



SUPERIOR COURT OF QUÉBEC

Superior Court Directives for the District of Terrebonne

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GENERAL DIRECTIVES	1
Purpose and scope.....	1
Case protocol	1
Triage indicators	3
Case management conference.....	4
Special case management.....	4
Application in the course of a proceeding	4
Applications to dismiss	5
Objections	6
Judge in chambers	6
Application to authorize care.....	6
Application for judicial review.....	7
Consolidation of proceedings.....	7
Contempt of court	8
Readiness for trial.....	8
Extension of the time limit to ready the case for trial	9
Attestation that a record is complete (ARC)	9
Notice that a record is incomplete (NRI)	10
Cases fixed by preference	10
Provisional roll	10
Pre-trial conference	12
Hearings on the merits and short duration practice (SDP)	12
Civil practice	12
Remote submissions	13
Request for postponement.....	14
Filing of pleadings.....	14

Exhibits.....	15
Pleadings and sworn statements	16
Hearing.....	16
Use of technology in the courtroom	17
Settlement conference.....	17
Summer roll for civil and family practice.....	18
DIRECTIVES SPECIFIC TO FAMILY MATTERS.....	18
Family practice	18
Instructions	18
Decorum.....	19
Place on the roll.....	19
Instructions for the parties.....	19
In camera hearings and confidentiality.....	21
Filing of agreements (cases not subject to a summons)	21
Applications proceeding by default (cases not subject to a summons).....	22
Additions.....	22
Applications for safeguard orders	22
Cases subject to a summons.....	23
Family case management.....	24
Request for special case management in family matters (art. 157 C.C.P.).....	24
Updating a case between the calling of the provisional roll and the hearing date.....	25
Pleadings and documents.....	25
Request for setting down	25
Appointment of counsel for a child	26
Psychosocial expert report.....	26
NON-CONTENTIOUS MATTERS.....	26
Presentation of applications before the Court	26
Proceedings before notary.....	27
DIRECTIVES SPECIFIC TO MATTERS BEFORE THE COMMERCIAL CHAMBER	28
Commercial cases	28
General provisions.....	28
Pleadings and exhibits.....	29
Judicial application	30
Filing of an application for a bankruptcy order.....	30
Urgent application.....	30
Incidental application	31

Fixing a hearing date	31
Uncontested application	32
Request for postponement.....	32
Standard order.....	32
Case management notice	33
Request for special case management.....	33
Objections	33
Aspects specific to bankruptcy matters	34
HEARING OF APPLICATIONS FOR A DISCHARGE.....	34
USEFUL CONTACT INFORMATION	35
LIST OF SCHEDULES	37

GENERAL DIRECTIVES

Purpose and scope

1. These directives were adopted pursuant to art. 63 C.C.P.
2. They apply to all civil and family cases in the district of Terrebonne in accordance with the guiding principles set out in the *Code of Civil Procedure*.

Case protocol

3. The parties must use the case protocol forms for the division of Montreal (Schedule 1 and Schedule 2).
4. The court clerk or the master of the rolls must refuse to file a case protocol or proposed case protocol that is inconsistent with these forms.
5. The parties must complete all of the protocol boxes, when applicable. In particular, the defendant must state his or her oral grounds of defence in the protocol or the proposed case protocol in the box provided to this end or append them to the protocol, and the time limit to respect if they cannot be filed with the protocol. Failure to do so could result in the applicant proceeding by default.
6. The statement of the grounds of defence in the protocol must, on pain of sanction, comply with the requirements of para. 1 of art. 99 C.C.P.
7. General denials and contestations that are akin to general denials are prohibited (art. 99 C.C.P.).
8. When the parties jointly seek an extension of the time limit to submit a request for setting down for trial and judgment, they must indicate the grounds for their application and the proposed new expiration date, having assessed it in light of the computation of the time limit under art. 173 C.C.P.
9. The parties cannot extend the time limit to set the case down for trial and judgment merely by consent.
10. Pre-trial examinations may be conducted only if they were provided for in the case protocol (art. 221 C.C.P.). In the protocol, the parties must specify the specific date, time, and place of each pre-trial examination. The parties may not indicate a cut-off date to hold pre-trial examinations unless the dates are unforeseeable.
11. Parties that do not set dates for examinations and that indicate only a deadline may be barred from proceeding with those examinations or may not obtain the court's assistance to rule on objections or follow up on the undertakings given during those examinations.

12. When a file is examined by a judge in chambers under art. 150 C.C.P., the judge may, without a hearing, rule on the joint request by way of a written judgment filed with the court office and sent to the parties, unless the file has been the subject of a management conference. That is the case for requests to:
 - (a) extend the time limit to ready the case for trial (arts. 173 and 174 C.C.P.);
 - (b) stay the proceeding to negotiate a settlement (art. 156 C.C.P.); or
 - (c) be authorized to file a written defence (art. 171 C.C.P.).
13. To obtain authorization to file a written defence the defendant must state the reasons the case presents a high level of complexity or the special circumstances that warrant it (art. 171 C.C.P.). The written defence must respect the requirements of arts. 99 and 102 C.C.P.
14. The mere fact that the defendant announces the filing of a cross-application in the protocol does not alone justify the filing of a written defence.
15. Cross-applications are made in writing but defended orally, unless the court authorizes that it be defended in writing (art. 172 C.C.P.).
16. Subject to special rules (para. 2 of art. 141 C.C.P.), the parties must establish a case protocol for any originating application in a contentious matter:
 - (a) In a first protocol, the first page of the form must be completed. The information therein is used to identify cases that could be subject to case management, based on the triage indicators listed hereinafter (art. 150 C.C.P.).
 - (b) The case protocol must be notified to the parties prior to being filed with the court office unless they have signed it (art. 149 C.C.P.).
 - (c) The principal application and the recourse in warranty are joined in a single proceeding and are subject to the same case protocol (art. 190 C.C.P.).
17. If a party fails to co-operate in establishing a case protocol, the other party files a proposal within the time limit for filing. On the expiry of a period of 10 days, the proposal serves as the case protocol, unless points on which the parties differ have been stated, in which case the court may convene the parties or establish the case protocol on its own initiative.
18. A party that does not file a proposed case protocol or raise any points on which the parties differ may be barred from filing preliminary exceptions or from proceeding with examinations or filing expert reports, among other

things, and judgment may be rendered by default if that party is the defendant.

19. If each party files a proposed case protocol, the court may establish the case protocol on its own initiative (art. 152 C.C.P.). If a party fails to cooperate to establish the protocol, it may incur punishment pursuant to art. 342 C.C.P.
20. For cases not subject to a case protocol (para. 2 of art. 141 C.C.P.), the parties need not file a request for setting down but must complete a Joint Declaration to Fix a Hearing (Schedule 3).

Triage indicators

21. Triage indicators have been established with respect to art. 150 C.C.P. to determine which cases should be evaluated by the court for case management purposes. These indicators are applied in two stages:
 - (a) A computerized triage is done when the first case protocol is filed or when the first proposed protocol is submitted. The indicators used for this triage are:
 - (1) All cases in the 05, 11, 14 and 17 jurisdictions bearing the descriptive code of:
 - 36 - bodily injury
 - 89 - latent defects
 - 52 - wills – successions
 - C2 - dismissal
 - D1 - defamation
 - I2 - co-ownership litigation
 - 11 - boundary determination
 - RO - oppression remedies
 - TV - issues between neighbours or neighbouring properties
 - A1 - disability insurance
 - (2) All matters in the 04, 05, 11, 12, 14 and 17 jurisdictions:
 - wherein two or more parties are not represented by counsel
 - involving more than eight parties.
 - (b) A manual triage is carried out by the court office when the first case protocol is filed for all cases in the 04, 05, 11, 12, 14 and 17 jurisdictions that contain one of the following elements:
 - application for a stay of proceedings
 - application to extend the time limit
 - more than six expert reports
 - application for authorization to file a written defence

- more than six pre-trial examinations
- examinations: duration not compliant with art. 229 C.C.P.
- lack of signature or notification to client.

Case management conference

22. At any time during the proceedings, the parties may be convened *ex officio* to take part in a case management conference.
23. Counsel for a party who is taking part in a case management conference must have actual knowledge of the case and be in a position to make admissions, give undertakings, and make any other decision relating to the conduct of the proceedings. Parties in default may incur punishment pursuant to art. 342 C.C.P.
24. The court will decide, even on its own initiative, on the case management measures appropriate to the circumstances of the case (art. 158 C.C.P.) and the guiding principles of procedure (arts. 17 *et seq.* C.C.P.).
25. The parties may also seek the court's intervention by way of a notice of management (art. 158 C.C.P.).

Special case management

26. Any application for special case management (art. 157 C.C.P.) is submitted by way of a notice of management. The application must allege the grounds relating to the nature, character or complexity of the case justifying special case management.
27. If the judge finds, based on the record and in light of the likely conduct of the case, that it might warrant special case management under the guiding principles of the *Code of Civil Procedure*, he or she refers the case to the coordinating judge for the district. Otherwise, the application is dismissed.
28. The parties must continue to file their pleadings with the court office, even if a judge has taken on the case management of the file.

Application in the course of a proceeding

29. Any application for placement on the roll for a hearing of over one and a half hours either in a civil, commercial, or a family case can be made only if a Joint Declaration to Fix a Hearing (Schedule 3) has been completed.

30. An application in the course of a proceeding can only be contested orally, unless written contestation is authorized by the court. During the hearing, any party may submit relevant evidence (art. 101 C.C.P.) in accordance with the guiding principles (art. 17 *et seq.* C.C.P.).
31. Any application in the course of a proceeding requiring a hearing of more than three days will be referred back to the coordinating judge for a hearing date to be set after a pre-trial conference is held, if necessary.
32. No postponement will be granted solely because the parties agree thereto or by reason of their absence. Where appropriate, the application is struck from the roll. If the court grants the postponement, the case is referred back to the master of the rolls who sets a new hearing date.
33. The minutes of notification by facsimile or by bailiff must be inserted immediately before the backing of any pleading filed with the court office.
34. Only applications for which the originals (application, notice of presentation, and proof of notification) have been filed with the court office at least two days before the date of presentation will be placed on the roll.
35. A natural person must be given formal notice to appoint new counsel or send the parties a notice of intention to self-represent if his or her counsel withdraws, dies, or becomes disqualified from practising as a lawyer. If the natural person fails to appoint new counsel, he or she is presumed to continue the proceeding self-represented.
36. A party that revokes the mandate of its counsel must notify its decision to the other parties and to the court clerk and state its intention to appoint new counsel or to self-represent. If the party does not appoint new counsel, it is presumed to continue the proceeding self-represented, as long as it complies with the rules of representation.
37. A party presumed to continue the proceeding self-represented will not be in default if it complies with the case protocol or the next steps that have been ordered (art. 192 C.C.P.).

Applications to dismiss

38. An application to dismiss (art. 51 C.C.P. or art. 168 C.C.P.) must be filed with the court office with at least 10 days' notice of presentation, but it will not be heard before a judge has been able to examine it within 20 days after it is filed.
39. The parties will then receive a notice informing them:

- That the application is denied based on the grounds that it has no reasonable chance of success or is abusive (art. 52 C.C.P.); or
 - That they must contact the master of the rolls to set a hearing date and must first complete a Joint Declaration to Fix a Hearing (Schedule 3).
40. Subject to the court's authorization, the hearing on an application to dismiss (art. 51 C.C.P. or art. 168 C.C.P.) may not last more than one day.

Objections

41. Any debate concerning objections must be requested in a case management notice. A hearing will be held only if the parties provide a document grouping the questions and undertakings at issue into subjects and indicating the time required to deal with them.
42. If the time required to rule on the objections is more than one and a half hours, the parties must complete the Joint Declaration to Fix a Hearing (Schedule 3).

Judge in chambers

43. A party intending to submit an application that requires immediate intervention and that does not require the presentation of evidence (art. 69 C.C.P.) must, barring special circumstances (e.g., seizure before judgment), notify the opposing party that such an application will be presented to the judge in chambers in Room B-1.04, indicating the date. The application is presented at 8:45 a.m. or 1:45 p.m.
44. A party intending to present such an application must first pay the legal costs, request that a file be opened at the court office, then go directly to Room B-1.04 on the date and at the time of presentation scheduled and give the application to the court clerk in that room.
45. A party must first communicate with the master of the rolls to ensure the availability of a judge and send a copy by email to the office of the coordinating judge by 3:00 p.m. on the day before the day set for the application to be presented, by indicating the nature of the application in the subject line of the email.
46. Sending a copy of a pleading or an exhibit to the office of the coordinating judge by email or otherwise does not exempt the parties from filing their documents with the court office.

Application to authorize care

47. Applications to obtain authorization from the court for the provision of care to a minor or a person of full age incapable of giving consent cannot be presented before the court less than five days after the application is notified to the interested persons (art. 395 C.C.P.). These applications are heard as of 2:00 p.m., in Room B-1.04, on Thursday and Friday.
48. These applications must be presented on the date the plaintiff first obtained from the master of the rolls.
49. A single application will be scheduled per Thursday or Friday afternoon.

Application for judicial review

50. The hearing of an application for judicial review (art. 529 C.C.P.) may be held only if each party has filed a brief of no more than ten pages.
51. The deadlines to file the briefs is set by the parties or by the court. A hearing date may be set only once all the briefs have been filed.
52. Each brief must include:
 - (a) a summary of the judgment to be reviewed or quashed;
 - (b) the issues in dispute;
 - (c) the standard of review;
 - (d) the reasons why the impugned judgment should be reviewed, quashed, or upheld;
 - (e) a list of the relevant authorities.

Consolidation of proceedings

53. Even when consolidated under art. 210 C.C.P., each of the proceedings thus joined remains separate.
54. The parties must file a copy of the pleadings in each of the consolidated proceedings with the court office.
55. Should the parties fail to do so, the court office will record in the ledger only the first heading appearing in the pleading, which will be filed only in that file. The court will consider only the proceeding in which the pleading has been filed.
56. When required, the parties must pay the legal costs in each file (i.e., the stamp for requests for setting down due for each of the consolidated

proceedings).

57. If a request for setting down is filed regularly in only one proceeding, the sanction under art. 177 C.C.P. applies to the other consolidated proceedings.

Contempt of court

58. A pleading seeking a citation for contempt must be accompanied by a draft order similar to the one in Schedule 4.
59. The draft order must provide a detailed list of the nature of the alleged offence and the facts that support the application and specify whether the person concerned is subject to one or more sanctions. This draft must be submitted in a format that allows it to be signed as a judgment of the court.
60. Insofar as the order to appear is issued on the court's own initiative, the court will enter the same information as that required in the above document in the minutes or a written order.

Readiness for trial

61. The request for setting down for trial and judgment (art. 174 C.C.P.) must be prepared by using the form provided for this purpose (civil matters – Schedule 5; family matters – Schedule 6). The filing must be accompanied by the payment of the related legal costs.
62. In the other cases (para. 2 of art. 141 C.C.P., art. 154 C.C.P., s. 20(b)(iii) *R.S.C.C.*), the parties must file a Joint Declaration to Fix a Hearing with the court office (Schedule 3).
63. When justified by circumstance, if one of these cases can be heard promptly and the length of the trial is less than three and a half hours, the judge may exempt the parties from the obligation of filing a request for setting down for trial and judgment, in accordance with s. 20 *R.S.C.C.* The parties must complete a Joint Declaration to Fix a Hearing (Schedule 3).
64. Failure to answer the summons (art. 175 C.C.P.): the case is dealt with when the plaintiff files a request for setting down for trial and judgment by default for failure to answer the summons, along with the exhibits and the plaintiff's own affidavit.
65. Failure to file a defence (arts. 175 and 180 C.C.P.): the plaintiff files the request for setting down for failure to file a defence with at least five days' notice of presentation in Room B-1.04, in civil matters, or before the special clerk in Room B-1.01, in family matters, with his or her exhibits and the requisite detailed affidavits. The files are referred to the Directorate of

Judicial Services, unless a judge can rule on them.

66. Failure to attend the case management conference (arts. 175 and 180 C.C.P.): the court orders the setting down for judgment. The plaintiff files his or her request for setting down for judgment by default for failure to file a defence with at least five days' notice of presentation in Room B-1.04, in civil matters, or before the special clerk in Room B-1.01, in family matters, along with his or her exhibits and the requisite detailed affidavits. The files are referred to the Directorate of Judicial Services, unless a judge can rule on them
67. Failure to complete the request for setting down for trial: a party that does not complete the request for setting down for trial within the time limit or is late in doing so runs the risk of being sanctioned and, in particular, to punishment pursuant to art. 342 C.C.P.

