

Bill 75

**An Act to improve justice accessibility  
and efficiency, in particular to address  
consequences of the COVID-19  
pandemic**

Section 4

**AMENDMENT:**

Insert “, even if they are not present in person at a hearing,” after “persons” in paragraph 2.

*adapté  
AO*

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Section 24.1

**AMENDMENT:**

Insert after section 24:

**24.1.** Article 223 of the Code is amended by inserting the following paragraph after the second paragraph:

“Any objection relating to the examination may be decided by the court on the face of the record.”

*adoption*  
*No*

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Section 7.1

**AMENDMENT:**

Insert after section 7:

**7.1.** Article 52 of the Code is amended

(1) by inserting the following paragraphs after the first paragraph:

“An application before the trial must be notified to the other parties and filed with the court office at least 10 days before the date of presentation and is defended orally. However, the court may, on the face of the record, deny the application based on the grounds that it has no reasonable chance of success or is abusive.

An application during the trial is presented and defended orally.”;

(2) by replacing “The application is presented and defended orally, and” in the second paragraph by “If the application is defended orally, it is”.



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Section 18.1

**AMENDMENT:**

Insert after section 18:

**18.1.** Article 166 of the Code is amended by adding the following sentence at the end of the second paragraph: “If an exception to dismiss an application or a defence is raised, the three-day time limit is extended to 10 days.”

*absenté*

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Section 19

**AMENDMENT:**

Replace by:

**19.** Article 168 of the Code is amended

(1) by replacing “conclure à” in the introductory clause of the first paragraph of the French text by “demander”;

(2) by inserting the following paragraph after the second paragraph:

“The court may, on the face of the record, deny an application for dismissal based on the grounds that it has no reasonable chance of success.”



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Section 3.1

**AMENDMENT:**

Insert before section 4:

**3.1.** Article 13 of the Code of Civil Procedure (chapter C-25.01) is amended by replacing “anyone the court considers capable of assisting or reassuring the person” in the first paragraph by “anyone the person considers capable of assisting or reassuring the person, as well as any other person the court considers capable of doing so,”.

*ped-ntc*  
*[Signature]*

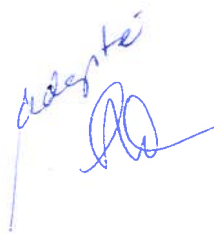
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Section 15

**AMENDMENT:**

Replace “the possibility” by “the advisability”.

A handwritten signature in blue ink, appearing to be "Robert", with a stylized flourish below it.

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Section 26.1

**AMENDMENT:**

Insert after section 26:

**26.1.** Article 377 of the Code is replaced by the following article:

“**377.** Any application in the course of a proceeding must be in writing and be accompanied by a notice of the date of presentation.

The application must be notified to the other parties and filed with the court office within the time limit prescribed by a regulation of the Court of Appeal.”

*adopté*  




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Section 28.1

**AMENDMENT:**

Insert “or to prevent prejudice to one of the parties or to their children,” after “and orderly conduct of proceedings,” in the amendment introducing section 28.1.

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Section 28.1

**AMENDMENT:**

Insert after section 28:

*Sam 1*

**28.1.** Article 417 of the Code is amended by adding the following paragraph at the end:

“Exceptionally, where required by circumstances to ensure proper case management and orderly conduct of proceedings, the court may try the case without the parties having jointly or separately participated in such a session but must order them to take part in such a session within three months after the order, unless the court considers it inappropriate.”

*proposed  
amendment  
R*

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Section 16

**AMENDMENT:**

In paragraph 1:

1. Replace “15 days” by “10 days”.
2. Insert “the date of” after “10 days after”.
3. Replace “filed case protocol” by “case protocol filed on that same date”.

*page 10*  
*AA*

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Section 54

**AMENDMENT:**

Insert “, even if they are not present in person at a hearing,” after “person” in paragraph 1.

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Section 1.1

**AMENDMENT:**

Insert after section 1:

**1.1.** Section 81 of the Act is amended by inserting “, 2.1” after “2”.

*adopted*  
*RD*

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Section 38

**AMENDMENT:**

Strike out “and without the parties’ consent” in the proposed second paragraph of article 2.2.

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Section 42

**AMENDMENT:**

Insert “, even if they are not present in person at a hearing,” after “person” in the third paragraph of proposed section 194.2.

*Adopted*  
*[Signature]*

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Section 7

**AMENDMENT:**

Replace by:

7. Article 26 of the Code is amended by replacing “even on its own initiative, may use such means or order that such means be used by the parties, including for case management purposes” in the second paragraph by “may use such means or, if the interests of justice so require, order that such means be used by the parties, even on its own initiative, including for case management purposes, for holding hearings or for sending and receiving documents in a medium other than paper”.





