

**SUPERIOR COURT OF QUÉBEC**

**Superior Court Directives
for the District of Gatineau
In effect as of May 1, 2021**

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# GENERAL DIRECTIVES

## Purpose and scope

1. These directives complete the directives that apply in every district of the Montreal Division and take precedence over them should there be any discrepancy.

## Case protocol

1. Pre-trial examinations may be conducted only if they were provided for in the case protocol (art. 221 para. 1 C.C.P.). In the protocol, the parties must specify the specific date, time, and place of each pre-trial examination. The parties cannot merely indicate a cut-off date for conducting pre-trial examinations unless it is impossible for them to specify a date at the time of the signing of the protocol.

## Applications to dismiss

1. An application to dismiss (art. 51 C.C.P. or art. 168 C.C.P.) must be filed at the court office with a notice of presentation of at least 10 days, but it will not be heard before it has been examined by a judge. At the time of its filing, a copy of the application must be sent to the office of the coordinating judge.
2. In some cases, before the date of presentation, the parties may receive a notice informing them: (1) that the application has not yet been examined; (2) that it may be presented during a specified practice session or at another date fixed by the coordinating judge; or (3) that the application has been denied on the face of the record, without a hearing, based on the grounds that it has no reasonable chance of success or is abusive (art. 52 para. 2 C.C.P.).

## Judge in chambers

1. A party who intends to submit an application which requires immediate intervention or does not require the presentation of evidence (art. 69 para. 2 C.C.P.) must first contact the office of the coordinating judge to inform the coordinating judge of his or her intention to file an application in chambers and to obtain the name of the judge in chambers.
2. Sending a pleading or an exhibit to the office of the coordinating judge by email or otherwise does not exempt the parties from filing the documents with the court office.

## Extension of the time limit for filing the request for setting down by consent

1. An application to extend the time limit for filing the request for setting down for trial and judgment by consent need not be presented during a practice session. The application may be made by completing the Application to extend the time limit by consent ([Schedule Gatineau 1](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_1.docx)) and filing it at the court office, along with the amended case protocol.

The application will be dealt with by a special clerk or a judge. However, if the time limit to set the case down has already been extended twice, an application to extend, even by consent, must be presented during a practice session.

## Fixing a case by preference

1. Any application to fix a case by preference must be presented to the coordinating judge and state the supporting grounds.

## Fixing of cases without case protocols

1. Cases are fixed by the master of the rolls or by the coordinating judge once the Joint Declaration to Fix a Hearing has been filed ([Schedule Division 4](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_4_declaration_commune_pour_fixation_d_une_audience.doc)).

## Fixing of cases on the merits – calling of the provisional roll

1. The calling of the provisional roll of cases on the merits takes place virtually in virtual room #11 of the Gatineau courthouse.

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

1. Using Teams: click on the login link for room #11:

[Join the Microsoft Teams meeting - ROOM #11 - Gatineau](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_ZjAzOTE0NDgtMWY5OC00Y2JiLWJmODQtMDg0YzMwY2YwMjIx%40thread.v2/0?context=%7b%22Tid%22%3a%223f6dec78-7ded-4395-975c-6edbb7d10b16%22%2c%22Oid%22%3a%22d6a23183-9925-4ce3-88fa-e0836dcc5925%22%7d)

1. By telephone:

Canada Quebec (charges apply): 1-581-319-2194

Canada Quebec (toll-free): 833 450-1741

Meeting ID: 312 121 807#

1. Using a videoconferencing device:

teams@teams.justice.gouv.qc.ca and

VTC Conference ID: 1155450622

1. The calling of the provisional roll is presided over by the coordinating judge or by a judge designated by the coordinating judge.
2. When a case is settled after it has been entered on a provisional roll, the parties must notify the master of the rolls as soon as possible at the following address:

maitredesroles-cs-gatineau@justice.gouv.qc.ca

1. When all the parties wish to postpone a case entered on a provisional roll without having to take part in the provisional roll session, they must inform the master of the rolls by email no later than 4:00 p.m. the day preceding the calling of the provisional roll.
2. The parties may postpone a case three times. Any further postponement must be authorized by the coordinating judge. The request for postponement must then be communicated to the other parties and sent to the coordinating judge by email. The request must include the file number, the names of the parties, the names of counsel, the grounds for the request for postponement, and whether the request is made by consent or is contested.
3. During the calling of the roll, the coordinating judge confirms that the case is ready for trial, that the request for setting down still reflects the actual state of the file, and that the matter is still contested. The coordinating judge summarily discusses the appropriate means to simplify the hearing with the parties or their counsel and may take all measures to ensure proper case management in light of the court’s resources, in keeping with the guiding principles of the [*Code of Civil Procedure*](https://www.legisquebec.gouv.qc.ca/en/document/cs/C-25.01).
4. If the case is ready and the parties can confirm their availabilities and those of their ordinary and expert witnesses, the coordinating judge fixes a trial date. When the anticipated duration of the hearing is 20 days or more, the coordinating judge, after the calling of the provisional roll, sends the case to the associate chief justice to be fixed.

## Updating a case between the calling of the provisional roll and trial

1. Any application in the course of a proceeding that does not affect the duration of the hearing may be presented during a practice session.
2. Any application likely to shorten or lengthen the duration of the hearing of a case that is already fixed must be sent to the coordinating judge. In such a case, the coordinating judge then sends the parties the appropriate instructions to deal with the application.
3. Depending on the circumstances, the coordinating judge or the judge hearing the application may decide to cancel the hearing and require the parties to file a new Request for Setting Down for Trial and Judgment by Way of a Joint Declaration ([Schedule Division 6](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_6.docx)).

## Case management of cases set down on the merits

1. Cases set down for a hearing on the merits are actively managed by the case management judge. The case management judge discusses the conditions related to the holding of a hearing with counsel and unrepresented parties and issues the appropriate instructions according to the circumstances of each case.
2. At least 14 days before the hearing, the parties must send the case management judge a detailed joint trial plan that describes: the issues still in dispute and the conclusions sought by each party; the admissions; the anticipated objections; the order of presentation of the evidence; the names of the witnesses called to testify; the preferred manner of their testimony (in person or remotely); and the planned duration of their testimony (including cross-examination and re-examination). The trial plan must be prepared using the model found in [Schedule Gatineau 2](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_2.docx).
3. The parties must promptly inform the case management judge, or the coordinating judge if they have not yet had any communication with the case management judge, of any settlement reached. When an agreement must be homologated by the court, it is sent to the case management judge or, if that judge has not yet been identified, the coordinating judge.
4. Any request for postponement must be addressed to the case management judge or, if that judge has not yet been identified, to the coordinating judge, and state the file number, the names of the parties, the grounds for the request for postponement, and the position of the other parties.

## Submissions made remotely (virtual courtrooms)

1. The contact information for the various virtual courtrooms can be found on the website of the Superior Court and on the website of the Barreau de l’Outaouais.
2. When a hearing takes place virtually or semi-virtually, a party who wants to call a witness must send that person a notice to witness or a subpoena.

Two models of a notice to witness, in English and in French, are appended to these directives:

1. one model when the courtroom where the hearing will be held has already been identified by the time the notice is sent ([Schedule Gatineau 3](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_3.docx)); and
2. one model when the courtroom where the hearing will be held has not yet been identified by the time the notice is sent ([Schedule Gatineau 4](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_4.docx)). In this case, the parties are informed no later than the morning of the hearing of the virtual courtroom number in which the hearing will be held. The Teams link associated with the hearing is then forwarded to the witness.
3. When the courtroom has already been identified, counsel or the party who is calling the witness must include the Teams link associated with the courtroom in the notice to witness (by reproducing the appropriate link in the Word version).
4. When a person testifies virtually, the party who called the witness must provide him or her in advance with the exhibits in respect of which his or her testimony is required or be able to quickly provide them electronically before his or her testimony.
5. A party or counsel who wishes to present exhibits or other documents to a witness testifying remotely during a cross-examination must be able to send them electronically before or during the cross-examination.
6. A party may also call a witness by subpoena, especially if the party expects that the witness will not take part in the hearing voluntarily.