Extension of the time limit to ready the case for trial

68. Any extension of the time limit to ready the case for trial must be made by application, not by a case management notice, filed on a practice day.
69. This application must be supported by one or more sworn statements, depending on the circumstances justifying the extension (art. 173 C.C.P.).

Attestation that a record is complete (ARC)

70. Once the request for setting down for trial and judgment has been filed with the court office, the master of the rolls verifies whether the record is complete and ready for trial and, if appropriate, signs an attestation that the record is complete (ARC) specifying the estimated duration of the trial on the merits, and so informs the parties (para. 1 of s. 21 *R.S.C.C.*).
71. An attestation that a record is complete concerning consolidated cases will be issued only when all the consolidated cases are ready for trial. Where applicable, the attestation that a record is complete will be filed in all the consolidated cases.
72. If cases are consolidated after a request for setting down for trial and judgment has been filed in one of the cases, a request for setting down must be filed in each of the other cases within the time limit set by the court.

Notice that a record is incomplete (NRI)

73. If the master of the rolls ascertains that the record is incomplete once the request for setting down for trial has been filed in accordance with art. 174 C.C.P. he or she sends a notice to the parties.
74. The parties have 30 days to correct the situation, failing which the parties run the risk of having the file returned to the archives without further notice. It is then up to the parties to reactivate the case after having remedied the default (s. 21(b) *R.S.C.C.*).

Cases fixed by preference

75. An application to fix a case by preference is presented before the coordinating judge.
76. The parties must contact the master of the rolls, who informs them of the dates available to present such an application.
77. Two copies of the application must then be filed with the court office, indicating a date of presentation corresponding to those provided by the master of the rolls.

Provisional roll

78. When the case is ready and the attestation that the record is complete has been issued, the master of the rolls prepares a list of the cases that may be called on the provisional roll. The master of the rolls sends the parties the extract relating to their case. He or she then convenes them to a calling of the provisional roll (s. 22 *R.S.C.C.*).
79. The parties may be excused from attending the calling of the provisional roll and fix the dates for hearings with a duration of three days or less, by filing a joint request that the case be set down for judgment (Schedule 7).
80. The calling of the provisional roll is presided by:
 - (a) the coordinating judge for cases set for a hearing of 20 days or less;
 - (b) the chief justice, the associate chief justice or a judge designated by one of them for cases set for a hearing of more than 20 days.
81. The provisional roll will be called remotely only, using Teams. Directions on the conduct of the hearing are attached to the notice of hearing transmitted to the parties (Schedule 8).

82. Before parties attend the calling of the provisional roll, they must verify their availabilities and, if necessary, that of their expert witnesses, so that the date of hearing may be set without delay.
83. The parties must cooperate to shorten the hearing, among other things, and make any necessary admissions.
84. When a case is settled after it has been entered on a provisional roll, the parties must notify the master of the rolls in writing as soon as possible and no later than three days before the date of the provisional roll.
85. A request for postponement of a case placed on the provisional roll may be made to the coordinating judge, with a copy to the master of the rolls, by email, on the following conditions:
 - (a) it must state that it is made with the parties' consent;
 - (b) it must state the grounds;
 - (c) the other parties must be copied;
 - (d) requests submitted after 2:30 p.m. the day before the calling of the provisional roll will not be considered, nor will those that fail to meet any one of the conditions set out in subparagraphs (a) to (c) above.
86. Counsel taking part in the calling of the provisional roll must have actual knowledge of the case and be able to make admissions and any other decision relating to the conduct of the proceedings, failing which, the party in default may incur punishment pursuant to art. 342 C.C.P.
87. During the calling of the roll, the coordinating judge confirms that the case is ready for trial, that the request for setting down clearly reflects the reality of the case and that it is still a contested matter.
88. The coordinating judge summarily confers with the parties or their counsel about appropriate means to simplify the hearing. If the coordinating judge deems it appropriate, he or she may also refer the case to a pre-trial conference which he or she will preside in accordance with art. 179 C.C.P.
89. The coordinating judge takes every measure to ensure the sound management of the case in light of the court's resources and in compliance with the guiding principles of the *Code of Civil Procedure*.
90. If the case is ready and the parties can confirm their availabilities and those of their witnesses and experts, the coordinating judge fixes a hearing date.
91. A case cannot be placed on the roll for a hearing on the merits unless the minutes of the calling of the provisional roll attest that it is ready for trial.

92. If the parties or their counsel fail to attend the calling of the provisional roll, the coordinating judge may take any measures deemed necessary to ensure their attendance.
93. If, during the calling of the provisional roll, the parties or their counsel declare that the case is being settled, the coordinating judge may, at his or her discretion, strike the case or postpone it to a future calling of the provisional roll.
94. Subject to the authorization of the coordinating judge, no case will be set down for trial if the parties intend to take part in a settlement conference.

Pre-trial conference

95. Any request for a pre-trial conference in a case that is ready may be made only if the case appears on a provisional roll and a judge so orders *ex officio* or at the parties' request.
96. The coordinating judge fixes the date of the pre-trial conference.

Hearings on the merits and short duration practice (SDP)

97. Hearings on the merits requiring three days or less are heard from Monday to Wednesday, usually three weeks out of four. The fourth week is reserved for short duration practice for cases where the hearings are expected to require less than three days.
98. If circumstances allow, the hearing may be conducted remotely (art. 26 C.C.P.). The parties must make an application to the coordinating judge.
99. In all cases, the parties must obtain the authorization of the coordinating judge or the judge seized of the matter to have a witness testify remotely.

Civil practice

100. Hearings in the Civil Division are on Thursday and Friday.
101. All applications in the course of a proceeding are heard in Room B-1.04 at 9:00 a.m. They must be notified at least three days in advance (art. 101 C.C.P.) and filed with the court office at least two days in advance (art. 107 C.C.P.). They must be accompanied by a notice of presentation in compliance with the format for notices provided (Schedule 19).
102. The addition to the roll of an application in the course of a proceeding that was not filed with the court office within the prescribed time limit is subject to the court's authorization.

103. The calling of the roll begins at 9:00 a.m. in Room B-1.04, even though the room opens at 8:45 a.m. However, cases for which the hearing date has already been fixed are called in Room B-1.05 at 9:00 a.m.

Remote submissions

104. The parties may make their submissions remotely using Teams.
105. The contact information for the various virtual courtrooms to allow the parties to join a hearing can be found in Schedule 9.
106. Useful information on the conduct of remote hearings is attached to these guidelines:
- (a) Guide for lawyers and parties (Schedule 10);
 - (b) Guide for witnesses (Schedule 11);
 - (c) Standard email for witnesses (Schedule 12).
107. For trials of three days or less and short duration practice (SDP), which take place from Monday to Wednesday, as well as for all cases set down to be presented in Room B-1.05 on practice days, the parties must first connect to the waiting room (Schedule 9). They will be directed to the correct room when the roll is called.
108. The parties must notify the master of the rolls (remises.coursuperieurest-jerome@justice.gouv.qc.ca) by no later than 4:30 p.m., two days before the application is to be presented, of their intention to proceed remotely and provide the contact information to reach them. The coordinating judge will decide whether or not to authorize the remote conduct of the hearing, in whole or in part, and notifies the parties thereof.
109. For civil practice cases to be presented on a Thursday or a Friday in Room B.-1.04, the parties need only join virtual meeting Room B-1.04 (Schedule 9) at 9:00 a.m. and take part in the hearing, as if they were in the courtroom, without having to give prior notice.
110. For family practice cases to be presented on Thursday or Friday, the parties must announce their intention to proceed remotely during the calling of the roll by telephone or by email at least two days before the application is to be presented. On the day of presentation of the application, they must connect to the waiting room (Schedule 9).
111. If the parties cannot file their exhibits, affidavits, and authorities at the court office, they may, if the documents are 30 pages or less, send them by email

(remises.coursuperieurest-jerome@justice.qc.ca) by no later than 4:30 p.m., two days before the hearing. After that date, the party is responsible for filing those documents with the court office. In emergency situations only, documents of 30 pages or less may be submitted to that address until 4:30 p.m. on the day before the application is presented.

112. Sending a pleading or exhibit to the office of the coordinating judge by email or otherwise does not exempt the parties from filing their documents with the court office.
113. Except in civil practice cases, it is strongly recommended but not mandatory to wear a gown.

Request for postponement

114. Any request for postponement of a case set down for a hearing on the merits or short duration practice (SDP) is sent to the coordinating judge who shall rule thereon or designate a judge to hear it.
115. A request for postponement of a hearing scheduled on a practice day and cases on a practice roll are presented before the judge on the day of the hearing. If it is consensual, it must be presented as follows:
 - In civil cases: by email (remises.coursuperieurest-jerome@justice.gouv.qc.ca), by facsimile (450-569-7687) or by telephone (450-431-4414, ext. 64056), up until 4:00 p.m. on the day before the date of the presentation;
 - In family cases: during the calling of the practice roll by telephone, on the day before the application is to be presented or by email (remises.coursuperieurest-jerome@justice.gouv.qc.ca) at least two days before the application is to be presented;
 - In commercial cases: by email (faillitestjerome@justice.gouv.qc.ca) or by facsimile (450-569-7687).
116. No application in the course of a proceeding will be postponed for a period of less than 30 days, unless authorized by the court.

Filing of pleadings

117. The parties must file the originals of their pleadings with the court office of the Saint-Jérôme courthouse and pay the related fees, if any.
118. They can also file their pleadings electronically with the digital court office of Québec (DCOQ), except for an application for judicial authorization, an application for authorization to institute a class action and an application

concerning the solemnization of a marriage or a civil union.

119. The parties may not use the DCOQ to file evidence, other than for the following pleadings:

- An injunction;
- A seizure before judgment;
- An application for a special method of notification;
- Non-contentious proceedings:
 - an application for the appointment of a provisional administrator;
 - the reassessment of protective supervision;
- Family:
 - all joint applications;
 - all agreements;
- An acquiescence to a claim;
- An application to change district;
- An application to suspend the time limit;
- An application to extend the time limit;
- An application for the joinder of proceedings;
- An application to authorize care.

120. The DCOQ offers online payment services, by credit card only, of the judicial fees required for filing, where applicable.

121. Pleadings or related evidence filed with the DCOQ that is not included in the above list will not be considered validly filed.

122. When a party files a pleading with the DCOQ, it need not file an additional copy with the court office at the courthouse.

Exhibits

123. Exhibits must be paginated and preferably bound. They should not be put in ring binders, however, because this format prevents them from being placed

in the filing system.

124. Exhibits may be produced only at trial. During hearings of applications in the course of proceedings, however, the parties must have a copy available for the court.
125. Unless the origin of a document or the integrity of the information it contains is contested, the parties must cooperate so that it may be admitted into evidence.
126. The party contesting the origin or integrity of a document must specify, in an affidavit, the facts and grounds that support the party's claim and make it probable (art. 262 C.C.P.).
127. To use less paper and better manage the size of the files, the parties are encouraged to print their books of exhibits, expert reports, and any documents other than the pleadings on both sides of paper.

Pleadings and sworn statements

128. The text of pleadings and sworn statements must be single-spaced and the font must be 12-point or equivalent.

Hearing

129. For reasons of proportionality and due to limited judicial resources, the parties must cooperate to avoid unnecessary trips by trial witnesses.
130. At trial, the parties must comply with the hearing time indicated in the request for setting down or imposed by the court, or be subject to punishment (art. 342 C.C.P.).
131. The court may refuse to hear a witness if the evidence is irrelevant (arts. 18, 19, 20 and 280 C.C.P. and art. 2857 C.C.Q.).
132. Witnesses are entitled to the protection of the court (art. 278 C.C.P.).
133. When raising an objection to the evidence, the party must state the legal basis for the objection.
134. The court may on its own initiative shorten the trial (art. 158 C.C.P.).
135. The court may exceptionally exempt a party from paying, in whole or in part, the costs prescribed for each day of the hearing on the merits due to his or her financial situation (art. 339 C.C.P.).

Use of technology in the courtroom

136. The inappropriate use of electronic devices of any kind that hinder the orderly progress of the hearing or infringe the propriety of the court is prohibited (art. 37 *R.S.C.C.*).
137. No person may use an electronic device inside a courtroom in such a way that that person:
 - (a) is having or appears to be having a conversation or is otherwise communicating using the device;
 - (b) is taking or appears to be creating an image, taking photographs or recording sound.
138. Provided that such action does not affect the decorum, good order, and conduct of the proceedings or the digital recording system and complies with the orders in effect, counsel, a party, or an accredited journalist may:
 - (a) keep an electronic device on vibrate or mute;
 - (b) use an electronic device for the needs of a case, for example to write notes or to consult notes, a calendar, scholarly commentary, legislation, or case law;
 - (c) broadcast or send text messages, observations, information and notes.
139. It is always prohibited to:
 - (a) use or have in one's possession a device likely to disrupt the decorum or conduct of a hearing, to interfere with the recording system in any manner whatsoever, or to attempt to circumvent or breach an order or obstruct the course of justice;
 - (b) make or answer a call with an electronic device;
 - (c) take photographs or audio or video recordings in the courtroom;
 - (d) broadcast photographs or audio or video recordings from the courtroom.
140. Cellular telephones, smartphones, smartwatches, electronic tablets, laptop computers, and similar equipment with one or more functions covered in these directives are, among other devices, considered to be electronic devices.

Settlement conference

141. To ensure the efficient use of resources, the parties must cooperate to submit to a settlement conference as soon as possible before setting a trial date. Thereafter, the parties must obtain the authorization of a judge to hold such a conference.

142. Any application for a settlement conference must be made using the appropriate form (Schedule 13), which must be sent to the Settlement Conference service in Montreal (see Useful contact information).

Summer roll for civil and family practice

143. No trial is held between Canada Day and Labour Day, and practice days are determined according to available resources.
144. During that time, it is not required to wear a gown.

DIRECTIVES SPECIFIC TO FAMILY MATTERS

Family practice

145. Hearings in the Family Division are on Thursday and Friday.
146. The roll is called remotely only, using Teams, at 1:00 p.m., the business day before the date the application is presented in Room B-1.01.
147. The special clerk presides the calling of the roll.
148. Any new application must be accompanied by a notice of presentation in the format for notices provided (Schedule 14). Any new notice of presentation must also be in that format. Otherwise, the file will not be dealt with.
149. When counsel or a self-represented party files a notice of presentation for an application that was already filed in the court record, they must identify the application in question in the subject line of the notice of presentation.
150. Only applications for which the originals (application, notice of presentation/ notice to other parties and proof of notification) have been filed with the court office at least two days before the date set for the hearing will be placed on the roll.

Instructions

151. You must participate in the calling of the roll **via Teams** on the **Internet** by joining the room for the **calling of the roll by telephone**, the contact information for which is found in Schedule 9. It is also possible to participate by telephone:
- Toll-free: 1-833-450-1741
 - Conference number: 519 780 062#
152. Counsel and self-represented parties must join the call at 12:55 p.m.
153. They must put their telephone on mute until their case is called.

154. If they experience technical difficulties, they must leave the call and reconnect or redial the number.

Decorum

155. The calling of the roll is conducted as if counsel and the self-represented parties were in the courtroom.
156. To avoid disrupting communication, they must be in a private, quiet space that is not likely to make noise.
157. They must remain attentive and be ready to speak when their case is called.

Place on the roll

158. Cases are called one after another, in accordance with their number on the roll.
159. To find out where their case is placed on the roll, counsel and self-represented parties can consult the site [Roles | Superior Court of Québec - cour-superieure \(coursuperieureduquebec.ca\)](https://www.cour-superieure.qc.ca/roles). Note that the roll on this site is not always up-to-date and that the rank of cases may be different.
160. Before speaking, the lawyer or self-represented party must identify himself or herself.

