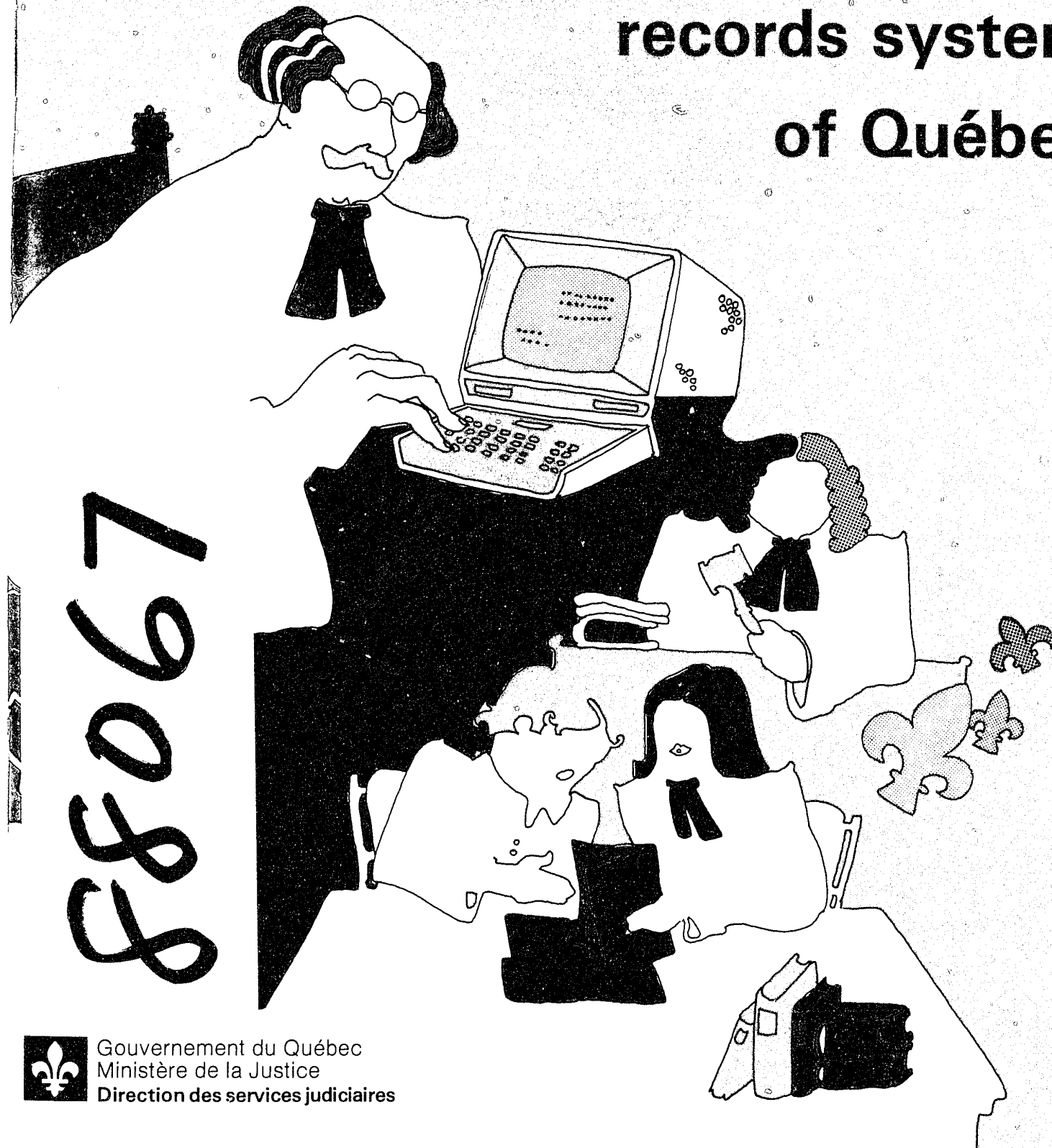
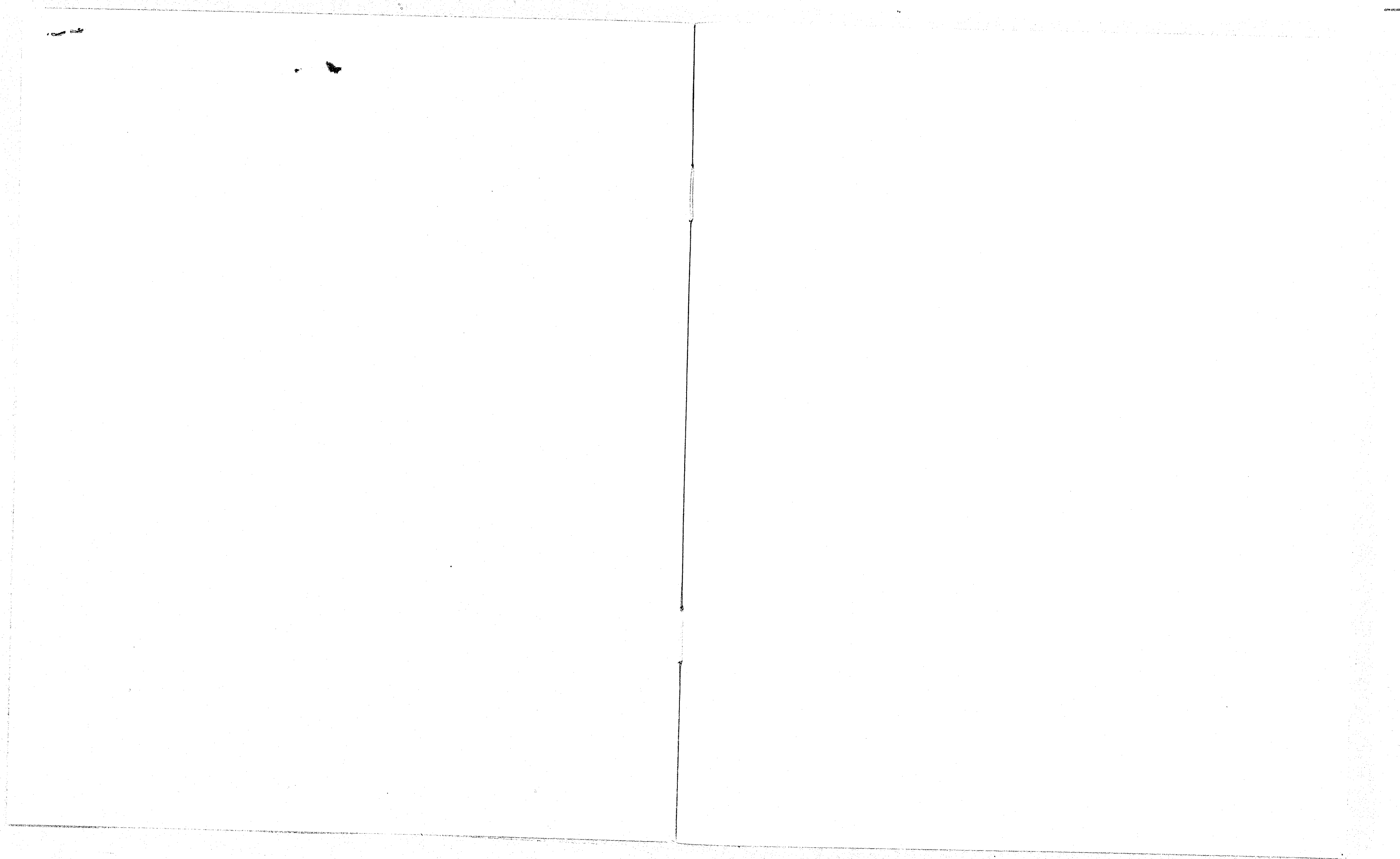


The computerized court records system of Québec





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**THE COMPUTERIZED
COURT RECORDS
SYSTEM
OF QUÉBEC**

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FOREWORD

The computerized system of judicial services has been in existence only a few years, yet it can already be proud of its past achievements and look forward to those of the future. This computer experiment is probably the only one of its kind in America: a system that integrates data on all civil and criminal records of the four (4) most important judicial districts of Québec.

From the start, the system was designed to make judicial information accessible to all users. By providing rapid, reliable and pertinent information to lawyers, judges and persons involved in legal proceedings, the system has already proven itself. It supplies to court administrators and chief justices management data that enables them to improve organization and to utilize available resources more efficiently.

This document is a review of the system, from its conception to its principal realizations.

Further information may be obtained by communicating with the following persons:

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October 1981

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The Québec judicial system comprises two levels: all courts of first instance and the appeal divisions.

I.1 Courts of first instance (trial courts)

– Justices of the Peace

Justices of the peace have first instance jurisdiction in criminal matters, covering minor offences and violations of municipal by-laws as well as provincial and federal laws. Their appointment to one or the other of the trial courts defines the scope of their competence.

– Municipal courts

A municipal council can, by way of resolution, establish a municipal court which has the right to prosecute offenders of local by-laws. One judge appointed by the Gouvernement du Québec presides over the municipal court.

– The Youth Court

This court, whose competence extends over all of Québec, has jurisdiction to hear cases involving persons under eighteen years of age.

– The Court of the Sessions of the Peace

It has jurisdiction over indictable and summary convictions offences against federal and provincial laws.

– The Provincial Court

The Provincial Court handles civil suits within the Province of Québec involving all claims up to 6 000 \$. Its competence extends to the recovery of municipal and school taxes. In cases of recovery of debts of 500 \$ or less by individuals, the Provincial Court, Small claims division is empowered to adjudicate, informally and without the presence of a lawyer. Finally, in rural districts its members are called upon to fulfill all the functions of a justice of the peace.

– The Superior Court

For all civil and criminal matters, The Superior Court is the court of original general jurisdiction, it hears in first instance every suit not assigned exclusively to another Court.

The Superior Court also exercises a surveillance and reforming power over all inferior courts and over corporations and administrative authorities of Québec.

Finally, in cases of minor offences and violations of provincial and federal laws, the Superior Court can act as a court of appeal.

1.2 The appeal system

Other than the jurisdiction of the Superior Court in precisely defined areas, the appeal system is composed essentially of two instances: the Court of Appeal of Québec and the Supreme Court of Canada.

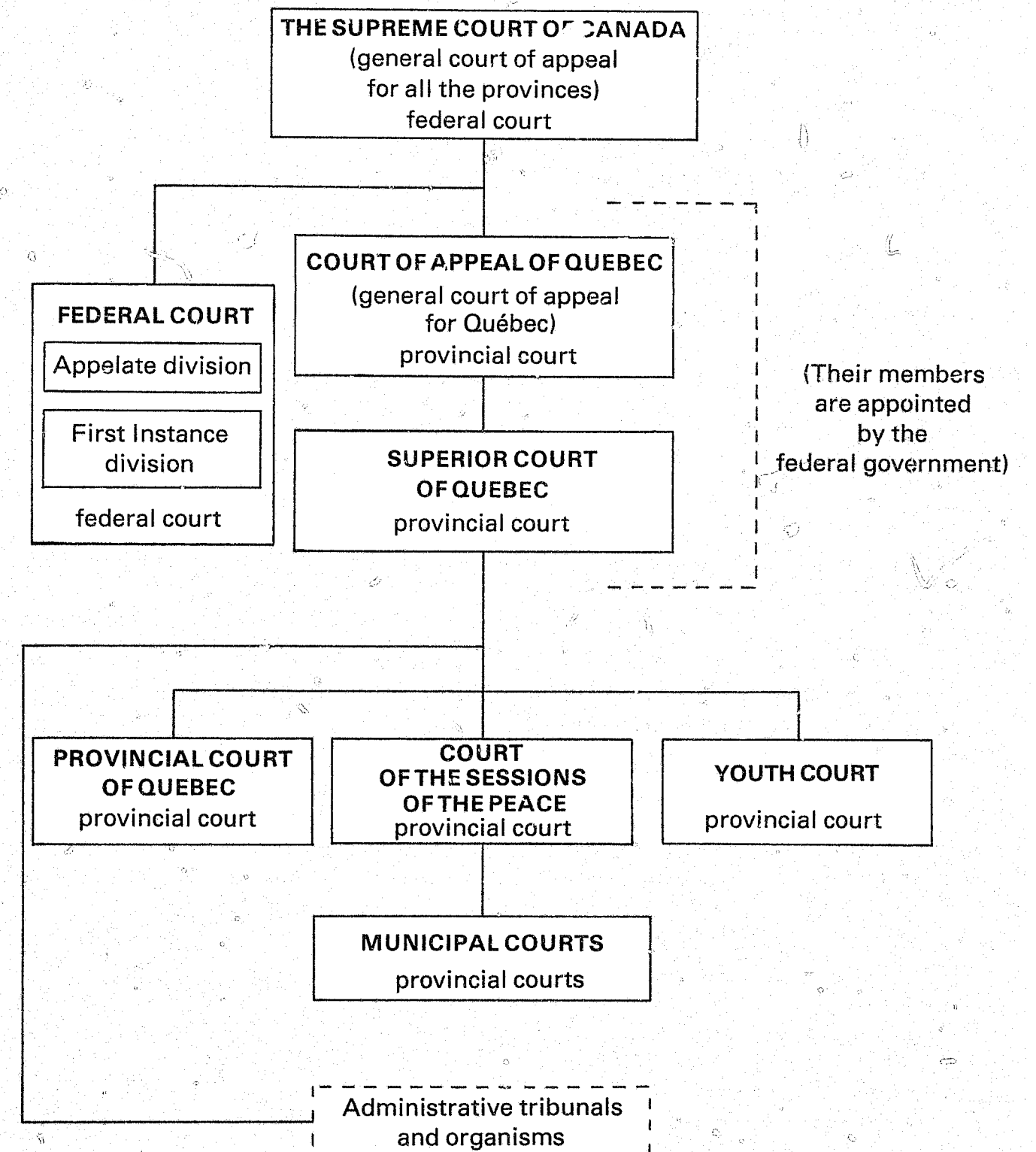
– The Court of Appeal of Québec

Its jurisdiction covers the territory of the Province of Québec and it hears appeals of judgments rendered by courts of first instance. The court consists of three judges; however, the Chief Justice can increase this number as he deems appropriate.

– The Supreme Court of Canada

Consisting of nine judges appointed by the federal government, the Supreme Court of Canada is the final court of appeal for civil and criminal matters in Canada.

The structure of the judicial system of québec



2

A REVIEW OF THE COMPUTERIZATION OF COURT RECORDS



In order to provide the population with an accessible and efficient judicial system that conforms to existing laws and regulations, a committee was formed and asked to analyse the evolution of the court administrators' needs since 1970, those foreseeable for the 1980s and the ways and means by which these needs were being fulfilled.

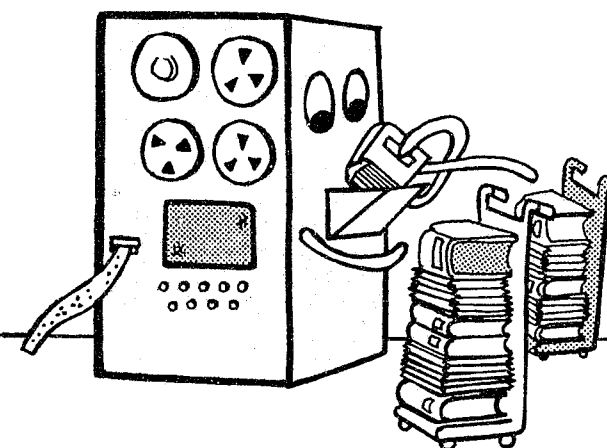
In modern society, dealings between citizens have multiplied and new relationships have been created which are slowly incorporated into the law. However, each additional law adopted by the legislator creates several

important judicial and administrative changes. Professionals in the field of justice want to see laws evolve, keeping pace with the values generally accepted by society.

