in the context of virtual hearings, to have access to documents **exceptionally** exchanged less than two working days before the date of presentation of the application. These exceptional cases are those provided for by law or authorized by a judge. These email addresses **MUST NOT** be used for other purposes.
- 17) Documents received at the “production tardive” email addresses are not recorded by the court office, and are automatically deleted after 15 days. Pleadings, exhibits, and other documents **MUST** always be filed, as soon as possible, at the court office.
- 18) For all applications already fixed in the civil practice division (Courtroom 2.08) or in family practice division (Courtroom 2.01), argument plans and authorities must be filed at the court office on time to be included in the court file.
- 19) All applications in civil practice with a duration of one hour or less, only a list of authorities with hyperlinks to the judgments and references to the relevant paragraphs in parentheses may be sent by email to the address production-tardive.civil.cs@judex.qc.ca.
- 20) Thus, **as of March 15, 2021**, the only documents that may be received by email at the addresses production-tardive.civil.cs@judex.qc.ca or production-tardive.familial.cs@judex.qc.ca are the following:
- a) The affidavit in response to an application for a safeguard order in civil matters;
 - b) The affidavits in response and reply set out in article 414 of the *Code of Civil Procedure* and in section 149 of the *Directives of the Superior Court for the District of Montreal* (French only). Furthermore, the exhibits in support of these affidavits must not be sent to this email address without the authorization of the judge seized with the case. The parties must have a digitized version of the exhibits ready to be sent to the judge upon request.
 - c) An argument plan or a draft judgment;
 - d) A list of authorities with hyperlinks providing access to the judgments with references to the paragraphs the attorney wishes to draw to the judge's attention in parentheses;

- e) Any other document authorized by the special clerk during the virtual calling of the roll or by the judge seized with the case;
- 21) Documents received that do not comply with this directive or the instructions for identification set out in the Revised Communiqué will be refused.

Decisions that may be rendered without a hearing

- 22) The Revised Communiqué deals with the process adopted in civil matters for decisions that may be rendered on the face of the record (without a hearing) such as applications to dismiss and for abuse of procedure, objections and communication of documents requested as undertakings during an examination.
- 23) The process for these applications in family matters remains unchanged. They will be heard or transferred by the judge sitting in family case management.

Schedules to the Revised Communiqué

- 24) The new forms applicable as of March 15, 2021, as well as the permanent Teams connection links assigned to the waiting rooms will be available on March 12, 2021, on the Superior Court's website.



SUPERIOR COURT OF QUÉBEC

**COMMUNIQUÉ OF NOVEMBER 16, 2020 –
REVISED ON FEBRUARY 26, 2021**

**PLAN FOR THE MAINTENANCE OF ACTIVITIES OF THE SUPERIOR COURT
IN CIVIL AND FAMILY MATTERS
(DISTRICT OF MONTREAL)**

Since the 2020 rentrée judiciaire, the Superior Court has resumed all of its activities in accordance with the developments concerning the measures imposed by the government and the public health department arising from the COVID-19 health emergency.

The health measures adopted in the red zones are (...) still in force.

The Superior Court has already made several changes to its operations to limit the presence of attorneys and parties at the Montreal courthouse. On September 1 and 21, 2020, the Superior Court requested the cooperation of the members of the Bar of Montreal to comply with the capacity threshold of the courthouse and limit non-essential trips to the courthouse.

On November 16, 2020, in response to the risk of infection related to the high traffic at the Montreal courthouse, the Superior Court made additional changes in order to maintain its activities while protecting the health and safety of the members of the judiciary, staff, attorneys, and citizens.

As of March 15, 2021, the Superior Court will modify some of the measures announced on November 16, 2020, to improve the conduct of its activities.

The success of these modified measures is dependent on the cooperation of the members of the Bar, which the Superior Court requests.

(...) Since November 30, 2020, in civil matters and January 5, 2021, in family matters, and until further notice, the calling of the roll in the practice division in civil and family matters has been taking place virtually.

Since these dates, the parties or their attorneys must also (...) use the means made available to them to avoid participating in the calling of the roll in the practice division in accordance with the *Directives concerning the calling of the roll* attached as **Schedule A** for [civil matters](#) or as **Schedule B** for [family matters](#).

Since these dates and until March 12, 2021, the parties or their attorneys must therefore (...) fill out the *Request for a hearing form* attached as **Schedule C** for [civil matters](#) or as **Schedule D** for [family matters](#) and must submit it (...), by 12:30 p.m on the day prior to the date of presentation of the application. Thus, they are not required to participate in the calling of the roll, save for the exceptional cases described below.

As of March 15, 2021, the *Request for a hearing form* remains **mandatory** for uncontested applications and becomes **optional** for contested applications. All applications for which a compliant *Request for a hearing form* has been received will be transferred in priority to the judge.

The Aide-mémoire, attached as **Schedule E** for [civil matters](#) and as **Schedule F** for [family matters](#), helps identify these new measures, which do not replace the [Directives of the Superior Court for the District of Montreal, updated to September 1, 2019](#) (French only) but adds to them. Thus, those directives continue to apply for all subjects not addressed in this communiqué (...).

Instructions concerning the conduct of the virtual calling of the roll are attached as **Schedule G** for [civil matters](#) and **Schedule H** for [family matters](#).

The new Notices of presentation in accordance with the mandatory model attached as **Schedule I** for [civil matters](#) and as **Schedule J** for [family matters](#) must be used for all applications presented on or after November 30, 2020, in civil matters, or on or after January 5, 2021, in family matters.

Also, since November 30, 2020, in civil matters, and January 5, 2021, in family matters, and until further notice, parties and their attorneys must proceed **exclusively by virtual hearings** for all applications in civil or family matters to be heard by a judge at the Montreal courthouse for which there is no testimonial evidence. **Exceptionally**, they may proceed in person after having established the necessity and obtained the prior authorization of a judge of the Superior Court in the manner described below.

We refer you to the [Guide to virtual hearings prepared for counsel and for the parties](#) (French only) available on the website of the Superior Court. The rules concerning decorum, the wearing of gowns in the family practice division, and other rules concerning dress set out in sections 34, 35, and 37 of the [Regulation of the Superior Court of Québec in civil matters](#) remain mandatory in the context of virtual hearings.

For hearings involving testimony, the presence of the parties and of the attorneys at the Montreal courthouse will continue to be left to the discretion of the judge designated to hear the case.

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I. CIVIL MATTERS – PRACTICE COURTS

Affected Courtrooms: 2.16 (calling of the roll), 2.07 (civil case management), 2.08 (civil practice division), and 2.13 (Judge in Chambers) (...)

Since November 30, 2020, the calling of the roll in civil matters has been held virtually. Attorneys or unrepresented parties must use the means made available to them to avoid having to participate in the calling of the roll in the practice division of the Civil Division, in accordance with the [Directives concerning the calling of the roll](#) attached as **Schedule A**. These means are set out below in the section [Applications that do not require participation in the calling of the roll of Courtroom 2.16](#).

Also **since November 30, 2020**, the parties and their attorneys must proceed by **exclusively virtual hearings** for all applications in civil matters to be heard by a judge at the Montreal courthouse for which there is no testimonial evidence. **Exceptionally**, they may proceed in person after having established the necessity and obtained the prior authorization of a judge of the Superior Court.

The request for authorization to proceed in person is set out in the [Request for a hearing in civil matters form](#) attached as **Schedule C**, which must be received (...) between 8:00 a.m. and 12:30 p.m. on the last working day prior to the date of presentation (...).

A) VIRTUAL CALLING OF THE ROLL OF COURTROOM 2.16

If an attorney or an unrepresented party is required to participate in the calling of the roll of the Civil Division, **since November 30, 2020**, it is held virtually via the Microsoft Teams platform.

[Instructions](#) concerning the virtual calling of the roll are attached as **Schedule G**.

The [permanent Teams connection links](#) to join the courtrooms of the Montreal Courthouse in civil, family, and commercial matters are now available on the website of the Superior Court.

The new [Notice of presentation](#) in accordance with the mandatory model attached as **Schedule I** must be used for all applications in civil matters presented in Courtroom 2.16, **on or after November 30, 2020**.

(...)

If the measures described below have not been followed and no update is provided to the special clerk during the calling of the roll, the case will be postponed without a set date (*sine die*).

B) FILING OF PLEADINGS AND DOCUMENTS

It is **ESSENTIAL** to comply with (...) the rules set out in article 107 C.C.P. regarding the filing of pleadings and documents. An originating application must be filed with the court office before it is notified to the other parties. All other applications to be presented at the hearing must be filed with the court office with proof of their notification and with all documents required (exhibits, affidavits, etc.) **at least two working days before the date of presentation** so that they can be found in the court record.

For example, applications to be presented on a Thursday must be filed with the court office by 4:30 p.m. the preceding Monday, and any applicable judicial fees must have been paid.

Be advised that the pleadings and documents that may be filed (...) via the Digital Court Office of Québec are very limited. Visit the website <https://gnjq.justice.gouv.qc.ca/en/Accueil> in order to ensure their eligibility. Also, be advised that using the digital court office may result in additional delays before the pleadings and documents are placed in the court file (...). It is therefore preferable to allow for three working days.

Exceptionally, (...) documents (...) exchanged among the parties less than (...) two working days before the date of presentation of the application, (...) may be submitted by email at the address production-tardive.civil.cs@judex.qc.ca by 12:30 p.m. on the day before the hearing or by 12:30 p.m. on the Friday preceding the hearing if it is held on a Monday. This is a strict time limit.

As of March 15, 2021, the only documents authorized to be sent to the address production-tardive.civil.cs@judex.qc.ca are the following:

- a) The affidavit in response to an application for a safeguard order;
- b) An argument plan or a draft judgment;
- c) A list of authorities with hyperlinks to the judgments with references to the paragraphs the attorney wishes to draw to the judge's attention in parentheses;
- d) Any other document authorized by the special clerk during the virtual calling of the roll or by the judge seized with the case.

Documents sent that do not comply with this directive or the instructions for identification described below will be refused.

The subject line of the email must (...) ONLY include the file number.

Each document must be attached to the email in PDF format and saved (...) by indicating the file number first. (...)

The total size of the documents attached to the email must not exceed 25 MB. It is recommended that the PDF document be saved in the "lowest file size" version so as not to exceed this limit.

BE ADVISED THAT THE COURT OFFICE WILL NOT RECORD DOCUMENTS SUBMITTED BY EMAIL IN THIS MANNER AND THAT THEY ARE DELETED AFTER 15 DAYS. ATTORNEYS OR UNREPRESENTED PARTIES MUST FILE THE ORIGINAL DOCUMENTS WITH THE COURT OFFICE WITHOUT DELAY.

According to article 16 of the *Code of Civil Procedure*, access to documents pertaining to a person's health or psychosocial situation, if they have been filed in a sealed envelope, is restricted.

As of March 15, 2021, the rules for the filing of documents in a sealed envelope will be as follows:

- letter size envelope (9X12) or legal size envelope (9 ½ X 14 ¾)
- identification label affixed on the envelope and a backing stating the following information in block letters:

- i- File number;
- ii- Filing date;
- iii- Name of the person filing and the party he or she represents, if applicable;
- iv- Exhibit number and the nature of the document filed.

C) APPLICATIONS THAT DO NOT REQUIRE PARTICIPATION IN THE CALLING OF THE ROLL IN COURTROOM 2.16

i) Uncontested applications for postponement only

All uncontested applications to postpone, for which the proposed date is 30 days or more, must be submitted by email to the master of the rolls in the practice division at the following address: courpratique-remise@justice.gouv.qc.ca, with the file number indicated in the subject line of the email (...) **the day before the date of presentation, by 4:00 p.m. This is a strict time limit.**

An acknowledgement of receipt will be sent by email to the attorneys and to unrepresented parties.

All uncontested applications to postpone in the practice division will be granted, regardless of the number of prior postponements, without the need to participate in the virtual calling of the roll.

If the proposed postponement date is in less than 30 days, or, exceptionally, in the event of a last-minute application to postpone, the attorney or the unrepresented party must participate in the virtual calling of the roll of Courtroom 2.16.

ii) Uncontested (...) applications within the jurisdiction of the special clerk

It is mandatory for the party that initiated the application submitted (or the first application notified if there is more than one to be presented on the same day) (e.g., an application to cease representing, to consolidate, to renew a safeguard order, etc.) **to fill out the [Request for a hearing in civil matters form](#) attached as **Schedule C**.**

The form must be received by the special clerk at the following address: cour-pratique.216@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation. This is a strict time limit.** The subject line of the email must include the note "Request for a hearing in civil matters".

(...)

The party or attorney must attach to the form documentary evidence of the adverse party's consent, as well as a copy of all documents supporting the application (e.g., copy of the amended case protocol and proof of notification in the case of a first application to extend the time limit to set the case down).

Minutes of the hearing will be sent by email to the attorneys and to unrepresented parties within 48 hours of the decision rendered.

If the attorneys or unrepresented parties do not participate in the virtual hearing at the scheduled time, they run the risk of a postponement without a set date (*sine die*), the dismissal of the application, or a default judgment.

iii) Contested applications within the jurisdiction of the special clerk

As of March 15, 2021, should it choose to, the party that initiated the application submitted (or the first application notified if there is more than one to be presented on the same day) (e.g., an application to cease representing, to consolidate, to renew a safeguard order, etc.) may, fill out the [Request for a hearing in civil matters form](#) attached as **Schedule C**.

If applicable, this form must be received by the special clerk at the following address: cour-pratique.216@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.** **This is a strict time limit.** The subject line of the email must include the note “Request for a hearing in civil matters”.

Should the form not be used, the parties must participate in the virtual calling of the roll of Courtroom 2.16.

In the case of an (...) application for which a compliant Request for a hearing form has been received, the special clerk will inform the attorneys and unrepresented parties by email,¹ giving 15 minutes advance notice, of the time at which they must join the virtual hearing using one of the [permanent Teams connection links](#) assigned to Courtroom 2.16.

If the attorneys or unrepresented parties do not participate in the virtual hearing at the scheduled time, they run the risk of a postponement without a set date (*sine die*), the dismissal of the application, or a default judgment.

iv) Uncontested (...) applications within the jurisdiction of the judge

It is mandatory for the party that initiated the application submitted (or the first application notified if there is more than one to be presented on the same day) to fill out the [Request for a hearing in civil matters form](#) attached as **Schedule C**.

The form must be received by the special clerk at the following address: cour-pratique.216@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.** **This is a strict time limit.** The subject line of the email must include the note “Request for a hearing in civil matters”.

(...)

The party or attorney must attach documentary evidence of the adverse party’s consent, as well as a copy of all documents supporting the application (e.g., copy of the amended case protocol and proof of notification), to the form.

If the form received is not compliant, it will be refused without further

¹ If no email address is available for an unrepresented party, the special clerk will inform that party by any other means indicated on the form.

consideration. The special clerk will inform the attorneys and unrepresented parties by email that they must participate in the virtual calling of the roll of Courtroom 2.16.

If the form received is compliant, the uncontested application (...) will be transferred to the judge presiding in Courtroom 2.08 or in Courtroom 2.07, without the need to participate in the calling of the roll of Courtroom 2.16. The day before the date of presentation, the special clerk will inform the attorneys and unrepresented parties by email² that the case has been transferred.

Until March 12, 2021, the court clerk of the judge seized of the matter will inform counsel and unrepresented parties by email,³ giving 15 minutes advance notice, of the time at which they should join the virtual hearing using one of the [permanent Teams connection links](#) assigned to the appropriate Courtroom, such that the attorneys and unrepresented parties must remain available all day, with no guarantee as to the exact time at which their case will be called.