If the testimony is expected to be delivered virtually, the subpoena must state that the witness is required, prior to the hearing, to contact counsel or the unrepresented party requesting the witness’s testimony to obtain the information needed to connect to the virtual courtroom and, where relevant, to determine how the documents the witness is expected to have in hand may be sent to the parties and the court.

# Settlement conferences

1. Any application for a settlement conference ([Schedule Division 8](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_8_demande_conjointe_pour_une_CRA.doc)) must be sent to the master of the rolls (maitredesroles-cs-gatineau@justice.gouv.qc.ca).
2. A settlement conference may be held in person, virtually or semi-virtually.
3. To increase the number of settlement conferences that may be scheduled, some settlement conferences will be referred to judges sitting in the District of Montreal and to retired judges. These settlement conferences are usually held virtually It is therefore important that the parties indicate in the request whether the settlement conference can be held remotely.

# DIRECTIVES SPECIFIC TO CIVIL MATTERS

## Civil practice

1. During the judicial year (September to June), practice sessions are held every second Monday (or Tuesday if Monday is a holiday). A special schedule applies in July and August. The practice sessions schedule is appended to these directives ([Schedule Gatineau 5](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_5.docx)).

## Applications in the course of a proceeding – civil matters

1. All applications in the course of a proceeding where the expected duration of the hearing is two hours or less (including the judge’s reading time) must be presented during a civil practice session. Where the expected duration of the hearing is more than two hours, the parties must complete a Joint Declaration to Fix a Hearing ([Schedule Division 4](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_4_declaration_commune_pour_fixation_d_une_audience.doc)) and send it to the master of the rolls.
2. These applications must be presented within the time limits and according to the parameters provided in the section “Application in the course of a proceeding” applicable to every district of the Montreal Division.
3. The parties are encouraged to file a draft judgment.
4. The calling of the roll for each civil practice session is held at 9:00 a.m. in virtual room #3 and is presided by a judge.
5. The notice of presentation of an application in the course of a proceeding must include the Teams link for room #3 and be prepared according to the model provided in [Schedule Gatineau 6](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_6.docx).
6. When counsel or unrepresented parties file 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, as well as its sequence number in the court ledger.
7. Parties who wish to postpone an application entered on the roll of a practice session by consent may avoid attending the calling of the roll by informing the court of the postponement no later than 12:00 p.m. on the working day prior to the session, at the following address:

rolecourdepratique.gatineau@justice.gouv.qc.ca

1. Unless authorized by the court, an application in the course of a proceeding that has been postponed three times is struck from the roll.
2. Cases are called one after another, in accordance with their number on the roll. Counsel and unrepresented parties may speak only when their case is called. Counsel with more than one case on the practice roll must inform the judge presiding over the calling of the roll as soon as the first case in which they are acting is called. If counsel for the party who filed the application in the course of a proceeding, or the unrepresented applicant, does not attend the calling of the roll, the case is struck from the roll.
3. Counsel with more than one application on the roll must report to the case management room (room #3 or virtual #3) after the hearing of each application in which he or she is acting.
4. An application in the course of a proceeding that cannot be heard because the volume of cases on the roll is too large is postponed to the next civil practice session or to a date determined by the coordinating judge or the judge responsible for the practice session.

# DIRECTIVES SPECIFIC TO FAMILY MATTERS

## Family practice

1. During the judicial year (September to June), family practice sessions are held every second Tuesday (or Wednesday if Monday is a holiday). A special schedule applies in July and August. The practice sessions schedule is appended to these directives ([Schedule Gatineau 7](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_7.docx)). The preliminary calling of the roll takes place at 9:30 a.m. the day preceding each practice session.