The court's administration sector must keep up with this evolution in order to enable the legislator to fulfill its mandate, that is, to give administrative support to the judicial system, to exercise judicial powers conferred upon him by laws and regulations and to provide social and economic aid to persons involved in legal action.

The analysis predicted a market drop in efficiency for the near future. Human resources would be incapable of handling the growing number of records if modern management methods were not shortly introduced into the planning and administration of courthouse activities.

The results of the study brought to light two main concerns: the considerable number of documents that have to be handled, processed, examined and stored as well as the rapid transfer of recorded information to sectors requesting it. Necessary information for decision-making, be it on assigning judges, allocating office space and court rooms or planning human and material resources, was difficult to obtain within the allotted time limits. The committee in charge of the study recommended the



use of a computer as essential support to the smooth operation of the court offices of Québec.

In 1975 the court offices of Montreal and St-Jérôme were venturing into data processing. Those in Québec and Longueuil joined the initial group in 1979.

All information necessary for a good functioning of the judicial system is now recorded and stored by means of a computer, whose data bank contains details on laws, offences, judgments rendered and resources used. Well situated display units that are linked to the computer by a vast telecommunications network provide immediate and direct access to this information. Authorized persons can read any or all parts of an up-to-date and exact court record in a matter of seconds, which represents a considerable time-saving.

Following the encouraging results of this experimental step of computerizing court records, the ministère de la Justice du Québec wants to extend the range of the system to all court offices in the province.

3

THE ADMINISTRATION OF COURTS

I.1 Definition

La Direction des services judiciaires comprises two distinct structures, one related to the judicial, and the other to administrative functions of the judicial system.

- The judicial structure consists of 34 judicial districts with 82 court offices spread over these districts, depending on courts involved.
- The administrative structure is divided on a regional basis into 11 administrative regions according to divisions agreed to by all the ministries.

Each court office is responsible for various activities which are grouped into three distinct services:

- The specifically judicial services to the courts:
 - Court of Appeal
 - Superior Court
 - Provincial Court
 - Provincial Court, Small claims division
 - Court of the Sessions of the Peace
 - Youth Court
 - Administrative Tribunals
- The financial service, responsible for the management of financial resources necessary for the running of the court administration;
- The administrative service, responsible for the management of human and material resources.

One particular court office may be assigned to several courts with a number of distinct jurisdictions.

III.2 The objectives of computerizing court records

From year to year, the volume of activities in the court offices encreases greatly, although not equally in the different regions.

The computerization of court records therefore had several aims;

- registering and preserving information which is complete, uniform and rapidly available;
- reducing duplications when registering data contained also in other court offices;
- speeding up the processing of documents needed for running the judicial system;

- producing the principal registers as required by law;
- increasing the efficiency of work methods by simplifying procedures;
- providing the different administrative units with the necessary means for good management.

The established computer system not only fulfills all the desired objectives but also

- gives citizens access to information that is precise and up-to-date;
- has become, for the courthouse personnel, a valuable means to greatly increase productivity and the quality of service;
- provides administrators with indispensable information for the planning of resources, the evaluation of their productivity and the control of their use.

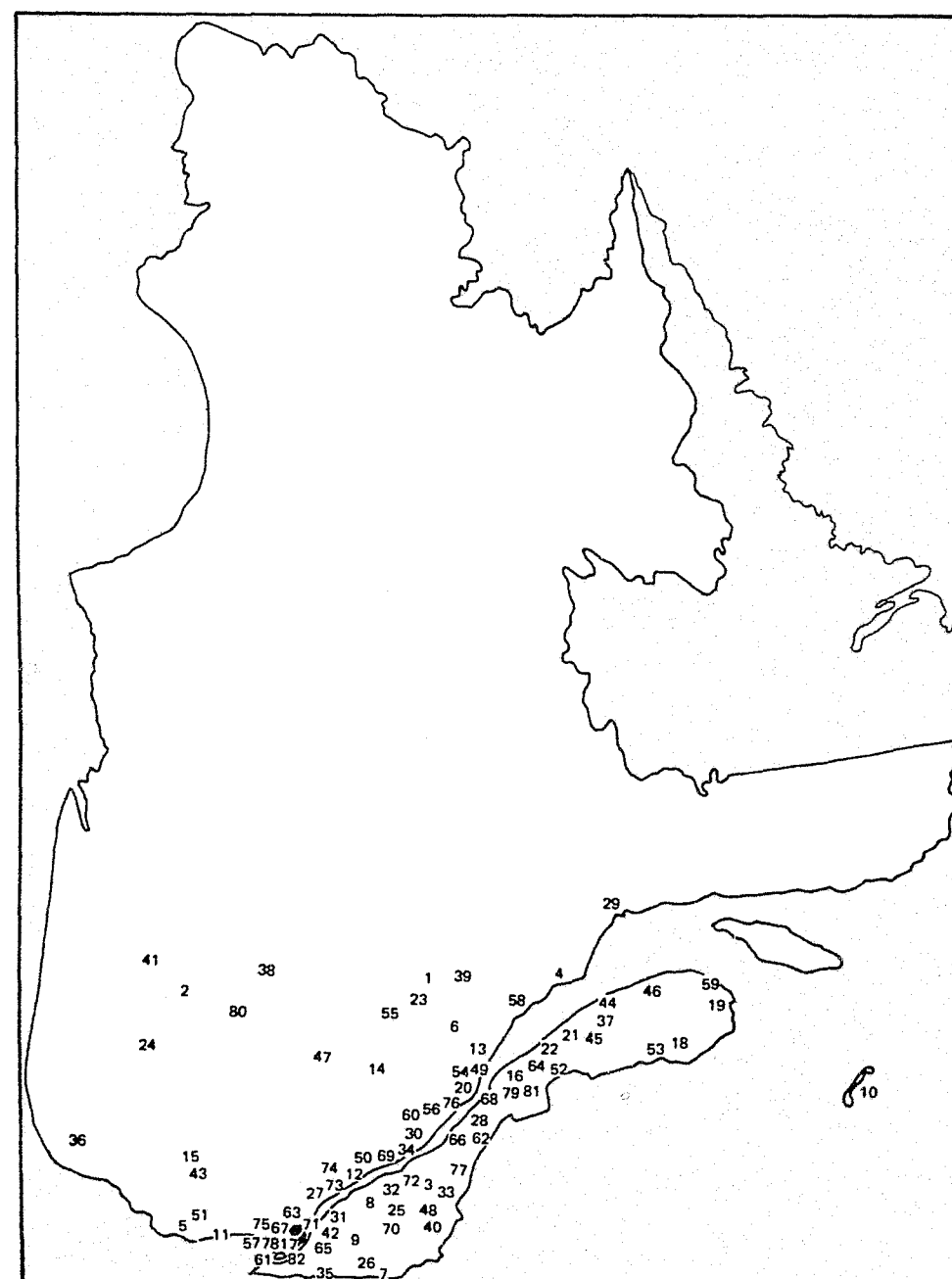
III.3 Statistics

Through the computerization of court records it is now possible to treat a greater part of the data originating from all Québec court offices, reaching 70% of the total volume.

The data bank receives annually

300 000	new files
1 000 000	pending court actions
2 000 000	procedures
200 000	procès verbaux (minutes)
2 000 000	consultations
5 700 000	computer transactions related to activities of the courts
600 000 000	characters

	Number of cheques issued	Amounts
Judicial deposits	8 200	20 000 000\$
Special distributions	12 400	3 000 000\$
Regular distributions	50 600	9 000 000\$
Cash reserves for claimants		3 000 000\$
Cash reserves for maintenance allowance		250 000\$
Cash reserves for judicial deposits		17 000 000\$
Total debt of debtors		250 000 000\$
Number of debtors		100 000
Number of creditors		350 000
Number of creditors of maintenance allowance		4 000



**A map of Québec
showing
the locations
of court offices
and courts**

- | | | | |
|--------------------|----------------------|---------------------|---------------------------|
| 1 - Alma | 13 - La Malbaie | 25 - St-Hyacinthe | 37 - Amqui |
| 2 - Amos | 14 - La Tuque | 26 - St-Jean | 38 - Chibougamau |
| 3 - Arthabaska | 15 - Mont-Laurier | 27 - St-Jérôme | 39 - Jonquiére |
| 4 - Baie-Comeau | 16 - Montmagny | 28 - St-Joseph | 40 - Lac Mégantic |
| 5 - Campbell's Bay | 17 - Montréal | 29 - Sept-Îles | 41 - La Sarre |
| 6 - Chicoutimi | 18 - New Carlisle | 30 - Shawinigan | 42 - Longueuil |
| 7 - Cowansville | 19 - Percé | 31 - Sherbrooke | 43 - Maniwaki |
| 8 - Drummondville | 20 - Québec | 32 - Sorel | 44 - Matane |
| 9 - Granby | 21 - Rimouski | 33 - Thetford-Mines | 45 - Mont-Joli |
| 10 - Havre-Aubert | 22 - Rivière-du-Loup | 34 - Trois-Rivières | 46 - Ste-Anne-des-Monts |
| 11 - Hull | 23 - Roberval | 35 - Valleyfield | 47 - Val d'Or |
| 12 - Joliette | 24 - Rouyn | 36 - Ville-Marie | 48 - Asbestos |
| | | | 49 - Beauport |
| | | | 50 - Berthierville |
| | | | 51 - Buckingham |
| | | | 52 - Cabano |
| | | | 53 - Carleton |
| | | | 54 - Charlesbourg |
| | | | 55 - Dolbeau |
| | | | 56 - Donnacona |
| | | | 57 - Dorion |
| | | | 58 - Forestville |
| | | | 59 - Gaspé |
| | | | 60 - Grand-Mère |
| | | | 61 - Kirkland |
| | | | 62 - Lac Etchemin |
| | | | 63 - Lachute |
| | | | 64 - La Pocatière |
| | | | 65 - La Prairie |
| | | | 66 - Laurier Station |
| | | | 67 - Laval |
| | | | 68 - Lévis |
| | | | 69 - Louiseville |
| | | | 70 - Magog |
| | | | 71 - Montréal-Nord |
| | | | 72 - Nicolet |
| | | | 73 - Repentigny |
| | | | 74 - Ste-Agathe-des-Monts |
| | | | 75 - St-Eustache |
| | | | 76 - Ste-Foy |
| | | | 77 - St-Georges |
| | | | 78 - St-Laurent |
| | | | 79 - St-Raphaël |
| | | | 80 - Senneterre |
| | | | 81 - Tourville |
| | | | 82 - Verdun |

4

THE DATA PROCESSING SERVICE

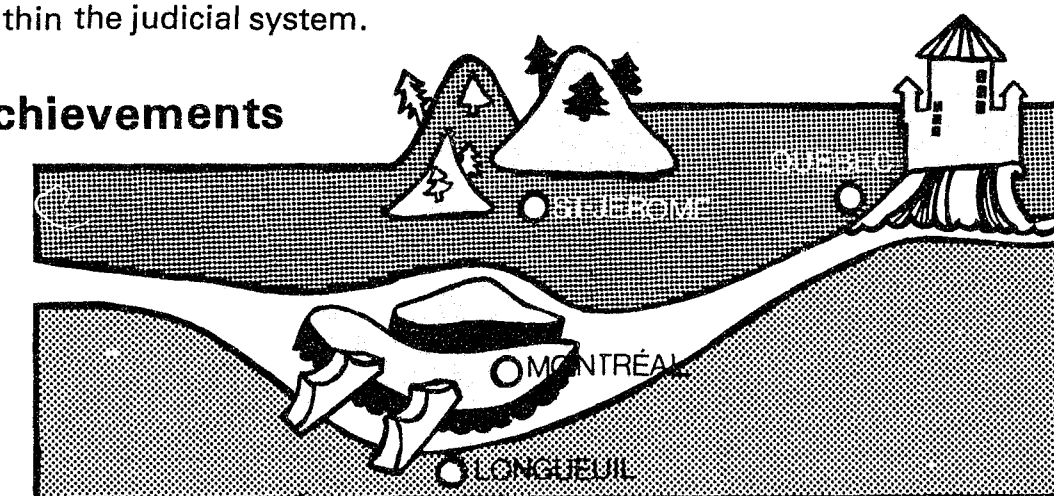
IV.1 Objectives

Modernizing the operations of court offices has been in progress for several years now, la Direction de l'informatique being in charge of the development of computerization.

The mandate of this Service is an important one and covers several precise objectives, all oriented towards the adaptation of the judicial system to present-day circumstances:

- to advise administrators on ways to solve problems by computer application in order to gain the necessary information for planning, decision-making and control purpose;
- to develop and establish computer systems that will enable personnel to rapidly obtain information pertinent to fulfilling the requirements of their job, thereby ensuring optimum productivity;
- to promote access to legal information for persons involved, helping them in their steps within the judicial system.