Instructions for the parties

161. One of the objectives of calling the roll is to avoid having the parties travel on the date the proceeding is presented.
162. Therefore, the parties must discuss the issues involved in the proceeding before the calling of the roll.
163. If the parties wish to avoid taking part in the calling of the roll to postpone a case, extend a safeguard order or so that a consent judgment can be rendered, they may submit an email (remises.coursuperieurest-jerome@justice.qc.ca) to that effect by 4:30 p.m. two days before the date the application will be presented. After that time, the case will not proceed and the parties will have to take part in the calling of the roll. To obtain a judgment, the parties must attach a draft judgment to their email.
164. If counsel and the self-represented parties are unable to take part in the calling of the roll for a serious reason and agree on the instructions to be given, they must notify the master of the rolls by email (remises.coursuperieurest-jerome@justice.gouv.qc.ca) that they will make their submissions on the day the application is presented.

165. During the calling of the roll, the parties must be able to provide succinct instructions for the next steps in the case:
- (a) for a postponement: give the date, after making sure that it falls on a practice day;
 - (b) for the extension of a safeguard order: specify the date of the order to be extended. With the parties' consent, a safeguard order may be extended until a new judgment is rendered;
 - (c) for a contested application: indicate only the total time required, which must take into account the time for each party and the judge's reading time.
166. If counsel or the self-represented parties are not ready to give their instructions or if they are absent, the case is placed at the bottom of the roll. Due to the number of participants on this calling of the roll, it is not expedient for the parties to discuss how to proceed in their file.
167. 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:
- (a) if no one comes forward on behalf of a case, it will be postponed without a set date (*sine die*);
 - (b) if the parties do not agree on the instructions, they will make their submissions before the judge on the day the application is presented; however, it is not possible to predict at what time they will be heard;
168. Applications with hearings of more than one and a half hours must be set down.
169. Only parties that have completed a Joint Declaration to Fix a Hearing (Schedule 3) and the Checklist (Schedule 15) will be authorized to fix hearing dates.
170. The Joint Declaration to Fix a Hearing and the Checklist must be submitted by email (remises.coursuperieurest-jerome@justice.gouv.qc.ca) by no later than 4:30 p.m. two days before the date of presentation. After that time, the hearing cannot be fixed. The parties are excused from taking part in the calling of the roll if they give their instructions with respect to the extension of the safeguard orders at that time.
171. To obtain hearing dates, the parties must contact the virtual courtroom of the master of the rolls (Schedule 9) on the Tuesday after the day the application

is presented during one of the following time slots: from 8:30 a.m. to 9:30 a.m. or from 1:30 p.m. to 2:30 p.m.

172. The master of the rolls will notify the parties if one of the files is not ready after verification and the file will be postponed to three weeks later, unless the parties have agreed to a date.
173. In addition to his or her jurisdiction under the *Code of Civil Procedure*, the special clerk may specify the measures to be taken to ready the case. It is only after making sure that these measures have been complied with that the special clerk may fix the hearing date or refer the case.
174. When the hearing is fixed, the special clerk identifies the specific aspects of a hearing, including the presence of a prisoner, the need for an interpreter, etc.

In camera hearings and confidentiality

175. 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' family name only.
176. Counsel and the self-represented parties may not disclose confidential information concerning the parties during the calling of the roll.
177. If they feel the special clerk must be informed of confidential information they can transmit it by email (remises.coursuperieurestjerome@justice.gouv.ca).

Filing of agreements (cases not subject to a summons)

178. In order to be homologated, an agreement may be sent by email (cst.cs.st-jerome@justice.gouv.qc.ca) by 4:30 p.m. on the day before the application is to be presented. The parties must take part in the calling of the roll to give notice that an agreement has been filed or will be filed. The subject line of the email must be "Entente" followed by the Court file number and the names of the parties.
179. The parties are exempted from taking part in the calling of the roll if they send the agreement to the same email address by 4:30 p.m. two days before the application is to be presented.
180. All of the parties concerned must be copied on the email, failing which the agreement will not be homologated and the case will be postponed *sine die*.
181. The parties must ensure that the record is complete. The missing documents can be sent to the same email address within the same time limits, if they are not in the record and are limited to 30 pages.

182. It is also possible to file the agreement and the documents to complete the record in Room B-1.01, on the same day as the presentation of the application, but no later than 9:30 a.m. After that time, the filing of the agreement and documents will not be accepted.
183. The original of a final agreement must be filed as soon as possible, but an interim agreement need not be.
184. If a record is incomplete the parties will be notified to correct the situation.

Applications proceeding by default (cases not subject to a summons)

185. The failure to contest an application is noted in the minutes on the day the application is to be presented when the roll is called.
186. The plaintiff must provide his or her telephone contact information to the master of the rolls by email (remises.coursuperieurest-jerome@justice.gouv.qc.ca), in the event the party concerned appears in court on the day the application is to be presented and the special clerk or the judge wishes to communicate with him or her.
187. Only urgent cases can proceed on the day the application is presented. Otherwise, judgment will be rendered on the record.
188. If the record is not complete when the roll is called, the case will be postponed to another date in order to be readied for trial.

Additions

189. The special clerk has discretion to authorize the addition of a case when the roll is called.

Applications for safeguard orders

190. To lighten the roll, reduce the number of non-urgent applications for safeguard orders, facilitate the management of court office staff, reduce the handling of files, and decrease the number of sessions in that room, safeguard orders will be for a minimum of 30 days, unless otherwise decided by the Court.
191. They can be extended until a new judgment is rendered only with the parties' consent.
192. The special clerk homologates the consent according to its wording. He or she may accept a consent where the signature appears only in copy.

193. An application for a safeguard order is heard on the following conditions:

(a) Barring exceptional circumstances, 10 days have passed since the originating application was served (art. 411 C.C.P.).

(b) Affidavits are divided into two sections:

i. the facts in support of the urgency are outlined on a maximum of two pages, each paragraph stating a single fact; and

ii. the facts in support of the merits of the order sought are then presented on a maximum of six additional pages, each paragraph stating a single fact.

(c) Sworn statements in support of the application must be communicated two business days before the date the application is to be presented. The sworn statement in support of the contestation must be communicated by the following day, and the sworn statement in response to the contestation must be communicated by 4:30 p.m. on the day before the application is to be presented.

194. The party requesting the safeguard order who is not ready to proceed at 9:00 a.m. risks having their request struck. The party who is not ready to contest such an application risks having the other party proceed by default.

195. When the special clerk refers the case to the master of the rolls to fix a hearing date, he or she may renew the safeguard order until the hearing date as long as it is effective for not more than six months (art. 158(8) C.C.P.), unless the parties consent thereto.

Cases subject to a summons

196. A summons must be attached to the following originating applications: divorce, separation as to bed and board, annulment of marriage, deprivation of parental authority, contestation of status, recognition of paternity.

197. When the parties seek to have a consent homologated, they must file a request for setting down (Schedule 16), along with the exhibits, the final agreement between the parties and the requisite detailed affidavits.

198. The party that proceeds by default must file a request for setting down (Schedule 16), along with the exhibits, the requisite detailed affidavits and a draft judgment.

199. If the record is incomplete or if a judge wants to hold a hearing, the parties will be notified.
200. In urgent cases, a party can be added to the practice roll by filing a notice of presentation (Schedule 14) or by communicating with the court office.

Family case management

201. Requests for case management in family matters are referred by the special clerk to the judge sitting in Room B-1.05.
202. The following cases are referred to the judge:
- (a) Applications for an order to appear for contempt of court and to fix a date after the subpoena;
 - (b) Various procedural requests, such as:
 - Case management notices;
 - Requests for postponement, when the maximum number of postponements has been reached;
 - Applications for the disclosure of documents;
 - Requests for the appointment of counsel for the child;
 - Requests for a psychosocial expert report;
 - Applications to quash a subpoena;
 - Special clerk's refusal to place on the roll;
 - Applications relating to the case protocol;
 - Applications for dismissal that may be heard immediately where appropriate or that must be fixed at a later date;
 - Applications for revocation of judgment;
 - Requests for special case management;
 - Applications to quash a seizure before judgment

Request for special case management in family matters (art. 157 C.C.P.)

203. Any request for special case management is submitted through a case management notice presented in Room B-1.01 to be referred to Room B-1.05.
204. The request must allege the grounds relating to the nature, character or complexity of the case that justify special case management (art. 157 C.C.P.).
205. The special clerk refers the request to the judge sitting in Room B-1.05.

206. If the judge finds, based on the record and in light of the likely conduct of the case, that the case could justify special case management, he or she refers the case to the coordinating judge. Otherwise, the request is dismissed.

Updating a case between the calling of the provisional roll and the hearing date

207. Any uncontested request other than a case management notice may be sent by letter to the coordinating judge.

208. Any request, contested or not, affecting the length of the hearing must be sent by letter to the master of the rolls, with a copy to the coordinating judge. If necessary, the parties may be required to file a new request for setting down for trial and judgment.

209. At any time between the request for setting down for trial and judgment and the date fixed for trial, the parties may proceed by case management notice in Room B-1.01, if the requests do not affect the length of the hearing.

Pleadings and documents

210. No application for divorce, separation from bed and board, or dissolution of civil union, whether joint or by default for failure to answer the summons, contest or take part in the case management conference, will be dealt with before the record is complete,¹ with respect to both the pleadings and the documents required under ss. 16 to 29 of the *Regulation of the Superior Court of Québec in family matters*.

211. Evidence is adduced by way of detailed affidavits in accordance with the *Regulation of the Superior Court of Québec in family matters*.

212. Each pleading must have a separate backing.

213. Exhibits must be grouped and each exhibit must have its own backing.

214. The parties may file a draft judgment in the court record.

Request for setting down

215. When required,² any request to set a matter down for trial and judgment must be made by completing a Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Schedule 6).

¹ In this regard, it is suggested to consult the "Liste de vérification – mise en état du dossier conjoint ou par défaut" available on the website of the Barreau de Montréal.

² Arts. 409, 410, 412, and 413 C.C.P.

216. If, once the request for setting down for trial has been filed in accordance with art. 174 C.C.P., the master of the rolls ascertains that the record is incomplete, he or she sends a notice to the parties.
217. The parties have 30 days to correct the situation, failing which they run the risk of having the record returned to the archives without further notice. It is then up to them to reactivate the case after having remedied the default (s. 21(b) R.S.C.C.).
218. Joint applications are dealt with when the application is filed with the court office, along with:
- (a) the exhibits with separate backings for each one;
 - (b) the final agreement between the parties (with a separate backing);
 - (c) the requisite detailed affidavits;
 - (d) the child support determination form where minor or dependant children are concerned; and
 - (e) in the case of application for a support obligation, the statements under art. 444 C.C.P.

Appointment of counsel for a child

219. The parties must file an application and obtain the Court's authorization to appoint counsel for a child.

Psychosocial expert report

220. A psychosocial expert report cannot be obtained solely because the parties agree thereto. It must be authorized by the Court.
221. When a psychosocial expert report has been ordered, the parties must immediately notify the Psychosocial Expertise Service responsible for having the expert report prepared and the Court that an agreement has been reached between them or of any new fact that would make it unnecessary to prepare the report.

NON-CONTENTIOUS MATTERS

Presentation of applications before the Court

222. The application must include a notice of presentation consistent with that set out in Schedule 17. Any notice of presentation that is not compliant will be considered improperly served or notified.

223. In the days following the presentation of the application, the special clerk will communicate with the parties only if he or she receives a contestation or observations related to the application.

224. To postpone the application, an email (remises.coursuperieurestjerome.gouv.qc.ca) must be sent by 3:00 p.m. on the day before the day set for the presentation.

Proceedings before notary

225. The notice of the filing of the minutes of notarial operations and conclusions must include the following statement:

TAKE NOTE that the minutes of notarial operations and conclusions concerning _____ (*subject matter of the application*) for _____ (*name of the person concerned*), an authentic copy of which is attached to this notice, will be filed with the court office of the Superior Court of the District of Terrebonne at the Saint-Jérôme courthouse, 25 de Martigny Ouest, Saint-Jérôme, Quebec, J7Y 4Z1, on _____ (date).

Please note that it will not be possible for you to appear in person at the courthouse.

YOU ARE INVITED to communicate with the special clerk to inform him or her of any ground of challenge you wish to raise with respect to the proceeding.

BY TELEPHONE BETWEEN 8:30 a.m. AND 4:30 p.m. ON THE DAY OF THE FILING (see the date mentioned above):

At 450-431-4414 extension 64105. *You will automatically be redirected to voicemail.*

Please leave a voicemail message indicating:

- Your name
- The name of the person concerned by the application
- Your telephone contact information
- The best time to reach you.

The special clerk will communicate with you as soon as possible concerning the follow-up of the case.

226. Any non-compliant notice of filing will be considered irregularly served or notified.

DIRECTIVES SPECIFIC TO MATTERS BEFORE THE COMMERCIAL CHAMBER

Commercial cases

227. All cases where the initial application is based principally on any of the following legislative provisions is a commercial case and is tried in the Commercial Chamber:

(a) Statutes of Canada

- The *Bankruptcy and Insolvency Act*
- The *Companies and Creditors' Arrangement Act*
- The *Winding-Up and Restructuring Act*
- The *Farm Debt Mediation Act*
- The *Bank Act*
- The *Canada Business Corporations Act*
- The *Commercial Arbitration Act* (e.g., enforcement of awards)

(b) Statutes of Quebec

- *Civil Code of Québec*:
 - arts. 2230 *et seq.* (e.g.: dissolution and liquidation of partnership in commercial matters)
- *Code of Civil Procedure*:
 - arts. 645 *et seq.* (e.g., homologation of an arbitration award)
 - arts. 652 *et seq.* (e.g., recognition and enforcement of arbitration awards made outside Quebec)
- *Winding-Up Act*
- *Companies Act*
- *Securities Act*
- *Act respecting the Autorité des marchés financiers*

(c) and any other case of a commercial nature, on a decision of the coordinating judge of the Commercial Chamber or any other judge designated by the coordinating judge of the Commercial Chamber, made on his or her own initiative or on application.

General provisions

228. A proceeding in the commercial chamber is governed by the procedure established by the specific statute and, in a suppletive manner, by the *Code of Civil Procedure* and the *Regulation of the Superior Court of Québec in civil matters*.

229. The registrar exercises the jurisdiction under s. 192 of the *Bankruptcy and Insolvency Act* and, if appropriate, the registrar exercises the jurisdiction of

the special clerk within the meaning of arts. 72 and 73 C.C.P. in matters that fall under the ambit of the Commercial Chamber.

230. The registrar sits in Room B-1.07. If the parties participate remotely, they must join the virtual “Commercial and Bankruptcy Division” room via Teams.
231. The judge sits in Room B-1.04.
232. The gown must be worn in both rooms, except between Canada Day and Labour Day.
233. The calling of the roll begins at 9:00 a.m. in Room B-1.07.

Pleadings and exhibits

234. In addition to the requirements of the specific statute, the words “Commercial Chamber” must appear on the first page of a pleading under the words “Superior Court” and under that, a reference to the specific statute.
235. A pleading related or in response to another pleading must include, under its title on the first page, the case sequence number in the ledger of the other pleading:

Example:

CONTESTATION (Relating to pleading # ____)

236. It is up to the interested parties to consult the record or the computerized ledger to ensure the accuracy of the sequence number.
237. The exhibits alleged in a proceeding must not be joined thereto but must be filed in a separate book, with inventory, at least two business days, excluding Saturday, before the hearing.
238. Any exhibit must be numbered and paginated in accordance with s. 18 of the *Regulation of the Superior Court of Québec in civil matters*.
239. The court office may refuse any pleading that does not comply with the requirements of this section.
240. The parties or their counsel may send, by email, a copy of a pleading or exhibit to the judge hearing the application. Under no circumstances may any such email be sent after 4:30 p.m. on the business day before the date of the hearing, unless the judge in question has preauthorized it. The original of the

pleading must always be filed with the court office of the commercial chamber, in accordance with this directive.

Judicial application

241. A judicial application includes a notice of presentation consistent with Schedule 18, before the registrar in Room B-1.07, on Thursday at 9:00 a.m.
242. If the application falls under the jurisdiction of the registrar, he or she rules on it. If it does not, the registrar refers the application to the judge sitting in Room B-1.04 or sets a hearing date.
243. An oppression remedy application is subject to the filing of a case protocol (Schedule 1). Any disputes in establishing the case protocol may be the subject of a case management notice sent to all the parties and presented in Room B-1.07.
244. Other applications before the commercial chamber are not subject to the filing of a case protocol but will be on the roll only if the “Joint Declaration to Fix a Hearing” (Schedule 3) has been completed.