## Applications in the course of a proceeding

1. All applications in the course of a proceeding where the expected duration of the hearing is two hours or less (including the judge’s reading time) must be presented during a family practice session. Where the expected duration of the hearing is more than two hours, the parties must complete a Joint Declaration to Fix a Hearing ([Schedule Division 4](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_4_declaration_commune_pour_fixation_d_une_audience.doc)) and send it to the master of the rolls.
2. Applications in the course of a proceeding must be presented within the time limits and according to the parameters provided in the section “Applications in the course of a proceeding” applicable to every district of the Montreal Division.
3. Despite the foregoing, applications by consent must not be entered on the practice roll; they must be filed at the court office and be accompanied by the following appropriate forms:
* Agreement determining support (safeguard) ([Schedule Gatineau 8](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_8.docx)), accompanied by an application to homologate an agreement ([Schedule Gatineau 12](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)).
* Agreement suspending support (safeguard) ([Schedule Gatineau 9](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_9.docx)), accompanied by an application to homologate an agreement ([Schedule Gatineau 12](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)).
* Agreement to renew a safeguard order ([Schedule Gatineau 10](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_10.docx)), accompanied by an application to homologate an agreement ([Schedule Gatineau 12](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)).
* Consent to appoint counsel for the child ([Schedule Gatineau 11](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_11.docx)), accompanied by an application to homologate an agreement ([Schedule Gatineau 12](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)).
* Application to homologate any type of agreement ([Schedule Gatineau 12](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)).
* Request for setting down for judgment by default ([Schedule Gatineau 13](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_13.docx)).
1. Parties who, by consent, wish to postpone an application entered on the roll of a practice session may avoid attending the preliminary calling of the roll by informing the court of the postponement no later than 12:00 p.m. on the working day prior to the preliminary calling of the roll, at the following address:

rolecourdepratique.gatineau@justice.gouv.qc.ca

1. Unless authorized by the court, an application in the course of a proceeding that has been postponed three times is struck from the roll.
2. Applications in the course of a proceeding in family matters are dealt with in two steps - the preliminary calling of the roll and the practice session – as follows:
	* The preliminary calling of the roll begins at 9:30 a.m. the day preceding the family practice session in the virtual room created specifically for this purpose, the link for which can be found in the list of Teams links for the Gatineau courthouse.
	* The practice session is held the following day and the session is managed by a judge sitting in room #3.
3. Counsel and unrepresented parties who have cases entered on the roll of a family practice session must attend the preliminary calling of the roll.
4. The courtroom for the preliminary calling of the roll opens at 8:30 a.m. for the following purposes:
* Counsel who wish to add an application to the roll must make the request to the special clerk before the preliminary calling of the roll begins at 9:30 a.m.;
* For practice sessions in June and July: counsel and unrepresented parties must inform the special clerk whether a physical file entered on the roll should be consulted by the special clerk during the preliminary calling of the roll.
* Unrepresented parties must register their attendance with the special clerk before the preliminary calling of the roll begins. The special clerk gives them instructions to join the courtroom at the appropriate time when their case is called to the roll.
1. Cases are called one after another, in accordance with their number on the roll. Counsel and unrepresented parties may speak only when their case is called. When counsel for the party who filed the application in the course of a proceeding or the unrepresented applicant does not attend the preliminary calling of the roll, the case is struck from the roll.
2. The addition to the roll of an application that was not filed with the court office within the prescribed time limit must be authorized by the special clerk or by a judge; any request to be added to the roll is dealt with at the end of the preliminary calling of the roll.
3. The notice of presentation of an application in the course of a proceeding must include the Teams link to the courtroom for the preliminary calling of the roll and contain the following:
* The information required to comply with the time limits set out in arts. 411 and 413 para. 2 C.C.P.;
* The date the application will be presented;
* A note stating that the party contesting the application must participate in the preliminary calling of the roll of the practice session taking place on (date) at 9:30 a.m. in the virtual courtroom created specifically for this purpose. The notice must state that the unrepresented party must report to the courtroom for the preliminary calling of the roll at 8:30 a.m. to register his or her attendance with the special clerk.
* A note stating that the directives in family matters must be complied with and may be consulted on the website of the Superior Court or of the Barreau de l’Outaouais.
* The Teams link for the room for the preliminary calling of the family practice roll must be reproduced in the notice of presentation (Word version), failing which, the notice must state that the party may obtain the Teams link on the website of the Superior Court or of the Barreau de l’Outaouais.

A model notice of presentation is appended to these directives ([Schedule Gatineau 14](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_14.docx)).

