

Court of Appeal
of Quebec

GUIDE ON CIVIL PROCEDURE

FOR SELF-REPRESENTED PERSONS

Version dated March 2, 2026

PREFACE

This guide contains useful information on:

i. how to initiate an appeal;

ii. the subsequent steps to be followed; and

iii. the documents to be filed.

IMPORTANT

→ This guide only sets out information; it does not provide any legal advice.

→ It does not exempt you from reading the applicable laws and regulations.

→ Although individuals can represent themselves, we strongly recommend you consult a lawyer.

→ We remind you that the clerk will refuse any pleading or document that does not comply with the Court's rules.

Useful links and resources:

- *Code of Civil Procedure (C.C.P.)*
- *Regulation of the Court of Appeal of Quebec in Civil Matters (R.C.A.Q.Civ.M.)*
- Clerk's Practice Directions in Civil Matters
- Directives and Notices of the Chief Justice

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INITIATING AN APPEAL

If you believe a judgment contains errors, you can initiate an appeal.

Please read the rules for filing an appeal, including:

- Articles 352 to 363 *C.C.P.*
- Sections 9, 13, 24 to 26, 29 to 34, 36, 38, 65 and 66 *R.C.A.Q.Civ.M.*

IMPORTANT

→ **We recommend you consult a lawyer as of this very stage**, in particular to determine whether and how the judgment can be appealed.

→ The Court of Appeal is not always the proper court or tribunal for an appeal from a judgment in first instance in a civil matter. Here, too, a lawyer will be able to advise you.

→ You must act quickly, because the time limit for filing an appeal is generally 30 days from the date of the judgment. Certain laws may establish shorter time limits. We strongly recommend you speak with a lawyer, since the Court office will not comment on appeal deadlines.

Two types of appeals

- **Appeal as of right**: When a judgment in first instance can be appealed by filing a notice of appeal, without seeking leave (i.e., permission). More information on this subject is available in the next section.
- **Appeal with leave (i.e., permission)**: When, in addition to the notice of appeal, an application for leave to appeal must be presented before a judge of the Court of Appeal or before the Court of Appeal itself (panel of three judges). For example, generally speaking, an appeal involving judicial review requires leave. More information on this subject is available in the section entitled "Appeal with leave".

ATTENTION

Court office staff are not authorized to tell you what type of appeal applies to your situation. It is therefore advisable to consult a lawyer if you are unsure whether your appeal requires leave.

Appeal as of right: how to file a notice of appeal

Purpose

Your appeal is initiated when the clerk accepts the filing of the notice of appeal and of the proof of service on the respondent.

Notice of appeal and content of the notice

Your notice of appeal must contain the following information:

- the date of the judgment under appeal;
- the place and duration in days of the hearing in first instance;
- the court of first instance and the court record number in first instance as well as, where applicable, the Superior Court record number if the Superior Court sat in appeal;
- the facts and the grounds of appeal stated concisely, in a maximum of 10 pages (the designation of the parties, the confidentiality notices required by s. 9 *R.C.A.Q.Civ.M.* and the conclusions sought are excluded from the page count);
- your address and, if available, your email address; and
- the name, address and, if available, email address of the respondent and, if applicable, of the other parties and their counsel in first instance.

Your notice of appeal must also include:

(a) either a statement mentioning that the court record contains no confidential information;

(b) or

i. under the court record number in first instance, an express statement of confidentiality; and

ii. in a paragraph, a clear indication of the confidential content and the legal provision or order on which the confidentiality is based. In the latter case, you must attach a copy of the confidentiality order. For example, this could be an order prohibiting disclosure or circulation under art. 16 *C.C.P.*;

(c) a copy of the proof of service on the respondent;

(d) a copy of the judgment in first instance;

(e) a copy of the notice of judgment; and

(f) proof of notification to the office of the court of first instance and to all other interested parties within **three working days** following the expiry of the time limit to appeal.

Time limit for filing

You must **file** your notice of appeal within **30 days** after:

- the date of the notice of the judgment you wish to appeal

or

- the date of the judgment you wish to appeal, if the judgment was rendered at the hearing.

However, specific statutes may prescribe a different time limit (such as for divorce proceedings or for bankruptcy and insolvency proceedings).

If the time limit has expired or you believe you will not be able to file your notice of appeal before the expiry of the time limit and it has been less than six months since the judgment you wish to appeal was rendered, you can file an application for leave to appeal after the expiry of the time limit with the Court of Appeal (panel of three judges).

Service/Notification

You must **serve** your notice of appeal by bailiff on the respondent.

Your notice of appeal must be **notified**:

- to the office of the court of first instance (i) by technological means or (ii) by delivering two paper copies of the notice;
- to the lawyer who represented the respondent in first instance (i) by technological means or (ii) by delivering one paper copy of the notice; and
- to all other interested parties (i) by technological means or (ii) by delivering one paper copy of the notice.

Digital Office of the Court of Appeal (DOCA)

You must file the **PDF file** of your notice of appeal using DOCA. You no longer need to provide paper copies, unless expressly requested by the clerk.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Unless you are exempted from PDF filing, when you file your notice of appeal and, where applicable, your other applications, at the counter of the Court office, you must also transmit an electronic copy in PDF format through DOCA the **same day**.

Number of copies, if required

- **Notice of appeal**: **One** paper copy.
- **Schedules**: **One** copy only.

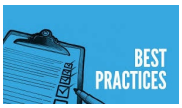
Court costs

You must pay the court costs when filing your notice of appeal.

Please refer to: Court Costs and Bill of Costs in Civil Matters.

IMPORTANT

We strongly recommend you speak with a lawyer, since the Court office will not comment on appeal deadlines.



- ✓ Before filing your notice of appeal, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.



Avoid these frequent reasons for refusal

Your notice of appeal does not include the proof of service on the respondent.

Your notice of appeal **exceeds** the **10-page** maximum.

Appeal with leave (i.e., permission): how to file an application for leave to appeal

Purpose

Before appealing certain judgments, you must seek and obtain leave from a judge of the Court of Appeal or from the Court of Appeal itself (panel of three judges).

The application for leave to appeal must be filed at the same time as the notice of appeal.

Application for leave to appeal and content of the application

Every application must include a copy of the documents necessary for its adjudication. For an application for leave to appeal, you must include a copy of the **judgment** you wish to appeal.

If only a handwritten version of the judgment exists (e.g., a judgment rendered on the minutes of the hearing), you must provide a typed **transcription** of the judgment, failing which your application for leave to appeal might not be placed on the roll.

Your application for leave to appeal must contain the following information:

- the date of the judgment under appeal;
- the place and duration in days of the hearing in first instance;
- the court of first instance and the court record number in first instance as well as, where applicable, the Superior Court record number if the Superior Court sat in appeal;
- the facts and the grounds of appeal stated concisely, in a maximum of 10 pages (the designation of the parties, the confidentiality notices required by s. 9 *R.C.A.Q.Civ.M.* and the conclusions sought are excluded from the page count);
- your address and, if available, your email address; and
- the name, address and, if available, email address of the respondent and, if applicable, of the other parties and their counsel in first instance.

Your application for leave to appeal must also include:

(a) either a statement mentioning that the court record contains no confidential information;

(b) or

i. under the court record number in first instance, an express statement of confidentiality; and

ii. in a paragraph, a clear indication of the confidential content and the legal provision or order on which the confidentiality is based. In the latter case, you must attach a copy of the confidentiality order. For example, this could be an order prohibiting disclosure or circulation under art. 16 *C.C.P.*;

(c) an affidavit, if required;

(d) a notice of presentation;

(e) a copy of the proof of service on the respondent;

(f) a copy of the judgment in first instance;

(g) a copy of the notice of judgment, if applicable; and

(h) proof of notification to the office of the court of first instance and to all other interested parties within **three working days** following the expiry of the time limit to appeal.