Filing of an application for a bankruptcy order

245. These proceedings must be dealt with in accordance with sections 43 of the *Bankruptcy and Insolvency Act* and 69 and 70 of the *Bankruptcy and Insolvency General Rules*. Such proceedings may not be served unless they have first been signed by the registrar and the seal of the court has been affixed thereto. To do so:
 - (a) The applicant creditor must make an appointment with the registrar at least 24 hours in advance by using the following email address: faillitestjerome@justice.gouv.qc.ca;
 - (b) At the time of the appointment, the original and four copies of the application must be provided to the registrar;
 - (c) Once the original and the four copies have been signed by the registrar, the applicant creditor must retrieve them to obtain a file number and pay the judicial fees.

Urgent application

246. The registrar must be notified of any application concerning an urgent matter. This matter must be filed with the court office of the Commercial Chamber or through the DCOQ at least 24 hours prior to its presentation in the practice division in Room B-1.07 with a notice of presentation consistent with Schedule 18.

247. If the application falls under the jurisdiction of the registrar, he or she rules on it. If it does not, the registrar refers the application to the judge sitting in Room B-1.04.
248. For an urgent application to be heard in Room B-1.04, the coordinating judge must be warned at least 24 hours prior to its presentation to ensure that the judge sitting in Room B-1.04 or another judge is available to hear it.

Incidental application

249. An incidental application must be notified and filed with the court office of the Commercial Chamber or through the DCOQ at least two business days, excluding Saturday, before its presentation in Room B-1.07.
250. If the application falls under the jurisdiction of the registrar, he or she rules on it. If not, the registrar refers the application to the judge sitting in Room B-1.04.

Fixing a hearing date

251. A hearing of three days or less is fixed by the master of the rolls or the registrar.
252. A request for a hearing of more than three days is fixed by the district coordinating judge during the calling of the provisional roll;
253. In all cases, the parties must send the Joint declaration to fix a hearing (Schedule 3) by 3:00 p.m. on the day before the day set for the presentation, to the bankruptcy registry (faillitestjerome@justice.gouv.qc.ca) and state in the subject matter line: "Fixation d'une audition contestée – 700- 11-(...)".
254. Your email must include the Joint declaration to fix a hearing and the telephone contact information and email address of **all** counsel or parties required for the registrar to fix the hearing via telephone conference call or email.
255. The hearing on the merits of an oppression remedy is subject to the filing of a "Request for Setting down for Trial and Judgment" (Schedule 5), while the hearing on the merits of any other application before the Commercial Chamber is subject to the filing of a Joint Declaration to Fix a hearing (Schedule 3).
256. Any hearing of an application in the Commercial Chamber is subject to the filing, prior to the start of the hearing, of a joint table of admissions as to the chronology of facts, indicating which facts are disputed, and a joint list of issues that remain to be decided.

Uncontested application

257. If the application is uncontested and can be dealt with based on the record, the parties can send an email to the bankruptcy registry (faillitestjerome@justice.gouv.ca), by 3:00 p.m. on the day before the day set for the presentation and write in the subject line: “Jugement à vérifier – 700- 11 –(...)”.
258. The email must indicate the proceeding involved, the name of counsel or the person in charge of the file and the telephone contact information and email address where they can be reached on the day of the presentation.
259. After 3:00 p.m. the file will not be considered and the application will be postponed sine die, if no one is present on the day of the presentation.

Request for postponement

260. If the parties wish to avoid having to be present or taking part in the calling of the roll for the postponement of a case, they must send an email to faillitestjerome@gouv.qc.ca, by 3:00 p.m. on the day before the date of presentation.
261. It is the parties' responsibility to ensure that the postponement date is a business day and a practice day. To that end, please consult the website barreaudelaurentideslanaudiere.qc.ca.

Standard order

262. Any application seeking one of the standard orders published on the website of the Barreau de Montréal must be accompanied by a version of the published standard order, and any discrepancies, deletions, or additions sought must be indicated. For the moment, the standard orders are:
- (a) Interim and final orders under s. 192 of the *Canada Business Corporations Act* or under s. 414 et seq. of the *Business Corporations Act* (Quebec);
 - (b) Initial orders under the *Companies' Creditors Arrangement Act*,
 - (c) Claims and meetings procedure order under the *Companies' Creditors Arrangement Act*,
 - (d) Approval and Vesting Orders under the *Companies' Creditors Arrangement Act* or under the *Bankruptcy and Insolvency Act*,
 - (e) Receivership Orders under s. 243 of the *Bankruptcy and Insolvency Act*.

Case management notice

263. A case management notice must indicate the respective positions of the parties, be accompanied by a notice of presentation consistent with Schedule 18, and be presented in Room B-1.07, before the registrar, who will rule on it if the questions raised fall under his or her jurisdiction. If not, the registrar refers the case management notice to the judge sitting in Room B-1.04.

Request for special case management

264. A request for special case management must be the subject of a case management notice, be accompanied by a notice of presentation, presented in Room B-1.07, and the notice of presentation must be consistent with Schedule 18.

265. The request must allege the grounds justifying special case management and include, if required, the case protocol.

266. The request is then referred back to the judge sitting in Room B-1.04.

267. If the judge finds, based on the record and in light of the likely conduct of the case, that the case could justify special case management, he or she submits the request to the coordinating judge for adjudication. Otherwise, the request is dismissed.

268. The coordinating judge may, if he or she deems necessary and on his or her own initiative, refer any case heard in the Commercial Chamber to special case management.

269. Requests that concern an arrangement under the *Companies' Creditors Arrangement Act* or an arrangement or reorganization under the *Canada Business Corporations Act* or the *Business Corporations Act (Quebec)* are first sent to the coordinating judge or the judge designated by the coordinating judge, and then referred *ex officio* to special case management.

270. Despite any provision to the contrary in these directives, the judge appointed to manage a case hears all the preliminary as well as the incidental requests and presides over the hearing on the merits, as the case may be.

Objections

271. A debate on objections must be requested by way of a case management notice and cannot be fixed for a hearing unless a joint document is appended grouping the questions and undertakings concerned by subject and indicating the time required for a ruling.

Aspects specific to bankruptcy matters

272. As provided by s. 11 of the *Bankruptcy and Insolvency General Rules*, every application is made by motion.
273. Any motion must include, under its title, a reference to the specific provisions of the *Bankruptcy and Insolvency Act* and the *Bankruptcy and Insolvency General Rules*.
274. The original of the motion, the supporting sworn statements, and proof of service must be filed with the court office or through the DCOQ at least two business days, excluding Saturday, before the date of presentation.
275. The notice of presentation must indicate that the motion will be presented before the registrar in Room B-1.07 and be consistent with Schedule 18.
276. When the motion is presented, if it falls under the registrar's jurisdiction, the registrar hears the parties or sets the timetable to ready the case for trial and postpones the motion *pro forma* to a later date to fix a hearing date.
277. An appeal from an order or decision of the registrar must be made by motion.
278. Before placing such a motion on the roll, the judge or registrar may require that each party file a brief of no more than 10 pages with the court office, within a given time limit. The brief must include:
- (a) a summary of the order or judgment under appeal;
 - (b) the issue(s) in dispute;
 - (c) the grounds for which the appeal should or should not be allowed;
 - (d) the list of relevant authorities.

HEARING OF APPLICATIONS FOR A DISCHARGE

279. The deputy registrar fixes the applications for discharge received, generally from trustees, and communicates the information pertaining to the holding of hearings.
280. A person who requests a discharge hearing must be able to show the registrar, at the hearing, that the information contained in the document appended to the hearing application completed by the court office was transmitted to the bankrupt, the superintendent, and the creditors.
281. In the case of a first or second bankruptcy, which are not subject to s. 172.1 of the *Bankruptcy and Insolvency Act*, if the only opponent of the discharge

is the trustee and the trustee withdraws the opposition, the presence of the bankrupt and the trustee will not be necessary if the report required by s. 170 of the *Bankruptcy and Insolvency Act* is filed with the court office or with the digital court office of Quebec (DCOQ), two days before the hearing date (transmission by email will not be permitted).

282. In that case, an email must be sent to faillitestjerome@justice.gouv.qc.ca indicating in the subject line: “Retrait d’opposition – 700- (...)”. It must clearly state the trustee’s intention to withdraw the opposition, as well as the name and telephone contact information of the person responsible for the file who may be reached on the day fixed for the hearing of the application for discharge. That email must be sent by 3:00 p.m. on the day before the hearing.
283. Applications for a discharge are heard in Room B-1.01. However, the parties can participate remotely in a virtual courtroom to be determined by the registrar.
284. When a discharge hearing is fixed *pro forma*, the presence of the parties (in person or using Teams) is not required, if and only if the parties send an email by 3:00 p.m. on the day before the *pro forma* hearing, to the bankruptcy court office (faillitestjerome@justice.gouv.qc.ca), which states in the subject line: “Fixation d’une audition contestée – 700- 11-(...)”, including:
- (a) the Joint Declaration to Fix a Hearing (Schedule 3);
 - (b) the telephone contact information and email address of all counsel or parties which is required by the registrar to proceed to fix the hearing by telephone conference call or email, as the case may be.

USEFUL CONTACT INFORMATION

285. List of principal contact information:

- Court office:
 - Telephone : 450-431-4414
 - Court House
 - 25 de Martigny Ouest
 - Saint-Jérôme, Quebec J7Y 4Z1
- Assistant to the coordinating judge:
 - Telephone: 450-431-4408
 - Facsimile: 450-569-7687
 - louise-josee.robichaud@judex.qc.ca

- Master of the rolls:
 - Telephone: 450-431-4414, ext. 64055
 - Facsimile: 450-569-7687
 - nathalie.julien@justice.gouv.qc.ca

- Postponements:
 - Telephone: 450-431-4414, ext. 64056
 - Facsimile: 450-569-7687
 - remises.coursuperieurest-jerome@justice.gouv.qc.ca

- Filing of agreements:
 - cst.cs.st-jerome@jerome.gouv.qc.ca

- Bankruptcy and commercial chamber court office:
 - Telephone: 450-431-4414, ext. 64211
 - faillitestjerome@justice.gouv.qc.ca

- Settlement conferences:
 - Telephone: 514-393-2021, ext. 6
 - Facsimile: 514-393-4864
 - conferencemtl@judex.qc.ca

LIST OF SCHEDULES

1. Case Protocol in Civil Matters
2. Case Protocol in Family Matters
3. Joint Declaration to Fix a Hearing
4. Contempt of Court – Draft Order to Appear
5. Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Civil Matters)
6. Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Family Matters)
7. Joint Declaration for Setting Down for Cases of Three (3) Days or Less
8. Calling of the Provisional Roll – Notice of Hearing
9. List of Permanent Teams Rooms
10. Guide for Lawyers and Parties (Remote Hearing)
11. Guide for Witnesses (Remote Hearing)
12. Standard Email for Witnesses (Remote Hearing)
13. Joint Application for a Settlement Conference
14. Notice of Presentation in Family Matters
15. Checklist to Fix Dates in Family Matters
16. Setting Down for Homologation of a Consent or to Proceed by Default for Cases Subject to a Summons
17. Notice of Presentation for Non-contentious Matters before the Court
18. Notice of Presentation for the Commercial Division and Bankruptcy
19. Notice of Presentation in Civil Matters

CANADA
Province of Québec
District:
Locality:
File No.:

SUPERIOR COURT
Division

Plaintiff
v.
Defendant
and

CHOOSE DE NAME OF THE DOCUMENT
Superior Court of Québec, Montréal Division
(article 148 of the Code of Civil Procedure)

1.	Nature of the dispute:	
2.	Value of the subject matter of the dispute:	
3.	Latest date on which the application was served on all the parties:	
4.	All the parties are requesting a stay of the proceeding in order to allow them to negotiate an out-of-court agreement (C.C.P., a. 156): Duration: (where applicable, indicate a maximum stay of 3 months) If the application is allowed by the Court, the proceeding will therefore be stayed until:	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> 1 month <input type="checkbox"/> 2 months <input type="checkbox"/> 3 months
5.	All the parties undertake to hold a settlement conference. (C.C.P., aa. 148(2) and 161 to 165)	<input type="checkbox"/> YES <input type="checkbox"/> NO
6.	All the parties are requesting an extension of the time limit for trial readiness (C.C.P., a. 173): Duration: (where applicable, indicate an additional time limit of 9 months maximum) If the Court allows the application, the six-month time limit will be extended until:	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> 3 months <input type="checkbox"/> 6 months <input type="checkbox"/> 9 months

PRELIMINARY EXCEPTIONS		
7.	Declinatory exceptions	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filing
8.	<input type="checkbox"/> Referral to competent court or dismissal (C.C.P., a. 167)	
9.	<input type="checkbox"/> Other exception (with a reference to the C.C.P. article):	
10.	Submitted by (enter the name of the party):	

11.	Exceptions to dismiss	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filin
12.	<input type="checkbox"/> Dismissal (C.C.P., a. 168):	
13.	Submitted by (enter the name of the party):	

14.	Other preliminary exceptions	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filing
15.	<input type="checkbox"/> Clarifications regarding (C.C.P., a. 169):	
16.	<input type="checkbox"/> Disclosure of documents (C.C.P., a. 169):	
17.	<input type="checkbox"/> Striking of immaterial allegations (C.C.P., a. 169):	
18.	<input type="checkbox"/> Requirement to provide suretyship (C.C.P., a. 492):	
19.	<input type="checkbox"/> Other exception (indicate its nature):	
20.	Submitted by (enter the name of the party):	

21.	Application under article 51 C.C.P.	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filing
22.	<input type="checkbox"/> Application under article 51 C.C.P.	
23.	Submitted by (enter the name of the party):	

OTHER PROCEEDINGS		
24.	Safeguard measures (C.C.P., a. 169 1st para.):	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filing
25.	<input type="checkbox"/> Application for safeguard measures	
26.	Submitted by (enter the name of the party):	

27.	Other incidental procedures	<input type="checkbox"/> YES <input type="checkbox"/> NO
		Deadline for filing
28.	<input type="checkbox"/> Amendment of a pleading	
29.	<input type="checkbox"/> Determination of an issue of law	
30.	<input type="checkbox"/> Declaration of disqualification	
31.	<input type="checkbox"/> Other (indicate its nature):	
32.	Submitted by (enter the name of the party):	

DEFENCE		
33.	<p>Under article 171 C.C.P., the case is subject to the rules of oral defence. Despite this, all the parties are applying for authorization from the Court for the case to be subject to the rules of written defence, on the following grounds (C.C.P., aa. 148(5) and 171) (indicate the grounds):</p> <p>In the absence of an application for authorization for a written defence, the defendant must state the grounds by oral defence (C.C.P., aa. 154 and 170 2nd para.) (indicate the grounds):</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO

34.	The defendant intends to file a cross-application.	<input type="checkbox"/> YES <input type="checkbox"/> NO
35.	Deadline for filing the cross-application	
36.	Deadline for filing the defence to cross-application	

37.	<p>Issues in dispute (C.C.P., a. 148):</p> <p>According to plaintiff:</p> <p>According to defendant:</p>
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38.	Third person intervention or impleading (C.C.P., aa. 151 and 158(4))	<input type="checkbox"/> YES <input type="checkbox"/> NO
39.	Deadline for the intervention or impleading of a third person	

EXPERT OPINIONS		
40.	<p>Joint expert opinion (C.C.P. a. 232)</p> <p>Nature of and need for joint expert opinion:</p> <p>Reasons for refusing joint expert opinion (C.C.P., a. 148(4)):</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Deadline for filing joint expert opinion:	
41.	<p>Expert opinion for the plaintiff (not more than one per area or matter of expertise) (C.C.P., a. 232): (indicate number, nature and need for each expert opinion)</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Deadline for filing an expert opinion for plaintiff:	

42.	Expert opinion for the defendant (not more than one per area or matter of expertise) (C.C.P., a. 232): (indicate number, nature and need for each expert opinion)	<input type="checkbox"/> YES <input type="checkbox"/> NO
Deadline for filing an expert opinion for defendant:		
43.	Expert opinion for third person or impleaded person (not more than one per area or matter of expertise) (C.C.P., a. 232): (indicate number, nature and need for each expert opinion)	<input type="checkbox"/> YES <input type="checkbox"/> NO
Deadline for filing an expert opinion for third person or impleaded person:		