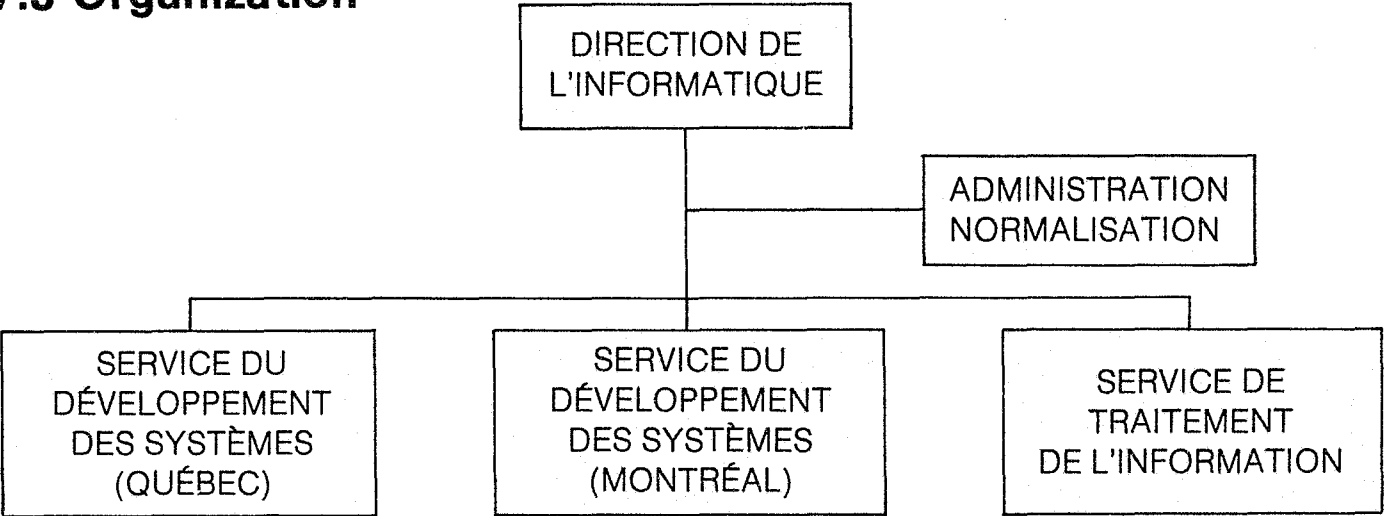
IV.2 Some achievements



The major achievement of the Direction de l'informatique is unquestionably the computerization of court records. Because of the complexity of the judicial system, the development of the computer system took 16 man/years, all carried out within a two-year period. Now established in Montréal, Québec, St-Jérôme, Longueuil and in most of the distribution centers (responsible for the distribution to creditors of fines, seizures by garnishment, voluntary deposits, maintenance allowance, etc.), the system is now being studied as to its possible extension to courthouses of medium and light volu-

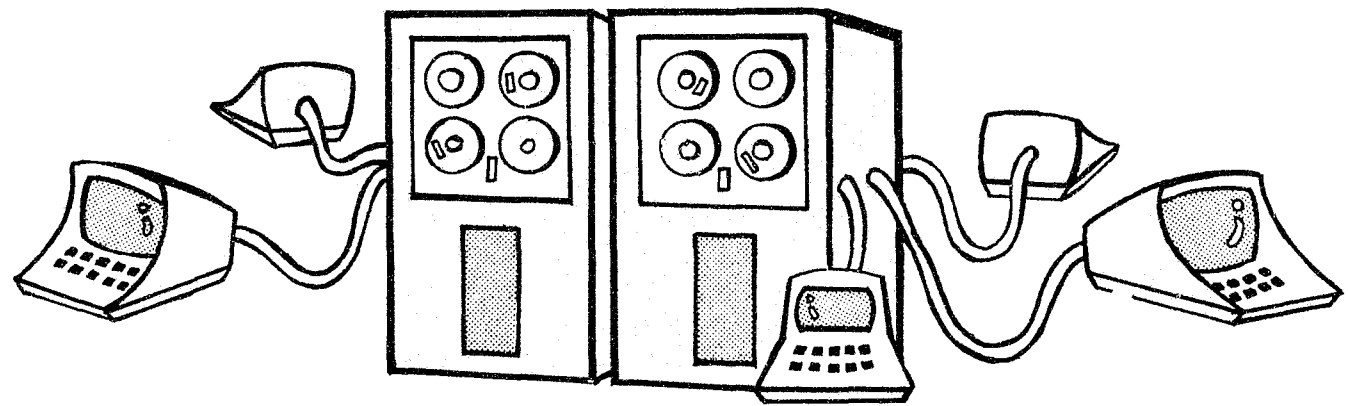
Some other realizations can also be mentioned, such as the Bureaux d'enregistrement, la Régie des permis d'alcool, la Direction générale de la détention et probation, le Bureau juridique du code de la route, designated persons, etc.

IV.3 Organization



La Direction de l'informatique is under the jurisdiction of the Direction générale de l'administration et du registraire. Its organizational structure is flexible and enables it to fulfill its role in relation to all the departments in the ministry.

IV.4 Hardware



The principal equipment used in the computer system can be grouped as follows:

- One central computer that controls the data bank and processes information for up-dating;
- Remote job entry terminals (Montréal, Québec and St-Jérôme) for the bulk printing of data;
- Four Entrex mini-computers with approximately forty stations that are used for the entry of data;
- Approximately on hundred display units with attached printers for consultation purposes;
- Teller terminals that record and control deposited sums of money.

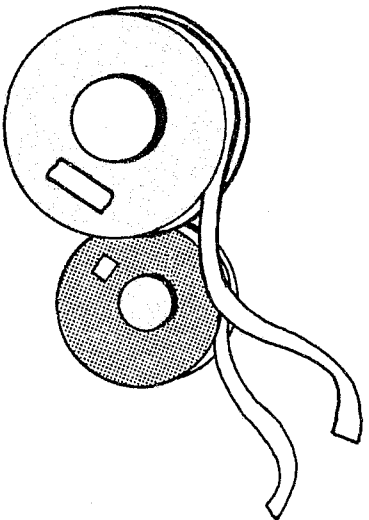
The data processing follows the semi-decentralized method, whereas the acquisition of data, its consultation and printing are decentralized although the processing and the data bank are centralized.

- 14 disk drives of the type 3350
- 4 000 000 000 characters
- 6 tape drives of a density of 6250 BPI
- 800 tapes of 2400 feet
- Communication lines from 2400 to 9600 Bauds.

IV.5 Software

To a list of software currently in use may be added other items. The principal software now in use is:

MVS	Operating system
JES-2	Input-Output management
COBOL VS	Compiler
EXTRACTO	Retrieval of information
TABULO	Tabulating information
SUPERIO	Retrieval for data base
INFOVAL	Validity check
PLAN IV	Computer resources management
OPTIMISER II	Optimizing of object code
SYNCSORT	Sort & merge
TOTAL	Data base management
ENVIRON/1	Telecommunications management
FDR/DSF	Fast dump restore and data set function
LIBRARIAN	Management of data source
JOHNSON	Computer resources management
SPSS	Statistics
TSO	Time sharing option
ENVI/DATA	On line data entry
T-ASK	Inquiry



STATISTICS	DISTRIBUTION CENTERS	COURT OFFICES
Number of processing programs	60	250
Number of data entry programs	50	200

5

USERS OF THE COMPUTERIZED COURT RECORDS SYSTEM

V.1 Le ministère de la Justice

The ministère de la Justice is composed of several departments, the majority of which use the system regularly.

— La Direction générale des affaires législatives

In order to evaluate the consequences of changes in existing laws or of new laws, the Direction générale des affaires législatives uses information contained in the data bank.

— La Direction générale de la probation et des établissements de détention

The computer system allows the Direction générale to follow prisoners' records and prisoners' movements (appearance in court, etc.), as well as the enforcement of sentences imposed by the court. Access to supplementary information makes the work of the management more efficient. For instance, upon request by management a list of all records for which a pre-sentence report is required by the court, can be promptly produced.

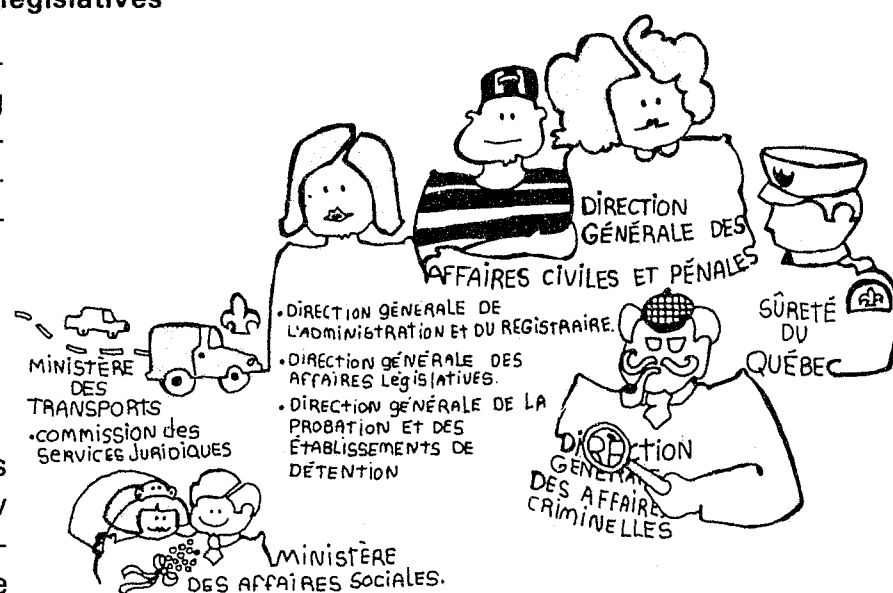
— La Direction générale de l'administration et du registraire

This department can follow the progress of all the files for which it is responsible.

— La Direction générale des affaires civiles et pénales

This department is one of the principal users of the computerized system. For example, the court offices receive, on tape, all the data on new files of the Bureau juridique du code de la route. The decisions rendered in each file are registered and the tape is then returned to the Bureau juridique. Not only is the development of each file closely followed through direct access to the information, but much manual registering of data and tedious filing of documents has been eliminated.

The computer issues various analytical reports, giving essential statistics for the planning and management of records.



— La Direction générale des affaires criminelles

The data concerning the criminal records sector are brought up-to-date daily. Through the telecommunications network, records are directly accessible. Crown attorneys have display units at their disposal where they can consult the list of current records, make a selection and verify the development of cases for which they are responsible.

The department receives detailed analytical reports for management purposes.

Finally, the criminal legal department uses the computer reports for the progress control of their cases.

— La Sûreté du Québec

The police play an important role in the courts. They may use the system as a tool for summonses to appear in court as plaintiffs or witnesses.

Since the system has been established, manual transcription of court decisions has been eliminated. By means of display units, the police can now easily obtain information vital to its operation.

V.2 Le Gouvernement du Québec

Without entering into the details on the structure of the government, it is worth mentioning that some ministries and commissions already use the system to their advantage.

For example the ministère des Transports, through its Bureau des véhicules automobiles, is responsible for the enforcement of the law concerning demerit points given to drivers who have violated the Highway code. The computer system registers the court judgments for all such infractions.

This information is now transmitted electronically to the control system of the Bureau des véhicules automobiles.

The ministère de la Justice is spared the manual sending of infraction notices, and the ministère des Transports does not have to manually record these notices for its computerized control system. The law provides for a delay of 8 days to notify the Bureau des véhicules of these infractions, a time limit that is often too short for courts whose offices are not computerized, yet which is now easily respected by those that are.

Some ministries have their own legal departments. The administration and follow-up of the files is greatly facilitated by the computerized court record system. La Commission des services juridiques can verify directly the costs involved in each case they handle, where previously they had to have photocopies of the complete files to do so. Le ministère des Affaires sociales has access to vital information concerning separations, divorces, modifications of matrimonial regimes, etc.

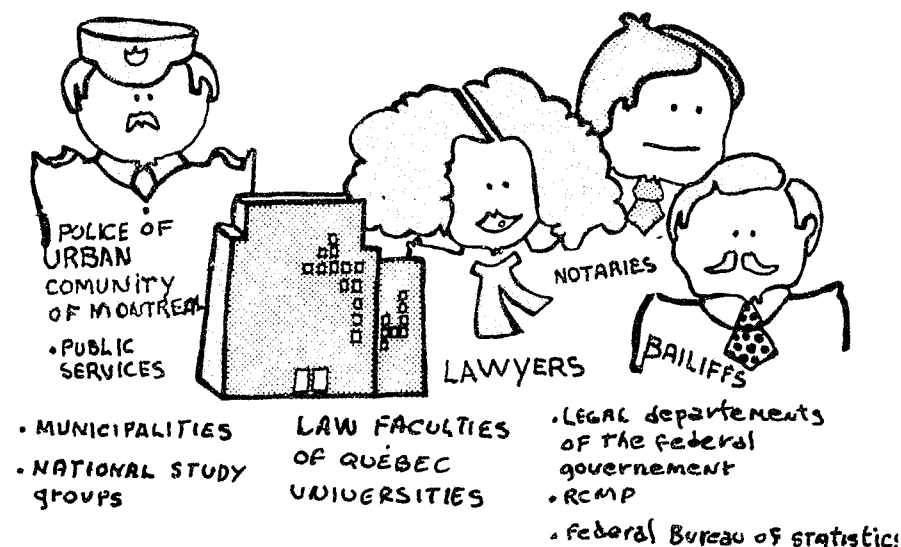
A great number of committees or groups, either working for the Gouvernement du Québec or mandated by it, may be authorized — within the scope of their mandate — to consult samples of pertinent records. Thus it happens frequently that the working group responsible for the court records system within the Data Processing Service is called upon to give technical help in extracting and compiling the required data. Such studies would have been unthinkable when the needed information was dispersed in files kept up-to-date manually.

V.3 The public

The computerized court record system has been conceived in a way that makes it easily available to the public.

By means of display units in court-houses, persons involved in legal actions can rapidly and free of charge have access to the file that concerns them, in order to check on its progress, learn the date of the next hearing, etc.

Several institutions, unrelated to the ministère de la Justice but which publish useful information for the general public on the activities of the courts, have access to certain information that is not confidential.



Organizations with large legal department also use the court data processing system; it permits them to speed up their work and reduce costs. Naturally, public service departments can count on the same service as that received by other citizens.

Law faculties of Québec universities are initiating future professionals in the use of this instrument. With the computer system, they can follow the development of particularly interesting cases, study legal proceedings in actual cases and can familiarize themselves with the judicial system through real situations, easily identifiable and documented by the computer.

Professionals in the legal field are probably those most likely to make extensive use of the computerized court records. Lawyers, notaries and bailiffs looking for pertinent information can now consult files that interest them without having to make innumerable trips within the court-house. Their administrative work is greatly simplified, and they can from now on offer a more efficient service to their clients. Since the introduction of the system, some of them have made suggestions likely to improve the judicial process.

Finally, the various police forces, including that of the Urban Community of Montréal, use this service regularly in order to follow up on their cases pending in trial courts.

V.4 Other levels of government

Various levels of government are joining the numerous users of the system.

- Municipalities can easily follow files on expropriations, bailiffs' sales to recover taxes, judgments, lawsuits and many others, while being spared the previous tiresome transcription from the files of the court offices.
- The legal departments of the federal government and of the Royal Canadian Mounted Police appreciate the saving in resources being made possible by direct access to the computer through display units linked to it.
- Statistics Canada now receives directly, on tape, pertinent data for its reports on the activities of the Canadian judicial system, thereby being spared the manual recording of such information.
- The Gouvernement du Québec is a member of different national committees on courts and data processing. These committees, one of which is the National working group on judicial statistics, study the analytical reports issued on their request by the Québec court record system.

V.5 Conclusion

The computerization of the Québec court records is very recent, yet the benefits of this achievement surpass by far those initially anticipated.

The growing number of users, the diversity of their needs and their participation in the system point to a revolutionary change in the perception of the judicial system. Often seen as mysterious by the public and judged inefficient by groups and professionals in the field, the judicial system has now not only been greatly simplified in its operation by the introduction of the computer which eliminates outdated methods and duplication of effort but, most important, has become accessible to all.

The preceding paragraphs do not constitute an exhaustive list of users of the system but were meant to draw the reader's attention to its accessibility, a fundamental aspect which is proven by the diversity of the users.

The acceptance in judicial circles of the computer as an instrument has been very encouraging, but it also leads to the prediction that it will soon be necessary to develop additional implements able to fulfill still more adequately the new requests that are beginning to be made.

