|  |  |
| --- | --- |
| **CANADA****PROVINCE OF QUÉBEC****DISTRICT OF MONTRÉAL****No : 500-**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | **S U P E R I O R COURT**(Family Division) |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Plaintiff****c.****\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Defendant****\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |

**NOTICE OF PRESENTATION**

**FAMILY PRACTICE**

**(ROOM 2.17)**

**1. PRESENTATION OF THE APPLICATION**

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

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

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

a) **Using Teams**: to open the permanent link established for room 2.17, click [**here**](https://teams.microsoft.com/l/meetup-join/19%3Ameeting_ODc1MzY2MzAtY2M0OC00ZmMzLTg5NWQtODg5ZjJlNmY1OWNl%40thread.v2/0?context=%7b%22Tid%22%3a%223f6dec78-7ded-4395-975c-6edbb7d10b16%22%2c%22Oid%22%3a%22f2de948d-851d-47f4-9953-579062f424eb%22%7d);[[1]](#footnote-1)

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

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

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

b) **By telephone:**

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

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

Conference ID: 881 453 222#

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

VTC Conference ID: 1160784303

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

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

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

**4. DOCUMENTS TO BE PROVIDED**

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

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

1. Your federal and provincial income tax returns for the last fiscal year;

2. Your federal and provincial Notices of assessment for the last fiscal year;

3. Your last financial statements of business or professional income;

4. Your last income and expense statements relating to an immovable property;

5. Your last three pay stubs.

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

1. Your federal and provincial income tax returns for the last fiscal year;

2. Your federal and provincial Notices of assessment for the last fiscal year;

3. Your last financial statements of business or professional income;

4. Your last income and expense statements relating to an immovable property;

5. Your last three pay stubs;

6. Your sworn Statement of Income and Expenditures and Balance Sheet (Form III, Rules of Practice of the Superior Court of Québec in Family Matters.

**5. OBLIGATIONS**

 5.1 Duty of cooperation

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

 5.2 Dispute prevention and resolution processes

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

 5.3 In camera hearing

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

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

Montréal, this\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 20\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
Mtre.
Attorney for
Email:
Tel:

1. The permanent links for the Montreal courthouse rooms can also be found in the document entitled Liens TEAMS pour rejoindre les salles du Palais de justice de Montréal en matière commerciale, civile et familiale under the heading Audiences virtuelles found on the Superior Court of Québec website at : https://coursuperieureduquebec.ca/fileadmin/cour-superieure/Audiences\_virtuelles/Montreal\_Teams\_Codes\_-\_Superior\_Court\_-\_Commercial\_civil\_and\_family\_divisions\_\_Ang\_.pdf. [↑](#footnote-ref-1)