EXAMINATIONS			
44.	Pre-trial examination(s) by either party (C.C.P., aa. 148(3), 158(3) and 221)		<input type="checkbox"/> YES <input type="checkbox"/> NO
45.	Value of the subject matter of the dispute is less than \$100 000 (C.C.P., a. 229):		<input type="checkbox"/> YES <input type="checkbox"/> NO
46.	The parties intend to submit their anticipated objections before pre-trial examination (C.C.P., a. 228):		<input type="checkbox"/> YES <input type="checkbox"/> NO
47.	Number of examinations before defence		
48.	Number of examinations after defence		
49.	Name of persons to be examined for the plaintiff:		
	Given name, surname	Date	Time
	Given name, surname	Date	Time
50.	Name of persons to be examined for the defendant:		
	Given name, surname	Date	Time
	Given name, surname	Date	Time
51.	In order to avoid service of a subpoena, the parties agree that, in the 20 days preceding a pre-trial examination, the examining party will disclose in writing to the other parties a detailed list of all the documents that must be in the possession of the party to be examined at the pre-trial examination. List the documents below if the parties are currently able to identify them (an appendix of all the documents may be enclosed with this protocol):		
	Given name, surname	Documents	
	Given name, surname	Documents	

52.	Deadline for filing transcripts for the plaintiff (C.C.P., a. 227)	
53.	Deadline for filing transcripts for the defendant (C.C.P., a. 227)	
54.	Deadline for filing transcripts for the impleaded person (C.C.P., a. 227)	
55.	Deadline for presenting the objections set forth in the second paragraph of article 228 C.C.P., which were raised during the pre-trial examinations for the plaintiff	
56.	Deadline for presenting the objections set forth in the second paragraph of article 228 C.C.P., which were raised during the pre-trial examinations for the defendant	
57.	Deadline for disclosure of all the undertakings made during the pre-trial examinations for the plaintiff	
58.	Deadline for disclosure of all the undertakings made during the pre-trial examinations for the defendant	

EXHIBITS		
	Exhibits and other evidence (C.C.P., aa. 145 and 158)	Deadline
59.	Filing of exhibits for the plaintiff	
60.	Filing of exhibits for the defendant	
61.	Filing of exhibits for the third person, impleaded person or intervening person	
62.	List of exhibits admitted by plaintiff:	
63.	List of exhibits admitted by defendant:	
	Filing of affidavits in lieu of testimony	Deadline
64.	Filing of affidavits for plaintiff	
65.	Filing of affidavits for defendant	

OTHER		
66.	Legal costs (C.C.P., aa. 148 1st para., and 339) <ul style="list-style-type: none"> Evaluation of legal costs for plaintiff (including expert opinions): Evaluation of legal costs for defendant (including expert opinions): Evaluation of legal costs for other parties (including expert opinions): 	\$ \$ \$

67.	Methods of notification the parties intend to use (C.C.P., aa. 109 to 140 and 148(9)):
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68.	Appointment of a lawyer to a minor or a person of full age considered incapable If yes, name of proposed lawyer:	<input type="checkbox"/> YES <input type="checkbox"/> NO
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N.B. Non-compliance with this protocol may constitute a breach punished under articles 341 and 342 C.C.P.

On

On

Mtre.
Counsel for
(Nom de l'étude)
(Adresse)
(Ville, province et code postal)
Telephone:
Fax:
Email:

Mtre.
Counsel for
(Nom de l'étude)
(Adresse)
(Ville, province et code postal)
Telephone:
Fax:
Email:

(given name, surname)
Plaintiff

(given name, surname)
Defendant

On

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Mtre.
Counsel for
(Nom de l'étude)
(Adresse)
(Ville, province et code postal)
Telephone:
Fax:
Email:

Mtre.
Counsel for
(Nom de l'étude)
(Adresse)
(Ville, province et code postal)
Telephone:
Fax:
Email:

(given name, surname)

(given name, surname)

CANADA
Province of Québec
District:
Locality:
File No.:

SUPERIOR COURT
(Family Division)

Plaintiff

v.

Defendant

**CHOOSE THE NAME OF THE DOCUMENT ((in family matters)
PRESENTATION PAGE
Superior Court of Québec, Montréal Division**

1. **You are required to complete this page when filing a first case protocol or a proposed case protocol in the record of the Court.** Place this page before the case protocol or the proposed case protocol (before page 1) and staple them together.
 2. **Do not complete or attach** this presentation page if you are filing an amended case protocol.
-

For each question, you must check an answer, either YES or NO.
No answer will be deemed to be YES.

The parties are requesting an extension of the time limit: (line 4 of the protocol)	<input type="checkbox"/> YES <input type="checkbox"/> NO
The parties plan to file more than six expert opinions: (lines 16 to 19 of the protocol)	<input type="checkbox"/> YES <input type="checkbox"/> NO
A party (defendant, third person, person called) intends to file an application for authorization to file a written defence: (line 11 of the protocol)	<input type="checkbox"/> YES <input type="checkbox"/> NO
The parties plan to conduct more than six pre-trial examinations: (lines 20 to 24 of the protocol)	<input type="checkbox"/> YES <input type="checkbox"/> NO
The parties plan to conduct examinations the duration of which is incompatible with article 229 of the <i>Code of Civil Procedure (C.C.P.)</i>:	<input type="checkbox"/> YES <input type="checkbox"/> NO
The protocol was not signed by the parties or was not notified to them:	<input type="checkbox"/> YES <input type="checkbox"/> NO

RÉSERVÉ AU GREFFIER : Cocher si protocole trié pour saisie CHEM*EXA

CANADA
Province of Québec
District:
Locality:
File No.:

SUPERIOR COURT
(Family Division)

Plaintiff

v.

Defendant

CHOOSE THE NAME OF THE DOCUMENT IN FAMILY MATTERS
Superior Court of Québec, Montréal Division
(article 148 of the *Code of Civil Procedure*)

1.	Nature of the dispute:	
2.	Date on which the application was served on the defendant:	
3.	All the parties undertake to hold a settlement conference (C.C.P., aa. 9 2nd para., 148(2) and 161 to 165):	<input type="checkbox"/> YES <input type="checkbox"/> NO
4.	All the parties are requesting an extension of the time limit for trial readiness (C.C.P., a. 173): Duration: (where applicable, indicate an additional time limit of 6 months maximum) If the Court allows the application, the one-year time limit will be extended until:	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> 3 months <input type="checkbox"/> 6 months
5.	At the time of completing this protocol, a safeguard order has already been rendered: If yes, indicate the date on which the last safeguard order was rendered: If applicable, indicate the date of expiry of the last safeguard order: No safeguard order has been rendered, but one of the parties intends to file an application with the Court.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO

PRELIMINARY APPLICATIONS		
6.	One of the parties intends to file a preliminary application.	<input type="checkbox"/> YES <input type="checkbox"/> NO
7.	<p>If yes, indicate:</p> <p><input type="checkbox"/> the plaintiff or <input type="checkbox"/> the defendant intends to file an application for:</p> <p><input type="checkbox"/> Referral to the competent court or dismissal (C.C.P., aa. 45, 167, 491; <i>Divorce Act</i>, s. 3)</p> <p><input type="checkbox"/> Disclosure of documents (C.C.P., a. 169)</p> <p><input type="checkbox"/> Case management measures (C.C.P., a. 169 1st para.)</p> <p><input type="checkbox"/> Other preliminary exception:</p> <p><input type="checkbox"/> Other application in the course of the proceeding:</p> <p><input type="checkbox"/> Provision for costs (C.C.P., a. 416)</p>	
8.	Deadline for filing the application (C.C.P., a. 166)	

PROVISIONAL MEASURES		
9.	One of the parties intends to file an application for provisional measures.	<input type="checkbox"/> YES <input type="checkbox"/> NO
10.	Deadline for filing the application	

DEFENCE		
11.	<p>Under article 171 2nd para. C.C.P., the defence is to be oral in all instances where the purpose of the proceeding is to obtain support or a right relating to the custody of a child.</p> <p>In other proceedings in family matters, the defence is also oral except that the defendant may file an application with the Court for authorization to file a written defence if the case presents a <u>high level</u> of complexity or if <u>special</u> circumstances warrant otherwise (C.C.P., a. 171 1st para.). If these conditions are present, does the defendant intend to file such an application with the Court? (indicate the grounds)</p> <p>If yes, indicate the deadline for filing an application for authorization to file a written defence:</p> <p>In the absence of an application for authorization for a written defence, the defendant must state the grounds by oral defence (C.C.P., aa. 154 and 170 2nd para.) (indicate the grounds):</p>	<input type="checkbox"/> YES <input type="checkbox"/> NO

12.	The defendant intends to file a cross-application.	<input type="checkbox"/> YES <input type="checkbox"/> NO
13.	Deadline for filing the cross-application	
14.	Deadline for filing the defence to cross-application	

ISSUES IN DISPUTE (C.C.P., a. 148)

15.	<p>According to plaintiff (list the issues in dispute by checking the appropriate boxes):</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Custody</td> <td><input type="checkbox"/> Parental authority</td> <td><input type="checkbox"/> Right of access</td> </tr> <tr> <td><input type="checkbox"/> Child support</td> <td><input type="checkbox"/> Income of other party</td> <td><input type="checkbox"/> Special expenses</td> </tr> <tr> <td><input type="checkbox"/> Arrears</td> <td><input type="checkbox"/> Income (children)</td> <td><input type="checkbox"/> Undue hardship</td> </tr> <tr> <td><input type="checkbox"/> Spousal support</td> <td><input type="checkbox"/> Lump sum</td> <td><input type="checkbox"/> Provision for costs</td> </tr> <tr> <td><input type="checkbox"/> Matrimonial regime</td> <td><input type="checkbox"/> Partition of the matrimonial regime</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Partition of the family patrimony</td> <td><input type="checkbox"/> Compensatory allowance</td> <td><input type="checkbox"/> Compensatory payment</td> </tr> <tr> <td><input type="checkbox"/> International child abduction</td> <td><input type="checkbox"/> Contempt of court</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other:</td> <td></td> <td></td> </tr> </table> <p>According to defendant (list the issues in dispute by checking the appropriate boxes):</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Custody</td> <td><input type="checkbox"/> Parental authority</td> <td><input type="checkbox"/> Right of access</td> </tr> <tr> <td><input type="checkbox"/> Child support</td> <td><input type="checkbox"/> Income of other party</td> <td><input type="checkbox"/> Special expenses</td> </tr> <tr> <td><input type="checkbox"/> Arrears</td> <td><input type="checkbox"/> Income (children)</td> <td><input type="checkbox"/> Undue hardship</td> </tr> <tr> <td><input type="checkbox"/> Spousal support</td> <td><input type="checkbox"/> Lump sum</td> <td><input type="checkbox"/> Provision for costs</td> </tr> <tr> <td><input type="checkbox"/> Matrimonial regime</td> <td><input type="checkbox"/> Partition of the matrimonial regime</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Partition of the family patrimony</td> <td><input type="checkbox"/> Compensatory allowance</td> <td><input type="checkbox"/> Compensatory payment</td> </tr> <tr> <td><input type="checkbox"/> International child abduction</td> <td><input type="checkbox"/> Contempt of court</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other:</td> <td></td> <td></td> </tr> </table>	<input type="checkbox"/> Custody	<input type="checkbox"/> Parental authority	<input type="checkbox"/> Right of access	<input type="checkbox"/> Child support	<input type="checkbox"/> Income of other party	<input type="checkbox"/> Special expenses	<input type="checkbox"/> Arrears	<input type="checkbox"/> Income (children)	<input type="checkbox"/> Undue hardship	<input type="checkbox"/> Spousal support	<input type="checkbox"/> Lump sum	<input type="checkbox"/> Provision for costs	<input type="checkbox"/> Matrimonial regime	<input type="checkbox"/> Partition of the matrimonial regime		<input type="checkbox"/> Partition of the family patrimony	<input type="checkbox"/> Compensatory allowance	<input type="checkbox"/> Compensatory payment	<input type="checkbox"/> International child abduction	<input type="checkbox"/> Contempt of court		<input type="checkbox"/> Other:			<input type="checkbox"/> Custody	<input type="checkbox"/> Parental authority	<input type="checkbox"/> Right of access	<input type="checkbox"/> Child support	<input type="checkbox"/> Income of other party	<input type="checkbox"/> Special expenses	<input type="checkbox"/> Arrears	<input type="checkbox"/> Income (children)	<input type="checkbox"/> Undue hardship	<input type="checkbox"/> Spousal support	<input type="checkbox"/> Lump sum	<input type="checkbox"/> Provision for costs	<input type="checkbox"/> Matrimonial regime	<input type="checkbox"/> Partition of the matrimonial regime		<input type="checkbox"/> Partition of the family patrimony	<input type="checkbox"/> Compensatory allowance	<input type="checkbox"/> Compensatory payment	<input type="checkbox"/> International child abduction	<input type="checkbox"/> Contempt of court		<input type="checkbox"/> Other:		
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<input type="checkbox"/> Other:																																																	

EXPERT OPINIONS

16.	<p>Joint expert opinion (C.C.P., a. 232)</p> <p>Nature of and need for joint expert opinion:</p> <p>Reasons for refusing joint expert opinion (C.C.P., a. 148(4)):</p> <p>Deadline for filing joint expert opinion:</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
17.	<p>Joint application for a psychosocial assessment (C.C.P., a. 425) (indicate the grounds):</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
18.	<p>Expert opinion for plaintiff (C.C.P., aa. 231 to 245) (indicate nature and need)</p> <p>Deadline for filing an expert opinion for plaintiff:</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
19.	<p>Expert opinion for defendant (C.C.P., aa. 231 to 245) (indicate nature and need)</p> <p>Deadline for filing an expert opinion for defendant:</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>

EXAMINATIONS										
20.	The plaintiff wishes to examine the defendant outside the presence of the Court. (C.C.P., aa. 148(3) and 221) Date: _____ Time _____ Place _____	<input type="checkbox"/> YES <input type="checkbox"/> NO								
21.	The defendant wishes to examine the plaintiff outside the presence of the Court. (C.C.P., aa. 148(3) and 221) Date: _____ Time _____ Place _____	<input type="checkbox"/> YES <input type="checkbox"/> NO								
22.	<p>In order to avoid service of a subpoena, the parties agree that, in the 20 days preceding the examination outside the presence of the Court, the examining party will disclose in writing to the other party a detailed list of all the documents that must be in the possession of the party to be examined at the examination outside the presence of the Court.</p> <p>List the documents below if the parties are currently able to identify them (an appendix of all the documents may be enclosed with this protocol):</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; height: 20px;"></td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center;">Given name, surname</td> <td style="text-align: center;">Documents</td> </tr> <tr> <td style="height: 20px;"></td> <td></td> </tr> <tr> <td style="text-align: center;">Given name, surname</td> <td style="text-align: center;">Documents</td> </tr> </table>				Given name, surname	Documents			Given name, surname	Documents
Given name, surname	Documents									
Given name, surname	Documents									
23.	Deadline for the disclosure of the undertakings made by the plaintiff during the examination outside the presence of the Court									
24.	Deadline for the disclosure of the undertakings made by the defendant during the examination outside the presence of the Court									

EXHIBITS	
25.	<p>Deadline for filing all the exhibits and forms, including in particular, if applicable: marriage certificate, birth certificate, marriage contract, statement of income and expenses, child support determination form, family patrimony calculation form, partnership of acquests calculation form, a certificate under article 417 or 419 C.C.P. and a statement under article 444 C.C.P., as well as the other documents prescribed by regulation.</p> <p>Deadline for filing exhibits and forms for plaintiff: Deadline for filing exhibits and forms for defendant:</p>

OTHER	
26.	<p>Legal costs (C.C.P., aa. 148(1) and 339)</p> <ul style="list-style-type: none"> • Evaluation of legal costs for plaintiff (including expert opinions): \$ • Evaluation of legal costs for defendant (including expert opinions): \$

27.	Application for designating a lawyer to represent the child If yes, name of proposed lawyer:	<input type="checkbox"/> YES <input type="checkbox"/> NO
-----	--	--

N.B. Non-compliance with this protocol may constitute a breach punished under articles 341 and 342 C.C.P.

