

PUBLIC REPORT  
2015

**COUR  
DU QUÉBEC**



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## MESSAGE FROM THE CHIEF JUDGE

It is my pleasure to present the Court of Québec's 2015 *Public Report*<sup>1</sup>. I hope that this document will be useful both to members of the legal community and to citizens, for whom we continually strive to provide information that is as clear and accessible as possible.

The Court's website ([tribunaux.qc.ca](http://tribunaux.qc.ca)) supplements our annual report. This website is regularly updated and improved, as are our Twitter accounts (@cour\_du\_quebec and @CQ\_info\_avocats), where news items are often posted.

One highlight of 2015 was the increase in the monetary value of claims in the Small Claims Division from \$7,000 to \$15,000 or less on January 1. A special section of this report is devoted to this amendment to

the act, as well as to ongoing initiatives designed to better support and equip parties in the Small Claims Division. The Court of Québec was the driving force or a proud partner of many of these initiatives.

In recent months, the Court has continued to prepare for the new *Code of Civil Procedure*, which came into effect on January 1, 2016. Important discussions took place on topics such as the organization of case management work. The bar associations and lawyers were a great help with this.

In youth-related matters, the Court of Québec also prepared to exercise its new jurisdiction pertaining to child custody, tutorship, the exercise of parental authority, and youth emancipation, if an adoption or youth protection matter is already before the Court.

In the midst of the civil procedure reform, the Court undertook a comprehensive revision of its regulation. Consultations were held with judges and partners of the Court on a number of occasions. The *Regulation of the Court of Québec* was adopted on November 4, 2015, by the assembled judges, and came into force on January 1, 2016. Work is continuing with Aboriginal communities with a view to adopting rules applying to itinerant courts.

“The coming into force of the new *Code of Civil Procedure* provides the necessary impulse for a true change in culture.

Let us take advantage of this momentum to bring about reform, particularly regarding the Code's proportionality, efficiency, and economy objectives.”

– THE CHIEF JUDGE

1. The 2015 *Public Report* is available in both official languages in paper and electronic form on the Court's website: [http://www.tribunaux.qc.ca/mjq\\_en/c-quebec/index-cq.html](http://www.tribunaux.qc.ca/mjq_en/c-quebec/index-cq.html).

In the Criminal and Penal Division, the Special Penal Cases Division is well-ensconced, and Associate Coordinating Judge Éric Downs saw to its harmonious implementation and deployment in all regions. This division is perfectly suited to meet the challenges posed by the increased number and complexity of criminal cases.

The Court's judges and presiding justices of the peace have reflected together about the future of their institution in all the areas of jurisdiction. They discussed their values and priorities for the next three years in the *2015-2016-2017 Three-Year Vision*, available online. In our website, we outline how this vision was implemented in 2015.

On a daily basis, the challenges of providing accessible, efficient, and effective justice services abound. In last year's public report, the coordinating judges and associate coordinating judges mentioned a few of these challenges for each of their regions. The sections on specific coordinating regions address how some of these issues have evolved.

In spite of these challenges and various financial, physical, and technological constraints, the Court of Québec has remained focused on its objectives of supporting judges in performing their duties and responsibilities, setting modern judicial management as a priority, and maximizing opportunities to assume a leadership role with the Court's partners.

Every day, judges and presiding justices of the peace have innovated and contributed to the effort to provide more accessible and respectful justice services for citizens. In practical terms, they receive people without legal representation; presided over pre-trial, case management, facilitation, and settlement conferences, devoted time and energy to case management in all matters; and promoted joint action and collaboration by all stakeholders in the justice system.

We intend to keep up the pace in 2016, all the more so since the new *Code of Civil Procedure* provides an extraordinary opportunity for all of us, including judges, to collectively focus our efforts on the citizens who use judicial services.

ÉLIZABETH CORTE

Chief Judge of the Court of Québec

“Accessibility, quality, humanity, proper case management, efficiency, innovation and energy.

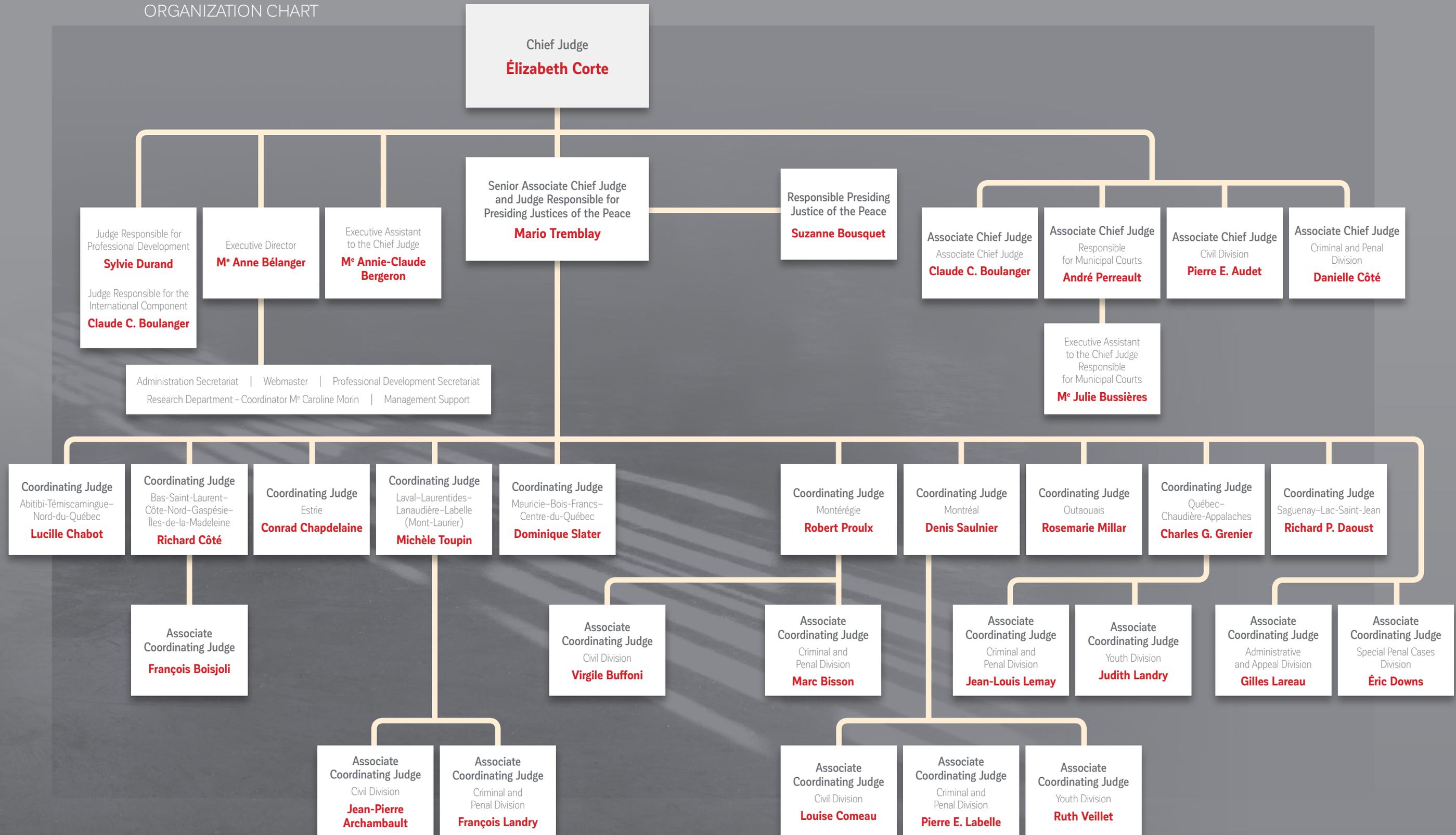
This is the ‘legal footprint’ that we wish to leave.”

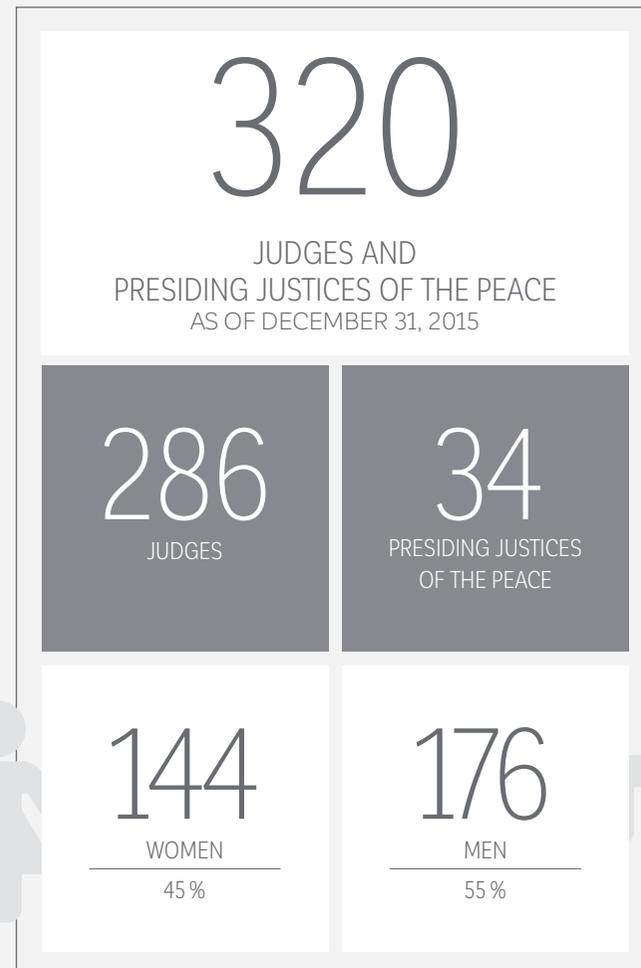
– THE CHIEF JUDGE

# PRESENTATION OF THE COURT OF QUÉBEC

AS OF DECEMBER 31, 2015

## ORGANIZATION CHART





7  
YEARS

The Courts of Justice Act sets out the duties of the Chief Judge, Senior Associate Chief Judge, and Associate Chief Judges, all of whom who serve seven-year, non-renewable terms.

3  
YEARS

The 10 coordinating judges and 12 associate coordinating judges, who are appointed by the Chief Judge from among the Court's judges, complete this management structure. They serve three-year, renewable terms.

Each associate coordinating judge generally takes responsibility for a particular Court division, under the authority of the coordinating judge.

