

Case Management Directive

Code of Civil Procedure (chapter C-25.01, Articles 63, 66, and 150, hereinafter the “C.C.P.”)

CHAPTER I

SUBJECT AND SCOPE

1. This directive establishes the case protocol forms for the Court of Québec and determines the screening criteria for Court examination of protocols for civil cases and for youth cases involving declarations of eligibility for adoption, under Article 150 of the C.C.P.
2. The use of Court of Québec case protocol forms is mandatory. The forms are available on the websites of the Court of Québec and the Ministère de la Justice du Québec.

The clerk will reject any filed case protocol or proposed case protocol that does not use the forms prepared by the Court of Québec.

3. Pursuant to this directive, the type of case and its code as it appears below must be indicated on the back of the application.
4. In accordance with the C.C.P., the Regulation of the Court of Québec, and this directive, the coordinating judges and associate coordinating judges manage cases which are subject to this directive in the judicial districts for which they are responsible.

CHAPTER II

PROTOCOL REVIEW CRITERIA FOR CIVIL MATTERS

5. Two screening steps have been introduced to determine, for certain cases, which case protocol must be examined by the court for case management purposes:
 - 5.1 The first screening is performed by computer when the initial case protocol or proposed protocol is filed.

- For Jurisdictions 02 and 22, protocols filed for the following types of cases are screened:
 - i) Consumer contracts (C1)
 - ii) Bodily injury (36)
 - iii) Latent defects (89)
 - iv) Construction defect or poor workmanship (V1)
 - v) Co-ownership disputes (I2)
 - vi) Dismissal (C2)
 - vii) Defamation (D1)
 - viii) Neighbour disputes (TV)
 - ix) Disability insurance (AI)
- For cases in Jurisdictions 02, 22, and tax cases in Jurisdiction 80 (code 07), protocols are screened when one of the parties is an individual who is not represented by an attorney.

5.2 The clerk performs a second, manual screening when the initial case protocol or proposed protocol is filed.

- For cases in Jurisdictions 02 and 22, protocols are screened when the parties
 - i) Request an extension of the deadline to ready the case for trial
 - ii) Request a case management conference when the initial protocol or proposed protocol is filed
 - iii) Request a trial of more than two days
 - iv) Are considering a settlement conference
 - v) Plan to file more than one expert opinion per party
 - vi) Plan to conduct more than one examination per party
 - vii) Have agreed to a written defence
- Protocols are screened for tax cases in Jurisdiction 80 (code 07) where the parties agree that the duration of the trial will be more than two days.

5.3 The protocol examination under Article 150 of the C.C.P. is not required in Jurisdictions 02 and 22 for cases that are or have been subject to a case management conference under Article 157 of the C.C.P., commonly called early case management.

PROTOCOL EXAMINATION CRITERIA FOR YOUTH CASES

6. The protocol must be examined for cases in Jurisdiction 43 that concern a declaration of eligibility for adoption (ADOP*DAA).

CHAPTER III

EFFECTIVE DATE

7. This directive will come into force on January 1, 2016, at the same time as the *Act to establish the new Code of Civil Procedure* (2014, chapter 1).

(s) Élisabeth Corte

Chief Judge
Court of Québec