As of March 15, 2021, the party or attorney who initiated the proceeding must (...):

- a) **Join the virtual waiting room associated with the Courtroom designated by the special clerk** by using one of the permanent Teams connection links assigned to that virtual waiting room:
 - i- At 9:00 a.m. on the day of presentation, if they've received the previous day a written confirmation from the special clerk that their file has been transferred to a judge, without the need to participate in the virtual calling of the roll in Courtroom 2.16; or
 - ii- Following the transfer of their file by the special clerk during the virtual calling of the roll in Courtroom 2.16;
- b) Wait until their file is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

The parties may request a copy of the minutes of the hearing or of a judgment by submitting their request to the following address: greffecivil_mtl_photocopies@justice.gouv.qc.ca. Such requests will be dealt with in accordance with the applicable prioritization criteria.

v) Contested applications within the jurisdiction of the judge

As of March 15, 2021, should it choose to, the party that initiated the application submitted (or the first application notified if there is more than one to be presented on the same day) may fill out the [Request for a hearing in civil matters form](#) attached as **Schedule C**.

If applicable, the form must be received by the special clerk at the following address: cour-pratique.216@justice.gouv.qc.ca (...) **between 8:00 a.m.**

² If no email address is available for an unrepresented party, the special clerk will inform that party by any other means indicated on the form.

³ Ibid.

and 12:30 p.m. on the last working day before the date of presentation. **This is a strict time limit.** The subject line of the email must include the note “Request for a hearing in civil matters”.

Should the form not be used, the attorneys and unrepresented parties must participate in the virtual calling of the roll of Courtroom 2.16.

If the form received is not compliant, it will be refused **without further consideration.** The special clerk will inform the attorneys and unrepresented parties by email that they must participate in the virtual calling of the roll of Courtroom 2.16.

If the form received is compliant, the special clerk will transfer the application to the judge presiding in Courtroom 2.08 (civil practice division) or in Courtroom 2.07 (civil case management), without the need to participate in the virtual calling of the roll. The day before the date of presentation, the special clerk will inform the attorneys and unrepresented parties by email⁴ that the case has been transferred.

Until March 12, 2021, the court clerk of the judge seized of the matter will inform counsel and unrepresented parties by email,⁵ giving 15 minutes advance notice, of the time at which they should join the virtual hearing using one of the [permanent Teams connection links](#) assigned to the appropriate Courtroom, such that the attorneys and unrepresented parties must remain available all day, with no guarantee as to the exact time at which their case will be called.

As of March 15, 2021, when transferred before a judge, attorneys and unrepresented parties will no longer be informed by email to join the designated courtroom. They must now follow the following steps:

- a) Join the **virtual waiting room associated with the courtroom designated by the special clerk** by using one of the permanent Teams connection links assigned to that virtual waiting room:
 - i- at 9:00 a.m. on the day of presentation, if they've received the previous day a written confirmation from the special clerk that their file has been transferred to a judge, without the need to participate in the virtual calling of the roll in Courtroom 2.16; or
 - ii- Following the transfer of their file by the special clerk during the virtual calling of the roll in Courtroom 2.16;
- b) Wait until their file is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

If the attorneys or unrepresented parties (...) are not present when their case is called, the case may be suspended and be called again later, at the discretion of the judge seized of the matter. In that eventuality, attorneys and parties run the risk of a postponement without a set date (*sine die*), the

⁴ Ibid.

⁵ If no email address is available for an unrepresented party, the court clerk will inform that party by any other means indicated on the form.

dismissal of the application, or a default judgment.

vi) Urgent proceedings to be presented in Courtroom 2.13 (Judge in Chambers)

A party that intends to submit an application requiring immediate intervention that does not require the presentation of evidence (e.g., provisional injunctions, seizures before judgment, applications to quash a seizure, etc.) must first pay the judicial fees (judicial stamp) and request that a file be opened at the court office, then contact the court clerk at 514-393-2535 – extension 57202 between 8:45 a.m. and 9:15 a.m. or between 2:00 p.m. and 2:15 p.m.

Attorneys must provide the court clerk with his or her contact information (name, cellphone number, and email) and must be ready to submit their proceedings and relevant exhibits by email to the address provided by the court clerk (judge sitting in chambers and his/her assistant). If needed, the judge in chambers will then contact counsel.

Barring special circumstances, the adverse party must be notified that such an application will be presented to the judge in chambers in Courtroom 2.13, including the date and time of its presentation.

If possible, pleadings must be submitted one day before the date of presentation.

vii) Hearings set down in the civil practice division (Courtroom 2.08)

The rules governing Applications for authorization of a care order are dealt with in the next subsection.

For all other applications fixed in Courtroom 2.08, the judge in charge of that Courtroom will contact the attorneys and unrepresented parties the week preceding the date of the hearing to confirm their intention to proceed and the duration.

The attorneys or the parties must speak to each other **at least seven days before the hearing** to discuss admissions, the duration, the possibility of a full or partial settlement, etc.

The identity of the judge appointed to hear the case as well as the courtroom assigned will be confirmed by the judge in charge of Courtroom 2.08.

Since November 30, 2020, for all applications not involving testimonial evidence, attorneys and unrepresented parties must proceed by **exclusively virtual hearings** using one of the [permanent Teams connection links](#) assigned to the appropriate Courtroom. **Exceptionally**, they may proceed in person after having established the necessity and obtained the prior authorization of the judge in charge of Courtroom 2.08 or the judge designated by him or her to hear the case.

For hearings involving testimonial evidence, the judge designated to hear the case has the discretion to allow the attorneys and unrepresented parties to attend the courthouse in person or to require them to proceed remotely.

As of March 15, 2021, all applications in civil practice where the anticipated

duration of the hearing is more than one hour will be fixed on the roll of Courtroom 2.08 according to the process described in the next section.

viii) **Applications for authorization of a care order**

(...)

As of March 15, 2021, attorneys involved in care order cases may participate in person at the hearing, without obtaining the prior authorization of the judge in charge of Courtroom 2.08 or the judge designated to hear the case.

Except for urgent applications authorized (...) by the judge in charge of the civil practice division (Courtroom 2.08), the date of presentation of an application for authorization of care must be reserved with 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 CIUSSS and the hospital involved, but also provide the name of the attorney who will present the application and his or her contact information (email address and cellular telephone number). In the event of a change of attorney, the judge in charge of the civil practice division or the judge designated by him or her must be informed and must be provided with the contact information of the substitute attorney.

(...)

Save for exceptions due to urgency, all applications for authorization of 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 or the judge designated by him or her 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 of care](#) form as well as a Word version of the draft order including the following statement: “**CONSIDERING** the reasons stated orally and recorded digitally”.

The procedure described above must also be followed if a case does not proceed on its initial presentation date and is postponed, so that the new judge in charge of the civil division may be informed of it.

D) APPLICATIONS THAT REQUIRE PARTICIPATION IN THE CALLING OF THE ROLL IN COURTROOM 2.16

i) **Uncontested applications to postpone with a proposed date of less than 30 days**

Attorneys who wish to postpone an application to a date that falls within less than 30 days must participate in the calling of the roll of Courtroom 2.16.

ii) Requests to obtain a hearing date

As of March 15, 2021, all applications in civil practice where the expected duration of the hearing is more than one hour will be fixed on the roll of Courtroom 2.08.

The process for fixing a date for a hearing in Courtroom 2.08 as well as for an application for judicial review in Courtroom 15.07 will take place in three steps:

1) First, attorneys (...) will have to submit their request to fix a date by email at the following address: cour-pratique.216@justice.gouv.qc.ca, **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.**

The subject line of the email must be “Fixing a date” and be accompanied by a copy of the [Joint Declaration to Fix a Hearing of More than One Hour – Civil Practice](#) (hereafter, “Joint Declaration”) or the [Request for Setting down for Trial and Judgment by Way of a Joint Declaration – Civil Matters](#) (hereafter, “Request for Setting down”) as the case may be (...).

If the email is not received within the time limit, (...) the application will be postponed without a set date (*sine die*).

2) Second, the parties will have to **participate in the virtual calling of the roll of Courtroom 2.16**, during which the special clerk will ensure that the Joint Declaration or the Request for Setting down is complete and that the application is ready to be fixed, the whole in compliance with sections 31 and 95 of the [Directives of the Superior Court for the District of Montreal, updated to September 1, 2019](#) (French only).

If applicable, the special clerk will authorize the parties to obtain a hearing date. The application will then be placed on the **Provisional roll of the civil practice division and of special proceedings taking place on the Monday following the presentation of the proceeding in Courtroom 2.16, as of 1:30 p.m.** An email will also be sent to the parties by the special clerk to confirm the date of the calling of the *Provisional roll of the civil practice division and of special proceedings*. The email will stand in place of the notice of summons.

3) Third, the parties, or one of them, if that party knows the availabilities of all the parties, will have to **participate in the calling of the Provisional roll of the civil practice division and of special proceedings on the date indicated by the special clerk**. Thus, as of 1 30 p.m., the parties will have to connect virtually to Courtroom 2.16 by using one of the permanent Teams connection links associated with that courtroom in order to obtain their hearing date.

The cases will be called in accordance with the order appearing on the roll prepared by the master of rolls. To facilitate the process, the special clerk presiding the calling of the *Provisional roll of the civil practice division and of special proceedings* will be assisted by the master of the rolls. The parties must have verified their availabilities beforehand, otherwise the case will be placed at the end of the roll.

iii) **Applications to dismiss and for abuse of procedure, objections and communication of documents**

An Act to improve justice accessibility and efficiency, in particular to address consequences of the COVID-19 pandemic, in force as of December 11, 2020,⁶ authorizes a judge, on the face of the record (without a hearing), to deny applications for dismissal (art. 168, para. 3 C.C.P.) and for abuse of procedure (art. 52, para. 3 C.C.P.) based on the grounds that it has no reasonable chance of success. A judge may also decide objections (art. 228 C.C.P.) and requests for undertakings for the communication of documents relating to an examination (art. 221, para. 4 C.C.P.) on the face of the record.

As of March 15, 2021, when the parties go before the special clerk to obtain a hearing date in Courtroom 2.08 in order to have an application to dismiss and/or for abuse of procedure ruled on, , after having completed the *Joint Declaration to Fix a Hearing of More than One Hour*, the special clerk will ensure that the record is complete and will send it to the master of the rolls for analysis by a judge on the face of the record before a date is fixed. If the judge considers that a decision cannot be rendered on the face of the record, he or she will send it to the master of the rolls who will summon the parties to a calling of the ***Provisional roll of the civil practice division and of special proceedings***.

As of March 15, 2021, the process to obtain a hearing date in Courtroom 2.08 described in the previous subsection will apply to objections and to the communication of documents requested as undertakings during an examination.

The previously cited applications, for which the expected duration of the hearing is one hour or less, and which are sent by the special clerk to the judge sitting in Courtroom 2.08 may also be subject to a decision on the face of the record before the start of the hearing.

iv) **Requests to be added to the roll**

All requests to be added to the roll in the practice division of Courtroom 2.16 must be submitted in accordance with the following terms:

- 1) (...) the party that wishes to obtain the special clerk's authorization to add the proceeding to the roll must:
 - Send an email to the following address courpratique.216@justice.gouv.qc.ca with the subject "Request to be added" **by 12:30 p.m.** the day before the calling of the roll on which the proceeding should (...) appear;
 - Attach proof that the proceeding should have appeared on the roll (e.g., copy of the Notice of presentation and proof of filing at the court office or copy of the minutes providing for the postponement of the application) and, if it is a new proceeding, a copy of said proceeding;

⁶ Bill 75.

- Attach, if appropriate, the Request for a hearing in civil matters form or the Joint Declaration to Fix a Hearing of More than One Hour - Civil Practice and Special Proceedings;
- Send a carbon copy (cc) email to all the other parties concerned by the proceeding;

(...)

Unless otherwise informed, the parties concerned by the proceeding at issue in the request to be added to the roll must participate in the virtual calling of the roll via the Microsoft Teams platform on the day scheduled for its presentation to obtain the authorization of the special clerk.

We remind you that it is up to the attorney or the unrepresented party to ensure that the proceeding appears on the roll available online by 12:30 p.m. the day before the calling of the roll.

v) **Applications proceeding by default**

No form is required for an application by which the plaintiff wishes to have a default confirmed in civil matters. It is important to participate in the virtual calling of the roll of Courtroom 2.16, the morning of the presentation of the application, to have the default confirmed.

Applications following the procedure in non-contentious proceedings pursuant to Book III of the *Code of Civil Procedure* will continue to be referred to the court office for proof, in the absence of contrary submissions during the calling of the roll.

II. FAMILY MATTERS – PRACTICE COURT

Affected Courtrooms: 2.17 (calling of the roll), 2.01 (family practice division), 2.12 (family case management), 2.11 (applications for safeguard orders)

Since January 5, 2021, the calling of the roll in family matters is held virtually. Attorneys or unrepresented parties must use the means made available to them to avoid having to participate in person at the calling of the roll in the family practice division, in accordance with the [Directives concerning the calling of the roll](#) attached as **Schedule B**. These means are specified in the section [Applications that do not require participation in the calling of the roll](#) of Courtroom 2.17 below.

Also, **since January 5, 2021**, the parties and their attorneys must proceed by **exclusively virtual hearings** for all applications in family matters to be heard by a judge at the Montreal courthouse for which there is no testimonial evidence. **Exceptionally**, they may proceed in person after having established the necessity and obtained the prior authorization of a judge of the Superior Court.

The request for authorization to proceed in person is set out in the *Request for a hearing in family matters form* attached as **Schedule D**, which must be received between 8:00 a.m. and 12:30 p.m. the day before the date of presentation of the request (...).

A) VIRTUAL CALLING OF THE ROLL IN COURTROOM 2.17

If counsel or an unrepresented party must participate in the calling of the roll of the family division, **since January 5, 2021**, it is held virtually via the Microsoft Teams platform.

Instructions concerning the conduct of the virtual calling of roll are attached as **Schedule H**.

The permanent Teams connection links to join the courtrooms of the Montreal Courthouse in civil, family, and commercial matters are available on the website of the Superior Court.

The new *Notice of presentation* in accordance with the mandatory model attached as **Schedule J** must be used for all applications in family matters to be presented in Courtroom 2.17, **on or after January 5, 2021**.

If the measures described below have not been followed and no update is provided to the special clerk during the calling of the roll, the case will be postponed without a set date (*sine die*).

B) FILING OF PLEADINGS AND DOCUMENTS**i) General rules**

It is **ESSENTIAL** to comply with (...) the rules set out in article 107 C.C.P. regarding the filing of pleadings and documents. An originating application must be filed with the court office before it is notified to the other parties. All other applications to be presented at the hearing must be filed with the court office with proof of their notification and with all documents required (exhibits, affidavits, etc.) **at least two working days before the date of presentation** so that they can be found in the court record.

For example, applications to be presented on a Thursday must be filed with the court office by 4:30 p.m. the preceding Monday, and any applicable judicial fees must have been paid.

Be advised that the pleadings and documents that may be filed (...) via the Digital Court Office of Québec are very limited. Visit the website <https://gnjq.justice.gouv.qc.ca/en/Accueil> in order to ensure their eligibility. Also, be advised that using the digital court office may result in additional delays before the pleadings and documents are placed in the court file (...). It is therefore preferable to allow for three working days.