Examples

- Model in Civil Matters — Application for Leave to Appeal a Judgment Terminating the Proceeding
- Model in Civil Matters — Application for Leave to Appeal a Judgment Rendered in the Course of a Proceeding

Time limit for filing

You must **file** your application for leave to appeal, together with your notice of appeal, within **30 days** after:

- the date of the notice of the judgment you wish to appeal

or

- the date of the judgment you wish to appeal, if the judgment was rendered at the hearing.

However, specific statutes may prescribe a different time limit (such as for divorce proceedings or for bankruptcy and insolvency proceedings).

If the time limit has expired or you believe you will not be able to file your application for leave to appeal before the expiry of the time limit and it has been less than six months since the judgment you wish to appeal was rendered, you can file an application for leave to appeal after the expiry of the time limit with the Court of Appeal (panel of three judges).

We strongly recommend you speak with a lawyer, since the Court office will not comment on appeal deadlines.

Service/Notification

You must **serve** your application for leave to appeal and your notice of appeal by bailiff on the respondent. You must serve these two pleadings together.

Your application for leave to appeal and your notice of appeal must be notified **at least five working days** before the presentation date of your application.

You must **notify** them:

- to the office of the court of first instance (i) by technological means or (ii) by delivering two paper copies of the notice;
- to the lawyer who represented the respondent in first instance (i) by technological means or (ii) by delivering one paper copy of the notice; and
- to all other interested parties (i) by technological means or (ii) by delivering one paper copy of the notice.

Reservation

Please refer to the page entitled "Calendars of hearing dates of applications" on our website to determine the days on which you can present your application for leave to appeal before a judge or before the Court.

No reservation is required to present your application for leave to appeal before a judge.

However, if you want to present your application for leave to appeal before the Court, you must, prior to filling out your notice of presentation, reserve a date by calling the Court office:

Montreal: 514-393-2022 / **Quebec City**: 418-649-3401

Notice of presentation

Every application must be accompanied by a notice of presentation stating, in particular, the date and time it is to be presented and the courtroom in which the hearing will take place.

Before a judge

There must be **at least five working days** between the filing date and the presentation date of your application.

Monday to Friday at 9:30 a.m.

Montreal: Courtroom RC-18

Quebec City: Courtroom 4.30

Before the Court

There must be **at least ten working days** between the filing date and the presentation date of your application.

Monday at 9:30 a.m., during the weeks when the Court is sitting.

Montreal: Pierre-Basile Mignault Courtroom

Quebec City: Courtroom 4.33

Digital Office of the Court of Appeal (DOCA)

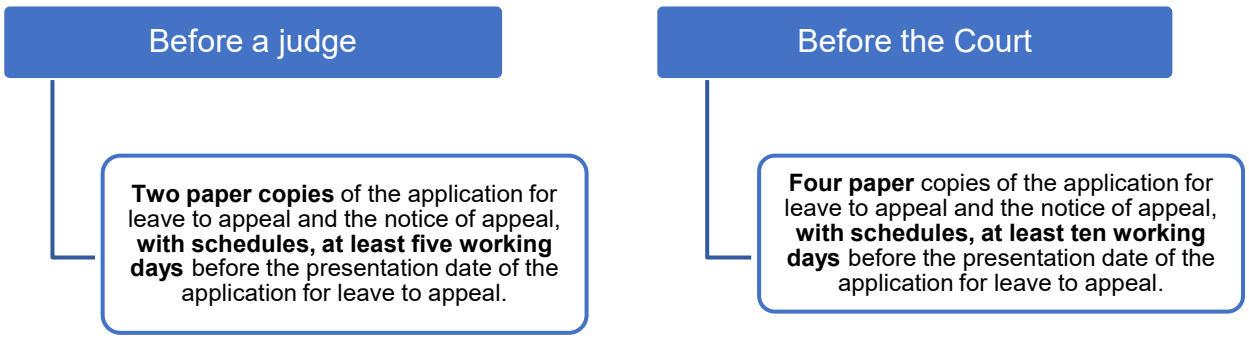
Since the application for leave to appeal is an originating appellate pleading (i.e., one that initiates the appeal), in the same way as a notice of appeal, you must file the **PDF files** of your application for leave to appeal and your notice of appeal **using DOCA**.

In such a case, you must **deliver** the number of paper copies required (see below) to the Court office no later than **five working days** after the e-filing, indicating on the paper copies the court record number assigned by the system. Otherwise, the opening of the court record (i.e., court file) may be refused.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Unless you are exempted from PDF filing, when you file your application for leave to appeal, your notice of appeal and, where applicable, your other applications, at the counter of the Court office, you must also transmit an electronic copy in PDF format through DOCA the **same day**.

Number of copies (application for leave to appeal, notice of appeal and schedules)



Court costs

You must pay the court costs when filing your notice of appeal. The courts costs are the same as those for an appeal as of right and are paid only once.

Please refer to: Court Costs and Bill of Costs in Civil Matters.

Book of authorities

If you want to file a book of authorities in support of your application for leave to appeal, the PDF file must be filed through DOCA and notified to the other parties:

- **Before a judge**: **At least two working days** before the presentation date of the application for leave to appeal.
- **Before the Court**: **At least five working days** before the presentation date of the application for leave to appeal.

Outline of the oral argument

The application is contested orally at the hearing. However, the respondent may file with the Court office and notify to the other parties, at least **two working days** prior to the presentation date of the application, an outline of oral argument not exceeding two pages setting out its position.

Decorum

Whether the hearing is held in person or by technological means, sober attire is required.

IMPORTANT

→ As a limited number of applications are heard on each hearing day, you must consult the page Calendars of hearing dates of applications or reserve your place on the roll of applications presented before the Court.

→ When you reserve a place on the application roll, you have **five working days** to file your application. If you do not file your application within this time limit, your reservation will be cancelled without further notice.



✓ Before filing your application for leave to appeal and your notice of appeal, verify that they satisfy all the requirements mentioned in the checklist available on the Court's website and at the Court office.

✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.

✓ Before indicating a presentation date in the notice of presentation, consult the available hearing dates at Calendars of hearing dates of applications.

✓ Make sure to attach all exhibits necessary to support your application for leave to appeal, including the judgment you wish to appeal.



Avoid these frequent reasons for refusal

Your application for leave to appeal and your notice of appeal do not include the proof of service on the respondent.

Your application for leave to appeal or your notice of appeal **exceeds** the **10-page** maximum.

Opening of the court record (i.e., court file)

As soon as you file your originating appellate pleading (notice of appeal or application for leave to appeal), the clerk will assign a court record number in appeal.

You must indicate this court record number on all your pleadings and all documents and correspondence addressed to the Court of Appeal.

Representation or non-representation statement

Purpose

If you are a respondent or another interested party (impleaded party, intervenor), you must file a representation statement indicating that you are represented by a lawyer.

If you are not represented by a lawyer, you must, instead, file a non-representation statement.

Notification/Filing

You must **notify** your representation or non-representation statement to the other parties and **file** it within **10 days after**:

- service of the notice of appeal

or

- notification of the notice of appeal.

However, in a court file in which an application for leave to appeal is attached to the notice of appeal and you are an impleaded party or intervenor, you must **notify** your representation or non-representation statement to the other parties and **file** it within **10 days after** one of the following dates, whichever is earlier:

- the date of the judgment granting leave to appeal; or
- the date the judge takes note of the filing of the notice of appeal.