## COMPOSITION

### JUDGES IN MANAGEMENT POSITIONS



#### TOP ROW, FROM LEFT TO RIGHT

**Pierre E. Audet**  
Associate Chief Judge  
for the Civil Division  
Since November 11, 2010

**Danielle Côté**  
Associate Chief Judge for  
the Criminal and Penal Division  
Since June 16, 2011

**André Perreault**  
Associate Chief Judge  
responsible for Municipal Courts  
Since February 17, 2010

**Claude C. Boulanger**  
Associate Chief Judge  
for the Youth Division  
Since September 1, 2009

#### BOTTOM ROW, FROM LEFT TO RIGHT

**Mario Tremblay**  
Senior Associate Chief Judge  
Since September 1, 2009

**Élizabeth Corte**  
Chief Judge  
Since October 21, 2009

### Chief Judge

The Chief Judge ensures that the general policies of the Court of Québec are followed, coordinates and assigns cases to judges, sees to their professional development, and monitors compliance with the Judicial Code of Ethics. She carries out her duties with the support of a team of managing judges.

In cooperation with all the judges and presiding justices of the peace, whom she consults on a regular basis, the Chief Judge defines the Court's mission, values, and objectives.

The Chief Judge represents and acts as spokesperson for the Court of Québec with the government, other Québec courts, and other judicial bodies. She also chairs the Conseil de la magistrature du Québec.<sup>2</sup>

#### Who assigns cases to the judges?

By law, the chief judge is tasked with assigning cases and scheduling Court sittings. In practice, this responsibility is delegated to the 22 coordinating judges and associate coordinating judges in each region of Québec.

2. Visit the website of Conseil de la magistrature du Québec: <https://www.conseildelamagistrature.qc.ca/index.php?langue=en>

### Senior Associate Chief Judge

The Senior Associate Chief Judge assists and advises the Chief Judge in the performance of her duties. In practice, he oversees compliance with the policies of the Court, and manages the scheduling and management-related professional development of the coordinating and associate coordinating judges. He chairs or sits on numerous committees, including those tasked with supporting court activities in the areas of technology, safety, and ethics.

Following an appointment in 2005, the Senior Associate Chief Justice Mario Tremblay assumed the Chief Judge's coordination and work assignment duties for the presiding justices of the peace. He is assisted in these tasks by Suzanne Bousquet who is in charge of the presiding justices of the peace.

The Senior Associate Chief Judge conducts a periodic assessment of regional staffing needs and assignments, oversees application of the per diem judge program, and is responsible for the judge mobility program.

The Senior Associate Chief Judge serves as vice president of Conseil de la magistrature du Québec.

### Associate Chief Judges

The Associate Chief Judges help the court achieve its objectives and establish its priorities and policies. They also support and assist judges with their daily tasks. At the request of the Chief Judge, the Associate Chief Judges chair committees formed to select candidates for judicial positions. They chair a number of Court committees, including those responsible for organizing judges seminars. They are also members of Conseil de la magistrature du Québec.

The Associate Chief Judges Claude C. Boulanger, André Perreault, Pierre E. Audet and Danielle Côté assist the Chief Judge and advise her in the areas for which they are responsible.

The Associate Chief Judge of the Court of Québec responsible for municipal courts manages 88 local and shared municipal courts serving more than 900 municipalities across Québec. The municipal courts and their 68 municipal judges are under his jurisdiction and he in turn reports to the Chief Judge of the Court of Québec, particularly regarding general policies applying to municipal judges, rules of practice, compliance with judicial ethics, professional development, and support for judges in improving the operation of municipal courts.

### Coordinating and Associate Coordinating Judges

Under the Chief Judge's authority, the coordinating and associate coordinating judges are in charge of administering the Court in the judicial districts for which they are responsible.<sup>3</sup> This includes scheduling sittings of the Court and assigning cases to judges. They work together to determine the needs of local judges and welcome new judges. They are also responsible for applying regional professional development programs and the judge mobility program in their respective regions.

Coordinating judges and associate coordinating judges meet regularly with the chief judges. They help develop Court guidelines, policies, and practices. They also represent the Court of Québec with regional stakeholders, for example, local bar associations, young bar associations, community justice centres, law faculties, and various associations<sup>4</sup>.



Team of Chief Judges, Coordinating Judges, Associate Coordinating Judges and Judge responsible for Presiding Justices of the Peace as of December 31, 2015

TOP ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Lucille Chabot, Pierre E. Labelle, Louise Comeau, François Boisjoli, Denis Saulnier, Rosemarie Millar, Jean-Louis Lemay, Jean-Pierre Archambault, Ruth Veillet, François Landry, Judith Landry, Éric Downs, Dominique Slater, Charles G. Grenier, Richard P. Daoust, Gilles Lareau, Conrad Chapdelaine, Richard Côté, Marc Bisson, Robert Proulx and Virgile Buffoni.

BOTTOM ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Michèle Toupin, Pierre E. Audet, Mario Tremblay, Élisabeth Corte, Danielle Côté, Claude C. Boulanger, André Perreault and Suzanne Bousquet.

3. See the Coordinating Regions section of the Court's website for a list of coordinating and associate coordinating judges.

4. The Outreach Activities section of the Court's website provides an overview of the ongoing participation of colleagues from all regions in the various initiatives of partners in the justice system.

## JUDGES

The Court of Québec judges hear and decide cases involving civil, administrative and appellate, criminal and penal, and youth matters.

### Composition of the Court

The Court of Québec is composed of 290 judges and 39 presiding justices of the peace.

### The daily life of a judge...

The first task of a judge is to listen to the parties and their lawyers, accept or dismiss evidence, settle disputes, render decisions, write judgments, impose sentences, and order remedies. *But there is more, much more.*

Some judges hear cases involving only one of these matters, while others—particularly in the regions—hear cases in more than one division or area. Their specialized knowledge and versatility help the Court respond to regional realities and meet all parties' needs more effectively.

In the constant quest for better access to justice that motivates all stakeholders in our system, the role of judges has become considerably more diversified. Judges preside over settlement, facilitation, and pre-trial conferences, ensure sound case management, encourage conciliation between parties, and receive people who are not represented by a lawyer. We are regularly reminded of these new aspects of the judge's role, particularly during ceremonies introducing new judges<sup>5</sup>.

### PRESIDING JUSTICES OF THE PEACE

The presiding justices of the peace serve in the Criminal and Penal Division throughout the province. They sit in all courthouses and points of service to hear cases relating to Québec legislation and a variety of federal statutes. They preside over

proceedings involving matters as varied and important as occupational health and safety, environmental protection, illegal practice of a profession, and securities. In these matters, they have the same jurisdiction as Court of Québec judges.

The continual addition of new judicial authorizations in the *Criminal Code* and provincial legislation enhances the investigative authority of peace officers and other government officials and, by this very fact, relies more than ever on the cutting-edge expertise of the presiding justices of the peace.



The Honourable Suzanne Bousquet was appointed Judge Responsible for Presiding Justices of the Peace, for a two-year term, starting on May 20, 2015.

The presiding justices of the peace are the first judicial officials involved, issuing all types of judicial authorizations, 24 hours a day, 365 days a year.

Since 2005, presiding justices of the peace have generated a considerable amount of jurisprudence in statutory law. They also help expedite the processing of cases and make it possible to schedule more trials.

5. See the Court's website for several speeches by the Chief Judge.

### Tenth anniversary of presiding justices of the peace in 2015

Following the decision by the higher courts regarding the status of "justices of the peace with limited jurisdiction," the Courts of Justice Act was amended to allow the appointment of presiding justices of the peace. The 27 presiding justices of the peace appointed in 2005 were in addition to the six already at their posts since June 30, 2004. Six new positions were created in 2012 and 2015, which brings the total number of presiding justices of the peace to 39.

### PER DIEM JUDGES

Since 2002, the Court has managed expenditures relating to the salaries and compensation of Court judges who act as per diem judges under an administrative agreement with Ministère de la Justice du Québec, which is renewed each year. Under the terms of the agreement, amounts that are not paid out in compensation when judges retire or take long-term sick leave are available to compensate per diem judges.

At the request of the Chief Judge and in accordance with the Act, the government appoints per diem judges and presiding justices of the peace from among the judges who have retired and not yet reached age 75. Per diem judges qualify without further formalities and are paid by the day.

From September 1, 2014 to August 31, 2015, 52 per diem judges sat for some 1,060 days, 7% in the Civil Division and practice court, 21% in the Small Claims Division, 23% in the Youth Division, and 49% in the Criminal and Penal Division.

Per diem judges meet various needs of the Court, for example by replacing a judge on sick leave or compensating for a work overload caused by delays in filling a vacant position or by a short-term increase in the volume of cases. They also work on special projects, regarding small claims for example. The intermittent use of per diem judges helps the Court meet its wait time reduction objectives.

### What is a per diem judge?

A per diem judge is a judge or presiding justice of the peace of the Court of Québec who is retired but less than 75 years old, and is paid by the day. Cases are assigned to per diem judges to support the efforts of their colleagues in a given region.

## APPOINTMENTS AND RETIREMENTS

Between November 2014 and November 2015, eighteen judges and two presiding justices of the peace were appointed to the Court of Québec to replace colleagues who had retired.<sup>6</sup>



Chief Judges with judges and presiding justices of the peace appointed between November 2014 and November 2015.

TOP ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Christian Brunelle, Pierre Allen, Karen Ohayon, Sébastien Proulx, Serge Délisle, Dominique Gibbens, Jacques Ladouceur, Hélène Carrier, François Paré, Anne-Marie Otis, Jacky Roy, Sylvain Meunier, Réna Émond, Emmanuelle Saucier, Steve Magnan, Martine Nolin, Pauline R. Laforce, Vincenzo Piazza, Lucie Marier and Celestina Almeida.

BOTTOM ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Pierre E. Audet, Mario Tremblay, Élisabeth Corte, Danielle Côté, Claude C. Boulanger and André Perreault.

What are the selection criteria for judges?

To assess the application of a candidate, committees consider the following criteria established by section 25 of the *Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace*:

- personal and intellectual qualities, integrity, knowledge and general experience;
- extent of knowledge of the law and experience in the areas of law in which the judicial duties will be performed;
- capacity for judgment, insight, level-headedness, ability to set priorities and to render a decision within a reasonable time;
- quality of expression;
- conception of the judicial office;
- motivation for the judicial office;
- human, professional, social and community experience;
- level of awareness with respect to social realities;
- recognition by the legal community of the candidate's qualities and competencies.

6. See the Court of Québec website for the list of judges and justices of the peace who sit in the various courthouses.

These colleagues were chosen from among hundreds of candidates by selection committees, chaired by the Senior Associate Chief Judge or an associate chief judge, and made up of two lawyers and two members of the public.

New judges are assisted by more experienced colleagues, specially trained judge-advisors, dedicated coordinating and associate coordinating judges, and Chief Judges committed to preserving the independence and quality of the institution they govern.

A **mentorship** program was set up in 2012 at the Court of Québec. In 2015, a third seminar was held to train 17 mentor judges. In total, 83 mentor judges have received this training since the program was launched, i.e., 77 Court of Québec judges and 6 municipal judges. In all, 78 matches were made between new judges and mentor judges.

