



Follow the [transmission instructions on page 10](#).

Instructions

This form is provided by the Curateur public in accordance with the *Regulation respecting the application of the Public Curator Act* and contains the necessary elements to enable the court to rule on the application for reassessment in cases where the person of full age's situation has changed sufficiently to modify or lift the tutorship. Another form is available and must be used only if you conclude on the need to modify the frequency of the reassessment.

- If you do not complete the electronic version of the reassessment form, **please write legibly**.
- **Print** the form **on one side** of the sheet only.
- If there is not enough space, **continue on another sheet**, which you will add **as an appendix**.

Definitions

Faculties, abilities: For the purposes of your evaluation, the word "faculty" can be understood as "capacity". "Faculty" is used here because it is the term used in the Civil Code.

("Faculty" refers to the effective possibility for the person concerned to achieve things in his life with all the resources at his disposal, and not only thanks to his intellectual faculties. As for the legal "capacity" of the adult, it can only be limited by an express provision of the law or by a judgment pronouncing the opening of a guardianship, approving a protection mandate or authorizing the temporary representation of an incapacitated adult.)

Incapacity: Under a tutorship or a protection mandate, incapacity refers to the partial or total loss of the person's ability to make decisions and act independently to take care of themselves, administer their property, or generally exercise their civil rights.

Tutorship: A protective measure for an incapable person of full age who cannot take care of themselves or administer their property. The institution of a tutorship is ordered by the court. The tutorship can be to the property, to the person, or both, depending on the needs of the person it is protecting.

Terms of the tutorship: Always remember that a person of full age, even under tutorship, can exercise several of their civil rights and perform several legal acts. They can, unless the court decides otherwise, enter into a contract to meet their usual and customary needs, perform acts relating to their employment, art, or profession, and manage the proceeds of their work. The modulation of the tutorship will then aim to revoke the exercise of these rights, depending on their faculties.

Custody: Custody refers to the right to choose one's place of residence, whereabouts and associations. This responsibility is entrusted to his or her tutor, unless the court decides that, because of his faculties, the person can exercise these rights himself, and therefore does not need a guardian.

1. General information about the person concerned by the reassessment

Last name		First name	
First and last names generally used		Curateur public du Québec file no.	
Date of birth <small>yyyy-mm-dd</small>	Sex M F Non-binary	Health insurance no.	Institution file no.
Address no., street, city			Postal code
Tel. no. at home	Mobile no.	Email address	

2. Information on the nature of the current tutorship

What is the nature of the current tutorship?

- Tutorship to the property only
- Tutorship to the person only
- Tutorship to the person and to the property

3. Circumstances motivating the application for reassessment

What are the circumstances motivating the application for reassessment?

- Time limit scheduled by the court or by law
- Application submitted by the person concerned or their tutor before the scheduled date
- Sufficient change in the person's situation to justify modifying or lifting the tutorship
- Psychosocial reassessment recommending modifying or lifting the tutorship

Person applying for the reassessment

Last name	First name	Relationship to the person concerned
-----------	------------	--------------------------------------

4. Examinations and consultations

The Civil Code of Québec stipulates that the physician must have examined the person concerned by the reassessment. This reassessment cannot be done on the sole basis of a file. The date(s) of the examination(s) must be indicated on the form.

Date of examination(s):			I have known the patient since:
yyyy-mm-dd	yyyy-mm-dd	yyyy-mm-dd	

Contact information of persons consulted (e.g., people close to the person concerned, social worker, nurse, etc.)

Last name of first person consulted		First name of first person consulted	
--	--	--------------------------------------	--

Relationship to the person concerned	Tel. no.	Ext.	Date of consultation yyyy-mm-dd
--------------------------------------	----------	------	---------------------------------

Last name of second person consulted		First name of second person consulted	
---	--	---------------------------------------	--

Relationship to the person concerned	Tel. no.	Ext.	Date of consultation yyyy-mm-dd
--------------------------------------	----------	------	---------------------------------

Last name of third person consulted		First name of third person consulted	
--	--	--------------------------------------	--

Relationship to the person concerned	Tel. no.	Ext.	Date of consultation yyyy-mm-dd
--------------------------------------	----------	------	---------------------------------

Name(s) of the report(s) or document(s) you consulted. Attach the documents you consulted, **only** if relevant.

5. Diagnoses related to the incapacity
 Specify the type and severity, where applicable.
 You must indicate the diagnoses relevant to the application only.

Neurocognitive disorders

Dementia (specify): _____
 Traumatic brain injury
 Other(specify): _____

Date of diagnosis: _____ yyyy-mm

Neurodevelopmental disorders

Intellectual disability (specify): _____
 Other (specify): _____

Date of diagnosis: _____ yyyy-mm

Mental disorders

Diagnosis (schizophrenia, schizoaffective disorder, bipolar affective disorder, personality disorder, etc.)