When you file your representation or non-representation statement, it must be accompanied by (i) a copy of the proof of notification to the other parties and (ii) an express statement of confidentiality (if applicable) under the court record number.

Court costs

You must pay the court costs when filing your representation or non-representation statement.

Please refer to: Court Costs and Bill of Costs in Civil Matters.

ATTENTION

If you are a respondent or any other interested party and you do not file a representation or non-representation statement, you will not be able to file any pleadings or briefs (or memoranda) in the court record. The Court will not notify any notices to you.

Moreover, if you have not filed a representation or non-representation statement, parties are not obliged to notify their briefs and other pleadings to you.

Certificate concerning the transcription of depositions

Please read the applicable provisions, including:

- Articles 353, 357 and 372 *C.C.P.*
- Sections 9 and 35 *R.C.A.Q.Civ.M.*

Purpose

To initiate an appeal (principal or incidental), you must **file** a certificate concerning the transcription of depositions using DOCA.

In this certificate, you must indicate, as the case may be:

- that you have instructed an official stenographer to transcribe the depositions you intend to use; or
- that no transcript of a deposition is necessary for the appeal.

Parties who want to avoid transcription costs may agree on a joint statement of facts, which is inserted after Part V of the argument in the appellant's brief (s. 49 *R.C.A.Q.Civ.M.*).

Notification/Filing

You must **notify** your certificate to the other parties and **file** it:

Appeal as of right	Appeal with leave	Incidental appeal
Within 45 days after the date of the judgment you wish to appeal.	**Within 15 days** after (i) the date of the judgment granting your application for leave to appeal or (ii) the date the judge takes note of the filing of your notice of appeal.	**Within 15 days** after the expiry of the time limit set out in the 2nd paragraph of article 360 *C.C.P.* (i.e., 10 days after service of the notice of appeal or the date of the judgment granting leave to appeal).

When you file your certificate, it must be accompanied by (i) a copy of the proof of notification to the other parties and (ii) an express statement of confidentiality (if applicable) under the court record number.

Incidental appeal

Please read the applicable provisions, including:

- Articles 353 and 357 to 360 *C.C.P.*
- Sections 9, 13 and 35 *R.C.A.Q.Civ.M.*

Purpose

If a notice of appeal has already been filed in a case in which you are a party and you also want to appeal certain aspects of the decision in first instance, you can initiate an incidental appeal by filing a notice of incidental appeal.

For some judgments, you can also apply to a judge of the Court of Appeal for leave to initiate an incidental appeal. In such a case, your application for leave to initiate an incidental appeal must be filed at the same time as your notice of incidental appeal.

The appeals (the principal appeal and the incidental appeal) will be heard at the same time.

Your notice of incidental appeal must satisfy the same requirements as the notice of appeal in the principal appeal, with the necessary adjustments. In particular, as the incidental appellant, you must file a certificate concerning the transcription of depositions.

Your notice of incidental appeal must contain the following information:

- the date of the judgment under appeal;
- the place and duration in days of the hearing in first instance;
- the court of first instance and the court record number in first instance as well as, where applicable, the Superior Court record number if the Superior Court sat in appeal;
- the facts and the grounds of appeal stated concisely, in a maximum of 10 pages (the designation of the parties, the confidentiality notices required by s. 9 *R.C.A.Q.Civ.M.* and the conclusions sought are excluded from the page count);
- your address and, if available, your email address; and
- the name, address and, if available, email address of the incidental respondent and, if applicable, of the other parties and their counsel at trial.

Your notice of incidental appeal must also include:

(a) either a statement mentioning that the court record contains no confidential information;

(b) or

i. under the court record number in first instance, an express statement of confidentiality; and

ii. in a paragraph, a clear indication of the confidential content and the legal provision or order on which the confidentiality is based. In the latter case, you must attach a copy of the confidentiality order. For example, this could be an order prohibiting disclosure or circulation under art. 16 *C.C.P.*

(c) a copy of the proof of service on the incidental respondent;

(d) a copy of the judgment in first instance;

(e) a copy of the notice of judgment; and

(f) proof of notification to the other parties within **three working days** following the expiry of the time limit for an incidental appeal.

Time limit for filing

You must **file** your notice of incidental appeal:

- where the principal appeal is as of right, within **10 days after service** of the notice of appeal;
- where the principal appeal requires leave, within **10 days after one of the following two dates, whichever is earlier**:
    - the date of the judgment granting leave to appeal; or
    - the date the judge takes note of the filing of the notice of principal appeal.

If the time limit has expired or you believe you will not be able to file your notice of incidental appeal before the expiry of the time limit and it has been less than six months since the judgment you wish to appeal was rendered, you can file an application for leave to appeal after the expiry of the time limit with the Court of Appeal (panel of three judges).

We strongly recommend you speak with a lawyer, since the Court office will not comment on appeal deadlines.

Service/Notification

You must **serve** your notice of incidental appeal by bailiff on the incidental respondent.

You must **notify** your notice of incidental appeal to the other parties (i) by technological means or (ii) by delivering one paper copy of the notice.

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **file** the PDF file of your notice of incidental appeal on the day the paper version is filed, unless you are exempted from doing so.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Number of copies

Notice of incidental appeal: **One** paper copy.

Schedules: **One** copy only.

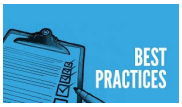
Court costs

You must pay the court costs when filing your notice of incidental appeal.

Please refer to: Court Costs and Bill of Costs in Civil Matters.

IMPORTANT

We strongly recommend you speak with a lawyer, since the Court office will not comment on appeal deadlines.



- ✓ Before filing your notice of incidental appeal, make sure you have filed a representation or non-representation statement.
- ✓ Before filing your notice of incidental appeal, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.

Avoid these frequent reasons for refusal

REFUSED

Your notice of incidental appeal does not include the proof of service on the incidental respondent.

Your notice of incidental appeal **exceeds** the **10-page** maximum.

APPLICATION IN THE COURSE OF A PROCEEDING

Please read the applicable provisions, including:

- Articles 377 to 380 *C.C.P.*
- Sections 9, 36, 64 to 75 *R.C.A.Q.Civ.M.*
- Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"
- Guidelines Concerning the Use of Technological Devices in Courtrooms

Purpose

An application in the course of a proceeding may be presented after an originating appellate pleading has been filed.

Some applications, such as applications for provisional execution of a judgment, may also be filed at the same time as the originating appellate pleading.

Every application, including an application for provisional execution of a judgment, must be filed on paper and must therefore be in writing.

Depending on the situation, the applicable provisions (namely, the *Code of Civil Procedure* or the *Regulation of the Court of Appeal of Quebec in Civil Matters*) confer jurisdiction to hear the application either:

i. on an appellate judge, among others, in which case you should address your application to a judge sitting alone;

ii. exclusively on the Court of Appeal (panel of three judges), in which case you should address your application to the Court; or

iii. on the clerk of the Court, among others, in which case you should address your application to the clerk.

IMPORTANT

→ Please note that this guide contains only general information. Court office staff are not authorized to give an opinion on the proceedings to be initiated in a given situation

→ We strongly recommend you consult a lawyer.

Application in the course of a proceeding presented before an appellate judge

Please read the applicable provisions, including:

- Articles 101 para. 3, and 377 to 379 *C.C.P.*
- Sections 8, 9, 13, 36 and 64 to 75 *R.C.A.Q.Civ.M.*
- Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"
- Guidelines Concerning the Use of Technological Devices in Courtrooms

Purpose

An application in the course of a proceeding presented before a judge must be filed on paper and must therefore be in writing.