Exceptionally, documents (...) exchanged among the parties less than (...) two working days before the date of presentation of the application, (...) may be submitted by email at the address production-tardive.familial.cs@judex.qc.ca **by 12:30 p.m. on the day before the hearing or by 12:30 p.m. on the Friday preceding the hearing if it is held on a Monday. This is a strict time limit.**

As of March 15, 2021, the only documents authorized to be sent to the address production-tardive.familial.cs@judex.qc.ca are the following:

- a) The affidavits in response and in reply set out in article 414 of the Code of Civil Procedure and in section 149 of the Directives of the Superior Court for the District of Montreal (French only). Furthermore,

exhibits in support of these affidavits must not be submitted to this email address without the authorization of the judge seized with the file. The parties must have a digitized version of the exhibits ready to be sent to the judge upon request.

- b) An argument plan or a draft judgment;
- c) A list of authorities with hyperlinks to the judgments with references to the paragraphs the attorney wishes to draw to the judge's attention in parentheses;
- d) Any other document authorized by the special clerk during the virtual calling of the roll or by the judge seized with the case.

Documents received that do not comply with this directive or the instructions for identification described below will be refused.

The subject line of the email must (...) ONLY include the file number.

Each document must be attached to the email in PDF format and saved (...) by indicating the file number first. (...)

The total size of the documents attached to the email must not exceed 25 MB. It is recommended that the PDF document be saved in the "lowest file size" version so as not to exceed this limit.

BE ADVISED THAT THE COURT OFFICE WILL NOT RECORD DOCUMENTS SUBMITTED BY EMAIL IN THIS MANNER AND THAT THEY ARE DELETED AFTER 15 DAYS. ATTORNEYS OR UNREPRESENTED PARTIES MUST FILE THE ORIGINAL DOCUMENTS WITH THE COURT OFFICE WITHOUT DELAY.

According to article 16 of the Code of Civil Procedure, access to documents pertaining to a person's health or psychosocial situation, if they have been filed in a sealed envelope, is restricted.

As of March 15, 2021, the rules for the filing of documents in a sealed envelope will be as follows:

- letter size envelope (9X12) or legal size envelope (9 ½ X 14 ¾)
- identification label affixed on the envelope and a backing stating the following information in block letters:
 - i- File number;
 - ii- Filing date;
 - iii- Name of the person filing and the party he or she represents, if applicable;
 - iv- Exhibit number and the nature of the document filed.

ii) Special rules for safeguard orders

For applications for safeguard orders, **the applicable delay for presentation in Courtroom 2.17 is 10 days**, in accordance with article 411 C.C.P. and section 149(a) of the *Directives of the Superior Court for the District of Montreal* (French only). This time period must be complied with so that the adverse party may prepare his/her affidavit and the documents relevant to the presentation of the application for a safeguard order.

As stated in article 414 C.C.P. and sections 149(b) and (c) of the *Directives of the Superior Court for the District of Montreal* (French only), there must only be a single affidavit per party and a single reply, and each affidavit must be a maximum of eight pages. **The attorneys and unrepresented parties MUST NOT use the digital court office to file an affidavit that does not accompany a pleading.**

For all applications for a safeguard order to be presented on or after January 5, 2021, the affidavit in response must be communicated to the adverse party **at least five working days before the date of presentation** and the affidavit in reply must be communicated to the adverse party **by 12:30 p.m. the day before the hearing or by 12:30 p.m. on the Friday preceding the hearing if it is held on a Monday**. These are strict time limits.

Applications for a safeguard order notified less than 10 days before the date of presentation will not be heard, unless the urgency is based on serious reasons and justified. In that case, the affidavit in response must be communicated **by 8:30 a.m. the day before the hearing** and the affidavit in reply must be communicated **by 12:30 p.m. the day before the hearing or at those same times on the Friday preceding the hearing if it is held on a Monday**. These are strict time limits.

As of April 1, 2021, the minutes of the hearing will be sent within 48 hours of the request sent at the following address: greffecivil_mtl_photocopies@justice.gouv.qc.ca by the attorneys and/or unrepresented parties.

C) APPLICATIONS THAT DO NOT REQUIRE PARTICIPATION IN THE CALLING OF THE ROLL IN COURTROOM 2.17

i) Uncontested applications for postponement only

All uncontested applications to postpone, for which the proposed date is 30 days or more, must be submitted by email to the master of the rolls in the practice division at the following address: courpratique-remise@justice.gouv.qc.ca, with the file number indicated in the subject line of the email, **by 4:00 p.m. the day before the date of presentation**. **This is a strict time limit.**

An acknowledgement of receipt will be sent by email to the attorneys and to unrepresented parties.

All uncontested applications to postpone in the practice division will be granted, regardless of the number of prior postponements, without the need to participate in the virtual calling of the roll.

If the proposed postponement date is in less than 30 days, or, exceptionally, in the event of a last-minute application to postpone, the attorney or the unrepresented party must participate in the virtual calling of the roll.

ii) **Uncontested applications to homologate agreements or for the extension of safeguard orders**

All uncontested applications to homologate agreements that do not concern the appointment of counsel for the child or for the extension of safeguard orders in a file appearing on the roll in Courtroom 2.17 must be accompanied by the form Instructions for applications for homologation or extension under sealed envelope (French only) and be submitted by email to the special clerk at the following address: courpratique-217@justice.gouv.qc.ca, **the day before the date of presentation or until 8:30 a.m., the morning of the date of presentation. This is a strict time limit.**

Any application under sealed envelope submitted after 8:30 a.m. will not be dealt with. The case will be postponed without a set date (*sine die*), and the attorney or the unrepresented party must file a new notice of presentation with a minimum delay of seven days, except with the authorization of the court.

To distinguish such applications from other applications received at this email address, the subject line of the email concerning the homologation of an agreement or the extension of a safeguard order must read “Homologation” or “Extension”.

THE COURT OFFICE WILL NOT RECORD DOCUMENTS SUBMITTED BY EMAIL IN THIS MANNER. ATTORNEYS OR UNREPRESENTED PARTIES MUST FILE THE ORIGINAL DOCUMENTS WITH THE COURT OFFICE WITHOUT DELAY.

The minutes of the hearing will be sent by email to the attorney or the unrepresented party within 48 hours of the decision rendered.

iii) **Uncontested (...) applications within the jurisdiction of the special clerk**

It is mandatory for the party that initiates the application submitted (or the first application notified if there is more than one to be presented the same day) (e.g., application to cease representing, to consolidate, etc.) to fill out the *Request for a hearing in family matters form* attached as **Schedule D**.

This form must be received by the special clerk at the following address: courpratique-217@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.** This is a **strict time limit**. The subject of the email must include “Request for a hearing in family matters”.

(...) the attorney or unrepresented party **must attach to the form documentary evidence of the adverse party’s consent as well as a copy of all documents supporting the application** (e.g., copy of the amended case protocol and proof of notification in the case of a first application to extend the time limit to set the case down for trial).

Minutes of the hearing will be sent by email to the attorneys or the unrepresented party within 48 hours of the decision rendered.

iv) **Contested applications within the jurisdiction of the special clerk**

As of March 15, 2021, should it choose to, the party that initiates the application submitted (or the first application notified if there is more than one to be presented the same day) (e.g., application to cease representing, to consolidate, etc.) may, fill out the *Request for a hearing in family matters form* attached as **Schedule D**.

If applicable, this form must be received by the special clerk at the following address: courpratique-217@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.** **This is a strict time limit.** The subject of the email must include “Request for a hearing in family matters”.

Should the form not be used, the parties must participate in the virtual calling of the roll in Courtroom 2.17.

In the case of an (...) application for which a compliant *Request for a hearing form* has been received, the special clerk will inform the attorneys and unrepresented parties by email,⁷ giving 15 minutes advance notice, of the time at which they must join the virtual hearing using one of the permanent Teams connection links assigned to Courtroom 2.17.

If the attorneys or unrepresented parties do not participate in the virtual hearing at the scheduled time, they run the risk of a postponement without a set date (*sine die*), the dismissal of the application, or a default judgment.

v) **Uncontested (...) applications within the jurisdiction of the judge**

It is mandatory for the party that initiates the application submitted (or the first application notified if there is more than one to be presented the same day) to fill out the *Request for a hearing in family matters form* attached as **Schedule D**.

The form must be received by the special clerk at the following address: courpratique-217@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.** **This is a strict time limit.** The subject line of the email must include “Request for a hearing in family matters”.

(...) the attorney or unrepresented party must attach to the form documentary evidence of the adverse party’s consent, as well as a copy of all documents supporting the application (e.g., copy of the amended case protocol and proof of notification in the case of a first application to extend the time limit to set the case down).

If the form received is not compliant, it will be refused **without further consideration.** The special clerk will inform the attorneys and unrepresented parties by email that they must participate in the virtual calling of the roll in Courtroom 2.17.

⁷ If no email address is available for an unrepresented party, the special clerk will inform that party by any other means indicated on the form.

If the form is compliant, the uncontested application will be transferred to the judge in charge of Courtroom 2.11 or Courtroom 2.12, without the need to participate in the calling of the roll. The day before the date of presentation, the special clerk will inform the attorneys and unrepresented parties by email⁸ that the case has been transferred.

Until March 12, 2021, the party or attorney who initiated the proceeding must remain available in the morning in case the judge seized of the matter wishes to hear submissions. If need be, the court clerk will inform the attorney or the unrepresented party by email, giving 15 minutes advance notice, to join the virtual hearing using one of the permanent Teams connection links assigned to the appropriate Courtroom. Uncontested applications are generally heard first.

As of March 15, 2021, the party or attorney who initiated the proceeding must (...):

- a) Join to the virtual waiting room associated with the courtroom designated by the special clerk by using one of the permanent Teams connection links assigned to that virtual waiting room:
 - i- at 9:00 a.m., on the day of presentation, if they've received the previous day a written confirmation from the special clerk that their file has been transferred to a judge, without the need to participate the virtual calling of the roll of Courtroom 2.17; or
 - ii- Following the transfer of their file by the special clerk during the virtual calling of the roll of Courtroom 2.17;
- b) Wait until their file is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

The parties may request a copy of the minutes of the hearing or of a judgment by submitting their request to the following address: greffecivil_mtl_photocopies@justice.gouv.qc.ca. Such request will be dealt with in accordance with the applicable prioritization criteria.

vi) **Contested applications within the jurisdiction of the judge**

As of March 15, 2021, should it choose to, the party that initiates the application submitted (or the first application notified if there is more than one to be presented the same day) may fill out the [Request for a hearing in family matters form](#) attached as **Schedule D**.

If applicable, this form must be received by the special clerk at the following address: courpratique-217@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation. This is a strict time limit.** The subject line of the email must include the note "Request for a hearing in family matters".

⁸ If no email address is available for an unrepresented party, the court clerk will inform that party by any other means indicated on the form.

Should the form not be used, the attorneys and unrepresented parties must participate in the virtual calling of the roll in Courtroom 2.17.

If the form received is not compliant, it will be refused **without further consideration**. The special clerk will inform the attorneys and unrepresented parties by email that they must participate in the virtual calling of the roll in Courtroom 2.17.

If the form received is compliant, the special clerk will transfer the application to the judge in charge of Courtroom 2.11 (applications for safeguard orders) or of Courtroom 2.12 (family case management), without the need to participate in the virtual calling of the roll. The day before the date of presentation, the special clerk will inform the attorneys and unrepresented parties by email⁹ that the case has been transferred.

Until March 12, 2021, the court clerk of the judge seized of the matter will inform counsel and unrepresented parties by email,¹⁰ giving 15 minutes advance notice, of the time at which they should join the virtual hearing using one of the permanent Teams connection links assigned to the appropriate Courtroom, such that the attorneys and unrepresented parties must remain available all day, with no guarantee as to the exact time at which their case will be called.

As of March 15, 2021, when transferred before a judge, attorneys and unrepresented parties will no longer be informed by email to join the designated Courtroom. They must now follow these steps:

- a) Join the **virtual waiting room associated with the Courtroom designated by the special clerk** by using one of the [permanent Teams connection](#) links assigned to that virtual waiting room:

 - i- at 9:00 a.m., on the day of presentation, if they've received the previous day a written confirmation from the special clerk that their file has been transferred to a judge, without the need to participate in the virtual calling of the roll of Courtroom 2.17; or
 - ii- Following the transfer of their file by the special clerk during the virtual calling of the roll in Courtroom 2.17;

- b) Wait until their file is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

If the attorneys or unrepresented parties (...) are not present when their case is called, the case may be suspended and be called again later, at the discretion of the judge seized of the matter. In that eventuality, attorneys and parties run the risk of a postponement without a set date (*sine die*), the dismissal of the application, or a default judgment.

If an attorney wants his or her client to attend the hearing, he or she must

⁹ *Ibid.*

¹⁰ If no email address is available for an unrepresented party, the special clerk will inform that party by any other means indicated on the form.

provide the client with the permanent Teams connection links assigned to the Courtroom (...). If the client is late in connecting, the judge will have the discretion to hear the attorney's submissions in the party's absence.

vii) Hearings already scheduled in Courtroom 2.01

For hearings fixed in Courtroom 2.01, **the judge in charge of that Courtroom will communicate with the attorneys or the parties the week before the hearing to confirm their intention to proceed and the duration.**

The attorneys or the parties must speak to each other at least seven days before the hearing to discuss admissions, the duration, the possibility of a full or partial settlement, etc. **The judge in charge of Courtroom 2.01 must not be copied on the discussions held prior to the hearing. Instead, the parties must agree on the message to be communicated to the judge in charge of Courtroom 2.01.**

The identity of the judge appointed to hear the case as well as the Courtroom assigned **will be confirmed by the judge in charge of Courtroom 2.01.**

Since January 5, 2021, for any hearing that does not involve testimonial evidence, attorneys and unrepresented parties must proceed by **exclusively virtual hearings** using one of the permanent Teams connection links assigned to the appropriate Courtroom. **Exceptionally**, they may proceed in person after having established the necessity and obtained the prior authorization of the judge in charge of Courtroom 2.01 or the judge designated by him or her to hear the case.

For hearings involving testimonial evidence, the judge designated to hear the case has the discretion to allow the attorneys and unrepresented parties to attend the courthouse in person or to require them to proceed remotely.

D) APPLICATIONS THAT REQUIRE PARTICIPATION IN THE CALLING OF THE ROLL OF COURTROOM 2.17

i) Uncontested applications to postpone with a proposed date of less than 30 days

Attorneys who wish to postpone an application to a date that does not comply with the minimum period of 30 days, must participate in the virtual calling of the roll of Courtroom 2.17.

ii) Requests to obtain a hearing date

Attorneys who wish to obtain a hearing date in Courtroom 2.01 must submit their request by email at the following address: courpratique-217@justice.gouv.qc.ca, **at least (...) two working days before the date of presentation of the application**, so that the file may be verified beforehand.

The subject line of the email must be "Fixing a date" and a copy of the *Joint Declaration to Fix a Hearing of More than Two Hours - Family Practice* and a copy of the documents to be filed in the record to complete it, if any, must be attached to the email.

If no such email is submitted within the time limit, no date will be granted to the parties, and the application will be postponed for a minimum of seven days to allow the parties to comply with this process.

On the day of the virtual calling of the roll, the attorneys who have complied with the foregoing will be assigned a hearing date in Courtroom 2.01 if their file is deemed complete. If not, the special clerk, in his or her discretion, will fix the hearing date by asking the parties to give undertakings or postpone the application for a minimum of 15 days to allow them to complete the file.

