

Notice to the Members of the Bar

Please be advised that, in accordance with the provisions of Section 113 of the Regulation of the Court of Québec, the following rules of practice have been issued by the Chief Judge of the Court of Québec. These rules of practice will come into force on September 1, 2016, and are available on the Court's website.

(s) Élisabeth Corte

Rules of practice on case management in criminal and penal matters (Section 113 of the Regulation of the Court of Québec)

Preamble: Case management conferences in criminal and penal matters aim to ensure efficient processing of the case and the effective use of resources by specifying the issues in dispute and identifying appropriate means to simplify the proceeding and shorten the hearing. Case management conferences can be used at all stages of criminal and penal proceedings, given the necessary adaptations.

Procedure: The judge, at his or her own initiative or at the request of the parties, will hold a case management conference on the date and at the time and place that he or she will determine.

- 1) The judge will seek to determine the following:
 - a) The status of discussions between the parties
 - b) Possibilities for settlement
 - c) Whether the parties are interested in having a facilitation conference
 - d) Whether the prosecution has made its best offer
 - e) Whether a pre-hearing conference is necessary
 - f) Whether the disclosure of evidence at this stage of the proceedings is complete and whether the defence is satisfied with it
 - g) Whether there are preliminary means or motions
 - h) Whether it is appropriate to appoint a case management judge pursuant to Section 551.7 of the Criminal Code and Section 186 of the Code of Penal Procedure
 - i) Whether interpreters, or special equipment and technological devices are needed
 - j) The possibility of presenting a motion to separate the charges or to hold separate trials in the case of joint charges
 - k) The duration of each stage of the trial and of the trial in its entirety

- 2) The judge may require
 - a) A summary statement of the evidence
 - b) A list of potential witnesses
 - c) The list of expert witnesses, after checking whether there are any expert reports
 - d) A list of exhibits
 - e) A schedule of hearing days with the expected order and duration of the testimony
- 3) The judge invites the parties to agree on any admissions and to specify the issues genuinely in dispute.
- 4) The judge may establish schedules and set other time limits, in particular for the forwarding of certain documents.

The decisions and admissions are recorded in the minutes, which are sent to the parties and the coordinating judge in order to ensure efficient processing of the case.