It **cannot exceed 10 pages**, which excludes the designation of the parties and the conclusions sought.

A judge may refer an application to the Court.

Examples

- Application for leave to appeal from a judgment terminating the proceeding (arts. 30 para. 2 and 357 *C.C.P.*)
- Application for leave to appeal from a judgment rendered in the course of a proceeding (arts. 31 and 357 *C.C.P.*)
- Application for provisional execution of a judgment (art. 355 and/or 661 *C.C.P.*)
- Application to stay provisional execution of a judgment (art. 660 *C.C.P.*)
- Application to stay the execution of a judgment of the Court of Appeal (where there is an appeal to the Supreme Court of Canada) (art. 390 para. 2 *C.C.P.* and s. 65.1(1) *Supreme Court Act*)
- Application to extend the time limit for filing an appeal (s. 21(4) *Divorce Act*)
- Application to extend the time limit for filing an appeal (s. 31(1) *Bankruptcy and Insolvency General Rules*)

Notification/Filing

You must **notify** your application addressed to a judge to the other parties, either (i) by technological means or (ii) by delivering one paper copy of the notice, and **file** it at least **five working days** before its presentation date.

Number of copies of an application in the course of a proceeding presented before a judge

You must file **two paper copies** of your application, together with:

i. one copy of the proof of notification to the other parties;

ii. an express statement of confidentiality (if applicable) under the court record number;

iii. an affidavit, if necessary;

iv. a notice of presentation; and

v. all the documents required for its adjudication.

Calendars of available dates

Please refer to the page entitled "Calendars of hearing dates of applications" on our website to determine the days on which you can present your application before a judge.

No reservation is required to present an application addressed to a judge.

Notice of presentation

Every application must be accompanied by a notice of presentation stating, in particular, the date and time it is to be presented and the courtroom in which the hearing will take place.

There must be **at least five working days** between the filing date and the presentation date of your application.

Such applications are presented from Monday to Friday at 9:30 a.m.

Montreal: Courtroom RC-18 / **Quebec City**: Courtroom 4.30

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **transmit** the PDF file of your application on the day the paper version is filed, unless you are exempted from doing so, failing which, its presentation will be postponed to a date determined by the clerk.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Book of authorities

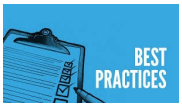
If you want to file a book of authorities in support of your application, the PDF file must be filed through DOCA and notified to the other parties **at least two working days** before the presentation date of the application.

Outline of the oral argument

The application is contested orally at the hearing. However, the respondent may file with the Court office and notify to the other parties, at least **two working days** prior to the presentation date of the application, an outline of oral argument not exceeding two pages setting out its position.

Decorum

Whether the hearing is held in person or by technological means, sober attire is required.



- ✓ Before filing your application, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.
- ✓ Before indicating a date in the notice of presentation, consult the available hearing dates at Calendars of hearing dates of applications.
- ✓ Make sure to attach all exhibits necessary to support your application addressed to a judge, including the contested **judgment**.

Avoid these frequent reasons for refusal



You did not file a representation or non-representation statement (s. 38 *R.C.A.Q.Civ.M.*).

Your application was not validly notified.

Your application **exceeds** the **10-page** maximum.

The number of copies of the application is insufficient.

Your application was transmitted only by email, by fax or through DOCA without paper copies (except for originating appellate pleadings).

Application in the course of a proceeding presented before the Court (panel of three judges)

Please read the applicable provisions, including:

- Articles 101 para. 3, and 377 to 380 *C.C.P.*
- Sections 8, 9, 13, 36, 37 and 64 to 75 *R.C.A.Q.Civ.M.*
- Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"
- Guidelines Concerning the Use of Technological Devices in Courtrooms

Purpose

An application in the course of a proceeding presented before the Court (panel of three judges) must be filed on paper and must therefore be in writing.

It **cannot exceed 10 pages**, which excludes the designation of the parties and the conclusions sought.

Examples

- Application for leave to appeal after the expiry of the time limit (art. 363 *C.C.P.*)
- Application to dismiss an appeal (art. 365 *C.C.P.*)
- Application for leave to present indispensable new evidence (art. 380 *C.C.P.*)

Notification/Filing

You must notify your application addressed to the Court to the other parties, either (i) by technological means or (ii) by delivering one paper copy of the notice, and **file** it at least **10 working days** before its presentation date.

In the case of an application to dismiss the appeal, see the section entitled "Application to dismiss the appeal and for a suretyship or other ancillary conclusions".

In all cases, you must also **file** the application within **five working days after** the date you made the reservation.

Number of copies of an application in the course of a proceeding presented before the Court

You must file **four paper copies** of your application, together with:

i. one copy of the proof of notification to the other parties;

ii. an express statement of confidentiality (if applicable) under the court record number;

iii. an affidavit, if necessary;

iv. a notice of presentation; and

v. all the documents required for its adjudication.

Reservation

Please refer to the page entitled "Calendars of hearing dates of applications" on our website to determine the days on which you can present your application before the Court.

If you want to present your application before the Court, you must, prior to filling out your notice of presentation, reserve a date by calling the Court office:

Montreal: 514-393-2022 / **Quebec City**: 418-649-3401

ATTENTION

As a limited number of applications are heard by the Court on each hearing day, you must reserve your place on the roll.

Once your reservation has been made, you have **five working days** to file your application.

If you do not file your application within this time limit, your reservation will be cancelled without further notice.

Notice of presentation

Every application must be accompanied by a notice of presentation stating, in particular, the date and time it is to be presented and the courtroom in which the hearing will take place.

There must be at least **10 working days** between the filing date and the presentation date of your application.

ATTENTION

In the case of an application to dismiss the appeal, there must be **at least 30 days** between the filing date and the presentation date of your application.

Such applications are presented at 9:30 a.m.:

Montreal: every Monday, during the weeks when the Court is sitting (Pierre-Basile Mignault Courtroom).

Quebec City: one Monday a month, during the weeks when the Court is sitting (Courtroom 4.33).

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **transmit** the PDF file of your application on the day the paper version is filed, unless you are exempted from doing so, failing which, its presentation will be postponed to a date determined by the clerk.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Book of authorities

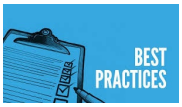
If you want to file a book of authorities in support of your application, the PDF file must be filed through DOCA and notified to the other parties **at least five working days** before the date of presentation of the application before the Court.

Outline of the oral argument

The application is contested orally at the hearing. Therefore, no outline of the oral argument will be accepted.

Decorum

Whether the hearing is held in person or by technological means, sober attire is required.



- ✓ Before filing your application addressed to the Court, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.
- ✓ Before indicating a date in the notice of presentation, consult the available hearing dates at Calendars of hearing dates of applications and reserve a presentation date by calling the Court office.
- ✓ Make sure to attach all exhibits necessary to support your application addressed to the Court.

Avoid these frequent reasons for refusal

REFUSED

You did not file a representation or non-representation statement (s. 38 *R.C.A.Q.Civ.M.*)

Your application was not validly notified.

Your application **exceeds** the **10-page** maximum.

The number of copies of the application is insufficient.

Your application was transmitted only by email, by fax or through DOCA without paper copies (except for originating appellate pleadings).

Application to dismiss the appeal and for a suretyship or other ancillary conclusions

Please read the applicable provisions, including:

- Articles 364 to 366 and 377 *C.C.P.*
- Sections 9, 39 to 41 and 65 to 75 *R.C.A.Q.Civ.M.*
- Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"
- Guidelines Concerning the Use of Technological Devices in Courtrooms

Purpose

An application to dismiss the appeal (art. 365 *C.C.P.*) must be filed on paper and must therefore be in writing.

