



# **SUPERIOR COURT OF QUÉBEC**

## **SUPERIOR COURT DIRECTIVES FOR THE DISTRICT OF LAVAL**

**UPDATED TO NOVEMBER 22, 2021**

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## GENERAL DIRECTIVES

### Purpose and scope

1. These directives were adopted pursuant to art. 63 of the *Code of Civil Procedure*.
2. They apply to all civil and family cases in the district of Laval in accordance with the guiding principles set out in the *Code of Civil Procedure*.

### Case protocol

3. The parties must use the case protocol forms for the division of Montreal (**Schedule 1** and **Schedule 2**).
4. The court clerk or the master of the rolls must refuse to file a case protocol or proposed case protocol that is inconsistent with these forms.
5. The parties must complete all of the protocol boxes, when applicable. In particular, the defendant must state his or her oral grounds of defence in the protocol or in the proposed case protocol in the box provided to this end or append them to the protocol, and the time limit to state the grounds of defence if they cannot be stated with the protocol. Failure to do so could result in the applicant proceeding by default.
6. On pain of sanction, the statement of the grounds of defence in the protocol must comply with the requirements of para. 1 of art. 99 C.C.P.
7. General denials and contestations that are akin to general denials are prohibited (art. 99 C.C.P.).
8. When the parties jointly seek an extension of the time limit to submit a request for setting down for trial and judgment in the protocol, they must indicate the grounds for their application and the proposed new expiration date, having assessed it in light of the computation of the time limit under art. 173 C.C.P.
9. The parties cannot extend the time limit to set the case down for trial and judgment merely by consent.
10. Pre-trial examinations may be conducted only if they were provided for in the case protocol (art. 221 C.C.P.). In the protocol, the parties must specify the specific date, time, and place of each pre-trial examination. The parties may not indicate a cut-off date to hold pre-trial examinations unless the dates are unforeseeable.

11. Parties that do not set dates for examinations and that indicate only a deadline may be barred from proceeding with those examinations or may fail to obtain the court's assistance to rule on objections or follow up on the undertakings given during those examinations.
12. When a file is examined by a judge in chambers pursuant to art. 150 C.C.P., the judge may, without a hearing, rule on the joint request by way of a written judgment filed with the court office and sent to the parties, unless the file is the subject of a management conference. That is the case for requests to:
  - a) extend the time limit to ready the case for trial (arts. 173 and 174 C.C.P.);
  - b) stay the proceeding to negotiate a settlement (art. 156 C.C.P.); or
  - c) be authorized to file a written defence (art. 171 C.C.P.).
13. To obtain authorization to file a written defence, the defendant must state the reasons the case presents a high level of complexity or the special circumstances that warrant it (art. 171 C.C.P.). The written defence must respect the requirements of arts. 99 and 102 C.C.P.
14. The mere fact that the defendant announces the filing of a cross-application in the protocol does not alone justify the filing of a written defence.
15. Cross-applications are made in writing but defended orally, unless the court authorizes that it be defended in writing (art. 172 C.C.P.).
16. Subject to special rules (para. 2 of art. 141 C.C.P.), the parties must establish a case protocol for any originating application in a contentious matter:
  - a) In a first protocol, the first page of the form must absolutely be completed. The information therein is used to identify cases that could be subject to case management, based on the triage indicators listed hereinafter (art. 150 C.C.P.).
  - b) The case protocol must be notified to the parties prior to being filed with the court office unless the parties have signed it (art. 149 C.C.P.).
  - c) The principal application and the recourse in warranty are joined in a single proceeding and are subject to the same case protocol (art. 190 C.C.P.).
- 16.1 If a party fails to co-operate in establishing a case protocol, the other party files a proposal within the time limit for filing. On the expiry of a period of 10 days, the proposal serves as the case protocol, unless points on which the

parties differ have been stated, in which case the court may convene the parties or establish the case protocol on its own initiative.

17. A party that does not file a proposed case protocol or raise any points on which the parties differ may be barred from filing preliminary exceptions or from proceeding with examinations or filing expert reports, among other things, and judgment may be rendered by default if that party is the defendant.
18. If each party files a proposed case protocol, the court may establish the case protocol on its own initiative (art. 152 C.C.P.). If a party fails to cooperate in establishing the protocol, it may incur punishment pursuant to art. 342 C.C.P.
19. For cases not subject to a case protocol (para. 2 of art. 141 C.C.P.), the parties need not file a request for setting down but must complete a Joint Declaration to Fix a Hearing (**Schedule 3**).

### **Triage indicators**

20. Triage indicators have been established with respect to art. 150 of the *Code of Civil Procedure* to determine which cases should be evaluated by the court for case management purposes. These indicators are applied in two stages:
  - a) A computerized triage is done when the first case protocol is filed or when the first proposed protocol is submitted. The indicators used for this triage are:
    - 1) All cases in the 05, 11, 14 and 17 jurisdictions bearing the descriptive code of:
      - 36 - bodily injury
      - 89 - latent defects
      - 52 - wills – successions
      - C2 - dismissal
      - D1 - defamation
      - I2 - co-ownership litigation
      - 11 - boundary determination
      - RO - oppression remedies
      - TV - issues between neighbours or neighbouring properties;
      - A1 - disability insurance
    - 2) All matters in the 04, 05, 11, 12, 14 and 17 jurisdictions:
      - wherein two or more parties are not represented by counsel

- involving more than eight parties
- b) A manual triage is carried out by the court office when the first case protocol is filed for all cases in the 04, 05, 11, 12, 14 and 17 jurisdictions that contain one of the following elements:
- application for a stay of proceedings
  - application to extend the time limit
  - more than six expert reports
  - application to authorize a written defence
  - more than six pre-trial examinations
  - examinations: duration not compliant with art. 229 C.C.P.
  - lack of signature or notification to client.

### **Case management conference**

21. At any time during the proceedings, the parties may be convened ex officio to take part in a case management conference.
22. Counsel for a party who takes part in a case management conference must *inter alia* have actual knowledge of the case and be in a position to make admissions, give undertakings, and make any other decision relating to the conduct of the proceedings. Parties in default may incur punishment pursuant to art. 342 C.C.P.
23. The court will decide, even on its own initiative, on the case management measures appropriate to the circumstances of the case (art. 158 C.C.P.) and the guiding principles of procedure (arts. 17 et seq. C.C.P.).
24. The parties may also seek the court's intervention by way of a case management notice (art. 158 C.C.P.).

### **Special case management**

25. Any request for special case management (art. 157 C.C.P.) is submitted by way of a case management notice. The request must allege the grounds relating to the nature, character or complexity of the case justifying special case management.
26. If the judge finds, based on the record and in light of the likely conduct of the case, that the file might warrant special case management under the guiding principles of the Code of Civil Procedure, he or she refers the case to the coordinating judge for the district. Otherwise, the request is dismissed.
  - 26.1 The parties must continue to file their pleadings with the court office, even if a judge has taken on the case management of the file.

### **Application in the course of a proceeding**

27. Any application for placement on the roll for a hearing of over 45 minutes, either in a civil, a commercial or a family case can be made only if a Joint Declaration to Fix a Hearing (**Schedule 3**) has been completed.
28. Subject to the court's authorization, the hearing of an application for dismissal (art. 51 C.C.P. or art. 168 C.C.P.) may not last more than one day.
29. An application in the course of a proceeding can only be contested orally, unless written contestation is authorized by the court. During the hearing, any party may submit relevant evidence (art. 101 C.C.P.) in accordance with the guiding principles (art. 17 et seq. C.C.P.).
30. Any application in the course of a proceeding requiring a hearing of more than three days will be referred back to the coordinating judge for a hearing date to be set after a pre-trial conference is held, if necessary.
31. No postponement will be granted solely because the parties agree thereto or by reason of their absence. Where appropriate, the application is struck from the roll. If the court grants the postponement, the case is referred back to the master of the rolls who sets a new hearing date.
32. The minutes of notification by fax or by bailiff must be inserted immediately before the backing of any pleading filed with the court office.
33. Only applications for which the originals (application, notice of presentation, and proof of notification) were filed with the court office at least two days before the date of presentation will be placed on the roll.
34. A natural person must be served a formal notice to appoint a new lawyer or to inform the parties of his or her intention to self-represent if his or her lawyer withdraws, dies or becomes disqualified from practising their profession. If the natural person fails to appoint a new lawyer, he or she is presumed to continue the proceeding as though the party were not represented. The party will not be in default if he or she complies with the case protocol or the next steps that have been ordered (art. 192 C.C.P.).

### **Objections**

35. Any debate concerning objections must be requested in a case management notice. A hearing will be held only if the parties provide a document grouping the questions and undertakings at issue into subjects and indicating the time required to deal with them.
36. If the time required to rule on the objections is more than 45 minutes, the parties must complete the Joint Declaration to Fix a Hearing (**Schedule 3**).

**Judge in chambers**

37. A party intending to submit an application that requires immediate intervention and that does not require the presentation of evidence (art. 69 C.C.P.) must, barring special circumstances (e.g., seizure before judgment), notify the opposing party that such an application will be presented to the judge in chambers, indicating the date. The application is presented at the time and in the room designated by the master of the rolls.
38. A party intending to present such an application must first pay the legal costs, request that a file be opened at the court office, then go directly to the room designated by the master of rolls at the date and at the time of presentation scheduled and give the application to the court clerk in that room.
39. A party must first communicate with the master of the rolls to ensure the availability of a judge and send a copy by email to the office of the coordinating judge by 3:00 p.m. on the day before the application is to be presented, indicating the nature of the application in the subject line of the email.
- 39.1 Sending a copy of a pleading or an exhibit to the office of the coordinating judge by email or otherwise does not exempt the parties from filing their documents with the court office.

**Application to authorize care**

40. Applications to obtain authorization from the court for the provision of care to a minor or a person of full age incapable of giving consent cannot be presented before the court less than five days after the application is notified to the interested persons (art. 395 C.C.P.). Generally, the application is heard as of 2:00 p.m. on a Tuesday, in the room designated by the master of the rolls.
41. These applications must be presented on the date the plaintiff will have first obtained from the master of the rolls.
42. Only one application will be scheduled per Tuesday, except with the authorization of the coordinating judge.

**Application for judicial review**

43. The hearing of an application for judicial review (art. 529 C.C.P.) may be held only if each party has filed a brief of no more than ten pages.
44. The deadlines to file the briefs is set by the parties or by the court. A hearing date may be set only once all the briefs have been filed.
45. Each brief must include:

- (a) a summary of the judgment to be reviewed or quashed;
- (b) the issues in dispute;
- (c) the standard of review;
- (d) the reasons why the impugned judgment should be reviewed, quashed, or upheld;
- (e) a list of the relevant authorities.

### **Consolidation of proceedings**

- 46. Even when consolidated under art. 210 of the Code of Civil Procedure, each of the proceedings thus joined remains separate.
- 47. The parties must file a copy of the pleadings in each of the consolidated proceedings with the court office.
- 48. Should the parties fail to do so, the court office will record in the ledger only the first heading appearing in the pleading, which will be filed only in that file. The court will consider only the proceeding in which the pleading has been filed.
- 49. When required, the parties must pay the legal costs in each file (i.e., the stamp for requests for setting down due for each of the consolidated proceedings).
- 50. If a request for setting down is filed regularly in only one proceeding, the sanction under art. 177 C.C.P. applies to the other consolidated proceedings.

### **Contempt of court**

- 51. A pleading seeking a citation for contempt must be accompanied by a draft order similar to the one in **Schedule 4**.
- 52. The draft order must provide a detailed list of the nature of the alleged offence and the facts that support the application and specify whether the person concerned is subject to one or more sanctions.
- 53. Insofar as the order to appear is issued on the court's own initiative, the court will enter in the minutes or a written order the same information as that required in the above document.

### **Readiness for trial**

- 54. The request for setting down for trial and judgment (art. 174 C.C.P.) must be prepared by using the form provided for this purpose (civil matters –

**Schedule 5**; family matters – **Schedule 6**). The filing must be accompanied by the payment of the related legal costs.

55. In the other cases (para. 2 of art. 141 C.C.P.; art. 154 C.C.P.; s. 20(b)(iii) R.S.C.C.), the parties must file a Joint Declaration to Fix a Hearing with the court office (**Schedule 3**).
56. When justified by circumstance, if one of these cases can be heard promptly and the length of the trial is less than three hours, the judge may exempt the parties from the obligation of filing a request for setting down for trial and judgment, in accordance with s. 20 of the Regulation of the Superior Court of Québec in civil matters (R.S.C.C.). However, the parties must complete a Joint Declaration to Fix a Hearing (**Schedule 3**).
57. Failure to answer the summons (art. 175 C.C.P.): the case is dealt with when the plaintiff files a request for setting down for trial and judgment by default for failure to answer the summons, along with the exhibits and the plaintiff's own affidavit.
58. Failure to file a defence (arts. 175 and 180 C.C.P.): the plaintiff files the request for setting down for failure to file a defence, with at least five days' notice of presentation, before the special clerk in Room 2.02, with his or her exhibits and the requisite detailed affidavits. The file is referred to the Directorate of Judicial Services, unless a judge can rule on it.
59. Failure to attend the case management conference (arts. 175 and 180 C.C.P.): the court orders the setting down for judgment. The plaintiff files the request for setting down for judgment for failure to file a defence, with at least five days' notice of presentation, before the special clerk in Room 2.02, with his or her exhibits and the requisite detailed affidavits. The file is referred to the Directorate of Judicial Services, unless a judge can rule on it.
60. Failure to complete the request for setting down for trial: a party that does not complete the request for setting down for trial within the time limit or is late in doing so runs the risk of being sanctioned and, specifically, to being punished pursuant to art. 342 C.C.P.

#### **Extension of the time limit to ready the case for trial**

61. Any extension of the time limit to ready the case for trial must be made by application, not by a case management notice, to be presented on a practice day.
62. This application must be supported by one or more sworn statements, depending on the circumstances justifying the extension (art. 173 C.C.P.).

**Attestation that a record is complete (ARC)**

63. Once the request for setting down for trial and judgment has been filed with the court office, the master of the rolls verifies whether the record is complete and ready for trial and, if appropriate, signs an attestation that the record is complete (ARC) specifying the estimated duration of the trial on the merits, and so informs the parties (para. 1 of s. 21 R.S.C.C.).
64. An attestation that a record is complete concerning consolidated cases will be issued only when all the consolidated cases are ready for trial. Where applicable, the attestation that a record is complete will be filed in all the consolidated cases.
65. If cases are consolidated after a request for setting down for trial and judgment has been filed in one of the cases, a request for setting down must be filed in each of the other cases within the time limit set by the court.

**Notice that a record is incomplete (NRI)**

66. If, once the request for setting down for trial has been filed in accordance with art. 174 C.C.P., the master of the rolls ascertains that the record is incomplete, he or she sends a notice to the parties.
67. The parties have 30 days to correct the situation, failing which they run the risk of having the record returned to the archives without further notice. It is then up to the parties to reactivate the case after having remedied the default (s. 21(b) R.S.C.C.).

