

**CONSOLIDATED NOTICES
TO MEMBERS OF THE BAR OF LAVAL**
(updated – February 1, 2018)

CIVIL, ADMINISTRATIVE AND FAMILY DIVISION

COURTROOM OF THE SPECIAL CLERK (2.02)

The calling of the roll takes place before the special clerk at 9:00 a.m., in the following order:

- 1- First calling of the roll in civil matters
- 2- First calling of the roll in family matters
- 3- Second, and last, calling of the roll in civil matters
- 4- Calling of family matters announced during the first calling of the roll that fall under the jurisdiction of the special clerk
- 5- Last calling of suspended family matters
- 6- Addition of cases to the roll
- 7- All suspended cases

Following the calling of the roll, any cases suspended due to the absence of counsel are immediately postponed *sine die*. None of these cases are dealt with in the afternoon or re-entered on that day's roll.

Room 2.02 opens at 8:30 a.m. We remind you that it is important to submit your duly completed form to the clerk. **(See transfer request form).**

Cases are not added to the rolls, save in the event of a registry error or actual emergency. Added cases are placed at the bottom of the roll, except for registry errors, which may be added between 8:30 a.m. and 9:00 a.m., before the clerk, **upon presentation of a copy of the court ledger.**

Those present in the courtroom must wait for their case to be called to come forward and must not interrupt the calling of the roll.

Any cases entered on the rolls of courtroom 2.02 that must be referred to a judge are forwarded to courtroom **2.03** for **family matters** and courtroom **2.04** for **civil matters**.

All cases scheduled in advance with the master of the rolls are called in courtroom **2.03** at **9:00 a.m.**

Notices of case management are presented in courtroom **2.02** at **8:45 a.m.** in **family matters** and at **9:00 a.m.** in **civil matters**.

Any application to extend time limits must be presented in courtroom **2.02 at 8:45 a.m. in family matters** and at **9:00 a.m. in civil matters**.

The special clerk sitting in courtroom 2.02 hears all the first uncontested applications to extend time periods. Other applications, following submissions by counsel, are sent by the special clerk to be heard by a judge in courtroom 2.03 for family matters and courtroom 2.04 in civil matters.

FAMILY DIVISION COURTROOM (2.03)

The judge proceeds with the calling of the roll for previously scheduled contested **civil and family cases** and refers them first, according to the order of the roll, to judges sitting in support.

Please note that the duration of the hearing of these cases may not exceed three (3) hours.

The judge then hears uncontested applications in family matters, such as renewals of interim orders, notices of case management, orders for psychosocial expert reports, appointments of counsel for children, and short submissions.

Applications for interim orders are heard in the order they arrive in courtroom 2.03.

CIVIL DIVISION COURTROOM (2.04)

The judge sits in civil matters.

The judge first hears uncontested applications to extend time limits, uncontested cases, and urgent applications under the *C.C.P.*

The judge then hears any case, civil or family, entered on the roll of room 2.03 that has yet to be assigned. Finally, the judge hears contested applications in civil matters referred by the special clerk.

SUPPORT COURTROOM

Judges hear cases referred by the judge assigned to room 2.03.

CALLING OF THE PROVISIONAL ROLL

As of January 1, 2018, cases are scheduled for hearing as follows:

As soon as the record is complete and the necessary request for setting down for trial and judgment has been filed in the record, the master of the rolls reviews the case and issues an attestation that the record is complete.

Cases set to last three days or less may be scheduled directly, by email, with the master of the rolls, by consent between the parties and their counsel.

Cases set to last more than three days are issued an attestation that the record is complete and then summoned to a calling of the provisional roll to schedule a hearing date.

Cases set to last ten days or more are automatically referred to the coordinating judge and summoned for a pre-trial conference.

The calling of the provisional roll takes place three times per year, on the first Monday of February, the first Monday of May, and the first Monday of November.

DIVORCE BY DEFAULT

To proceed before a judge, the parties must obtain a date from the master of the rolls. The practice division hears no divorce by default proceedings on Tuesdays.

OUT-OF-COURT SETTLEMENT

Counsel or unrepresented parties must inform the master of the rolls (maria.penaflor@justice.gouv.qc.ca) by email or fax (450-686-6130) as soon as an out-of-court settlement is reached so that a hearing date may be set for another case on the roll.

