
Court of Appeal

In civil matters, the Court of Appeal can hear:

- appeals from final judgments of the Superior Court and the Court of Québec that terminate a proceeding, where the amount in dispute is more than \$60,000;
- appeals from certain other judgments, specifically in cases involving personal integrity, status or capacity;
- appeals concerning the special rights of the State or contempt of court;
- appeals from other judgments of the Superior Court and the Court of Québec, if leave to appeal is granted by a judge of the Court of Appeal.

In criminal matters, the Court of Appeal hears appeals from verdicts of guilt or acquittal, and sentencing appeals.

Supreme Court of Canada

The Supreme Court is Canada's highest court. Like other courts, it may:

- interpret the Canadian constitution;
- rule on whether a statute is constitutional;
- interpret a federal or provincial statute.

The Supreme Court can also examine questions relating to the powers of the Canadian Parliament and the provincial governments, when such questions are referred to it by the Governor General in Council.

The decisions of the Supreme Court are always final and without appeal. No lower court may render a judgment that goes against a previous Supreme Court decision. Since the Supreme Court decides which cases it will hear, leave to appeal must generally be obtained before a case is heard.

THE COURT SYSTEM

For more information

The information summarized in this document was valid at the time of printing. For more information, go to the website of the Ministère de la Justice at www.justice.gouv.qc.ca, or contact

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Justice
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ENSEMBLE 
*on agit pour une société
juste et équitable*

Québec 

Québec's court system is made up of several different courts:

- the courts of first instance: the municipal courts, the Court of Québec and the Superior Court;
- the courts of appeal: the Court of Appeal and the Supreme Court of Canada.

Each court deals with the applications that fall under its jurisdiction, depending on a number of factors, including the nature of the case and the amount in dispute.

Settlement agreement

Since January 1, 2016, the parties must attempt to settle their dispute before referring it to the courts. There are several options for settlement, including mediation, arbitration and conciliation.

Municipal Courts

Municipal courts can hear and decide:

- some civil cases, including applications for the recovery of property taxes;
- penal cases for offences under municipal by-laws or Québec legislation applicable in municipalities, such as the Highway Safety Code;
- non-serious criminal offences that can be tried summarily, in other words, without an indictment or jury.

Court of Québec

The Court of Québec has jurisdiction in civil, criminal and penal cases and in cases relating to young persons. It also has jurisdiction in administrative cases, and hears appeals where provided by law.

The Civil Division can hear:

- applications where the amount in dispute is less than \$85,000, except applications for child or spousal support;
- applications concerning confinement in an institution for, or following, a psychiatric assessment;
- proceedings concerning voluntary deposits and amounts due to a municipality or school board;
- appeals from decisions made by administrative tribunals such as the Régie du logement.

The Small Claims Division can hear:

- claims for up to \$15,000 made by a natural person (an individual) or by a legal person, partnership or association that employed a maximum of ten people in the twelve months prior to the claim;
- some claims involving income tax and other types of tax.

The Criminal and Penal Division can hear:

- all criminal cases except:
 - those that take place before a court composed of a judge and jury,
 - those that are under the exclusive jurisdiction of the Superior Court;
- penal cases for offences under provincial and federal legislation.

The Youth Division can hear:

- all cases involving the security or development of a child under 18 years of age;
- adoption cases;
- applications in which individuals between the ages of 12 and 18 are accused of offences under the Criminal Code and certain other federal statutes;
- applications involving individuals between the ages of 14 and 18 who are accused of offences under Québec legislation or regulations and municipal by-laws;

- applications concerning child custody, when an adoption or youth protection matter is already before the Court;
- applications concerning the emancipation of a young person, when an adoption or youth protection matter is already before the Court.

Superior Court

In civil matters, the Superior Court can hear:

- applications where the amount at issue is at least \$85,000;
- applications for divorce, support payments and child custody;
- applications for class actions;
- applications for the probate of wills;
- applications for injunctions to stop certain activities (e.g. to stop construction work by a person who is not the owner of the property on which the work is performed);
- requests for the Superior Court to exercise its superintending and reforming power over decisions made by other courts or bodies in Québec, except the Court of Appeal.

In criminal matters, the Superior Court can hear:

- criminal cases that are automatically tried by a judge and jury, such as murder cases;
- other cases in which the accused chooses trial by judge and jury;
- matters of extraordinary recourse (for example, when a person is unlawfully detained in prison);
- appeals from decisions under the Criminal Code made by a judge of the Youth Division, the Criminal and Penal Division or a municipal court, or by a justice of the peace;
- appeals from decisions made under other federal and provincial statutes.