**Cases fixed by preference**

68. An application to fix a case by preference is presented before the coordinating judge.
69. The parties must contact the master of the rolls, who informs them of the dates available to present such an application.
70. Two copies of the application must then be filed with the court office, indicating a date of presentation corresponding to those provided by the master of the rolls.

**Provisional roll**

71. When the case is ready and the attestation that the record is complete has been issued, the master of the rolls prepares a list of the cases that may be called on the provisional roll. The master of the rolls sends the parties the extract relating to their case. He or she then convenes them to a calling of the provisional roll (s. 22 R.S.C.C.).

72. The parties may be excused from attending the calling of the provisional roll and fix the dates in advance for a hearing of three days or less by filing a joint declaration for inscription on the roll (**Schedule 7**).
73. The calling of the provisional roll is presided by:
  - a) the coordinating judge for cases for which the planned duration of the hearing is 20 days or less;
  - b) the chief justice, the associate chief justice or a judge designated by one of them for cases for which the planned duration of the hearing is more than 20 days.
74. The provisional roll will be called remotely only, using Teams. Instructions on the conduct of the call are attached to the notice of hearing transmitted to the parties.
75. Before parties attend the calling of the provisional roll, they must verify their availabilities and, if necessary, that of their expert witnesses, so that the date of hearing may be set without delay.
76. Among other things, the parties must cooperate to shorten the hearing and make any necessary admissions.
77. When a case is settled after it has been entered on a provisional roll, the parties must notify the master of the rolls in writing as soon as possible and at the latest three days before the date of the provisional roll.
78. A request to postpone a case placed on the provisional roll may be made to the coordinating judge, with a copy to the master of the rolls, by email, on the following conditions:
  - a) it must state that it is made with the parties' consent;
  - b) it must state the grounds;
  - c) the other parties must be copied;
  - d) requests submitted after 2:30 p.m. the day before the calling of the provisional roll will not be considered, nor will those that fail to meet any one of the conditions set out in subparagraphs (a) to (c) above.
79. Counsel taking part in the calling of the provisional roll must have actual knowledge of the case and be able to make admissions and any other decision relating to the conduct of the proceedings, failing which, the party in default may incur punishment pursuant to art. 342 C.C.P.

80. During the calling of the roll, the coordinating judge confirms that the case is ready for trial, that the request for setting down clearly reflects the reality of the case and that it is still a contested matter.
81. The coordinating judge summarily discusses the appropriate means to simplify the hearing with the parties or their counsel. If the coordinating judge deems it appropriate, he or she may also refer the case to a pre-trial conference which he or she will preside in accordance with art. 179 C.C.P.
82. The coordinating judge takes every measure to ensure the sound management of the case in light of the court's resources and in compliance with the guiding principles of the Code of Civil Procedure.
83. If the case is ready and the parties can confirm their availabilities and those of their witnesses and experts, the coordinating judge fixes a hearing date.
84. A case cannot be placed on the roll for a hearing on the merits unless the minutes of the calling of the provisional roll attest that it is ready for trial.
85. If the parties or their counsel fail to attend the calling of the provisional roll, the coordinating judge may take any measures deemed necessary to ensure their attendance.
86. If, during the calling of the provisional roll, the parties or their counsel declare that the case is being settled, the coordinating judge may, at his or her discretion, strike the case or postpone it to a future calling of the provisional roll.
87. Subject to the authorization of the coordinating judge, no case will be set down for trial if the parties intend to take part in a settlement conference.

#### **Pre-trial conference**

88. Any request for a pre-trial conference in a case that is ready may be made only if the case appears on a provisional roll and a judge so orders ex officio or at the parties' request.
89. The coordinating judge fixes the date of the pre-trial conference.

#### **Hearings on the merits requiring three days or less**

90. Hearings on the merits requiring three days or less are heard from Wednesday to Friday, two weeks out of four.
91. If circumstances allow, the hearing may be conducted remotely (art. 26 C.C.P.). The parties must make an application to the coordinating judge.
92. In all cases, the parties must obtain the authorization of the coordinating judge or the judge seized of the matter to have a witness testify remotely.

**Civil practice**

93. Hearings in the Civil Division are on Tuesdays.
94. All applications in the course of a proceeding are heard in Room 2.02 at 9:00 a.m. They must be notified at least three days in advance (art. 101 C.C.P.) and filed with the court office at least two days in advance (art. 107 C.C.P.) together with the notice of presentation in compliance with the format for notices provided at **Schedule 21** and the form provided at **Schedule 20** of these directives.
95. The addition to the roll of an application in the course of a proceeding that was not filed with the court office within the prescribed time limit is subject to the court's authorization.
96. The calling of the roll in Room 2.02 begins at 9:00 a.m., even though the room opens at 8:45 a.m. Priority may be given to files in which the parties make their submissions remotely.

**Remote submissions**

97. The parties may make their submissions remotely using Teams.
98. The contact information for the various virtual courtrooms to allow the parties to join a hearing can be found in **Schedule 8**.
99. Useful information on the conduct of remote hearings is attached to these guidelines:
  - a) Guide for lawyers and parties (**Schedule 9**);
  - b) Guide for using Microsoft Teams (**Schedule 10**)
  - c) Guide for witnesses (**Schedule 11**);
  - d) Standard email for witnesses (**Schedule 12**).
100. For trials of three days or less that take place from Wednesday to Friday, and for all cases, in civil and family matters, to be presented in Room 2.03 on practice days, the parties must first connect to the waiting room (**Schedule 8**). They will then be directed to the correct room when the roll is called.
101. In the cases contemplated by the previous paragraph, the parties must notify the master of the rolls by email (civil.laval@justice.gouv.qc.ca) by 4:30 p.m., at the latest, two days before the application is to be presented, of their intention to proceed remotely and provide the contact information to reach them. The coordinating judge will decide whether or not to authorize the

remote conduct of the hearing, in whole or in part, and notifies the parties thereof.

102. For civil practice cases to be presented on a Tuesday in Room 2.02, if the parties wish to proceed remotely, they need only join the virtual meeting room (**Schedule 8**) at 9:00 a.m. and take part in the hearing, as if they were in the courtroom, without having to give prior notice.
103. For family practice cases presented on a Tuesday, the parties must announce their intention to proceed remotely during the calling of the roll held via Teams, or by email at least two days before the application is to be presented. In the latter case, they are exempted from participating in the calling of the roll.
104. The parties must submit all of the documents they intend to use (exhibits, affidavits, authorities, etc.) to the court clerk. If the parties cannot file their documents in hard copy at the court office, documents of 30 pages or less can be submitted by email (civil.laval@justice.gouv.qc.ca) in a single PDF file (the only format accepted for the filing of documents), by 4:30 p.m., two days before the hearing at the latest. After that deadline, the party is responsible for filing those documents in hard copy at the court office. **In emergency situations only**, documents of 30 pages or less can be submitted to the same address up until 4:30 p.m. on the day before the application is presented. If these documents pertain to an application to be heard on a practice day, they must be sent with the form provided at **Schedule 20**.

104.1 Sending a pleading or exhibit to the office of the coordinating judge by email or otherwise does not exempt the parties from filing their documents with the court office.

104.2 Except in civil practice cases, it is strongly recommended but not mandatory to wear a gown.

### **Request for postponement**

105. Any request for postponement of a case set down for a hearing on the merits is sent to the coordinating judge who shall rule thereon or designate a judge to hear it.
106. No application will be postponed for a period of less than 30 days, unless authorized by the court.
107. If it is consensual, a request for postponement of a hearing scheduled on a practice day and cases on a practice roll must be presented as follows:
  - In civil cases: by email (civil.laval@justice.gouv.qc.ca), by fax (450-686-5005) or by telephone (450-686-5011), up until 4:00 p.m. on the day

before the date of the presentation;

- In family cases: during the calling of the practice roll by held via Teams, on the working day preceding the date that the application is to be presented or by email at least two days before the application is to be presented;
- In commercial cases: by email (civil.laval@justice.gouv.qc.ca), before 3:00 p.m. on the day before the date of the presentation.

### **Filing of pleadings**

108. Subject to the following, the parties must file the originals of their pleadings with the court office of the Laval courthouse and pay the related fees, if any.
109. They can also file their pleadings electronically with the digital court office of Québec (DCOQ), except for an application for judicial authorization, an application for authorization to institute a class action and an application concerning the solemnization of a marriage or a civil union.
110. The parties may not use the DCOQ to file evidence, other than for the following pleadings:
  - An injunction;
  - A seizure before judgment;
  - An application for a special method of notification;
  - Non-contentious proceedings:
    - an application for the appointment of a provisional administrator;
    - the reassessment of protective supervision;
  - Family:
    - all joint applications;
    - all agreements;
  - An acquiescence to a claim;
  - An application to change district;
  - An application to suspend the time limit;
  - An application to extend the time limit;

- An application for the joinder of proceedings;
  - An application to authorize care.
111. The DCOQ offers online payment services, by credit card only, of the judicial fees required for filing, if applicable.
  112. Pleadings or related evidence filed with the DCOQ that is not included in the above list will not be considered validly filed.
  113. When a party files a pleading with the DCOQ, it need not file an additional copy with the court office of the courthouse.

### **Exhibits**

114. Exhibits must be paginated and preferably bound. They should not be put in ring binders, however, because this format prevents them from being placed in the filing system.
115. Exhibits must be produced only at trial. During hearings on applications in the course of proceedings, however, the parties must have a copy available for the court.
116. Unless the origin of a document or the integrity of the information it contains is contested, the parties must cooperate to have it admitted into evidence.
117. The party contesting the origin or integrity of a document must specify, in an affidavit, the facts and grounds that support the party's claim and make it probable (art. 262 C.C.P.).
118. To use less paper and better manage the size of the files, the parties are encouraged to print their books of exhibits, expert reports, and any documents other than the pleadings on both sides of paper.

### **Pleadings and sworn statements**

119. The text of pleadings and sworn statements must be single-spaced and the font must be 12-point or equivalent.

### **Hearing**

120. For reasons of proportionality and due to limited judicial resources, the parties must cooperate to avoid unnecessary trips by trial witnesses.
121. At trial, the parties must comply with the hearing time indicated in the request for setting down or imposed by the court, or be subject to punishment (art. 342 C.C.P.).

122. The court may refuse to hear a witness if the evidence is irrelevant (arts. 18, 19, 20 and 280 C.C.P. and art. 2857 C.C.Q.).
123. Witnesses are entitled to the protection of the court (art. 278 C.C.P.).
124. When raising an objection to the evidence, the party must state the legal basis for the objection.
125. The court may on its own initiative shorten the trial (art. 158 C.C.P.).
126. The court may exceptionally exempt a party from paying, in whole or in part, the costs prescribed for each day of the hearing on the merits due to his or her financial situation (art. 339 C.C.P.).

### **Use of technology in the courtroom**

127. The inappropriate use of electronic devices of any kind that hinder the orderly progress of the hearing or infringe the propriety of the court is prohibited (art. 37 R.S.C.C.).
128. No person may use an electronic device inside a courtroom in such a way that that person:
  - a) is having or appears to be having a conversation or is otherwise communicating using the device;
  - b) is taking or appears to be creating an image, taking photographs or recording sound.
129. Provided that such action does not affect the decorum, good order, and conduct of the proceedings or the digital recording system and respects any orders in effect, counsel, a party, or an accredited journalist may:
  - a) keep an electronic device on vibrate or mute;
  - b) use an electronic device for the needs of a case, for example to write notes or to consult notes, a calendar, scholarly commentary, legislation, or case law;
  - c) broadcast or send text messages, observations, information and notes.
130. It is always prohibited to:
  - a) use or have in one's possession a device likely to disrupt the decorum or conduct of a hearing, to interfere with the recording system in any

manner whatsoever, or to attempt to circumvent or breach an order or obstruct the course of justice;

- b) make or answer a call with an electronic device;
  - c) take photographs or audio or video recordings in the courtroom;
  - d) broadcast photographs or audio or video recordings from the courtroom.
131. Cellular telephones, smartphones, smartwatches, electronic tablets, laptop computers, and similar equipment with one or more functions covered in these directives are, among other devices, considered to be electronic devices.

### **Settlement conference**

132. To ensure the efficient use of resources, the parties must cooperate to submit to a settlement conference as soon as possible before setting a trial date. Thereafter, the parties must obtain the authorization of a judge to hold such a conference.
133. Any application for a settlement conference must be made using the appropriate form (**Schedule 13**), which must be sent to the Settlement Conference service in Montreal (see Useful contact information).

### **Summer roll for civil and family practice**

134. Barring exceptions, no trial is held between Canada Day and Labour Day, and practice days are determined according to available resources.
135. During that time, the wearing of a gown is not required.

## **DIRECTIVES SPECIFIC TO FAMILY MATTERS**

### **Family practice**

136. Hearings in the Family Division are on Tuesdays.
137. The roll is called remotely only, using Teams, at 1:00 p.m., the working day before the date the application is presented in Room 2.02.
138. The special clerk presides the calling of the roll.
139. Any new application must be accompanied by a notice of presentation in the format for notices provided for this purpose (**Schedule 14**). Any new notice of presentation must also be in that format, failing which, the file will not be dealt with.

140. When counsel or a self-represented party files 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.
141. Only applications for which the originals (application, notice of presentation/ notice to other parties and proof of notification) have been filed with the court office (in paper format or at the digital court office) together with the form provided at **Schedule 20** of these directives, at least two days before the date set for the hearing will be placed on the rolls.

### **Instructions**

142. The parties must connect to courtroom 2.02 via Teams, the contact details of which can be found in **Schedule 8**. It is also possible to participate by telephone at the following contact details:
  - Toll-free (Canada): **1-833-450-1741**
  - Local telephone number (charges will apply): **450-328-4032**
  - Conference number: **660 112 209#**
143. Counsel and self-represented parties must join the calling of the roll at 12:55 p.m.
144. They must put their telephone on mute (not on standby) until their case is called.
145. If, due to technical difficulties, they are unable to turn on their microphone, they must leave the call and redial the number to join.

### **Decorum**

146. The calling of the roll is conducted as if counsel and the self-represented parties were in the courtroom.
147. To avoid disrupting communication, they must be in a private, quiet space that is not likely to make noise.
148. They must remain attentive and be ready to speak when their case is called.

### **Place on the roll**

149. Cases are called one after another, in accordance with their number on the roll.
150. To find out where their case is placed on the roll, counsel and self-represented parties can consult the site [www.tribunaux.qc.ca](http://www.tribunaux.qc.ca). Note that the

roll on this site is not always up-to-date and that the rank of cases may be different.