-Filing of undertakings to retain a hearing date:

The filing of undertakings takes place according to the same process, that is, attorneys must submit their application by email to the following address: <mailto:courpratique-217@justice.gouv.qc.ca>, **at least (...) two working days before the date of presentation of the application (...)**.

The subject of the email must be “Filing of undertakings” and be accompanied by the documents that the attorneys undertook to file.

On the day of the virtual calling of the roll, attorneys who have complied with their undertakings will have their date confirmed by the special clerk. Otherwise, the case will be transferred to the judge in Courtroom 2.12 to give the attorneys the opportunity to make submissions to retain the hearing date.

Until March 12, 2021, the court clerk of the judge seized of the matter will inform counsel and unrepresented parties by email,¹¹ giving 15 minutes advance notice, of the time at which they must join the virtual hearing using one of the permanent Teams connection links assigned to the appropriate Courtroom, such that the attorneys and unrepresented parties must remain available all (...) day, with no guarantee as to the precise time at which their case will be called.

As of March 15, 2021, when the file is transferred before the judge in Courtroom 2.12, the attorneys and unrepresented parties will have to join the virtual waiting room associated with Courtroom 2.12, wait for their file to be called by the court clerk, and follow the instructions provided in order to join the virtual hearing before the judge.

Under no circumstances does this process exempt the parties from filing the original documents at the court office of the Superior Court **at least 15 days before the date fixed for the hearing in Courtroom 2.01.**

iii) **Subpoena to disclose documents (*duces tecum*)**

The form “Subpoena (Call to appear as a witness)” (SJ-282A) available at www.justice.gouv.qc.ca must be used. This form notifies subpoenaed third parties that the information required for their remote testimony will be provided to them before the date on which they are called.

¹¹ If no email address is available for an unrepresented party, the court clerk will inform that party by any other means indicated on the form.

The attorney who sent the subpoena must ensure, in a timely fashion, that the coordinates to join the virtual calling of the roll of Courtroom 2.17 has been communicated to subpoenaed third parties.

If the consent of the party concerned cannot be obtained and the documents have not been disclosed in advance by the third party, the attorney who sent the subpoena, the subpoenaed third party, as well as, if needed, the other party's attorney, or the party, if he or she is unrepresented, must participate in the calling of the virtual roll of Courtroom 2.17.

- a) If there is no objection to the disclosure of the documents, the special clerk authorizes the disclosure of the documents and the third party may then send them by any means agreed upon between them or determined by the special clerk (email, fax, regular mail, etc.);
- b) If there is an objection to the disclosure of the documents, the special clerk will transfer the file to the judge sitting in Courtroom 2.12.

As of March 15, 2021, when transferred before a judge, attorneys and unrepresented parties will no longer be informed by email to join the designated Courtroom. They must now follow these steps:

- a) Join to the **virtual waiting room associated with the Courtroom designated by the special clerk** by using one of the **permanent Teams connection links** assigned to that virtual waiting room;
- b) Wait until their file is called by the court clerk and follow the instructions provided to join the virtual hearing before the judge.

iv) **Applications proceeding by default**

Applications for divorce, for separation from bed and board, for annulment of marriage, and in matters of filiation (to claim or contest status, for rectification of the register of civil status, and for deprivation of parental authority)

If the expected duration of the hearing is more than 30 minutes, these applications will continue to be fixed by the master of rolls in Courtroom 2.01, according to the availabilities of the Court.

If the expected duration of the hearing is 30 minutes or less, these applications will be fixed by the master of rolls in Courtroom 2.11, according to the availabilities of the Court.

All cases proceeding by default involving an application for compensatory allowance, a lump sum, and/or an unequal partition of the family patrimony, regardless of the expected duration of the hearing, will be fixed by the master of rolls in Courtroom 2.01, according to the availabilities of the Court.

Applications proceeding by default and to be presented by notice of presentation (custody or to vary custody (jurisdictions 04 and 12).

support or to vary support (jurisdictions 04 and 12), and provisional measures (jurisdictions 12))

The default must be recorded by the special clerk during the calling of the roll. Thus, it is not necessary to send the *Request for a hearing in family matters form*.

All such applications will be fixed by the special clerk in Courtroom 2.12 a Wednesday afternoon, in accordance with the availabilities of the Court, regardless of the expected duration of the hearing.

At the discretion of the special clerk, all cases without testimonial evidence, with an affidavit and a draft judgment, may be referred to the judge in Courtroom 2.11, the day of its presentation.

The attorney or the unrepresented party seeking the authorization of a judge to proceed in person in one of Courtrooms 2.01, 2.11 or 2.12 must send his or her request by email to courpratique-217@justice.gouv.qc.ca, before 12:30 p.m. on the last working day before the date of the hearing fixed by default.

v) Requests to be added to the roll

All requests to be added to the roll in the practice division of Courtroom 2.17 must be submitted in accordance with the following terms:

1) (...) the party that wishes to obtain the authorization of the special clerk to add the proceeding to the roll must:

- Send an email to the following address: courpratique-217@justice.gouv.qc.ca with the subject line “Request to be added” **by 12:30 p.m.** the day before the calling of the roll on which the proceeding should (...) appear;
- Attach proof that the proceeding should have appeared on the roll (e.g., copy of the Notice of presentation and proof of filing at the court office or copy of the minutes providing for the postponement of the application) and, if it is a new proceeding, a copy of said proceeding;
- Attach, if appropriate, the *Request for a hearing in civil matters or the Joint Declaration to Fix a Hearing of More than Two Hours - Family Practice or Instructions for applications for homologation or extension under sealed envelope* (French only);
- Send a carbon copy (cc) email to all the other parties concerned by the proceeding;

(...)

Unless otherwise informed, the parties concerned by the proceeding at issue in the request to be added to the roll must participate in the virtual calling of the roll via the Microsoft Teams platform on the day scheduled for its presentation to obtain the authorization of the special clerk.

We remind you that it is up to the attorney or the unrepresented party to ensure, by 12:30 p.m. the day before the calling of the roll, that the proceeding appears on the roll available online.

III. CIVIL AND FAMILY MATTERS – TRIAL ON THE MERITS

- **Courtroom 15.07**

Since November 30, 2020, in civil matters and since January 5, 2021, in family matters, for any hearing on the merits that does not involve testimonial evidence, attorneys and unrepresented parties must proceed by an **exclusively virtual hearing** using one of the permanent Teams connection links assigned to the appropriate Courtroom.

The coordinating judge for hearings on the merits in the civil and family divisions (...) ensures that the parties are informed of the identity of the judge designated to hear the case and the Courtroom assigned for that purpose.

For hearings on the merits involving testimonial evidence, the judge designated to hear the case has the discretion to allow the attorneys and unrepresented parties to attend the courthouse in person or to require them to proceed remotely.

- **Calling of the provisional roll (Courtroom 15.07)**

The calling of the provisional roll presided by the special clerk every Thursday has been held virtually **since November 30, 2020**.

Notwithstanding the notice of hearing that they received, the parties must not physically attend Courtroom 15.07 at the time indicated in the notice, but must instead connect to the Microsoft Teams platform five minutes before that time.

The contact information to join the calling of the provisional roll in Courtroom 15.07 is as follows:

- a) **using Teams:** click on the permanent connection link established for Courtroom 15.07 indicated in the permanent Teams connection links;
- b) **by telephone:**
Canada, Quebec (Charges will apply): +1 581-319-2194
Canada (Toll Free): (833) 450-1741
Conference ID: 186 990 528#
- c) **by videoconference:** teams@teams.justice.gouv.qc.ca
VTC Conference ID: 1193833520

The conduct of the calling of the roll remains the same. Moreover, it is more important than ever to comply with sections 78, 79, and 82 of the Directives of the Superior Court of the District of Montreal (French only).

In addition, no trial dates will be given to parties who have not previously filed in the court record the duly completed *Request for Setting down for Trial and Judgment by Way of a Joint Declaration* — including, in civil matters, the table set out in the section specific to the admission of exhibits. The form must have been filed at the court office at least (...) 48 hours before the calling of the roll.

The *Instructions* for the calling of the roll of Courtroom 2.16 attached as **Schedule G** apply with the necessary modifications.

- **Calling of the special provisional roll (Courtroom 16.06)**

Since November 26, 2020, the Associate Chief Justice or any other judge designated by her will hear attorneys and unrepresented parties during the calling of the special provisional roll using Microsoft Teams.

The contact information to join the calling of the provisional roll in Courtroom 16.06 is as follows:

- a) **using Teams:** click on the permanent connection link established for Courtroom 16.06 indicated in the permanent Teams connection links;
- b) **by telephone:**
Canada, Quebec (Charges will apply): +1 581-319-2194
Canada (Toll Free): (833) 450-1741
Conference ID: 648 463 187#
- c) **by videoconference:** teams@teams.justice.gouv.qc.ca
VTC Conference ID: 1154813145

The **Instructions** for the calling of the roll of Courtroom 2.16 attached as **Schedule G** apply with the necessary modifications.

IV. (...)

V. **CLASS ACTION DIVISION**

Cases in the class action division are assigned to a case management judge until they are ready for trial.

The measures announced in this Communiqué do not apply to class actions, which continue to be governed by the Code of Civil Procedure and the Directives of the Superior Court for the District of Montreal (French only).

VI. **COMMERCIAL DIVISION**

Courtrooms: 16.10 (registrar / special clerk) and 16.04 (judge)

The judge now sits in Courtroom 16.04.

Since November 16, 2020, these courtrooms (...) function in accordance with the Note concerning the functioning of the Commercial Division (French only) published on the websites of the Superior Court and the Bar of Montreal.

VII. **DIGITAL COURT OFFICE OF QUÉBEC**

Through the **Digital Court Office of Québec**, it is possible to electronically transmit certain pleadings (according to the list available on the Ministère's website) along with documents (forms, proof of notification, etc.) to the court office of the Montreal courthouse in civil, family, and commercial matters.

With respect to the functioning of the digital court office, we urge attorneys and unrepresented parties to consult the website of the Ministère de la Justice <https://www.justice.gouv.qc.ca/systeme-judiciaire/processus-judiciaire/greffenumerique/> as well as the terms of use <https://gnjq.justice.gouv.qc.ca/fr/Procedure/ConditionUtilisation>.

Proceedings without applicable judicial fees are deemed to have been filed at the court office on the day of their receipt if they are filed on a working day between 8:30 a.m. and 4:30 p.m. Otherwise, they are deemed to have been filed on the following working day. Proceedings with applicable judicial fees are deemed to have been filed on the day of payment of the judicial fees.

Any proceedings filed using the digital court office is printed and dated by court office personnel and is considered the official pleading in the record. Thus, when the pleading has been filed at the digital court office, attorneys and unrepresented parties need not use other means of filing (e.g., by mail or in the boxes located at the courthouse).

Exhibits in support of proceedings for which filing at the digital court office is permitted are also printed and filed in the record. Thus, when permitted exhibits are filed at the digital court office, attorneys and unrepresented parties need not use other means of filing (e.g., the mail or the boxes located at the courthouse).

Moreover, when the original of an exhibit is required (e.g., marriage certificates, wills, etc.) the court office will inform the parties and the original must be filed by mail or in the boxes located at the courthouse.

VIII. SETTLEMENT CONFERENCES

The settlement conference department schedules conferences for all the districts of the Montreal Division. The necessary measures have been implemented to ensure that the physical distancing rules applicable during the health crisis are complied with in the settlement conference rooms. Counsel and parties who request that a settlement conference be held must fill out the form Joint Request of the Parties for a Settlement Conference (new form) available on the websites of the Superior Court and the Bar of Montreal. It is essential that the number of participants indicated in the joint request be respected.

It is possible to hold a virtual settlement conference via the Teams platform, as indicated in the joint request form. The parties and attorneys are urged to consider holding a virtual settlement conference, which allows the settlement conference to be held in an efficient and safe manner, according to the same terms and formalities as a face-to-face settlement conference.

No settlement conference involving more than 12 participants may be held face-to-face. Any settlement conference involving more than 12 participants, including attorneys, must be held virtually or semi-virtually.

IX. HEALTH MEASURES CURRENTLY IMPLEMENTED

All courtrooms used by the Superior Court are equipped with plexiglass screens and are disinfected twice a day and between each case.

We take this opportunity to reiterate the guidelines regarding frequent hand washing, maintaining a two-metre distance with the people you interact with, and wearing a mask in the common areas of the building and in situations where it is impossible to maintain a two-metre distance.

We also suggest, even if the risk is low, that you limit the exchange of paper documents as much as possible. We refer you to the Guidelines concerning the use of technology during hearings (French only), which provides that attorneys may use

technological tools to [TRANSLATION] “broadcast or send short text messages, observations, information, and notes”.

Individual compliance with these mandatory measures is essential to ensure the health and safety of all.

Eva Petras
Associate Chief Justice

Chantal Tremblay
Coordinating Judge, District of Montreal

**SCHEDULE A -
Directives concerning the
calling of the roll in civil
matters**

JUDICIAL DISTRICT OF MONTREAL

Calling of the roll of the practice division of the Superior Court of Québec in
Courtroom 2.16 (Civil Division)

Directives concerning the calling of the roll

IN FORCE UNTIL MARCH 12, 2021

The purpose of these directives is to prevent the parties from having to go to the courthouse by participating in the calling of the roll in accordance with the steps described below.

The calling of the roll takes place as follows:

- I. the day before, by sending the **mandatory** Request for a hearing in civil matters form¹ to the email address cour-pratique.216@justice.gouv.qc.ca **by 12:30 p.m. the day before the date of presentation, but never more than 24 hours in advance;**

or

- II. the same day, virtually, using Teams, in accordance with the Instructions issued for the virtual calling of the roll in Courtroom 2.16, solely for submissions that are not covered by the form referred to above.

THE SPECIAL CLERK HAS THE DISCRETION DURING THE VIRTUAL CALLING OF THE ROLL NOT TO HEAR ANY APPLICATION THAT COULD HAVE BEEN DEALT WITH BY SENDING THE FORM.

¹ This form must be used both for matters within the judge's jurisdiction and for those within the special clerk's jurisdiction.

JUDICIAL DISTRICT OF MONTREAL

Calling of the roll of the practice division of the Superior Court of Québec in
Courtroom 2.16 (Civil Division)

Directives concerning the calling of the roll

AS OF MARCH 15, 2021

The purpose of these directives is to prevent the parties from having to go to the courthouse by participating in the calling of the roll in accordance with the steps described below.

The calling of the roll takes place as follows:

- III. the day before, by sending the [Request for a hearing in civil matters form](#),¹ which is **mandatory** for uncontested applications and **optional** for contested applications to the email address cour-pratique.216@justice.gouv.qc.ca (...) **between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation;**

or

- IV. the same day, virtually, using Teams, in accordance with the [Instructions](#) issued for the virtual calling of the roll in Courtroom 2.16, (...) **if no form has been received or the special clerk has invited you to participate.**

THE SPECIAL CLERK HAS THE DISCRETION DURING THE VIRTUAL CALLING OF THE ROLL NOT TO HEAR ANY APPLICATION THAT COULD HAVE BEEN DEALT WITH BY SENDING THE MANDATORY FORM AND TO POSTPONE IT WITHOUT A SET DATE (SINE DIE).

¹ This form must be used both for matters within the judge's jurisdiction and for those within the special clerk's jurisdiction.