Every year at the “Colloque de la magistrature”, the Court and the Conferences pay tribute to the judges and presiding justices of the peace who have retired in the preceding months. The Association of Retired Judges joins them for this tribute.

“The Association of Retired Judges of the Court of Québec has existed for many years. It enables retired judges to maintain an important connection with their colleagues and to keep informed about the Court’s activities, particularly at meetings organized by the Chief Judge. Many retired judges are involved as guest speakers or teachers. Their experience is invaluable and much appreciated.”

– THE PRESIDENT OF THE ASSOCIATION



Micheline Dufour, Retired Judge and President of the Association of Retired Judges.



Chief Judge Élisabeth Corte with judges who have retired in recent months.

TOP ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Élisabeth Corte (Chief Judge), Michel L. Auger, Morton S. Minc (Municipal Court of Ville de Montréal), Bernard Caron (Municipal Court of Ville de Laval), Louis A. Legault and Richard Poudrier.

BOTTOM ROW, FROM LEFT TO RIGHT, THE HONOURABLE:

Lina Bond, Louise Provost, Michèle Pauzé and Lucille Beauchemin.

## JURISDICTION<sup>7</sup>

### CIVIL DIVISION

Judges in the Civil Division decide cases presented in both the Regular and Small Claims Divisions, while about thirty of the 80 judges rule on appeals from administrative bodies and courts in the Administrative and Appeal Division.

#### Regular Division

The Court's judges have jurisdiction, within the limits prescribed by law, over civil actions initiated under the *Code of Civil Procedure* or any other statute. Since January 1, 2016<sup>8</sup>, the judges have authority to hear and determine applications in which the value of the subject matter of

the dispute or the amount claimed is less than \$85,000, except support payment claims, claims related to residential leases (which come under the Régie du logement's jurisdiction), and claims reserved for the Federal Court. The judges are also empowered to deal with demands for the recovery of municipal or school taxes and for the reversal or setting aside of municipal or school assessment rolls.

Judges are responsible for ensuring proper case management and facilitating conciliation when circumstances permit (section 9 of the *Code of Civil Procedure*).

#### Administrative and Appeal Division

In 2007, the Court of Québec created the Administrative and Appeal Division (AAD) within the Civil Division for the sake of uniformity, consistency, and efficiency. The judges of this division have exclusive authority to hear appeals from decisions rendered by a number of tribunals and administrative agencies. AAD judges are also called to rule on highly complex Revenu Québec decisions on taxation and tax recovery.



The Honourable  
Gilles Lareau,  
Associate Coordinating  
Judge responsible for  
the Administrative  
and Appeal Division  
since February 6, 2013.

7. Detailed statistics for all divisions of the Court of Québec and coordinating regions are available on the Court's website.

8. See the tab for the new *Code of Civil Procedure* on the Court's website.

### Small Claims Division

In the Small Claims Division, legal representation is not permitted, except when special permission is granted in cases where the dispute raises complex questions of law. Cases are decided using the same legal rules as in the Regular Division, but with a simplified written procedure.

At hearings, judges explain the rules of proof and procedure to the parties. They direct the proceedings, question witnesses, hear the parties, and decide issues in dispute. They provide each party with fair and impartial assistance to ensure that the law is rendered effective and carried out. When circumstances allow, judges endeavour to bring the parties to an agreement. Judges in this division also decide tax-related summary appeals.

#### What's new in the Small Claims Division?

- Since January 1, 2015, judges decide cases involving \$15,000<sup>9</sup> or less payable by an individual or legal entity, a company, an association, or a group without juridical personality that has had no more than 10 employees<sup>10</sup> during the 12-month period preceding the application.
- In all regions, we have observed an increase of around 18% in the number of cases since these amendments.

#### What projects are underway?

- The Small Claims Issue Table, chaired by Associate Chief Judge Pierre E. Audet, brings together a number of justice partners. Numerous concrete measures have been launched aimed at providing legal assistance to parties.
- On-site mediation initiatives, on the day of the planned hearing before the judge, exists in Bedford, Gatineau, Laval, Montréal, and in the Saguenay–Lac-Saint-Jean region.
- A mandatory mediation pilot project for the recovery of small claims resulting from a consumer contract was launched on May 15, 2015 in the judicial districts of Terrebonne and Gatineau. This project promotes access to justice for many citizens grappling with consumer claims, as mediation is not dependent on the merchant's acceptance.

#### What tools are available for the parties?

- Checklists ("aide memoire") published for plaintiffs and defendants, designed with the invaluable collaboration of a number of partners, particularly Éducaloi and the Greater Montréal Community Justice Centre<sup>11</sup>.
- Free information sessions provided by the bar associations, young bar associations, and community justice centres, with the participation of Court of Québec judges, in a number of judicial districts in Québec. *These are ideal opportunities for promoting mediation, a free service offered to the parties!*

9. Prior to January 1, 2015, the threshold was set at \$7,000.

10. Prior to January 1, 2016, the threshold was set at five staff members.

11. Checklists are available on the Court's website.

## CRIMINAL AND PENAL DIVISION

In Québec, the vast majority of criminal and penal cases is heard by Court of Québec judges since the only jurisdiction they do not exercise concerns certain offences restricted to the Superior Court (for example, murder trials).

### Areas of jurisdiction in criminal and penal matters

- Proceedings under the Criminal Code, the Code of Penal Procedure, or any other criminal or penal legislation
- Applications for judicial authorization (for example, search warrants)
  - Release hearings and preliminary inquiries

The judges from the Criminal and Penal Division may also handle certain applications for judicial authorization for which they have either exclusive or concurrent jurisdiction with the Superior Court or presiding justices of the peace.

They preside over release hearings, preliminary inquiries, proceedings that fall within the jurisdiction of a provincial court judge and a judge without a jury, as defined by the *Criminal Code*, as well as proceedings related to offences punishable on summary conviction.

The increase in the number of major police operations requires judges in the Criminal and Penal Division to be extensively available outside of the time they spend hearing cases and writing judgments. In this context, judges and presiding justices of the peace fulfil a variety of duties, ranging from the authorization of search warrants to intercepting private communications. Given the increasing complexity of trials resulting from large-scale

police operations, Parliament amended the *Criminal Code* to grant judges additional case management powers.

*Amendments to the Code of Penal Procedure, which came into force on November 19, 2015, grant additional case management powers to judges who preside over proceedings governed by this law. These amendments were requested by the Court of Québec.*

In penal matters, they hear proceedings initiated under the *Code of Penal Procedure* or any other provincial or federal penal legislation concerning public welfare. Take for example *Autorité des marchés financiers* or even *Revenu Québec* cases, which are increasing in number at a significant rate and require more and more time to hear.

### Special Penal Cases Division

In 2014, aware of the increasing number of long, complex penal cases, the Court created the Special Penal Cases Division. Twenty or so judges from the Criminal and Penal Division occasionally hear cases in this division, under the authority of an associate coordinating judge. The judges are specially trained and have developed specific expertise that ensures sounder management of proceedings, better use of judicial resources, and pre-trial settlement of cases through facilitation conferences.

One year later, the Special Penal Cases Division has developed a momentum of its own, and many cases have been assigned to judges in this division, which ensures that cases are managed more efficiently before and during proceedings.



The Honourable  
Éric Downs, Associate  
Coordinating Judge  
responsible for the  
Special Penal Cases  
Division since  
February 19, 2015.

## YOUTH DIVISION

Section 83 of the *Courts of Justice Act* establishes the jurisdiction of the Court of Québec in youth-related matters.

### Youth Protection

The Court of Québec hears applications pertaining to the *Youth Protection Act*. This includes cases concerning minors whose security or development is compromised. Once the concerns have been substantiated on the basis of the evidence submitted, the judge orders one or more protective measures listed in the *Youth Protection Act* to be carried out for a period determined by the judge.

Section 85 of the *Youth Protection Act* also allows judges to hold settlement conferences. Judges receive special training in judicial conciliation. They receive the parties concerned at confidential conciliation sessions.

### Adoption

*Since January 1, 2016, the Court of Québec handles cases that require case management, as defined in the Code of Civil Procedure, particularly contested eligibility for adoption applications.*

Section 37 of the *Code of Civil Procedure* specifies that the Court of Québec, to the exclusion of the Superior Court, has jurisdiction to hear and determine applications in adoption matters. This covers eligibility for adoption applications, placement orders, and applications for adoption. The Court has also jurisdiction regarding international adoption, including requests for recognition of foreign judgments.

### Applications pertaining to child custody, youth emancipation, exercise of parental authority, and tutorship

Since January 1, 2016, if an adoption or youth protection matter is already before the Court of Québec, it may rule on any related application concerning child custody, emancipation, the exercise of parental authority or tutorship requested by the director of youth protection.

This new jurisdiction enables parties to appear before the same judge, both in matters of child custody and youth protection. The judge who declares a child's situation to be compromised is usually the same judge who will hear an application for review or extension of an order pertaining to this child's situation.

### Areas of jurisdiction in youth-related matters

- Protection (security or development of a child in danger)
- Adoption (including international adoption)
- Child custody, emancipation, exercise of parental authority, and tutorship requested by the director of youth protection, if an adoption or youth protection matter is already before the Court of Québec (since January 1, 2016)
- Youth offences

### Youth criminal justice

The Court of Québec exercises the functions of the youth justice court, in accordance with the *Youth Criminal Justice Act*. After the *Youth Criminal Justice Act* came into force in 2002, the Court of Québec was designated as the youth court. The Superior Court has jurisdiction when the youth is accused of one of the crimes listed in Section 469 of the *Criminal Code*, or if the prosecution asks that the youth be liable to an adult sentence and the youth chooses to be judged by a judge and jury.

Judges preside over youth trials for individuals age 12 to 17 at the time the offence was committed under the *Criminal Code* or under related legislation. They also preside over preliminary inquiries, in addition to hearing applications submitted under the *Canadian Charter of Rights and Freedoms*.

### Proceedings initiated under the Code of Penal Procedure

The Court of Québec has jurisdiction in proceedings initiated under the *Code of Penal Procedure* when the defendants are under 18 years of age, or who were under 18 years of age at the time of the offence. These offences chiefly concern the *Highway Safety Code* and provincial statutory laws.

## Court of Québec Judges and Presiding Justices of the Peace by Region

As of December 31, 2015



	JUDGE	PRESIDING JUSTICES OF THE PEACE
1	10	2
2	17	4
3	18	2
4	40	5
5	13	2
6	38	6
7	88	10
8	14	2
9	42	4
10	10	2
<b>TOTAL</b>	<b>290*</b>	<b>39*</b>

\*Including vacant positions. The regional distribution is equal to the number of positions allotted in a region, but does not necessarily equal the number of judges in place because some of them were appointed to management positions (e.g., Associate Chief Judge) and are counted in the region where they were made judges.