1. When counsel or unrepresented parties file 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, as well as its identification number in the court ledger.
2. All documents (applications, affidavits, exhibits, authorities) which are filed to be dealt with during a practice session in a contested case must be filed in the box installed at the court office specifically reserved for documents filed for the practice sessions. Applications to homologate an agreement and other applications by consent, however, should not be filed in this box.
3. All case management notices must state the conclusions sought in numbered paragraphs.
4. A psychosocial assessment cannot be obtained merely by consent of the parties. It must be authorized by the Court. When an order to conduct a psychosocial assessment is made, the parties must complete the Consent to Psychosocial Evaluation and Consultation of Records form appended to these directives, which includes the contact list ([Schedule Gatineau 15](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_15.docx)). This form must be sent to the judge who made the order, not directly to the expert assessment services at the Centre intégré de santé et de services sociaux de l’Outaouais (CISSSO).
5. An application for a safeguard order that is entered on the roll for the first time and for which the record is not complete is postponed to the next practice session to be heard. If applicable, a timetable for the filing of the affidavits in response and in reply is fixed according to the following terms: the affidavit in response must be filed no later than the Tuesday of the week preceding the practice session and the affidavit in reply must be filed no later than the Friday of the week preceding the practice session.
6. An application for a safeguard order entered on the roll for the first time and for which the record is not complete, and which cannot wait until the next practice session due to a well-documented and justified urgent situation, is referred to the judge presiding in the case management courtroom during the practice session the following day so that the judge may render, if needed, the appropriate orders to safeguard the rights of the parties.
7. If the urgent situation alleged in support of an application for a safeguard order is contested at the time of its initial presentation, the case is first heard to deal with that aspect only. If the urgent situation is recognized, the application is heard if the record is complete. If the record is not complete, it is postponed to the next practice session. As needed, the judge who ruled on the issue of urgency renders the appropriate orders to preserve the rights of the parties.
8. Except in special circumstances, the total duration of submissions at the time of the presentation of a case management notice or of a safeguard application is 30 minutes. If the file is complex and several urgent applications must be decided, the duration of the hearing is determined by the special clerk.
9. The practice session is coordinated by a judge from room #3, which serves as the case management room. All counsel and unrepresented parties who have an application on the roll must report to room #3 at 9:00 a.m. Parties who are represented by counsel do not have to report to the case management room. They must wait for their counsel to inform them of the time and room in which their application will be heard.
10. The judge coordinating the practice session assigns applications and case management notices to the available judges and directs counsel and unrepresented parties to the appropriate courtrooms. Counsel with more than one application on the roll must report to the case management room after the hearing of each application in which he or she is acting.
11. An application that cannot be heard because of the volume of cases on the roll is postponed to a subsequent practice session or to any other date determined by the coordinating judge. As needed, the judge presiding over the calling of the roll makes the appropriate orders to preserve the rights of the parties.

## Cases fixed on the contested practice roll

1. Applications in the course of a proceeding where the duration of the hearing is expected to be more than two hours (including the judge’s reading time) are fixed on the contested practice roll by the master of the rolls or directly by the coordinating judge.
2. Applications pertaining to custody, access, and child support between de facto spouses and applications to vary corollary relief pertaining to the sharing of parenting time/custody, access, and child or spousal support requiring the presentation of testimonial evidence with an expected duration no more than two days are fixed on the contested practice roll by the master of the rolls. Cases with an expected duration of more than two days are entered on the provisional roll of cases on the merits and are fixed during a provisional calling of the roll.
3. Files in which a psychosocial assessment has been conducted are fixed as a priority and are managed before the coordinating judge fixes the date.
4. Applications between de facto spouses that include issues pertaining to the division of property or their other financial interests are entered in the provisional roll of cases on the merits and are fixed during the provisional calling of the roll.
5. For a file to be fixed on the contested practice roll, the parties must have completed and sent to the master of the rolls (maitredesroles-cs-gatineau@justice.gouv.qc.ca) the Joint Declaration to Fix a Hearing ([Schedule Division 4](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_4_declaration_commune_pour_fixation_d_une_audience.doc)). The form must be accompanied by a joint list of the dates when the parties and counsel are unavailable during the eight months following the date the form is filed.
6. The parties must file a trial plan at least 14 days before the hearing. The trial plan describes: the issues still in dispute and the conclusions sought by each party; the admissions; the anticipated objections; the order of presentation of the evidence; the names of the witnesses called to testify; the preferred manner of their testimony (in person or virtually); and the planned duration of their testimony (including cross-examination and re-examination). The trial plan must be prepared using the model appended to these directives ([Schedule Gatineau 2](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_2.docx)).
7. Any request for postponement must be addressed to the coordinating judge and state the file number, the names of the parties, the grounds for the request for postponement, and the position of the opposing party.

