



Legal aid,
a network at your service
www.csj.qc.ca



Legal Brief *

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* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.

HAS OR SARPA, WHICH APPLIES TO ME?

HOMOLOGATION ASSISTANCE SERVICE (HAS)

The Homologation Assistance Service is intended for parties residing in Quebec who wish, for whatever reason, to modify arrangements pertaining to child custody or access rights or support involving a child or spouse (or former spouse), where the parties have previously obtained a judgment with respect to child support alone or child and spousal support.

Parties need not be financially eligible for legal aid in order to use the HAS. The service is offered to everyone at a fixed price of \$556 of which each party pays half. Individuals who are financially eligible for gratuitous legal aid are not required to pay anything and those eligible under the contributory scheme pay the lesser of the contribution calculated in accordance with the Regulation respecting legal aid or the cost of the HAS.

The parties must choose a lawyer (either a lawyer who is a legal aid staff member or a lawyer in private practice) to draft the agreement. The agreement is then mailed to the office of the court. The agreement is subsequently homologated by the special clerk and, as a result, becomes a judgment of the Superior Court and is then executory. The parties' lawyer sends each of them a copy of the judgment.

For more information, you can consult the following link : www.csj.qc.ca

QUEBEC'S CHILD SUPPORT RECALCULATION SERVICE (SARPA)

The Child Support Recalculation Administrative Service (SARPA) officially known as the Service administratif de rajustement des pensions alimentaires pour enfants is a purely administrative service that allows parents to adjust child support payments for a minor child who has already been adjudicated, without re-appear at a court. The "Commission des services juridiques" (CSJ) is responsible for the administration of this service.

This service is available to the entire eligible population at a cost of \$292.

Persons who are financially eligible for legal aid under the free component are exempt from payment of fees. In the case of parents who are financially eligible for the payment of a contribution, they will only be required to pay the smallest amount between their maximum contribution and the fee required by regulation, \$292 or \$146 depending on whether the application is Individual or joint.

The adjustment request may be submitted to the SARPA by either parent or by only one parent. It refers only to support adjustment situations that do not require judicial review.

Before applying to the SARPA, parents can fill out the interactive questionnaire available at www.sarpaquebec.ca to check their eligibility for the service. Once this questionnaire has been completed, they will be able to access the SARPA application form.