See the Court of Québec website for the list of judges and presiding justices of the peace who sit in the various courthouses.

## Ten Coordinating Regions

### ABITIBI-TÉMISCAMINGUE-NORD-DU-QUÉBEC

#### An immense territory to cover

The region of Abitibi-Témiscamingue-Nord-du-Québec is the largest territory in which the Court of Québec provides services. There are six courthouses in Abitibi-Témiscamingue, and nine in Cree communities. In Nunavik, the Court holds sessions in Puvirnituk, Kuujuaq, Inukjuak, and Salluit. From Kuujuaq, the Court visits the communities of Kangiqsualujuaq, Kangirsuk, Quaqaq, and Kangisujuaq.

#### Lack of facilities in certain communities

In spite of existing decrees, physical facilities for the Court of Québec have been lacking for several years in the communities of Akulivik and Umiujaq. Therefore, the cases for these communities are heard in Kuujuarapik and Puvirnituk, respectively. Witnesses and persons who have been accused of a crime are taken by chartered plane from their community to the location where the hearing will take place.

Some service points have such a high number of cases that special Court sessions have to be added. An analysis must still be performed to determine whether it is appropriate to maintain all of these service points, in the south and the north, given the travel time required and the volume of cases.

#### A diversified population to serve

Apart from the nonaboriginal population of Abitibi-Témiscamingue, the Court provides services to the members of eight Algonquin communities, nine Cree communities, and 14 Inuit villages.

Judges and presiding justices of the peace must demonstrate sensitivity and understanding of the cultural differences specific to each population and must provide services in both French and English.

#### Versatile judges

The judges of the region hear cases in criminal, civil, and youth matters alike.

#### More services provided, but significant challenges to be met

In its three-year vision, the Court of Québec identified justice services to aboriginal people as one of its priorities. In this context, a number of Court sessions were added in the various Aboriginal communities. The regular judicial calendar included 75 Court sessions shared between the Cree and Inuit regions, not counting sessions provided for special cases or to absorb additional cases.

In spite of the Court's efforts, it is not always possible to achieve the hoped-for results in terms of reducing the court rolls, given the complexity of cases, hearing lengths, poor weather, mechanical breakdowns, and the constant challenge of recruiting and retaining interpreters.

The shortage of judges also makes it difficult to provide timely, high-quality services for Aboriginal peoples as well as the population of Abitibi-Témiscamingue.

While Aboriginal and Inuit inhabitants represent a small percentage of the region's population, considerable coordination time is devoted to them in consideration of existing treaties and conventions.

#### Centralization of emergency services: a continuing success

The initiative to centralize emergency services<sup>12</sup> is still highly appreciated by the Court's partners. Cases sometimes had to be referred to other judges in order for urgent applications to be heard. The next step will be to ensure that all accused persons from Nunavik or Cree territories can have their release hearing before being transported outside their community. As other partners are involved, joint action must continue in order to reach a solution ensuring that accused persons can have their release hearing within the time periods prescribed by law.

#### Civil cases: a blitz to shorten wait times

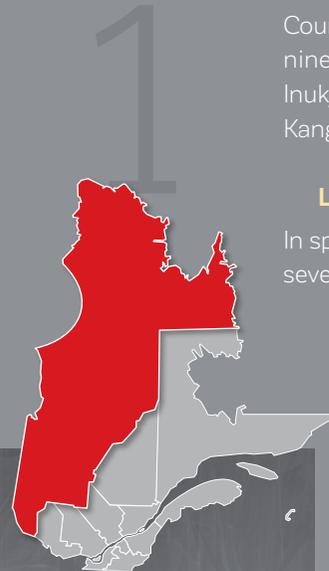
In recent years, the Civil Division has borne the brunt of the emphasis placed on services to Cree and Inuit communities. The number of cases on the general court rolls increased, which was also true in the Small Claims Division, although wait times in the latter division are generally reasonable. However, in the last months of 2015, a veritable blitz was carried out, and hearing dates were set for most of the cases on a "trial by appointment" basis. In summary, lawyers indicate three blocks of dates during which they are available, and a judge is appointed to hear the case on these dates. The flexibility of this process results in a higher number of cases being heard.

#### Issue tables:

##### a good way to have frank discussions and find solutions

In the fall of 2015, an issue table was held for civil matters (in the south), criminal matters (in the south and the north), and youth cases (in the south), bringing together Court authorities and all stakeholders concerned. The participants raised a number of irritants and identified potential solutions. Another issue table will be held again by the end of the 2016 judicial calendar.

In late 2015, another issue table for youth-related matters met (in the north). It included the Hudson, Ungava, and Cree Nation protection services. Representatives from the Abitibi-Témiscamingue bar association, the Director of Criminal and Penal Prosecutions, the litigation departments of the directors of youth protection, and Associate Chief Judge Claude C. Boulanger were also in attendance. This issue table will meet twice a year.



LUCILLE CHABOT\*  
Coordinating Judge

10 judges and  
2 presiding justices of the peace

JUDICIAL DISTRICTS  
Abitibi  
Rouyn-Noranda  
Témiscamingue

\* The Honourable Lucille Chabot began her term as coordinating judge on July 1, 2015, replacing Judge Daniel Bédard, who had held this position since September 1, 2010.

12. See page 20 in the 2013 Public Report and pages 19 and 20 in the 2014 Public Report.

### Support initiative for persons with mental health problems or disabilities

A working group was set up to examine the issue of people with mental health problems or disabilities dealing with the criminal justice system. Stakeholders from a variety of settings (health and social services, justice, and community services) as well as representatives of help centres for victims of crime are members of this group, whose work is promising.

### Operational rules to come for the itinerant court

The James Bay and Northern Québec Agreement created the itinerant court and provides for the possibility of special rules of practice.

In spite of all the work achieved and efforts deployed by the judges and presiding justices of the peace in the region, the draft regulation and operating rules have not yet been put in place. A consultation process is underway with Aboriginal communities, as specified in the Agreement.

## BAS-SAINT-LAURENT-CÔTE-NORD-GASPÉSIE-ÎLES-DE-LA-MADELEINE

### Services provided over a vast territory

Judges and presiding justices of the peace in Eastern Québec provide services to a population spread over a huge territory that extends from La Pocatière to Îles-de-la-Madeleine on the South shore, and from Tadoussac to Blanc-Sablon on the North shore. For the itinerant court, they also regularly hear cases in municipalities in remote regions such as Natashquan, Saint-Augustin, Blanc-Sablon, La Romaine, Kawawachikamach, and Schefferville.

### Regional on-call service for urgent cases

Because of the size of the region and its many service points, the Court set up a regional on-call service a few years ago for urgent cases. This enables residents to be heard by a judge by conference call for all urgent matters. Unfortunately, this service is not yet available for residents in isolated areas due to a delay in deploying the necessary technology infrastructure.

### Constructive discussions with partners

In collaboration with judicial officials and local bar associations, judges organize issue tables with a view to improving justice services in the region. Such meetings took place last year in Rimouski, Rivière-du-Loup, Baie-Comeau, and Sept-Îles regarding criminal and youth matters. The experience was relevant and productive, as participants had the opportunity to discuss Court operations and propose improvements that were subsequently implemented in the districts concerned.

### Sept-Îles: initiative for addiction treatment under judicial supervision

The collaboration targeting addiction treatment under judicial supervision was an opportunity to bring together judicial and addiction stakeholders. The goal of this project was to establish an addiction treatment program under judicial supervision in the Sept-Îles region. An initial meeting has already taken place, and such a program could be introduced during the coming year if treatment resources are available.



**RICHARD CÔTÉ**  
Coordinating Judge

**FRANÇOIS BOISJOLI**  
Associate Coordinating Judge

17 judges and  
4 presiding justices of the peace

**JUDICIAL DISTRICTS**  
Baie-Comeau  
Bonaventure  
Gaspé  
Kamouraska  
Mingan  
Rimouski

### More youth protection services in Kawawachikamach and Schefferville, but a shortage of lawyers to represent parents

Since February 2015, the itinerant court has held four sessions a year to hear youth protection cases in Kawawachikamach and Schefferville. A number of cases that were previously handled in Sept-Îles can now be heard in these communities, which saves the youth concerned and their parents from having to make lengthy trips.

The shortage of lawyers prepared to represent parents in the itinerant court is still a problem. It appears that the high cost of air travel and the lack of flexibility in legal aid matters dissuade lawyers from accepting assignments of this nature. This situation could jeopardize this new service.

### Criminal justice cases heard in Forestville

In the interests of boosting efficiency, cases from Forestville that come under the *Youth Criminal Justice Act* are heard there rather than in Baie-Comeau.

### Small claims cases: hard work to reduce hearing wait times

In 2015, judges redoubled their efforts to reduce hearing wait times in the Small Claims Division, particularly in Rimouski and Rivière-du-Loup. The situation has now been stabilized, with wait times currently being less than six months.

## ESTRIE

### Notable intensity of judicial activities

An increase in the number of lengthy cases and the growing complexity of cases were observed in all areas. Despite this heavier workload, for the most part, cases were heard within reasonable timeframes targeted by the Court.

In criminal matters, the immediate renovation of certain courtrooms is required due to large-scale police investigations and the often high number of co-accused persons.

### Early case management and collaboration of lawyers

Judges' ongoing involvement in case management, the use of facilitation and settlement conferences, and close collaboration on the part of members of the bar associations are key factors in ensuring an efficient, accessible justice system.

The early case management protocols signed by the Court of Québec and the Arthabaska, Bedford, and Saint-François bar associations were implemented in 2015. Thanks to the cooperation of these three local bar associations and their members, as well as the support of the judicial services staff, a needs-based operating procedure was put in place.

All judges in the Civil Division are involved in this early case management initiative, an approach that is now well established, efficient, and appreciated by all stakeholders. In addition, more frequent, early use of the settlement process has been observed.



**CONRAD CHAPDELAINE**  
Coordinating Judge

18 judges and  
2 presiding justices of the peace

**JUDICIAL DISTRICTS**  
Bedford  
Drummond  
Mégantic  
Saint-François

### Preparations for the new *Code of Civil Procedure*

To get ready for the new *Code of Civil Procedure*, the Court has put in place measures adapted to regional and local realities in the Civil and Youth Divisions. These measures were planned by the Court in cooperation with judicial services and after consultation with the local bar associations.

In July 2015, judicial activities resumed at the Lac-Mégantic courthouse, two years after the tragedy that struck this town.