## Joint applications and applications by default

1. 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, to contest, or to take part in the case management conference, will be dealt with before the record is complete, 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*](https://www.legisquebec.gouv.qc.ca/en/document/cr/C-25.01%2C%20r.%200.2.4).

1. Joint applications are decided when the application is filed at the court office or through the [Greffe numérique judiciaire du Québec](https://lexius-gnjq.justice.gouv.qc.ca/en/Accueil) [digital court office of Québec] (GNJQ), along with:
2. the exhibits with separate backings for each one;
3. the final agreement between the parties (with a separate backing);
4. the requisite detailed affidavits;
5. the child support determination form where minor or dependant children are concerned, or the details of the support calculation where the federal child support tables apply; and
6. in the case of an application for a support obligation, the statements under art. 444 C.C.P.

# APPLICATIONS IN BANKRUPTCY AND INSOLVENCY MATTERS

## Motions

1. As provided by s. 11 of the [*Bankruptcy and Insolvency General Rules*](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C_c._368/index.html), every application is made by motion.
2. A motion must include, under its title, a reference to the specific provisions of the [*Bankruptcy and Insolvency Act*](https://laws-lois.justice.gc.ca/fra/lois/b-3/) and the [*Bankruptcy and Insolvency General Rules*](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C_c._368/index.html).
3. The original of the motion, the supporting affidavits, and proof of service must be filed with the bankruptcy court office at least two business days, excluding Saturday, before the date of presentation.
4. The notice of presentation must state that the motion will be presented before the registrar in room #11.
5. 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.
6. Motions that do not fall within the jurisdiction of the registrar may be presented during a civil practice session.

## Filing of an application for a bankruptcy order

1. These proceedings must be dealt with in accordance with s. 43 of the [*Bankruptcy and Insolvency Act*](https://laws-lois.justice.gc.ca/fra/lois/b-3/) and ss. 69 and 70 of the [*Bankruptcy and Insolvency General Rules*](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C_c._368/index.html). Such proceedings may not be served unless they have first been signed by the registrar and stamped with the court seal. To do so:
2. the applicant creditor must make an appointment with the registrar at least 48 hours in advance using the following email address: faillite.gatineau@justice.gouv.qc.ca;
3. at the time of the appointment, the original and four copies of the application must be provided to the registrar;
4. 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.

## Appeal from the registrar’s orders or judgments

1. No motion to appeal an order or decision of the registrar may be entered on the civil practice roll if the transcript of the hearing before the registrar, including the reasons for the order, has not been filed at the bankruptcy court office.
2. 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 bankruptcy court office, within a prescribed time limit. The brief must include:
* a summary of the order or judgment under appeal;
* the issue(s) in dispute;
* the grounds for which the appeal should or should not be allowed;
* the list of relevant authorities.

## Practice sessions

1. Practice sessions in bankruptcy and insolvency are held once a month and are presided over by the registrar in bankruptcy or by a judge. The schedule of practice sessions is appended to these directives ([Schedule Gatineau 16](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_16.docx)). It is also available on the website of the Superior Court.
2. All administrative applications, such as taxation of a trustee’s bill of costs and motions to obtain the discharge of a trustee, must be filed directly with the bankruptcy court office.
3. Practice sessions are held in room #11.
4. Time slots are assigned to all trustees who have cases that may be presented at a practice session.
5. Upon authorization of the registrar, any case that requires more than 15 minutes for the hearing is heard during the contested cases session, which begins at 2:00 p.m. If the party is not able to determine the time slot during which the case will be heard, the party must attend the calling of the roll in room #11, which begins at 9:00 a.m.
6. Where a person testifies by videoconference or by telephone conference call, the party who summoned that person must have provided him or her with the exhibits in respect of which his or her testimony is required electronically before his or her testimony.

