

## Directive on the Management of Civil and Youth Proceedings for the Declaration of Eligibility for Adoption

Code of Civil Procedure (CQLR, c. C-25.01, a. 63, 66, and 150, hereinafter  
the C.C.P.)

*This administrative codification consolidates the case management directive for civil and youth cases involving a declaration of eligibility for adoption issued on December 16, 2015, as amended on August 25, 2016, March 18, 2021, June 16, 2023, and January 22, 2024. It is effective as of January 22, 2024.*

### CHAPTER I

#### SUBJECT AND SCOPE

1. This directive establishes the case protocol forms for the Court of Québec and determines the screening criteria for Court examination of protocols for civil, administrative, and youth cases involving declarations of eligibility for adoption, under Article 150 of the C.C.P.

1.1 The Case Protocol in Civil Matters form is replaced by a two-part form. The [first form](#) must be completed only when there is an application to stay the proceedings. The [second form](#) is the case protocol.

2. The use of Court of Québec case protocol forms is mandatory. The forms are available on the websites of the Court of Québec and the Ministère de la Justice du Québec.

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

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

## CHAPTER II

### PROTOCOL EXAMINATION CRITERIA FOR CIVIL CASES

5. Two screening steps have been introduced to determine, for certain cases, which case protocols must be examined by the court for case management purposes:

5.1 The first screening is performed by computer when the initial case protocol or proposed protocol is filed.

- For legal action in Jurisdictions 02 and 22 filed on or before June 29, 2023, protocols filed for the following types of cases are screened:

- i) Consumer contracts (C1)
- ii) Bodily harm (36)
- iii) Latent defects (89)
- iv) Construction defect or poor workmanship (V1)
- v) Co-ownership disputes (I2)
- vi) Dismissal (C2)
- vii) Defamation (D1)
- viii) Neighbour disputes (TV)
- ix) Disability insurance (AI)

- For legal action in Jurisdictions 02 and 22 filed on or before June 29, 2023, as well as legal action filed in Jurisdiction 80 for tax matters (code type 07), protocols are screened when one of the parties is an individual who is not represented by an attorney.

- For recovery actions related to property taxes or school or municipal taxes under Article 36 of the C.C.P. in Jurisdiction 22 (code type 08), regardless of the date on which they were filed.

5.2 The clerk performs a second, manual screening when the initial case protocol or proposed protocol is filed. For legal action in Jurisdictions 02 and 22 filed on or before June 29, 2023, as well as legal action filed in Jurisdiction 80 for tax matters (code type 07), protocols are screened when the parties:

- i. Request a stay of proceedings
- ii. Request an extended deadline for preparing the record
- iii. Request a case management conference when the initial protocol or proposed protocol is filed
- iv. Plan to file one or more expert opinions

- 5.3** The protocol examination under Article 150 of the C.C.P. is not required in Jurisdictions 02 and 22 for legal action filed on or before June 29, 2023, that is or has been subject to a case management conference under Article 157 of the C.C.P., commonly called early case management.

### **PROTOCOL EXAMINATION CRITERIA FOR YOUTH CASES**

- 6.** The protocol must be examined for legal actions in Jurisdiction 43, which concern a declaration of eligibility for adoption (ADOP\*DAA).

### **CHAPTER III**

#### **EFFECTIVE DATE**

- 7.** This directive enters into force on June 20, 2023.
- 8.** The court clerk must reject any case protocol or proposed case protocol for legal actions filed on or after June 30, 2023, in Jurisdictions 02 and 22, with the exception of recovery actions in connection with property taxes or school or municipal taxes under Article 36 of the C.C.P. in Jurisdiction 22 (code type 08).

(s) Henri Richard

Henri Richard  
Chief Justice of the Court of Québec  
Signed in Québec City on January 22, 2024