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Section 3

**AMENDMENT:**

Insert after proposed section 128.1:

“**128.2.** For the purposes of section 128.1, an educational institution at the university level may recognize a legal clinic that complies with the following conditions:

(1) in the clinic, the students carry out activities that contribute to their training and that could be recognized by a program of study whose diploma gives access to the permit issued by the Bar or by a graduate program in law;

(2) the clinic or educational institution at the university level maintains security against any liability the clinic may incur if a student commits a fault when giving legal advice and consultations on legal matters for others;

(3) the clinic undertakes to ensure compliance with subparagraphs 1 and 3 of the first paragraph of section 128.1 and with the standards, terms and conditions determined by the board of directors under the second paragraph of that section;

(4) the clinic undertakes to report on its activities to the educational institution at the university level every year, according to the terms they agree on.

A legal clinic established by an educational institution at the university level or by a professional training school established pursuant to paragraph *b* of subsection 2 of section 15 must comply with the conditions set out in subparagraphs 1 to 3 of the first paragraph, with the necessary modifications.”

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Section 3

**AMENDMENT:**

In the first paragraph of proposed section 128.1:

1. Replace subparagraph 1 by the following subparagraph:

(1) the student is enrolled in a professional training program given by a professional training school established pursuant to paragraph *b* of subsection 2 of section 15, in a program of study whose diploma gives access to the permit issued by the Bar or in a graduate program in law if the student obtained such a diploma;

2. Replace “of an” and “of a” in subparagraph 2 by “established or recognized by an” and “established by a”, respectively.



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Section 3.0.1

**AMENDMENT:**

Insert after section 3:

**3.0.1.** The Act is amended by inserting the following section after section 137:

“**137.1.** A legal clinic governed by subparagraph 2 of the first paragraph of section 128.1 or subparagraph 2 of the first paragraph of section 15.1 of the Notaries Act (chapter N-3) may inform the public of the services that it offers.”

*adopté*  
*Re*

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Section 1.2

**AMENDMENT:**

Insert before section 2:

**1.2.** Section 15 of the Act respecting the Barreau du Québec (chapter B-1) is amended by adding the following paragraph at the end of subsection 1:

“(p) implement, after consulting with the Office des professions du Québec, a pilot project not exceeding three years designed to improve the instruction given in a professional training school established under paragraph *b* of subsection 2.”

*adopté*  
*[Signature]*

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Section 1.3

**AMENDMENT:**

Insert after section 1.2, as amended:

**1.3.** Section 16 of the Act is amended by adding the following paragraph at the beginning:

“Sections 95, 95.0.1 and 95.2 of the Professional Code (chapter C-26) and the Regulations Act (chapter R-18.1) do not apply to a by-law adopted by the board of directors necessary to implement a pilot project referred to in paragraph *p* of subsection 1 of section 15. A description of the pilot project and the by-law are made public on the Bar’s website.”

*proposed*  
*Re*

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Section 3

**AMENDMENT:**

Insert after subparagraph 1 of the first paragraph of proposed section 128.2:

(1.1) the clinic renders services free of charge or charges only moderate administrative fees;

*adopté*  
*RA*

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Section 52

**AMENDMENT:**

In the first paragraph of proposed section 15.1:

1. Insert “or in a graduate program in law if the student obtained such a diploma” after “Order” in subparagraph 1.
2. Replace “of a” in subparagraph 2 by “established or recognized by a”.



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Section 52

**AMENDMENT:**

Insert after proposed section 15.1:

**“15.2.** For the purposes of section 15.1, a university-level educational institution may recognize a legal clinic that complies with the following conditions:

(1) in the clinic, the students carry out activities that contribute to their training and that could be recognized by a program of study whose diploma gives access to the permit issued by the Order or by a graduate program in law;

(2) the clinic renders services free of charge or charges only moderate administrative fees;

(3) the clinic or university-level educational institution maintains security against any liability the clinic may incur if a student commits a fault when giving legal advice and opinions for others;

(4) the clinic undertakes to ensure compliance with subparagraphs 1 and 3 of the first paragraph of section 15.1 and with the standards, terms and conditions determined by the board of directors under the second paragraph of that section;

(5) the clinic undertakes to report on its activities to the university-level educational institution every year, according to the terms they agree on.

A legal clinic established by a university-level educational institution must comply with the conditions set out in subparagraphs 1 to 4 of the first paragraph.”

*per article 1*  
*de*



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Section 58

**AMENDMENT:**

1. Replace “and 3” in paragraph 1 by “to 3.0.1”.
2. Insert the following paragraph after paragraph 1:

(1.1) section 26.1, which comes into force on the date of coming into force of the first regulation made under article 377 of the Code of Civil Procedure, as replaced by section 26.1 of this Act;

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Section 56

**AMENDMENT:**

Replace “53” by “52”.

*page 1*  
*[Signature]*