

**GRADUAL RESUMPTION OF
COURT OF QUÉBEC SERVICES BEGINNING JUNE 1, 2020,
IN LIGHT OF THE COVID-19 HEALTH CRISIS**

THIS COMMUNIQUÉ REPLACES THOSE PUBLISHED ON MARCH 13, 15, 20, 23, AND 26, 2020

**A COMMON SET OF CORE SERVICES ACROSS THE PROVINCE AND POTENTIAL EXPANSION
ON A REGION-BY-REGION BASIS**

On March 13, 2020, the Court of Québec ordered the suspension of its regular operations. This decision was necessary amid the public health crisis to facilitate compliance with the guidelines issued to fight the pandemic. Court activities were subsequently restricted to urgent matters as described in the *Service Continuity Plan* effective through May 31, 2020. Since that time, the following facts have become clear:

- The health crisis has not put citizens' legal needs on hold. In order to respect their right to justice, services must be resumed in large part.
- Services must be resumed gradually and steadily until Court activities return completely to normal.
- However, the speed of the process depends on two factors. The first is the collective obligation to follow the public health guidelines, which may vary with the status of the disease in each region. The second is the impact that status has on the availability of legal services personnel and when they return to the workplace based on the decisions of the authority they report to, namely the Ministère de la Justice. The Court of Québec has no decision-making power in this matter, even though it cannot operate without the support of legal services personnel.
- Resuming activities means continuing to provide services for matters considered "urgent" or related to an "essential service," as well as choosing in which order to handle non-urgent matters. The notion of "priority cause" is also considered alongside urgency to determine the order in which cases will be processed.

Given this context, the Court of Québec identified a common core of legal services offered across the province, upon which each region can expand as its situation and capacity evolve. The [plan prepared for each of the ten regions](#) includes this common core as well as additional legal services that are available.

Rest assured that the Court of Québec is continuously considering the means at its disposal to maintain the quality of its legal services. Frequent adjustments are required to adapt to this changing situation. Please consult the [Court of Québec website](#) regularly to obtain the most recent information on the Court's activities.

USE OF TECHNOLOGY IN THE CONTEXT OF GRADUAL RESUMPTION OF LEGAL SERVICES AT THE COURT OF QUÉBEC

Like its peers, the Court of Québec now has access to [technology that allows it to hold semi-virtual hearings](#). These tools will facilitate the gradual resumption of legal services until the health crisis is over.

The Court of Québec believes that technology-assisted hearings or other legal activities must take place in a semi-virtual format, where the judge and clerk are in the courtroom or an office at the courthouse.

The reason for this position is the volume of Court business and the fact that legal files are not currently digital.

The Court's broad jurisdiction also requires different adaptations for each type of matter.

CIVIL DIVISION MATTERS

Regional rules of operation determine how hearings are held (whether in the presence of the parties or in a semi-virtual courtroom).

One party may request that the hearing be held in a different format than that provided in the regional rules of operation. The request explaining the reasons must be sent by email to the clerk of the Court where the case was opened. The coordinating judge or the judge he or she designates rules on the request.

YOUTH DIVISION MATTERS

Principle: Hearings are held in the courtroom in the presence of the parties.

Exceptions: Hearings are held in semi-virtual mode:

- In penal justice matters when the youth is detained, for:
 - Any step in the legal process where there is no witness or presentation of evidence
 - A release or detention review hearing
- In youth protection matters, for:
 - Approval of draft agreements
 - Fast-tracked requests (art. 95 b) of the *Youth Protection Act*)
 - Management conferences
- When regional rules of operation stipulate a semi-virtual hearing in accordance with the legislative provisions
- When a judge approves the parties' decision to hold the hearing in semi-virtual mode

A party may request the hearing to be held in a different format than provided. The request explaining the reasons must be sent by email to the clerk of the Court where the case was opened. The coordinating judge or the judge he or she designates rules on the request.

PENAL MATTERS

Regional rules of operation determine how hearings are held (whether in the presence of the parties or in a semi-virtual courtroom).

One party may request that the hearing be held in a different format than that provided in the regional rules of operation. The request explaining the reasons must be sent by email to the clerk of the Court where the case was opened. The coordinating judge or the judge he or she designates rules on the request.

CRIMINAL MATTERS

Principle: Hearings are held in the courtroom in the presence of the accused or the defendant.

Exceptions: Hearings are held in semi-virtual mode:

- When regional rules of operation stipulate a semi-virtual hearing in accordance with the legislative provisions
- When a judge approves the parties' decision to hold the hearing in semi-virtual mode

One party may request that the hearing be held in a different format than that provided in the regional rules of operation. The request explaining the reasons must be sent by email to the clerk of the Court where the case was opened. The coordinating judge or the judge he or she designates rules on the request.