

## Regulations and other acts

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

Notice is hereby given that the Rules to amend the Rules of practice of the Superior Court of Québec in civil 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 June 14, 2001, in accordance with article 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Montréal, July 13, 2001

LYSE LEMIEUX,  
*Chief Justice*

### Rules amending the Rules of practice of the superior Court in civil matters

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

1. The following rule is added after Rule 12:

“**12.1 Protective supervision.** Upon receipt of an objection in the context of Article 280 *C.C.Q.* or Article 863.10 *C.C.P.*, the Clerk inscribes the case on the roll of the Practice Division and sends a notice of presentation to all interested persons at least ten days prior to the date fixed in the notice.”

2. The following rule is added after Rule 44:

“**44.1 Letter format.** The transcript of the recording or the stenographic notes of a deposition may be filed in the format used for a factum in the Court of Appeal.”

3. The following rule is added after Rule 50:

“**50.1 Abusive proceedings.** The Clerk transmits a copy of any order filed in his Office preventing a person from commencing or continuing any legal claim without prior judicial authorization to the Clerks of all the judicial districts and to the Chief Justice in Montreal.”

4. The following chapter is added after Rule 69:

### “CHAPTER XIII SETTLEMENT CONFERENCE

**70. Purpose.** A settlement conference is intended to assist the parties in settling their case out of court.

**71. Consent.** The conference is held only with the consent of the parties to the case.

**72. Authorization.** Upon request setting out a brief summary of the case, the Chief Justice or the Judge he designates may authorize the holding of a conference and name a judge to preside at it.

**73. Stay of proceedings.** The authorization does not constitute a stay of proceedings but the judge who presides at the conference may issue a stay of proceedings for a limited period of time.

**74. Procedure.** After consulting with the parties, the Judge fixes a schedule, identifies who may participate at the conference and adopts any measure to facilitate its conduct.

**75. Agreement of transaction.** At the request of the parties, the Judge may ratify any agreement of transaction (Article 2633 *C.C.Q.*).

**76. Confidentiality.** The conference takes place *in camera*. Nothing that is said or written during the conference is admissible in evidence, nor may be brought up during the trial.

**77. Pre-trial conference.** If a settlement cannot be achieved, the Judge may, with the consent of the parties, transform the settlement conference into a pre-trial conference governed by Article 279 *C.C.P.*

**78. Adjournment.** If the case continues the Judge abstains from acting unless the parties request him to do so.”

5. Form IV is repealed.

6. The Table of Contents is amended by:

(a) the addition in the required place of the new rules and the new Chapter XIII, that is:

**12.1: Protective supervision****44.1: Letter format****50.1: Abusive proceedings****Chapter XIII****70: Purpose****71: Consent****72: Authorization****73: Stay of proceedings****74: Procedure****75: Agreement of transaction****76: Confidentiality****77: Pre-trial conference****78: Adjournment**

(b) the indication that Rule 48 and Form IV have been repealed.

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

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### **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 June 14, 2001, in accordance with article 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Montréal, July 13, 2001

LYSE LEMIEUX,  
*Chief Justice*

### **Rules amending the Rules of practice of the Superior Court in family matters**

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

1. The following rule is added after Rule 41 :

“**41.1** Extract of judgment. Upon request, the Clerk may issue an extract of a judgment that is limited to the conclusions.

2. Form VIII is amended by the replacement of the words :

“WHEREFORE :

The Court renders a judgment of divorce between”

by the words :

“WHEREFORE THE COURT :  
Pronounces the divorce of”.

3. The Table of Contents is amended by the addition in the required place of a new rule, that is :

#### **41.1 Extract of judgment**

4. These rules come into force ten days after their publication in the *Gazette officielle du Québec*.

4475

### **Amendments to the Rules of Practice of the Superior Court of the district of Québec in civil matters and family matters**

Notice is hereby given that the Rules to amend the Rules of Practice of the Superior Court for the district of Québec in civil matters, the text of which appears below, were established by the judges of the Superior Court appointed for the district of Québec, at their annual meeting on June 1<sup>st</sup>, 2001, in accordance with section 47 of the Code of Civil Procedure (R.S.Q., c. C-25).

Québec, 26 July 2001

RENÉ W. DIONNE,  
*Associate Chief Justice*