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OPERATION AND SECURITY — A SYNOPSIS

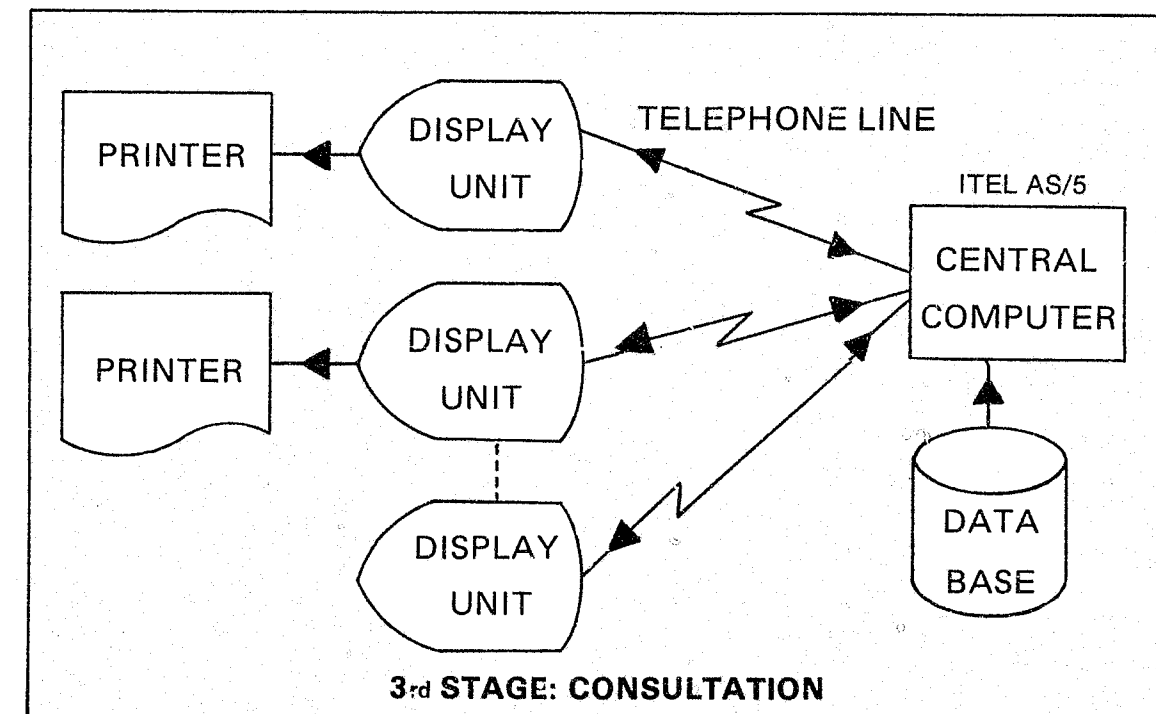
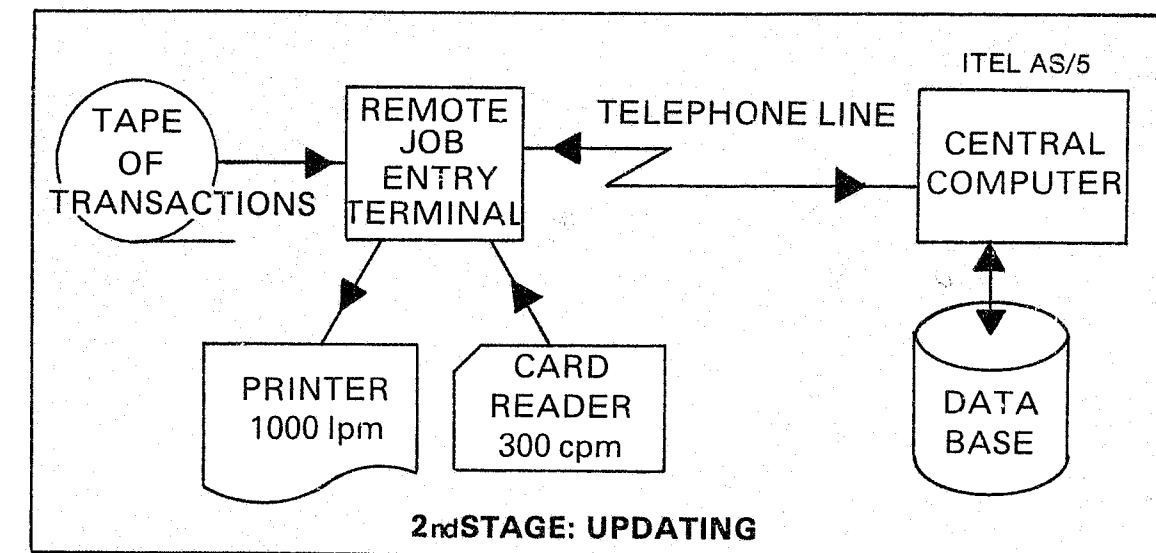
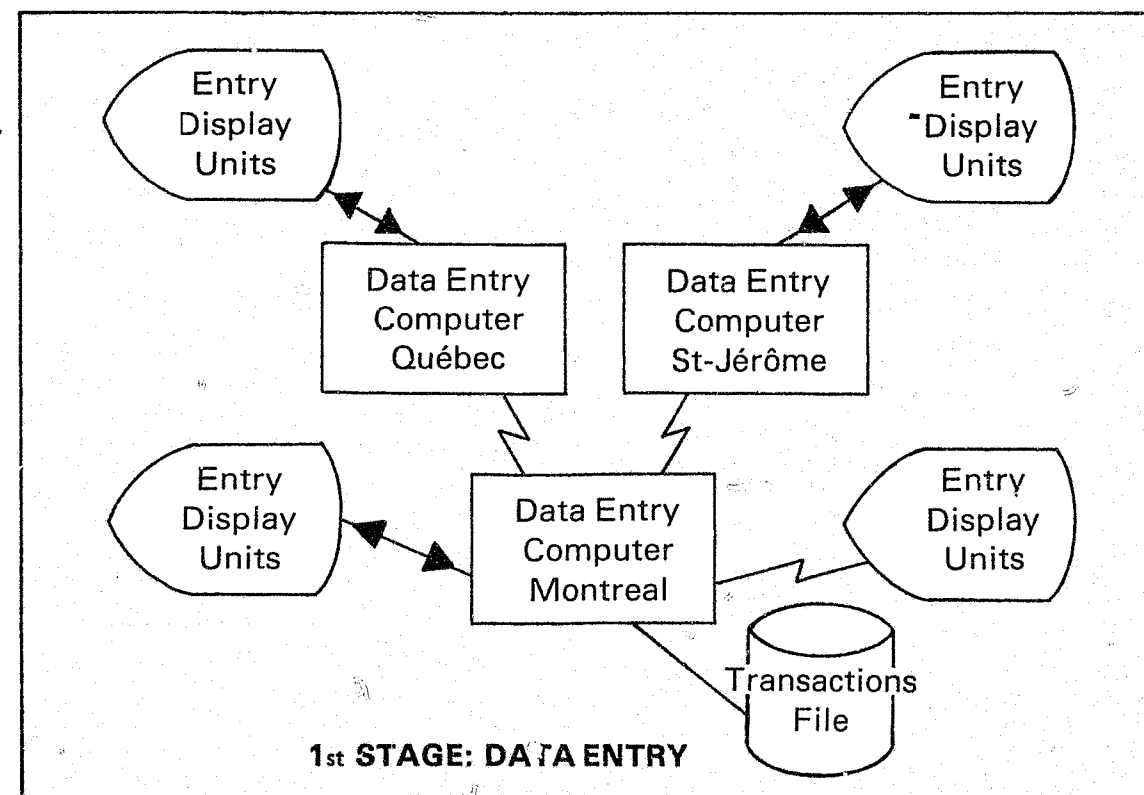
VI.1 Operations

Throughout the day, the court offices in the Montréal, St-Jérôme, Québec and Longueuil regions record information concerning civil and criminal procedures from the courts they serve. The data is grouped in batches and clearly identified by the personnel responsible. The information is then entered by means of display units and as soon as it is validated, is registered temporarily in a mini-computer. At the end of the day the information collected in the court offices is transmitted via telecommunication lines to the central computer in order to update current court records, open new ones and close those that are terminated. At the end of this daily updating, various reports are automatically produced and transmitted to the different court offices.

Each court office has a terminal equipped with a printer which receives and prints the reports issued by the central computer.

By means of display units the court offices also have direct access to the records stored in the central computer, exactly as if these records were kept in their own offices.

SEQUENCE OF DATA PROCESSING



VI.2 Security

Because of the confidential nature of the records, the integrity of the data stored in the central file and the access to this information are rigorously controlled.

Only duly authorized personnel of the court offices can, through often altered special codes, modify the contents of the records in the central file.

Access to information is carefully controlled by codes which identify the user, and which give access only to information that the user is authorized to consult.

The security of computerized records is therefore much tighter than that of records kept up-to-date by hand.

The court administrator can instantly make the files inaccessible to various users.

The original documents used for the registering of data are preserved in the court offices and can be made available to users in case of computer-breakdown. An added precaution is the existence of a complete copy of the data bank, safeguarded separately, away from the computer.

7

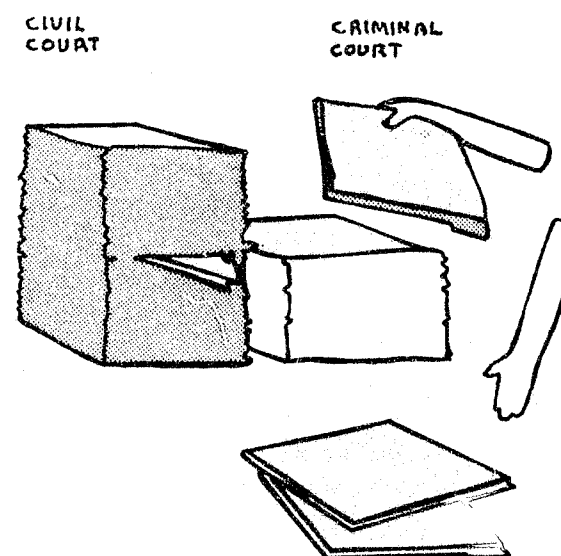
THE COMPOSITION OF A COURT RECORD

VII.1 Opening of a file

Upon receipt of a writ (civil court) or a complaint (criminal court), the recording center opens a record and registers it under a number which identifies the jurisdiction:

XXX	— XX	— XXXXXX	— XX	— X
Identification number of the court office	Juris- diction	Sequence number of the case	Year of opening	Check-digit number

This arrangement for registering has been adopted by all Québec court offices.



The main elements of the documents that are presented at the court offices for registering are given a code: person(s) involved, nature of offence, type of procedure, attorneys for the parties, etc.

The documents thus prepared for registering are put in batches according to jurisdiction and volume. The registering by computer is done by means of display units within the court offices. The information is stored temporarily in a mini-computer until the actual processing.

The data received by the mini-computer is transmitted daily to the central computer in order to update the data bank of the court office in question. On the next day, users can already consult the updated version of the data bank.

VII.2 Summary of the record — "docket sheet"

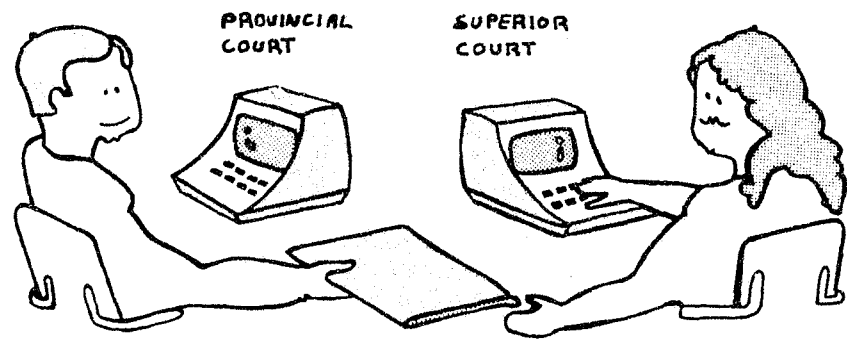
A summary of the record, including all procedures by order of entry, is called a "Docket sheet". Because of batch processing where several procedures are entered almost simultaneously, the time of entry into the file has been adopted as official in order to avoid any ambiguity. The Docket sheet of a record can be consulted directly on the display unit, and a copy obtained through the attached printer.

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1	REQ BREF SAISIE MOB AV JUGT	ET AFFIDAVIT
2	BREF SAISIE-MOB AVANT JUGT	ET DECL ET AFFIDAVIT
3	COMPARUTION	MARTINEAU & WALKER
	IMMOBILIARE CANADA LTD	DFO-01-
	COMPARUTION	MARTINEAU & WALKER
	SOGESAN CONSTRUCTION LTD	DFO-18-
	COMPARUTION	MARTINEAU & WALKER
	REDROCKE ESTATES LTD	DFO-22-
	COMPARUTION	
	MARTINEAU & WALKER	PLACE VICTORIA ST JACQUES CD
	TD	DFO-26-
4	REQ ANNULER SAISIE AV JUG	DF
5	15-01-79	
6	REQ ANNULER SAISIE AV JUG	DF
7	17-01-79	
8	REQUETE	ET AFF
9	PERMISSION SIGNIFIER	ET AFF
10	REQ MODE SPECIAL SIGNIFICATION	08-01-79
11	REQ MODE SPECIAL SIGNIFICATION	08-01-79
12	REQ MODE SPECIAL SIGNIFICATION	08-01-79
13	09-01-79	ET AFF
	COMPARUTION	MARTINEAU & WALKER
	GORUP JACK B	DFO-11-
	COMPARUTION	MARTINEAU & WALKER
	HOLTON J	DFO-12-
	COMPARUTION	MARTINEAU & WALKER
	FACCI HUGO A	DFO-03-
	COMPARUTION	MARTINEAU & WALKER
	EGGERS H B	DFO-20-
	COMPARUTION	MARTINEAU & WALKER
	MARESCOTTI ALBERTO	DFO-05-
	COMPARUTION	MARTINEAU & WALKER
	GUINONT W	DFO-21-
14	COMPARUTION	MARTINEAU & WALKER
15	BRUNELLE A	DFO-25-
16	COMPARUTION	MARTINEAU & WALKER
17	PAQUET J M	DFO-19-
18	COMPARUTION	MARTINEAU & WALKER
19	VINCENT H	DFO-14-
20	COMPARUTION	MARTINEAU & WALKER
21	HORRELL J	DFO-13-
22	LISTE PIECES JUSTIFICATIVES	P1 A P16 (P9 & P11 MANQUANT)
23	REQ MODE SPECIAL SIGNIFICATION	08-01-79
	REQ MODE SPECIAL SIGNIFICATION	08-01-79
	REQUETE	FR NONINTERDICTION SEQUESTRE JUI
	12-01-79	OFFS DF
	REQUETE	
	FR SURETE DES DEFENS	IMMOBILIARE CANADA LTD
	12-01-79	AFR DF
	REQUETE	
	FR SURETE DES DEFENS	JEAN MARIE PAQUET

VII.3 Transfer of records

The transfer of a record from one court office to another, or from one jurisdiction to another within the same court office are relatively frequent occurrences.

Upon request by the parties, the sending office transmits the records to the receiving court office who then informs all parties of the new file number.



All the data concerning the record is of course retained by the computer, as well as the date and place of the transfer. Any procedure registered in the previous record during the transfer period is automatically referred to the new record and the computer issues a notice to this effect.

8

CONTROL OF DOCUMENTARY RECORDS

All actual documentary records of a court office are preserved in a special file room. When the procedures have been entered at the recording center, the documents are added to the files.

At the end of the daily updating of the data bank, the computer issues several reports, classified appropriately, indicating which files have to be distributed either within the court house (Master of the Rolls, judgment division, etc.) or those concerning other court offices. The personnel in the file room can thus assure a prompt dispatching of files.

REQUISITION DE DOSSIER

200-02-008866-792

DATE 03-03-80

DIVISION DES JUGEMENTS

The computer also issues a list of requested files to be sent out from the file room, giving their destination. It is therefore possible to exercise a rigorous control over the movements and whereabouts of the actual documentary files.

9

FOLLOW - UP OF RECORDS

IX.1 Consultation

It is possible to consult records at any time by means of well situated display units. The user does not need technical computer knowledge in order to receive information. By simply touching a keyboard similar to that of typewriter he will bring into the screen that part of the record he wants to consult. He can also ask for a printed copy of the screen image, which is provided by a printer linked to this display unit.