On

On

Mtre.
 Counsel for
 (Nom de l'étude)
 (Adresse)
 (Ville, province et code postal)
 Telephone:
 Fax:
 Email:

Mtre.
 Counsel for
 (Nom de l'étude)
 (Adresse)
 (Ville, province et code postal)
 Telephone:
 Fax:
 Email:

(given name, surname)
 Plaintiff

(given name, surname)
 Defendant

CANADA PROVINCE OF QUÉBEC District of _____ NO: _____	SUPERIOR COURT DATE : _____
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**JOINT DECLARATION FOR THE PURPOSE OF SCHEDULING
A HEARING**

Without evidentiary hearing : complete Part One only
 With evidentiary hearing : complete Part One and the relevant sections of Part Two

1. IDENTIFICATION OF COUNSEL AND/OR OF SELF-REPRESENTED PARTIES

APPLICANT	LAWYER(S) IN CHARGE
NAME 1	NAME
	LAW FIRM
	ADDRESS
	TELEPHONE
	FAX
	E-MAIL

RESPONDENT	LAWYER(S) IN CHARGE
NAME 1	NAME
	LAW FIRM
	ADDRESS
	TELEPHONE
	FAX
	E-MAIL

OTHER PARTY(IES)	LAWYER(S) IN CHARGE
NAME 1	NAME
	LAW FIRM
	ADDRESS
	TELEPHONE
	FAX
	E-MAIL

PART ONE

2. TYPE OF MOTION

Nature of the application to be scheduled : _____
Application presented by: _____
Nature of the action on the merits: _____
Amount in dispute, if any: _____

3. READING TIME REQUIRED FOR THE JUDGE

DURATION :	
------------	--

4. TIME REQUIRED FOR TESTIMONY OF WITNESSES IN THE CASE OF AN EVIDENTIARY HEARING (for details, see section 10)

DURATION :	
------------	--

5. PLEADINGS

	DURATION
APPLICANT	
RESPONDENT	
OTHER PARTY(IES)	
TOTAL DURATION OF PLEADINGS	

TOTAL DURATION OF THE HEARING : _____
(Calculate on the basis of 5 HRS a day)

REPRESENTATIONS AND UNDERTAKINGS

I hereby declare that I am ready to proceed in accordance with the representations made herein.

() HEARING IN FAMILY MATTERS

I confirm having filled out the Checklist to fix a date in family matters , which is appended to the Joint Declaration

APPLICANT

RESPONDENT

OTHER PARTY(IES)

PART TWO: WITH EVIDENTIARY HEARING

6. ADMISSIONS

7. EXHIBITS COMMUNICATED TO BE USED FOR THE MOTION

EXHIBIT NUMBER ³	DESCRIPTION (or indicate only the exhibit number and attach a list of exhibits)	CONTENT ADMITTED	ADMISSION OF AUTHENTICITY WITHOUT ADMISSION OF CONTENT	ADMISSION OF RECEIPT WITHOUT ADMISSION OF CONTENT
APPLICANT				
RESPONDENT				
OTHER PARTY(IES)				

8. EXPERT REPORTS SUBMITTED FOR THE HEARING OF THE MOTION

The experts have reconciled their opinions in accordance with Art. 240 C.C.P. (check): YES <input type="checkbox"/> NO <input type="checkbox"/>		
If yes, please identify:		
EXHIBIT NUMBER	NAME OF EXPERT	AREA OF EXPERTISE
APPLICANT		
The party has communicated the curriculum vitae, statements of account and expert’s current fee schedule⁴: YES <input type="checkbox"/> (check)		

³ THE PARTIES SHOULD AVOID DUPLICATING EXHIBITS; IF AN EXHIBIT HAS BEEN FILED BY A PARTY, THE OTHER PARTY SHOULD REFER TO SAID EXHIBIT WITHOUT FILING IT AGAIN. IF MORE THAN ONE PARTY HAS FILED AN EXHIBIT, PLEASE INDICATE ALL OF THE NUMBERS UNDER WHICH SAID EXHIBIT HAS BEEN FILED.

⁴ ART. 18.2 R.C.P.: “THE PARTY WHO PRODUCES AN EXPERT REPORT MUST AT THE SAME TIME PRODUCE ITS AUTHOR’S CURRICULUM VITAE, A STATEMENT OF ACCOUNT TO DATE AND THE EXPERT’S CURRENT FEE SCHEDULE FOR THE EXPERT’S PRESENCE AT A TRIAL ON THE MERITS.”

RESPONDENT		
The party has communicated the curriculum vitae, statements of account and expert's current fee schedule ³ : YES <input type="checkbox"/> (check)		
OTHER PARTY(IES)		
The party has communicated the curriculum vitae, statements of account and expert's current fee schedule ³ : YES <input type="checkbox"/> (check)		

9. LIST OF WITNESSES

Note : Time estimates must be as serious and precise as possible in order to realistically assess the approximate time available for each party and the total duration of the hearing, although the duration of examinations and cross-examinations within the period of time available for each party may vary at the hearing.

<u>WITNESSES</u>	<u>LANGUAGE (F/E)</u>	<u>INTER-PRETER</u>	<u>SUBJECT OF TESTIMONY</u>	<u>TIME NEEDED FOR EXAMINATION IN CHIEF</u>	<u>TIME NEEDED FOR CROSS-EXAMINATIONS (FOR EACH OF THE OTHER PARTIES)</u>				<u>TOTAL DURATION FOR WITNESS</u>
APPLICANT									
ORDINARY WITNESSES									
EXPERT WITNESSES									
RESPONDENT									
ORDINARY WITNESSES									
EXPERT WITNESSES									
OTHER PARTY(IES)									
ORDINARY WITNESSES									
EXPERT WITNESSES									

RÉSERVÉ AU JUGE OU AU GREFFIER SPÉCIAL

SUR LA FOI DES REPRÉSENTATIONS CI-DESSUS FAITES PAR LES PARTIES, L'AUDITION DE LA OU DES REQUÊTES (COTE(S) _____) EST FIXÉE POUR UNE DURÉE DE _____ JOURS.

DATE(S) DE L'AUDIENCE : _____
DU PALAIS DE JUSTICE DE _____.

SALLE _____

_____, LE _____ 201_

SIGNATURE _____

HONORABLE (NOM) _____

OU GREFFIER SPÉCIAL (NOM) _____

RÉSERVÉ AU JUGE OU AU GREFFIER SPÉCIAL

THIS SECTION RESERVED FOR THE JUDGE OR THE SPECIAL CLERK

SUR LA FOI DES REPRÉSENTATIONS CI-DESSUS FAITES PAR LES PARTIES, L'AUDITION DE LA OU LES DEMANDES (COTE(S) _____) EST FIXÉE POUR UNE DURÉE DE _____ HEURES.

DATE(S) DE L'AUDIENCE : _____
DU PALAIS DE JUSTICE DE _____.

SALLE _____

_____, LE _____ 20_

SIGNATURE _____

HONORABLE (NOM) _____

OU GREFFIER SPÉCIAL (NOM) _____

CANADA

SUPERIOR COURT
(_____ Division)

PROVINCE OF QUÉBEC

DISTRICT OF _____

NO: _____

**CONTEMPT OF COURT
ORDER TO APPEAR**

1. On DD/MM/YEAR, I, Justice X of the Superior Court of Québec, issue an order requiring that (put the name of the natural or legal person(s) subject to the order) appear before the Court to respond to a charge(s) of contempt of Court;

2. The alleged violation(s) is (are) the following :

(Enumerate in detail the alleged violation(s), as well as the facts on which the person seeking the conviction intends to rely)

3. Therefore, I ORDER: (name the natural or legal person(s) to which the order relates) to appear at 9:00 am on the DD/MM/YEAR at X Courthouse, Room Y to register a plea against the charge of contempt of Court as defined in this Order. On that date, a case protocol will be established;

4. The sanction(s) required in the event of a conviction shall be the following:

(List the possible sanction(s) according to section 62 C.C.P. by referring to each of the alleged violations and the sanction sought in each case).

SIGNED AT _____, THIS _____, 20 ____

Justice of the Superior Court

CANADA
PROVINCE OF QUÉBEC
District: [REDACTED]
File no.: [REDACTED]

SUPERIOR COURT

[REDACTED]

Plaintiff

v.

[REDACTED]

Defendant

and

[REDACTED]

[REDACTED]

**REQUEST FOR SETTING DOWN FOR TRIAL
AND JUDGMENT BY WAY OF A JOINT DECLARATION**
Québec Superior Court – Montréal Division – Civil Matters
(arts. 173 and 174 C.C.P.)

This request for setting down for trial and judgment and the attached joint declaration are made on the initiative of:

- all the parties to the case
- the plaintiff alone (art. 174 last paragraph C.C.P.)
- another party (art. 174 last paragraph C.C.P.)

I – PARTIES AND LAWYERS	
Plaintiff	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
	Address: [REDACTED]
Phone: [REDACTED]	Phone: [REDACTED]
Fax: [REDACTED]	Fax: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

Defendant	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
Phone: [REDACTED]	Address: [REDACTED]
Fax: [REDACTED]	Phone: [REDACTED]
E-mail: [REDACTED]	Fax: [REDACTED]
	E-mail: [REDACTED]

Other party	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
Phone: [REDACTED]	Address: [REDACTED]
Fax: [REDACTED]	Phone: [REDACTED]
E-mail: [REDACTED]	Fax: [REDACTED]
	E-mail: [REDACTED]

II – DISPUTE		
Nature of the dispute: [REDACTED]		
Amount: [REDACTED]		
Cross-application:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Nature: [REDACTED]		
Amount of the cross-application: [REDACTED]		
Recourse(s) in warranty:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Impleaded Party(ies):	<input type="checkbox"/> yes	<input type="checkbox"/> no

Matters in dispute (Plaintiff):

1-

2-

3-

4-

Matters in dispute (Defendant):

1-

2-

3-

4-

Matters in dispute (other parties, if any) (Defendant in Warranty, Impleaded Parties)

1-

2-

3-

4-

List of facts admitted by the parties:

1-

2-

3-

List of points to be covered by expert opinion:

1-

2-

3-

III – EXHIBITS AND EVIDENCE

The plaintiff (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of exhibits sent to the other party(ies) (art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: [] - date of affidavit: []
- affiant: [] - date of affidavit: []
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with arts. 223 and 227 C.C.P.):
- witness: [] - date of examination: []
- witness: [] - date of examination: []
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and art. 293 C.C.P.) of the following persons:
- name: [] - date: []
- field of expertise: [] - plunitif number: []
- name: [] - date: []
- field of expertise: [] - plunitif number: []

The defendant (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (in accordance with art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: [] - date of affidavit: []
- affiant: [] - date of affidavit: []
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with arts. 223 and 227 C.C.P.):
- witness: [] - date of examination: []
- witness: [] - date of examination: []
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and art. 293 C.C.P.) of the following persons:
- name: [] - date: []
- field of expertise: [] - plunitif number: []
- name: [] - date: []
- field of expertise: [] - plunitif number: []

The [redacted] (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
 - affiant: [redacted] - date of affidavit: [redacted]
 - affiant: [redacted] - date of affidavit: [redacted]
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with arts. 223 and 227 C.C.P.):
 - witness: [redacted] - date of examination: [redacted]
 - witness: [redacted] - date of examination: [redacted]
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and art. 293 C.C.P.) of the following persons:
 - name: [redacted] - date: [redacted]
 - field of expertise: [redacted] - plunitif number: [redacted]
 - name: [redacted] - date: [redacted]
 - field of expertise: [redacted] - plunitif number: [redacted]

III - A – ADMISSIONS REGARDING THE EXHIBITS¹

Exhibit number ²	Description	Admission of the origin	Admission of the integrity	Admission as testimony ³	Admission of the content	No admission
[redacted]						
[redacted]						
[redacted]						
[redacted]						
[redacted]						

1. The parties who wish to stipulate partial admissions or to qualify their admissions, be they partial or not, must append the list containing such admissions to the present document.
2. *Regulation of the Superior Court of Québec in civil matters, Art. 18: "Identification of exhibits and pagination. An exhibit that has been disclosed and produced must be identified by one letter for each party, followed by a consecutive number from the beginning to the end of the record. Exhibits retain the same identification for all applications, on the merits and in the course of a proceeding. [...]"*
3. The admission of an exhibit as testimony means only that no witness is required to appear for the production of such exhibit into the Court record and that if the author of the document were to appear as a witness, he would make the same statement as that contained in the exhibit. This admission is made under reserve of the rights of the parties regarding any other objection or representation they may make at trial.

IV – TRIAL

List of witnesses

(Estimate as accurately as possible the time needed for testimony, including cross-examination)

Name of witness for the plaintiff	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs

Total time, evidence for the plaintiff (1 day = 5 hours) **days** **hrs**

Name of witness for the defendant	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs

Total time, evidence for the defendant (1 day = 5 hours) **days** **hrs**

Name of witness for the	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs

Total time, evidence for the **(1 day = 5 hours)** **days** **hrs**

Time needed for trial		
- Time needed - evidence for the plaintiff:	days	hrs
- Time needed - evidence for the defendant:	days	hrs
- Time needed - evidence for the :	days	hrs
- Time needed - argument for the plaintiff:	days	hrs
- Time needed - argument for the defendant:	days	hrs
- Time needed - argument for :	days	hrs
- Total time for trial (1 day = 5 hours)	days	hrs

Services required
<input type="checkbox"/> The services of an interpreter are required for the testimony of
<input type="checkbox"/> The following technological means are required for the trial:

N.B.: "If the declaration cannot be made by the parties jointly, the plaintiff or, if the plaintiff fails to do so, another party, files a declaration and notifies it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted."
(174 in fine C.C.P.)

Signed on [redacted]

Plaintiff
or
Mtre. [redacted]
Counsel for the plaintiff

Defendant
or
Mtre. [redacted]
Counsel for the defendant

[redacted]
or
Mtre. [redacted]
Counsel for the [redacted]

[redacted]
or
Mtre. [redacted]
Counsel for the [redacted]

CANADA
PROVINCE OF QUÉBEC
District: [REDACTED]
File no.: [REDACTED]

SUPERIOR COURT

[REDACTED] Plaintiff
v. [REDACTED] Defendant
and [REDACTED]

**REQUEST FOR SETTING DOWN FOR TRIAL
AND JUDGMENT BY WAY OF A JOINT DECLARATION**
Québec Superior Court – Montréal Division – Family Matters
(arts. 173 and 174 C.C.P.)