151. Before speaking, the lawyer or self-represented party must identify himself or herself.

### **Instructions for the parties**

152. One of the objectives of calling the roll is to avoid having the parties travel on the date the proceeding is presented.
153. Therefore, the parties must discuss between themselves the issues involved in the proceeding before the calling of the roll .
154. If the parties wish to avoid taking part in the calling of the roll to postpone a case, extend a safeguard order or so that a consent to judgment can be rendered, they may submit an email (civil.laval@justice.gouv.qc.ca) to that effect by 4:30 p.m. two days before the date of presentation of the application. After that time, the request will not be dealt with and the parties will have to take part in the calling of the roll. To obtain a judgment, the parties must attach a draft judgment to their email.
155. If counsel and the self-represented parties are unable to take part in the calling of the roll for a serious reason and agree on the instructions to be given, they must notify the master of the rolls by email (civil.laval@justice.gouv.qc.ca) by 1:00 p.m., the day of the calling of the roll , that they will make their submissions on the day the application is presented.
156. During the calling of the roll, the parties must be able to provide succinct instructions for the next steps in the case:
  - a) for a postponement: give the date, after making sure that it falls on a practice day;
  - b) for the extension of a safeguard order: specify the date of the order to be extended. With the parties' consent, a safeguard order may be extended until a new judgment is rendered;
  - c) for a contested application: indicate only the total time required, which must take into account the time for each party and the judge's reading time.
157. If counsel or the self-represented parties are not ready to give their instructions or if they are absent, the case is placed at the bottom of the roll. Due to the number of participants on this call, it is not appropriate for the parties to discuss how to proceed in their file.

158. Once all the cases have been called, the special clerk will call the roll a second time for the cases that were not dealt with:
- a) if no one comes forward with respect to a case, it will be postponed without a set date (*sine die*);
  - b) if the parties do not agree on the instructions, they will make their submissions before the judge on the day the application is presented; however, it is not possible to predict at what time they will be heard;
159. Applications with hearings of more than 45 minutes must be set down.
160. Only parties that have completed a Joint Declaration to Fix a Hearing (**Schedule 3**) and the Checklist (**Schedule 15**) in family matters will be authorized to fix hearing dates.
161. The Joint Declaration to Fix a Hearing and the Checklist must be submitted by email (civil.laval@justice.gouv.qc.ca) by 4:30 p.m., two days before the date of presentation. After that time, the hearing cannot be fixed. The parties are excused from taking part in the calling of the roll if they give their instructions with respect to the extension of the safeguard orders at that time.
162. The master of the rolls will notify the parties if, after verification, one of the files is not ready and the file may be postponed sine die.
163. In addition to his or her jurisdiction under the Code of Civil Procedure, the special clerk may specify the measures to be taken to ready the case. It is only after making sure that these measures have been complied with that the special clerk may fix the hearing date or refer the case.
164. When the hearing is fixed, the special clerk identifies the particularities of a hearing, including the presence of a prisoner, the need for an interpreter, etc.

### **In camera hearings and confidentiality**

165. To comply with the in camera rule and to protect the confidentiality of the information contained in the records in family matters, the cases on the roll are called by the parties' family names only.
166. Counsel and the self-represented parties may not disclose confidential information concerning the parties during the calling of the roll.
167. If they feel the special clerk must be informed of confidential information they can transmit it by email (civil.laval@justice.gouv.qc.ca).

**Filing of agreements (cases not subject to a summons)**

168. With a view to being homologated, an agreement may be sent by email (civil.laval@justice.gouv.qc.ca) by 4:30 p.m. on the day before the application is to be presented. The parties must nevertheless take part in the calling of the roll to give notice that an agreement has been filed or will be filed. The subject line of the email must be “Entente” followed by the Court file number and the names of the parties.
169. The parties are exempted from taking part in the calling of the roll if they send the agreement to the same email address by 4:30 p.m. two days before the application is to be presented.
170. All of the parties concerned must be copied on the email, failing which the agreement will not be homologated and the case will be postponed sine die.
171. The parties must ensure that the record is complete. Any missing documents may be sent to the same email address within the same time, if they are not in the record and are limited to 30 pages.
172. The original of a final agreement must be filed as soon as possible, but that of an interim agreement need not be.
173. If a record is incomplete the parties will be notified to correct the situation.

**Applications proceeding by default (cases not subject to a summons)**

174. The failure to contest an application is noted during the calling of the roll and recorded in the minutes on the day the application is presented.
175. The plaintiff must provide his or her telephone contact information to the master of the rolls by email (civil.laval@justice.gouv.qc.ca), in the event the party concerned appears in court on the day the application is to be presented and the special clerk or the judge wishes to communicate with him or her.
176. Only urgent cases can proceed on the day the application is presented. Otherwise, judgment will be rendered on the record.
177. If the record is not complete when the roll is called, the case will be postponed to another date in order to be readied for trial.
178. If the summons concerning an originating application does not include a date of presentation, a notice of presentation (**Schedule 14**) must be filed, but need not be served, to record the failure.

**Additions**

179. The special clerk has discretion to authorize the addition of a case when the roll is called.

**Applications for safeguard orders**

180. To lighten the roll in Room 2.02, reduce the number of non-urgent applications for safeguard orders, facilitate the management of the court office staff, reduce the handling of files, and decrease the number of sessions in that room, safeguard orders will be for a minimum duration of 30 days, unless otherwise decided by the court.
181. They can be extended until a new judgment is rendered only with the parties' consent.
182. The special clerk homologates the consent according to its wording. He or she may accept a consent where the signature appears only in copy.
183. An application for a safeguard order is heard on the following conditions:
- a) Barring exceptional circumstances, 10 days have passed since the originating application was served (art. 411 C.C.P.).
  - b) Affidavits are divided into two sections:
    - i. the facts in support of the urgency are outlined on a maximum of two pages, each paragraph stating a single fact; and
    - ii. the facts in support of the merits of the order sought are then presented on a maximum of six additional pages, each paragraph stating a single fact.
  - c) Affidavits in support of the application must be communicated two clear days before the date the application is to be presented. The affidavit in support of the contestation must be communicated by the following day, and the affidavit in response to the contestation must be communicated by 4:30 p.m. on the day before the application is to be presented.
184. The party requesting the safeguard order who is not ready to proceed at 9:00 a.m. risks having their request struck. The party who is not ready to contest such an application risks having the other party proceed by default.
185. When the special clerk refers the case to the master of the rolls to fix a hearing date, he or she may renew the safeguard order until the hearing

date as long as it is effective for not more than six months (art. 158(8) C.C.P.), unless the parties consent thereto.

### **Cases subject to a summons**

186. A summons must be attached to the following originating applications: divorce, separation as to bed and board, annulment of marriage, deprivation of parental authority, contestation of status, recognition of paternity.
187. When the parties seek to have a consent homologated, they must file a request for setting down (**Schedule 16**), along with the exhibits, the final agreement between them and the requisite detailed affidavits.
188. The party that proceeds by default must file a request for setting down (**Schedule 16**), along with the exhibits, the requisite detailed affidavits and a draft judgment.
189. If the record is incomplete or if a judge wants to hold a hearing, the parties will be notified.
190. In urgent cases, a party can be added to the practice roll by filing a notice of presentation (**Schedule 14**) or by communicating with the court office.

### **Family case management**

191. Requests for case management in family matters are referred by the special clerk to the judge sitting in Room 2.03.
192. The following cases are referred to the judge:
  - a) Applications for an order to appear for contempt of court and to fix a date after the subpoena;
  - b) The various procedural requests, such as:
    - Case management notices;
    - Requests for postponement, when the maximum number of postponements has been reached;
    - Applications for the disclosure of documents;
    - Requests for the appointment of counsel for the child;
    - Requests for a psychosocial expert report;
    - Applications to quash a subpoena;
    - Special clerk's refusal to place on the roll;
    - Applications relating to the case protocol;
    - Applications for dismissal that may be heard immediately where appropriate or that must be fixed at a later date;
    - Applications for revocation of judgment;
    - Requests for special case management;
    - Applications to quash a seizure before judgment.

### **Request for special case management in family matters (art. 157 C.C.P.)**

193. Any request for special case management is submitted through a case management notice presented in Room 2.02 to be referred to Room 2.03.
194. The request must allege the grounds relating to the nature, character or complexity of the case justifying special case management (art. 157 C.C.P.).
195. The special clerk refers the request to the judge sitting in Room 2.03.
196. If the judge finds, based on the record and in light of the likely conduct of the case, that the case could justify special case management, he or she refers the case to the coordinating judge. Otherwise, the request is dismissed.

### **Updating a case between the calling of the provisional roll and the hearing date**

197. Any uncontested request other than a case management notice may be sent by letter to the coordinating judge.
198. Any request, whether or not contested, that affects the length of the hearing must be sent by letter to the master of the rolls, with a copy to the coordinating judge. If necessary, the parties may be required to file a new request for setting down for trial and judgment.
199. At any time between the request for setting down for trial and judgment and the date fixed for trial, the parties may proceed by case management notice in Room 2.02, if the requests do not affect the length of the hearing.

### **Pleadings and documents**

200. No application for divorce, separation from bed and board, or dissolution of civil union, whether joint or proceeding by default for failure to answer the summons, to defend, or to take part in the case management conference, will be dealt with before the record **is complete**,<sup>1</sup> 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.
201. Evidence is adduced by way of detailed affidavits in accordance with the Regulation of the Superior Court of Québec in family matters.
202. Each pleading must have a separate backing.
203. Exhibits must be grouped and each exhibit must have its own backing.

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<sup>1</sup> To this end, you should consult the “Checklist – Readiness for trial and setting down, joint or by default” (French only), available on the Barreau de Montréal’s website.

204. The parties may file a draft judgment in the court record.

### **Request for setting down in family matters**

205. When required,<sup>2</sup> any request to set a matter down for trial and judgment must be made by completing a Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (**Schedule 6**).

206. If, once the Request for Setting Down for Trial and Judgment is filed pursuant to art. 174 C.C.P., the master of the rolls notes that the file is incomplete, he or she notifies the parties.

207. The parties have 30 days to correct the situation, failing which they run the risk of having the record returned to the archives without further notice. It is then up to them to reactivate the case after having remedied the default (s. 21(b) R.S.C.C.).

208. Joint applications are dealt with when the application is filed with the court office, along with:

- a) the exhibits with separate backings for each one;
- b) the final agreement between the parties (with a separate backing);
- c) the requisite detailed affidavits;
- d) the child support determination form where minor or dependant children are concerned; and
- e) in the case of an application for a support obligation, the statements under art. 444 of the *Code of Civil Procedure*.

### **Appointment of counsel for a child**

209. The parties must file an application and obtain the Court's authorization to appoint counsel for a child.

### **Psychosocial expert report**

210. A psychosocial expert report cannot be obtained solely because the parties agree thereto. It must be authorized by the Court.

211. When a psychosocial expert report has been ordered, the parties must immediately notify the Service d'expertise psychosociale (psychosocial assessment service) responsible for preparing the expert report and the

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<sup>2</sup> Arts. 409, 410, 412, and 413 C.C.P.

court that an agreement has been reached between them or of any new fact that would make it unnecessary to prepare the report.

## **NON-CONTENTIOUS MATTERS**

### **Presentation of applications before the Court**

212. The application must include a notice of presentation consistent with that set out in **Schedule 17**. Any notice of presentation that is not compliant will be considered improperly served or notified.
213. In the days following the presentation of the application, the special clerk will communicate with the parties only if he or she receives a contestation or observations related to the application.
214. To postpone the application, an email (civil.laval@justice.gouv.qc.ca) must be sent by 3:00 p.m. the day before the date of presentation.

### **Proceedings before notary**

215. The notice of the filing of the minutes of notarial operations and conclusions must comply with **Schedule 18**. Any non-compliant notice of filing will be considered irregularly served or notified.

## **DIRECTIVES SPECIFIC TO MATTERS BEFORE THE COMMERCIAL CHAMBER**

### **Commercial cases**

216. A case where the initial application is based principally on any of the following legislative provisions is a commercial case and is tried in the Commercial Chamber:
- a) Statutes of Canada
    - ***Bankruptcy and Insolvency Act***
    - ***Companies and Creditors' Arrangement Act***
    - ***Winding-up and Restructuring Act***
    - ***Farm Debt Mediation Act***
    - ***Bank Act***
    - ***Canada Business Corporations Act***
    - ***Commercial Arbitration Act*** (e.g., enforcement of awards)
  - b) Statutes of Quebec
    - ***Civil Code of Québec:***

- arts. 2230 *et seq.* (e.g.: dissolution and liquidation of partnership in commercial matters)
  - **Code of Civil Procedure:**
    - arts. 645 *et seq.* (e.g., homologation of an arbitration award)
    - arts. 652 *et seq.* (e.g., recognition and enforcement of arbitration awards made outside Quebec)
  - **Winding-Up Act**
  - *Companies Act*
  - *Securities Act*
  - *Act respecting the Autorité des marchés financiers*
- c) and any other case of a commercial nature, on a decision of the coordinating judge of the Commercial Chamber or any other judge designated by the coordinating judge of the Commercial Chamber, made on his or her own initiative or on application.

### **General provisions**

217. A proceeding in the commercial chamber is governed by the procedure established by the specific statute and, in a suppletive manner, by the Code of Civil Procedure and the Regulation of the Superior Court of Québec in civil matters.
218. The registrar exercises the jurisdiction under s. 192 of the Bankruptcy and Insolvency Act and, if appropriate, the registrar exercises the jurisdiction of the special clerk within the meaning of arts. 72 and 73 of the Code of Civil Procedure in matters that fall within the ambit of the Commercial Chamber.
219. The registrar sits in Room 2.02, the second and fourth Mondays of the month.
220. The gown must be worn in that room, except between Canada Day and Labour Day.
221. The calling of the roll begins at 9:00 a.m. in Room 2.02.

### **Pleadings and exhibits**

222. In addition to the requirements of the specific statute, the words “Commercial Chamber” must appear on the first page of a pleading under the words “Superior Court” and under that, a reference to the specific statute.

223. A pleading related or in response to another pleading must include, under its title on the first page, the case sequence number in the ledger of that other pleading:

Example:

CONTESTATION (Relating to pleading # ____)
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224. It is up to the interested parties to consult the record or the computerized ledger to ensure the accuracy of the sequence number.
225. The exhibits alleged in a proceeding must not be joined thereto but must be filed in a separate book, with inventory, at least two working days, excluding Saturday, before the hearing.
226. Furthermore, a copy of the pleading in Word format and a copy in PDF-OCR format of the exhibits alleged therein must be sent electronically to the judge who will hear the pleading.
227. Any exhibit must be numbered and paginated in accordance with s. 18 of the Regulation of the Superior Court of Québec in civil matters.
228. The court office may refuse any pleading that does not comply with the requirements of this section.
229. The parties or their counsel may send a copy of a pleading or exhibit by email to the judge hearing the application. Under no circumstances may any such email be sent after 4:30 p.m. on the working day before the date of the hearing, unless the judge in question has preauthorized it. The original of the pleading must always be filed with the court office of the commercial chamber, in accordance with this directive.

### **Judicial application**

230. All judicial applications include a notice of presentation compliant with **Schedule 18**, before the registrar in Room 2.02, for the second or fourth Mondays of the month, at 9:00 a.m., or before the judge in Room 2.02, on a Tuesday at 9:00 a.m., according to whether the application falls under the jurisdiction of the judge or the special clerk.
231. For applications presented before the registrar on a Monday in Room 2.02, if the application falls under the jurisdiction of the registrar, he or she rules on it. If it does not, the registrar refers the application to the master of rolls to set a hearing date.