Date of diagnosis: _____ yyyy-mm

Severity of the disorder

Symptoms	Acute	Intermittent	Chronic	Residual	Absent
----------	-------	--------------	---------	----------	--------

Comments:

Other diagnoses or issues that affect a person’s ability to make decisions for himself and as regards the administration of his patrimony.



6. Reassessment of capacity or incapacity

As needed, you may attach additional relevant documents.

Person concerned's relevant medical history (clinical presentations, symptoms and diagnoses)

Relevant physical examination and examination of mental and cognitive functions

Assessment of decision-making faculties with respect to protection of the person

- Protection of the person is notably understood to address elements such as security, food, healthcare, living environment and defense of the person's rights.
- Assessment of the person's understanding of the important actions and information associated with the protection of self.
- Assessment of his ability to value elements associated with the protection of self (impact on his life, i.e., on his person, situation, relationships, etc., emergence of various problems, effect on his beliefs, culture, choices, etc.).
- Assessment of the reasoning underlying his decisions.
- Assessment of his ability to communicate his decisions and make consistent and coherent choices.

Assessment of decision-making faculties with respect to the administration of the property

- Administration of property, in turn, involves the ability to purchase daily necessities, handle financial documents, understand personal budgets and oversee transactions.
- Assessment of the person's understanding of the important actions and information associated with the management of his property.
- Assessment of his ability to value elements associated with the management of his property (impact on his life, i.e., on his person, situation, relationships, etc., emergence of various problems, effect on his beliefs, culture, choices, etc.).
- Assessment of the reasoning underlying his decisions.
- Assessment of his ability to communicate his decisions and make consistent and coherent choices.

7. Assessor's opinion on the nature of the incapacity

Nature of current tutorship:

Tutorship to the property	Tutorship to the person	Tutorship to the property and to the person
---------------------------	-------------------------	---

I conclude that:

the person concerned is incapable of administering their property	Yes	No
the person concerned is incapable of taking care of their person	Yes	No

As such, I recommend:

- maintaining the nature of the tutorship
- lifting (ending) the tutorship to the property
- lifting (ending) the tutorship to the person
- changing the tutorship to a tutorship to the property and to the person

It should always be remembered that an adult, even under tutorship, can exercise several of their civil rights and perform several legal acts. The person may, unless otherwise decided by the court, enter into contracts to meet her ordinary and usual needs, perform acts relating to her employment, art or profession and manage the product of her work. The modulation of the tutorship will then aim to withdraw the exercise of these rights, according to her faculties.

Would you like to add details about the person concerned's faculties? If yes, explain:

8. Recommended time limit for reassessment

What is the current time limit for the medical reassessment stipulated in the judgment or by law: _____ **year(s)**

NOTE : the time limit cannot exceed five (5) years. **However**, where it is clear that the incapable person's condition will not change, the time limit for the medical reassessment may be longer than five (5) years, but no more than ten (10) years.

Should the current time limit for the medical reassessment be changes? Yes No

If yes, what is the recommended time limit for the medical reassessment? _____ year(s)

Please explain why changing the current time limit is necessary:

9. General information about the physician performing the assessment			
Last name		First name	
Specialty		Licence no.	
Tel. no. at work	Ext.	Fax no.	
Email address			
Business address for the person concerned <small>institution name, number, street, city</small>			Postal code
Signature (digital or blue ink)			Date <small>yyyy-mm-dd</small>



Transmission instructions

Important: The information contained in this form and its appendices, where applicable, is highly confidential. It is therefore necessary to ensure its confidentiality at all stages, including the production of the assessment reports and their transmission within the institution and to authorized recipients, in accordance with professional standards and applicable laws.

If the physician performing the assessment concludes that there is a need to modify or lift the tutorship:

- send a copy of the medical reassessment to the competent person* of the establishment;
- send a copy to the person concerned and their tutor.

However, if the medical reassessment follows a psychosocial reassessment that concludes on the need to modify or lift the tutorship:

- send a copy of the medical reassessment to the competent person of the establishment, regardless of the conclusions;
- send a copy to the person concerned and their tutor.

Important: Since the tutorship may be divided, a copy of the documents relating to the reassessment must be sent to the tutors to the person. If the person concerned is under tutorship to the property only, then a copy must be sent to the tutor to the property.

* For the purposes of this form, a “competent person of the establishment” has the following meanings:

- In accordance with the *Act respecting the governance of the health and social services system* (c. G-1.021):
 - > For a public institution: the medical and professional services director, under the immediate authority of the president-CEO.
 - > For a private institution: the highest-ranking executive.
- In accordance with the *Act respecting health services and social services for Cree Native persons* (c. S-5):
 - > For a public institution: the executive director, under the authority of the board of directors, or the professional services director, where applicable.
 - > For a private institution: the executive director.
- In accordance with the *Act respecting health services and social services for the Inuit and Naskapi* (c. S-4.2):
 - > For a public institution: the professional services director, under the authority of the executive director.
 - > For a private institution: the executive director.