

CANADA
Province of Québec
District:
Locality:
File No.:

COURT OF QUÉBEC
(Civil Division)

vs
Plaintiff
and
Defendant

SELECTION CRITERIA
(arts. 148 and 150 C.C.P.)

1. **You must complete this page when filing “Part 2 – Conduct of the Trial” of the trial management form for a 1st trial protocol or a trial protocol proposal.** It must be placed before the first page of the trial protocol or trial protocol proposal and stapled to it.
2. **Do not complete or include** this page when filing “Part 1 – Stay of Proceeding” of the trial management form.
3. **Do not complete or include** this page when filing an amended trial protocol.
4. Check the boxes that apply to the proceeding. If you answer yes (or fail to give an answer), the trial protocol or trial protocol proposal will be presented for examination by the court.

Extension of the time limit for trial readiness requested Part 2 of the case protocol	<input type="checkbox"/> Yes <input type="checkbox"/> No
Management conference requested Part 2 of the case protocol	<input type="checkbox"/> Yes <input type="checkbox"/> No
Expert evidence to be sought Part 2 of the case protocol – lines 15 and 16	<input type="checkbox"/> Yes <input type="checkbox"/> No
Presence of a party not represented by a lawyer	<input type="checkbox"/> Yes <input type="checkbox"/> No

Case submitted for management before the filing of the case protocol	<input type="checkbox"/> Yes <input type="checkbox"/> No
If you answer yes, the case protocol enclosed herewith is exempted from examination, unless the court decides otherwise.	

RÉSERVÉ AU GREFFIER : Cocher si protocole ou proposition de protocole trié pour saisie CHEM*EXA

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PART 2 – CONDUCT OF PROCEEDING
(arts. 148 ff. C.C.P.)

The page “Selection Criteria” must be included with “Part 2 – Conduct of Proceeding” when you file a 1st case protocol or a case protocol proposal. It must be placed before the first page of the trial protocol or trial protocol proposal and stapled to it.

“Part 2 – Conduct of Proceeding” exempts the parties from completing and including “Part 1 – Stay of Proceeding” of the case management form.

ORIGINATING APPLICATION	
Nature of the dispute	
Value of the subject matter of the dispute	
Date of notification	

SPECIAL REQUESTS BY THE PARTIES	
<input type="checkbox"/>	Extension of the time limit for trial readiness requested (arts. 148(8) and 173 C.C.P.) For the 1st case protocol: month(s), i.e. until (date) Explain the reasons:
<input type="checkbox"/>	Management conference requested (arts. 153 ff. C.C.P.) A request for a management conference does not exempt the parties from collaborating to determine the steps on which they agree as to the conduct of the proceeding. In preparation for the management conference, the parties must identify the subjects to be discussed:

FIRST PHASES IN THE CONDUCT OF THE PROCEEDING AND INCIDENTAL APPLICATIONS		N/A	TIME LIMIT (on or before)
1.	Disclosure of exhibits in support of the application (arts. 145 and 248 C.C.P.)	<input type="checkbox"/>	
2.	Presentation of safeguard measures (art. 169 C.C.P.) Explain:	<input type="checkbox"/>	
3.	Presentation of preliminary exceptions to the application (arts. 166 ff. C.C.P.) Explain:	<input type="checkbox"/>	
4.	Brief statement of grounds of oral defence (mandatory) (arts. 154 and 170, para. 2 C.C.P.)		
5.	Notification and filing of a complementary statement of the oral defence, if necessary, and communication of exhibits in support of the oral defence (arts. 170 and 171 C.C.P.)	<input type="checkbox"/>	
6.	Notification and filing of the written defence and communication of exhibits in support thereof (arts. 148, para. 5 and 170 C.C.P.) Explain the reasons justifying the written defence: <input type="checkbox"/> Tax Administration Act (mandatory written defence) <input type="checkbox"/>	<input type="checkbox"/>	
7.	Notification and filing of the cross-application and communication of exhibits in support thereof (art. 172, para. 2 C.C.P.)	<input type="checkbox"/>	
8.	Presentation of preliminary exceptions to the defence and cross-application (arts. 166 ff. C.C.P.) Explain:	<input type="checkbox"/>	
9.	Notification and filing of the defence to the cross-application and communication of exhibits in support thereof (art. 172, para. 2 C.C.P.)	<input type="checkbox"/>	
10.	Other incidental applications for the proceeding, procedure, agreements and undertakings (arts. 148, para. 1 and 169, para. 1 C.C.P.) Explain:	<input type="checkbox"/>	