APPLICATION TO THE JUDGE ACTING IN CHAMBERS OR JUDGE ON DUTY

JUDGE ACTING IN CHAMBERS

Applications to the judge acting in his or her chambers may be submitted every Tuesday and, two weeks per month, on Wednesday, Thursday, and Friday, that is, on

the days the Superior Court sits on the merits.

An appointment must be made through the administrative assistant of the coordinating judge.

Applications for special methods of service must be presented in courtroom 2.02 every Tuesday on practice days.

Situations where the above procedure cannot be applied

Where the above procedure cannot be applied, for example if the judge is absent or unable to act, the provisions of article 71 *C.C.P.* will apply.

JUDGE ON DUTY

In the event of an emergency, a judge on duty is available in Montreal at all times outside the usual operating hours of the courts.

To reach the judge on duty, contact the Service de sécurité du palais de justice de Montréal at 514-393-2819. The Service will in turn call the judge on duty, who will communicate directly with the person requiring his or her intervention.

POSTPONEMENT OF CASES SET FOR TRIAL

APPLICATION TO POSTPONE ON THE DAY OF THE HEARING

Any application to postpone the hearing of a case that is set for trial that same day, whether on the merits or in practice, is decided by the coordinating judge of the roll on the merits or the coordinating judge of the practice roll where the case was forwarded, as the case may be.

CONTESTED APPLICATION TO POSTPONE

Any contested application to postpone presented more than eight (8) days prior to the hearing is heard on a Tuesday by a judge sitting in practice division. If the application is brought less than eight (8) days prior to the hearing, the parties must address themselves in writing to the coordinating judge.

UNCONTESTED APPLICATION TO POSTPONE PRIOR TO THE DAY OF HEARING

Any uncontested application for postponement prior to the day of the hearing must be brought in writing and decided by the coordinating judge of the District of Laval or the judge assigned to replace him or her, who will dispose of it appropriately in light of the circumstances.

OTHER APPLICATIONS TO POSTPONE IN PRACTICE DIVISION

Any application to postpone a case that appears on the practice division roll must be made by fax, email, or telephone on the last juridical working day before the presentation date in practice division.

In such circumstances, cases are postponed for a minimum of two (2) weeks.

HEARING OR TESTIMONY BY VIDEOCONFERENCE

Technology may be used at the Laval courthouse for the purpose of a **hearing on the merits** if the procedure below is followed:

The parties or their counsel must, **at least two weeks prior to the hearing date**, complete an “Application to Use Videoconferencing for a Hearing” (attached) and obtain authorization of this application from the coordinating judge or the judge assigned to hear the case (if known).

Then, within the same time limit, the parties or their counsel must send the audiovisual and electronic resources department (*Service des ressources audiovisuelles et électroniques* or SRAVE) an application for authorization by email at srave@justice.gouv.qc.ca, to make the necessary technical arrangements and notify the office of the master of the rolls.

PRE-TRIAL CONFERENCE

Cases for which ten (10) or more hearing days have been requested are automatically referred to the coordinating judge, who will schedule a pre-trial conference.

APPLICATION FOR SPECIAL CASE MANAGEMENT OR TO SCHEDULE A CASE IN PRIORITY

SPECIAL CASE MANAGEMENT

Applications for special case management must first be presented in courtroom 2.02 and then referred before a judge who will dispose of the request.

If a judge is of the view that such a request may be brought before the Chief Justice, he or she will ask the parties to contact the office of the Chief Justice, who sets a date on which he hear this application.

SETTING A CASE BY PRIORITY

Applications to schedule a case by priority must be presented to the Chief Justice or the judge he or she has appointed.

NON-CONTENTIOUS PROCEEDINGS

Uncontested applications must be presented on Tuesdays in courtroom RC-05 (civil registry) at 10:00 a.m. The presence of notaries, lawyers, and the parties is not required for the case to move forward.

Contested applications or those requiring immediate submissions before a judge must be presented in practice division on Tuesdays at 9:00 a.m. in courtroom 2.02.

APPLICATIONS PRESENTED TO THE BANKRUPTCY DIVISION REGISTRAR

The bankruptcy registrar sits on the second and fourth Mondays of the month, save during holidays and the summer. All applications must be presented at 9:30 a.m. in courtroom 2.02.