**SCHEDULE B -
Directives concerning the
calling of the roll in family
matters**

JUDICIAL DISTRICT OF MONTREAL

Calling of the roll of the practice division of the Superior Court of Québec in
Courtroom 2.17 (Family Division)

Directives concerning the calling of the roll

IN FORCE UNTIL MARCH 12, 2021

The purpose of these directives is to prevent the parties from having to go to the courthouse by participating in the calling of the roll in accordance with the steps described below.

The calling of the roll takes place as follows:

- I. the day before, by sending one of the following **mandatory** forms to the address courpratique-217@justice.gouv.qc.ca **by 12:30 p.m. the day before the date of presentation, but never more than 24 hours in advance:**

- [“Instructions for applications for homologation or extension under sealed envelope”](#) form (French only) or
- [Request for a hearing in family matters form](#);¹

or

- II. the same day, virtually, using Teams, in accordance with the [Instructions](#) issued for the virtual calling of the roll in Courtroom 2.17, solely for submissions that are not covered by the forms referred to above.

THE SPECIAL CLERK HAS THE DISCRETION DURING THE VIRTUAL CALLING OF THE ROLL NOT TO HEAR ANY APPLICATION THAT COULD HAVE BEEN DEALT WITH BY SENDING THE FORM.

¹ This form must be used both for matters within the judge’s jurisdiction and for those within the special clerk’s jurisdiction.

JUDICIAL DISTRICT OF MONTREAL

Calling of the roll of the practice division of the Superior Court of Québec in
Courtroom 2.17 (Family Division)

Directives concerning the calling of the roll

AS OF MARCH 15, 2021

The purpose of these directives is to prevent the parties from having to go to the courthouse by participating in the calling of the roll in accordance with the steps described below.

The calling of the roll takes place as follows:

III. the day before, by sending the **mandatory** form "[Instructions for applications for homologation or extension under sealed envelope](#)", to the address courpratique-217@justice.gouv.qc.ca **by 8:30 a.m. on the date of presentation, but never more than 24 hours in advance;**

IV. the day before, by sending the [Request for a hearing in family matters form](#),¹ **mandatory** for uncontested applications and **optional** for contested applications to the address cour-pratique-217@justice.gouv.qc.ca **between 8:00 a.m. and 12 :30 p.m. on the last working day before the date of presentation**

or

V. the same day, virtually, using Teams, in accordance with the [Instructions](#) issued for the virtual calling of the roll in Courtroom 2.17 (...) **if no form has been received or the special clerk has invited you to participate.**

THE SPECIAL CLERK HAS THE DISCRETION DURING THE VIRTUAL CALLING OF THE ROLL NOT TO HEAR ANY APPLICATION THAT COULD HAVE BEEN DEALT WITH BY SENDING THE MANDATORY FORM AND TO POSTPONE IT WITHOUT A SET DATE (SINE DIE).

¹ This form must be used both for matters within the judge's jurisdiction and for those within the special clerk's jurisdiction.

**SCHEDULE C -
Request for a hearing in
civil matters form**

SUPERIOR COURT – District of Montreal

IN FORCE UNTIL MARCH 12, 2021 REQUEST FOR A HEARING IN CIVIL MATTERS FORM

Court file number: 500 - _____

IMPORTANT: Only one form per file must be sent per date of presentation on the roll, and a new form per file must be sent for each new date of presentation. The party that initiated the application submitted to the court (or the first to be notified if there is more than one application to be presented on the same day) must fill out all sections of this form and attach it to an email message sent to the address: cour-pratique.216@justice.gouv.qc.ca with a copy of the email sent c.c. to the adverse party only between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.

1

Proceedings(s) on the roll of _____ in Courtroom 2.16
(date)

Uncontested applications(s) Contested applications
[check all that apply]

- | | |
|--|--|
| <input type="checkbox"/> Quashing of seizure/stay of execution | <input type="checkbox"/> Contempt of court |
| <input type="checkbox"/> Case management notice | <input type="checkbox"/> Extension of a subpoena |
| <input type="checkbox"/> Suretyship for costs | <input type="checkbox"/> Renewal of safeguard/interim order |
| <input type="checkbox"/> Cease representing/Substitution of attorney | <input type="checkbox"/> Relief from default |
| Trial set for: _____ | Nature of default: _____ |
| <input type="checkbox"/> Disclosure of documents | <input type="checkbox"/> Postponement of hearing scheduled in 2.08 or 15.07 on _____ |
| <input type="checkbox"/> Communication of exhibits/particulars | <input type="checkbox"/> Contested postponement |
| <input type="checkbox"/> Request for special case management | <input type="checkbox"/> Revocation of judgment |
| <input type="checkbox"/> Fixing a case protocol | <input type="checkbox"/> Extension of a time limit |
| <input type="checkbox"/> Injunction | Number of previous extensions: _____ |
| <input type="checkbox"/> Exception to dismiss | <input type="checkbox"/> Suspension of proceedings |
| <input type="checkbox"/> Consolidation/separation of proceedings | Number of previous suspensions: _____ |
| <input type="checkbox"/> Application to amend a pleading | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Declinatory exception | |
| <input type="checkbox"/> Objections | |

Specify those that are contested: _____

2

Time required for submissions for all proceedings on the roll

Duration: Plaintiff/applicant: _____ Defence: _____ Other : _____
Reading time: _____ TOTAL DURATION : _____

3

Contact information of the attorneys
making representations before the Court

Name of attorney: _____	Name of attorney: _____
Name of party represented: _____	Name of party represented: _____
Telephone (direct): _____	Telephone (direct): _____
Cell: _____	Cell: _____
Email: _____	Email: _____
Name of attorney: _____	Name of attorney: _____
Name of party represented: _____	Name of party represented: _____
Telephone (direct): _____	Telephone (direct): _____
Cell: _____	Cell: _____
Email: _____	Email: _____
Name of attorney: _____	Name of attorney: _____
Name of party represented: _____	Name of party represented: _____
Telephone (direct): _____	Telephone (direct): _____
Cell: _____	Cell: _____
Email: _____	Email: _____

4

Contact information of unrepresented parties

Name of party: _____	Name of party: _____
Telephone (direct): _____	Telephone (direct): _____
Cell: _____	Cell: _____
Email: _____	Email: _____

5

Previous settlement attempts

Have you attempted to settle the application(s)? Yes No

6**Filing of documents**

I certify that all of the proceedings, exhibits, and other documents required were filed at the court office at least two working days before the date of presentation yes no

I certify a copy of all the documents, exchanged among the parties less than two working days before the date of presentation, but at the latest by 12:30 p.m. the day before the hearing, was sent by email to production-tardive.civil.cs@judex.qc.ca yes no n/a

7**Confirmation**

By checking the box that follows, I _____, confirm that I have obtained the adverse party's name of attorney responsible for the file consent to submit this form, his or her time required for submissions, and the other information above.

If the adverse party's consent was not obtained, please set out the reasons:

8**Authorization to proceed in person**

Who is making the request:

Set out the reasons justifying attendance in person:

SUPERIOR COURT – District of Montreal

AS OF MARCH 15, 2021 REQUEST FOR A HEARING IN CIVIL MATTERS FORM

Court file number: 500 - _____

IMPORTANT: When it is mandatory, only one form per file must be sent per date of presentation on the roll, and a new form per file must be sent for each new date of presentation. The party that initiated the application submitted to the court (or the first to be notified if there is more than one application to be presented on the same day) must fill out all sections of this form and attach it to an email message sent to the address: cour-pratique.216@justice.gouv.qc.ca with a copy of the email sent c.c. to the adverse party only between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.

1

Proceeding(s) on the roll of _____ in Courtroom 2.16
(date)

Uncontested application(s)
[check all that apply]

- Quashing of seizure/stay of execution
- Case management notice
- Cease representing/Substitution of attorney
Trial set for: _____
- Disclosure of documents
- Communication of exhibits/particulars
- Request for special case management
- Fixing a case protocol
- Injunction
- Exception to dismiss
- Consolidation/separation of proceedings
- Application to amend a pleading
- Declinatory exception
- Objections

Contested applications

- Contempt of court
- Extension of a subpoena
- Renewal of safeguard/interim order
- Relief from default
Nature of default: _____
- Postponement of hearing scheduled in 2.08 or 15.07 on

- Contested postponement
- Revocation of judgment
- Extension of a time limit
Number of previous extensions: _____
- Amended case protocol attached: yes no
- Are you requesting an exemption from filing one?
Briefly explain: _____
- Suspension of proceedings
Number of previous suspensions: _____
- Other _____

Specify those that are contested: _____

2

Time required for submissions for all proceedings on the roll

Duration: Plaintiff/applicant: _____ Defence: _____ Other: _____
Reading time: _____ TOTAL DURATION: _____

3

**Contact information of the attorneys
making representations before the Court**

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

4

Contact information of unrepresented parties

Name of party: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of party: _____
Telephone (direct): _____
Cell: _____
Email: _____

5

Previous settlement attempts

Have you attempted to settle the application(s)? Yes No

6

Filing of documents

I certify that all of the proceedings, exhibits, and other documents required were filed at the court office at least two working days before the date of presentation Yes No

I certify that the documents authorized in the Revised Communiqué have been sent to production-tardive.civil.cs@judex.qc.ca

yes no n/a

I certify that a request will be made for authorization to send the documents to production-tardive.civil.cs@judex.qc.ca.

yes no n/a

7

Confirmation

By checking the box that follows, I _____, confirm that I have obtained the adverse party's name of attorney responsible for the file

consent to submit this form, his or her time required for submissions, and the other information above.

If the adverse party's consent was not obtained, please set out the reasons:

8

Authorization to proceed in person

Who is making the request:

Set out the reasons justifying attendance in person:

**SCHEDULE D -
Request for a hearing in
family matters form**

SUPERIOR COURT – District of Montreal

IN FORCE UNTIL MARCH 12, 2021

REQUEST FOR A HEARING IN FAMILY MATTERS FORM

Court file number: 500 - _____

IMPORTANT: Only one form per file must be sent per date of presentation on the roll, and a new form per file must be sent for each new date of presentation. The party that initiated the application submitted to the court (or the first to be notified if there is more than one application to be presented on the same day) must fill out all sections of this form and send it to the email address courpratique-217@justice.gouv.qc.ca with a copy of the email sent c.c. to the adverse party only between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.

1

Proceeding(s) on the roll of _____ in Courtroom 2.17
(date)

Uncontested application(s)
[check all that apply]

Contested applications

Application for a safeguard order

Date of service/notification:

Contested extension and/or
amendment of a safeguard order

- Case management notice
- Cease representing/Substitution of attorney
Trial set for: _____
- Disclosure of documents
- Request for special case management
- Request for undertakings
- Psychosocial assessment
- Establishing a case protocol
- Application to dismiss
- Declinatory exception
- Appointment of an attorney for the child
- Contempt of court
- Extension of a time limit
Number of previous extensions: _____
- Extension of a subpoena
- Relief from failure to set down for trial
- Contested application for postponement
- Postponement of hearing scheduled in 2.01 or 15.07 on

- Revocation of judgment
- Suspension of proceedings
Number of previous suspensions: _____
- Other: _____

Specify those that are contested: _____

2

Time required for submissions

Duration: Plaintiff/applicant: _____ Defence: _____ Other: _____
Reading: _____ TOTAL DURATION: _____

3

Contact information of the attorneys making representations before the Court

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of attorney: _____
Name of party represented: _____
Telephone (direct): _____
Cell: _____
Email: _____

4

Contact information of unrepresented parties

Name of party: _____
Telephone (direct): _____
Cell: _____
Email: _____

Name of party: _____
Telephone (direct): _____
Cell: _____
Email: _____

5

Previous settlement attempts

Have you attempted to settle the application(s)? Yes No

6**Filing of documents**

I certify that all of the proceedings, exhibits, affidavits, and other documents required were filed at the court office at least two working days before the date of presentation Yes No

I certify that a copy of all the affidavits and documents, exchanged among the parties less than two working days before the date of presentation, but at the latest by 12:30 p.m. the day before the hearing, was sent by email to production-tardive.familial.cs@judex.qc.ca Yes No n/a

7**Confirmation**

By checking the box that follows, I _____, confirm that I have obtained the adverse party's name of attorney responsible for the file consent to submit this form, his or her time required for submissions, and the other information above.

If the adverse party's consent was not obtained, please set out the reasons:

8**Authorization to proceed in person**

Who is making the request:

Set out the reasons justifying attendance in person:

SUPERIOR COURT – District of Montreal

AS OF MARCH 15, 2021

REQUEST FOR A HEARING IN FAMILY MATTERS FORM

Court file number: 500 - _____

IMPORTANT: When it is mandatory, only one form per file must be sent per date of presentation on the roll, and a new form per file must be sent for each new date of presentation. The party that initiated the application submitted to the court (or the first to be notified if there is more than one application to be presented on the same day) must fill out all sections of this form and send it to the email address courpratique-217@justice.gouv.qc.ca with a copy of the email sent c.c. to the adverse party only between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation.

1

Proceedings on the roll of _____ in Courtroom 2.17
(date)

Uncontested application(s)

Contested application(s)

[check all that apply]

Application for a safeguard order

Case management notice

Cease representing/Substitution of attorney:

Trial set for: _____

Disclosure of documents

Request for special case management

Request for undertakings

Psychosocial assessment

Establishing a case protocol

Application to dismiss

Declinatory exception

Appointment of an attorney for the child

Contempt of court

Extension of a time limit

Number of previous extensions: _____

Amended case protocol attached: yes no

Are you requesting an exemption from filing one? _____

Briefly explain: _____

Date of service/notification:

Contested extension and/or
amendment of a safeguard order

Extension of a subpoena

Relief from failure to set down for trial

Contested application for postponement

Postponement of hearing scheduled in 2.01 or 15.07 on _____

Revocation of judgment

Suspension of proceedings

Number of previous suspensions: _____

Other: _____

Specify those that are contested: _____

2

Time required for submissions

Duration: Plaintiff/applicant: _____ Defence: _____ Other: _____

Reading time: _____ TOTAL DURATION: _____

3

Contact information of the attorneys making representations before the Court

Name of attorney: _____

Name of party represented: _____

Telephone (direct): _____

Cell: _____

Email: _____

Name of attorney: _____

Name of party represented: _____

Telephone (direct): _____

Cell: _____

Email: _____

Name of attorney: _____

Name of party represented: _____

Telephone (direct): _____

Cell: _____

Email: _____

Name of attorney: _____

Name of party represented: _____

Telephone (direct): _____

Cell: _____

Email: _____

4

Contact information of unrepresented parties

Name of party: _____

Telephone (direct): _____

Cell: _____

Email: _____

Name of party: _____

Telephone (direct): _____

Cell: _____

Email: _____

5

Previous settlement attempts

Have you attempted to settle the application(s)? Yes No

6

Filing of documents

I certify that all of the proceedings, exhibits, affidavits, and other documents required were filed at the court office at least two working days before the date of presentation Yes No

I certify that the documents authorized in the Revised Communiqué have been sent to production-tardive.familial.cs@judex.qc.ca Yes No n/a

I certify that a request will be made for authorization to send the documents to production-tardive.familial.cs@judex.qc.ca

Yes No n/a

7

Confirmation

By checking the box that follows, I _____, confirm that I have obtained the adverse party's name of attorney responsible for the file

consent to submit this form, his or her time required for submissions, and the other information above.