This request for setting down for trial and judgment and the attached joint declaration are made on the initiative of:

- all the parties to the case
- the plaintiff alone

I – PARTIES AND LAWYERS	
Plaintiff	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
	Address: [REDACTED]
Phone: [REDACTED]	Phone: [REDACTED]
Fax: [REDACTED]	Fax: [REDACTED]
E-mail: [REDACTED]	E-mail: [REDACTED]

Defendant	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
Phone: [REDACTED]	Address: [REDACTED]
Fax: [REDACTED]	Phone: [REDACTED]
E-mail: [REDACTED]	Fax: [REDACTED]
	E-mail: [REDACTED]

[REDACTED]	Lawyer responsible
Name: [REDACTED]	Name: [REDACTED]
Address: [REDACTED]	Firm: [REDACTED]
Phone: [REDACTED]	Address: [REDACTED]
Fax: [REDACTED]	Phone: [REDACTED]
E-mail: [REDACTED]	Fax: [REDACTED]
	E-mail: [REDACTED]

II – DISPUTE	
Nature of the dispute: [REDACTED]	
Amount: [REDACTED]	
Cross-application:	<input type="checkbox"/> yes <input type="checkbox"/> no
Nature:	
Amount of the cross-application: [REDACTED]	

Matters in dispute (the two parties must check each matter in dispute in the case):		
<input type="checkbox"/> Child custody	<input type="checkbox"/> Access rights	<input type="checkbox"/> Parental authority
<input type="checkbox"/> Child support	<input type="checkbox"/> Spousal support	<input type="checkbox"/> Arrears
Income of the: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	<input type="checkbox"/> Children's income	<input type="checkbox"/> Special expenses
<input type="checkbox"/> Hardship (undue hardship)	<input type="checkbox"/> Partition of patrimony	<input type="checkbox"/> Partition of matrimonial regime
<input type="checkbox"/> Total amount	<input type="checkbox"/> Compensatory allowance	<input type="checkbox"/> Provision for costs
<input type="checkbox"/> Contempt of court	<input type="checkbox"/> International abduction	<input type="checkbox"/> Other: [REDACTED]

List of facts admitted by the parties:

- 1- []
- 2- []
- 3- []

List of points to be covered by expert opinion:

- 1- []
- 2- []
- 3- []

III – EXHIBITS AND EVIDENCE

The plaintiff (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of exhibits sent to the other party(ies) (art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record:
 - all the documents needed to determine child support
 - all the documents needed to determine spousal support
 - his/her *Statement of Family Patrimony*; his/her *Statement of Partnership of Acquests*
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
 - affiant: [] - date of affidavit: []
 - affiant: [] - date of affidavit: []
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
 - witness: [] - date of examination: []
 - witness: [] - date of examination: []
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and art. 293 C.C.P.) of the following persons:
 - name: [] - date: []
 - field of expertise: [] - plunitif number: []
 - name: [] - date: []
 - field of expertise: [] - plunitif number: []

The defendant (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record:
- all the documents needed to determine child support
 - all the documents needed to determine spousal support
 - his/her *Statement of Family Patrimony*; his/her *Statement of Partnership of Acquests*
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: [] - date of affidavit: []
 - affiant: [] - date of affidavit: []
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with arts. 223 and 227 C.C.P.):
- witness: [] - date of examination: []
 - witness: [] - date of examination: []
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and 293 C.C.P.) of the following persons:
- name: [] - date: []
 - field of expertise: [] - plunitif number: []
 - name: [] - date: []
 - field of expertise: [] - plunitif number: []

The [] (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st para. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: [] - date of affidavit: []
 - affiant: [] - date of affidavit: []
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with arts. 223 and 227 C.C.P.):
- witness: [] - date of examination: []
 - witness: [] - date of examination: []
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd para. and art. 293 C.C.P.) of the following persons:
- name: [] - date: []
 - field of expertise: [] - plunitif number: []
 - name: [] - date: []
 - field of expertise: [] - plunitif number: []

IV – TRIAL

List of witnesses

(Estimate as accurately as possible the time needed for testimony, including cross-examination)

Name of witness for the plaintiff	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
Total time, evidence for the plaintiff (1 day = 5 hours)				days	hrs	
Name of witness for the defendant	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
Total time, evidence for the defendant (1 day = 5 hours)				days	hrs	
Name of witness for the	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
Total time, evidence for the (1 day = 5 hours)				days	hrs	

Time needed for trial		
- Time needed - evidence for the plaintiff:	days	hrs
- Time needed - evidence for the defendant:	days	hrs
- Time needed - evidence for the _____ :	days	hrs
- Time needed - argument for the plaintiff:	days	hrs
- Time needed - argument for the defendant:	days	hrs
- Time needed - argument for the _____ :	days	hrs
- Total time for trial (1 day = 5 hours)	days	hrs

Services required

- The services of an interpreter are required for the testimony of [REDACTED]
- The following technological means are required for the trial: [REDACTED]

N.B.: *"If the declaration cannot be made by the parties jointly, the plaintiff or, if the plaintiff fails to do so, another party, files a declaration and notifies it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted."*
(174 in fine C.C.P.)

Signed on [REDACTED]

Plaintiff
or
Mtre. [REDACTED]
Counsel for the plaintiff

Defendant
or
Mtre. [REDACTED]
Counsel for the defendant

[REDACTED]
or
Mtre. [REDACTED]
Counsel for the [REDACTED]

CANADA
Province of Quebec
District of Terrebonne

SUPERIOR COURT
Civil or Family Division

No: _____

Plaintiff

Defendant

**JOINT DECLARATION FOR INSCRIPTION ON THE ROLL
FOR CASES OF THREE (3) DAYS or less ONLY**

DURATION: _____

After consulting counsel and confirming the availability of our clients and witnesses, we have agreed that we are ready to proceed on the following dates.

(Note: It is important to indicate all 3 date choices)

1st choice _____

2nd choice _____

3rd choice _____

Signature (lead counsel)
Applicant
Office: _____

Signature (lead counsel)
Defendant
Office: _____

Counsel: Mtre _____

Counsel: Mtre _____

Email: _____

Email: _____

Telephone: _____

Telephone: _____

Signature (lead counsel)
Applicant
Office: _____

Signature (lead counsel)
Defendant
Office: _____

Counsel: Mtre _____

Counsel: Mtre _____

Email: _____

Email: _____

Telephone: _____

Telephone: _____

NOTICE

CALLING OF THE PROVISIONAL ROLL OF DECEMBER 9, 2020, AT 9:00 A.M. BY TELEPHONE CONFERENCE CALL ONLY

The following dates are available:

0.5 days:

[dates]

1 day:

[dates]

2 days:

[dates]

3 jours :

[dates]

More than 3 days: as of ●

More than 8 days: as of ●

Any request for postponement must be submitted directly to the coordinating judge Jean-François Michaud at the following address: louise-josee.robichaud@judex.qc.ca.

IMPORTANT: Any request received 24 hours before the calling of the provisional roll will not be dealt with.

* * * * *

You are encouraged to use the attached form to fix the cases with a duration of **3 days or less** that are ready for trial in advance. After consultation, the form, duly completed by counsel or the unrepresented parties, must be returned **before ●** to the undersigned by facsimile at 450 569-7687 or by email at the following address: nathalie.julien@justice.gouv.qc.ca.

Failing agreement on the choice of dates, you must take part in the telephone conference call. The contact information to join the calling of the roll is the following:

- Toll-free number in Canada: 1-833-450-1741
- Conference ID: 258 063 839#

It is important to follow the attached instructions.

Nathalie Julien

Master of the Rolls, S.C.

☎ : 450-431-4414 ext. 64055 / ☎ : 450-569-7687

TELEPHONE CONFERENCE CALL INSTRUCTIONS

This calling of the roll by telephone is conducted in the same way as if you were in the courtroom. It will be presided by the coordinating judge, with the assistance of the Master of the Rolls and a court clerk.

As there will be several participants on this calling of the roll and in order to ensure that it runs smoothly, it is important that:

- you join the conference call five minutes before the start of the calling of the roll;
- you keep your telephone's microphone on mute, until your case is called.

Cases are called one after another, in accordance with their number on the roll. The roll can be read on the website of the Barreau Laurentides-Lanaudière;

When a case is called and the parties are absent, it is placed at the bottom of the roll and called again at the end of the calling of the roll. If the parties are still absent when it is called a second time, the case is struck from the provisional roll.

Permanent TEAMS numbers Superior Court

Virtual Meeting Rooms	
Appel du rôle téléphonique	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 519 780 062#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1198163834</p> <p>Other instructions concerning VTC numbering</p>
Salle de gestion	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 886 751 644#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1193636674</p> <p>Other instructions concerning VTC numbering</p>
Salle huis clos	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) (833) 450-1741 Canada (Toll Free)</p> <p>Meeting ID: 115 070 865 3 #</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 115 070 865 3</p> <p>Other instructions concerning VTC numbering</p>
Salle d'attente	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 339 244 126#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1183970308</p> <p>Other instructions concerning VTC numbering</p>

Virtual Meeting Rooms

Salle maître des rôles

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 258 063 839#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1114037648

[Other instructions concerning VTC numbering](#)

Chambre commerciale et faillite

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 149 626 002#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1120412706

[Other instructions concerning VTC numbering](#)

Physical Rooms

Salle B1.01

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 299 107 29#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1131773604

[Other instructions concerning VTC numbering](#)

Salle B1.03

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 581 747 334#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1156733429

[Other instructions concerning VTC numbering](#)

Physical Rooms

Salle B1.04

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 917 500 962#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1176693048

[Other instructions concerning VTC numbering](#)

Salle B1.05

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 172 053 18#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1141586495

[Other instructions concerning VTC numbering](#)

Salle B1.06

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 805 357 804#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1193280152

[Other instructions concerning VTC numbering](#)

Salle B1.07

[Joining the Microsoft Teams meeting](#)

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

833-450-1741 Canada (Toll Free)

Meeting ID: 310 176 088#

[Local numbers](#) | [Resetting the PIN](#) | [Learn more about Teams](#)

To join using videoconferencing tools

teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1137366779

[Other instructions concerning VTC numbering](#)

Physical Rooms

Salle B1.08	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 756 115 467#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1162671345</p> <p>Other instructions concerning VTC numbering</p>
Salle D-RC-11	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 211 915 251#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1183865195</p> <p>Other instructions concerning VTC numbering</p>
Salle D-RC-14	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 936 591 875#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1152015931</p> <p>Other instructions concerning VTC numbering</p>
Salle D-RC-17	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 628 087 353#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1151868755</p> <p>Other instructions concerning VTC numbering</p>

Physical Rooms

<p>Lachute</p> <p>Salle 2.19</p>	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 769 486 317#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1197193434</p> <p>Other instructions concerning VTC numbering</p>
<p>Sainte-Agathe</p>	<p>Joining the Microsoft Teams meeting</p> <p>+1 581-319-2194 Canada, Quebec (Charges will apply) 833-450-1741 Canada (Toll Free)</p> <p>Meeting ID: 645 157 376#</p> <p>Local numbers Resetting the PIN Learn more about Teams</p> <p>To join using videoconferencing tools</p> <p>teams@teams.justice.gouv.qc.ca VTC Meeting ID: 1176038590</p> <p>Other instructions concerning VTC numbering</p>



How to prepare for a virtual hearing

PRIOR TO THE VIRTUAL HEARING	2
Prepare you material	2
Set up a closed and quiet room	2
Take measures to look after the children	2
Take measures to protect the children (cases in family matters)	3
ACCESS TO THE VIRTUAL COURTROOM	3
You must connect at least five minutes before the start of the hearing	3
Test your connection to the TEAMS platform	4
Connecting by telephone (audio only)	4
DURING THE VIRTUAL HEARING	4
Conduct of the hearing	4
Communication between a party and his or her lawyer.	5
Use of evidence	5
Cooperation with other parties	5
Respect the rules of conduct	5
Important Notices	5

PRIOR TO THE VIRTUAL HEARING

Prepare your material

Device You must use a device that allows you to communicate in video mode: a smart phone, tablet, laptop computer or desktop computer with a camera.

Verify that the communication works well (sound and video). You can make test calls using an application with which you are familiar such as FaceTime, Messenger, Zoom, Teams or Skype.

Internet connection. A minimum internet speed of 10Mbps is required (upload and download). You can check the speed of your connection by clicking on the following address: www.speedtest.net .

Video camera. The camera you will be using must be stable and allow participants to see you at eye level.

Headphones. It is preferable to use headphones to be more comfortable and to hear other participants better.

Chair and useful objects. Have a comfortable chair to sit in. The hearing may last for several hours. Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.

Set up a closed and quiet room

You must set up a closed room that is sufficiently soundproofed to avoid being overheard. Make sure the background is appropriate (what you will see behind you).

Please note that you must be alone in the room during the hearing.

Take measures to look after the children

If you are alone with a child on the day of your testimony the child must be old enough to look after himself or herself for short periods. You can ask to suspend the hearing every 15 or 30 minutes so that you can check in with the child.

If the child needs to do online classes or do homework, make sure that he or she can use his or her own electronic device and that your Internet connection is fast enough for both devices.

If your child is too young to look after himself or herself, try to find someone who will take care of him or her during the hearing. If that is not possible, you must notify the judge as soon as possible. The judge will take whatever measures are required.

Take measures to protect the children (cases in family matters)

The children must not be involved in the dispute. It is very important therefore that you take the necessary steps to ensure that children do not see or hear what happens during the testimony.

These steps are necessary to protect the best interest and well-being of the children.

ACCESS TO THE VIRTUAL COURTROOM

The virtual courtroom 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.

➤ **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.

You must connect at least five minutes before the start of the hearing

The procedure is always the same, whether or not you have decided to install the Teams application. You must simply:

1. Click on the link the judge or the clerk sent you by email.
2. Enter your name when you are prompted to do so.
3. Click “Join Now”.
4. If the website prompts you to do so, you must choose “Join as a guest”.
5. Wait for the authorization of the judge or the court clerk before entering the courtroom.

Once in the courtroom, we suggest you turn off your microphone and your camera by clicking on the icons that will appear on the screen.

Test your connection to the TEAMS platform

The Court suggests that you test your connection and familiarize yourself with the Teams platform.

For assistance call 1-514-393-2537 or 1-866-423-3248.

You will also find the contact information for the helpdesk in case you require technical assistance.

Connecting by telephone (audio only)

You can join the virtual hearing by telephone if you are unable to use the video feature. In that case, you must:

1. Dial 1-581-319-2194 (if your area code is 418) or 833-450-1741 (other area codes, toll-free).
2. When prompted to do so, dial the 9-digit meeting number that the judge or the court clerk sent to you by email, followed by the pound sign.

DURING THE VIRTUAL HEARING

Conduct of the hearing

The virtual hearing proceeds in the same fashion as an in-person hearing. In short:

1. **Greeting**

The judge greets the parties and explains how the hearing works.

2. **Evidence of the parties**

The plaintiff presents evidence (witnesses, documents, sound or video recordings, etc.), then it is the defendant's turn.

3. **Arguments of the parties**

The plaintiff presents their legal arguments and explains their version of the facts, and then it is the defendant's turn.

4. **Judgment**

The judge can render his or her decision immediately, in front of the parties. The judge may also render it later in writing.

The judge or the clerk controls entry to and exit from the virtual courtroom.

The witnesses who are not one of the parties are present only for the duration of their testimony.

A participant must have the judge's permission to speak.

Communication between a party and his or her lawyer.

During a virtual hearing, the party and his or her lawyer must obtain the judge's authorization to speak or exchange information. They may request it verbally or by raising their hand.

If the judge accepts, the hearing will be suspended. The party and his or her lawyer will then be able to send text messages on their own devices or speak to each other on a different telephone line. In that case, they must ensure that their microphone is closed so that the judge and the other participants cannot hear them.

Please note. The courtrooms chat room feature works but all the participants can read the exchanges. We suggest that you use the chat only to report technical problems.

Use of evidence

During the hearing, you may only use evidence that you have already sent to the other parties. You cannot use fresh evidence, unless the judge grants you special permission.

Please note. After the hearing, you must ensure that the Court record is complete. You must ensure therefore that you file into evidence the paper version of all of your evidence.

Cooperation with other parties

In the current context, parties must cooperate more than ever. You must stick to the real legal issues and act in good faith throughout the process.

Respect the rules of conduct

Dress. You must wear appropriate clothing, even if you are taking part in the hearing virtually.

Photos and video recording. It is strictly forbidden to take photographs or screen captures during the hearing. You may not record or rebroadcast either the sound or the image.

Important Notices

- If you plan to use a wireless Internet connection (Wi-Fi) on the day of the hearing, make sure you have the password to log in.
- Plug your device into a socket or, if your device is not plugged in, make sure that it is sufficiently charged.
- For questions on how to use the Teams platform, consult the Justice Québec Microsoft Teams User Guide (<https://www.justice.gouv.qc.ca/en/judicial-system/virtual-courtroom-hearings>).

Finally, please note that the virtual courtroom where the hearing is conducted is secure. You can have confidence in the technology used. Those who have used it so far have been pleasantly surprised.

Thank you for your cooperation.



How to prepare to testify at a virtual hearing

Prior to the virtual hearing

Prepare your material

Device You must use a device that allows you to communicate in video mode: a smart phone, tablet, laptop computer or desktop computer with a camera.

Verify that the communication works well (sound and video). You can make test calls using an application with which you are familiar such as FaceTime, Messenger, Zoom, Teams or Skype.

Internet Connection A minimum internet speed of 10Mbps is required (upload and download). You can check the speed of your connection by clicking on the following address: www.speedtest.net .

Video camera The camera you will be using must be stable and allow participants to see you at eye level.

Headphones It is preferable to use headphones to be more comfortable and to hear other participants better.

Chair and useful objects Have a comfortable chair to sit in. The hearing may last for several hours. Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.

Set up a closed and quiet room

You must set up a closed room that is sufficiently soundproofed to avoid being overheard. Make sure the background is appropriate (what you will see behind you).

Please note that you must be alone in the room during your testimony.

Take measures to look after the children

If you are alone with a child on the day of your testimony the child must be old enough to look after himself or herself for short periods. You can ask to suspend the hearing every 15 or 30 minutes so that you can check in with the child.

If the child needs to do online classes or do homework, make sure that he or she can use his or her own electronic device and that your Internet connection is fast enough for both devices.

If your child is too young to look after himself or herself, try to find someone who will take care of him or her during your testimony. If that is not possible, you must notify the judge as soon as possible. The judge will take whatever measures are required.

ACCESS TO THE VIRTUAL COURTROOM

The virtual courtroom 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.

- **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.

You must connect at least five minutes before the start of the hearing

The procedure is simple. You must:

1. Click on the link that the judge or the court clerk will send to you by email.
2. Enter your name when you are prompted to do so.
3. Click “Join Now”.
4. If the website prompts you to do so, you must chose “Join as a guest”.
5. Wait for the authorization of the judge or the court clerk before entering the courtroom.