232. An oppression remedy application is subject to the filing of a case protocol (**Schedule 1**). Any disputes in establishing the case protocol may be the subject of a case management notice sent to all the parties and presented in Room 2.02, on a Tuesday before the judge.
233. Other applications before the commercial chamber are not subject to the filing of a case protocol but will be put on the roll only if the “Joint Declaration to Fix a Hearing” (**Schedule 3**) has been completed.

### **Filing of an application for a bankruptcy order**

234. These proceedings must be dealt with in accordance with sections 43 of the Bankruptcy and Insolvency Act and 69 and 70 of the Bankruptcy and Insolvency General Rules. Such proceedings may not be served unless they have first been signed by the registrar and the seal of the court has been affixed thereto. To do so:
- (a) The applicant creditor must make an appointment with the registrar at least 48 hours in advance through the following email address: [faillite.laval@justice.gouv.qc.ca](mailto:faillite.laval@justice.gouv.qc.ca);
  - (b) At the time of the appointment, the original and four copies of the application must be provided to the registrar;
  - (c) Once the original and the four copies have been signed by the registrar, the applicant creditor will retrieve them to obtain a file number and pay the judicial fees.

### **Urgent application**

235. The coordinating judge or the registrar must be notified of any application concerning an urgent matter. This matter must be filed with the court office of the Commercial Chamber at least 24 hours prior to its presentation and be submitted to the judge or the registrar in Room 2.02 with a notice of presentation consistent with **Schedule 18**.
236. If the application is presented before the registrar and it falls under the jurisdiction of the registrar, he or she rules on it. If it does not, the registrar refers the application to the master of rolls to set a hearing date before a judge.

### **Incidental application**

237. An incidental application must be notified and filed with the court office of the Commercial Chamber or through the DCOQ at least two working days, excluding Saturday, before its presentation in Room 2.02.

238. If the application is presented before the registrar and it falls under the jurisdiction of the registrar, he or she rules on it. If it does not, the registrar refers the application to the master of rolls to set a hearing date before a judge.

### **Fixing a hearing date**

239. A hearing of three days or less is fixed by the master of the rolls.
240. A request for a hearing of more than three days is fixed by the district coordinating judge during the calling of the provisional roll.
241. In all cases, the parties must send the Joint declaration to fix a hearing (**Schedule 3**) by 3:00 p.m. on the day before the day set for the presentation, to the bankruptcy court office (f•) and state in the subject matter line: “Fixation d’une audition contestée – 540-11-(...)”.
242. Your email must include the Joint declaration to fix a hearing and the telephone contact information and email addresses of **all** counsel or parties necessary for the registrar to fix the hearing via telephone conference call or email.
243. The hearing on the merits of an oppression remedy is subject to the filing of a Request for Setting down for Trial and Judgment (**Schedule 5**), while the hearing on the merits of any other application before the Commercial Chamber is subject to the filing of a Joint Declaration to Fix a hearing (**Schedule 3**).
244. Any hearing of an application in the Commercial Chamber is subject to the filing, prior to the start of the hearing, of a joint table of admissions as to the chronology of facts, indicating which facts are disputed, and a joint list of issues that remain to be decided;

### **Uncontested application**

245. If the application is uncontested and can be dealt with based on the record, the parties may send an email to the bankruptcy court office (faillite.laval@justice.gouv.qc.ca), by 3:00 p.m. on the day before the day set for the presentation and write in the subject line: “Jugement à vérifier – 540-11-(...)”.
246. The email must indicate the proceeding involved, the name of counsel or the person in charge of the file and the telephone contact information and email address where they can be reached on the day of the presentation.
247. After 3:00 p.m. the file will not be considered and the application will be postponed sine die, if no one is present on the day of the presentation.

### Request for postponement

248. If the parties wish to avoid having to be present or taking part in the calling of the roll for the postponement of a case, they must send an email to [faillite.laval@justice.gouv.qc.ca](mailto:faillite.laval@justice.gouv.qc.ca), no later than the working day preceding the date of presentation.
249. It is the parties' responsibility to ensure that the postponement date is a working day and a practice day. In this regard, please consult Justice Québec's website: <https://www.justice.gouv.qc.ca/en/judicial-system/judicial-calendar>

### Standard order

250. Any application seeking one of the standard orders published on the website of the Barreau de Montréal must be accompanied by a version of the published standard order, and any discrepancies, deletions, or additions sought must be indicated. For the moment, the standard orders are:
- a) Interim and final orders under s. 192 of the *Canada Business Corporations Act* or under s. 414 *et seq.* of the *Business Corporations Act* (Quebec);
  - b) Initial orders under the *Companies' Creditors Arrangement Act*;
  - c) Claims and meetings procedure order under the *Companies' Creditors Arrangement Act*;
  - d) Approval and Vesting Orders under the *Companies' Creditors Arrangement Act* or under the *Bankruptcy and Insolvency Act*;
  - e) Receivership Orders under s. 243 of the *Bankruptcy and Insolvency Act*.

### Case management notice

251. A case management notice must indicate the respective positions of the parties, be accompanied by a notice of presentation consistent with **Schedule 18**, and be presented in Room 2.02, before the registrar or the judge if the questions raised fall under his or her jurisdiction.

### Request for special case management

252. A request for special case management must be the subject of a case management notice notified to all the parties and presented in Room 2.02, with a case management notice consistent with **Schedule 18**, on a practice Tuesday, before a judge.

253. The request must allege the grounds justifying special case management and include, if required, the case protocol.
254. If the judge finds, based on the record and in light of the likely conduct of the case, that the case could justify special case management, he or she submits the request to the coordinating judge for adjudication. Otherwise, the request is dismissed.
255. The coordinating judge may, if he or she deems it necessary and on his or her own initiative, refer any case heard in the Commercial Chamber to special case management.
256. Requests that concern an arrangement under the *Companies' Creditors Arrangement Act* or an arrangement or reorganization under the *Canada Business Corporations Act* or the *Business Corporations Act* (Quebec) are first sent to the coordinating judge or the judge designated by the coordinating judge, and then referred *ex officio* to special case management.
257. Despite any provision to the contrary in these directives, the judge appointed to manage a case hears all the preliminary and incidental requests and presides over the hearing on the merits, as the case may be.

### **Objections**

258. A debate on objections must be requested by way of a case management notice and cannot be fixed for a hearing unless a joint document is appended grouping the questions and undertakings concerned under subject headings and indicating the time required for a ruling.

### **Aspects specific to bankruptcy matters**

259. As provided by s. 11 of the *Bankruptcy and Insolvency General Rules*, every application is made by motion.
260. Any motion must include, under its title, a reference to the specific provisions of the *Bankruptcy and Insolvency Act* and the *Bankruptcy and Insolvency General Rules*.
261. The original of the motion, the supporting sworn statements, and proof of service must be filed with the court office at least two clear days, excluding Saturday, before the date of presentation.
262. The notice of presentation must indicate that the motion will be presented before the registrar in Room 2.02 and be consistent with **Schedule 18**.

263. 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.
264. An appeal from an order or decision of the registrar must be made by motion.
265. 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 court office, within a given time limit. The brief should include:
- a) a summary of the order or judgment under appeal;
  - b) the issue(s) in dispute;
  - c) the grounds for which the appeal should or should not be allowed;
  - d) the list of relevant authorities.

### **Hearing of applications for a discharge**

266. The deputy registrar fixes a date for the applications for discharge received, generally from trustees, and communicates the information pertaining to the holding of hearings.
267. A person who requests a discharge hearing must be able to show the registrar, at the hearing, that the information contained in the document appended to the hearing application completed by the court office was transmitted to the bankrupt, the Superintendent, and the creditors.
268. In the case of a first or second bankruptcy, which are not subject to s. 172.1 of the *Bankruptcy and Insolvency Act*, if the only opponent of the discharge is the trustee and the trustee withdraws the opposition, the presence of the bankrupt and the trustee will not be necessary if the report required by s. 170 of the *Bankruptcy and Insolvency Act* is filed with the court office or with the digital court office of Quebec (DCOQ), two days before the hearing date (transmission by email will not be permitted).
269. In that case, an email must be sent to [faillite.laval@justice.gouv.qc.ca](mailto:faillite.laval@justice.gouv.qc.ca) indicating in the subject line: "Retrait d'opposition – 540- (...)". The email must clearly state the trustee's intention to withdraw the opposition, as well as the name and telephone contact information of the person responsible for the file who may be reached on the day fixed for the hearing of the application for discharge. That email must be sent by 3:00 p.m. on the day before the hearing.
270. All other applications for a discharge may proceed in person or using Teams, when available. A document containing the instructions for using the Teams

tool will be appended to the application for the hearing of the application for discharge completed by the court office and sent to the trustee.

271. When a discharge hearing is fixed *pro forma*, the presence of the parties (in person or using Teams) is not required, if and only if the parties send an email by 3:00 p.m. on the day before the pro forma hearing, to the bankruptcy court office ([faillite.laval@justice.gouv.qc.ca](mailto:faillite.laval@justice.gouv.qc.ca)), which states in the subject line: “Fixation d’une audition contestée – 540- 11-(...)”, including:

(a) the Joint Declaration to Fix a Hearing (**Schedule 3**);

(b) the telephone contact information and email address of all counsel or parties required by the master of rolls to fix the hearing by telephone conference call or email, as the case may be.

## **USEFUL CONTACT INFORMATION**

272. List of principal contact information:

- Civil court office:  
Telephone: (450) 686-5011  
[civil.laval@justice.gouv.qc.ca](mailto:civil.laval@justice.gouv.qc.ca)
- Assistant to the coordinating judge:  
Telephone: (450) 686-5041 ext. 62282  
[chantal.peltier@judex.qc.ca](mailto:chantal.peltier@judex.qc.ca)
- Master of the rolls:  
Telephone: (450) 686-5021 ext. 62349  
[lilian.furnica@justice.gouv.qc.ca](mailto:lilian.furnica@justice.gouv.qc.ca)
- Postponements:  
Telephone: (450) 686-5011  
[civil.laval@justice.gouv.qc.ca](mailto:civil.laval@justice.gouv.qc.ca)
- Filing of agreements:  
[civil.laval@justice.gouv.qc.ca](mailto:civil.laval@justice.gouv.qc.ca)
- Bankruptcy and commercial chamber court office:  
Telephone: (450) 686-5011  
[faillite.laval@justice.gouv.qc.ca](mailto:faillite.laval@justice.gouv.qc.ca)

– Settlement conferences:

Telephone: (514) 393-2021, ext. 6

Fax: (514) 393-4864

[conferencemtl@judex.qc.ca](mailto:conferencemtl@judex.qc.ca)

**LIST OF SCHEDULES**

1. Case Protocol in Civil Matters
2. Case Protocol in Family Matters
3. Joint Declaration to Fix a Hearing
4. Contempt of Court – Draft Order to Appear
5. Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Civil Matters)
6. Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Family Matters)
7. Joint Declaration for Inscription on the Roll for Cases of Three (3) Days or Less
8. List of Permanent Teams Rooms
9. Preparation Guide for Lawyers and Parties (Remote Hearing)
10. Guide for using Microsoft Teams (Remote Hearing)
11. Guide for Witnesses (Remote Hearing)
12. Standard Email for Witnesses (Remote Hearing)
13. Joint Application for a Settlement Conference
14. Notice of Presentation in Family Matters
15. Checklist to Fix Dates in Family Matters
16. Setting Down for Homologation of a Consent or to Proceed by Default for Cases Subject to a Summons
17. Notice of Presentation for Non-contentious Matters before the Court
18. Notice of Presentation for Non-contentious Matters before a Notary
19. Notice of Presentation for the Commercial Division and Bankruptcy
20. Form of filling of documents and proceedings, for practice case to be presented on a Tuesday
21. Notice of Presentation in Civil Matters

**SCHEDULE 1 - Case Protocol in Civil Matters**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

## **SCHEDULE 2 - Case Protocol in Family Matters**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

**SCHEDULE 3 - Joint Declaration to Fix a Hearing**

<b>CANADA PROVINCE OF QUÉBEC</b>  District of _____  NO: _____	<b>SUPERIOR COURT</b>  DATE : _____
<b>JOINT DECLARATION FOR THE PURPOSE OF SCHEDULING A HEARING</b>	

<input type="checkbox"/>	<b><u>Without evidentiary hearing: complete Part One only</u></b>
<input type="checkbox"/>	<b><u>With evidentiary hearing: complete Part One and the relevant sections of Part Two</u></b>

1. IDENTIFICATION OF COUNSEL AND/OR OF SELF-REPRESENTED PARTIES

APPLICANT	LAWYER(S) IN CHARGE
<b>NAME<sup>3</sup></b>	<b>NAME</b>
	<b>LAW FIRM</b>
	<b>ADDRESS</b>
	<b>TELEPHONE</b>
	<b>FAX</b>
	<b>E-MAIL</b>

RESPONDENT	LAWYER(S) IN CHARGE
<b>NAME<sup>1</sup></b>	<b>NAME</b>
	<b>LAW FIRM</b>
	<b>ADDRESS</b>
	<b>TELEPHONE</b>
	<b>FAX</b>
	<b>E-MAIL</b>

OTHER PARTY(IES)	LAWYER(S) IN CHARGE
<b>NAME<sup>1</sup></b>	<b>NAME</b>
	<b>LAW FIRM</b>
	<b>ADDRESS</b>
	<b>TELEPHONE</b>
	<b>FAX</b>
	<b>E-MAIL</b>

<sup>3</sup> If this party is not represented by a lawyer, write the address, telephone number and email.

<b>PART ONE</b>
-----------------

**2. 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: \_\_\_\_\_

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

DURATION :	
------------	--

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

DURATION :	
------------	--

**5. PLEADINGS**

	DURATION
APPLICANT	
RESPONDENT	
OTHER PARTY(IES)	
<b>TOTAL DURATION OF PLEADINGS</b>	

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)**

<b>PART TWO: WITH EVIDENTIARY HEARING</b>
---

## 6. ADMISSIONS


## 7. EXHIBITS COMMUNICATED TO BE USED FOR THE MOTION

EXHIBIT NUMBER <sup>4</sup>	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
<b>APPLICANT</b>				
<b>RESPONDENT</b>				
<b>OTHER PARTY(IES)</b>				

## 8. EXPERT REPORTS SUBMITTED FOR THE HEARING OF THE MOTION

<b>The experts have reconciled their opinions in accordance with Art. 240 C.C.P. (check):</b> YES <input type="checkbox"/> NO <input type="checkbox"/>		
<b>If yes, please identify:</b>		
EXHIBIT NUMBER	NAME OF EXPERT	AREA OF EXPERTISE
<b>APPLICANT</b>		
<b>The party has communicated the curriculum vitae, statements of account and expert's current fee schedule<sup>5</sup>:</b> YES <input type="checkbox"/>		
<b>(check)</b>		

<sup>4</sup> 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.

<sup>5</sup> 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".



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.

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DATE(S) DE L'AUDIENCE : \_\_\_\_\_ SALLE \_\_\_\_\_  
DU PALAIS DE JUSTICE DE \_\_\_\_\_.