If the adverse party's consent was not obtained, please set out the reasons:

8

Authorization to proceed in person

Who is making the request:

Set out the reasons justifying attendance in person:

SCHEDULE E-
Aide-mémoire in civil matters

**SUPERIOR COURT
CIVIL MATTERS**

ROLL – Courtroom 2.16

AIDE-MÉMOIRE

IN FORCE UNTIL MARCH 12, 2021

Procedures have been implemented to avoid having to go to the Montreal courthouse. Here is a list of the applications concerned:

TYPE OF APPLICATION	HOW TO PROCEED?	EMAIL ADDRESS	TIME LIMIT	ADDITIONAL INFORMATION
UNCONTESTED APPLICATIONS				
Uncontested applications for postponement	<ul style="list-style-type: none">• Send an email• Subject line of email: Indicate the file number	courpratique-remise@justice.gouv.qc.ca	The day before the date of presentation, by 4:00 p.m.	For postponements of less than 30 days, attend the virtual calling of the roll in Courtroom 2.16 using TEAMS
Request for a hearing date	<ul style="list-style-type: none">• Send an email with the Joint Declaration to Fix a Hearing of More than Two Hours – Civil Practice or the Request for Setting down for Trial and Judgment by Way of a Joint Declaration – Civil Matters• Subject of email: “Fixing a date”	cour-pratique.216@justice.gouv.qc.ca	By 8:30 a.m. the morning of the day of the presentation	You must participate in the virtual calling of the roll in Courtroom 2.16 to obtain the date
CONTESTED OR UNCONTESTED APPLICATIONS				
Any other application within the jurisdiction of the special clerk or of the judge	<ul style="list-style-type: none">• Fill out and send the Request for a hearing in civil matters form• Subject line of email: “Request for a hearing in civil matters”	cour-pratique.216@justice.gouv.qc.ca	By 12:30 p.m. the day before the presentation, but no more than 24 hours in advance	Participation in the virtual calling of the roll in Courtroom 2.16 is not necessary. You will receive an email indicating the Courtroom to which you have been transferred, if applicable, or whether your application will be dealt with by the special clerk

In the event of any discrepancy between this aide-mémoire and the Communiqués of the Superior Court (District of Montreal), please note that the Communiqués take precedence over this aide-mémoire.

It is important to consult the website of the Bar of Montreal for the latest updates to this aide-mémoire.

The proceeding in question must be on the roll.

Always send “carbon copy” (cc) emails to all the parties in the file.

All the forms referred to above are available on the websites of the Superior Court and of the Bar of Montreal.

**SUPERIOR COURT
CIVIL MATTERS**
ROLL – Courtroom 2.16

AIDE-MÉMOIRE

AS OF MARCH 15, 2021

Procedures have been implemented to avoid having to go to the Montreal courthouse. Here is a list of the applications concerned:

TYPE OF APPLICATION	HOW TO PROCEED?	EMAIL ADDRESS	TIME LIMIT	ADDITIONAL INFORMATION
UNCONTESTED APPLICATIONS				
Uncontested applications for postponement	<ul style="list-style-type: none"> Send an email Subject line of email: Indicate the file number 	courpratique-remise@justice.gouv.qc.ca	The day before the date of presentation, by 4:00 p.m.	For postponements of less than 30 days, attend the virtual calling of the roll in Courtroom 2.16 using TEAMS
Request for a hearing date	<ul style="list-style-type: none"> Send an email with the Joint Declaration to Fix a Hearing of More than One Hour – Civil Practice and Special Proceedings or the Request for Setting down for Trial and Judgment by Way of a Joint Declaration – Civil Matters Subject of email: “Fixing a date” 	cour-pratique.216@justice.gouv.qc.ca	(...) <u>Between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation</u>	You must participate in the virtual calling of the roll in Courtroom 2.16 to (...) <u>have your Joint Declaration verified. Once the special clerk has authorized the parties to obtain a hearing date, he or she will place the application on the Provisional roll of the civil practice division and of special proceedings, during which a date will be fixed in the presence of the parties and the master of the rolls.</u>
CONTESTED OR UNCONTESTED APPLICATIONS				
Any other application within the jurisdiction of the special clerk or of the judge	<ul style="list-style-type: none"> Fill out and send the Request for a hearing in civil matters form Subject line of email: “Request for a hearing in civil matters” 	cour-pratique.216@justice.gouv.qc.ca	(...) <u>(...) Between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation</u>	Participation in the virtual calling of the roll in Courtroom 2.16 is not necessary. You will receive an email indicating the Courtroom to which you have been transferred, if applicable, or whether your application will be dealt with by the special clerk. <u>The form is optional for contested applications and mandatory for uncontested applications</u>

In the event of any discrepancy between this aide-mémoire and the Communiqués of the Superior Court (District of Montreal), please note that the Communiqués take precedence over this aide-mémoire.

It is important to consult the website of the [Superior Court](http://www.courts.montreal.qc.ca) for the latest updates to this aide-mémoire.

The proceeding in question must be on the roll.

Always send “carbon copy” (cc) emails to all the parties in the file.

All the forms referred to above are available on the websites of the Superior Court and of the Bar of Montreal.

**SCHEDULE F -
Aide-mémoire in family
matters**

SUPERIOR COURT FAMILY MATTERS

Roll - Courtroom 2.17

AIDE-MÉMOIRE

IN FORCE UNTIL MARCH 12, 2021

Procedures have been implemented to avoid having to go to the Montreal courthouse. Here is a list of the applications concerned:

TYPE OF APPLICATION	HOW TO PROCEED?	EMAIL ADDRESS	TIME LIMIT	ADDITIONAL INFORMATION
UNCONTESTED APPLICATIONS				
Uncontested applications for postponement	<ul style="list-style-type: none"> Send an email Subject line of email: Indicate the file number 	courpratique-remise@justice.gouv.qc.ca	The day before the date of presentation, by 4:00 p.m.	For postponements of less than 30 days, attend the virtual calling of the roll in Courtroom 2.17 using TEAMS.
Homologation of an agreement/extension of a safeguard order under sealed envelope	<ul style="list-style-type: none"> Before the date of presentation: <ul style="list-style-type: none"> Fill out and send the “Instructions for applications for homologation or extension under sealed envelope” (French only) form Subject line of email: “Application for homologation by consent or for extension” 	courpratique-217@justice.gouv.qc.ca	By 8:30 a.m. the morning of the day of the presentation	You will receive the minutes by email.
Request for a hearing date	<ul style="list-style-type: none"> Send an email with a copy of the Joint Declaration to Fix a Hearing of More than Two Hours – Family Practice and of the documents to be filed in the record to complete it Subject line of email: “Fixing a date” or “Filing of undertakings” 	courpratique-217@justice.gouv.qc.ca	48 hours before the date of presentation	You must participate in the virtual calling of the roll in Courtroom 2.17 to obtain the date
CONTESTED OR UNCONTESTED APPLICATIONS				
Any other application within the jurisdiction of the judge or of the special clerk	<ul style="list-style-type: none"> Fill out and send the “Request for a hearing in family matters form” Subject line of email: “Request for a hearing in family matters” 	courpratique-217@justice.gouv.qc.ca	By 12:30 p.m. the day before the presentation, but no more than 24 hours in advance	Participation in the virtual calling of the roll in Courtroom 2.17 is not necessary. You will receive an email indicating the Courtroom to which you have been transferred, if applicable, or whether your application will be dealt with by the special clerk

In the event of any discrepancy between this aide-mémoire and the Communiqués of the Superior Court (District of Montreal), please note that the Communiqués take precedence over this aide-mémoire.

It is important to consult the website of the Bar of Montreal for the latest updates to this aide-mémoire.

The proceeding in question must be on the roll.

Always send “carbon copy” (cc) emails to all the parties in the file.

All the forms referred to above are available on the websites of the Superior Court and of the Bar of Montreal.

SUPERIOR COURT FAMILY MATTERS

Roll - Courtroom 2.17

AIDE-MÉMOIRE

AS OF MARCH 15, 2021

Procedures have been implemented to avoid having to go to the Montreal courthouse. Here is a list of the applications concerned:

TYPE OF APPLICATION	HOW TO PROCEED?	EMAIL ADDRESS	TIME LIMIT	ADDITIONAL INFORMATION
UNCONTESTED APPLICATIONS				
Uncontested applications for postponement	<ul style="list-style-type: none"> • Send an email • Subject line of email: Indicate the file number 	courpratique-remise@justice.gouv.qc.ca	The day before the date of presentation, by 4:00 p.m.	For postponements of less than 30 days, attend the virtual calling of the roll in Courtroom 2.17 using TEAMS.
Homologation of an agreement/extension of a safeguard order under sealed envelope	<ul style="list-style-type: none"> • Before the date of presentation: <ul style="list-style-type: none"> ○ Fill out and send the “Instructions for applications for homologation or extension under sealed envelope” (French only) form ○ Subject line of email: “Application for homologation by consent or for extension” 	courpratique-217@justice.gouv.qc.ca	By 8:30 a.m. the morning of the day of the presentation	You will receive the minutes by email.
Request for a hearing date	<ul style="list-style-type: none"> • Send an email with a copy of the Joint Declaration to Fix a Hearing of More than One Hour – Family Practice and of the documents to be filed in the record to complete it • Subject line of email: “Fixing a date” or “Filing of undertakings” 	courpratique-217@justice.gouv.qc.ca	<u>two working days</u> before the date of presentation	You must participate in the virtual calling of the roll in Courtroom 2.17 to obtain the date <u>or give the required undertakings</u> .
CONTESTED OR UNCONTESTED APPLICATIONS				
Any other application within the jurisdiction of the judge or of the special clerk	<ul style="list-style-type: none"> • Fill out and send the “Request for a hearing in family matters form” • Subject line of email: “Request for a hearing in family matters” 	courpratique-217@justice.gouv.qc.ca	(...) <u>Between 8:00 a.m. and 12:30 p.m. on the last working day before the date of presentation</u>	Participation in the virtual calling of the roll in Courtroom 2.17 is not necessary. You will receive an email indicating the Courtroom to which you have been transferred, if applicable, or whether your application will be dealt with by the special clerk <u>The form is optional for contested applications and mandatory for uncontested applications</u>

In the event of any discrepancy between this aide-mémoire and the Communiqués of the Superior Court (District of Montreal), please note that the Communiqués take precedence over this aide-mémoire.

It is important to consult the website of the Superior Court for the latest updates to this aide-mémoire.

The proceeding in question must be on the roll.

Always send “carbon copy” (cc) emails to all the parties in the file.

All the forms referred to above are available on the websites of the Superior Court and of the Bar of Montreal.

**SCHEDULE G -
Instructions in civil matters**

INSTRUCTIONS IN CIVIL MATTERS

IN FORCE UNTIL MARCH 12, 2021

Virtual calling of the roll in Courtroom 2.16 using Teams

The purpose of these instructions is to facilitate the participation of attorneys and unrepresented parties in the calling of the roll in the practice division using Teams

1. **Instructions** concerning the conduct of the calling of the roll

- 1.1. The calling of the roll starts at 9:00 a.m., but you must connect at least five minutes before the start of the calling of the roll (8:55 a.m.);
- 1.2. The calling of the roll takes place on the “Microsoft Teams” platform. You have the option of:

Downloading and installing the Teams application

You will then have access to all the features available on the platform; or

Accessing the virtual courtroom directly on the web, without downloading or installing the Teams application;

However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen;

Please note: You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

- 1.3. The contact information to join the virtual calling of the roll of Courtroom 2.16 is as follows:

- a) **using TEAMS:** click on the permanent connection link for Courtroom 2.16 available **here**;

You will then have to enter your name and click “Join Now”. To facilitate the process and the identification of participants, we ask that you enter your name in the following manner:

Attorneys: Mtre Name, Surname (name of party represented);

Parties not represented by an attorney: Name, Surname (specify: Plaintiff, Defendant, or other);

For persons who wish to attend a public hearing: simply enter “public”;

- b) **by telephone:**

Canada, Quebec (Charges will apply): +1 581-319-2194

Canada (Toll Free): (833) 450-1741

Conference ID: 470 980 973#

- c) by videoconference: teams@teams.justice.gouv.qc.ca

VTC conference ID: 1197347661

- 1.4. Once in the courtroom, if you have used:

- 1.4.1. the permanent Teams connection link, you must turn off your microphone by clicking on the  icon that will appear on the screen.

- 1.4.2. a telephone, you must disable your telephone's microphone by putting it on mute (not on standby) until your case is called. In addition, to avoid ambient noise, do not use the hands-free function;
- 1.5. If, due to technical difficulties, you are not able to reactivate your device's microphone, you must leave the call and re-connect.

2. Decorum

- 2.1. The calling of roll using Teams is conducted in the same way as if you were in the courtroom;
- 2.2. Wait until the special clerk calls your case or your name before speaking;
- 2.3. To avoid disrupting communication, you must be in a private, quiet space that is not likely to create noise;
- 2.4. You must remain attentive so you will be ready to speak when your case is called.

3. Place on the roll

- 3.1. Cases are called one after another, in accordance with their order on the roll;
- 3.2. You must ensure that your proceeding appears on the roll by 12:30 p.m. the day before the calling of the roll.
- 3.3. To find out where your case is placed on the roll, consult: <http://roles.tribunaux.qc.ca/>. **Note** that the rolls on this site are not always up-to-date and that the position of your case on the roll may change;
- 3.4. Before speaking, the attorney or unrepresented party must identify himself or herself.

4. Instructions for the parties

- 4.1. The parties must have discussed the issues involved in the application before the calling of the roll using Teams;
- 4.2. You must have agreed in advance on the information to be given to the special clerk during the virtual calling of the roll. The purpose of the calling of the roll is not to negotiate or discuss;
- 4.3. If the parties wish to avoid participating in the calling of the roll using Teams for the postponement of a case, they must send an email to (courpratique-remise@justice.gouv.qc.ca) for that purpose by 4:00 p.m. the day before the date of presentation;

It is the parties' responsibility to ensure that the postponement date is a working day;
- 4.4. During the calling of the roll, you must be able to provide succinct instructions for the next steps in your case;
- 4.5. If you are not ready to provide your instructions when your case is called, the case will be placed at the end of the roll;
- 4.6. If you are late joining the calling of the roll, please wait until the end of the calling of the roll to check the status of your case;
- 4.7. Once all the cases have been called, the special clerk will call the roll a second time for the cases that were not dealt with:

- 4.7.1. if no one comes forward on behalf of a case, it will be postponed without a set date (*sine die*);
- 4.7.2. if the parties do not agree on the instructions, they must make their submissions before the judge; however, it is not possible to predict the time at which they will be heard;
 - 4.7.2.1 the special clerk will refer the case to a judge;
 - 4.7.2.2 when your case is about to be called by the judge, you will receive an email from the court clerk to join the virtual hearing using a permanent Teams connection link.

5. Application to proceed by default

- 5.1. If a party or an attorney fails to participate in the calling of the roll, judgment may be rendered by default without further notice or delay;
- 5.2. If the party who initiated the application wishes to proceed the same day, the special clerk will refer the case to a judge;
- 5.3. When the case is about to be called by the judge, the party or attorney will be informed by the court clerk to join the virtual hearing;

6. Notice of presentation

- 6.1. When you file a new notice of presentation for an application that was already filed in the court record, you must identify the application in question in the subject line of the new notice.

7. Additions to the roll

- 7.1. All requests to be added to the roll must be presented between the first and the second calling of the roll and will be authorized at the discretion of the special clerk.

INSTRUCTIONS

AS OF MARCH 15, 2021

Virtual calling of the roll in Courtroom 2.16 using Teams

The purpose of these instructions is to facilitate the participation of attorneys and unrepresented parties in the calling of the roll in the practice division using Teams

1. **Instructions** concerning the conduct of the calling of the roll

- 1.1. The calling of the roll starts at 9:00 a.m., but you must connect at least five minutes before the start of the calling of the roll (8:55 a.m.);
- 1.2. The calling of the roll takes place on the “Microsoft Teams” platform.