Once in the courtroom, we suggest you turn off your microphone and your camera by clicking on the icons that will appear on the screen.

Test your connection to the TEAMS platform

The Court suggests that you test your connection and familiarize yourself with the Teams platform.

For assistance call 1-514-393-2537 or 1-866-423-3248.

You will also find the contact information for the helpdesk in case you require technical assistance.

Connecting by telephone (audio only)

You can join the virtual hearing by telephone if you are unable to use the video feature. In that case, you must:

1. Dial 1-581-319-2194 (if your area code is 418) or 833-450-1741 (other area codes, toll-free).
2. When prompted to do so, dial the 9-digit conference number that the judge or the court clerk sent to you by email, followed by the pound sign.

IMPORTANT REMINDERS FOR YOUR TESTIMONY

- If you plan to use a wireless Internet connection (Wi-Fi), make sure you have the password to log in.
- Plug your device into a socket or, if your device is not plugged in, make sure that it is sufficiently charged.
- Even though you are testifying virtually, you must wear suitable clothing.
- Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.
- For questions on how to use the Teams platform, consult the Justice Québec Microsoft Teams User Guide (<https://www.justice.gouv.qc.ca/en/judicial-system/virtual-courtroom-hearings>).

Finally, please note that the virtual courtroom where the hearing is conducted is secure. You can have confidence in the technology used. Those who have used it so far have been pleasantly surprised.

Thank you for your cooperation.

SUPERIOR COURT VIRTUAL HEARING NOTICE TO WITNESS – STANDARD EMAIL

How to use this standard email

- Copy-paste the text below into an email
- Fill out the information **in green**
- Attach the following document: “Witness – Information virtual hearing”
- Send the email to the witness

Subject: You are required to testify in file **(name of parties OR parties’ initials in family matters (file number))**

Dear Sir or Madam,

At the request of **name of party**, you must testify at a hearing of the Superior Court in the file named in the subject line.

This hearing will be conducted virtually on the Internet:

On: **date of hearing**

At: **time of hearing**

Link to join the hearing by videoconferencing: **TEAMS Link**

Meeting number to join the hearing using audio only: **9-digit meeting number (do NOT use the 10-digit number)**.

In principle, all of the other persons involved in the file will also participate remotely (parties, counsel, witnesses, experts, etc.).

AS SOON AS POSSIBLE

You must write to me at this email address:

- To confirm that you received this notice of hearing.
- To confirm that you intend to testify and that you will be available on the day of the hearing.

- To provide me with the telephone number where I can reach you, if necessary.

PLEASE BE AVAILABLE FOR THE ENTIRE DURATION OF THE HEARING

It is impossible to know in advance the exact time at which you will testify. You must therefore remain available for the entire duration of the hearing.

You will receive a telephone call or a text (SMS) message a few minutes before the start of your testimony. That is when you must connect to the virtual hearing room.

PREPARATION FOR AND CONNECTION TO THE VIRTUAL HEARING

A document containing important information to help you prepare is attached.

That document also explains how to connect to the virtual hearing.

Thank you for your cooperation,

Name and contact information of the person sending the notice

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF
N°:

SUPERIOR COURT

Plaintiff

v.

Defendant

**Request of the Parties to the Chief Justice
for a Settlement Conference
(Art. 161 C.C.P.)**

Date:

1. **The Parties request** a settlement conference to assist them in reaching a final and mutually satisfactory solution to our dispute.
2. We believe that a negotiated solution is possible. **The Parties declare that they are ready and prepared** to undertake the necessary efforts to achieve such a solution.
3. The following is a summary of the facts and main issues:

FACTS:

ISSUES:

4. The parties' lawyers will be present at the settlement conference which will be held:

in English in French Both

5. The estimated length of the hearing on the merits is _____ days

6. The monetary value in dispute is (if applicable) _____

7. We understand that the settlement conference **does not stay the proceeding** and that anything said, written or done during the settlement conference is confidential (163 C.C.P.).

8. Please list four dates when all the parties are available for a settlement conference:

1 - _____ 20_____ 2 - _____ 20_____

3 - _____ 20_____ 4 - _____ 20_____

For the Montreal Division, please contact the *Maître des rôles* at 514 393-2021 ext. 6 to inquire about available dates.

9. We all agree that the settlement conference be held:

in person in virtual mode, by TEAMS one or the other

10. If the **case is already scheduled for trial**, unless already authorized by the Chief Justice or Associate Chief Justice, you must contact the judge responsible for the Settlement Conference Chamber to inform him/her of any exceptional circumstances justifying your request for a settlement conference and indicating the date of the trial.

11. For **urgent requests**, you must contact the judge responsible for the Settlement Conference Chamber to inform him/her of the reasons justifying the urgency.

PLAINTIFF

Name of Plaintiff (in block letters)

Mtre.

Name of Attorney (in block letters)

Law firm

Phone (area code and no.): _____

Fax (area code and no.): _____

Email: _____

Number of participants at the settlement conference for this Party _____

We confirm that we are in possession of and have communicated all the documents necessary to settle the dispute.

Signature of the Party

Signature of Attorney

DEFENDANT

Name of Defendant (in block letters)

Mtre.

Name of Attorney (in block letters)

Law firm

Phone (area code and no.): _____

Fax (area code and no.): _____

Email: _____

Number of participants at the settlement conference for this Party _____

We confirm that we are in possession of and have communicated all the documents necessary to settle the dispute.

Signature of the Party

Signature of Attorney

OTHER PARTY

Name of other Party (in block letters)

Mtre. _____

Name of Attorney for the Party (in block letters)

Law firm

Phone (area code and no.): _____

Fax (area code and no.): _____

Email: _____

Number of participants at the settlement conference
for this Party _____

**We confirm that we are in possession of and have
communicated all the documents necessary to
settle the dispute.**

Signature of the Party

Signature of Attorney

OTHER PARTY

Name of other Party (in block letters)

Mtre. _____

Name of Attorney for the Party (in block letters)

Law firm

Phone (area code and no.): _____

Fax (area code and no.): _____

Email: _____

Number of participants at the settlement conference for
this Party _____

**We confirm that we are in possession of and have
communicated all the documents necessary to
settle the dispute.**

Signature of the Party

Signature of Attorney

Notes

1. Please make sure that all parties have in their possession the same Request duly completed and signed before returning it to the Settlement Conference Dept. No date will be fixed before the completed and signed Request is received.
2. Whether you are an attorney or a self-represented party, please provide your mailing address, telephone, fax and email information to facilitate rapid communication to schedule a date.
3. Please ensure that any handwritten Request is legible to avoid delays in processing.
4. To ensure the efficient use of judicial resources, to promote recourse to settlement conferences early in the litigation process and save for exceptional circumstances, no request for a settlement conference will be accepted unless authorized by the Coordinator of the Settlement Conference Chamber.
5. Kindly return all pages of this Request to the Settlement Conference Dept. of the appropriate Division by email, fax or regular mail.

Montreal Division:

Superior Court
Service des conférences de règlement à l'amiable
Montreal's Court Office

E-mail:
cour-superieure-cra.mtl@justice.gouv.qc.ca

1 Notre-Dame Street East, office 1.150
Montréal (Québec) H2Y 1B6

Phone: 514 393-2021 ext. 6
Fax: 514 393-4864

Quebec Division:

Superior Court
Service des conférences de règlement à l'amiable
Quebec's Court Office

E-mail:
conferenceqc@judex.qc.ca

300 Jean-Lesage Boulevard, office R-327
Québec (Québec) G1K 8K6

Phone: 418 649-3626
Fax: 418 528-9953

This form may also be downloaded from the official website of the Superior Court:

[Forms | Montreal Division | Superior Court of Québec - cour-superieure \(coursuperieureduquebec.ca\)](#)

**NOTICE OF PRESENTATION
FAMILY PRACTICE (ROOM B1.01)
(Identification of the proceeding concerned)
(art. 411 C.C.P.)**

1. CALLING OF THE ROLL OF APPLICATIONS BY TELEPHONE CONFERENCE

TAKE NOTICE that the calling of the roll by telephone conference will take place on _____ 20____, at 1:00 p.m..

During that call, if the file is complete, you will be able to reserve your hearing date or inform the Court of the time required to present the applications to be heard by a judge on the date of presentation, the whole in accordance with the directives of the coordinating judge.

To join the calling of the roll, which will be presided by the special clerk, you must dial the following telephone number: **1-833-450-1741** (toll-free) and join telephone conference **519 780 062#**, five minutes before the scheduled time.

2. FAILURE TO ATTEND THE CALLING OF THE ROLL BY TELEPHONE CONFERENCE

TAKE NOTICE that should you wish to contest the application you must participate in the calling of the provisional roll by telephone conference. Failure to do so may result in judgment being rendered against you once the application has been presented, without further notice or delay.

3. PRESENTATION OF THE APPLICATION

TAKE NOTICE that following the calling of the provisional roll, the application will be presented in the family practice division of the Superior Court in Room B-1.01 of the Saint-Jérôme Courthouse (25 de Martigny Ouest, Saint-Jérôme), on _____ 20____, at 9:00 a.m., or as soon as counsel can be heard.

4. CONTESTATION OF THE APPLICATION

TAKE NOTICE that to ready the case and contest the application, you must have served the undersigned lawyer and filed into the Court record, not less than five days before the date of presentation of the application, the form to set child support (schedule 1), your provincial income tax return for the previous year, the notice of assessment, three recent pay slips and any other document which allows your income for the current year to be established. You must also provide a duly signed statement signed by you pursuant to art. 444 C.C.P. as well as a participation certificate for the parenting session.

5. FAILURE TO ATTEND ON THE HEARING DATE FIXED DURING THE TELEPHONE CONFERENCE

TAKE NOTICE that failure to appear in Court on the hearing date fixed during the telephone conference, may result in judgment being rendered against you without further notice or delay.

DO GOVERN YOURSELF ACCORDINGLY.

In _____, this _____ 20_____.

Mtre.
Counsel for the party

Email:

Telephone:

Facsimile:

CHECKLIST TO FIX A DATE IN FAMILY MATTERS (B1.01)

File number: 700 - _____ - _____ - _____ Date: _____

Nature of the application: _____ Classification _____

Counsel for the applicant: _____ for: mother / father / _____

Counsel for the defendant: _____ for: mother / father / _____

Counsel for the impleaded party: _____ for: child / _____

JOINT DECLARATION FILED / TOTAL DURATION OF THE HEARING (incl. Reading): _____

It is preferable for counsel to provide all required documents when the date is fixed to facilitate the verification of the record. If the documents were already filed and new copies cannot be made to expedite the verification of the record's compliance, then the classification number of the documents in the court ledger must be filed for verification purposes.

REQUIRED DOCUMENTS	Applicant party ¹ ledger ¹	SC ¹	Defendant party ¹ ledger ¹	SC ¹	NOTE(S)
Certificate of attendance at the information session – art. 417 CCP OR	<input checked="" type="checkbox"/> _____		<input type="checkbox"/> _____		
Undertaking to take part in the information session – art. 417 CCP	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Statement – art. 444 CCP	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
ALIFORM form (Schedule 1) Including assets and liabilities OR	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Calculation form or Table (federal guidelines)	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Recent income tax return	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Recent notice of assessment	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
THREE pay slips (if employee) or	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Financial statements (if self-employed) or	<input type="checkbox"/> _____		<input checked="" type="checkbox"/> _____		
Proof of income (if receiving grants / assistance benefits / etc.)	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Schedule III – if provision for costs or support between spouses	<input type="checkbox"/> _____		<input type="checkbox"/> _____		

- ¹ **INSTRUCTIONS:** (a) check the box if you file the required document on the same day;
 (b) check the box and write *the ledger classification* number beside it if the document has already been filed into the record to confirm that it was produced.

Column "SC" for each document is for the exclusive use of the Special Clerks (SC) for verification purposes.

SUPERIOR COURT
(Family Division)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF TERREBONNE

No: 700-_____

Applicant

v.

Defendant

REQUEST FOR SETTING DOWN FOR TRIAL AND JUDGMENT
PROOF BY AFFIDAVIT
(arts. 175, 181 and 182 C.C.P.)

Matters proceeding by summons

The _____ (party) requests that the clerk set down this case for judgment:

following the filing of the consent entered into by the parties.

OR

following the failure of the _____ (party) to answer the summons.

NATURE OF THE APPLICATION: _____

In _____, on _____

Signature of the party or the party's counsel

(Print name)

Email address: _____

Telephone number: _____

SUPERIOR COURT

COUR SUPÉRIEURE

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF TERREBONNE

N° : 700-14-

Applicant

and

Person concerned

and

Interested persons

Non-contentious matters Proceedings before the Court

NOTICE OF PRESENTATION (Identification of the proceeding concerned)

TAKE NOTICE that this application to _____ (nature of the proceeding) shall be presented before the special clerk of the District of Terrebonne, on Tuesday, _____ 20____, at the Saint-Jérôme Courthouse (25 de Martigny West, Saint-Jérôme).

Take note that it will not be possible for you to be physically present at the Courthouse for the presentation of the application.

CONTESTATION OF THE APPLICATION

You may call the special clerk between 8:30 a.m. and 4:30 p.m. on the day the application is to be presented to inform him or her of any ground of contestation or any observation you may have or would like to submit in connection with the application. To do so, dial 450-431-4414, extension 64105. You will be automatically redirected to voicemail. You must leave a message with the following information:

- Your name;The name of the person concerned by the application;
- Your telephone contact information;
- The best time to call you back.

The special clerk will call you as soon as possible, after the presentation, to inform you of the next steps in the file.

PLEASE GOVERN YOURSELF ACCORDINGLY.

In _____, this _____ 20_____.

Mtre.
Attorney/Notary for the applicant
Email:
Tel.:
Fax:

SUPERIOR COURT
(Commercial Division)

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF TERREBONNE

700-11-_____

In the matter of : _____

Party
v.

Party

NOTICE OF PRESENTATION

PRESENTATION OF THE APPLICATION

TAKE NOTICE that _____ shall
be presented in the Civil Practice Division of the Superior Court, in Room B-1.07 of the
St-Jérôme Courthouse situated at 25 de Martigny Ouest, Saint-Jérôme, on
_____ 20____, at 9:00 a.m., or as soon as counsel may be heard.

If you wish to contest the proceeding, you must take part in the calling of the roll. If you do
not, a judgment can be rendered when the proceeding is presented, without further notice
or delay.

You can take part remotely:

- By telephone:
Toll-free number (Canada) 1-833-450-1741
Conference ID: 149 626 002#

- Using Teams:

To open the permanent link of the virtual courtroom of the commercial and bankruptcy which can be found in Schedule 9 of the Superior Court Directives for the District of Terrebonne on the website of the Superior Court of Quebec ([Terrebonne \(Saint-Jérôme\) | Judicial Districts | Superior Court of Québec - cour-superieure \(coursuperieureduquebec.ca\)](http://Terrebonne (Saint-Jérôme) | Judicial Districts | Superior Court of Québec - cour-superieure (coursuperieureduquebec.ca).)).

PLEASE GOVERN YOURSELF ACCORDINGLY.

In _____, this _____ 20_____.

Mtre.
Attorney for
Email:
Tel.:

CANADA

PROVINCE OF QUEBEC
DISTRICT OF TERREBONNE

SUPERIOR COURT
(Civil Division)

No.: 700 -



Plaintiffs

v.



Defendants

NOTICE OF PRESENTATION

To:

Counsel for the plaintiff

TAKE NOTICE that the application for _____ shall be presented in the Civil Practice Division of the Superior Court, in Room B-1.04 of the Saint-Jérôme Courthouse (25 de Martigny West, Saint-Jérôme) on _____ 2021, at 9:00 a.m., or as soon as counsel may be heard.

You may participate remotely via Teams on the Internet by joining Room B-1.04, the contact information for which is found in Schedule 9 of the Directives of the Superior Court for the District of Terrebonne, available on the website of the Superior Court of Quebec. It is also possible to participate by telephone:

- Toll-free number (Canada) 1-833-450-1741
- Conference ID: 917 500 962#

If you intend to refer to exhibits, affidavits, and authorities, you must file them with the court office at least two days before the hearing.

PLEASE GOVERN YOURSELF ACCORDINGLY.

Saint-Jérôme, this

2021
