



Superior Court of Québec

Directive on Case Management

Code of Civil Procedure (chapter C 25.01, articles 63, 148, 150, 173 and 174 C.C.P.)

CHAPTER I

SUBJECT MATTER AND SCOPE

1. This Directive establishes the mandatory use of the case protocol forms in civil matters as well as in family matters, as well as the joint declaration forms requesting that the case be inscribed for trial and judgment in civil matters as well as in family matters, as they appear on the website of the Superior Court of Québec.
2. This Directive also establishes the triage indicators that will be used in examining the case protocols.
3. The court clerk shall refuse to file a case protocol or a protocol proposal or a request for inscription that is not in conformity with the forms.
4. The coordinating judges will ensure, in accordance with the Code of Civil Procedure, the regulations of the Court and this Directive, the case management of the proceedings covered by this Directive.

CHAPTER II

Triage indicators

5. Triage indicators have been established under article 150 of the Civil Procedure Code in order to determine which cases should be examined by the court for case management purposes. These indicators are applied in two stages:
 - (1) A computerized triage is done upon the filing of the first case protocol or when submitting a proposed protocol. The indicators used for the triage are:

SUPERIOR COURT, Montréal Division

All cases in the 05-11-14-17 jurisdictions bearing the following descriptive codes:

- i. 36- Personal injury
- ii. 89. Latent defects
- iii. 52- Wills - Successions
- iv. C2- Dismissal
- v. D1- Defamation

- vi. I2- Co-ownership litigation
- vii. 11- Boundary determination
- viii. RO – Oppression remedy
- ix. TV- Issues between neighbours or neighbouring properties
- x. AI- Disability Insurance

All cases of 04-05-11-12-14-17 jurisdictions:

- i. wherein two or more parties are self-represented
- ii. wherein there are more than eight parties

SUPERIOR COURT, Québec Division

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- i. 36- Personal injury
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- vi. 11- Boundary determination
- vii. TV- Issues between neighbours or neighbouring properties
- viii. AI- Disability Insurance

All cases in the 04-05-11-12-14-17 jurisdictions:

- i. wherein at least one party is self-represented.

(2) A manual triage will be carried out by the court clerk's office upon the filing of the first case protocol. The criteria for this triage are:

SUPERIOR COURT, Montréal Division

All cases in the 04-05-11-12-14-17 jurisdictions that contain one of the following elements:

- i. Stay of proceedings application
- ii. Time limit extension application
- iii. Expert opinions: if more than six expert opinions
- iv. Written defence
- v. Examinations: if more than six pre-trial examinations
- vi. Examinations: if the duration is not in accordance with art. 229 C.C.P.
- vii. Lack of signature or notification to the client

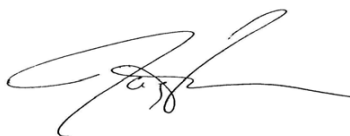
SUPERIOR COURT, Québec Division

All cases in the 04-05-11-12-14-17 jurisdictions that contain one of the following elements:

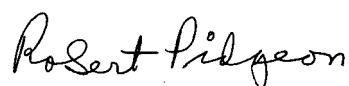
- i. Time limit extension application

- ii. Expert opinions: costs account for more than 12% of the value in dispute or more than \$12,000
- iii. Written defence
- iv. Examinations: if the duration exceeds the time limit provided in art. 229 C.C.P.
- v. Examinations: if more than two representatives of the same party will be examined
- vi. Partition of family patrimony or partition of matrimonial property between *de facto* spouses
- vii. Partition of partnership of acquests
- viii. Compensatory allowance

6. This Directive shall enter into force on January 1st 2016.



Jacques R. Fournier
Chief Justice



Robert Pidgeon
Senior Associate Chief Justice