## LAVAL-LAURENTIDES-LANAUDIÈRE-LABELLE (MONT-LAURIER)

### Increase in the number of small claims cases

In 2015, the number of small claims cases rose from 630 to 801 (28%) in Saint-Jérôme, from 658 to 969 (47%) in Laval, and from 187 to 230 cases (25%) in Joliette. This increase in the volume of cases to be processed has resulted in longer wait times in the Small Claims Division.

In Saint-Jérôme, hearing wait times continued to decrease in 2015, particularly in the Regular Division of the Civil Division.

### The challenge of courtroom availability

The availability of courtrooms for hearing cases in all matters, but particularly in criminal law, is still a major problem. This situation affects hearing wait times, and may also have an impact on the ability to hold case management conferences in civil matters, unless this problem can be mitigated through the use of new technologies such as telephone conference calls and videoconferences.

### Involvement of judges with the bar associations

In Laval, Saint-Jérôme, and Joliette, judges participate in information sessions for parties in the Small Claims Division, with the members of bar associations and young bar associations, and a representative of the registry of this division. The Associate Coordinating Judge Jean-Pierre Archambault also participates in the work of the Small Claims Issue Table.

### Early case management protocols: an overwhelming success

The implementation of early case management protocols in civil matters has been an overwhelming success. These protocols were signed with the Laval and Laurentides-Lanaudière bar associations for cases involving hidden defects, defective workmanship, construction defects, and co-ownership, and all cases where lawyers request them. Cases in which one of the parties is not represented by a lawyer are also included in these protocols, which were renewed for three years in December 2015. They aim to reduce wait times between the time the cases are opened and when they are heard, as well as the costs incurred by citizens accessing judicial services.

### Faster resolution of cases through settlement conferences

Judges heard a number of cases via early case management conference calls. The cases were subsequently referred to a settlement conference within two or three months. In many instances, disputes were settled out of court, even where lawyers had anticipated hearings lasting several days. About half of the cases were resolved after a settlement conference within a period of 180 days.

In 2015, 118 settlement conferences were held in civil cases, freeing up 290 hearing days for other cases. Almost all the judges in the Civil Division are now trained to preside over settlement conferences.

### Pre-trial management conferences for cases lasting three or more days

In all civil cases expected to last three or more days, lawyers for the parties are invited to a pre-trial management conference with their clients. This conference may be transformed into a settlement conference with a view to reaching an amicable settlement. The parties usually agree to this, and such settlement conferences are quite often successful.

A number of judges conduct training activities organized by the Laval and Laurentides-Lanaudière bar associations to promote amicable methods of dispute resolution. They also stress the importance of having the parties meet and discuss matters in order to reduce the length of hearings.

### Youth: time limits are met and settlement conferences are available, but a shortage of lawyers persists

In the Youth Division, a concerted effort on the part of judges made it possible to meet the prescribed time limits provided for in the *Youth Protection Act*. Each district now has specially trained judges to preside over settlement conferences. However, the shortage of lawyers who specialize in youth matters remains a significant problem.

Settlement conferences for youth cases and facilitation conferences in criminal matters freed up numerous hearing days for other cases.

### High volume of cases in the Criminal Division

In the Criminal Division, the volume of cases remains very high, including many lengthy, complex cases. This is due in part to the activities of special police squads, which have sometimes resulted in trials lasting several weeks.

### Usefulness of a reminder system for lawyers

In the Criminal and Penal Division, the introduction of a reminder system that systematically invites lawyers involved in lengthy trials to consider facilitation conferences has also contributed to promoting settlements. Some management committees meet on a quarterly basis, which fosters cooperation between the various partners.



MICHÈLE TOUPIN  
Coordinating Judge  
(Youth Division)

JEAN-PIERRE ARCHAMBAULT  
Associate Coordinating Judge  
(Civil Division)

FRANÇOIS LANDRY  
Associate Coordinating Judge  
(Criminal and Penal Division)

40 judges and  
5 presiding justices of the peace

JUDICIAL DISTRICTS  
Joliette  
Labelle (Mont-Laurier)  
Laval  
Terrebonne

### Ongoing effort to improve practices regarding mental health

Improving practices regarding mental health remains an ongoing concern for the judges of all divisions in the region.

In the judicial district of Terrebonne, a mental health issue table brings together professionals from various fields: health care, probation, street work, prosecution, defence, and the judiciary. The members put in place a pilot project to support people with mental health problems who have been accused of a crime.

Three judges are involved in this project, launched in May 2015. Various social workers collaborate to support the accused person. After a follow-up period, which can last several months, and discussion with the various participants, the prosecution and the defence recommend ways of resolving the case to the judge.

## MAURICIE-BOIS-FRANCS-CENTRE-DU-QUÉBEC

### Increase in the number of small claims cases

The threshold value for small claims rose from \$7,000 to \$15,000 on January 1, 2015, leading to a significant rise in the volume of cases in the region, mainly in Trois-Rivières and Victoriaville. The Court increased the number of hearing days allocated to parties appearing in this division, with a view to providing quality, accessible justice services within reasonable timeframes.

### Early case management protocol with the Mauricie bar association for certain cases

In preparation for the new *Code of Civil Procedure*, an early case management protocol targeting certain types of cases was signed between the Court of Québec and the Mauricie bar association. In effect since May 1, 2015, the protocol targeted cases involving hidden defects, construction defects, and defective workmanship because of the often disproportionate relationship between the amount of money at issue in these cases and the associated legal costs. The process applied under this protocol emphasizes personalized case management by a judge, from the outset of the judicial process, with a view to reducing costs and wait times for the parties concerned.

### Criminal matters: the best ways to expedite case handling

In the Criminal Division, the number of days allotted to hearing lengthy cases continues to increase and is an ongoing challenge year after year. Pre-trial and case management conferences remain the best way to clarify the issues in dispute, shorten the length of hearings, and thus use court time more efficiently. All these measures greatly help ensure that hearings are held within reasonable timeframes.

The number of facilitation conferences in criminal matters increased significantly in 2015; the success rate is over 80%.



### Initiative for a justice and mental health support program

A committee is actively working to develop a justice and mental health support program at the Court of Québec, more specifically in the Criminal and Penal Division in Trois-Rivières (initially). This committee comprises a judge of the Court of Québec, lawyers for the Director of Criminal and Penal Prosecutions and of the Defence, a representative of Ministère de la Justice, as well as probation, community, and health workers.

The cases targeted by this program pertain to petty offences committed by persons with mental health problems. Participants will take part in this program solely on a voluntary basis. The objective is to develop the most appropriate approach and judicial handling for this clientele, without endangering public safety, favouring alternative solutions to incarceration and court action.

### Youth Division: the advantages of settlement conferences

In the Youth Division, efforts have been made to educate parties about the advantages of using settlement conferences to resolve their disputes. This method of resolving conflicts has been slow to take root in the region, even though its many benefits are well known.

## MONTÉRÉGIE

### Youth Division: significant initiatives to improve services to parties in court cases

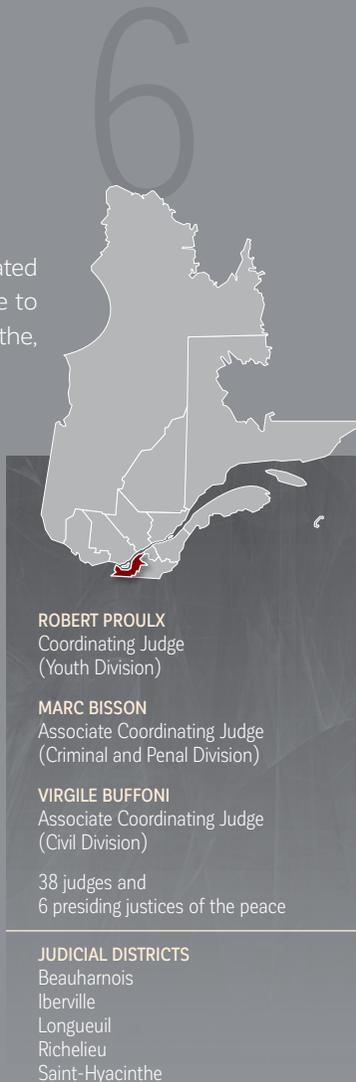
There has been spectacular growth in the number of settlement conferences in youth-related matters; this phenomenon is closely tied to the significant efforts everyone has made to promote settlement conferences and encourage the parties to use them. In Saint-Hyacinthe, the pilot project promoting settlement conferences has ended, and a multi-party regional monitoring committee has been set up to ensure that procedures meet the needs of the parties involved.

In October 2015, the Court of Québec and the Longueuil bar association signed a case management protocol for youth-related matters<sup>13</sup>. This is a ground-breaking program that ensures more efficient and quicker processing of complex and lengthy cases.

### Mega-trials and a courtroom reserved for domestic violence cases

In the Criminal and Penal Division, needs continue to grow due to increasingly long and complicated trials. Mega-trials are also becoming more common in the Montérégie region.

On the initiative of the Director of Criminal and Penal Prosecutions, a courtroom in Longueuil is set aside three days a week exclusively for hearing domestic violence cases. Due to the increase in the number of cases of this type, it is anticipated that this courtroom will be open five days a week starting in September 2016.



13. See *Journal du Barreau* of February 2016, Vol. 48, No. 1, page 18.

### Positive impact of facilitation in criminal matters

Increasingly, lawyers are agreeing to use the facilitation process to help them break deadlocks in cases for which they are responsible. Overall, the outcome has been very positive. In fact, some cases that would have required days and even weeks of hearings are settled through facilitation.

### Early case management, conciliation, and settlement

In the Civil Division, early case management continues to be a tremendous success, significantly shortening wait times and promoting the active participation of the parties in resolving their disputes. In addition, two judges preside part-time over settlement and management conferences as part of a special case management program. Interest in settlement conferences is growing, and they are available throughout the region.

### Challenges associated with courtrooms and courthouse design

The lack of courtrooms presents serious problems, particularly at the Saint-Hyacinthe and Longueuil courthouses. The facilities at these courthouses are not likely to reduce hearing wait times or meet the needs of the public. The situation in Saint-Hyacinthe is the most problematic in this regard. The need for additional rooms due to the new *Code of Civil Procedure* will exacerbate this problem.

The renovations planned both in Longueuil and Saint-Hyacinthe are still awaiting funding, even though it is essential for this work to be carried out. The coordination team sits on the committees tasked with resolving these problems, but things are progressing very slowly.

## MONTRÉAL

### Ethnic and cultural diversity

The Montréal region has an ethnically and culturally diverse population, which requires special understanding and sensitivity on the part of the judges. For example, the Montréal courthouse's interpretation services must deal with over 40 languages, a situation that often has an impact on the complexity and length of cases.

### Services provided in three buildings

In Montréal, the Court of Québec's activities are carried out in three separate buildings. The main courthouse is on rue Notre-Dame Est. Another building on rue de Bellechasse Est is used exclusively for youth protection, adoption, and youth criminal cases. The Gouin Judicial Services Centre in the northern part of the city is mainly reserved for big criminal trials and jury trials heard before a Superior Court judge.

