



COURT OF APPEAL OF QUEBEC

Issue Date: November 4, 2016

Revised: January 25, 2018

PRACTICE DIRECTION G-7

Documents attached to an application and necessary for its adjudication (applications presentable before a panel of three judges)

The Court reminds the parties of the importance of attaching the documents (including those already in the Court record) necessary for the adjudication of their applications as provided in section 60 and the first paragraph of section 64 of the *Civil Practice Regulation* of the Court of Appeal:

60. *Attached Documents.* The applicant shall attach one copy of each document necessary for the adjudication of the application (*notice of appeal, judgment under appeal including reasons, pleadings, exhibits, depositions, statutes and regulations...*).

64. *Incomplete or Irregular Application.* The Clerk shall notify the applicant if the application is incomplete. If the applicant does not remedy the default within the prescribed time limit prior to its presentation (*30 days (Art. 365), 5 or 2 days (Art. 377)*), the Clerk shall continue the application to a later date and so advises the parties.

For an application to be placed on the roll by the Clerk, it must be accompanied by the following documents:

- The notice of appeal;
- The judgment under appeal or the object of the application for leave to appeal (including the reasons or the transcript of reasons delivered orally);
- The judgments of other instances or lower courts, if any (e.g.: the judgment or decision subject to judicial review that is the object of the trial judgment);
- Proceedings filed at trial that are necessary for adjudication of the application (the originating application, the defendant's answer, etc.);
- Any other relevant documents.

Please note that parties:

- must provide a list of the schedules submitted;
- are encouraged to separate each schedule attached to an application with a tab;
- are also encouraged to file a technological version of their application and schedules on a USB key.

Pursuant to article 377 of the *Code of Civil Procedure*, sections 63 and 64 of the *Civil Practice Regulation* of the Court of Appeal, and Practice Direction G-2 of the Clerk of Appeals, an application presentable before a panel of three judges must, depending of the nature of the application, be notified and filed at least 30 or 5 working days before the presentation date. Therefore, if 30 or 5 working days before the date of presentation, as the case may be, the required schedules are not attached to an application presentable before a panel of three judges, the application will be removed from the roll without further notice and postponed to a date determined by the Clerk. The parties will be notified by e-mail of the new presentation date of the application. If the date thus chosen is not suitable, the applicant must notify a new notice of presentation of the application, otherwise it will be heard on the date determined by the Clerk.

Mtre PATRICIA NAULT
Clerk of Appeals (Quebec Appeal Division)

Mtre BERTRAND GERVAIS
Clerk of Appeals (Montreal Appeal Division)