It **cannot exceed 10 pages**, which excludes the designation of the parties and the conclusions sought.

If you are the respondent in a case, the Court of Appeal may, on an application by you, dismiss the appeal in the following situations:

- the surety was not furnished within the time limit determined;
- the judgment under appeal has been acquiesced in;
- a party in whose favour the judgment was rendered has renounced the rights arising from it; or
- the appeal has no reasonable chance of success.

The Court, even on its own initiative, may dismiss the appeal:

- if the right to appeal is non-existent;
- if the right to appeal has been forfeited;
- if the appeal is abusive; or
- if the appeal was improperly initiated.

Your application to dismiss the appeal, including an application that contains a subsidiary conclusion for a suretyship or other ancillary conclusions, may be dismissed on the face of the record (without a hearing).

Notification/Filing

You must **notify** your application to dismiss the appeal to the other parties (i) by technological means or (ii) by delivering one paper copy of the application.

You must **file** your application to dismiss the appeal **within 20 days after service** of the notice of appeal and **at least 30 days** before its presentation date.

In all cases, you must also **file** the application **within five working days after** the date you made the reservation.

IMPORTANT

→ The time limits for preparing the appeal record are suspended as of the filing of your application to dismiss the appeal, until the judgment on the application is rendered.

Number of copies of an application to dismiss the appeal

You must file **four paper copies** of your application, together with:

i. one copy of the proof of notification to the other parties;

ii. an express statement of confidentiality (if applicable) under the court record number;

iii. an affidavit, if necessary;

iv. a notice of presentation; and

v. all the documents required for its adjudication.

Reservation

Please refer to the page entitled "Calendars of hearing dates of applications" on our website to determine the days on which you can present your application before the Court.

If you want to present your application to dismiss the appeal before the Court, you must, prior to filling out your notice of presentation, reserve a date by calling the Court office:

Montreal: 514-393-2022 / **Quebec City**: 418-649-3401

ATTENTION

As a limited number of applications are heard by the Court on each hearing day, you must reserve your place on the roll.

Once your reservation has been made, you have **five working days** to file your application.

If you do not file your application within this time limit, your reservation will be cancelled without further notice.

Notice of presentation

Every application must be accompanied by a notice of presentation stating, in particular, the date and time it is to be presented and the courtroom in which the hearing will take place.

There must be at least **30 days** between the filing date and the presentation date of your application to dismiss the appeal.

Such applications are presented at 9:30 a.m.:

Montreal: every Monday, during the weeks when the Court is sitting (Pierre-Basile Mignault Courtroom).

Quebec City: one Monday a month, during the weeks when the Court is sitting (Courtroom 4.33).

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **transmit** the PDF file of your application on the day the paper version is filed, unless you are exempted from doing so, failing which, its presentation will be postponed to a date determined by the clerk.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of pleadings, briefs, memoranda or any other document they file on paper.

Book of authorities

If you want to file a book of authorities in support of your application, the PDF file must be filed through DOCA and notified to the other parties **at least five working days** before the date of presentation of the application before the Court.

Outline of the oral argument

The application is contested orally at the hearing. Therefore, no outline of the oral argument will be accepted.

Decorum

Whether the hearing is held in person or by technological means, sober attire is required.



- ✓ Before filing your application to dismiss the appeal, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.
- ✓ Before indicating a date in the notice of presentation, consult the available hearing dates at Calendars of hearing dates of applications and reserve a presentation date by calling the Court office.
- ✓ Make sure to attach all exhibits necessary to support your application addressed to the Court.



Avoid these frequent reasons for refusal

You did not file a representation or non-representation statement (s. 38 *R.C.A.Q.Civ.M.*).

Your application was not validly notified.

Your application **exceeds** the **10-page** maximum.

The number of copies of the application is insufficient.

Your application was transmitted only by email, by fax or through DOCA without paper copies (except for originating appellate pleadings).

Application presented before the clerk



Please read the applicable provisions, including:

- ➢ Articles 101 para. 3, 377 and 378 *C.C.P.*
- ➢ Sections 8, 9, 13, 36 and 64 to 75 *R.C.A.Q.Civ.M.*
- ➢ Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- ➢ Clerk's practice direction No. 2 entitled "Transmission to the Court Office by Technological Means of Certain Applications Made with Consent in Civil Matters (art. 378 *C.C.P.*)"
- ➢ Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"
- ➢ Guidelines Concerning the Use of Technological Devices in Courtrooms

Purpose

An application presented before the clerk must be filed on paper and must therefore be in writing.

It **cannot exceed 10 pages**, which excludes the designation of the parties and the conclusions sought.

The clerk may refer an application to a judge or to the Court (panel of three judges).

Examples

- Application for the extension of the time limit for filing (the brief or memorandum) (arts. 84 and 373 *C.C.P.*)
- Application for the consolidation of appeals
- Application for the separation of appeals
- Application for the authorization to file a supplementary statement
- Application to cease representing
- Application for a substitution of lawyer

Notification/Filing

You must **notify** your application addressed to the clerk to the other parties, either (i) by technological means or (ii) by delivering one paper copy of the notice, and **file** it at least **two working days** before its presentation date.

Number of copies of an application presented before the clerk

You must file **two paper copies** of your application, together with:

i. one copy of the proof of notification to the other parties;

ii. an express statement of confidentiality (if applicable) under the court record number;

iii. an affidavit, if required;

iv. a notice of presentation; and

v. all the documents required for its adjudication.

Reservation

No reservation is required to present an application addressed to the clerk.

Notice of presentation

Every application must be accompanied by a notice of presentation stating, in particular, the date and time it is to be presented and the courtroom in which the hearing will take place.

There must be at least **two working days** between the filing date and the presentation date of your application addressed to the clerk.

Such applications are presented from Monday to Friday at 9:00 a.m.

Montreal: Courtroom RC-18 / **Quebec City**: Courtroom 4.30.

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **transmit** the PDF file of your application on the **day** the paper version is filed, unless you are exempted from doing so.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of the book of authorities, pleadings, briefs, memoranda or any other document they file on paper.

IMPORTANT

→ You can transmit the application to the Court office by fax or by email if the other parties consent to the application or are not contesting it.

Book of authorities

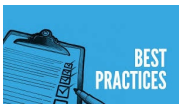
If you want to file a book of authorities in support of your application, you must file and notify it **as soon as possible** before the presentation date of the application. Please refer to: Book of authorities and hearing.

Outline of the oral argument

The application is contested orally at the hearing. Therefore, no outline of the oral argument will be accepted.

Decorum

Whether the hearing is held in person or by technological means, sober attire is required.



✓ Before filing your application addressed to the clerk, verify that it satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.

✓ Make sure to attach all exhibits necessary to support your application addressed to the clerk.

Avoid these frequent reasons for refusal

REFUSED

You did not file a representation or non-representation statement (s. 38 *R.C.A.Q.Civ.M.*).

Your application was not validly notified.

Your application **exceeds** the **10-page** maximum.

The number of copies of the application is insufficient.

Your application was transmitted only by email, by fax or through DOCA without paper copies.

PREPARATION AND FILING OF BRIEFS AND MEMORANDA

Preparation and filing of briefs and memoranda

Please read the applicable provisions, including:

- Articles 99 paras. 2 and 3, 103 and 370 to 376 *C.C.P.*
- Sections 9, 10, 13, 24, 25, 28, 38, 43 and 47 to 59 *R.C.A.Q.Civ.M.*
- Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
- Clerk's practice direction No. 2 entitled "Transmission to the Court Office by Technological Means of Certain Applications Made with Consent in Civil Matters (art. 378 *C.C.P.*)"
- Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"

For purposes of your appeal, you must necessarily file a brief or memorandum, as the case may be.

