



## **SUPERIOR COURT DISTRICT OF GATINEAU**

**NOVEMBRE 15, 2021**

### **MODIFICATIONS TO THE DIRECTIVES OF THE SUPERIOR COURT FOR THE DISTRICT OF GATINEAU**

Some articles of the Directives of the Superior Court for the district of Gatineau are modified as of November 22, 2021.

The present summary aims to draw the reader's attention to the main modifications.

#### **Summary**

##### **Cases scheduled on the merits (in all matters)**

- The joint trial plan required by article 111 must be transmitted to the case management judge no later than 14 days prior to the hearing date;

##### **Directives specific to family matters**

- Obligation to file a trial plan in cases set down on the contested roll of practice (art. 190);
- Application by consent must be filed at the court office by using the appropriate forms in order to avoid unnecessary entries on files on the role of practice (art. 162);
- Instructions concerning the use of the digital court office (art. 163-164, 203);
- Box installed at the court office is to be used to deposit documents relating to contested files presented at a practice session (art. 165);
- Parties who are represented by counsel must not present themselves in the management hearing room during a practice session. It is the lawyers'

responsibility to inform their clients when they are directed to a hearing room when their case is ready to be heard so that the clients can connect themselves to the appropriate hearing room;

- Notices of case management must set out the conclusions sought in numbered paragraphs;
- Section relating to applications for safeguard measures :
  - Complete file/definition (art. 176)
  - The application for a safeguard measure entered on the roll for the first time and where the file is not complete is remanded to the following practice session and a timeline is set for the filing of the affidavit in response and in reply (art. 177)
  - Emergency contested : an application is remanded to the following practice session and timeline set if emergency is acknowledged (art. 179)
- New Form for the Notice of presentation for applications in the course of a proceeding (schedule 26).
- New schedule 24 for applications to homologate an agreement and for setting down files by default.

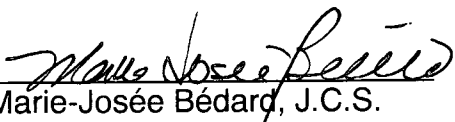
### **Reminder**

The Court wishes to inform members of the Bar and self-represent litigants that it will apply the Directives specific to family matters more rigorously, and reminds them of the importance of the following points:

- Parties must make efforts to try to negotiate solutions before presenting demands in the course of a proceeding;
- Parties must cooperate diligently to get their file ready to be set down to avoid the multiplicity of demands for safeguard orders. A demand for a safeguard order shall be filed only in urgent situations;
- When a demand in the course of a proceeding is remanded, it is important to make it returnable at a realistic date to avoid multiple and useless remands;
- The duration of the parties' representations of demands for safeguard orders is 30 minutes unless the special clerk has authorized a longer period;

- It is important to respect the number of pages allowed for the initial affidavits (4 pages excluding the conclusions), affidavits in response (4 pages excluding the conclusions), and affidavits in reply (2 pages);
- Demands pertaining to child or spousal support must be accompanied by the Form for determining child support and Form III (with the balance sheet);
- It is important not to split demands for safeguard measures relating to custody/parenting time from the child support issue;
- It is recommended that parties file draft judgments;
- When parties agree to settle a demand entered on the roll of practice just before or during a practice session, they must remand the demand sine die and file their agreement by using the Form for Demands for homologation (Schedule 24)

Please note that information sessions concerning the new directives will be offered to members of the Bar by Justices Marie-Josée Bédard and Anne-France Gagnon on November 24, 2021 and January 27, 2022. Details will be transmitted shortly.

  
Marie-Josée Bédard, J.C.S.  
Juge coordonnatrice