\_\_\_\_\_, LE \_\_\_\_\_ 20\_\_

SIGNATURE \_\_\_\_\_

HONORABLE (NOM) \_\_\_\_\_

OU GREFFIER SPÉCIAL (NOM) \_\_\_\_\_

## **SCHEDULE 4 - Contempt of Court – Draft Order to Appear**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

C A N A D A

SUPERIOR COURT  
( \_\_\_\_\_ Division)

PROVINCE OF QUÉBEC

DISTRICT OF \_\_\_\_\_

NO: \_\_\_\_\_

**CONTEMPT OF COURT****ORDER TO APPEAR**

1. On DD/MM/YEAR, I, Justice X of the Superior Court of Québec, issue an order requiring that (put the name of the natural or legal person(s) subject to the order) appear before the Court to respond to a charge(s) of contempt of Court;
2. The alleged violation(s) is (are) the following :  
(Enumerate in detail the alleged violation(s), *as well as the facts on which the person seeking the conviction intends to rely*)
3. Therefore, I ORDER: (name the natural or legal person(s) to which the order relates) to appear at 9:00 am on the DD/MM/YEAR at X Courthouse, Room Y to register a plea against the charge of contempt of Court as defined in this Order. On that date, a case protocol will be established;
4. The sanction(s) required in the event of a conviction shall be the following:  
  
(*List the possible sanction(s) according to section 62 C.C.P. by referring to each of the alleged violations and the sanction sought in each case.*)

SIGNED AT \_\_\_\_\_, THIS \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Justice of the Superior Court

**SCHEDULE 5 - Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Civil Matters)**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

CANADA  
 PROVINCE OF QUÉBEC  
 District: [REDACTED]  
 File no.: [REDACTED]

SUPERIOR COURT

[REDACTED] Plaintiff  
 v. [REDACTED]  
 Defendant  
 and [REDACTED]

---

**REQUEST FOR SETTING DOWN FOR TRIAL  
 AND JUDGMENT BY WAY OF A JOINT DECLARATION**  
 Québec Superior Court – Montréal Division – Civil Matters  
 (art. 173 and 174 C.C.P.)

---

This request for setting down for trial and judgment and the attached joint declaration are made on the initiative of:

- all the parties to the case
- the plaintiff alone (art. 174 last paragraph C.C.P.)
- another party (art. 174 last paragraph C.C.P.)

I – PARTIES AND LAWYERS	
Plaintiff	Lawyer responsible
Name:	Name:
Address:	Firm:
	Address:

Phone:	Phone:
Fax:	Fax:
E-mail:	E-mail:
<b>Defendant</b>	<b>Lawyer responsible</b>
Name:	Name:
Address:	Firm:
Phone:	Address:
Fax:	Phone:
E-mail:	Fax:
	E-mail:

<b>Other party</b>	<b>Lawyer responsible</b>
Name:	Name:
Address:	Firm:
Phone:	Address:
Fax:	Phone:
E-mail:	Fax:
	E-mail:

<b>II – DISPUTE</b>		
<b>Nature of the dispute:</b>		
Amount:		
Cross-application:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Nature:		
Amount of the cross-application:		
Recourse(s) in warranty:	<input type="checkbox"/> yes	<input type="checkbox"/> no
Impleaded Party(ies):	<input type="checkbox"/> yes	<input type="checkbox"/> no

**Matters in dispute (Plaintiff):**

- 1-
- 2-
- 3-
- 4-

**Matters in dispute (Defendant):**

- 1-
- 2-
- 3-
- 4-

**Matters in dispute (other parties, if any) (Defendant in Warranty, Impleaded Parties)**

- 1-
- 2-
- 3-
- 4-

**List of facts admitted by the parties:**

- 1-
- 2-
- 3-

**List of points to be covered by expert opinion:**

- 1-
- 2-
- 3-

### III – EXHIBITS AND EVIDENCE

**The plaintiff** (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of exhibits sent to the other party(ies) (art. 248 1st par. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- |            |                      |
|------------|----------------------|
| - affiant: | - date of affidavit: |
| - affiant: | - date of affidavit: |
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
- |            |                        |
|------------|------------------------|
| - witness: | - date of examination: |
| - witness: | - date of examination: |
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:
- |                       |                    |
|-----------------------|--------------------|
| - name:               | - date:            |
| - field of expertise: | - plunitif number: |
| - name:               | - date:            |
| - field of expertise: | - plunitif number: |

**The defendant** (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (in accordance with art. 248 1st par. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- |            |                      |
|------------|----------------------|
| - affiant: | - date of affidavit: |
| - affiant: | - date of affidavit: |
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
- |            |                        |
|------------|------------------------|
| - witness: | - date of examination: |
| - witness: | - date of examination: |
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:
- |                       |                    |
|-----------------------|--------------------|
| - name:               | - date:            |
| - field of expertise: | - plunitif number: |
| - name:               | - date:            |
| - field of expertise: | - plunitif number: |

**The** (check only the boxes for documents that will be filed)

**confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st par. C.C.P.)

**confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:  
 - affiant: - date of affidavit:  
 - affiant: - date of affidavit:

**confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):  
 - witness: - date of examination:  
 - witness: - date of examination:

**confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:  
 - name: - date:  
 - field of expertise: - plunitif number:  
 - name: - date:  
 - field of expertise: - plunitif number:

**III - A – ADMISSIONS REGARDING THE EXHIBITS<sup>1</sup>**

Exhibit number <sup>2</sup>	Description	Admission of the origin	Admission of the integrity	Admission as testimony <sup>3</sup>	Admission of the content	No admission

1. The parties who wish to stipulate partial admissions or to qualify their admissions, be they partial or not, must append the list containing such admissions to the present document.
2. *Regulation of the Superior Court of Québec in civil matters, Art. 18: "Identification of exhibits and pagination. An exhibit that has been disclosed and produced must be identified by one letter for each party, followed by a consecutive number from the beginning to the end of the record. Exhibits retain the same identification for all applications, on the merits and in the course of a proceeding. [...]"*
3. The admission of an exhibit as testimony means only that no witness is required to appear for the production of such exhibit into the Court record and that if the author of the document were to appear as a witness, he would make the same statement as that contained in the exhibit. This admission is made under reserve of the rights of the parties regarding any other objection or representation they may make at trial.

IV – TRIAL						
List of witnesses (Estimate as accurately as possible the time needed for testimony, including cross-examination)						
Name of witness for the plaintiff	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the plaintiff (1 day = 5 hours)</b>				<b>days</b>	<b>hrs</b>	
Name of witness for the defendant	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the defendant (1 day = 5 hours)</b>				<b>days</b>	<b>hrs</b>	
Name of witness for the	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the</b>				<b>days</b>	<b>hrs</b>	

Time needed for trial		
- Time needed - evidence for the plaintiff:	days	hrs
- Time needed - evidence for the defendant:	days	hrs
- Time needed - evidence for the _____ :	days	hrs
- Time needed - argument for the plaintiff:	days	hrs
- Time needed - argument for the defendant:	days	hrs
- Time needed - argument for _____ :	days	hrs
<b>- Total time for trial (1 day = 5 hours)</b>	<b>days</b>	<b>hrs</b>

<b>Services required</b>
<input type="checkbox"/> The services of an interpreter are required for the testimony of <input type="checkbox"/> The following technological means are required for the trial:
<p><b>N.B.:</b> <i>"If the declaration cannot be made by the parties jointly, the plaintiff or, if the plaintiff fails to do so, another party, files a declaration and notifies it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted."</i>  (174 in fine C.C.P.)</p>

Signed on

\_\_\_\_\_  
Plaintiff

or

**Mtre.**

Counsel for the plaintiff

\_\_\_\_\_  
Defendant

or

**Mtre.**

Counsel for the defendant

\_\_\_\_\_  
or**Mtre.**

Counsel for the

\_\_\_\_\_  
or**Mtre.**

Counsel for the

**SCHEDULE 6 - Request for Setting Down for Trial and Judgment by Way of a Joint Declaration (Family Matters)**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

CANADA  
 PROVINCE OF QUÉBEC  
 District:  
 File no.:

SUPERIOR COURT

Plaintiff

v.

Defendant

and

---

**REQUEST FOR SETTING DOWN FOR TRIAL  
 AND JUDGMENT BY WAY OF A JOINT DECLARATION**  
 Québec Superior Court – Montréal Division – Family Matters  
 (art. 173 and 174 C.C.P.)

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**This request for setting down for trial and judgment and the attached joint declaration are made on the initiative of:**

- all the parties to the case
- the plaintiff alone

I – PARTIES AND LAWYERS	
Plaintiff	Lawyer responsible
Name:	Name:
Address:	Firm:
Phone:	Address:
Fax:	Phone:
E-mail:	Fax:
	E-mail:

<b>Defendant</b>	<b>Lawyer responsible</b>
Name:	Name:
Address:	Firm:
Phone:	Address:
Fax:	Phone:
E-mail:	Fax:
	E-mail:

	<b>Lawyer responsible</b>
Name:	Name:
Address:	Firm:
Phone:	Address:
Fax:	Phone:
E-mail:	Fax:
	E-mail:

## II – DISPUTE

### Nature of the dispute:

Amount:

Cross-application:

yes

no

Nature:

Amount of the cross-application:

### Matters in dispute (the two parties must check each matter in dispute in the case):

<input type="checkbox"/> Child custody	<input type="checkbox"/> Access rights	<input type="checkbox"/> Parental authority
<input type="checkbox"/> Child support	<input type="checkbox"/> Spousal support	<input type="checkbox"/> Arrears
Income of the: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	<input type="checkbox"/> Children's income	<input type="checkbox"/> Special expenses
<input type="checkbox"/> Hardship (undue hardship)	<input type="checkbox"/> Partition of patrimony	<input type="checkbox"/> Partition of matrimonial regime
<input type="checkbox"/> Total amount	<input type="checkbox"/> Compensatory allowance	<input type="checkbox"/> Provision for costs
<input type="checkbox"/> Contempt of court	<input type="checkbox"/> International abduction	<input type="checkbox"/> Other:

**List of facts admitted by the parties:**

- 1-
- 2-
- 3-

**List of points to be covered by expert opinion:**

- 1-
- 2-
- 3-

**III – EXHIBITS AND EVIDENCE**

**The plaintiff** (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of exhibits sent to the other party(ies) (art. 248 1st par. C.C.P.)
- confirms** that he/she has filed in the record:
- all the documents needed to determine child support
  - all the documents needed to determine spousal support
  - his/her *Statement of Family Patrimony*;  his/her *Statement of Partnership of Acquests*
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: - date of affidavit:
  - affiant: - date of affidavit:
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
- witness: - date of examination:
  - witness: - date of examination:
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:
- name: - date:
  - field of expertise: - plunitif number:
  - name: - date:
  - field of expertise: - plunitif number:

**The defendant** (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st par. C.C.P.)
- confirms** that he/she has filed in the record:
- all the documents needed to determine child support
- all the documents needed to determine spousal support
- his/her *Statement of Family Patrimony*;  his/her *Statement of Partnership of Acquests*
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: - date of affidavit:
- affiant: - date of affidavit:
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
- witness: - date of examination:
- witness: - date of examination:
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:
- name: - date:
- field of expertise: - plunitif number:
- name: - date:
- field of expertise: - plunitif number:

**The** (check only the boxes for documents that will be filed)

- confirms** that he/she has filed – with this joint declaration – a complete and up-to-date list of the exhibits sent to the other party(ies) (art. 248 1st par. C.C.P.)
- confirms** that he/she has filed in the record the affidavits (in accordance with art. 292 C.C.P.) of the following persons:
- affiant: - date of affidavit:
- affiant: - date of affidavit:
- confirms** that he/she has filed and intends to use at trial a transcript of the examination (oral or written) of the following persons (in accordance with art. 223 and 227 C.C.P.):
- witness: - date of examination:
- witness: - date of examination:
- confirms** that he/she has filed and intends to use at trial the expert reports (in accordance with art. 239 2nd par. and 293 C.C.P.) of the following persons:
- name: - date:
- field of expertise: - plunitif number:
- name: - date:
- field of expertise: - plunitif number:

<b>IV – TRIAL</b>						
<b>List of witnesses</b>						
<b>(Estimate as accurately as possible the time needed for testimony, including cross-examination)</b>						
Name of witness for the plaintiff	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the plaintiff</b> (1 day = 5 hours)				<b>days</b>	<b>hrs</b>	
Name of witness for the defendant	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the defendant</b> (1 day = 5 hours)				<b>days</b>	<b>hrs</b>	
Name of witness for the	Subject matter of the testimony	French or English	Ordinary or Expert	Time - In chief	Time - Cross-exam.	Total time - Witness
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
		<input type="checkbox"/> F <input type="checkbox"/> E	<input type="checkbox"/> O <input type="checkbox"/> E	hrs	hrs	hrs
<b>Total time, evidence for the</b> (1 day = 5 hours)				<b>days</b>	<b>hrs</b>	

<b>Time needed for trial</b>		
- Time needed - evidence for the plaintiff:	days	hrs
- Time needed - evidence for the defendant:	days	hrs
- Time needed - evidence for the _____ :	days	hrs
- Time needed - argument for the plaintiff:	days	hrs
- Time needed - argument for the defendant:	days	hrs
- Time needed - argument for the _____ :	days	hrs
<b>- Total time for trial</b> (1 day = 5 hours)	<b>days</b>	<b>hrs</b>

<b>Services required</b>
<input type="checkbox"/> The services of an interpreter are required for the testimony of <input type="checkbox"/> The following technological means are required for the trial:
<p><i>N.B.: "If the declaration cannot be made by the parties jointly, the plaintiff or, if the plaintiff fails to do so, another party, files a declaration and notifies it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted."  (174 in fine C.C.P.)</i></p>

Signed on

---

 Plaintiff

Or

**Mtre.**

Counsel for the plaintiff

---

 Defendant

or

**Mtre.**

Counsel for the defendant

---

 Or
**Mtre.**

Counsel for the

**SCHEDULE 7 - Joint Declaration for Inscription on the Roll for Cases of Three (3) Days or Less**

CANADA  
Province of Quebec  
District of Laval  
No: \_\_\_\_\_

SUPERIOR COURT  
Civil or Family Division

\_\_\_\_\_  
Plaintiff

\_\_\_\_\_  
Defendant

**JOINT DECLARATION FOR INSCRIPTION ON THE ROLL  
FOR CASES OF THREE (3) DAYS or less ONLY**

**DURATION:** \_\_\_\_\_

After consulting counsel and confirming the availability of our clients and witnesses, we have agreed that we are ready to proceed on the following dates.  
(Note: It is important to indicate all 4 date choices)

1st choice \_\_\_\_\_

2nd choice \_\_\_\_\_

3rd choice \_\_\_\_\_

4th choice \_\_\_\_\_

\*If you would like a confirmation of the date retained, please include your email address.

\*\*\* Setting a trial date is conditional on the filing of a **Request for Setting Down for Trial and Judgment by Way of a Joint Declaration**, provided that it is consistent with the requirements of art. 174 C.C.P. and that the court office fees have been paid.