In general, unless otherwise specified or ordered, the document to be filed is:

- a **brief**;
- a **memorandum** if the law provides for it or if the Court or a judge requires it as part of a management measure, for example, if you wish to appeal from a judgment rendered in a matter involving:
  - personal integrity;
  - personal status or capacity;
  - habeas corpus;
  - family issues;
  - international child abduction; or
  - a seizure;

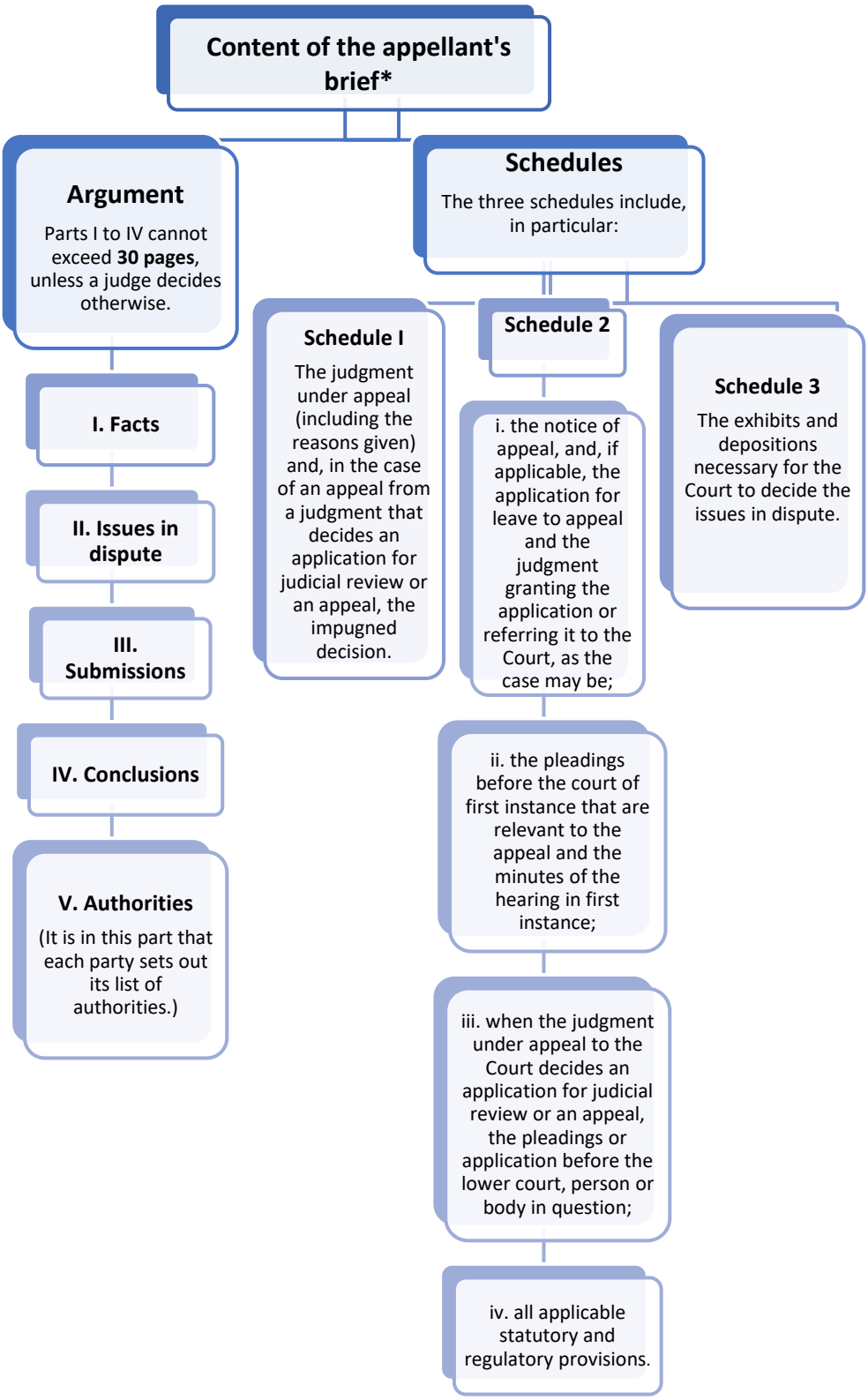
  or in appeals:
  - against a judgment rendered in a non-contentious proceeding; or
  - against a judgment rendered in the course of a proceeding.

Relevant excerpts from the evidence and a list of the authorities relied on are attached to the brief or memorandum. The judges hearing the case will review each brief or memorandum before the hearing on the merits.

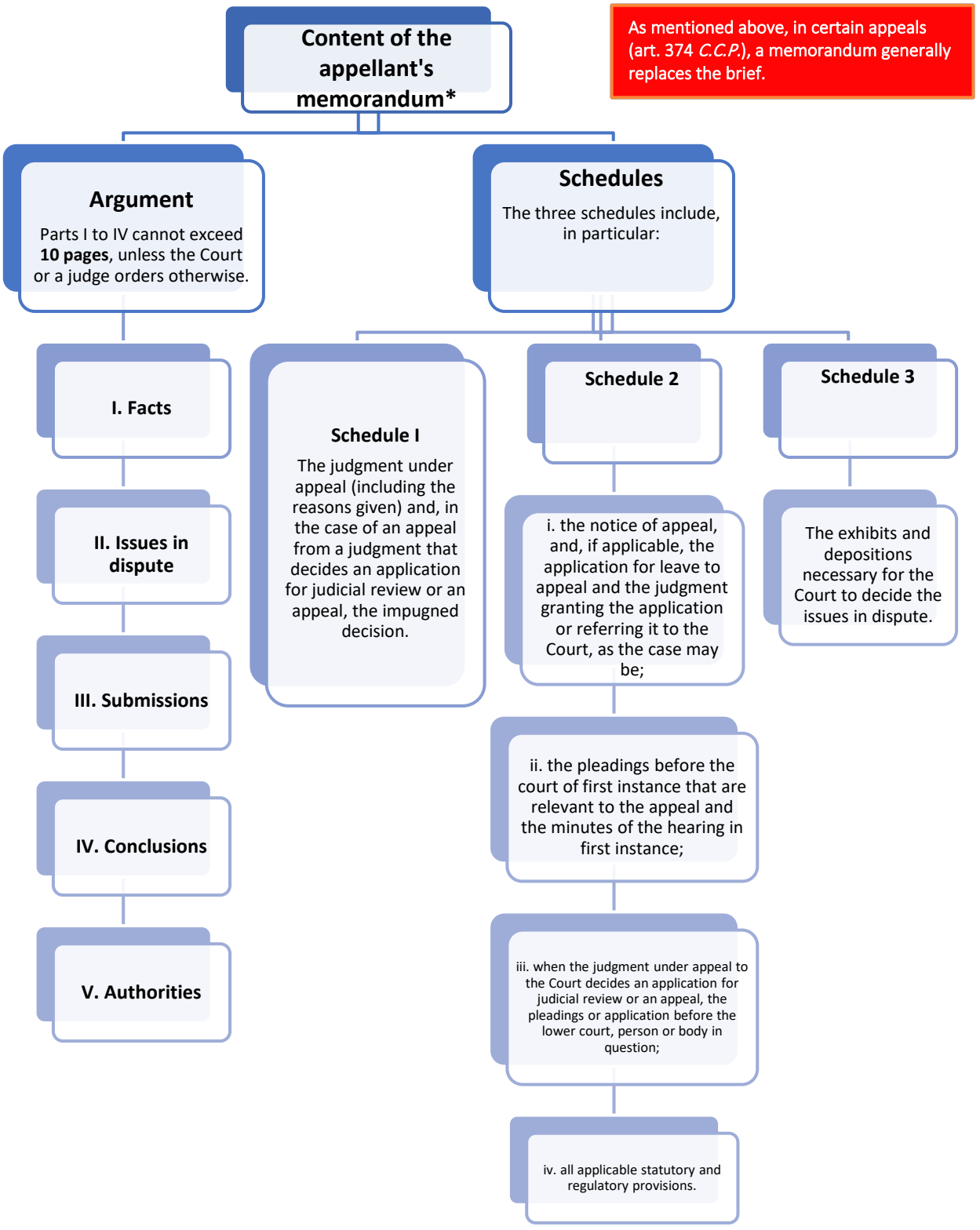
IMPORTANT

→ There are many similarities and differences between briefs and memoranda. Their content is described below.