**DENIS SAULNIER**  
Coordinating Judge

**PIERRE E. LABELLE**  
Associate Coordinating Judge (Criminal and Penal Division)

**LOUISE COMEAU**  
Associate Coordinating Judge (Civil Division)

**RUTH VEILLET**  
Associate Coordinating Judge (Youth Division)

88 judges and  
10 presiding justices of the peace

**JUDICIAL DISTRICT**  
Montréal



### Challenges associated with courtrooms and staff shortages

It can be expected that criminal cases resulting from the work of the Charbonneau Commission will require days, if not weeks of hearings. These cases will occupy hearing rooms, for which there is already a pressing shortage at the Montréal courthouse. In fact, the lack of space at this courthouse regularly forces the Court to find innovative short-, medium- and long-term solutions.

### The Montréal region is experiencing a shortage of registry staff to support the activities of the Court in its various divisions.

All too often, judges are affected by the shortage of court clerks, court ushers, special constables, and correctional services officers. A number of factors could explain these problems facing judicial services, including absences due to illness, hiring freezes, and staff retention problems. This phenomenon is becoming recurrent and, unfortunately, slows down the trial process on a daily basis.

## CRIMINAL AND PENAL DIVISION

### A large case volume combined and inadequate resources

Again this year, judges and presiding justices of the peace handled an impressive volume of cases, including an ever-growing number of lengthy cases. They performed their duties in often difficult circumstances due to a shortage of human and physical resources. In fact, the lack of staff regularly had an impact on the activities of the Court. We should also point out the limitations of automated rolls, which are routinely incomplete.

Moreover, the Montréal courthouse is quickly becoming saturated in terms of the number of courtrooms, and their design fails to meet many of the Court's specific requirements. It would be desirable, for example, for the courtrooms to be able to accommodate more accused persons and to be equipped for the electronic submission of evidence.

All of these factors create additional pressure on the judicial system and are inevitably a source of delays and longer wait times.

### Tight management and innovation for improving access to justice services

In spite of the many obstacles impeding the delivery of fully satisfactory justice services, the Criminal Division team put forward a series of measures for maximizing hearing time in courtrooms. First of all, case management helps judges clarify the issues in dispute and more accurately assess the length of proceedings. The coordination office also checks whether the cases scheduled for a hearing in the upcoming weeks are still ready to be heard, and if they can indeed be processed. Finally, domestic violence cases are heard in certain special courtrooms.

In addition, the Court regularly draws on the new provisions of the *Criminal Code* allowing judges to rule on preliminary motions, even before the trial date has been set. This management tool aims to prevent trials from beginning with the presentation of witnesses, so they don't have to wait for long periods of time.

All of these innovative Court initiatives help to maximize available space, which however is still not sufficient to meet the requirements of the Court.

### Required cooperation of all stakeholders

A more efficient system is also achieved through the cooperation of all stakeholders in the justice system, for example, to reduce the percentage of court rolls that collapse on a weekly basis (currently around 30% of the rolls), mostly due to last-minute settlements. In this context, the Court is obliged to schedule more cases on the rolls in order to avoid losing hearing hours. However, this method of scheduling can occasionally result in postponements due to backlogs on court rolls, with unpleasant consequences for the witnesses, the accused, and the lawyers involved.

A highlight of recent initiatives to improve wait times was the establishment of a committee comprised of judges, attorneys for the prosecution, and attorneys for the defense.

### Committee on Criminal Matters in Montréal

The mission of the Committee on Criminal Matters in Montréal is to create a forum for discussion and joint action to find solutions and thus resolve various problems encountered in the Criminal Division of Montréal, particularly regarding wait times.

### Invaluable collaboration among judges, presiding justices of the peace, and per diem judges

In addition to the outstanding contribution of the Montréal's judges and presiding justices of the peace, the contribution of the Court's per diem judges is invaluable, in particular for handling cases involving people in custody. Nevertheless, the impact of per diem judges remains limited, given the ongoing shortage of available courtrooms.

## CIVIL DIVISION

### Early case management protocol signed with the Montréal bar association

The Court of Québec and the Montréal bar association signed an early case management protocol, effective as of September 1. This protocol is consistent with the philosophy of the new *Code of Civil Procedure*. It targets cases involving defective workmanship, construction defects, hidden defects, as well as all other matters, at the parties' request. The objective of the protocol is to encourage meetings between lawyers and judicial intervention earlier in the process, in order to reduce costs and wait times.

### On-site mediation in small claims cases is useful and satisfactory

The initiative to provide on-site mediation in small claims cases, launched in 2014 in cooperation with the Young Bar Association of Montréal, has continued. All of the parties that used this service expressed their satisfaction and considered that it meets a need. Indeed, 60% were able to reach agreements to settle their cases.

A certified mediator is available on site on the day of the court hearing to assist parties who wish to attempt to reach a settlement to their dispute.

### Increase in the number of small claims cases

In 2015, an increase in the threshold value for small claims led to an increase in the number of cases, from 4,000 to over 5,000. More complex cases are also becoming more common, requiring more hearing hours, including cases involving latent defects, construction defects, or the non-performance of contractual obligations. The time required for small claims cases to be put on the rolls has nevertheless been reduced to around 375 days in December 2015, compared to 460 days in the previous year.

### Last-minute settlements to be avoided!

In the Regular Division of the Civil Division, the time required for cases to be put on the rolls is still about five months. Settlements that occur the day before a court hearing, leading to a "collapse of the rolls," are regrettably taking place. Measures should be put in place to limit such situations.

## YOUTH DIVISION

### Five new judges and revised operational rules

Between January and September 2015, five judges were appointed to the Youth Division. The contribution of these new colleagues and the revision of the operational rules have helped reduce and maintain reasonable wait times for hearings in most cases.

### An overview of the numbers

The judges in the division heard nearly 18,000 cases during the year. The number of youth protection cases was about 4.7% higher than in 2014, whereas the number of youth criminal justice cases was about 7.3% lower than in the previous year.

### Increase in the number of cases requiring lengthy hearings

There has been an increase in the number of youth protection and youth criminal justice cases requiring lengthy hearings, due to the complexity and type of problems at issue. In addition, the use of interpretation services has been increasing each year, which has an impact on the length of hearings.

### Management conferences with a view to better managing court time

Case management conferences are now held in all youth criminal justice cases. They are presided over by the Associate Coordinating Judge in the case of trials expected to last a day or more. A pro forma appearance, in the presence of the accused, is scheduled no later than 30 days before the trial date to determine whether the length of the trial should be maintained. In certain cases, this process can free up court time for other cases.

In 2015, judges presided over 18 settlement conferences in youth protection cases.

## OUTAOUAIS

**The early case management program: still a success!**

In civil matters, the early case management program established in 2010 continued to move forward with three judges. The program's objectives are to promote access to justice, limit wait times and costs, and ensure compliance with the civil law proportionality principle. The program has been a tremendous success. Since it was set up, 807 cases have been selected for early case management, resulting in 2,043 case management conferences. The average length of the case management process is 90 days from the time the case is assigned to this process, which amounts to half of the time required to prepare a case for trial. The program was adjusted in light of the new *Code of Civil Procedure*.

Around 80% of the cases submitted to early case management were settled, which allowed for quick processing at a lower cost for the parties involved.

**On-site mediation in small claims cases resulted in numerous settlements**

In the Small Claims Division, the on-site mediation program is still under way. This project, launched in 2014, is a joint initiative of the Outaouais bar association and the Court of Québec. A mediator is available on the day of the hearing to assist parties who wish to attempt to reach a settlement. If they are unsuccessful, a judge is on hand to hear the trial the same day. In 2015, in 191 cases out of a total of 244, the parties agreed to proceed to mediation. Of these cases, more than half were settled before the hearing.

In 2015, hearing wait times for small claims cases were from six to eight months.

**An overview of the numbers**

In criminal matters, changes to the Court's operating procedures adopted in 2013 were consolidated. The practice court established to assist with weekly case management continues to free up time in high-volume courtrooms and makes management of lengthy cases more efficient.

In 2015, 46 lengthy cases, totalling more than 130 hearing days, were scheduled; however, this caused an increase in hearing wait times for other cases.

More than 600 cases were processed as part of a pilot project providing for video court appearances between detention centres and high-volume courtrooms, an approach that resulted in significant savings.

In penal matters, the number of judicial authorizations processed by presiding justices of the peace has been relatively stable at over 1,700.

**A project for people with mental health problems who access judicial services**

In 2015, the issue table resumed in the Criminal Division, and a program was developed with other stakeholders for accused persons with mental health problems. This program should be implemented in 2016.



ROSEMARIE MILLAR\*  
Coordinating Judge

14 judges and  
2 presiding justices of the peace

JUDICIAL DISTRICTS  
Gatineau  
Labelle  
Pontiac

\* Judge Rosemarie Millar began her term as coordinating judge on September 3, 2015, replacing Judge Richard Lafamme, who had held this position since September 3, 2013.

**Challenge for 2016: more settlement conferences for youth cases**

In the Youth Division, operational rules put in place in 2013 were reinforced. In 2015, just one settlement conference took place, in spite of the training provided in 2014. The challenge for 2016 is to promote the use of settlement conferences in order to eliminate the backlog of cases, and reduce excessive wait times.

In 2015, as in the previous year, the limitations of the region's courthouses with regard to the security of those using the buildings were once again made clear. There were many security-related incidents, which were documented and shared with the authorities concerned.

## QUÉBEC-CHAUDIÈRE-APPALACHES

**More secure facilities at the Québec City courthouse, and resumption of the work of the Security Issue Table in the Chaudière-Appalaches region**

Following urgent requests from the region's team of coordinating judges, a number of initiatives pertaining to the Québec City courthouse were put together in 2015, in close collaboration with the management of this courthouse.

These initiatives, which will be completed in 2016, are designed to provide more secure arrangements for high-volume courtrooms used for court appearances. First of all, protective glass was added to provide better sequestering of the person in custody who is appearing. Indeed, incidents have occurred every year that could have endangered the Court's support staff, as well as the judges themselves.

The Security Issue Table for the Chaudière-Appalaches region, which had met only sporadically in recent years, was prompted by the Court of Québec to hold a meeting in 2015. From now on, such meetings will be organized at least once a year to provide an update on security issues in this region's courthouses.

This issue table includes stakeholders in the area of security from Société québécoise des infrastructures, as well as Ministère de la Justice and Ministère de la Sécurité publique; the management team of the courthouses in question; and judges in management positions of the Court of Appeal, the Superior Court, and the Court of Québec.