\_\_\_\_\_  
Signature (lead counsel)  
Applicant  
Office: \_\_\_\_\_

Counsel: Mtre \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_  
Signature (lead counsel)  
Defendant  
Office: \_\_\_\_\_

Counsel: Mtre \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_  
Signature (lead counsel)  
Applicant  
Office: \_\_\_\_\_

Counsel: Mtre \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

\_\_\_\_\_  
Signature (lead counsel)  
Defendant  
Office: \_\_\_\_\_

Counsel: Mtre \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_

**SCHEDULE 8 - List of Permanent Teams Rooms**

**LAVAL - Permanent TEAMS numbers****SUPERIOR COURT, CIVIL/FAMILY**

<b>ROOM</b>	<b>TEAMS NUMBERS</b>
<b>VIRTUAL WAITING ROOM</b> S.C., Laval	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#"><u>SUPERIOR COURT LAVAL VIRTUAL WAITING ROOM - VIDEOCONFERENCE ACCESS</u></a>  Join with the help of a (URL) <b>shortcut link</b>:  <a href="https://url.justice.gouv.qc.ca/DelZ"><u>https://url.justice.gouv.qc.ca/DelZ</u></a>  <b>Conference call:</b>  <b>450-328-4032</b> - Local number  <b>+1 (833) 450-1741</b> - Toll free number  Conference ID: <b>816 736 560#</b>  To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca"><u>teams@teams.justice.gouv.qc.ca</u></a> VTC Conference ID: 1121877487</p>
<b>ROOM 2.02</b> S.C., Laval	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#"><u>Joining the Microsoft Teams meeting - Room 2.02</u></a>  Join with the help of a (URL) shortcut link:  <a href="https://url.justice.gouv.qc.ca/JEI60M"><u>https://url.justice.gouv.qc.ca/JEI60M</u></a> (copy the URL address to your computer's web browser)  <b>Conference call:</b>  <b>450-328-4032</b> - Local number  <b>+1 833-450-1741</b> - Toll free number  Conference ID: <b>660 112 209#</b>  To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca"><u>teams@teams.justice.gouv.qc.ca</u></a> VTC Conference ID: 1173363028</p>
<b>ROOM 2.03</b> S.C., Laval	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#"><u>Joining the Microsoft Teams meeting - Room 2.03</u></a>  Join with the help of a (URL) shortcut link:  <a href="https://url.justice.gouv.qc.ca/k8za"><u>https://url.justice.gouv.qc.ca/k8za</u></a> (copy the URL address to your computer's web browser)  <b>Conference call:</b>  <b>450-328-4032</b> - Local number  <b>+1 833-450-1741</b> - Toll free number  Conference ID: <b>468 762 359#</b>  To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca"><u>teams@teams.justice.gouv.qc.ca</u></a> VTC Conference ID: 1119383837</p>
<b>ROOM 2.04</b> S.C., Laval	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#"><u>Joining the Microsoft Teams meeting - Room 2.04</u></a>  Join with the help of a (URL) <b>shortcut link</b>:</p>

	<p><a href="https://url.justice.gouv.qc.ca/5i83ub">https://url.justice.gouv.qc.ca/5i83ub</a> (copy the URL address to your computer's web browser)</p> <p><b>Conference call:</b>  <b>450-328-4032</b> - Local number  <b>+1 833-450-1741</b> - Toll free number  Conference ID: <b>775 297 98#</b></p> <p>To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca">teams@teams.justice.gouv.qc.ca</a> VTC Conference ID: 1148652966</p>
<p><b>ROOM 2.05</b>  <b>S.C., Laval</b></p>	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#">Joining the Microsoft Teams meeting - Room 2.05</a></p> <p>Join with the help of a (URL) <b>shortcut link:</b>  <a href="https://url.justice.gouv.qc.ca/WBbxw">https://url.justice.gouv.qc.ca/WBbxw</a> (copy the URL address to your computer's web browser)</p> <p><b>Conference call:</b>  <b>(450)-328-4032</b> - Local number  <b>+1 (833) 450-1741</b> - Toll free number  Conference ID: <b>497 597 092#</b></p> <p>To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca">teams@teams.justice.gouv.qc.ca</a> VTC Conference ID: 1111225705</p>
<p><b>ROOM 2.06B</b>  <b>S.C., Laval</b></p>	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#">Joining the Microsoft Teams meeting - Room 2.06B</a></p> <p>Join with the help of a (URL) shortcut link:  <a href="https://url.justice.gouv.qc.ca/f8Q9nOh">https://url.justice.gouv.qc.ca/f8Q9nOh</a> (copy the URL address to your computer's web browser)</p> <p><b>Conference call:</b>  <b>450-328-4032</b> - Local number  <b>+1 833-450-1741</b> - Toll free number  Conference ID: <b>328 101 788#</b></p> <p>To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca">teams@teams.justice.gouv.qc.ca</a> VTC Conference ID: 1145800722</p>
<p><b>ROOM 2.09</b>  <b>S.C., Laval</b></p>	<p>To join the <b>videoconference</b> click on the hyperlink:  <a href="#">Joining the Microsoft Teams meeting - Room 2.09</a></p> <p>Join with the help of a (URL) <b>shortcut link:</b>  <a href="https://url.justice.gouv.qc.ca/BwpEi">https://url.justice.gouv.qc.ca/BwpEi</a>(copy the URL address to your computer's web browser)</p> <p><b>Conference call:</b>  <b>(450)-328-4032</b> - Local number  <b>+1 (833) 450-1741</b> - Toll free number  Conference ID: <b>745 832 901#</b></p> <p>To join using videoconferencing tools  <a href="mailto:teams@teams.justice.gouv.qc.ca">teams@teams.justice.gouv.qc.ca</a> VTC Conference ID: 1159974728</p>

\*\*\* Please note that **a connection test must be performed** using the **Minister of Justice of Québec's Service des ressources audiovisuelles et électroniques (SRAVE) at least five days before the date of the hearing.**

To perform the test please click on the following hyperlink:

[CONNECTION TEST - VIDEOCONFERENCE ACCESS S.R.A.V.E. of the M.J.Q.](#)

If you have connection problems or if you are unable to reach a SRAVE technician to perform a connection test, please contact technical assistance using the following telephone number:

**For assistance, please contact S.R.A.V.E.'s help resource at:  
1 514-393-2537 or 1 866-423-3248**

**SCHEDULE 9 - Preparation Guide for Lawyers and Parties (Remote Hearing)**

## SRAVE Environment test Assistance service

For any questions regarding the videoconference, a technician is available  
from Monday to Friday from 8:00 a.m. to 5:00 p.m.

Using **Teams**: click on the following permanent connection link:  
[CONNECTION TEST - VIDEOCONFERENCE ACCESS S.R.A.V.E. of the M.J.Q.](#)

By telephone, dial:  
+1 581-319-2194 Canada, Quebec (Charges will apply)  
1 833-450-1741 Canada (Toll Free)  
Conference ID: 475 793 860#

For virtual hearings, the Superior Court recommends that you read the following documents:

- [Microsoft Teams User Guide for the General Public.](#)  
(click on the hyperlink)
- [Justice Québec's website regarding courtroom hearings held in virtual rooms.](#)  
(click on the hyperlink)
- [Guidelines concerning the use of technology during hearings.](#)  
(click on the hyperlink)
- [Guide for Lawyers and Parties using Teams.](#)  
(click on the hyperlink)
- [Guide for Witnesses using Teams.](#)  
(click on the hyperlink)

### **INFORMATION CONCERNING THE FILING OF DOCUMENTS DURING VIRTUAL HEARINGS:**

At least five days **before** the hearing, you must file at the civil court office counter, Room RC.05 of the Laval Courthouse, in person or by mail, to the attention of the master of the rolls of the Superior Court, all documents, of any nature whatsoever (book of proceedings, exhibits, and authorities), that you intend to use during the trial, specifying the date of the hearing. With some exceptions, the Digital Court Office of Québec – DCOQ allows only pleadings to be filed.

- [Digital Court Office of Québec](#) (click on the hyperlink)

For any other information, do not hesitate to contact the civil court office at 450 686-5021 ext. 62206 and ask to speak with the master of the rolls team.

## **SCHEDULE 10 - Guide for using Microsoft Teams (Remote Hearing)**

*You can download this document by clicking [HERE](#)*

*or*

*<https://www.barreau.qc.ca/media/2572/20200902-guide-utilisation-teams-justice-quebec.pdf>*

*(French only)*

## **SCHEDULE 11 - Guide for Witnesses (Remote Hearing)**

*You can download this document by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/roles-of-the-court/virtual-hearings>*



## How to prepare for a virtual hearing

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Information sheet for lawyers and parties participating in a Superior Court of Quebec virtual or semi-virtual hearing – October 2020 version

## PRIOR TO THE VIRTUAL HEARING

### Prepare your material

**Device** You must use a device that allows you to communicate in video mode: a smart phone, tablet, laptop computer or desktop computer with a camera.

Verify that the communication works well (sound and video). You can make test calls using an application with which you are familiar such as FaceTime, Messenger, Zoom, Teams or Skype.

**Internet connection.** A minimum internet speed of 10Mbps is required (upload and download). You can check the speed of your connection by clicking on the following address: [www.speedtest.net](http://www.speedtest.net) .

**Video camera.** The camera you will be using must be stable and allow participants to see you at eye level.

**Headphones.** It is preferable to use headphones to be more comfortable and to hear other participants better.

**Chair and useful objects.** Have a comfortable chair to sit in. The hearing may last for several hours. Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.

### Set up a closed and quiet room

You must set up a closed room that is sufficiently soundproofed to avoid being overheard. Make sure the background is appropriate (what you will see behind you).

Please note that you must be alone in the room during the hearing.

### Take measures to look after the children

If you are alone with a child on the day of your testimony the child must be old enough to look after himself or herself for short periods. You can ask to suspend the hearing every 15 or 30 minutes so that you can check in with the child.

If the child needs to do online classes or do homework, make sure that he or she can use his or her own electronic device and that your Internet connection is fast enough for both devices.

If your child is too young to look after himself or herself, try to find someone who will take care of him or her during the hearing. If that is not possible, you must notify the judge as soon as possible. The judge will take whatever measures are required.

**Take measures to protect the children (cases in family matters)**

The children must not be involved in the dispute. It is very important therefore that you take the necessary steps to ensure that children do not see or hear what happens during the testimony.

These steps are necessary to protect the best interest and well-being of the children.

## **ACCESS TO THE VIRTUAL COURTROOM**

The virtual courtroom takes place on the “Microsoft Teams” platform.

You have the option of:

➤ **Downloading and installing the Teams application.**

You will then have access to all the features available on the platform.

➤ **Accessing the virtual courtroom directly on the web, without downloading or installing the Teams application.**

However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen.

Please note! You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

### **You must connect at least five minutes before the start of the hearing**

The procedure is always the same, whether or not you have decided to install the Teams application. You must simply:

1. Click on the link the judge or the clerk sent you by email.
2. Enter your name when you are prompted to do so.
3. Click “Join Now”.
4. If the website prompts you to do so, you must choose “Join as a guest”.
5. Wait for the authorization of the judge or the court clerk before entering the courtroom.

Once in the courtroom, we suggest you turn off your microphone and your camera by clicking on the icons that will appear on the screen.

### **Test your connection to the TEAMS platform**

The Court suggests that you test your connection and familiarize yourself with the Teams platform.

For assistance call 1-514-393-2537 or 1-866-423-3248.

You will also find the contact information for the helpdesk in case you require technical assistance.

### **Connecting by telephone (audio only)**

You can join the virtual hearing by telephone if you are unable to use the video feature. In that case, you must:

1. Dial 1-581-319-2194 (if your area code is 418) or 833-450-1741 (other area codes, toll-free).
2. When prompted to do so, dial the 9-digit meeting number that the judge or the court clerk sent to you by email, followed by the pound sign.

## **DURING THE VIRTUAL HEARING**

### **Conduct of the hearing**

The virtual hearing proceeds in the same fashion as an in-person hearing. In short:

1. **Greeting**  
The judge greets the parties and explains how the hearing works.
2. **Evidence of the parties**  
The plaintiff presents evidence (witnesses, documents, sound or video recordings, etc.), then it is the defendant's turn.
3. **Arguments of the parties**  
The plaintiff presents their legal arguments and explains their version of the facts, and then it is the defendant's turn.
4. **Judgment**  
The judge can render his or her decision immediately, in front of the parties. The judge may also render it later in writing.

The judge or the clerk controls entry to and exit from the virtual courtroom.

The witnesses who are not one of the parties are present only for the duration of their testimony.

A participant must have the judge's permission to speak.

### **Communication between a party and his or her lawyer.**

During a virtual hearing, the party and his or her lawyer must obtain the judge's authorization to speak or exchange information. They may request it verbally or by raising their hand.

If the judge accepts, the hearing will be suspended. The party and his or her lawyer will then be able to send text messages on their own devices or speak to each other on a different telephone line. In that case, they must ensure that their microphone is closed so that the judge and the other participants cannot hear them.

Please note. The courtrooms chat room feature works but all the participants can read the exchanges. We suggest that you use the chat only to report technical problems.

**Use of evidence**

During the hearing, you may only use evidence that you have already sent to the other parties. You cannot use fresh evidence, unless the judge grants you special permission.

Please note. After the hearing, you must ensure that the Court record is complete. You must ensure therefore that you file into evidence the paper version of all of your evidence.

**Cooperation with other parties**

In the current context, parties must cooperate more than ever. You must stick to the real legal issues and act in good faith throughout the process.

## **Respect the rules of conduct**

**Dress.** You must wear appropriate clothing, even if you are taking part in the hearing virtually.

**Photos and video recording.** It is strictly forbidden to take photographs or screen captures during the hearing. You may not record or rebroadcast either the sound or the image.

## **Important Notices**

- If you plan to use a wireless Internet connection (Wi-Fi) on the day of the hearing, make sure you have the password to log in.
- Plug your device into a socket or, if your device is not plugged in, make sure that it is sufficiently charged.
- For questions on how to use the Teams platform, consult the Justice Québec Microsoft Teams User Guide for the General Public (<https://www.justice.gouv.qc.ca/en/judicial-system/virtual-courtroom-hearings>).

Finally, please note that the virtual courtroom where the hearing is conducted is secure. You can have confidence in the technology used. Those who have used it so far have been pleasantly surprised.

Thank you for your cooperation.



## How to prepare to testify at a virtual hearing

### Prior to the virtual hearing

#### Prepare your material

**Device** You must use a device that allows you to communicate in video mode: a smart phone, tablet, laptop computer or desktop computer with a camera.

Verify that the communication works well (sound and video). You can make test calls using an application with which you are familiar such as FaceTime, Messenger, Zoom, Teams or Skype.

**Internet Connection** A minimum internet speed of 10Mbps is required (upload and download). You can check the speed of your connection by clicking on the following address: [www.speedtest.net](http://www.speedtest.net).

**Video camera** The camera you will be using must be stable and allow participants to see you at eye level.

**Headphones** It is preferable to use headphones to be more comfortable and to hear other participants better.

**Chair and useful objects** Have a comfortable chair to sit in. The hearing may last for several hours. Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.