However, access to certain files is restricted to authorized personnel, through a set of frequently changed passwords, known only by the concerned parties. This applies in particular to the files under the jurisdiction of

- Mental Patients Protection
- The Youth Court
- Search warrants

The following are examples of information which is directly accessible for consultation on display units:

a) Criminal and civil courts

- a summary of the record, or docket sheets (see opposite);
- a list of persons involved: lawyer, plaintiff, defendant;
- an alphabetical index and an index of similar-sounding names;
- an inverted docket sheet, from the last to the first procedure;
- information on all court hearings in the criminal court.

ACC.	BEAUPORT QUE MARIE NAIS 08/10/33 NAS 217-242-350 AVD.	OCC. CAPORAL
PLA.	12 RUE ST YVON QUEBEC QUE	
DRG.	CORPS PDL SURETE DU QUEBEC NO. 209 790329 001	
04 CHEF(S) ACCUSATION		
SUITE: PR1 MENU: PH2 CHOIX 01 NO: 20001002550790 SEQ. 29-02-80		
200-01-002550-790 SEQ ACC: 001		
CODE CRIMINEL	FED	
01 *338(01)A) *21 30/01/80 09:30 PLAIDOYER COUPABLE (2) 30/01/80 09:30 SENTENCE (2) AMENDE \$100.00 OU 015 JOUR(S) DE PRISON AVEC DELAIS DE 01 MOIS PROBATION DE 06 MOIS SANS SURVEILL.		
02 *324(01)A) *325(01) *21 30/01/80 09:30 DECISION ACQUITTE (2)		
03 *326(01)A) *21 30/01/80 09:30 DECISION ACQUITTE (2)		
04 *110(01)A)I) *110(04) 30/01/80 09:30 PLAIDOYER COUPABLE (2) 30/01/80 09:30 SENTENCE (2) AMENDE \$100.00 OU 015 JOUR(S) DE PRISON CONCURRENT(S) A 01 AVEC DELAIS DE 01 MOIS PROBATION DE 06 MOIS SANS SURVEILL. 08/05/79 SOMMATION		

b) Distribution centers

- Index of debtors;
- Register of entries and the register of claims;
- The inverted register of entries and the inverted register of claims, starting from the last and going back to the earliest entry.

IX.2 Printed reports

The computer issues various reports that are considered essential for the planning, administration and control of court office activities.

— Control report

These reports enable the personnel responsible for entering the data to verify the integrity of the computerized information. They contain notices of errors and statistics on the number of transactions.

— Missing procedures and files.

The computer issues regularly the file number for missing files and procedure numbers of procedures not mentioned in existing records. (see opposite)

— Another list gives the file numbers of records for which no information has been registered.

— Coding/verification

This report lists the sequence of procedures within a record, not only making filing of actual documents easier but permitting a verification of the completeness of registered data. (see opposite)

— Certificates of Default.

— An alphabetical index, by jurisdiction, of plaintiffs and defendants involved in court

REGION	06 MONTREAL	AUTOMATISATION DES GREFFES		0012-032-1	PAGE 1
GREFFE	000 MONTREAL	DETECTION DES DOSSIERS MANQUANTS		DATE 29-09-80	PAGE 1
JURISDICTION	00 TOUTES LES JURISDICTIONS				
JUR	CAUSE	CAUSE	MANQUANTS	PRESENTS	
02	000775-80 001479-80 001479-80	A 031500-80	TOTAL JUR 02	158	42,642
04	000870-80		TOTAL JUR 04	1	2,092
05	000455-80 011933-80		TOTAL JUR 05	3	11,734
06	000543-80		TOTAL JUR 06	0	0
09	000543-80		TOTAL JUR 09	1	1,109
10			TOTAL JUR 10	0	331
11	002305-80 002342-80	A 002360-80	TOTAL JUR 11	20	2,341
12	000091-80	A 002500-80	TOTAL JUR 12	92,584	8,365
14	002441-80		TOTAL JUR 14	1	3,576
24	000020-80		TOTAL JUR 24	1	21
32	000004-80 000994-80		TOTAL JUR 32	2	8,385
33	000000-80 000000-80 000000-80 000000-80 000000-80	A 000092-80			
	000000-80	A 000092-80	TOTAL JUR 33	18	47
34	000001-80 000024-80	A 000024-80 000054-80			

REGION 03 QUEBEC		INFORMATION DES GREFFES				0012-0321	
GREFFE 000 QUEBEC		PROCEDES CIVILES				0012 30-09-80	
		EXTENSION / VERIFICATION				PAGE 175	
NUMERO DU LOT	0012001300					PAGE	8
NO DOSSIER	SEC	REF	DATE	CODE	DESCRIPTION / CONCERNANT	QUI / DETAILS	MDT / NUMPL
200-05-003100-002	2	001	001	X	PROCEDE CIVIL	DOANVILLE DNT	000000
	3	001	001	X	PROCEDE CIVIL	JEAN TYER	000000
	3	002	001	X	PROCEDE CIVIL	GEORGE	000000
	4	001	001	29-09-80	BREF PIECES ANNEXES		000000
200-05-003101-000	1	001	001	30-09-80	05 COUVRAGES		000000000000
	2	001	001	X	RANGON NATIONAL DU CANADA	MONTREAL QUE	000000
	3	001	001	X	PROCEDE CIVIL	PIERRE	000000
	4	001	001	29-09-80	BREF		000000
	4	002	001	29-09-80	LIST		000000
	4	003	001	29-09-80	PIEC P-1		000000
	4	004	001	29-09-80	PIEC P-2		000000
	4	005	001	29-09-80	PIEC P-3		000000
	4	006	001	29-09-80	PIEC P-4		000000

activities. This index is kept on microfiches and is updated every four months.

- Uncoded procedures, and the nature of the uncoded record.

- Inactive files.

- Index by register of the two spouses in civil marriages. (see opposite)

- Certificate of non-appeal for divorce files where a conditional judgment has been rendered.

- Reports on the progress of proceedings.

- The file number of cases inscribed on the merits or by default in the Provincial and Superior courts, and those in divorce cases.

- Notice of trial, reminding a person accused of a criminal offence of the date of the next hearing of his case before a judge alone.

REGION	06	AUTOMATION DES GREFFES	PAGE 10
GREFFE	500	INDEX ALPHABETIQUE DES EPOUSES	G012-L007-1
JURISDICTION	13	POUR LE REGISTRE 01	DATE 21-04-77
DOSSIER	CEL	REG	FOLIO
002275-750	01	376	GELINAS GINE
002452-755	01	197	GEVEREUX FRAN
000447-745	01	184	GENTILE GUS
001791-747	01	444	GERARDIN FRA
002426-759	01	645	GIRARD JACOU
000004-749	01	139	GIROUX COLE
002131-755	01	117	GIROUX NICHE

PROCES-VERBAL

1 - JUGEMENT

2 - RECUS

3 - CAUSE

4 - ETATS

5 - MISE EN LIBERTE

6 - ORDONNANCE MANDAT

7 - ACCUSATION

8 - REFERENCE

9 - REMISE

10 - REMISE

11 - REMISE

12 - REMISE

13 - REMISE

14 - REMISE

15 - REMISE

16 - REMISE

17 - REMISE

18 - REMISE

19 - REMISE

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99 - REMISE

100 - REMISE

- Computerized procès-verbal, generally called "minutes", for use at the next hearing of a criminal or statutory case. (see opposite)

- Notice of hearing, reminding parties in civil cases of the date of the next hearing. (see opposite)

- Report to the Clerk, stating details of events, decisions and judgments concerning criminal or statutory files. Several other departmental sectors make use of this report, including criminal administration, accounting, the file room, the room for criminal exhibits, the criminal legal department, probation, etc.

- A list giving information on files on which the judge has ordered a pre-sentence report. (see opposite)

- Various statistics, reports on registered data, transactions, civil procedures, etc.

- Annual charts showing the number of files opened, by month and by type of case.

- Reports and tapes issued at the request of external organisms and approved by the ministère de la justice du Québec.

- Finally, the computer produces various other items, such as address labels, envelopes for certified mail, etc.

IX.3 Criminal and penal accounting

Linking to the court office data bank

CANADA
PROVINCE DE QUEBEC
DISTRICT DE MONTREAL

COUR DES SESSIONS DE LA PAIX
AVIS D'AUDITION / NOTICE OF HEARING

H. [REDACTED] HARD
10. [REDACTED] VEY
LAS [REDACTED] PO

----- PRENEZ AVIS QUE LA CAUSE PORTANT LE NUMERO 500-01-003285-787 -----

TAKE NOTICE THAT CASE BEARING NUMBER

EST INSCRITE AU ROLE POUR AUDITION LE 79 03 20 A 9H15

IS INSCRIBED ON THE ROLL FOR HEARING ON AT

SI UN CAUTIONNEMENT VOUS A ETE ACCORDE, VOTRE ABSENCE OU RETARD POURRAIT ENTRAINER SON ANNULATION

PALAIS DE JUSTICE - COURT HOUSE PAR LE MAITRE DES ROLES
1 EST NOTRE-DAME EAST H2Y 1B6 BY
MONTREAL QUEBEC

N.B. VEUILLEZ COMMUNIQUER AVEC VOTRE AVOCAT / PLEASE CONTACT YOUR LAWYER

AUTOMATION DES GREFFES G013-L005-1

06 MONTREAL AVIS DE RAPPORT PRE-SENTENCIEL DATE 20-06-77

500 MONTREAL PAGE 1

NOM DE L'ACCUSE : [REDACTED]
NO. DE DOSSIER : 500-01-001688-768 ACC: 001
DATE DE DEMANDE : 16/06/77
NOM DE JUGE : [REDACTED]
DATE DE PROCHAINE ETAPE : 20/09/77

NOM DE L'ACCUSE : [REDACTED]
NO. DE DOSSIER : 500-01-008003-763 ACC: 001
DATE DE DEMANDE : 16/06/77
NOM DE JUGE : [REDACTED]
DATE DE PROCHAINE ETAPE : 21/07/77

NOM DE L'ACCUSE : [REDACTED]
NO. DE DOSSIER : 500-01-009093-763 ACC: 001
DATE DE DEMANDE : 10/06/77
NOM DE JUGE : [REDACTED]
DATE DE PROCHAINE ETAPE : 11/08/77

is the one on fines and court costs. It contains accounting information on criminal and penal cases that resulted in sentences of fines and court costs.


This data bank sets in motion several self-regulatory activities, essential to its functioning and integrity. It thereby ensures an exact control of sums involved and the enforcement of decisions.

a) Establishing files

As soon as judgment has been rendered, a fines and court costs file is opened. The accounting branch fill out a "Summary of court cost" form, called "Mémoire de Frais" which is then transmitted to the data bank. (see opposite)

b) Issuing of Notices of fines and court costs

When a file has been updated, the computer prints a notice of fines and court costs, as well as the required certified mail envelope. (see below)



Ministère de la Justice
Greffier de la Paix et de la Couronne
Circuit de Montclair

AVIS D'AMENDE ET DE FRAIS

Page 2 of 2 (1/1)

Cité de domicile	Cité de naissance	Cité de résidence de droit	Prénom	Nom	Sexe	TOTAL

Avis de retour

Prix de Justice
 1. Frais de Greffe par
 Ministère
 \$25.00

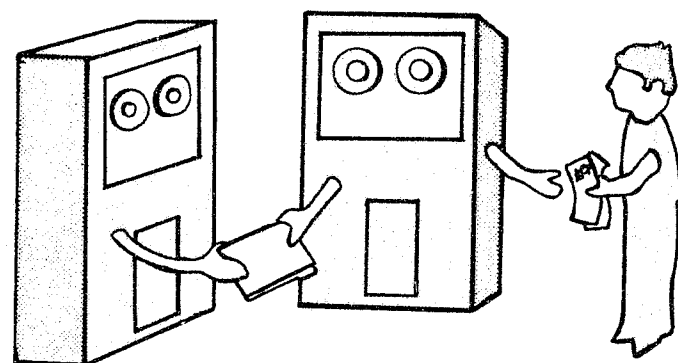
Faire parvenir le montant total par chèque certifié au mandant postal payable à l'ordre de Greffier de la Paix. À l'expiration du délai, la Municipalité poursuivra un mandat d'arrestation et/ou de saisie de biens. Les amendes doivent être payées dans les 15 jours.

DOSSIERS

06-10-21 0911 - 17-001

c) Registering of payments

Any payments are registered daily by the recording centre, by means of a deposit slip, or through a teller-terminal linked directly to the computer.



Ministère de la Justice
Grielle de la paa et de la couronne

DATE D'EXPIRATION
DU BORDERS
DATE OF
DELET

MÉMOIRE DE FRAIS

LOI 08 (4-0-01)

Numéro de dossier Case No.	Date de jugement Date of Judgment	Date de frais Date of Costs	AMENDE FINE	FRAIS COSTS	AUTRE OTHER	TOTAL
-------------------------------	--------------------------------------	--------------------------------	----------------	----------------	----------------	-------

VEUILLEZ PAYER
LE BORDERS
PLEASE PAY
THIS AMOUNT

A défaut de paiement... In default of payment...

Page de l'annexe 1 de la Loi 08
Page 1 of Annex 1 of the LOI 08

Page de l'annexe 1 de la Loi 08
Page 1 of Annex 1 of the LOI 08

MÉMOIRE DE FRAIS

STATUTS PROVINCIAUX S.R.O. CH. 55, ART. 50 AC 71 2938

STATUTS FÉDÉRAUX CODE CRIMINEL PARTIE XXIV ART 772

ART	STATUT PROVINCIAL	TARIF	À TIMBRER	AUTRES FRAIS	ART	STATUT FÉDÉRAL	TARIF	À TIMBRER	AUTRES FRAIS
1A1	Procédure introductive	6 00			1	Dénouement/Plainte	1 00		
1B1	Plaidoyer de Culpabilité	6 00			2	Sommation/Mandat long	50		
2	Jugement après enquête	12 00			4	Copie Sommation/Mandat	30 ch		
4A1	Sommation	FRAIS REELS			3	Mandat sur sommation	30		
4A1	Sommation	FRAIS REELS			18	Exécution	1 50		
4B1	Frais Route	Milles 50 MI			22	Frais Route	Milles 10 MI		
4B1	Frais Route	Milles 50 MI			6	Dénouement et Mandat	1 00		
5	Honoraires par défaut	5 00 ch			9-11	Entendre et Décider	1 00		
6	Biographie (selon tarifs)	FRAIS REELS			10	Procédure (voir note)	1 00		
6	Honoraires d'avocat en pouruite				20	Audition plus de deux	2 00		
9	Mandat perquisition	5 00			24	Vacation Agents de paix	2 00 J		
4A1	Exécution	1 00			16	Vacation pour faire remettre cas d'un prisonnier	1 00		
4B1	Frais Route	Milles 50 MI			12	Mandat de dépôt	50		
1A1	Assignation Temoins long	50 ch			23	Revenir avec prisonnier	10 MI		
5B1	Assignation Temoins (court)	20 ch			29	Interprètes	2 50		
4C1	Sommation postale	FRAIS REELS			18-29	Interprètes (expenses)	10 00 J		
4A1	Sommation	FRAIS REELS			12	Vacation receveur engag	1 00		
4B1	Frais Route	Milles 50 MI			15	Memoire de Frais	20		
7	Temoins reversé	FRAIS REELS			19	Signification Sommation	50		
					18	Exécution Mandat long	1 50		
					20-21	Frais Route	Milles 10 MI		
					22	Assignation Temoins long	30		
					7	Assignation Temoins (court)	20 ch		
					10-18	Signification Exécution	1 50		
					20-21	Frais Route	Milles 10 MI		
					22	Assignation Temoins long	30		
					25-26	Temoins reversé	2 00 J		
SOUS-TOTAL					SOUS-TOTAL				
				TOTAL					1 \$

8	Mandat d'emprisonnement	3 00			2	Mandat d'emprisonnement	50		
1	Mandat de sursé	5 00			22	Mandat de sursé	10 MI		
4A1	Exécution sur corps postier	1 00			18	Exécution sur corps postier	1 50		
4B1	Frais Route	Milles 50 MI			20	Frais Route	Milles 10 MI		
SOUS-TOTAL					SOUS-TOTAL				
				TOTAL					2 \$

GRAND TOTAL \$

DATE
INITIALES

00 00 21 0037 00 74

d) Distribution

Once a week the collected sums are sent to the ministère des Finances or to the private and federal institutions concerned. The data bank is automatically brought up-to-date.

e) Issuing and controlling of warrants

At the expiry of the time allowed for payment, a warrant for arrest or for seizure is issued for the outstanding sum. The computer also issues a statement of fixed costs of execution of the sentence.