PRE-TRIAL EXAMINATIONS (arts. 221 to 229 C.C.P.)		N/A	TIME LIMIT (on or before)
11.	Oral examinations <input type="checkbox"/> of the plaintiff <input type="checkbox"/> of the defendant <input type="checkbox"/> of another party (specify): <input type="checkbox"/> of a third party (specify):	<input type="checkbox"/>	

12.	<p>Communication of undertakings given Indicate a time limit based on the date of the pre-trial examination, not the receipt of stenographic notes.</p> <p><input type="checkbox"/> by the plaintiff <input type="checkbox"/> by the defendant <input type="checkbox"/> by another party (specify): <input type="checkbox"/> by a third party (specify):</p>	<input type="checkbox"/>	
13.	<p>Written examinations</p> <p><input type="checkbox"/> of the plaintiff <input type="checkbox"/> of the defendant <input type="checkbox"/> of another party (specify): <input type="checkbox"/> of a third party (specify):</p>	<input type="checkbox"/>	
14.	<p>Communication of the written responses</p> <p><input type="checkbox"/> of the plaintiff <input type="checkbox"/> of the defendant <input type="checkbox"/> of another party (specify): <input type="checkbox"/> of a third party (specify):</p>	<input type="checkbox"/>	

EXPERT EVIDENCE (arts. 231 ff. C.C.P.)		TIME LIMIT (on or before)
15.	<p>Joint expert opinion <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Including the expert's declaration, curriculum vitae and up-to-date invoice for professional fees (art. 235 C.C.P. and s. 14 Regulation of the Court of Québec)</p> <p>Field:</p> <hr/> <p>Where applicable, explain the reasons justifying refusal to seek the assistance of a joint expert:</p>	
16.	<p>Contradictory expert opinion(s) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Field:</p> <hr/> <p>Communication and filing of report(s)</p> <p>Including the expert's declaration, curriculum vitae and up-to-date invoice for professional fees (art. 235 C.C.P. and s. 14 Regulation of the Court of Québec)</p> <p><input type="checkbox"/> of the plaintiff <input type="checkbox"/> of the defendant <input type="checkbox"/> of another party (specify):</p>	

TRIAL READINESS AND SETTING DOWN FOR TRIAL AND JUDGMENT (arts. 173 and 174 C.C.P.)		TIME LIMIT (on or before)
17.	<p>Notification and filing of application for setting down for trial and judgment</p> <p><input type="checkbox"/> the date corresponds to the strict time limit (art. 173 C.C.P.) <input type="checkbox"/> the date corresponds to the requested extension</p> <p>Any other date must be authorized by the court.</p>	

COMMUNICATION AND NOTIFICATION (arts. 109 to 140 and 148, para. 9 C.C.P.)

18. **Communications and notifications in the course of the proceeding will be by:**

email fax bailiff other (specify):

Refer to the contact information indicated under the signatures of the lawyers or any parties not represented by a lawyer.

DECLARATIONS OF THE PARTIES

The parties, or their lawyers, declare that:

- (a) they have considered the use of private dispute prevention and resolution processes;
- (b) they have come to an agreement on the procedure, agreements and undertakings relating to the steps to be taken to ensure the orderly conduct of the proceeding and have assessed the time required to complete these steps and the foreseeable legal costs;
- (c) they have assessed the need for written or oral pre-trial examinations and have agreed to the procedure for and duration of those examinations;
- (d) they have considered the advisability of seeking a joint expert's report;
- (e) have discussed the issues in dispute that must be defined in the application for setting down for trial and judgment;
- (f) they undertake to respect the time limits fixed in the case protocol and acknowledge that failure to respect the case protocol constitutes a breach that may be punished by the court;
- (g) the case protocol, if such exists, has been notified to the parties.

On

On

Plaintiff
or
Mtre.
Plaintiff's lawyer(s)
(Firm name)
(Address)
(City, province and postal code)
Telephone:
Fax:
Email:
Email for notification:

Defendant
or
Mtre.
Defendant's lawyer(s)
(Firm name)
(Address)
(City, province and postal code)
Telephone:
Fax:
Email:
Email for notification:

On

On

(identify the party)

(identify the party)

or
Mtre.
Lawyer(s)
(Firm name)
(Address)
(City, province and postal code)
Telephone:
Fax:
Email:
Email for notification:

or
Mtre.
Lawyer(s)
(Firm name)
(Address)
(City, province and postal code)
Telephone:
Fax:
Email:
Email for notification: