



COURT OF APPEAL OF QUEBEC

Issued: October 3, 2022

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CLERK'S PRACTICE DIRECTION NO. 8

FILING OF THE PDF FILE OF BOOKS OF AUTHORITIES

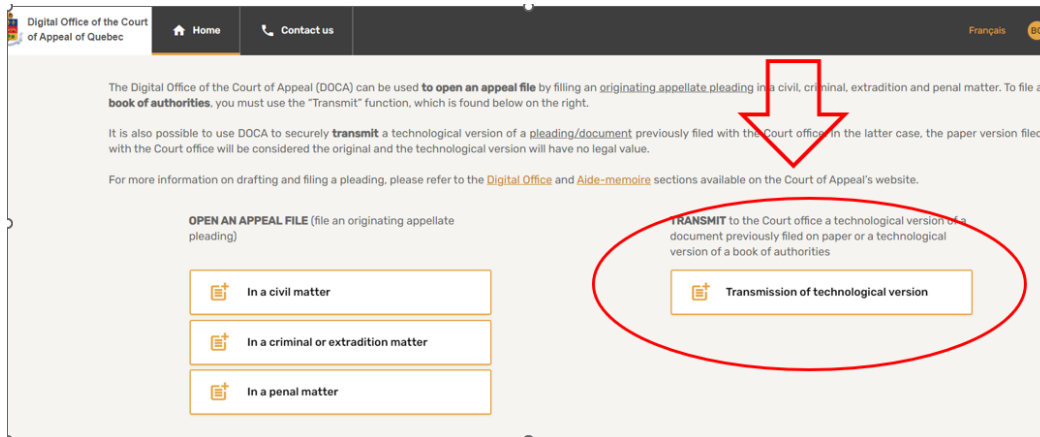
1. Procedure for Filing Books of Authorities in Civil and Criminal Matters

Under s. 62 of the *Regulation of the Court of Appeal of Quebec in Civil Matters* ("R.C.A.Q.Civ.M.") and a. 49 of the *Rules of the Court of Appeal of Quebec in Criminal Matters* ("R.C.A.Q.C.M."), books of authorities must be filed in PDF format, both for appeals on the merits and for applications, unless the clerk requires or authorizes one or more paper copies. For this purpose, parties must consult the table published on the Court of Appeal's website indicating the number of paper copies of the book of authorities required for each week of hearings. This table can be consulted under the "Book of Authorities" tab, in the "Rolls" section: <https://courdappelduquebec.ca/en/rolls/book-of-authorities/>

In the event that the hearing is postponed, it is the responsibility of the parties to ensure that they have filed the correct number of paper copies and, if necessary, to file any additional copies required.

In all cases, books of authorities (the PDF file and, where required, the paper version) must be filed within the time limits provided for in s. 62 *R.C.A.Q.Civ.M.* and s. 49 *R.C.A.Q.C.M.* The proofs of notification of the book of authorities must be transmitted in a separate PDF file at the same time as the book of authorities is filed through the Digital Office of the Court of Appeal (DOCA).

The PDF file of the book of authorities must be transmitted using the "**TRANSMIT**" function available in DOCA.



This transmission is equivalent to filing the book of authorities.

In civil matters, the filing of a book of authorities made outside Court office hours will be deemed to have been made when the Court office opens on the next working day. In criminal matters, the filing of a book of authorities is deemed to have been made on the date and at the time of the electronic filing, even outside Court office hours.

Unrepresented persons who are detained or hospitalized are not required to file a PDF file of the book of authorities. Any other unrepresented party who is unable to comply with this requirement may obtain a written exemption from the clerk (s. 89 *R.C.A.Q.Civ.M.* and s. 83 *R.C.A.Q.C.M.*). To do so, the party must complete the form annexed to this practice direction and send it to the Court office at the seat of the Court where the file was opened:

- Quebec City seat:
 - Fax: 418-646-6961 / courdappelqc@judex.qc.ca / Quebec City Courthouse, 300 Jean-Lesage Blvd., Suite 4.27, Quebec City, Quebec G1K 8K6;
- Montreal seat:
 - Fax: 514-864-7270 / courdappelmtl@judex.qc.ca / Ernest-Cormier Building, 100 Notre-Dame St. East, Montreal, Quebec H2Y 4B6.

The clerk's decision will then be communicated to the parties.

2. Procedure for Filing Books of Authorities in Penal Matters

In penal matters, although ss. 42 to 44 of the *Regulation of the Court of Appeal of Quebec in Penal Matters* ("*R.C.A.Q.P.M.*") provide for filing paper copies of books of authorities, parties can make this filing by transmitting a PDF file of the book of authorities using DOCA's transmission function, in accordance with the requirements set out above.

In such a case, in order to determine whether they are also required to file one or more paper copies of the book of authorities, parties must consult the table published on the Court of Appeal's website. This table indicates the number of paper copies of the book of authorities required for each week of hearings. It can be consulted under the "Book of Authorities" tab, in the "Rolls" section: <https://courdappelduquebec.ca/en/rolls/book-of-authorities/>. Moreover, it is important to inform the clerk that the book of authorities was previously filed through DOCA.

In all cases, books of authorities (the PDF file and, where required, the paper version) must be filed within the time limits provided for in s. 44 *R.C.A.Q.P.M.* Books of authorities filed using DOCA are deemed to have been filed on the date and at the time of the electronic filing, even outside Court office hours.

3. Rules Respecting the Preparation of the PDF File of Books of Authorities

In all matters, the PDF file of a book of authorities must be prepared in accordance with the rules set out in the Chief Justice's Directive entitled *Rules Respecting the Preparation of the PDF Files of Pleadings, Briefs, Memoranda, Books of Authorities or Any Other Document*.

4. Concordance of the Paper Version and the PDF File

If the clerk requires one or more paper copies of the book of authorities, they must be identical to the PDF file.

PIERRE-OLIVIER LACROIX, lawyer
Clerk of Appeals in Quebec City

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Clerk of Appeals in Montreal



COURT OF APPEAL OF QUEBEC

Request to Obtain an Exemption from the Requirement to File the PDF File of a Book of Authorities in a Civil or Criminal Matter

- 1. Name of the party: _____
- 2. Appeal file number(s): _____
- 3. Indicate whether the book of authorities is being filed in support of an appeal on the merits or an application. In the second case, specify the nature of the application:

- 4. Explain why you are unable to file the PDF file of the book of authorities:

I understand that if my request for an exemption is granted, I will still have to comply with the rules set out in the *Regulation of the Court of Appeal of Quebec in Civil Matters*, the Rules of the Court of Appeal of Quebec in Criminal Matters and the clerk’s practice directions respecting the paper version of the book of authorities I wish to file.

Signature: _____ Date: _____

Section to be completed by the clerk:

The request is:

- Refused
- Granted
- Granted subject to the following conditions:

Date:

Assistant Clerk