



HAS - HOMOLOGATION ASSISTANCE SERVICE FOR AGREEMENTS

The HAS is intended for parties who wish, for whatever reason, to modify arrangements pertaining to child custody or access rights or to support involving a child or a child and a former spouse, where the parties have previously obtained a judgment with respect to child custody or support. Only people who agree on the modifications to be made to their judgment and want to file a joint application can use this service. Parties need not be financially eligible for legal aid in order to use the HAS, because the service is offered to all members of the public.

Information about the service is available on the CSJ website (www.csj.qc.ca) under the “Homologation” tab. There, you will find general information about the HAS, including the eligibility criteria, a list of the required documents, the usual HAS application process and the applicable cost. The cost of the service is \$527 (\$400 in fees and \$127 in court costs) and each party must pay half the cost, unless one or both of them is financially eligible for legal aid.

To access the service, applicants must contact a legal aid office in order to make an appointment. When they arrive for their appointment, applicants must already have completed Form H – *Application for assistance in homologating an agreement*, which is available on the CSJ website under the “Required Documents” section of the “Homologation” tab or at a legal aid office.

Both parties must fill out a legal aid application. They can both go to the same office or to two different offices if they do not live in the same city or neighbourhood. A single legal aid certificate will be issued for all the services. These services are offered by legal aid staff lawyers and by lawyers in private practice.

The motion to homologate an agreement will be processed on an accelerated basis. It will be mailed to the courthouse and submitted to the special clerk who will rule on it based on the information in the file. The judgment will then be mailed to the lawyer. There is no hearing in these types of files, except in exceptional circumstances.

The lawyer's role is to ensure that the parties have reached an agreement that falls within the parameters established in the *Regulation respecting the determination of child support payments*⁽¹⁾ and complies with the usual standards applicable to family matters.

Legal aid offices have been offering the Homologation Assistance Service (HAS) **since October 10, 2013.**

⁽¹⁾ CQLR, c. C-25, r. 6.

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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.