You have the option of:

Downloading and installing the Teams application

You will then have access to all the features available on the platform; or

Accessing the virtual courtroom directly on the web, without downloading or installing the Teams application;

However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen;

Please note: You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

- 1.3. The contact information to join the virtual calling of the roll of Courtroom 2.16 is as follows:

- a) **using TEAMS:** click on the permanent connection link for Courtroom 2.16 available **here**;

You will then have to enter your name and click “Join Now”.

To facilitate the process and the identification of participants, we ask that you enter your name in the following manner:

Attorneys: Mtre Name, Surname (name of party represented);

Parties not represented by an attorney: Name, Surname (specify: Plaintiff, Defendant, or other);

For persons who wish to attend a public hearing: simply enter “public”;

- b) **by telephone:**

Canada, Quebec (Charges will apply): +1 581-319-2194


Canada (Toll Free): (833) 450-1741

Conference ID: 470 980 973#

- c) **by videoconference:** teams@teams.justice.gouv.qc.ca

VTC conference ID: 1197347661

- 1.4. Once in the courtroom, if you have used:

- 1.4.1. the permanent Teams connection link, you must turn off your microphone by clicking on the  icon that will appear on the screen.
- 1.4.2. a telephone, you must disable your telephone's microphone by putting it on mute (not on standby) until your case is called. In addition, to avoid ambient noise, do not use the hands-free function;
- 1.5. If, due to technical difficulties, you are not able to reactivate your device's microphone, you must leave the call and re-connect.

2. Decorum

- 2.1. The calling of roll using Teams is conducted in the same way as if you were in the courtroom;
- 2.2. Wait until the special clerk calls your case or your name before speaking;
- 2.3. To avoid disrupting communication, you must be in a private, quiet space that is not likely to create noise;
- 2.4. You must remain attentive so you will be ready to speak when your case is called.

3. Place on the roll

- 3.1. Cases are called one after another, in accordance with their order on the roll;
- 3.2. You must ensure that your proceeding appears on the roll by 12:30 p.m. the day before the calling of the roll.
- 3.3. To find out where your case is placed on the roll, consult: <http://roles.tribunaux.qc.ca/>. **Note** that the rolls on this site are not always up-to-date and that the position of your case on the roll may change;
- 3.4. Before speaking, the attorney or unrepresented party must identify himself or herself.

4. Instructions for the parties

- 4.1. The parties must have discussed the issues involved in the application before the calling of the roll using Teams;
- 4.2. You must have agreed in advance on the information to be given to the special clerk during the virtual calling of the roll. The purpose of the calling of the roll is not to negotiate or discuss;
- 4.3. If the parties wish to avoid participating in the calling of the roll using Teams for the postponement of a case, they must send an email to (**courpratique-remise@justice.gouv.qc.ca**) for that purpose by 4:00 p.m. the day before the date of presentation;

It is the parties' responsibility to ensure that the postponement date is a working day;

- 4.4. During the calling of the roll, you must be able to provide succinct instructions for the next steps in your case;
- 4.5. If you are not ready to provide your instructions when your case is called, the case will be placed at the end of the roll;
- 4.6. If you are late joining the calling of the roll, please wait until the end of the calling of the roll to check the status of your case;

4.7. Once all the cases have been called, the special clerk will call the roll a second time for the cases that were not dealt with:

4.7.1. if no one comes forward on behalf of a case, it will be postponed without a set date (*sine die*);

4.7.2. if the parties do not agree on the instructions, they must make their submissions before the judge; however, it is not possible to predict the time at which they will be heard;

4.7.2.1 the special clerk will refer the case to a judge;

4.7.2.2 you must join the **virtual waiting room** associated with the Courtroom designated by the special clerk by using one of the permanent Teams connection links and wait until your case is called by the court clerk before connecting to the virtual hearing before the judge.

5. Application to proceed by default

5.1. If a party or an attorney fails to participate in the calling of the roll, judgment may be rendered by default without further notice or delay;

5.2. If the party who initiated the application wishes to proceed the same day, the special clerk will refer the case to a judge;

5.3. When the case is about to be called by the judge, the party or attorney will be informed by the court clerk to join the virtual hearing;

6. Notice of presentation

6.1. When you file a new notice of presentation for an application that was already filed in the court record, you must identify the application in question in the subject line of the new notice.

7. Additions to the roll

7.1. All requests to be added to the roll must be presented between the first and the second calling of the roll and will be authorized at the discretion of the special clerk.

**SCHEDULE H -
Instructions in family
matters**

INSTRUCTIONS IN FAMILY MATTERS

IN FORCE UNTIL MARCH 12, 2021

Virtual calling of the roll in Courtroom 2.17 using Teams

The purpose of these instructions is to facilitate the participation of attorneys and unrepresented parties in the calling of the roll in the practice division using Teams.

1. Instructions concerning the conduct of the calling of the roll

- 1.1. The calling of the roll starts at 9:00 a.m., but you must connect at least five minutes before the start of the calling of the roll (8:55 a.m.);
- 1.2. The calling of the roll takes place on the “Microsoft Teams” platform. You have the option of:

Downloading and installing the Teams application

You will then have access to all the features available on the platform; or

Accessing the virtual courtroom directly on the web, without downloading or installing the Teams application;

However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen;

Please note: You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

- 1.3. The contact information to join the virtual calling of the roll of Courtroom 2.17 is as follows:

- a) **using TEAMS:** click on the permanent connection link for Courtroom 2.17 available here;

You will then have to enter your name and click “Join Now”.

To facilitate the process and the identification of participants, we ask that you enter your name in the following manner:

Attorneys: Mtre Name, Surname (name of party represented);

Parties not represented by an attorney: Name, Surname (specify: Plaintiff, Defendant, or other);

- b) **by telephone:**

Canada, Quebec (Charges will apply): +1 581-319-2194

Canada (Toll Free number): (833) 450-1741

Conference ID: 881 453 222#;

- c) **by videoconference:** teams@teams.justice.gouv.qc.ca

VTC conference ID: 1160784303.

- 1.4. Once in the courtroom, if you have used:

- 1.4.1. the permanent Teams connection link, you must turn off your microphone by clicking on the  icon that will appear on the screen.

- 1.4.2. a telephone, you must disable your telephone's microphone by putting it on mute (not on standby) until your case is called. In addition, to avoid ambient noise, do not use the hands-free function;
- 1.5. If, due to technical difficulties, you are not able to reactivate your device's microphone, you must leave the call and re-connect.

2. Decorum

- 2.1. The calling of roll using Teams is conducted in the same way as if you were in the courtroom;
- 2.2. Wait until the special clerk calls your case or your name before speaking;
- 2.3. To avoid disrupting communication, you must be in a private, quiet space that is not likely to create noise;
- 2.4. You must remain attentive so you will be ready to speak when your case is called.

3. Place on the roll

- 3.1. Cases are called one after another, in accordance with their order on the roll;
- 3.2. You must ensure that your proceeding appears on the roll by 12:30 p.m. the day before the calling of the roll.
- 3.3. To find out where your case is placed on the roll, consult: <http://roles.tribunaux.qc.ca/>. **Note** that the rolls on this site are not always up-to-date and that the position of your case on the roll may change;
- 3.4. Before speaking, attorneys must identify themselves by their name and surname; unrepresented parties must identify themselves by their surname only.

4. Instructions for the parties

- 4.1. The parties must have discussed the issues involved in the application before the calling of the roll using Teams;
- 4.2. You must have agreed in advance on the information to be given to the special clerk during the virtual calling of the roll. The purpose of the calling of the roll is not to negotiate or discuss;
- 4.3. If the parties wish to avoid participating in the calling of the roll for the postponement of a case, they must send an email to (courpratique-remise@justice.gouv.qc.ca) for that purpose by 4:00 p.m. the day before the date of presentation;

It is the parties' responsibility to ensure that the postponement date is a working day;

- 4.4. During the calling of the roll, you must be able to provide succinct instructions for the next steps in your case;
- 4.5. If you are not ready to provide your instructions when your case is called, the case will be placed at the end of the roll;
- 4.6. If you are late joining the calling of the roll, please wait until the end of the calling of the roll to check the status of your case;

- 4.7. Once all the cases have been called, the special clerk will call the roll a second time for the cases that were not dealt with:
 - 4.7.1. if no one comes forward on behalf of a case, it will be postponed without a set date (*sine die*);
 - 4.7.2. if the parties do not agree on the instructions, they may make their submissions before the judge; however, it is not possible to predict the time at which they will be heard;
 - 4.7.2.1. the special clerk will refer the case to a judge;
 - 4.7.2.2. when your case is about to be called by the judge, you will receive an email from the court clerk to join the virtual hearing using a permanent Teams connection link.

5. *In camera* hearings and confidentiality

- 5.1. To comply with the *in camera* rule and to protect the confidentiality of the information contained in the records in family matters, the cases on the roll are called by the parties' surname only;
- 5.2. You may not disclose confidential information concerning the parties during the calling of the roll.
- 5.3. When the case is about to be called by the judge, the party or attorney will be informed by the court clerk to join the virtual hearing;

6. Application to proceed by default

- 6.1. If a party or an attorney fails to participate in the calling of the roll, judgment may be rendered by default without further notice or delay;
- 6.2. If the party who initiated the application wishes to proceed the same day, the special clerk will refer the case to a judge;
- 6.3. When the case is about to be called by the judge, the party or attorney will receive an email from the court clerk to join the virtual hearing;

7. Notice of presentation

- 7.1. When you file a new notice of presentation for an application that was already filed in the court record, you must identify the application in question in the subject line of the new notice.

8. Additions to the roll

- 8.1. All requests to be added to the roll must be presented between the first and the second calling of the roll and will be authorized at the discretion of the special clerk.

INSTRUCTIONS

AS OF MARCH 15, 2021

Virtual calling of the roll of Courtroom 2.17 using Teams

The purpose of these instructions is to facilitate the participation of attorneys and unrepresented parties in the calling of the roll in the practice division using Teams.

1. **Instructions** concerning the conduct of the calling of the roll

- 1.1. The calling of the roll starts at 9:00 a.m., but you must connect at least five minutes before the start of the calling of the roll (8:55 a.m.);
- 1.2. The calling of the roll takes place on the “Microsoft Teams” platform; You have the option of:

Downloading and installing the Teams application

You will then have access to all the features available on the platform; or

Accessing the virtual courtroom directly on the web, without downloading or installing the Teams application.

However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen;

Please note: You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

- 1.3. The contact information to join the virtual calling of the roll of Courtroom 2.17 is as follows:

a) **using TEAMS**: click on the permanent connection link for Courtroom 2.17 available **here**;

You will then have to enter your name and click “Join Now”.

To facilitate the process and the identification of participants, we ask that you enter your name in the following manner:

Attorneys: Mtre Name, Surname (name of party represented);

Parties not represented by an attorney: Name, Surname (specify: Plaintiff, Defendant, or other);

b) **by telephone**:

Canada, Quebec (Charges will apply): +1 581-319-2194


Canada (Toll Free number): (833) 450-1741

Conference ID: 881 453 222#;

c) **by videoconference**: teams@teams.justice.gouv.qc.ca

VTC conference ID: 1160784303.

- 1.4. Once in the courtroom, if you have used:

- 1.4.1. the permanent Teams connection link, you must turn off your microphone by clicking on the  icon that will appear on the screen.
- 1.4.2. a telephone, you must disable your telephone's microphone by putting it on mute (not on standby) until your case is called. In addition, to avoid ambient noise, do not use the hands-free function;
- 1.5. If, due to technical difficulties, you are not able to reactivate your device's microphone, you must leave the call and re-connect.

2. Decorum

- 2.1. The calling of roll using Teams is conducted in the same way as if you were in the courtroom;
- 2.2. Wait until the special clerk calls your case or your name before speaking;
- 2.3. To avoid disrupting communication, you must be in a private, quiet space that is not likely to create noise;
- 2.4. You must remain attentive so you will be ready to speak when your case is called.

3. Place on the roll

- 3.1. Cases are called one after another, in accordance with their order on the roll;
- 3.2. You must ensure that your proceeding appears on the roll by 12:30 p.m. the day before the calling of the roll.
- 3.3. To find out where your case is placed on the roll, consult: <http://roles.tribunaux.qc.ca/>. **Note** that the rolls on this site are not always up-to-date and that the position of your case on the roll may change;
- 3.4. Before speaking, attorneys must identify themselves by their name and surname; unrepresented parties must identify themselves by their surname only.

4. Instructions for the parties

- 4.1. The parties must have discussed the issues involved in the application, before the calling of the roll using Teams;
- 4.2. You must have agreed in advance on the information to be given to the special clerk during the virtual calling of the roll. The purpose of the calling of the roll is not to negotiate or discuss;
- 4.3. If the parties wish to avoid participating in the calling of the roll for the postponement of a case, they must send an email to (courpratique-remise@justice.gouv.qc.ca) for that purpose by 4:00 p.m. the day before the date of presentation;

It is the parties' responsibility to ensure that the postponement date is a working day;

- 4.4. During the calling of the roll, you must be able to provide succinct instructions for the next steps in your case;
- 4.5. If you are not ready to provide your instructions when your case is called, the case will be placed at the end of the roll;

- 4.6. If you are late joining the calling of the roll, please wait until the end of the calling of the roll to check the status of your case;
- 4.7. Once all the cases have been called, the special clerk will call the roll a second time for the cases that were not dealt with:
 - 4.7.1. if no one comes forward on behalf of a case, it will be postponed without a set date (*sine die*);
 - 4.7.2. if the parties do not agree on the instructions, they may make their submissions before the judge; however, it is not possible to predict the time at which they will be heard;
 - 4.7.2.1. the special clerk will refer the case to a judge;
 - 4.7.2.2. you must join the **virtual waiting room** associated with the Courtroom designated by the special clerk by using one of the permanent Teams connection links and wait until your case is called by the court clerk before connecting to the virtual hearing before the judge.

5. *In camera* hearings and confidentiality

- 5.1. To comply with the *in camera* rule and to protect the confidentiality of the information contained in the records in family matters, the cases on the roll are called by the parties' surname only;
- 5.2. You may not disclose confidential information concerning the parties during the calling of the roll.
- 5.3. When the case is about to be called by the judge, the party or attorney will be informed by the court clerk to join the virtual hearing;

6. Application to proceed by default

- 6.1. If a party or an attorney fails to participate in the calling of the roll, judgment may be rendered by default without further notice or delay;
- 6.2. If the party who initiated the application wishes to proceed the same day, the special clerk will refer the case to a judge;
- 6.3. When the case is about to be called by the judge, the party or attorney will receive an email from the court clerk to join the virtual hearing;

7. Notice of presentation

- 7.1. When you file a new notice of presentation for an application that was already filed in the court record, you must identify the application in question in the subject line of the new notice.

8. Additions to the roll

- 8.1. All requests to be added to the roll must be presented between the first and the second calling of the roll and will be authorized at the discretion of the special clerk.

**SCHEDULE I -
Notice of presentation in civil
matters**

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

COUR SUPÉRIEURE
(Chambre civile)

N° : 500-_____

Partie demanderesse

c.

Partie défenderesse

**AVIS DE PRÉSENTATION
CIVILE (SALLE 2.16)**

1. PRÉSENTATION DE LA DEMANDE

PRENEZ AVIS que la demande _____ sera présentée en division de pratique de la Chambre civile de la Cour supérieure, en salle 2.16 du palais de justice de Montréal, situé au 1 Rue Notre-Dame Est, Montréal, le _____ 20____, à 9 h 00, ou aussitôt que le conseil pourra être entendu.