Execution of warrants is controlled by codes that are registered in the master file, identifying the bailiffs or police officers concerned. On delivery of a warrant, the code of the enforcement agent is noted and transmitted to the data bank.

Each week a report listing the unexecuted warrants is issued for each of the court offices.

f) Consultation

Authorized personnel can consult the computerized records by means of display units in the court offices.

For administrative purposes however, the computer issues regular reports:

- Accounts receivable
- an alphabetical list of accused for those court offices where display units are not yet installed
- sentences representing a cash surplus
- departments charged with execution (bailiffs and police)
- warrants not executed.

IX.4 Service

Normally, service is executed by a bailiff or a member of the police force. However, in cases of summary infractions and small claims, service is performed by way of registered mail. (see opposite)

The computer produces the certified mail envelope as soon as a file is opened and its expedition is automatically recorded in the docket sheet, (see next page)

The computer also issues a report on procedures returned due to incorrect addresses, so that corrections can be

CANADA
PROVINCE DE QUÉBEC
District de

GREFFE DE LA PAIX ET DE LA COURONNE

C 29202

Les présentes constituent la dénonciation de: _____

occupation: _____

adresse: _____

qui déclare: j'ai des motifs raisonnables et probables pour croire et je crois

que _____

adresse: _____

Numéro du dossier

Numéro du dossier S.O. ou nom du
corps policier/organisme plaignant

à _____ district _____

C'est pourquoi je demande justice et je signe:

☐ DÉNONCIATION REÇUE PAR MOI — Voir des poursuites sommaires (S.R.O. Ch. 35, Art. 12)

☐ DÉNONCIATION FAITE SOUS SERMENT DEVANT MOI,

Ce _____ 19 _____ à _____

J.S.P. / Juge de Paix
agissant dans et pour la Province de Québec

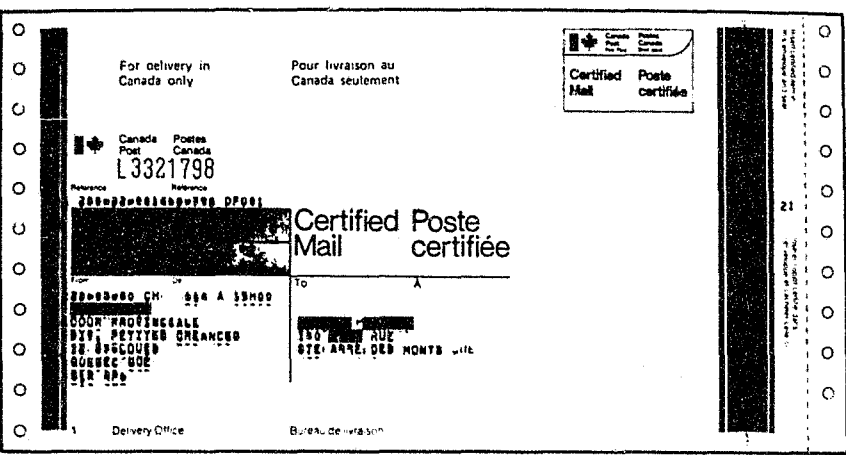
F-00-00-21-0003 (78-04)

GREFFE

made. An automatic reminder of pending files is also regularly issued. The person responsible for service can then decide, if necessary, on another method of service.

Four stages involving service are therefore handled by the computer:

- The opening of a file, when a notice of the action instituted against him is sent to the respondent;
- Notice of hearing, addressed to all parties in the cases;
- The subpoena, served upon persons ordered to appear in court;
- The judgment, notifying all parties, except when the judgment has been rendered in their presence.



10

THE HEARING

The computerized system of court records includes the "procès-verbal", a term generally used for the Minutes of the activities in a court, as well as the Roll for hearing of the various cases before the court.

X.1 The procès-verbal of criminal and penal court hearings

After a court record has been opened and a date chosen for the accused person to appear in court, a procès-verbal is issued by the computer. It contains general information (names and addresses of the accused persons and of the complainants, the charges, etc.). (see opposite)

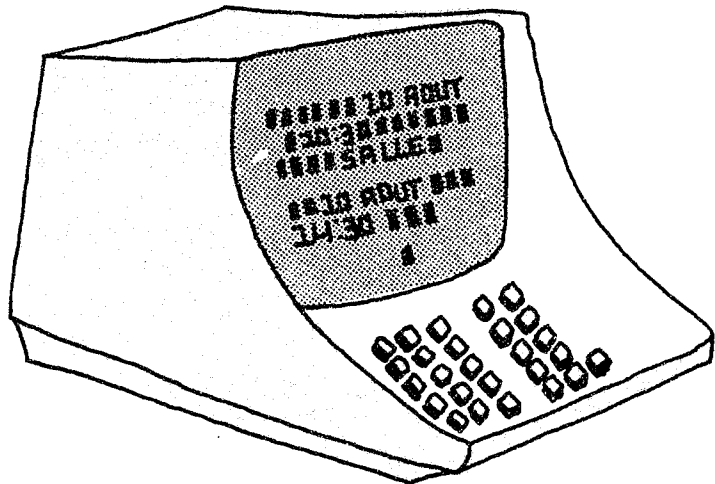
At the hearing, the Court Clerk registers new information on warrants, orders, decisions, sentences, as well as all other pertinent information, which is then transmitted to the data bank by the recording center. A new procès-verbal is then

issued in preparation for the next hearing. When the last procès-verbal in a case has been issued, the computer produces a statistical report which is sent to various other organisms for analysis.

In order to ensure a rigorous control of all current activities, the system is equipped to issue reports on procès-verbaux missing in files. (see opposite)

INFORMATISATION DES GREFFES 6013-1023-1									
MONTREAL	LISTE DES PROCES-VERBAUX MANQUANTS								
01 CRIMINEL	DATE 80-07-1								
CAUSE	ANC	SEQ	DATE	HEURE	SALLE	ETAPE			
011066-757	002		26-11-75	:		1 COMP. OFFENSE CRIMIN			
011183-750	002		09-09-75	:		1 COMP. OFFENSE CRIMIN			
011204-754	004		26-11-75	:	04.07	3 ENQUETE PRELIMINAIRE			
011224-752	001		06-05-76	:		9 PROCES JUGE SEUL			
011309-751	001		22-12-75	:	04.07	3 ENQUETE PRELIMINAIRE			
012272-750	001		14-09-77	09:30	05.15	3 ENQUETE PRELIMINAIRE			
012434-756	001		28-09-76	:		9 PROCES JUGE SEUL			

X.2 The Roll



a) The Roll in criminal court

The inventory of available court rooms and juridical days are the basis for establishing the Roll.

When the procès-verbaux or Notices containing dates, times and court rooms for hearings have been registered in the data bank, the Master of the Rolls can post the complete roll for any particular day with the help of a display unit; he can have it printed simultaneously. The notices of hearing are then sent out to the parties.

In certain circumstances the Master of the Rolls can modify the roll from the display unit, on the condition however that upon a written demand he has obtained the consent of the concerned parties.

b) The Roll in practice Court

The procedures in Practice Court already include the date of presentation. These documents are deposited at the recording center for computerization. Three days before a hearing, the computer prints a provisional roll. The definitive roll is printed on the day of hearing. (see opposite)

NO	DEMANDEUR/DEFENDEUR	AVOCAT	PROCEURE
1	02-000100-001 LEMES APPELLE & HANSON INC	SPUSSELL R, ET AL	INSCRIPTION
2	02-001753-000 BANQUE DE COMMERCE CANADIENNE IMPER	PULLIOT MEREURE & AL	INSCRIPTION
3	02-002706-007 GOODMAN PLUMBERIE & CHAUFFAGE LTEE	FOURNIER P, KISILENSKI D, TESSIER C, JEIL & AL	INSCRIPTION
4	02-003915-000 BOISSE M, DECARIE M,	SPUSSELL & HANSON	INSCRIPTION
5	02-003920-005 CHEMEL BRUNE INC	THIBAUT L,	INSCRIPTION
6	02-004920-007 JONAS F COTE REALTIES	CHRISTOPPOULOS G, ET AL	INSCRIPTION
7	02-005079-005 HORDO GUERIC	LAFRANCOISE J,	INSCRIPTION
8	02-005172-005 MORGANTE AGNELLO M, TERMINI FURNITURE AND UPHOLSTERING	CHARLEBOIS R, ZI AL	INSCRIPTION
9	02-005529-000 CHARLEBOIS R, ZI AL	SHUCKMAN R,	INSCRIPTION
10	02-005867-003 ARRON MANUFACTURING CO LTD	ROUTIQUE PARRY LEE	INSCRIPTION
11	02-006446-007 COMPAGNIE D ASSURANCE BELAIR LA	CERES STEVE DORING CO LTD	INSCRIPTION
12	02-006880-005 ROUTE M,	MOULE TURBIDE G,	INSCRIPTION
13	02-006880-005 FOREST J,	VON EICHEN T, ET AL	INSCRIPTION

c) The Roll in the Provincial Court, Small claims division

In the file of the respondents, the notice to appear to the different parties is already issued. The dates accumulated in the computer are used to prepare a provisional and a definite roll.

11

THE PRESERVATION OF RECORDS

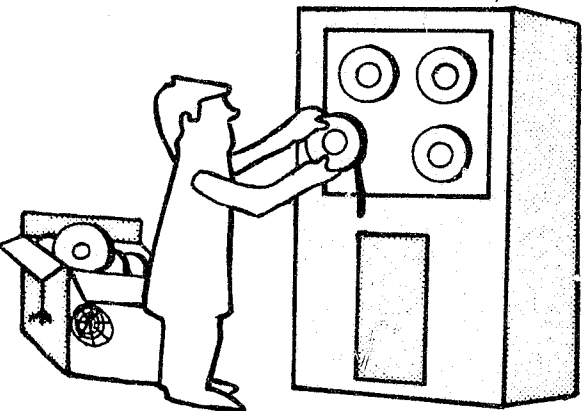
When a record has been established in the computer, all the information, procedures, etc. are registered on a tape that can store an extraordinary amount of data. These records must be preserved for a certain period. Due to the number of records and their size, it is necessary to purge the data bank, which is done automatically and along well-established guidelines.

XI.1 Removal and transfer of data

Each jurisdiction has the responsibility of defining its criteria for removal and transfer of records. This transfer of data, performed twice a year or automatically as the case may be, involves two types of files:

- Inactive records where no entry has been made for a certain period;
- Closed files where judgment has been rendered on the merits and execution completed.

The files thus removed from the active data bank are transferred to the inactive data bank which is not accessible by teleprocessing.



XI.2 Reactivation of files

The transferred data can be reintegrated into the system by an established reactivation process.

XI.3 The archives bank

Close files are later removed from the inactive data bank and recorded on microfiches.

Each record goes therefore successively from the active data bank to the inactive one and finally into the archives, on microfiches and on tape.

12 SPECIFIC ELEMENTS OF THE COMPUTERIZED COURT RECORD SYSTEM

The computer system is at the service of several very different jurisdictions, each with its own needs. Conceiving the system was difficult insofar as among the activities of the diverse jurisdictions those of a similar nature had to be identified, which would then constitute a common trunk of required information. Further to this analysis, the operations of each jurisdiction would be subjected to specific streamlining.

XII.1 The Provincial Court

The jurisdiction of the Provincial Court includes the Small claims division, the Mental Patients Protection Act and Voluntary deposits.

a) Small claims division

This court has jurisdiction over all claims not exceeding 500 \$, for which the individual acts on his own behalf against a debtor residing in the Province of Québec.

The Master of the Rolls first prepares a provisional roll, a copy of which is sent to the recording center for the updating of the data bank.

Subsequent changes are made by the Master of the Roll on special forms that correct the Notice to appear. The Master of the Roll retains therefore full responsibility and can ascertain that all involved parties and their correct addresses are registered on the Docket sheet. Each morning, he receives the Notices to appear, printed in numerical order by the computer and containing

- copies for the files
- the notice to be served (see opposite)

After verification, the Notices are sent to the respective court offices of the Provincial Court, Small claims division, for mailing.

The computer also contains a master file, on tape, for the purpose of preparing monthly statistics on the types of court actions, time of payment, date of closing, the sums involved, etc., all of which is necessary information for an efficient administration.

0007

CANADA PROVINCE DE QUEBEC DISTRICT DE QUEBEC LOCALITE QUEBEC	COUR PROVINCIALE DIVISION DES PETITES CREANCES	SEQUENCE 806 200-32-000709-807
V. M. VANIER QUE	G. M. 199	REQUERANT(E)
A. INC. QUEBEC QUE	G. M. 263	ET AL INTIME(E)

AVIS DE CONVOCAATION

VU LA REQUETE DU REQUERANT ET L'AFFIDAVIT A SON APPUI, NOUS VOUS AVISONS DE VOUS PRESENTER POUR AUDITION A LA COUR PROVINCIALE, DIVISION DES PETITES CREANCES 39 ST-LOUIS QUEBEC QUE G. M. 496

*** LE 18 AOUT 1980 A 10H00 A LA SALLE 6.14 ***

SI VOUS AVEZ DES TEMOINS, VEUILLEZ LES AMENER AVEC VOUS, VOUS POUVEZ FAIRE ASSIGNER VOS TEMOINS PAR LE GREFFIER, SI NECESSAIRE. VEUILLEZ APPORTER LES ORIGINAUX DES ECRITS NECESSAIRES POUR VOTRE PREUVE.

FAIT A QUEBEC LE 23 JUILLET 1980 LE GREFFIER

GREFFE

b) Mental patients protection

Although the computerized file is established and followed up in the same general manner, from the entry of pertinent data concerning pending cases, recording of actions taken and judgments rendered, to the closing of the file, direct public access to the information is not permitted.

Only duly authorized persons can either consult these files on display units or request particular reports. The consultation requires the use of passwords which are changed at least every three months.

c) The Provincial Court and the issuing of notices

In order to produce a Notice according to Art. 278 of the Code of Civil Procedure, the computer issues.

- a Notice giving the date fixed for proof and hearing (see opposite)
- a note to the effect that Notice has been sent
- address labels for the sending of the roll
- the request for files listed on the roll.