#### Set up a closed and quiet room

You must set up a closed room that is sufficiently soundproofed to avoid being overheard. Make sure the background is appropriate (what you will see behind you).

Please note that you must be alone in the room during your testimony.

#### Take measures to look after the children

If you are alone with a child on the day of your testimony the child must be old enough to look after himself or herself for short periods. You can ask to suspend the hearing every 15 or 30 minutes so that you can check in with the child.

If the child needs to do online classes or do homework, make sure that he or she can use his or her own electronic device and that your Internet connection is fast enough for both devices.

If your child is too young to look after himself or herself, try to find someone who will take care of him or her during your testimony. If that is not possible, you must notify the judge as soon as possible. The judge will take whatever measures are required.

## **ACCESS TO THE VIRTUAL COURTROOM**

The virtual courtroom takes place on the “Microsoft Teams” platform. You have the option of:

- **Downloading and installing the Teams application.**  
You will then have access to all the features available on the platform.
- **Accessing the virtual courtroom directly on the web**, without downloading or installing the Teams application.  
However, you will not have access to all of the features of the platform. For example, you will see only one participant at a time on your screen.  
Please note: You must use one of the following browsers: Chrome or Microsoft Edge Chromium. You must not use Explorer or Firefox.

### **You must connect at least five minutes before the start of the hearing**

The procedure is simple. You must:

1. Click on the link that the judge or the court clerk will send to you by email.
2. Enter your name when you are prompted to do so.
3. Click “Join Now”.
4. If the website prompts you to do so, you must chose “Join as a guest”.
5. Wait for the authorization of the judge or the court clerk before entering the courtroom.

Once in the courtroom, we suggest you turn off your microphone and your camera by clicking on the icons that will appear on the screen.

### **Test your connection to the TEAMS platform**

The Court suggests that you test your connection and familiarize yourself with the Teams platform.

For assistance call 1-514-393-2537 or 1-866-423-3248.

You will also find the contact information for the helpdesk in case you require technical assistance.

### **Connecting by telephone (audio only)**

You can join the virtual hearing by telephone if you are unable to use the video feature. In that case, you must:

1. Dial 1-581-319-2194 (if your area code is 418) or 833-450-1741 (other area codes, toll-free).
2. When prompted to do so, dial the 9-digit conference number that the judge or the court clerk sent to you by email, followed by the pound sign.

## **IMPORTANT REMINDERS FOR YOUR TESTIMONY**

- If you plan to use a wireless Internet connection (Wi-Fi), make sure you have the password to log in.
- Plug your device into a socket or, if your device is not plugged in, make sure that it is sufficiently charged.
- Even though you are testifying virtually, you must wear suitable clothing.
- Have certain useful objects at hand: paper, pencil, glass of water, glasses, etc.
- For questions on how to use the Teams platform, consult the Justice Québec Microsoft Teams User Guide for the General Public (<https://www.justice.gouv.qc.ca/en/judicial-system/virtual-courtroom-hearings>).

Finally, please note that the virtual courtroom where the hearing is conducted is secure. You can have confidence in the technology used. Those who have used it so far have been pleasantly surprised.

Thank you for your cooperation.

**SCHEDULE 12 - Standard Email for Witnesses (Remote Hearing)**

SUPERIOR COURT VIRTUAL HEARING  
NOTICE TO WITNESS – STANDARD EMAIL

**How to use this standard email**

- Copy-paste the text below into an email.
- Fill out the information **in green**.
- Attach the following document: “Witness – Information virtual hearing”.
- Send the email to the witness.

**Subject:** You are required to testify in file **name of parties OR parties' initials in family matters (file number)**

**Dear Sir or Madam,**

At the request of **name of party**, you must testify at a hearing of the Superior Court in the file named in the subject line.

This hearing will be conducted virtually on the Internet:

**On:** **date of hearing**

**At:** **time of hearing**

**Link** to join the hearing by videoconferencing: **TEAMS Link**

**Conference number** to join the hearing using audio only: **9-digit conference number (do NOT use the 10-digit number)**.

In principle, all of the other persons involved in the file will also participate remotely (parties, counsel, witnesses, experts, etc.).

**AS SOON AS POSSIBLE**

You must write to me at this email address:

- To confirm that you received this notice of hearing.

- To confirm that you intend to testify and that you will be available on the day of the hearing.
- To provide me with the telephone number where I can reach you, if necessary.

**PLEASE BE AVAILABLE FOR THE ENTIRE DURATION OF THE HEARING**

It is impossible to know in advance the exact time at which you will testify. You must therefore remain available for the entire duration of the hearing.

You will receive a telephone call or a text (SMS) message a few minutes before the start of your testimony. That is when you must connect to the virtual hearing room.

**PREPARATION FOR AND CONNECTION TO THE VIRTUAL HEARING**

A document containing important information to help you prepare is attached.

That document also explains how to connect to the virtual hearing.

Thank you for your cooperation,

**Name and contact information of the person sending the notice**

## **SCHEDULE 13 - Joint Application for a Settlement Conference**

*You can download this form from the Superior Court website by clicking [HERE](#)*

*or*

*<https://coursuperieureduquebec.ca/en/montreal-division/forms>*

CANADA  
 PROVINCE OF QUÉBEC  
 DISTRICT OF  
 N°:

SUPERIOR COURT

Plaintiff

v.

Defendant

**Request of the Parties to the Chief Justice  
 for a Settlement Conference  
 (Art. 161 C.C.P.)**

Date:

1. **The Parties request** a settlement conference to assist them in reaching a final and mutually satisfactory solution to our dispute.
2. We believe that a negotiated solution is possible. **The Parties declare that they are ready and prepared** to undertake the necessary efforts to achieve such a solution.
3. The following is a summary of the facts and main issues:

**FACTS:**

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**ISSUES:**

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4. The parties' lawyers will be present at the settlement conference which will be held:

in English     in French     Both

5. The estimated length of the hearing on the merits is \_\_\_\_\_ days

6. The monetary value in dispute is (if applicable) \_\_\_\_\_

7. We understand that the settlement conference **does not stay the proceeding** and that anything said, written or done during the settlement conference is confidential (163 C.C.P.).

8. Please list four dates when all the parties are available for a settlement conference:

1 - \_\_\_\_\_ 20\_\_\_\_\_ 2 - \_\_\_\_\_ 20\_\_\_\_\_

3 - \_\_\_\_\_ 20\_\_\_\_\_ 4 - \_\_\_\_\_ 20\_\_\_\_\_

For the Montreal Division, please contact the *Maître des rôles* at 514 393-2021 ext. 6 to inquire about available dates.

9. We all agree that the settlement conference be held:

in person     in virtual mode, by TEAMS     one or the other

10. If the **case is already scheduled for trial**, unless already authorized by the Chief Justice or Associate Chief Justice, you must contact the judge responsible for the Settlement Conference Chamber to inform him/her of any exceptional circumstances justifying your request for a settlement conference and indicating the date of the trial.

11. For **urgent requests**, you must contact the judge responsible for the Settlement Conference Chamber to inform him/her of the reasons justifying the urgency.

**PLAINTIFF**

\_\_\_\_\_  
Name of Plaintiff (in block letters)

Mtre. \_\_\_\_\_

Name of Attorney (in block letters)

\_\_\_\_\_  
Law firm

Phone (area code and no.): \_\_\_\_\_

Fax (area code and no.): \_\_\_\_\_

Email: \_\_\_\_\_

Number of participants at the settlement conference  
for this Party \_\_\_\_\_

**We confirm that we are in possession  
of and have communicated all the  
documents necessary to settle the  
dispute.**

**DEFENDANT**

\_\_\_\_\_  
Name of Defendant (in block letters)

Mtre. \_\_\_\_\_

Name of Attorney (in block letters)

\_\_\_\_\_  
Law firm

Phone (area code and no.): \_\_\_\_\_

Fax (area code and no.): \_\_\_\_\_

Email: \_\_\_\_\_

Number of participants at the settlement conference  
for this Party \_\_\_\_\_

**We confirm that we are in possession  
of and have communicated all the  
documents necessary to settle the  
dispute.**

<hr/> <b>Signature of the Party</b> <hr/> <b>Signature of Attorney</b>	<hr/> <b>Signature of the Party</b> <hr/> <b>Signature of Attorney</b>
--	--

<p><b><u>OTHER PARTY</u></b></p> <hr/> Name of other Party (in block letters)  Mtre. _____ Name of Attorney for the Party (in block letters)  Law firm  Phone (area code and no.): _____  Fax (area code and no.): _____  Email: _____  Number of participants at the settlement conference for this Party _____  <p><b>We confirm that we are in possession of and have communicated all the documents necessary to settle the dispute.</b></p> <hr/> <b>Signature of the Party</b> <hr/> <b>Signature of Attorney</b>	<p><b><u>OTHER PARTY</u></b></p> <hr/> Name of other Party (in block letters)  Mtre. _____ Name of Attorney for the Party (in block letters)  Law firm  Phone (area code and no.): _____  Fax (area code and no.): _____  Email: _____  Number of participants at the settlement conference for this Party _____  <p><b>We confirm that we are in possession of and have communicated all the documents necessary to settle the dispute.</b></p> <hr/> <b>Signature of the Party</b> <hr/> <b>Signature of Attorney</b>
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Notes

1. Please make sure that all parties have in their possession the same Request duly completed and signed before returning it to the Settlement Conference Dept. No date will be fixed before the completed and signed Request is received.
2. Whether you are an attorney or a self-represented party, please provide your mailing address, telephone, fax and email information to facilitate rapid communication to schedule a date.
3. Please ensure that any handwritten Request is legible to avoid delays in processing.
4. To ensure the efficient use of judicial resources, to promote recourse to settlement conferences early in the litigation process and save for exceptional circumstances, no request for a settlement conference will be accepted unless authorized by the Coordinator of the Settlement Conference Chamber.
5. Kindly return all pages of this Request to the Settlement Conference Dept. of the appropriate Division by email, fax or regular mail.

**Montreal Division:**

Superior Court  
Service des conférences de règlement à l'amiable  
Montreal's Court Office

E-mail:  
[cour-superieure-cra.mtl@justice.gouv.qc.ca](mailto:cour-superieure-cra.mtl@justice.gouv.qc.ca)

1 Notre-Dame Street East, office 1.150  
Montréal (Québec) H2Y 1B6

Phone: 514 393-2021 ext. 6  
Fax: 514 393-4864

**Quebec Division:**

Superior Court  
Service des conférences de règlement à l'amiable  
Quebec's Court Office

E-mail:  
[conferenceqc@judex.qc.ca](mailto:conferenceqc@judex.qc.ca)

300 Jean-Lesage Boulevard, office R-327  
Québec (Québec) G1K 8K6

Phone: 418 649-3626  
Fax: 418 528-9953

**This form may also be downloaded from the official website of the Superior Court:**

[http://www.tribunaux.qc.ca/mjq\\_en/c-superieure-m/avis/formulaires/Form\\_demande\\_CRA-a.doc](http://www.tribunaux.qc.ca/mjq_en/c-superieure-m/avis/formulaires/Form_demande_CRA-a.doc)

**SCHEDULE 14 - Notice of Presentation in Family Matters**

CANADA  
 PROVINCE OF QUÉBEC  
 DISTRICT OF LAVAL

SUPERIOR COURT  
 ( \_\_\_\_\_ Division)

N° : 540- \_\_\_\_\_

v.

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Defendant

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**NOTICE OF PRESENTATION  
 FAMILY PRACTICE (ROOM 2.02)**

*(Identification of the relevant procedural act and articles of the C.C.P. or C.C.Q.)*

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Recipients :

**1. REMOTE CALLING OF THE PRACTICE ROLL (at 1 :00 pm)** (presided by the special clerk of the Superior Court the working day before the date at which the application is presented)

**TAKE NOTICE** that the remote calling of the practice roll will take place on \_\_\_\_\_ 20\_\_\_\_, at 1:00 p.m.

During that call, if the file is complete, you will be able to reserve your hearing date or inform the Court of the time required to present the applications to be heard by a judge on the date of presentation, the whole in accordance with the directives of the coordinating judge.

## 2. PRÉSENTATION OF THE APPLICATION

**TAKE NOTICE** that following the calling of the roll, the application \_\_\_\_\_

\_\_\_\_\_ will be presented in the Family Practice Division of the Superior Court in room 2.02 of the Laval Courthouse (2800 Saint-Martin Blvd. West, Laval, Quebec), on \_\_\_\_\_ 20\_\_\_\_, at 9:00 a.m., or as soon as counsel can be heard.

## 3. HOW TO JOIN THE REMOTE PRACTICE ROLL CALL

The contact details to join the remote practice roll call of Room 2.02 are as follows :

- a) **by Teams** : by clicking on the link corresponding to room 2.02 available **HERE** <sup>6</sup> or using the following link (URL): **<https://url.justice.gouv.qc.ca/JEI60M>** (click on hyperlink or copy the URL address into your computer's search browser).

You will then have to enter your name and click on "Join now". In order to facilitate the process and the identification of participants, we invite you to enter your name as follows:

The lawyers: M<sup>e</sup> First name, Last name (the name of the represented party)

Parties not represented by lawyer: First name, Last name (specify: plaintiff, defendant or other)

For people attending a public hearing: only enter the words "public"

- b) **by telephone** :

Toll-free (Canada): **1-833-450-1741**

Local telephone number (charges will apply): **450-328-4032**

Conference number: **660 112 209#**

- c) **by vidéoconférence** : **[teams@teams.justice.gouv.qc.ca](mailto:teams@teams.justice.gouv.qc.ca)**

ID of the VTC conference: 1173363028

- d) **in person**, if and only if you do not have access to the other means above.

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<sup>6</sup> The TEAMS Links to reach the courtrooms of the Laval Courthouse in commercial, civil and family matters are published under the heading "Virtual Hearings" available on the Superior Court website at the following address: <https://coursuperieuredunquebec.ca/en/roles-of-the-court/virtual-hearings> and on the website of the Barreau de Laval (at Schedule 8 of the Directives) at the following address: <https://barreaudelaval.qc.ca/covid-19-directives-generales-2/>

#### 4. FAILURE TO ATTEND THE REMOTE PRACTICE ROLL CALL OF 1 P.M.

**TAKE NOTICE** that if you wish to contest the application you must attend the 1 p.m. remote practice roll call. Otherwise, a judgment may be rendered against you when the application is presented, without further notice or delay.

#### 5. CONTESTATION OF THE APPLICATION IN FAMILY MATTERS

**TAKE NOTICE** that to ready the case and contest the application, you must have served the undersigned lawyer and filed into the Court record, not less than five days before the date of presentation of the application, the Child support determination form (schedule 1), your provincial income tax return for the previous year, the notice of assessment, three recent pay slips and any other document which allows your income for the current year to be established. You must also provide a duly signed statement signed by you pursuant to art. 444 C.C.P. as well as a participation certificate for the parenting session.

