|  |  |
| --- | --- |
| **CANADAPROVINCE OF QUÉBEC****District of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_****NO: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** | **SUPERIOR COURT****DATE : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| **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]](#footnote-1)** | **NAME**  |
|  | **LAW FIRM** |
|  | **ADDRESS** |
|  |  |
|  | **TELEPHONE** |
|  | **FAX** |
|  | **E-MAIL** |

**RESPONDENT LAWYER(S) IN CHARGE**

|  |  |
| --- | --- |
| **NAME1** | **NAME** |
|  | **LAW FIRM** |
|  | **ADDRESS** |
|  |  |
|  | **TELEPHONE** |
|  | **FAX** |
|  | **E-MAIL** |

**OTHER PARTY(IES) LAWYER(S) IN CHARGE**

|  |  |
| --- | --- |
| **NAME1** | **NAME** |
|  | **LAW FIRM** |
|  | **ADDRESS** |
|  |  |
|  | **TELEPHONE** |
|  | **FAX** |
|  | **E-MAIL** |
|  |  |
| **PART ONE** |

1. **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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  |
|  |

1. **READING TIME REQUIRED FOR THE JUDGE**

|  |  |
| --- | --- |
| **DURATION :** |  |

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

|  |  |
| --- | --- |
| **DURATION :** |  |

1. **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: PART TWO: WITH EVIDENTIARY HEARING** |

1. **ADMISSIONS**

|  |
| --- |
|  |
|  |
|  |

1. **EXHIBITS COMMUNICATED TO BE USED FOR THE MOTION**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **EXHIBIT NUMBER[[2]](#footnote-2)** | **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)** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

1. **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  NO ** **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 schedule[[3]](#footnote-3): YES (check)** |
| **RESPONDENT**  |
|  |  |  |
|  |  |  |
|  |  |  |
| **The party has communicated the curriculum vitae, statements of account and expert’s current fee schedule: YES (check)** |
| **OTHER PARTY(IES)** |
|  |  |  |
|  |  |  |
|  |  |  |
| **The party has communicated the curriculum vitae, statements of account and expert’s current fee schedule: YES (check)** |

1. **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.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **WITNESSES** | **Language****(f/e)** | **Inter-preter** | **SUBJECT OF TESTIMONY** | **Time needed for examination in chief** | **TIME NEEDED FOR CROSS-EXAMINATIONS****(FOR EACH OF THE OTHER PARTIES)** | **TOTAL DURATIONFOR WITNESS** |
| **APPLICANT**  |
| ORDINARY WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| EXPERT WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **RESPONDENT** |
| ORDINARY WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| EXPERT WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| **OTHER PARTY(IES)** |
| ORDINARY WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |
| EXPERT WITNESSES |
|  |  |  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |  |  |

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 : Salle \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

du palais de justice de\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, le \_\_\_\_\_\_\_\_\_\_\_\_20\_

Signature

Honorable (NOM)

ou greffier spécial (nom)

1. If this party is not represented by a lawyer, write the address, telephone number and email. [↑](#footnote-ref-1)
2. 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 the same exhibit, please indicate all of the numbers under which said exhibit has been filed. [↑](#footnote-ref-2)
3. Section 17 *Regulation of the Superior Court of Québec in civil matters*, CQLR c C-25.01, r 0.2.1.: “A party that produces an expert report must also produce the author’s curriculum vitae and the invoice for the expert’s fees up to that date and for the expert’s fees to attend the trial”. [↑](#footnote-ref-3)