CANADA PROVINCE DE QUEBEC DISTRICT DE MONTREAL	COUR PROVINCIALE PROVINCIAL COURT
AVIS SELON L'ARTICLE 278, C.P.C.	
LA CAUSE PORTANT LE NUMERO 500-02-015081-750 EST INSCRITE AU ROLE POUR AUDITION A 9H30 LE 09-09-77 A LA SALLE 13.02	
D. R. VS C. F.	D. R. 34 DAK ST L.
NOTICE ACCORDING TO ARTICLE 278, C.P.C. THE CASE BEARING NUMBER 500-02-015081-750 IS SCHEDULED FOR HEARING AT 9H30 ON 09-09-77 IN ROOM 13.02	
PALAIS DE JUSTICE - COURT HOUSE 10 EST RUE ST-ANTOINE LE PROTONOTAIRE MONTREAL, QUEBEC H2Y 1A2 THE PROTONOTARY	

The Master of the Rolls prepares the provisional roll, a copy of which is then sent to the recording center, together with a form asking for the issuance of the Notices required by Article 278, and address labels. The data is then recorded by a series of display units.

When the data bank has been updated, the Notices of Article 278, address labels, expedition notes and requests for files are printed by the computer and returned to the Master of the Rolls for verification and processing.

XII.2 The Superior Court

Although this court is under the legislative authority of Québec, its judges are appointed by the Government of Canada. Its jurisdiction extends to the whole province and in particular to all cases concerning civil status and immovable property rights.

In the case of civil marriages, the register of marriages is recorded in a master file and preserved on tape. Each week the data is processed and several reports produced, one of which is an index of civil marriages, by year of marriage, register and file number. (see opposite)

SECTION 08	AUTOMATION DES GREFFES	PAGE 10
GREFFE 000	INDEX ALPHABETIQUE DES EPOUSES	0015-0003-1
0000000000	POUR LE REGISTRE 01	DATE 21-04-77
0000000000	REG. 0000000000	
0000000000	01 374 GELINAS GINE	
0000000000	01 107 GEMEREAU FRAN	
0000000000	01 184 GEMEREAU FRAN	
0000000000	01 444 GERARDIN ERAN	
0000000000	01 145 GEMEREAU FRAN	
0000000000	01 130 GEMEREAU FRAN	
0000000000	01 117 GEMEREAU FRAN	

XII.3 Court of the Sessions of the Peace and Superior Court (criminal division)

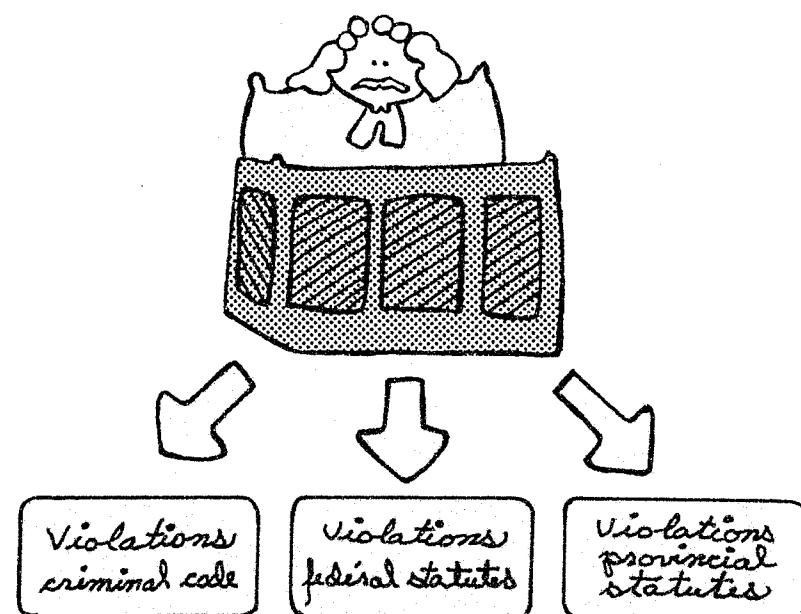
The jurisdiction of courts in civil matters is determined by the amount of money in question or by the nature of the suit. The jurisdiction of criminal courts, however, covers violations of the criminal code or of federal and provincial statutes.

At the level of the criminal and penal courts, complete information on persons involved is kept in the data bank of the court office:

- Name
- Date of birth
- Number of driver's licence
- Civil status
- Social insurance number
- Profession

Each offence is given a number when the charge is being issued, according to the article concerned. The decision of the court on each offence is registered, be it a dismissal, an acquittal, a conviction or a sentence. This information taken down in the procès-verbal is transmitted to the recording center and registered in the computer through display units. The court records are kept up-to-date on a daily basis. The computer then issues various reports, the most important of which are:

- Offence notices com-



This is a detailed form for recording court proceedings. It is titled 'PROCÈS-VERBAL' and is from the 'Ministère de la Justice, Cour de la Paix'. The form is divided into several sections, each with specific fields for recording information. The sections include: 1- REMPLISSAGE (Filling in), 2- ACCUSE (Accused), 3- CAUSE (Cause), 4- JUGEMENT (Judgment), 5- MISE EN LIBERTÉ (Release), 6- CIRCONSTANCE MANDAT (Mandate Circumstances), 7- DÉCISION (Decision), and 8- SENTENCE (Sentence). Each section contains various fields for names, dates, and legal codes.

mitted while driving a motor vehicle. These notices, dated and mechanically signed by the computer, are then sent to the Bureau des véhicules automobiles du Québec for the recording of demerit points. (see opposite)

Files concerning offences can be consulted in the court office on the day following the recording.

- The report of the Clerk, or a summary of a file giving the decisions on each count. (see opposite)
- Notice of Hearing, or a document produced one month before the appearance, indicating the date and place of this appearance.
- A list of files that have been inactive for more than six months, enabling the court offices to verify and reactivate these files.
- A list of cases for which the Court has ordered the Probation service to prepare a pre-sentence report. This list enables the Probation service to prepare a case history for all the names shown, in order to meet the needs of the Court.

— Various statistical reports on penal offences.

— A tape is transmitted monthly to Statistics Canada containing data of files closed during this period (infractions under the criminal code, Food & Drugs Act, federal statutes, etc.).

This is a form for a notice of offence. It is titled 'AVIS D'INFRACTION' and is from the 'Ministère des Transports, Bureau des véhicules automobiles'. The form contains fields for personal information (Name, Address, Date of Birth, etc.), offence details (Type of offence, Date, Location, etc.), and a section for the offender's signature and date. It also includes a section for the court's decision and a section for the offender's signature and date.

This is a form for a clerk's report. It is titled 'RAPPORT DU GREFFIER' and is from the 'AUTOMATISATION DES GREFFES'. The form contains fields for case information (Accused's name, Offence, Court, etc.), a section for the clerk's signature and date, and a section for the court's decision.

XII.4 The Court of Appeal

This general appeal court for Québec in civil and criminal matters consists of 17 judges; the Chief Justice and 16 judges, all of whom are appointed by the federal government.

In civil matters an appeal to the Court of Appeal lies "de plano" from any final judgment of the superior Court when the amount in question is at least 6 000 \$.

Judgments rendered in non-contentious matters may be appealed, in certain cases, and with permission, final judgments of the Provincial Court may be appealed.

In cases covered by the criminal code, the Court of Appeal hears the appeal of judgments rendered by lower courts.

In penal matters, the jurisdiction of the Court of Appeal is restricted to specific cases.

The Court of Appeal also studies various questions put before it by the provincial government.

The computer system functions for the Court of Appeal just as it does for the other jurisdictions.

XII.5 The Youth Court

This court has jurisdiction where the interests of children are concerned: adoption, enforcement of protective measures for the security and the development of a child, offences of the penal or criminal code committed by adolescents under 18 years of age, and adults having incited adolescents to commit such acts. Its jurisdiction covers such areas as:

- Adoption
- Juvenile Delinquents Act
- The Youth Protection Act, aimed at providing legal protection to children, and the prosecution of individuals or organisms having encouraged, incited or forced a youth to commit a crime.
- Mental Patients Protection Act
- Infractions committed by young offenders under provincial statute
- Urgent measures ordered by the Directeur de la Protection de la Jeunesse and which have to be extended for a maximum of five working days
- Contestation arising after a joint decision or the extension of voluntary placement.

The computer record contains all the data collected when a file is opened, mainly details on the implicated persons.

Only the personnel authorized by the Youth Court has access to the information on record, which includes

- an alphabetical list of all persons having a court record

- statistics on the profile of persons involved in court proceedings (age, sex, type of complaint, etc.)
- a list of persons having reached the age of eighteen.

This list enable the Youth Court to destroy promptly all records, in accordance with Bill 24.

XII.6 The Distribution Center - Voluntary Deposits

The voluntary deposit is a provision of the law which protects a debtor from the seizure of his salary and the furniture of his home. It does not exempt him from payment of fines ordered by a court or from serving a prison sentence in case of default in payment.

The voluntary deposits service is under the jurisdiction of the Clerk of the Provincial Court in each judicial district of Québec.

The debtor goes to one of the special offices and fills out a form "Dépôts volontaires-Déclarations". (see opposite)

This declaration is registered in the court office and a copy is sent to the recording center for entry into the data bank.

The Clerk sends a notice by registered mail to all creditors named by the debtor, enclosing if necessary a form "Réclamation/Dépôts Volontaires". (see next page)

The creditor's claim is registered in the file so that he can receive his share of the deposited sums. Pertinent data of the creditor's claim is recorded in the file of the data bank.

QUÉBEC
DISTRICT DE

COUR PROVINCIALE - CENTRE DE DISTRIBUTION
DÉPÔTS VOLONTAIRES
DECLARATIONS

2001

1 NOUVEAU DOSSIER	4 ARRÊT DE TRAVAIL	9 CHANGEMENT DE SALAIRE	12 RENOUVELLEMENT D'ARRÊT DE TRAVAIL
2 DÉLAISSEMENT	5 REPRISE DE TRAVAIL	10 CHANGEMENT D'ADRESSE	13 DIVERS - VOIR REMARQUES
3 TRANSFERT (NON MÉNAGE)	6 CHANGEMENT D'EMPLOI	11 PENSION ALIMENTAIRE	14 FAILLITE
4 TRANSFERT-MÉNAGE	8 CHANGEMENT D'EXEMPTION	12 SANS ARRÊT	15 DÉLÈS DU DÉBITEUR

Je, soussigné(e), déclare sous serment que:

Je m'appelle

Je demeure au

Mon employeur est

L'adresse de mon employeur est

Je suis né(e) le

Je travaille pour l'employeur ci-dessus depuis le et la nature de mon emploi est

J'ai repris le travail pour l'employeur ci-dessus le

L'adresse de mon employeur est

Mon salaire brut est

La semaine régulière de travail est de heures

Je fais occasionnellement des heures supplémentaires au taux de

Je suis sans travail depuis le

Je suis le soutien de mon conjoint et de enfant(s) et aussi de autre(s) personne(s), à savoir

Je ne suis pas en instance de faillite et mon salaire n'est pas saisi

Mon salaire est saisi numéro de dossier à la cour de

Je travaille à temps partiel pour lequel je reçois en salaire ou compensation pour évalué(e) à

Je n'ai jamais été enregistré(e) au service des dépôts volontaires (loi Lacombe)

Je suis enregistré(e) au service des dépôts volontaires (loi Lacombe) à le numéro de mon dossier est et je demande qu'il soit transféré à J'ai reçu ma dernière paye le \$ Ma prochaine paye est due le

Retenue pour la première paye? non oui une semaine une période

Remarques

J'ai pris connaissance de la présente déclaration, déclare qu'elle est véridique, et j'ai signé:

Assermenté(e) devant moi à le

OFFICIER AUTORISÉ

SIGNATURE

F-12-00-20-0002 (78-04)

The actual documents, including the declaration, the claims, papers in support of claims, sworn statements, etc. are kept in a file at the court office.



On receipt of a debtor's deposit, it is registered in his file through a teller-terminal which is linked to the central computer. The file is instantly brought up-to-date. If the debtor requests a receipt, the terminal can issue one for the amount recorded in the file.

Interest at the legal rate on the balance is calculated monthly by the computer and added to the amounts due before distribution is made.

The computer calculates automatically the distribution of sums accumulated quarterly, prorated among the registered claims. The system is equipped to automatically print cheques to the different creditors, when the accumulated sums justify it. Of course, any payments made cover first the incurred interest, before being applied to the capital.

Each claim is automatically debited by the computer. A distribution register is printed for accounting purposes, and to permit debtors to verify the unpaid accounts. (see following page)

A tape containing information on the issued cheques (number of cheque, amount, payee, date) is sent to the ministère des Finances in order to

LE COUR PROVINCIALE
QUEBEC
 District de _____

RECLAMATION / DEPÔTS VOLONTAIRES

Numéro du dossier: _____ 2 0 0 _____

1. Reclamant Numéro du réclamation: _____

Nom: _____

Adresse: _____

Ville: _____ Code postal: _____

Détendeur

Nom: _____

Adresse: _____

Ville: _____ Code postal: _____

2. Le réclamation Nom et adresse _____

la somme de \$ _____ pour capital

plus \$ _____ pour intérêts dus à ce jour. Le tout formant un total de \$ _____ A

Le prêteur _____

la somme de \$ _____ pay. lesquels les frais de production: _____

plus \$ _____ pour intérêts dus à ce jour. Le tout formant un total de \$ _____ B

Nature de la dette _____

Total dû au réclamation \$ _____ A

Total dû au prêteur \$ _____ B

Croquer la s'y a lieu? \$ _____ C

Total de la réclamation \$ _____ D

3. Le réclamation s'appuie de sa réclamation, produit les pièces justificatives suivantes: _____

4. Référence _____

5. Votre dossier _____

Je soussigné(e) _____

Nom et adresse _____

declare sous serment que:

1. Je suis _____ (Le réclamation ou le prêteur du réclamation)

2. Le débiteur du réclamation s'appuie la somme de \$ _____ C

3. Je envoie au débiteur par courrier recommandé, une copie conforme de cette réclamation, à la dernière adresse connue du grefier. Je soussigné(e) _____

Adresse où la copie est envoyée: _____

Assermenté(e) devant moi à _____

ce _____ jour de _____ 19 _____

Officier autorisé: _____

5. Le grefier _____

Signature _____

Avec moi donné à _____

Nom et adresse du débiteur _____

que le réclamation a produit ou produira la présente réclamation à votre dossier afin de participer aux distributions des sommes disponibles.

A _____

Je _____ jour de _____ 19 _____

Signature _____

NE RIEN ÉCRIRE DANS L'ESPACE CI-DESSOUS

6-03
 12-05-00-0002 (17-03)

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8 _____

9 _____

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facilitate the verification of cheques
in circulation.

Since the file of a debtor is public, anyone can consult it in the Voluntary Deposits section of the court office, in order to verify the conformity of deposits and declarations.

**XII.7
Distribution Center
- Seizures
- Maintenance
Allowance**

[illegible]

A debtor can obey a court decision by a voluntary execution of the judgment, or he can refuse, or omit to pay the creditor in whose favour the case has been decided. In this case, the creditor may proceed with the compulsory execution of the judgment.

a) Seizures

When a judgment involving the payment of a debt can be executed, the creditor has the right to be paid. All the property of the debtor is then the common pledge of his creditors.