## CIVIL DIVISION

**Increase in the number of small claims cases**

The increase in the jurisdictional threshold in small claims cases led to an increase of around 8% in the number of cases recorded in the registries of the region's five courthouses. This number rose from 2,643 in 2014 to 2,852 in 2015.



CHARLES G. GRENIER  
Coordinating Judge  
(Civil Division)

JEAN-LOUIS LEMAY  
Associate Coordinating Judge  
(Criminal and Penal Division)

JUDITH LANDRY  
Associate Coordinating Judge  
(Youth Division)

42 judges and  
4 presiding justices of the peace

JUDICIAL DISTRICTS  
Beauce  
Charlevoix  
Frontenac  
Montmagny  
Québec

It is anticipated that this increase in the number of applications, of which a significant portion reach \$15,000, coupled with changes that allow businesses with ten employees or less<sup>14</sup> to access the Small Claims Division, presents certain challenges. These include the organization of hearings and the scheduling of time devoted by the judges to hearing each case. The judges of the region are also concerned about maintaining reasonable wait times, which are currently 15 months in Québec City and 18 months in the Beauce region.

#### Targeted blitz for small claims in the Beauce region

In the judicial district of the Beauce, the number of small claims cases has historically been substantial. In order to reduce wait times, the Court implemented a special project with the cooperation of a Québec City judge, who was able to work full time on this task before going into retirement. As a result of this targeted blitz, around 70 cases were handled, thus reducing hearing wait times by almost half, for a certain period of time.

#### Promotion of mediation and free information sessions

In cooperation with the Young Bar Association of Québec City, the Court took steps toward more systematic use of mediation in small claims cases. This amicable, no-cost method of resolving disputes is unfortunately still used too infrequently.

With this aim in mind, judges in the Civil Division participated in public information sessions about small claims, organized by the Québec City Community Justice Center. The Coordinating Judge also provided a training session to lawyers from the region, who will increasingly be called upon to advise citizens regarding small claims.

#### Early case management for some thirty latent defect cases

Under the agreement reached with the Québec City bar association, 32 cases involving latent defects were handled through special early case management. Early case management, which heralded the new case management approach introduced by the updated *Code of Civil Procedure*, supplements other measures based on case management protocols. These measures were put in place by the Coordinating Judge in late 2015 at the request of the Chief Judge, in collaboration with the judicial services staff at the courthouse.

#### Fast-track procedure for nearly 150 cases

In 2015, with the goal of simplifying procedures and reducing costs for citizens accessing judicial services, the Court handled 149 cases where the defense was presented orally, for action either on an account or selling price, using a fast-track procedure for the setting of trial dates. This process, which has existed in Québec for a number of years, aims to set a trial date within four months of the initial request.

This way of handling cases is not explicitly set out in the new *Code of Civil Procedure*; nevertheless, it is maintained to the benefit of all parties, under a special procedure put in place by the Coordinating Judge for expeditiously setting trial dates.

Lawyers can now reserve a trial date online, simply and efficiently, without being required to attend the calling of the roll, held three times a year at the Québec City courthouse.

14. Prior to January 1, 2016, the threshold was set at five employees.

## CRIMINAL AND PENAL DIVISION

### Careful management to handle a heavier workload

In criminal and penal matters, judges and presiding justices of the peace are dealing again this year with an increase in the number, complexity and length of cases.

So it is important to maintain this management approach, which has already been in place for a number of years and relies on close monitoring of cases. Consequently, there is more efficient control of the length of cases, and hearing wait times remain reasonable. We should also point out the contribution of judges who are specially trained to preside over facilitation conferences, resulting in numerous settlements and thus freeing up and optimizing the time available for hearings.

In addition to sitting in court, judges and presiding justices of the peace spend many hours in their chambers performing a number of related tasks, including authorizing warrants for the interception of private communications.

Close cooperation between the criminal court registry and the coordinating team ensured that procedures were optimized again this year, facilitating administrative handling of cases.

## YOUTH DIVISION

### Reasonable wait times

The number of youth protection cases is continuing to rise. As well, cases requiring lengthy hearings are now increasingly common. Judges are nevertheless managing to hear cases within reasonable wait times.

### The success of settlement conferences

In youth protection, judges continue to hold settlement conferences, often to resolve sensitive situations, and with success in many cases.

### Useful and valued discussions

Judges sat on various committees involving the participation of several sociojudicial stakeholders, including the Sociojudicial Issue Table, the Youth Division Operations Committee for Youth Protection, the Settlement Conference Monitoring Committee, and the Youth Law Symposium Organizing Committee.

These are all forums for reflecting on the improvement of services provided to citizens in the area of youth law, and, more generally, on the efficiency and effectiveness of the judicial system.

## SAGUENAY-LAC-SAINT-JEAN

### Enthusiastic welcome for the new *Code of Civil Procedure*

As a result of the reform of the *Code of Civil Procedure*, the early case management practiced in the region since 2010 (for certain areas of law) will become a system-wide practice. The reform imposes a new way of approaching case management that requires mandatory intervention at the beginning of cases. A plan designed by all stakeholders ensures that the parties to a proceeding will benefit from measures that help to meet the legislator's objective by leveraging the versatility of judges in each of the five courthouses of the region. This process also ensures that each case will be heard in the originating courthouse, with resources in place, and for no additional cost.

### Increase in the number of small claims cases

An increase in the jurisdictional threshold for small claims has led to a rise of nearly 20% in the number of cases opened, and longer hearing wait times. A return to the provision of on-site mediation by a mediator from the bar association on the day of the hearing has resulted in more cases being heard per day, which should reduce wait times.

### The challenge of criminal cases lasting more than three days

In criminal matters, case management by the judge is necessary for cases where the hearing lasts more than three days. A special management project for such cases is currently being considered. It is intended to promote more efficient and timely hearings for these cases, which are becoming more numerous.

### Youth: more cases, but facilitation and settlement conferences are on the horizon

In youth-related matters, indicators are still on the increase (in the number of cases opened, hearing hours, and judgments rendered), particularly in protection cases. Lawyers are requesting facilitation sessions and settlement conferences more and more often.

### Toward more efficient transportation of accused persons and witnesses

In Roberval and in Chibougamau, a project is under review to group together Aboriginal justice cases. It aims to facilitate the transportation of accused persons and witnesses, to make sure they are able to attend court hearings.

The new Roberval provincial jail was opened and the Chicoutimi detention centre closed in late 2015. Some changes in practices will have to be made.

### Lack of courtrooms at the Roberval courthouse

Case management and wait times in Roberval have become increasingly complex due to the shortage of available courtrooms. The regional bar, Direction régionale des services judiciaires, and the Court are concerned about the situation. However, this problem will likely be eliminated in the coming years as Ministère de la Justice is studying a concrete plan to resolve the situation.



RICHARD P. DAOUST\*  
Coordinating Judge

10 judges and  
2 presiding justices of the peace

JUDICIAL DISTRICTS  
Alma  
Chicoutimi  
Roberval

\* Judge Richard P. Daoust began his term as coordinating judge on July 1, 2015, replacing Judge Pierre Lortie, who had held this position since October 12, 2010.

## ADMINISTRATION OF THE COURT OF QUÉBEC

### OFFICE OF THE CHIEF JUDGE

Based on an agreement between the Chief Judge of the Court of Québec and the Minister of Justice, the Office of the Chief Judge manages a number of administrative, budgetary, legal, and communications activities directly related to the proper functioning of the Court.

The Office of the Chief Judge is led by Executive Director Anne Bélanger, who reports directly to the Chief Judge. Most of its 35 employees work in the Québec City and Montréal courthouses. One staff member works at the Sherbrooke courthouse. The Office of the Chief Judge includes the support team for the Chief Judge, the Senior Associate Chief Judge, the associate chief judges, and the chair of the Professions Tribunal, as well as the staff of the Court's research department, the Professional Development Secretariat for Judges, and the Secretariat to the Associate Chief Judge Responsible for Municipal Courts.

### The varied activities of the Court's research department

The Court's research department carries out a wide variety of tasks. In the legal sphere, every year, the 12 legal specialists and researchers handle many requests for opinions and other requests of various types for cases being heard by the judges. During the year, they processed 1,935 requests, including 970 legal opinions. The legal specialists and researchers also helped to document current topics by designing reference guides and manuals for the Court's intranet. The researchers assisted the Court's working committees in preparation for the coming into force of the new *Code of Civil Procedure*, particularly the committee tasked with the comprehensive revision of the *Regulation of the Court of Québec*.

### The importance of communications

As the Chief Judge regularly says, "To achieve better access to justice, citizens must have a better knowledge of the judicial system." Part of the communications mandate is the responsibility of the executive assistant to the Chief Judge and the information officer, who make navigating on the Court's website interesting and relevant. Considerable effort goes into informing the legal community and citizens about the Court's main activities and news.

A better understanding of our system:  
one of the keys to better access to justice.

### Support for the Associate Chief Judge Responsible for Municipal Courts

Three staff members of the Office of the Chief Judge, under the direction of the Associate Chief Judge Responsible for Municipal Courts, provide daily support in assigning cases to the municipal judges, managing the municipal courts, and ensuring the smooth running of professional development seminars for municipal judges.

### Professional development of judges, presiding justices of the peace, and municipal judges

The Office of the Chief Judge is responsible for planning and organizing the main training activities attended by judges, presiding justices of the peace, and municipal judges. The judge in charge of professional development for judges and presiding justices of the peace, along with the executive assistant to the Associate Chief Judge Responsible for Municipal Courts, plan, design, and organize 25 professional development seminars, in addition to supporting the annual regional training activities and external seminars provided to judges. To do this, they rely on the collaboration of advisory committees of judges and the competence of two administrative technicians.

#### Monitoring of judicial activities and case processing times

In cooperation with the chief judges and coordinating judges, the Office of the Chief Judge is seeking to draw up a clear portrait of the situation as possible regarding the monitoring of judicial activities and case processing

times, and it endeavours to make the necessary corrections in certain regions. The Office of the Chief Judge uses a systems and procedures analyst to manage all of its activities, whether they involve equitable allocation of resources or the calculation of hearing wait times.

#### A large volume of expense claims to process

Considerable effort goes into quickly processing a large volume of expense claims resulting from the assignment of cases to judges in Québec courthouses, the reimbursement of official expenses, the organization of a number of professional development seminars, and the installation of newly appointed judges. During the last fiscal year, nearly 2,000 official expense claims and 4,100 travel cost reimbursement requests were processed by two administrative technicians and a part-time court usher.

#### Work under way to provide better monitoring of processing times in civil matters

In collaboration with Ministère de la Justice, a software application was designed for monitoring hearing wait times in small claims cases. Work is under way to make this application available, on a short-term basis, for all cases in the Civil Division.

### BUDGET

The Office of the Chief Judge has an annual budget to carry out its mission.

