

and the other parties have filed their duly completed declaration of inscription on the roll for hearing and the list of exhibits.”.

**7.** Form V is amended

(1) by deleting the words “writ and of” in paragraph 1; and

(2) by substituting the word “declaration” for the word “writ” in paragraph 3.

**8.** Section 12 of the Rules to amend the Rules of practice of the Superior Court of Québec in civil matters, published on 2 October 1996 in Part 2 of the *Gazette officielle du Québec*, is revoked.

**9.** These Rules come into force 10 days after their publication in the *Gazette officielle du Québec*.

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## Notice

### Amendments to the Rules of practice of the Superior Court of Québec in family matters

Notice is hereby given that the Rules to amend the Rules of practice of the Superior Court of Québec in family matters, the text of which appears below, were made by the judges of the Superior Court of Québec by way of a consultation by mail, on 31 January 1997, in accordance with article 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Montréal, 25 February 1997

LYSE LEMIEUX,  
*Chief Justice*

## Rules to amend the Rules of practice of the Superior Court of Québec in family matters

Code of Civil Procedure  
(R.S.Q., c. C-25, s. 47)

**1.** The Rules of practice of the Superior Court of Québec in family matters (R.R.Q., 1981, c. C-25, r. 9), amended by the decisions of the judges of the Superior Court of Québec dated 29 October 1982, 19 October 1984, 28 February 1986, 23 October 1986, 7 March 1988, 15 April 1989, 18 June 1990, 21 June 1991, 1 June 1992, 23 June 1994 and 7 August 1996, are further

amended by substituting the following for the first paragraph of Rule 23.2:

“The judge may only issue a psycho-social evaluation order with the consent of the parties, after having ascertained that such evaluation is expedient.”.

**2.** The following is substituted for Rule 23.3:

“**23.3** At the interim stage, a judge who orders such evaluation shall mention whether the report must be forwarded to the Chief Justice or to the judge designated by the Chief Justice, unless he remains seized of the matter personally.

In any other case, the judge shall remain seized of the matter.”.

**3.** Rule 23.4 is amended

(1) by substituting the following for the first paragraph:

“The order shall be issued from the bench, in the presence of the parties. The judge may give reasons for his decision later.”;

(2) by deleting the words “If no liaison officer is available” in the second paragraph.

**4.** The following is substituted for Rule 23.5:

“**23.5** The order, drawn up as closely as possible to Form VII, shall indicate the specific object of the evaluation. Where expedient, the Court may issue an order under section 19 of the Act respecting health services and social services (R.S.Q., c. S-4.2) in compliance with Form VIII.”.

**5.** The words “mentioned in it” are substituted for the words “who ordered it” in Rule 24.

**6.** The following is substituted for section 25 of the Rules to amend the Rules of practice of the Superior Court of Québec in family matters, published on 2 October 1996 in Part 2 of the *Gazette officielle du Québec*:

“**25.** Sections 8, 9, 12, 13 and 20 of these Rules do not apply to cases before the Court on 30 September 1995.”.

**7.** Form VI is amended

(1) by deleting the words “as a result of an application for custody or access” at the end of the first paragraph; and

(2) by adding the following paragraph after the first paragraph:

“We consent to cooperate on the conduct of interviews with each one of us and our child or children if the expert deems it expedient.”

**8.** The following is substituted for the words “and that its report in writing be made on or before \_\_\_\_\_ or as soon as possible.” in Form VII at the end of the text of the order:

“, that it file a written report on or before \_\_\_\_\_ and that the report be forwarded to  
— the Chief Justice; or  
— the judge designated by the Chief Justice; or  
— the undersigned judge.”

**9.** Form VIII is amended

(1) by inserting the following after “Order (Rule 23.5)”:

“COMMUNICATION OF RECORDS ORDER (s. 19 of the Act respecting health services and social services (R.S.Q., c. S-4.2)); and

(2) by substituting the following for the words “in conformity with Section 7 of An Act respecting Health services and Social services (R.S.Q., c. S-5)” after the words “FOR THESE REASONS:”:

“in accordance with section 19 of the Act respecting health services and social services (R.S.Q., c. S-4.2)”.

**10.** These Rules come into force 10 days after their publication in the *Gazette officielle du Québec*.

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## Notice

### Amendments to the Rules of practice of the Superior Court of the district of Montréal in civil and family matters

Notice is hereby given that the Rules to amend the Rules of practice of the Superior Court of the district of Montréal in civil and family matters, the text of which appears below, were made by the judges of the Superior Court of the district of Montréal by way of a consultation by mail, on 31 January 1997, in accordance with article 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Montréal, 25 February 1997

LYSE LEMIEUX,  
*Chief Justice*

### Rules to amend the Rules of practice of the Superior Court of the district of Montréal in civil and family matters

Code of Civil Procedure  
(R.S.Q., c. C-25, s. 47)

**1.** The Rules of practice of the Superior Court of the district of Montréal in civil and family matters (R.R.Q., 1981, c. C-25, r. 6), amended by the decisions of the judges of the Superior Court of the district of Montréal dated 19 October 1984, 23 June 1994 and 7 August 1996, are further amended by revoking Rule 12.

**2.** The following is substituted for Rule 15:

“**15.** The Chief Justice shall determine the number of sections of the Practice Division. The distribution of cases therein shall be made according to his instructions.”

**3.** The following is substituted for Rule 16:

“**16.** Unless the Chief Justice decides otherwise, notice of presentation of any proceeding shall be given for 9:15 a.m. in the rooms designated respectively for civil matters, family matters or for the special clerk.”

**4.** Rule 17 is revoked.

**5.** These Rules come into force 10 days after their publication in the *Gazette officielle du Québec*.

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