

**AFFIDAVIT**  
**of the proposed tutor or temporary representative**  
*(Article 404.1 of the Code of Civil Procedure)*

Any person wishing to be appointed by the court to act as a tutor to a minor, a tutor to a person of full age, or a temporary representative for an incapable person of full age must file an affidavit in the court record. This affidavit must affirm that no civil judgment has been rendered against them or, where applicable, list any such judgments and indicate whether they have ever declared bankruptcy.

I, the undersigned, \_\_\_\_\_,  
(first name, last name)

domiciled and residing at \_\_\_\_\_,  
(number and street)

in \_\_\_\_\_, province of \_\_\_\_\_,  
(municipality) (postal code)

wish to be appointed:

- temporary representative  
 tutor  
 to the person and to the property     to the person     to the property

of \_\_\_\_\_  
(first name, last name of the person concerned)

in the record of court no. \_\_\_\_\_  
(court number, if known)

**Civil judgment<sup>1</sup>**

I declare that:

- No judgment has been rendered against me in a civil case.  
 One or more judgments have been rendered against me in a civil case.  
*List these judgments, specifying the date, the court record number, and the subject of the judgment.*

Date <small>(year/month/day)</small>	Court record number	Subject of the judgement

1. These are judgments rendered notably by the Superior Court, the Court of Quebec, including the Small Claims Division, and the Human Rights Tribunal in which conclusions have been made against you. For example, this may be a judgment in which you are ordered to pay a sum of money, you are replaced as tutor or mandatary, or administrator of another person's property; it may also be a declaration of unworthiness to succeed (heir), an injunction (protection order), an abuse of process (quarrelsomeness), etc.

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**Bankruptcy**

I declare that:

I have never declared bankruptcy.

I have declared bankruptcy.

*In this case, specify the date, whether you were discharged, and, where applicable, the discharge date.*

Date of bankruptcy <small>(year/month/day)</small>	Discharged	Discharge date, where applicable <small>(year/month/day)</small>
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	<input type="checkbox"/> Yes <input type="checkbox"/> No	

All the facts stated in this affidavit are true.

I have signed in \_\_\_\_\_, on \_\_\_\_\_  
(municipality) (year/month/day)

\_\_\_\_\_  
(signature)

Sworn before me in \_\_\_\_\_, on \_\_\_\_\_  
(municipality) (year/month/day)

\_\_\_\_\_  
(last name, first name, title and commissioner number)

\_\_\_\_\_  
(signature)

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**INSTRUCTIONS**

The *Declaration of the proposed tutor or temporary representative* must be made under oath.

The following individuals are authorized to administer oaths:

- Clerks of the Court of Québec, the Superior Court, and the Court of Appeal, as well as administrative justices of the peace.
- Lawyers and notaries.
- Commissioners for oaths appointed by the Minister of Justice (visit [www.assermentation.justice.gouv.qc.ca](http://www.assermentation.justice.gouv.qc.ca) to find a commissioner for oaths).

For more information and for the contact details of all courthouses in Québec, consult the list of [courthouses](#) on the Ministère de la Justice website.

**Types of forms**

This form is available as a fillable PDF form, which users can complete on screen after downloading it from [www.quebec.ca](http://www.quebec.ca).

- **Fillable PDF:**  
Print the completed form on letter-size paper (8.5 x 11 in., or 215.9 mm x 279.4 mm). Make sure your printer is configured properly.
- **Paper:**  
If you are filling out the form by hand, please print legibly.

**Instructions**

You must fill out the form before taking the oath. However, you must sign the affidavit in front of the person administering the oath.

Remember to keep a copy of the completed form for your personal records.