#### 6. FAILURE TO ATTEND ON THE HEARING DATE FIXED DURING THE REMOTE PRACTICE ROLL CALL

**TAKE NOTICE** that failure to appear in Court on the hearing date fixed during the remote practice roll call may result in judgment being rendered against you without further notice or delay.

#### 7. OBLIGATIONS

##### 7.1 Cooperation

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

##### 7.2 Dispute prevention and resolution processes

**TAKE NOTICE** that, before referring your dispute to the courts, you must consider private prevention and resolution processes, which include negotiation, mediation and arbitration, in which the parties call on a third person to assist them (arts.1 and 2 *Code of civil procedure*)

#### 8. AGREEMENT

**TAKE NOTICE** that any agreement reached by the parties must be filed before the special clerk at the court office or, if the agreement departs from the guidelines, falls within the jurisdiction of a judge, or is a draft agreement for represented parties, before a judge of the Superior Court with the notice of presentation (form) available at the court office.

**DO GOVERN YOURSELF ACCORDINGLY.**

Laval, this \_\_\_\_\_ 20\_\_\_\_\_.

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M<sup>e</sup>

Counsel for \_\_\_\_\_

email :

Telephone. :

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**SUPERIOR COURT**  
( \_\_\_\_\_ Division)  
**DISTRICT OF LAVAL**

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\_\_\_\_\_  
Applicant

**v.**

\_\_\_\_\_  
Defendant

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**NOTICE OF PRÉSENTATION**  
*(Identification of the relevant procedural act and  
articles of the C.C.P. or C.C.Q.)*

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**ORIGINAL**

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Surname/Given name:

Adresse:

Tel:

Email:

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**SCHEDULE 15 - Checklist to Fix Dates in Family Matters**

### CHECKLIST TO FIX A DATE IN FAMILY MATTERS (B1.01)

File number: **540** - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Date: \_\_\_\_\_

Nature of the application: \_\_\_\_\_ Classification \_\_\_\_\_

Counsel for the applicant: \_\_\_\_\_ for:  mother /  father /  \_\_\_\_\_

Counsel for the defendant: \_\_\_\_\_ for:  mother /  father /  \_\_\_\_\_

Counsel for the impleaded party: \_\_\_\_\_ for:  child /  \_\_\_\_\_

**JOINT DECLARATION FILED / TOTAL DURATION OF THE HEARING (incl. Reading):** \_\_\_\_\_

*It is preferable for counsel to provide all required documents when the date is fixed to facilitate the verification of the record. If the documents were already filed and new copies cannot be made to expedite the verification of the record's compliance, then the classification number of the documents in the court ledger must be filed for verification purposes.*

REQUIRED DOCUMENTS	Applicant party <sup>1</sup> ledger <sup>1</sup>	SC <sup>1</sup>	Defendant party <sup>1</sup> ledger <sup>1</sup>	SC <sup>1</sup>	NOTE(S)
Certificate of attendance at the information session – art. 417 CCP OR	<input checked="" type="checkbox"/> _____		<input type="checkbox"/> _____		
Undertaking to take part in the information session – art. 417 CCP	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Statement – art. 444 CCP	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
ALIFORM form (Schedule 1) Including assets and liabilities OR	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Calculation form or Table (federal guidelines)	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Recent income tax return	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Recent notice of assessment	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
THREE pay slips (if employee) or	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Financial statements (if self-employed) or	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Proof of income (if receiving grants / assistance benefits / etc.)	<input type="checkbox"/> _____		<input type="checkbox"/> _____		
Schedule III – if provision for costs or support between spouses	<input type="checkbox"/> _____		<input type="checkbox"/> _____		

<sup>1</sup> **INSTRUCTIONS:** (a) check the box if you file the required document on the same day;

**(b)** check the box and write the ledger classification number *beside it* if the document has already been filed into the record to confirm that it was produced.

**Column "SC" for each document is for the exclusive use of the Special Clerks (SC) for verification purposes.**

**SCHEDULE 16 - Setting Down for Homologation of a Consent or to Proceed by Default for Cases Subject to a Summons**

**SUPERIOR COURT**  
(Family Division)

CANADA  
PROVINCE OF QUEBEC  
DISTRICT OF LAVAL

No: 540-\_\_\_\_\_

\_\_\_\_\_  
Applicant

v.

\_\_\_\_\_  
Defendant

**REQUEST FOR SETTING DOWN FOR TRIAL AND JUDGMENT  
PROOF BY AFFIDAVIT**  
(arts. 175, 181 and 182 C.C.P.)

**Matters proceeding by summons**

The \_\_\_\_\_ (party) requests that the clerk set down this case for judgment:

following the filing of the consent entered into by the parties.

OR

following the failure of the \_\_\_\_\_ (party) to answer the summons.

**NATURE OF THE APPLICATION:** \_\_\_\_\_

In \_\_\_\_\_, on \_\_\_\_\_

\_\_\_\_\_  
Signature of the party or the party's counsel

\_\_\_\_\_  
(Print name)

Email address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

**SCHEDULE 17 - Notice of Presentation for Non-contentious Matters before the Court**

CANADA

PROVINCE OF QUEBEC

DISTRICT OF LAVAL

No: 540-14-

---

Applicant

and

---

Person concerned

and

---

Interested persons

Non-contentious matters

Proceedings before the Court

Notice of presentation

(Identification of the proceeding concerned)

---

**TAKE NOTICE** that this application to \_\_\_\_\_  
\_\_\_\_\_ (nature of the proceeding) shall be presented before a special clerk or a judge of  
the Superior Court of the District of Laval, on Tuesday, \_\_\_\_\_ 20\_\_\_\_, at  
10:00 a.m. at the Laval Courthouse, 2800 Saint-Martin Blvd. West, Laval, Quebec, H7T  
2S9, Room RC-05.

Any contestation/objection must be made by way of a written application and filed with the civil court office by 10:00 a.m. on the date of the presentation of the application.

The special clerk will call you as soon as possible, after the presentation, to inform you of the next steps in the file.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

In \_\_\_\_\_, this \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Mtre.  
Attorney/Notary for the applicant  
Email:  
Tel.:  
Fax:

**SCHEDULE 18 - Notice of Presentation for Non-contentious Matters before  
a Notary**

CANADA

PROVINCE OF QUEBEC

DISTRICT OF LAVAL

No : 540-14-

---

Applicant

and

---

Person concerned

and

---

Interested persons

Non-contentious matters

Proceedings before a notary

Notice of the filing of the minutes of notarial operations and conclusions

(Identification of the proceeding concerned)

---

**TAKE NOTICE** that the minutes of notarial operations and conclusions concerning \_\_\_\_\_ (*subject matter of the application*) for \_\_\_\_\_ (*name of the person concerned*) an authentic copy of which is attached to this notice, will be filed at the court office of the Superior Court of the District of Laval, on \_\_\_\_\_ 20\_\_\_\_, at 10:00 a.m. at the Laval Courthouse, 2800 Saint-Martin Blvd. West, Laval, Quebec, H7T 2S9, Room RC-05.

Any contestation/objection must be made by way of a written application and filed with the civil court office by 10:00 a.m. on the day of the presentation of the application.

The special clerk will call you as soon as possible after the presentation to inform you of the next steps in the file.

If no opposition is filed before this filing date, the judge or the special clerk of that court may grant the conclusions without further delay.

**PLEASE GOVERN YOURSELF ACCORDINGLY.**

In \_\_\_\_\_, this \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Mtre  
Attorney/Notary for the applicant

Email:

Tel.:

Fax:

**SCHEDULE 19 - Notice of Presentation for the Commercial Division and  
Bankruptcy**

CANADA  
 PROVINCE OF QUÉBEC  
 DISTRICT OF LAVAL

SUPERIOR COURT  
 (Commercial Division)

N° : 540-11 \_\_\_\_\_

In the matter of: \_\_\_\_\_

\_\_\_\_\_ Party  
 v.

\_\_\_\_\_ Party

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**NOTICE OF PRESENTATION  
 COMMERCIAL PRACTICE (ROOM 2.02)**

*(Identification of the relevant procedural act and articles of the applicable laws)*

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**1. PRÉSENTATION OF THE APPLICATION**

**TAKE NOTICE** that the \_\_\_\_\_  
 \_\_\_\_\_ will be presented in the Commercial  
 Practice Division of the Superior Court in room 2.02 of the Laval Courthouse (2800  
 Saint-Martin Blvd. West, Laval, Quebec), on \_\_\_\_\_ 20\_\_\_\_, at 9:00 a.m.,  
 or as soon as counsel can be heard.

If you wish to contest the proceeding, you must take part in the calling of the roll. If  
 you do not, a judgment can be rendered when the proceeding is presented, without  
 further notice or delay.

**2. HOW TO JOIN THE REMOTE PRACTICE ROLL CALL**

The contact details to join the remote practice roll call of Room 2.02 are as follows :

- a) **by Teams** : by clicking on the link corresponding to room 2.02 available  
**HERE** <sup>7</sup> or using the following link (URL):

---

<sup>7</sup> The TEAMS Links to reach the courtrooms of the Laval Courthouse in commercial, civil and family matters

**<https://url.justice.gouv.qc.ca/JEI60M>** (click on hyperlink or copy the URL address into your computer's search browser).

You will then have to enter your name and click on "Join now". In order to facilitate the process and the identification of participants, we invite you to enter your name as follows:

The lawyers: M<sup>e</sup> First name, Last name (the name of the represented party)

Parties not represented by lawyer: First name, Last name (specify: plaintiff, defendant or other)

For people attending a public hearing: only enter the words "public"

**b) by telephone :**

Toll-free (Canada): **1-833-450-1741**

Local telephone number (charges will apply): **450-328-4032**

Conference number: **660 112 209#**

**c) by vidéoconférence :** [teams@teams.justice.gouv.qc.ca](mailto:teams@teams.justice.gouv.qc.ca)

ID of the VTC conference: 1173363028

**d) in person**, if and only if you do not have access to the other means above.

**DO GOVERN YOURSELF ACCORDINGLY.**

Laval, this \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_

M<sup>e</sup>

Counsel for \_\_\_\_\_

email :

Telephone. :

\_\_\_\_\_

are published under the heading "Virtual Hearings" available on the Superior Court website at the following address: <https://coursuperieuredunquebec.ca/en/roles-of-the-court/virtual-hearings> and on the website of the Barreau de Laval (at Schedule 8 of the Directives) at the following address: <https://barreaudelaval.qc.ca/covid-19-directives-generales-2/>

**SCHEDULE 20 - Form of filling of documents and proceedings, for practice case to be presented on a Tuesday**

**SUPERIOR COURT  
DISTRICT OF LAVAL**

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**FILING OF DOCUMENTS AND PROCEEDINGS TO BE  
PRESENTED IN THE PRACTICE CHAMBER:**

**TUESDAY, \_\_\_\_\_**

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**Please attach this form to all documents and proceedings filed with the court office for applications to be presented before the Superior Court in the PRACTICE CHAMBER, by placing this page as a cover sheet (first page). Clearly indicate the date of presentation, the file number, the nature of the document, and the names of the parties.**

File number: 540-\_\_\_\_\_

- Application for homologation of an agreement
- Application to renew an order
- Other (specify) \_\_\_\_\_

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**Names of the parties:**

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**v.**

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**SCHEDULE 21 - Notice of Presentation in Civil Matters**

CANADA  
 PROVINCE OF QUÉBEC  
 DISTRICT OF LAVAL

SUPERIOR COURT  
 (Civil Division)

N° : 540-\_\_\_\_\_

\_\_\_\_\_ Applicant

v.

\_\_\_\_\_ Defendant

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**NOTICE OF PRESENTATION  
 CIVIL PRACTICE (ROOM 2.02)**

*(Identification of the relevant procedural act and articles of the C.C.P. or C.C.Q.)*

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Recipients :

**1. PRÉSENTATION OF THE APPLICATION**

**TAKE NOTICE** that the application \_\_\_\_\_  
 \_\_\_\_\_ will be presented in  
 the Civil Practice Division of the Superior Court in room 2.02 of the Laval  
 Courthouse (2800 Saint-Martin Blvd. West, Laval, Quebec), on \_\_\_\_\_  
 20\_\_\_\_, at 9:00 a.m., or as soon as counsel can be heard.

**2. HOW TO JOIN THE REMOTE PRACTICE ROLL CALL**

The contact details to join the remote practice roll call of Room 2.02 are as follows :

- a) **by Teams** : by clicking on the link corresponding to room 2.02 available HERE<sup>8</sup> or using the following link (URL): **<https://url.justice.gouv.qc.ca/JEI60M>** (click on hyperlink or copy the URL address into your computer's search browser).

You will then have to enter your name and click on "Join now". In order to facilitate the process and the identification of participants, we invite you to enter your name as follows:

The lawyers: M<sup>e</sup> First name, Last name (the name of the represented party)

Parties not represented by lawyer: First name, Last name (specify: plaintiff, defendant or other)

For people attending a public hearing: only enter the words "public"

- b) **by telephone** :

Toll-free (Canada): **1-833-450-1741**

Local telephone number (charges will apply): **450-328-4032**

Conference number: **660 112 209#**

- c) **by vidéoconférence** : **[teams@teams.justice.gouv.qc.ca](https://teams@teams.justice.gouv.qc.ca)**

ID of the VTC conference: 1173363028

- d) **in person**, if and only if you do not have access to the other means above.

### 3. FAILURE TO ATTEND THE PRACTICE ROLL CALL

**TAKE NOTICE** that if you do not attend the practice roll call, a judgment may be rendered against you when the application is presented, without further notice or delay.

### 4. OBLIGATIONS

#### 4.1 Cooperation

**TAKE NOTICE** that you are duty-bound to co-operate with the other party and, in particular, to keep one another informed at all times of the facts and particulars

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<sup>8</sup> The TEAMS Links to reach the courtrooms of the Laval Courthouse in commercial, civil and family matters are published under the heading "Virtual Hearings" available on the Superior Court website at the following address: <https://coursuperieureduquebec.ca/en/roles-of-the-court/virtual-hearings> and on the website of the Barreau de Laval (at Schedule 8 of the Directives) at the following address: <https://barreaudelaval.qc.ca/covid-19-directives-generales-2/>

conducive to a fair debate and make sure that relevant evidence is preserved (art. 20 *Code of civil procedure*).

#### 4.2 Dispute prevention and resolution processes

**TAKE NOTICE** that, before referring your dispute to the courts, you must consider private prevention and resolution processes, which include negotiation, mediation and arbitration, in which the parties call on a third person to assist them (arts.1 and 2 *Code of civil procedure*)

#### **DO GOVERN YOURSELF ACCORDINGLY.**

Laval, this \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
M<sup>e</sup>

Counsel for \_\_\_\_\_

email :

Telephone. :

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**SUPERIOR COURT**

( \_\_\_\_\_ Division)

**DISTRICT OF LAVAL**

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\_\_\_\_\_  
Applicant

**v.**

\_\_\_\_\_  
Defendant

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**NOTICE OF PRÉSENTATION**

*(Identification of the relevant procedural act and  
articles of the C.C.P. or C.C.Q.)*

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**ORIGINAL**

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Surname/Given name:

Adresse:

Tel:

Email:

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