→ If you are unsure whether you must file a brief or a memorandum, contact the Court office.



* **See**: Model in Civil Matters — Appellant's Brief or Memorandum (civil); Model in Civil Matters — Respondent's Brief or Memorandum (civil)



* **See**: Model in Civil Matters — Appellant's Brief or Memorandum (civil); Model in Civil Matters — Respondent's Brief or Memorandum (civil)

Incidental appeal

If there is an incidental appeal, the argument in the **respondent's** brief (or memorandum) contains two parts:

1. the reply to the principal appeal (as respondent); and
2. the argument as incidental appellant.

The title of the brief (or memorandum) of the respondent/incidental appellant is:

- Respondent/Incidental Appellant's Brief (or Memorandum).

The **incidental respondent** can reply to the incidental appeal by preparing a brief (or memorandum) that contains only one part:

1. Reply to the incidental appeal.

The title of the brief (or memorandum) of the incidental respondent is:

- Incidental Respondent's Brief (or Memorandum).

IMPORTANT

→ If you are the appellant or applicant, it is up to you to take the necessary steps to obtain the relevant exhibits and excerpts from the depositions taken in first instance and to include them in your brief or memorandum. You need to think about this as soon as the court record is opened. It is not the respondent's responsibility to obtain and include, in its brief or memorandum, the elements you need.

→ The exhibits and depositions that must be attached to your brief or memorandum are those that are necessary for the Court to decide the issues in dispute.

→ The Court office cannot help you "choose" which elements of the file in first instance you should reproduce in your brief or memorandum. If in doubt, we strongly recommend you consult a lawyer.

→ If the Court has granted you the exceptional permission to present indispensable new evidence on appeal, you must include, in Schedule 2 of your brief or memorandum, the application for leave to present indispensable new evidence and the judgment permitting the filing of this new evidence together with the evidence in question. We suggest you refer to the Court's judgment.

Notification/Filing

You must **file five paper copies** of your brief or memorandum and **notify** it to the other parties having filed a representation or non-representation statement, which notification is made (i) by **technological means only**, if the other parties have so consented, or (ii) by delivering **one paper copy** of the brief or memorandum, the whole within the time limits set out below.

ATTENTION

The PDF file of your brief (or memorandum) thus notified must be sent to the other parties at the same time as it is sent to the Court or on the same day.

You must also file proof of notification of your brief or memorandum to the other parties **within three working days** after its filing.

Party	Notification and filing time limit
Appellant:	Within **three months** of the date of filing of the notice of appeal (appeal as of right); OR Within **three month** of the date of the judgment authorizing the appeal (appeal with leave); OR **within the time limit specified** in an appeal management decision made by a judge of the Court.
Respondent:	Within **two months** after the appellant's brief is filed; OR **within the time limit specified** in an appeal management decision made by a judge of the Court.
Incidental appellant:	
Incidental respondent	Within **two months** after notification of the incidental appellant's brief; OR **within the time limit specified** in an appeal management decision made by a judge of the Court.
Other parties (impleaded parties or intervenors):	Within **four months** after notification of the appellant's brief; OR **within the time limit specified** in an appeal management decision made by a judge of the Court.

The same time limits apply to a party's memorandum, unless the Court, the judge or the clerk establishes different time limits.

You can apply to the clerk or a judge for an extension of the time limit, before its expiry, by notifying to the other parties and filing with the Court office an application for the extension of the time limit for filing a brief or memorandum.

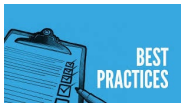
IMPORTANT

The clerk checks that all briefs and memoranda comply with the requirements of the *Regulation of the Court of Appeal of Quebec in Civil Matters*. If this is not the case, the clerk will advise you of the corrections required and establish a time limit for doing so. Failing correction within the stipulated time limit, your brief or memorandum will be refused.

Digital Office of the Court of Appeal (DOCA)

Using DOCA, you must **transmit** the PDF file of your brief or memorandum within **five working days after** the paper version is filed.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of the book of authorities, pleadings, briefs, memoranda or any other document they file on paper.



- ✓ Be concise when writing your brief or memorandum.
- ✓ Verify that your brief or memorandum satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.
- ✓ To reduce the risk of errors, use the model pleadings in Word format prepared by the Court and made available on the Court's website.



Avoid these frequent reasons for refusal

- You filed your brief or memorandum after the expiry of the time limit.
- You did not file a representation or non-representation statement (s. 38 *R.C.A.Q.Civ.M.*).
- The brief **exceeds** the **30-page** maximum (or the maximum set by order of the judge or the Court).
- The memorandum exceeds the maximum number of pages permitted.

IMPORTANT

→ We remind you that you must gather all confidential elements of your brief or memorandum in a separate volume.

→ To indicate that the volume is confidential, the binding (spiral or tape) of the volume must be red.

→ You must also mark the cover of the volume with the word “CONFIDENTIAL” in red lettering.

→ If the PDF file of your brief is confidential, you must indicate this clearly.

Consequences of failing to file a brief or memorandum



Please read the applicable provision:
➢ Article 376 *C.C.P.*

If you are the appellant and you do not file your brief or memorandum within the filing time limit, your appeal will lapse. The appellate clerk will issue a certificate of lapse of appeal, unless you present an application for an extension before a judge.

If the respondent or any other party does not file and notify its brief (or memorandum) within the allotted time, the clerk will issue a certificate of foreclosure. The matter will nevertheless be set down for a hearing. However, the respondent or other party cannot be heard at the hearing unless so authorized by the Court.

In all cases, if the defaulting party provides a valid justification, the Court will issue the order it deems appropriate.

BOOK OF AUTHORITIES AND HEARING

Setting down for hearing

Please read the applicable provisions, including:
➢ Articles 383 and 384 *C.C.P.*

When the appeal is ready to be heard and a hearing date has not previously been set by the Court, by a judge or by the clerk, the clerk sets the appeal down for hearing.

The setting down takes place after all the briefs (or memoranda) and other pleadings necessary for the appeal have been filed.

The notice of setting down for hearing is sent to the lawyers and to self-represented parties.

The master of the rolls then determines the hearing date based on the date of setting down for hearing, unless the Chief Justice gives specific instructions or unless legal provisions establish an order of priority.

At the parties' request, the Court may adjudicate the appeal on the face of the record (without a hearing).

Book of authorities

Please read the applicable provisions, including:
➢ Sections 13 and 60 to 62 *R.C.A.Q.Civ.M.*
➢ Chief Justice's Directive entitled "Rules for the Preparation of the PDF Files Filed with the Court of Appeal"
➢ Clerk's Practice Direction No. 3 entitled "Digital Office of the Court of Appeal (DOCA)"

Purpose

For purposes of the hearing of the appeal on the merits, you **may** file a book of authorities if you are (i) an appellant or (ii) a party having filed a representation or non-representation statement.