2. COMMENT JOINDRE L'APPEL DU RÔLE DE PRATIQUE VIRTUEL

Les coordonnées pour vous joindre à l'appel du rôle virtuel de la salle 2.16 sont les suivantes :

a) **par l'outil Teams** : en cliquant sur le lien correspondant à la salle 2.16 disponible [ici](#)¹.

Vous devrez alors inscrire votre nom et cliquez sur « Rejoindre maintenant ». Afin de faciliter le déroulement et l'identification des participants, nous vous invitons à inscrire votre nom de la façon suivante :

Les avocats : Me Prénom, Nom (le nom de la partie représentée)

Les parties non représentées par avocat : Prénom, Nom (précisez : demandeur(esse), défendeur(esse) ou autre)

Pour les personnes qui assistent à une audience publique : se limiter à inscrire la mention « public »

b) **par téléphone** :

Canada (Numéro gratuit) : (833) 450-1741

Canada, Québec (Numéro payant) : +1 581-319-2194

¹ Les Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale sont publiés sous la rubrique Audiences virtuelles disponible sur le site Internet de la Cour supérieure à l'adresse suivante : <https://coursuperieureduquebec.ca/roles-de-la-cour/audiences-virtuelles>.

ID de conférence : 470 980 973#

c) par vidéoconférence : teams@teams.justice.qc.ca

ID de la conférence VTC : 1197347661

d) en personne, si et seulement si vous n'avez pas accès aux autres moyens précités.

3. DÉFAUT DE PARTICIPER À L'APPEL DU RÔLE DE PRATIQUE

PRENEZ AVIS qu'à défaut par vous de participer à l'appel du rôle, un jugement par défaut pourrait être rendu contre vous, sans autre avis ni délai.

4. OBLIGATIONS

4.1 La collaboration

PRENEZ AVIS que vous avez l'obligation de coopérer avec l'autre partie, notamment en vous informant mutuellement, en tout temps, des faits et des éléments susceptibles de favoriser un débat loyal et en vous assurant de préserver les éléments de preuve pertinents (*Code de procédure civile*, art. 20).

4.2 Mode de prévention et de règlement des différends

PRENEZ AVIS que vous devez, avant de vous adresser au Tribunal, considérer le recours aux modes privés de prévention et de règlement de votre différend qui sont la négociation entre les parties de même que la médiation ou l'arbitrage, pour lesquels les parties font appel à l'assistance d'un tiers (*Code de procédure civile*, art. 1 et 2).

VEUILLEZ AGIR EN CONSÉQUENCE.

Montréal, ce _____ 20_____.

Me

Avocats de la partie

Courriel :

Tél. :

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
(Civil Division)

N° : 500-_____

Plaintiff

v.

Defendant

NOTICE OF PRESENTATION
CIVIL PRACTICE
(ROOM 2.16)

1. PRESENTATION OF THE APPLICATION

TAKE NOTICE that _____ shall be presented in the Civil Practice Division of the Superior Court, in room 2.16 of the Montréal Courthouse situated at 1, Notre-Dame Street East, Montréal, the _____ 20____, at 9:00 a.m., or as soon as counsel may be heard.

2. HOW TO JOIN THE VIRTUAL CALLING OF THE ROLL IN PRACTICE DIVISION

The coordinates to join the calling of the roll in room 2.16 are as follows:

a) **Using Teams:** to open the permanent link established for room 2.16, click here;¹

You must then fill in your name and click “Join Now”. In order to facilitate the process and the identification of the parties, we invite you to fill in your name in the following manner:

Attorneys: Mtre. Name, Surname (name of the party being represented)

Parties not represented by an attorney: Name, Surname (specify: Plaintiff, Defendant or other)

For persons attending a public hearing: you can simply indicate “public”.

b) **By telephone:**

Canada (Toll free number): (833) 450-1741

¹ The permanent links for the Montreal courthouse rooms can also be found in the document entitled Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale under the heading Audiences virtuelles found on the Superior Court of Québec website at : https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Audiences_virtuelles/Montreal_Teams_Codes_-_Superior_Court_-_Commercial_civil_and_family_divisions_Ang_.pdf.

Canada, Québec (Charges will apply): +1 581-319-2194

Conference ID: 470 980 973#

c) **By videoconference:** teams@teams.justice.gouv.qc.ca

VTC Conference ID: 1197347661

d) **In person**, if and only if the above-mentioned means are not available.

3. FAILURE TO ATTEND THE calling of the roll in practice division

TAKE NOTICE that should you fail to attend the calling of the roll, a judgment by default could be rendered against you, without further notice or delay.

4. OBLIGATIONS

4.1 Duty of cooperation

TAKE NOTICE that you are duty-bound to co-operate and, in particular, to keep one another informed at all times of the facts and particulars conducive to a fair debate and to make sure that relevant evidence is preserved. (*Code of Civil Procedure*, art. 20).

4.2 Dispute prevention and resolution processes

TAKE NOTICE that before referring your dispute to the courts, you must consider private dispute prevention and resolution processes which are negotiation between the parties, and mediation and arbitration, in which the parties call on a third person to assist them (*Code of Civil Procedure*, art. 1 and 2).

PLEASE GOVERN YOURSELF ACCORDINGLY.

Montréal, this _____ 20_____.

Mtre.
Attorney for
Email:
Tel.:

**SCHEDULE J -
Notice of presentation in
family matters**

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE MONTRÉAL

COUR SUPÉRIEURE
(Chambre de la famille)

N° : 500-_____

demandeur (esse)

c.

défendeur (esse)

**AVIS DE PRÉSENTATION
PRATIQUE FAMILIALE (SALLE 2.17)**

1. PRÉSENTATION DE LA DEMANDE

PRENEZ AVIS que la demande _____ sera présentée en division de pratique de la Chambre de la famille de la Cour supérieure, le _____ 20____, à 9h00, en salle 2.17 du palais de justice de Montréal situé au 1 rue Notre-Dame Est à Montréal ou aussitôt que le conseil pourra être entendu.

2. COMMENT JOINDRE L'APPEL DU RÔLE DE PRATIQUE VIRTUEL

Les coordonnées pour vous joindre à l'appel du rôle virtuel de la salle 2.17 sont les suivantes :

a) **par l'outil Teams** : en cliquant sur le lien correspondant à la salle 2.17 disponible [ici](#)¹.

Vous devrez alors inscrire votre nom et cliquez sur « Rejoindre maintenant ». Afin de faciliter le déroulement et l'identification des participants, nous vous invitons à inscrire votre nom de la façon suivante :

Les avocats : Me Prénom, Nom (le nom de la partie représentée)

Les parties non représentées par avocat : Nom seulement (précisez : demandeur(esse), défendeur(esse) ou autre)

b) **par téléphone** :

Canada (Numéro gratuit) : (833) 450-1741

¹ Les Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale sont publiés sous la rubrique Audiences virtuelles disponible sur le site Internet de la Cour supérieure à l'adresse suivante : <https://coursuperieureduquebec.ca/roles-de-la-cour/audiences-virtuelles>.

Canada, Québec (Numéro payant) : +1 581-319-2194

ID de conférence : 881 453 222#

c) par vidéoconférence : teams@teams.justice.gouv.qc.ca

ID de la conférence VTC : 1160784303

d) **en personne**, si et seulement si vous n'avez pas accès aux autres moyens précités.

3. DÉFAUT DE PARTICIPER À L'APPEL DU RÔLE DE PRATIQUE

PRENEZ AVIS qu'à défaut par vous de participer à l'appel du rôle, un jugement par défaut pourrait être rendu contre vous, sans autre avis ni délai.

4. DOCUMENTS À FOURNIR

Pour toute demande d'ordonnance de sauvegarde (garde d'enfants, obligations alimentaires ou autres) que vous entendez contester ou si vous souhaitez vous-même demander une ordonnance de sauvegarde, vous devez notifier à la partie adverse ou à son avocat et déposer au greffe, **au moins cinq jours ouvrables** avant la date de présentation, une déclaration sous serment dans laquelle vous exposez les faits et motifs au soutien de votre demande ou de votre contestation. Vous devez joindre en annexe à cette déclaration sous serment, les documents à son soutien. Cette déclaration sous serment ne doit pas excéder huit pages.

Si la demande concerne une pension alimentaire pour enfant, sa modification ou son annulation, vous devez notifier à l'autre partie ou à son avocat et déposer au greffe, **au moins cinq jours ouvrables** avant la date de présentation de la demande, un *Formulaire de fixation des pensions alimentaires pour enfants (Annexe I)* dûment rempli par vous incluant la Partie 9 (*État de l'actif et du passif de chaque parent*), ainsi que les documents prescrits suivants (art. 445 C.p.c. et *Règlement sur la fixation des pensions alimentaires pour enfants*) :

1. Votre déclaration d'impôt provinciale et fédérale pour la dernière année fiscale;
2. Votre avis de cotisation provincial et fédéral pour la dernière année fiscale;
3. Vos derniers états financiers des revenus d'entreprise et de travail autonome ;
4. Vos derniers états des revenus et dépenses relatifs à un immeuble;
5. Vos trois derniers talons de paie.

Si la demande concerne une pension alimentaire pour époux(se) ou ex-époux(se), vous devez notifier à la partie adverse ou à son avocat et déposer au greffe **au moins cinq jours ouvrables** avant la date de présentation de la demande les documents prescrits suivants :

1. Votre déclaration d'impôt provinciale et fédérale pour la dernière année fiscale;
2. Votre avis de cotisation provincial et fédéral pour la dernière année fiscale;
3. Vos derniers états financiers des revenus d'entreprise et de travail autonome ;
4. Vos derniers états des revenus et dépenses relatifs à un immeuble;
5. Vos trois derniers talons de paie;
6. Votre État des revenus et dépenses et bilan assermentés (*Formulaire III, Règlement de la Cour supérieure du Québec en matière familiale*).

5. OBLIGATIONS

5.1 La collaboration

PRENEZ AVIS que vous avez l'obligation de coopérer avec l'autre partie, notamment en vous informant mutuellement, en tout temps, des faits et des éléments susceptibles de favoriser un débat loyal et proportionnel aux enjeux, en vous assurant de préserver les éléments de preuve pertinents (*Code de procédure civile*, art. 20).

5.2 Mode de prévention et de règlement des différends

PRENEZ AVIS que vous devez, avant de vous adresser au Tribunal, considérer le recours aux modes privés de prévention et de règlement de votre différend qui sont la négociation entre les parties de même que la médiation pour laquelle les parties font appel à l'assistance d'un tiers (*Code de procédure civile*, art. 2).

5.3 Audience à huis clos

En matière familiale, les audiences se tiennent à huis clos (*Code de procédure civile*, art. 15). Ainsi, seules les parties elles-mêmes et leur avocat y assistent. Les autres personnes ne sont pas admises à l'audience, sauf au moment de leur témoignage, le cas échéant.

VEUILLEZ AGIR EN CONSÉQUENCE.

Montréal, ce _____ 20_____.

Me
Avocats de la partie
Courriel :
Tél :

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL

SUPERIOR COURT
(Family Division)

N° : 500-_____

Plaintiff

c.

Defendant

NOTICE OF PRESENTATION
FAMILY PRACTICE
(ROOM 2.17)

1. PRESENTATION OF THE APPLICATION

TAKE NOTICE that _____ shall be presented in the Family Practice Division of the Superior Court, in room 2.17 of the Montréal Courthouse situated at 1, Notre-Dame Street East, Montréal, the _____ 20____, at 9:00 a.m., or as soon as counsel may be heard.

2. HOW TO JOIN THE VIRTUAL CALLING OF THE ROLL IN PRACTICE DIVISION

The coordinates to join the calling of the roll in room 2.17 are as follows:

a) **Using Teams:** to open the permanent link established for room 2.17, click [here](#);¹

You must then fill in your name and click “Join Now”. In order to facilitate the process and the identification of the parties, we invite you to fill in your name in the following manner:

Attorneys: Mtre. Name, Surname (name of the party being represented)

Parties not represented by an attorney: Surname only (specify: Plaintiff, Defendant or other)

b) **By telephone:**

Canada (Toll Free): (833) 450-1741

Canada, Québec (Charges will apply): +1 581-319-2194

Conference ID: 881 453 222#

¹ The permanent links for the Montreal courthouse rooms can also be found in the document entitled Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale under the heading Audiences virtuelles found on the Superior Court of Québec website at : https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Audiences_virtuelles/Montreal_Teams_Codes_-_Superior_Court_-_Commercial_civil_and_family_divisions_Ang_.pdf.

c) **By videoconference:** teams@teams.justice.gouv.qc.ca

VTC Conference ID: 1160784303

d) **In person**, if and only if the above-mentioned means are not available.

3. FAILURE TO ATTEND THE CALLING OF THE ROLL IN PRACTICE DIVISION

TAKE NOTICE that should you fail to attend the calling of the roll, a judgment by default could be rendered against you, without further notice or delay.

4. DOCUMENTS TO BE PROVIDED

For any safeguard order (custody, alimentary obligations or other) that you intend to contest or to present, you must notify to the opposing party or his or her attorney and file at the court office, **at least five working days** before the date of presentation, an Affidavit in which you expose the facts and grounds in support of your application or contestation and to which you have annexed the supporting documents. The Affidavit must not exceed 8 pages.

If the application concerns child support, its modification or cancellation, you must notify to the opposing party or his or her attorney and file at the court office, **at least five working days** before the presentation of the application, a *Child support determination form (Schedule 1)* duly completed, by you, including Part 9 (*Statement of Each Parent's Assets and Liabilities*) as well as the following prescribed documents (art. 445 C.C.P. and *Regulation Respecting the Determination of Child Support Payments*):

1. Your federal and provincial income tax returns for the last fiscal year;
2. Your federal and provincial Notices of assessment for the last fiscal year;
3. Your last financial statements of business or professional income;
4. Your last income and expense statements relating to an immovable property;
5. Your last three pay stubs.

If the application concerns spousal support, you must notify the opposing party or his or her attorney and file at the court office, **at least five working days** before the presentation of the application, the following prescribed documents:

1. Your federal and provincial income tax returns for the last fiscal year;
2. Your federal and provincial Notices of assessment for the last fiscal year;
3. Your last financial statements of business or professional income;
4. Your last income and expense statements relating to an immovable property;
5. Your last three pay stubs;
6. Your sworn Statement of Income and Expenditures and Balance Sheet (Form III, Rules of Practice of the Superior Court of Québec in Family Matters).

5. OBLIGATIONS

5.1 Duty of cooperation

TAKE NOTICE that you are duty-bound to co-operate and, in particular, to keep one another informed at all times of the facts and particulars conducive to a fair debate and to make sure that relevant evidence is preserved. (*Code of Civil Procedure*, art. 20).

5.2 Dispute prevention and resolution processes

TAKE NOTICE that before referring your dispute to the courts, you must consider private dispute prevention and resolution processes which are negotiation between the parties, and mediation, in which the parties call on a third person to assist them (*Code of Civil Procedure*, art. 2).

5.3 In camera hearing

In family matters, hearings are held in camera (*Code of Civile Procedure*, art. 15). Only the presence of parties themselves and their attorney is allowed. Third parties are not allowed to attend the hearing, unless being called as a witness, if applicable.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Montréal, this _____ 20_____.

Mtre.
Attorney for
Email:
Tel: