

DIRECTIVE ON THE UNIFIED FAMILY TRIBUNAL

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

This administrative code, effective July 17, 2026, revises the directive on the Unified Family Tribunal issued on June 27, 2025.

CHAPTER I. GENERAL PROVISIONS

Section I - Originating applications

1. The **originating application relating to parental union**, accompanied by the *Notice of Summons* issued by the Minister of Justice, must be filed on form [SJ-1326](#) and be signed by the applicant.
2. The **originating application to dissolve a civil union**, accompanied by the *Notice of Summons* issued by the Minister of Justice, must be filed on form [SJ-1347](#) and be signed by the applicant.
3. The **originating application to annul a civil union**, accompanied by the *Notice of Summons* provided by the Minister of Justice, must be filed on form [SJ-1358](#) and be signed by the applicant.
4. The **originating application relating to custody and child support, access rights and exercise of parental authority** must be filed on form [SJ-1338](#) and be signed by the applicant.
5. The **originating application for judicial recognition of a foreign birth certificate or a decision made abroad concerning a child born through surrogacy outside Québec** must be filed on form [SJ-1352](#) and signed by the applicant(s).
6. The **originating application to amend the filiation of a child born of a parental project involving surrogacy in Québec** must be filed on form [SJ-1353](#) and be signed by the applicant(s).
7. Subject to article 8, the originating applications referred to in articles 1 to 3 shall be filed with the “Civil Division” of the Unified Family Tribunal. However, the case will be transferred to the “Youth Division” to continue and be concluded there, under the same case number as that of the Unified Family Tribunal (except in the judicial district of Montréal, where a different case number will be assigned), if any of the following situations arise during the proceedings concerning any of the parties’ children:

- a) a voluntary agreement is reached under the *Youth Protection Act* (YPA);
 - b) a youth protection file is opened in the Youth Division under the YPA.
8. The originating applications referred to in articles 1 to 3 shall be filed with the “Youth Division” of the Unified Family Tribunal if, concerning any of the parties’ children, there is:
- a) a voluntary agreement in effect under the YPA;
 - b) a pending youth protection case is proceeding before the Youth Division under the YPA;
 - c) a youth protection decision issued by the Youth Division, under the YPA, that is currently in effect;
 - d) a youth protection decision issued by the Youth Division under sections 38 or 95 of the YPA, the effects of which ceased less than two years ago.
9. A *Notice Concerning Other Orders or Proceedings* ([SJ-1327](#)) must be filed as soon as a party or a child involved in the proceedings is the subject of a court decision, ongoing court proceedings, or an agreement with a director of youth protection. The same applies in the event of a change in circumstances during the proceedings.
10. All applications must include the words “Civil Division” or “Youth Division,” as applicable, on the header and reverse side of originating applications.

CHAPTER II. PROVISIONS APPLICABLE SOLELY TO CASES INVOLVING CIVIL OR PARENTAL UNION

Section I - Safeguard order

§ 1.—General provisions

11. Any application for a safeguard order must meet the following conditions:
- a) be accompanied by a notice of presentation issued at least ten days after service of the originating application (art. 411 C.C.P.), unless the tribunal shortens the time limit if the circumstances warrant it;
 - b) statements relating to the safeguard order, whether attached or incorporated in an originating application, may not exceed five pages. The same applies to the affidavit accompanying the application for a safeguard order;
 - c) the grounds justifying the urgency must be specifically alleged;
 - d) any affidavit in response to an application for a safeguard order shall not exceed five pages. Its title must specify the date of the application for a safeguard order as well as the date of its filing. Any accompanying documents must be served and filed with the clerk at least five days before the date of filing;
 - e) any affidavit in response shall not exceed two pages. Its title must specify the

date of the application for an order to safeguard the rights of the parties as well as the date of its filing. It must be served and filed with the clerk no later than two days before the date of filing;

f) Each paragraph of an affidavit must state a single fact.

12. The hearing on an application for a safeguard order is conducted in a summary manner, solely for urgent situations. No witnesses are heard orally, unless the tribunal grants exceptional leave.
13. Any contested application for a safeguard order is heard in person (lawyers and parties) at the courthouse, unless otherwise authorized by the tribunal.

§ 2.—Extension of a safeguard order

14. Unless otherwise provided by a regional directive, the special clerk shall hear the first two uncontested applications for extension of safeguard orders, the cumulative duration of which shall not exceed the period of six months calculated from the issuance of the first safeguard order (art. 158, para. 1 (8 °) C.P.C).
15. Any further application for an extension of a safeguard order must be filed with the tribunal.
16. Where applicable, the notice of presentation of an application for an extension of a safeguard order must indicate its ordinal number (1st, 2nd, 3rd, etc.) as well as whether it is contested or uncontested.

Section II - The clerk

17. The clerk shall draft and sign every judgment or order issued by the court or a judge, unless the judge issuing the judgment or order has drafted and signed it himself or herself.

Section III - Psychosocial expert assessment

18. When the parties consent to an expert assessment from the Service d'expertise psychosociale (psychosocial evaluation service), they must complete and submit to the Court file the form *Consent to Psychosocial Expertise and Consultation of Records* ([SJ-1339](#)).

Section IV - Case protocol

§ 1.—General provisions

19. Use of the *Case Protocol* form ([SJ-1328](#)) established by the Court of Québec is mandatory, and the parties must comply with its contents. The "Selection Criteria" page must be placed before the 1st case protocol or the proposed case protocol and stapled to it.

20. When the originating applications provided for in articles 1 to 3 concern the division of property between the parties, the appendix *Preliminary statement of property in the parental union patrimony, partnership of acquests, and other property* ([SJ-1329](#)) must be attached to the case protocol form or the proposed case protocol form.
21. The section of the protocol dealing with “Mediation” must be completed only as of the effective date of article 419.2 of the C.C.P.
22. The clerk will reject any filed case protocol or proposed case protocol that does not use the form prepared by the Court of Québec.

§ 2.–Criteria for reviewing the case protocol

23. The clerk performs a screening when the initial case protocol or proposed case protocol is filed to determine whether the parties will be summoned to a case management conference. The selection criteria are as follows:
 - i) one of the parties is not represented by an attorney;
 - ii) compensatory payment is claimed or unjust enrichment is alleged;
 - iii) the parties do not agree on the duration, location or format of certain examinations;
 - iv) the parties do not agree on the number or scope of the expert assessments;
 - v) the parties refuse to use a joint expert opinion to assess the value of movable or immovable property;
 - vi) one of the parties wishes to commission more than one opposing expert opinion;
 - vii) the parties request an extended deadline for preparing the record;
 - viii) the parties request a case management conference be held;
 - ix) the parties have participated in mediation with an accredited mediator and are requesting a settlement conference be held.

Section V - Case management conference

24. In addition to the management conference convened following the review of the 1st case protocol or the proposed case protocol, the parties shall be summoned to a case management conference if, within six months from the date of service of the originating application:
 - a) no case protocol has been filed; or
 - b) no confirmation of their participation, jointly or separately, in an information session on parenting and mediation has been filed.
25. The attorney for a party participating in a case management conference must have a thorough understanding of the case and, in particular, be able to make admissions,

enter into commitments and make other decisions regarding the conduct of the proceedings. A party that fails to comply may be subject to sanctions.

Section VI - Settlement conference

26. The *Joint Application for a Settlement Conference* is made by completing form [SJ-1348-1](#) or by including it in the case protocol or the application for setting down for trial and judgment (form [SJ-1348-2](#)).
27. The *Confidentiality Agreement* form ([SJ-1349](#)) must be attached to the *Joint Application for a Settlement Conference*.

Section VII - Setting down for trial and judgment

§ 1. – Application for Setting Down for Trial and Judgment

28. The use of form [SJ-1360](#), *Application for Setting Down for Trial and Judgment*, as well as the other forms mentioned therein and established by the Court of Québec, is mandatory.
29. No later than 60 days before filing the application for setting down for trial and judgment, the applicant must serve and file one or more of the following forms, as applicable:
- *State of the Parental Union Patrimony* ([SJ-1337](#));
 - *State of the Family Patrimony* ([SJ-1341](#));
 - *State of the Partnership of Acquests* ([SJ-1342](#)).

No later than 30 days after the service of any of these forms, the defendant must serve and file their own form.

30. If the clerk finds that a party has failed to complete the sections pertaining to them or that the file is incomplete, the clerk shall refer the matter for management to the coordinating judge, assistant coordinating judge or any other judge designated by them.

§ 2. – Application to extend the time limit to set the case down for trial and judgment

31. The application to extend the time limit to set the case down for trial and judgment must indicate its ordinal number (1st, 2nd, 3rd, etc.) as well as whether it is contested or uncontested.
32. It must specify the grounds for the request and be accompanied by a draft of the amended case protocol, if applicable.

§ 3.–Case processing

- 33.** After the *Application for Setting Down for Trial and Judgment* is filed, the judge may, among other things, summon the parties to a case management conference, a preparatory conference, or, if the parties so request, a settlement conference.

CHAPTER III. FINAL PROVISIONS

Section I - Forms

- 34.** The forms referred to in this Directive are available on the Court of Québec website.

Section II - Effective date

- 35.** This directive will enter into force on July 17, 2026.

Original signed

(s) Henri Richard

Henri Richard

Chief Justice of the Court of Québec

Signed in Québec City on July 17, 2026