Your book of authorities must contain:

- the case law or doctrine you consider relevant; and
- the statutory or regulatory provisions that are not already set out in Schedule II to your brief (or memorandum) for purposes of the hearing of the appeal on the merits.

You must indicate the relevant passages to facilitate finding them, by either:

- underlining them;
- highlighting them; or
- identifying them with vertical lines in the margin.

You can choose to include only the relevant excerpts, together with the preceding page and the succeeding page, and the headnote (summary), if there is one.

You must separate authorities from one another with numbered tabs.

Your book of authorities need not include judgments contained on the *List of judgments deemed to be part of a book of authorities*.

On the cover page of each volume of your book of authorities, you must indicate:

- the court record number;
- the designation of the parties;
- the title; and
- the status of the party filing the book of authorities.

Notification/Filing

You must **notify** your book of authorities to the other parties, either (i) by technological means or (ii) by delivering one paper copy of the notice, and **file** it:

- if you are the appellant: **at least 40 days** before the date set for the appeal hearing;
- if you are the respondent or any other party: **at least 30 days** before the date set for the appeal hearing.

In either case, you cannot file a book of authorities before a hearing date has been set.

Digital Office of the Court of Appeal (DOCA)

Unless you are exempted, you must **file** your book of authorities, with a copy of the proof of notification to the other parties, through DOCA.

Exemption: Self-represented parties who are detained or hospitalized are not required to transmit the PDF file of the book of authorities, pleadings, briefs, memoranda or any other document they file on paper.

List of judgments deemed to be part of a book of authorities

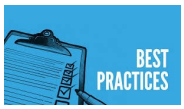
In accordance with section 61 of the *Regulation of the Court of Appeal of Quebec in Civil Matters* (*R.C.A.Q.Civ.M.*), the Court publishes a list of judgments that parties are exempt from including in their book of authorities. The case law included in this list is deemed to be part of the book of authorities. The Court is familiar with these judgments, which are frequently relied on before it. However, if a party wishes to draw the attention of the Court to one or more of these judgments, it may limit itself to including relevant excerpts (along with the preceding and succeeding pages) together with the headnote of the judgment (if available) (s. 60 para. 2 *R.C.A.Q.Civ.M.*).

This list does not constitute an exhaustive list of relevant judgments for any particular subject matter, nor an opinion in that regard.

List of judgments in civil matters

- Pateras v. M.B., [1986] R.D.J. 441 (C.A.)
- R. v. Oakes, [1986] 1 S.C.R. 103
- Pelech v. Pelech, [1987] 1 S.C.R. 801
- Manitoba (A.G.) v. Metropolitan Stores Ltd., [1987] 1 S.C.R. 110
- Moge v. Moge, [1992] 3 S.C.R. 813

- Baker v. Canada (Minister of Citizenship and Immigration), [1999] 2 S.C.R. 817
- Hickey v. Hickey, [1999] 2 S.C.R. 518
- Van de Perre v. Edwards, [2001] 2 S.C.R. 1014
- Housen v. Nikolaisen, [2002] 2 S.C.R. 235, 2002 SCC 33
- Viel v. Entreprises immobilières du Terroir Ltée., [2002] R.J.Q. 1262 (C.A.)
- H.L. v. Canada (A.G.), [2005] 1 S.C.R. 401, 2005 SCC 25
- Dunsmuir v. New Brunswick, [2008] 1 S.C.R. 190, 2008 SCC 9
- Canada (Ministre de la Citoyenneté et de l'Immigration) v. Vavilov, 2019 CSC 65
- Bell Canada v. Canada (Procureur général), 2019 CSC 66
- Société canadienne des postes v. Syndicat des travailleurs et travailleuses des postes, 2019 CSC 67



✓ Verify that your book of authorities satisfies all the requirements mentioned in the checklist available on the Court's website and at the Court office.

Hearing

Please read the applicable provisions, including:

- Articles 385 and 386 *C.C.P.*
- Sections 7, 8, 45, 82, 84 and 87 *R.C.A.Q.Civ.M.*
- Guidelines Concerning the Use of Technological Devices in Courtrooms

The Court sits from September to June to hear appeals on the merits.

Hearing rolls may be consulted on the page entitled "Rolls - Appeals on Merits" of our website and are sent at least 60 days before the hearing to lawyers and to self-represented parties.

The sending of the roll constitutes the notice of hearing. It specifies the time allotted to each party for oral argument.

Rules to follow at a Court hearing

Here are some important rules	
	**Monday to Friday**, hearings **begin at 9:30 a.m.** Nonetheless, the clerk may convene you at a different time, given that several cases may be heard on the same day.
	You must wear **sober** attire that **respects** the Court's decorum.
	Please ensure that your cell phone and other electronic devices are in **silent mode** at all times.
	Hearings are public, with some exceptions.
	Hearings are recorded by the clerk (audio only). **No one may**, at any time, take photographs, take screenshots or make any audio or video recording of a hearing, or disseminate such photographs, screenshots or recordings, in whole or in part.
	After oral arguments, the Court of Appeal may render its decision, referred to as a judgment: - at the end of the hearing. In such a case, the judgment is rendered from the bench by the judge presiding at the hearing and the judgment is written down in the minutes of the hearing; - after having taken the matter under advisement. In such a case, the clerk sends the parties a copy of the judgment as soon as it has been rendered.

COURT COSTS AND BILL OF COSTS

Court costs – 2026

	Natural person	Legal person
Notice of appeal / Notice of incidental appeal — Final judgment	$410	$509
Notice of appeal / Notice of incidental appeal — Judgment rendered in the course of the proceeding	$308	$382
Representation or non-representation statement	$103	$127

Court fees – 2026

Photocopies	$3.85 for each of the first ten pages AND $0.60 for each additional page (fees for each document)
Copy on a technological medium (e.g., USB key or DVD)	$6.05 for the cost of the medium + $3.85 for each of the first ten pages AND $0.60 for each additional page
Request to reproduce a hearing (CD only)	$10.70 + $0.35/per additional minute as of the 26th minute

Bill of costs



Please read the applicable provisions, including:

- Articles 339 and following *C.C.P.*
- Section 88 *R.C.A.Q.Civ.M.*
- *Tariff of judicial fees in civil matters*, CQLR, c. T-16, r. 10

Once the judgment has been rendered, a party may be entitled to have its legal costs reimbursed.

In general, the successful party is entitled to the legal costs, which must be paid by the opposing party. The Court, however, may decide otherwise.

In most cases, payment of the legal costs is done without the Court's intervention.

Steps for a bill of costs:

- The party establishes the costs based on the tariffs in force and enters them in a bill of costs. For costs not set out in the *Tariff of judicial fees in civil matters* (i.e., not set by tariff), the amount claimed must be reasonable.
- The party **notifies** the bill of costs to the debtor party and files it through DOCA, along with a copy of the proof of notification.
- If the debtor party disagrees, it has **10 days** to **notify** its opposition and file it through DOCA.
- In the event of an opposition, the bill of costs is submitted to the clerk for taxation (verification).
- The role of the clerk is limited to verifying that the costs not set by tariff are reasonable and that the costs set by tariff are consistent with the tariff.
- If there is no opposition, the party entitled to the legal costs may ask the clerk to homologate the bill of costs.

These legal costs include, among other things:

- court costs and fees;
- costs for the preparation of the brief, memorandum and book of authorities; and
- professional fees and expenses for the service and notification of pleadings.