



**Legal brief\***

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**Conciliation Before the Administrative Tribunal of Québec:  
What Can I Expect?**

Conciliation before the Administrative Tribunal of Québec (hereinafter the “ATQ”) is a type of process referred to as alternative dispute resolution.

But what does that actually mean?

First, you should know that the vast majority of cases involving last resort financial assistance (social assistance) are submitted to the ATQ’s conciliation service.

As for cases involving automobile insurance or crime victims’ compensation, for example, they can be referred to the conciliation service at the request of one of the parties or the Tribunal itself.

Since the COVID-19 pandemic, conciliation sessions have been held virtually. It is important to prepare for a conciliation session by reviewing your file and evaluating the options you feel are satisfactory for a possible settlement. This will help the session run more smoothly and provide a framework for discussions between the parties.

Conciliation takes place in the presence of an ATQ judge, who acts as the conciliator. It is essential to understand that the judge present at this session will not be able to sit at the hearing if the conciliation does not lead to a settlement. The reason is simple: Conciliation is a strictly confidential process in which each party is free to express its vision of the case and its expectations, and to make offers and counter-offers. The conciliator, who will have had access to this information, would no longer be able to act with the impartiality that is essential for a hearing before the Tribunal.

It is also crucial to remember that all information, including offers and counter-offers made during the conciliation session, cannot under any circumstances be mentioned at the hearing.

The conciliator’s role is not to take a position or render a decision at this stage, nor can he force the parties to reach a settlement. He can, however, make suggestions to the parties and provide them with information.

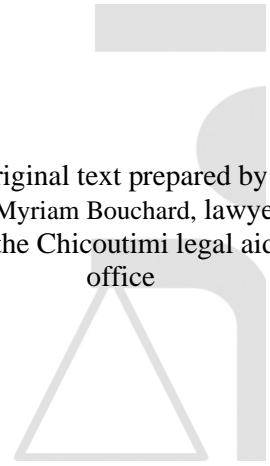
The conciliation session will lead to two possible outcomes: the dispute will be settled through the signing of an agreement between the parties, or the file will be referred to the ATQ so that a hearing date can be set.

You should remember, however, that it is possible for the parties to discuss the matter with each other at any time before the date set for the hearing before the ATQ, so as to arrive at a satisfactory agreement.

You can be accompanied by a lawyer during the conciliation process, so don’t hesitate to contact the legal aid office nearest your home in order have your eligibility for this service assessed.

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For more information, don’t hesitate to contact a legal aid lawyer in your area at a legal aid office near you. For contact details, please click on the following link: [www.csj.qc.ca](http://www.csj.qc.ca).

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

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