VIDEOCONFERENCING DEMAND FOR AUDIENCE AT COURTROOM

NATURE OF THE REQUEST			
Courthouse		Courtroom	
File number			
Name of the person who will appear in videoconferencing:			
Type of usage : <input type="checkbox"/> video testimony <input type="checkbox"/> video request <input type="checkbox"/> video argument <input type="checkbox"/> other (precision)			
Reasons:			
Starting From	Date : Hour :	Duration	
Requester	Name :		
	Phone number :		
	e-mail address :		
	Signature :	Date :	
Authorization of the Judge	Name :		
	Signature :	Date :	
Consent of the other part	Name:		
	Signature :	Date :	
RESPONSIBILITIES OF THE REQUESTER			
<ul style="list-style-type: none"> Make sure to have the judge authorization; Make sure to have the signatures of both parties; Transmit as soon as possible, prior to the videoconference, all parties and the Court any document likely to be introduced in case of dispute; Ensure that a test is carried out before the videoconference hearing; Make sure that the person is present prior of videoconference at the remote site; 			
<p>Important: if the remote site is outside the courthouse, it is important to send the request to the DTI operation : IP 510018, Opérateurs@justice.gouv.qc.ca</p> <p>All fees must be provided by the requester.</p>			
Continue to the next page...			

VIDEOCONFERENCING DEMAND FOR AUDIENCE AT COURTROOM

INFORMATION OF THE VIDEOCONFERENCING											
Information on the side of the hearing court room											
From:	<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Courthouse</td> <td style="width: 50%;">Court Room</td> </tr> <tr> <td colspan="2">Address Alias¹ (10 numbers) :</td> </tr> <tr> <td>Starting from</td> <td>Date : Hour :</td> </tr> <tr> <td colspan="2">Expected duration</td> </tr> </table>	Courthouse	Court Room	Address Alias ¹ (10 numbers) :		Starting from	Date : Hour :	Expected duration			
Courthouse	Court Room										
Address Alias ¹ (10 numbers) :											
Starting from	Date : Hour :										
Expected duration											
Information of the remote side (one of these situations)											
To:	Inside of a courthouse (or SCVC²)	Outside of SCVC									
	<input type="checkbox"/> Name of the other courthouse:	<input type="checkbox"/> Name of M/O ³ :	Civil address: City: Country:								
	Name of the system ¹ :	Name of the system ¹ :	You need send a request for one of the following connections								
	Alias :	Alias :									
	To make a connection between two conferencing of MJQ ³ , use the video conferencing directory.		<input type="checkbox"/> 1. Bridge of conventional Videoconferencing (H323 / SIP) <small>⁴ sent this request to</small> Opérateurs@justice.gouv.qc.ca								
	To establish a connection between a courtroom and other endpoint of SCVC, dial alias number.		<input type="checkbox"/> 2. ZOOM ⁴ <input type="checkbox"/> 3. ACANO ⁴ <small>sent this request to</small> SRAVE@justice.gouv.qc.ca								
			Contact technique of remote side if need: Name: Email Address: Phone number:								
Explications:											
Note 1	Example of : <ul style="list-style-type: none"> Alias address : 6144655001 SIP Address : BACU.Cour.RC-04.HD@scvc.gouv.qc.ca Name of the system: Baie-Comeau Cour RC-04 How to find these information? Go to : http://www.justice.qc/dgsj/SRAVE/index.asp										
Note 2	SCVC: Centralized Video Conferencing and Collaboration Service of CSPQ (Centre de Services Partagés du Québec)										
Note 3	M/O: Ministries or Organizations MJQ: Ministry of Justice										
Note 4	For the remote side is outside of the SCVC, there are 3 choices: <ol style="list-style-type: none"> 1) If the remote side use a conventional videoconferencing, a bridge of conferencing will be used; You can find vendors who have conventional videoconferencing rooms, for example, <ul style="list-style-type: none"> - Telus (1-800-652-3266) - Dialogue Conference (1-877-634-2564) These services are not free and the requester should pay for it. 2) If the remote side use a computer and a high quality of Internet, both Zoom or ACANO can be used. You send the request to SRAVE who will make a decision for you. 										
§§§											