Judgment is rendered either at the end of a trial in the presence of the interested parties, or later when the judge has finished his deliberations. In the latter case, the judgment is deposited at the court office, and notice of the judgment is sent by registered mail to the parties and their lawyers. Interested parties can from then on consult the judgment and read the conclusions.

In the past, debtors were liable to go to prison when they refused to obey the judgment. Today the law limits actions against a debtor to the seizure of his salary and assets, even those in the hands of third parties and including money owed to him.

When a defendant has been condemned to pay a plaintiff, the latter can, after the delays to appeal have expired, ask that a writ of seizure by garnishment be issued.

Served upon the defendant, this writ orders the garnishee to appear at the court office and/or declare under oath the sums owed to the defendant, as well as assets and moveable property of the defendant in his possession and of which he will not dispossess himself until such time as the court has so ruled on the matter.

The garnishee can make either a negative or an affirmative declaration. In the affirmative case, the plaintiff must inscribe for judgment declaring the seizure by garnishment good and binding.

When this judgment is served, the garnishee sends the sums he has retained since service of the writ of seizure by garnishment to the Distribution center of the court office. He must make further monthly deposits until the judgment is satisfied. When the first deposit is made, the Distribution center opens an account file and transmits it to the recording center for the entry of the data.

All other deposits are sent to the court office, where they are received by a teller-terminal and registered by the recording center. The affected account files are updated daily by the central computer.

The distribution of sums starts as soon as the plaintiff has produced, at the distribution center, a statement of sums due together with a bill of costs on the principal action and those of the writ of seizure by garnishment. When no costs are claimed, the plaintiff must produce a certified copy of the judgment on the writ of seizure. (see opposite)

During monthly distributions, the computer pays first the court costs of the principal action. The principal of the debt is paid off in quarterly distributions and prorated among the creditors in the file.

Other creditors of the defendant can collocate a claim onto this seizure by filling out a form "Claim" at the distribution center, a copy of which must be served to the plaintiff, the defendant and the garnishee. (see following page)

CANADA
Province de Québec
District de Montréal

COUR _____ **COURT**

No. _____

Partie demanderesse
Plaintiff,

vs

Partie défenderesse
Defendant,

et, and

Tiers (ce) - saisi(e)
Garnishee,

État des sommes dues à la partie demanderesse par la partie défenderesse en cette cause.
Statement of amount due to plaintiff by defendant in this cause.

CAPITAL		FRAIS - COSTS	
Montant du jugement Amount of judgment	\$ _____	Frais sur action Costs on action	\$ _____
Intérêts - Interest at %		Intérêts - Interest at %	
Du From	\$ _____	Du From	\$ _____
au to		Frais Saisie-arrest Costs Saisie-arrest	\$ _____
		Frais subséquents Subsequent costs	\$ _____
TOTAL \$		TOTAL \$	
Moins credit sur dette Less credit on debt	\$ _____	Moins credit sur frais Less credit on costs	\$ _____
BALANCE DUE \$		BALANCE DUE \$	

Montreal, 19 _____

Avocat
Attorney

12-65-00-000502-27
D. 1^{er} Jan 75 Mo An
Ju 1897 1

The prothonotary notifies the garnishee and the debtor when all the debts are paid.

All transactions arising from a seizure are registered daily in the computer system and the next day the files can be consulted by means of display units.

Seizures (rents, bank accounts, shares, etc.) other than salary and wages on behalf of creditors are paid in the order in which the writs of seizure have been served.

CANADA
PROVINCE DE QUÉBEC
DISTRICT DE

COUR _____ **COURT**

RÉCLAMATION SAISIE-ARRÊT CLAIM NUMERO DE CAUSE - CASE NUMBER

DEMANDEUR - PLAINTIFF

NOM - NAME _____

ADRESSE - ADDRESS _____

VILLE - CITY _____ ZONE _____ PROV. _____

DEFENDEUR - DEFENDANT

NOM - NAME _____

ADRESSE - ADDRESS _____

VILLE - CITY _____ ZONE _____ PROV. _____

TIERS SAISI - GARNISHEE

NOM - NAME _____

ADRESSE - ADDRESS _____

VILLE - CITY _____ ZONE _____ PROV. _____

RECLAMANT - CLAIMANT NUMERO - NUMBER _____

NOM - NAME _____

ADRESSE - ADDRESS _____

VILLE - CITY _____ ZONE _____ PROV. _____

LE RECLAMANT
THE CLAIMANT

RECLAME DU DEBITEUR LA SOMME DE _____ POUR CAPITAL
CLAIMS FROM THE DEBTOR THE SUM OF _____ AS CAPITAL

PLUS: _____ POUR INTERETS DUS A CE JOUR, LE TOUT FORMANT UN TOTAL DE _____
AS INTERESTS DUE UP TO DATE, THE WHOLE TOTALING TO

LE PROCUREUR
THE ATTORNEY

RECLAME DU DEBITEUR LA SOMME DE _____ POUR FRAIS
CLAIMS FROM THE DEBTOR THE SUM OF _____ AS COSTS

PLUS: _____ POUR INTERETS DUS A CE JOUR, LE TOUT FORMANT UN TOTAL DE _____
AS INTERESTS DUE UP TO DATE, THE WHOLE TOTALING TO

TOTAL DU AU RECLAMANT
TOTAL DUE TO CLAIMANT \$ _____

TOTAL DU AU PROCUREUR
TOTAL DUE TO ATTORNEY \$ _____

TOTAL DE LA RECLAMATION
TOTAL OF THE CLAIM \$ _____

NATURE DE LA CREANCE - NATURE OF DEBT _____

CAUSE NUMERO SI APPLICABLE - CASE NUMBER IF APPLICABLE: _____

LE RECLAMANT, POUR PREUVE DE RECLAMATION DEPOSE LES PIECES JUSTIFICATIVES SUIVANTES
THE CLAIMANT, AS PROOF OF HIS CLAIM, PRODUCES THE FOLLOWING DOCUMENTS _____

RE: _____

JE SOUSCRIS
I THE UNDERSIGNED

DECLARE SOUS SERMENT
DECLARE UNDER OATH

1. JE SUIS
I AM _____

2. LE DEBITEUR DOIT AU RECLAMANT (ET A SON PROCUREUR) LA SOMME DE _____
THE DEBTOR IS INDEBTED TO CLAIMANT (AND HIS ATTORNEY) FOR THE SUM OF \$ _____

3. J'AI DONNE AVIS DE CETTE RECLAMATION AU PROCUREUR DU DEMANDEUR, AU DEFENDEUR ET AU TIERS SAISI, EN ADRESSANT
I HAVE GIVEN NOTICE OF THIS CLAIM TO PLAINTIFF'S ATTORNEY, TO DEFENDANT AND TO GARNISHEE, BY SENDING TO EACH ONE

A CHACUN D'EUX PAR COURRIER RECOMMANDE, COPIE CERTIFIEE DES PRESENTES ET J'ANNEXE LES CERTIFICATS DE RECOMMANDATION POSTALE
OF THEM BY REGISTERED MAIL, A CERTIFIED COPY OF THE PRESENT CLAIM AND I PRODUCE HEREWITH THE POST OFFICE REGISTRATION CERTIFICATES.

ASSURANT D'AVANT MOI A
SWORN BEFORE ME AT _____

CE
THIS _____

JOUR DE
DAY OF _____

19 _____

ET J'AI SIGNE - AND I HAVE SIGNED

SIGNATURE _____

TITRE - TITLE _____

SIGNATURE _____

A
V
I
S

PRENEZ AVIS QUE LE RECLAMANT A PRODUIT OU PRODUIRA LA PRESENTE RECLAMATION DANS LA CAUSE CI-HAUT MENTIONNEE AFIN DE PARTICIPER AUX
DISTRIBUTIONS DES SOMMES DEPOSEES PAR LE TIERS SAISI

TAKE NOTICE THAT THE FOREGOING CLAIM HAS BEEN OR WILL SOON BE FILED IN THE ABOVE MENTIONED CASE IN ORDER THAT THE CLAIMANT SHARES IN
THE AMOUNTS DEPOSITED BY GARNISHEE

A
T
E

CE
THIS _____

JOUR DE
DAY OF _____

19 _____

SIGNE
SIGNED _____

SIGNATURE _____

ORIGINAL A ETRE PRODUIT AU CENTRE DE DISTRIBUTION ACCOMPAGNE DES PIECES JUSTIFICATIVES
DES CERTIFICATS DE RECOMMANDATION POSTALE ET DU COÛT DE PRODUCTION.
ORIGINAL TO BE PRODUCED AT THE DISTRIBUTION CENTRE TOGETHER WITH PROOF OF CLAIM,
POST OFFICE REGISTRATION CERTIFICATES AND FILING COST.

00 00 22 0001 11 71
div dist jur no ma an

b) Maintenance allowance

On receipt of the first deposit, the file deposited at the court is verified as to the specific amount mentioned in the writ of seizure by garnishment, for arrears of maintenance. In the latter case, an accounting file is opened and registered in the data bank. This file contains the special code given to maintenance allowances and all the necessary data in order to calculate the seizable portion and the payments.

A claim form is also filled out when a writ of seizure by garnishment mentions arrears and maintenance allowance to become due. By means of this form, automatic distribution of maintenance allowance can be made. (see opposite)

Two separate meters are kept up-to-date by the system. The first one calculates the ordinarily seizable portion and accumulates it under the heading "claimant", and the second accumulates the amount required for maintenance allowance.

At the end of the month the computer automatically makes payments for those files where the amount is sufficient to cover the maintenance allowance. The

payment cannot, of course, exceed the monthly maximum granted by the judgment. The amount sent equals the smaller of the two sums shown on file, under the respective definitions of monthly maximum maintenance allowance and accumulated allowance.

c) Judicial deposits

Judicial deposits, in civil matters, mainly concern expropriations, sheriff's sales, security for costs, bailiff's sales, judgments of the Court of Appeal, tender and deposit and small claims.

Expropriation is an administrative procedure whereby an owner of an immoveable property is required to relinquish it, against compensation, in the public interest.

Sheriff's sales involve immoveable property seized following a court judgment or for non-payment of taxes.

Security is a guarantee of court costs in a current lawsuit or one about to begin.

Bailiff's sales take place following the seizure of moveable property.

The Court of Appeal may ask for a cash deposit as guarantee before the introduction of a case.

Tender and deposit means that one party in an action deposits a sum of money while awaiting the judgment of the court.

Form E-03 (12-00-00-0002 (77-02))

1. Création
2. Correction
3. Annulation

①

②

Capital
Intérêts sur capital
Frais
Intérêts sur frais
Total

③

④

Crédit au réclamant sur capital
Crédit au réclamant sur intérêts
Crédit au procureur sur frais
Crédit au procureur sur intérêts
Total

⑤

CRÉANCE — CENTRE DE DISTRIBUTION

— Deposits

Upon receipt of a sum of money, the cashier fills out a receipt form, gives a copy to the depositor, transmits a copy to be placed in the documentary file and sends one last copy to the accounting service. (see opposite)

The deposits are registered by the recording center for the opening and updating of an account file. As the deposits enter, the data is stored in a mini-computer, from where it is transmitted, at night, to the central computer for processing.

— Withdrawals

The beneficiary or the depositor fills out a form "Demande de retrait de dépôt judiciaire". (see opposite)

On authorization of this demand, the account file is updated for distribution and the issuing of cheques during the monthly distribution.

The accounting service receives these cheques, verifies them with the withdrawal claims and, when all is found in order, mails the cheques signed by the ministère des Finances to the claimants.

In the case of expropriations, contestations and bailiff's sales, withdrawal can only be made on receipt of court judgments and not simply by withdrawal claims.

Ministère de la Justice
Direction générale des Greffes

REQU DE

1. Partie demanderesse
2. Partie défenderesse
3. Autres

Personnellement
Me(s) % procureur

NATURE

Cautionnement
Offres
Loyer
Expropriation
Consignation
Autres

MONTANT

Chèque certifié
Mandat
Argent
Total

105170

F 14 00 00 0002 (75-06)

Officier autorisé

DÉPOSANT

DEMANDE DE RETRAIT DE DEPOT JUDICIAIRE

NO

DEMANDEUR VS DEFENDEUR

NOM
ADRESSE

DATE du dépôt
MONTANT
NATURE

JUSTIFICATION DU PAIEMENT:

1) Nom du Bénéficiaire
Adresse:
Au soin de:

2) Nom du Bénéficiaire:
Adresse:
Au soin de:

3) Nom du Bénéficiaire:
Adresse:
Au soin de:

NOTE: Annexer à cette demande tout document justifiant le paiement

SIGNATURE:

A L'USAGE EXCLUSIF DU PROTOGOTAIRE OU DU CREPIER

DEPOT RECU LE / / MONTANT \$

Numéro du reçu: NATURE:

A L'USAGE EXCLUSIF DE LA DIVISION DES PROCEDURES JUDICIAIRES

J'AUTORISE, PAR LA PRESENTE, LE PAIEMENT DE LA SOMME DE \$ TEL QUE REQUIS DANS CETTE DEMANDE.

AUTORISATION REFUSEE RAISSON

Officier autorisé

XIII.1 The computerized court record system, although newly established, has already attained the initially desired goals:

- Greater efficiency of the judicial system and a better service to persons involved in court action, in the court offices linked to the system.
- Flexibility of the system in adapting to new laws and changes in policy in different judicial districts, as was desired by the Direction générale des services judiciaires.
- A substantial increase in personnel productivity, since the computer carries out all the routine tasks of filing, registering, updating, calculating and preparing of reports.
- Stabilization in the growth of resources affected to the court offices.
- Emission of documents reporting on current and future situations and operations, which facilitate planning, decision-making and control by management personnel.
- Centralization of all accounting data, which permits a rigorous control of the circulation of capital and the speedy distribution of funds to those concerned.

Although the court offices have to provide service to courts of varying jurisdictions, a remarkable uniformity in data processing has been achieved, taking into account common characteristics of registering and follow-up methods.

Management has at its disposal an instrument by which it can control personnel, evaluate delays that are not respected in the course of a file and decide upon corrective measures. Other than the regularly issued reports on operations for which they are responsible, they can now consult the data bank and obtain in a matter of seconds an exact picture of the situation of files under their jurisdiction. While the various elements of the computer system were being established, the space used by the court offices was also transformed in order to provide a better service to the public. With the elimination of unnecessary filing cabinets, larger areas for public use became available.

The public has now access to exact information, and persons involved in active cases can easily prepare themselves on the strength of a precise and up-to-date file.

XIII.2 Future prospects

Because the system has been so recently established, the ministère de la Justice puts emphasis on realising all the hoped-for advantages.

Administrators and employees of the court offices must therefore become completely familiarized with all the elements of the system in order to use it to full advantage. In the courthouses of Montréal, St-Jérôme, Québec and Longueuil this process of adapting to the modernized system is already well under way.

The ministry is now beginning to establish the computer system in all the regions of Québec. The intensive use being made of it in high volume court offices already indicates that the system will also be of good service in medium and low volume court offices.

It is further envisaged that before long, lawyers will be able to consult display units in their office, from where they can directly examine records, consult the Roll and better prepare their clients' cases by eliminating time consuming trips to the court offices. One such experiment by a group of lawyers is already under way.

In general the computerized court record system of Québec is an example of a rational and advantageous implementation of computer technology. The success of the system is due to the generous and unconditional participation of all the personnel affected by its installation and to the unfailing support provided by the administration all through the difficult period during which the system was developed and established.

END