Expenditures from April 1, 2014, to March 31, 2015, are as follows:

<b>Compensation</b>	Judges	\$70,448,800
	Presiding Justices of the Peace	\$4,693,600
	Office staff	\$2,426,700
<b>Travel Expenses</b>	Judges	\$1,822,100
	Presiding Justices of the Peace	\$178,800
	Office staff	\$62,100
<b>Official Expenses</b>	Judges	\$1,128,400
	Presiding Justices of the Peace	\$63,400
<b>Operating Expenses</b>	Judicial furnishings	\$235,600
	Annual general meeting and other administrative meetings	\$69,200
	Contribution to the judicial assistance program	\$26,400
	Professional association dues	\$20,100
	Maintenance of the Court's Intranet for two years	\$15,000
	Training of staff and judges in management positions	\$8,900
	Supplies, materials, subscriptions, maintenance, and courier service	\$29,000
	Printing and framing of the 2013 judges' mosaic	\$12,300
	Stationary and notebooks	\$30,800
	Photocopier (rental)	\$14,800
	Public report	\$17,000
	Professional services (graphic designer, translator, linguist, photographer)	\$14,300
	Robes and accessories for newly appointed judges	\$25,000

## SPECIALIZED COURTS

### HUMAN RIGHTS TRIBUNAL

#### A specialized and independent judicial tribunal



Ann-Marie Jones,  
President.



FROM LEFT TO RIGHT  
Michèle Pauzé, First President of the Tribunal from 1990 to 2010; Ann-Marie Jones, Current President, Élisabeth Corte, Chief Judge, and Michèle Rivest, President from 2010 to 2014.

The Human Rights Tribunal celebrated its 25<sup>th</sup> anniversary in 2015. This anniversary was marked on several occasions, the highlight being the symposium entitled *Le Tribunal des droits de la personne: 25 ans d'engagement à l'égalité* [The Human Rights Tribunal: 25 years of commitment to equality], organized in cooperation with the Québec bar association.

Since 1990, the Human Rights Tribunal has been an integral part of the system that protects and promotes fundamental rights in Québec.

As a specialized judicial body, the Tribunal has authority to dispose of disputes involving discrimination and harassment based on reasons prohibited by the Charter, such as race, sex, pregnancy, sexual orientation, religion, social condition, a handicap or the use of any means to palliate a handicap. It can also hear cases related to the exploitation of elderly and disabled persons or to affirmative action programs. The Tribunal is fully independent of other tribunals and has an exclusively adjudicatory function.

#### For more information about the Tribunal

The legislative texts governing the Human Rights Tribunal's operation, its most recent activity reports, and a list of its members are available on the Tribunal's website.

Since its creation, the Tribunal has generated a considerable amount of jurisprudence on rights and freedoms under the Charter. Since forms of human rights violations change as society evolves, the issues brought before the Tribunal have become increasingly complex. Members analyze and make decisions on important social and cultural issues. Through its broad, liberal and progressive interpretation of the Charter, the Tribunal has gradually raised the level of protection for human rights and freedoms.

The Tribunal was created in an international perspective of universality of rights and freedoms. Its mission is to make the justice system more accessible, by giving vulnerable people and victims of discrimination the opportunity to exercise their rights.

In addition to the president, the Tribunal is currently made up of three Court of Québec judges, assisted by nine assessors, whose role is to hear cases, advise the judges, and help draft decisions. Under the terms of the Charter, all members of the Tribunal are chosen for their experience, expertise, sensitivity, and strong interest in matters of human rights and freedoms.

The judges sitting on the Tribunal as of December 31, 2015, other than its president, Ann-Marie Jones:

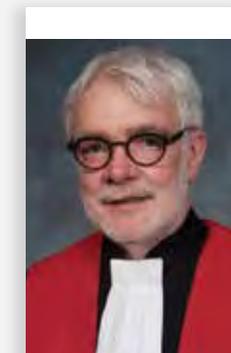
Scott Hughes	Montréal
Yvan Nolet	Laval
Rosemarie Millar	Gatineau

### PROFESSIONS TRIBUNAL

The Professions Tribunal<sup>15</sup> was created in 1973 with the adoption of the *Professional Code*. It is a specialized tribunal exercising actual appeal functions and jurisdiction, as intended by the legislator and recognized by the higher courts.

When it was created, the Professions Tribunal had jurisdiction over 38 professional orders. Today, that number has risen to 46 orders for a total of 54 professions, covering 378,000 professionals throughout Québec.

The Tribunal sits with three judges for hearings on the merits. In other cases, it sits with one judge, appointed by the president. It may confirm, alter, or invalidate any decision submitted to it and render the decision that it feels should have been given in the first place, which constitutes the "broadest possible discretion," to reiterate the expression used by the Court of Appeal about the Tribunal. Except on a question of jurisdiction, no extraordinary recourse provided in the *Code of Civil Procedure* may be exercised against its decisions.



Martin Hébert,  
President.



Julie Veilleux,  
Vice President.

#### Where does the Tribunal sit, and what tools does it make available to citizens?

The Tribunal sits in all judicial districts across Québec. The Tribunal also provides procedural forms in French and English, as well as guides for citizens without legal representation on its website.

15. To learn more about this tribunal, visit its website:  
[http://www.tribunaux.qc.ca/Tribunal\\_professions/index\\_professions.html](http://www.tribunaux.qc.ca/Tribunal_professions/index_professions.html)

### What kind of cases can be heard by the Tribunal?

The Professions Tribunal hears appeals of decisions issued by disciplinary councils, and, since 1994, certain non-disciplinary decisions made by boards of directors or executive committees of professional orders.

The president of the Tribunal holds his or her position exclusively, while the other ten members, all Court of Québec judges from different Divisions and regions, serve part time.

In 2015, the Tribunal rendered 132 judgments.

#### As of December 31, 2015, the Tribunal was composed of the following judges:

Martin Hébert, President	Civil Division
Julie Veilleux, Vice President	Civil Division, Montréal
Jacques Paquet	Civil Division, Montréal
Robert Marchi	Criminal and Penal Division, Montréal
Jean-R. Beaulieu	Criminal and Penal Division, Saint-Jérôme
Renée Lemoine	Civil Division and Criminal and Penal Division, Val-d'Or
Jacques Tremblay	Civil Division, Québec
Linda Despots	Criminal and Penal Division, Montréal
Pierre Labbé	Civil Division, Victoriaville
Patrick Thérout	Civil Division, Sherbrooke
Érick Vanchestein	Criminal and Penal Division, Sherbrooke

## CONFÉRENCE DES JUGES DE LA COUR DU QUÉBEC

The 300 member Conférence des juges de la Cour du Québec is composed of judges of the Court of Québec and certain per diem judges.



Doris Thibault,  
President.

The Conférence, founded in 1962, acts independently of the Court of Québec. It promotes excellence and mutual aid among its members and protects their interests. It also exists to safeguard the dignity, respect, authority, and autonomy of the courts and the judicial system.

The Conférence has fought to have judicial independence recognized as one of the pillars of a free and democratic society. Its members wage an ongoing fight to ensure that this independence is maintained and devote considerable resources to defending this principle, which characterized by the security of tenure, administrative independence, and financial security of judges.

The battles the Conférence has helped fight and the legal actions it has supported through to the Supreme Court of Canada have served not only its members but all the people of Québec. In this, the organization has given the courts an opportunity to help define what constitutes independent justice—that essential element of democratic society.

“We must not forget that, at the end of the day, the principle of independent courts and an independent bench does not exist to benefit judges, but the public.”

- THE PRESIDENT

It is crucial because of the judges and court's role as protectors of the Constitution and the values embodied in it, including the rule of law, fundamental justice, equality, and preservation of democratic process.

Judicial independence is therefore not an end in and of itself, but rather a means of preserving our constitutional order. Because of it, public trust in our institutions and the administration of justice can remain at its highest level. And in a lawful society, this trust is imperative to the correct operation of the judicial system.

### Board of Directors

The Conférence des juges du Québec acts through its board of directors, which is made up of representatives of every region in Québec and the three Court of Québec divisions. The members of the board for 2014–2015 were:

#### Officers

Doris Thibault, President	Representative for the Saguenay–Lac-Saint-Jean region
Christian M. Tremblay, Vice President	
Jean-Pierre Gervais, Secretary	Representative for the Abitibi-Témiscamingue–Nord-du-Québec region
Gilbert Lanthier, Treasurer	Representative for the Montérégie region
Claude Leblond, Outgoing president	Representative for the Montréal region

#### Advisors

Diane Quenneville	Representative for the Civil Division
Hermina Popescu	Representative for the Youth Division
Jean-Pierre Dumais	Representative for the Criminal and Penal Division
James Rondeau	Representative for the Bas-Saint-Laurent–Côte-Nord–Gaspésie–Îles-de-la-Madeleine region
Gilles Lafrenière	Representative for the Estrie region
Jean La Rue	Representative for the Laval–Laurentides–Lanaudière–Labelle region
Guylaine Tremblay	Representative for the Mauricie–Bois-Francs–Centre-du-Québec region
Patsy Bouthillette	Representative for the Outaouais region
Béatrice Clément	Representative for the Canadian Association of Provincial Court Judges

## CONFÉRENCE DES JUGES DE PAIX MAGISTRATS DU QUÉBEC

The presiding justices of the peace have been active in the judicial system since 2004 and serve all over Québec. They are all members of the Conférence des juges de paix magistrats du Québec, an association that has represented them effectively since its founding.



Louis Duguay,  
President since  
November 4, 2015.



Jean-Georges Laliberté,  
President for 10 years  
from November 4, 2005.

The purpose of this body is to promote the dignity, respect, authority, and independence of the 39 presiding justices of the peace, the courts, and the judicial system, to encourage excellence and mutual aid among its members, and to defend their interests. One of its actions in this regard was to file for a declaratory judgment against the government in 2008. This request, which raises constitutional questions about the remuneration of its members, was recently brought before the Supreme Court.

*The Courts of Justice Act was amended in 2015 and now specifies that one of the 16 members of the Conseil de la magistrature du Québec must be a presiding justice of the peace, appointed upon the recommendation of Conférence des juges de paix magistrats.*

Along with the Court of Québec authorities, the Conférence helps keep presiding justices of the peace up-to-date in their knowledge. In addition, certain members were designated by the Chief Judge to sit on a range of advisory committees and the governance committee on judicial ethics and conduct. Several others are involved in working groups that provide the Conférence board of directors with information on a variety of topics, including training, remuneration, and recent case law developments.

**The members of the Conférence board of directors are:**

Louis Duguay, President
Johanne White, Vice President – Montréal
Marie-Claude Bélanger, Vice President – Régions
Gaby Dumas, Secretary
Patricia Compagnone, Treasurer



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