# USEFUL CONTACT INFORMATION

1. Below is a list of useful contact information:
* **Civil and family court office:**

Telephone: 819-776-8100

Courthouse: 17 Laurier Street, Gatineau (Quebec), J8X 4C1

* **Coordinating Judge:** Marie-Josée Bédard
* Assistant to the coordinating judge: Nathalie Dumont

Telephone: 819-776-8116

Fax: 819-776-5775

Email: nathalie.dumont@judex.qc.ca

* **Master of the Rolls**: Maria Luiza Moura de Carvalho

Telephone: 819-776-8100 ext. 60472

Email: maitredesroles-cs-gatineau@justice.gouv.qc.ca

Email to postpone files in civil or family practice: rolecourdepratique.gatineau@justice.gouv.qc.ca

* **Special clerks and registrars in bankruptcy matters**

General email for the bankruptcy and insolvency division: faillite.gatineau@justice.gouv.qc.ca

Mtre Sophie Laflamme

Telephone: 819-776-8100 ext. 60478

Email: sophie.laflamme@justice.gouv.qc.ca

Marc Bilodeau-Richard

Telephone: 819-776-8100 ext. 60677

Email: marc.bilodeau-richard@justice.gouv.qc.ca

David Legault-Bélec

Telephone: 819-776-8100 ext. 60700

Email: david.legault-belec@justice.gouv.qc.ca

# LIST OF SCHEDULES

**Directives applicable to every district of the Montreal Division**

Division 1. [Triage indicators](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_1_indicateurs_de_tri.docx)

Division 2. [Case Protocol in Civil Matters](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_2_protocole_de_l_instance_en_matiere_civile.docx)

Division 3. [Case Protocol in Family Matters](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_3_protocole_de_l_instance_en_matiere_familiale.docx)

Division 4. [Joint Declaration to Fix a Hearing](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_4_declaration_commune_pour_fixation_d_une_audience.doc)

Division 5. [Contempt of Court – Draft Order to Appear](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_5_outrage_au_tribunal_projet_d_ordonnance_de_comparaitre.docx)

Division 6. [Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Civil Matters)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_6_demande_d_inscription_par_declaration_commune__matiere_civile_.doc)

Division 7. [Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Family Matters)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_7_demande_d_inscription_par_declaration_commune__matiere_familiale_.doc)

Division 8. [Joint Application for a Settlement Conference](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Division_Montreal/Directives_et_annexes_Division_Montreal_1er_janvier_2023/Annexe_division_de_Montreal_-_8_demande_conjointe_pour_une_CRA.doc)

**Directives specific to the district of Gatineau**

Gatineau 1. [Application to extend the time limit by consent](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_1.docx)

Gatineau 2. [Trial Plan](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_2.docx)

Gatineau 3. [Notice to witness (courtroom # identified)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_3.docx)

Gatineau 4. [Notice to witness (courtroom # not identified)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_4.docx)

Gatineau 5. [Schedule of civil practice sessions](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_5.docx)

Gatineau 6. [Notice of presentation – civil practice](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_6.docx)

Gatineau 7. [Schedule of family practice sessions](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_7.docx)

Gatineau 8. [Agreement determining support (safeguard)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_8.docx)

Gatineau 9. [Agreement suspending support (safeguard)](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_9.docx)

Gatineau 10. [Agreement to renew a safeguard order](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_10.docx)

Gatineau 11. [Consent to appoint counsel for the child](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_11.docx)

Gatineau 12. [Application to homologate any type of agreement](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_12.docx)

Gatineau 13. [Request for setting down for judgment by default](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_13.docx)

Gatineau 14. [Notice of presentation – family practice](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_14.docx)

Gatineau 15. [Consent to psychosocial assessment and contact list](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_15.docx)

Gatineau 16. [Schedule of bankruptcy and insolvency practice sessions](https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Districts_judiciaires/Gatineau/Directives_et_Annexes_Gatineau_1er_janvier_2023/annexe-schedule_Gatineau_-_16.docx)