

Judith Rochette

Partner

Ms. Rochette is a partner in the Litigation and Conflict Resolution group. She practices primarily in the field of professional liability and insurance.

Ms. Rochette holds a master's degree from the Université de Sherbrooke in health law and has acquired expertise in litigation in this specific area, and particularly in the professional liability of hospitals and medical professionals. She advises senior managers in the health and social services network on a regular basis, and also represents clients in life and disability insurance litigation.

As a litigator, Ms. Rochette has acquired extensive experience over the years in representing a wide range of clients, particularly insurers and their individual, corporate or professional insureds, in actions brought against them in the civil courts. She has handled a number of large cases involving various areas of the law: firefighting cases, defamation actions against professionals, construction cases in which the parties include members of different professions, and more. She also defends lawyers against professional liability claims, as counsel for the Barreau du Québec's professional liability fund, and assists professionals who are the subject of disciplinary investigations or in proceedings before their disciplinary committees.

In addition, Ms. Rochette's practice extends to the education system, covering cases that involve teachers, administrators or members of management, an example of this being actions brought by residents concerning their training program.

Ms. Rochette also represents clients in financial services cases involving the liability of representatives in insurance of persons, brokerage firms, and financial institutions.

Ms. Rochette has always maintained close ties with the academic community. She is regularly invited to speak on subjects in her areas of expertise.



Partner, Lawyer Québec

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Languages

English
French

Practice areas

Insurance

Mediation and Arbitration

Construction

Product Liability

Professional Liability

Special Risk Insurance

Health and Social Services

Publications

Commentaire sur la décision R.N. c. Camiré – La preuve par experts est-elle toujours utile ? With Julie Savard, Repères, EYB2014REP1588 (September 2014)

Commentaire sur la décision St-Arnaud c. L (C.)-Le rôle du juge du procès et l'appréciation de son travail par la Cour d'appel, Repères, EYB (2013)

La solidarité des défendeurs en matière de responsabilité médicale et hospitalière : où en sommes-nous ? Julie Savard and Judith Rochette, La Collection Blais, volume 14-2012, pp 129-162 (2013)

Commentaire sur la décision Lalonde c. Tessier – La conduite d'un médecin traitant à nouveau scrutée par le tribunal : consentement, suivi, prescription et solidarité, EYB 2011 REP 1110, Repères (November 2011)

L'obligation d'information et de conseil du pharmacien, Co-author of an article published in Bulletin No. 1, November 2008, of the Fonds d'assurance responsabilité professionnelle of the Ordre des pharmaciens du Québec (FARPOPQ) (2008)

L'industrie de l'assurance et le passage à l'an 2000, Assurances, volume 66, No. 4, January 1999, p. 529 (1999)

Le phénomène des médecines alternatives au Québec : problèmes et esquisses de solutions, Master's degree in health law, thesis presented to Jean-Marie Lavoie, Université de Sherbrooke (1990)

Conferences

Revue de la jurisprudence 2016-une année favorable pour les assureurs ?, Presentation given at the "Gestion des réclamations et litiges en assurance invalidité" (disability insurance claims and litigation management) symposium organized by the Institut canadien de Montréal (2017)

L'utilisation des réseaux sociaux dans les dossiers d'invalidité, Presentation given at the "Gestion des réclamations et litiges en assurance invalidité" symposium organized by the Institut canadien de Montréal (2016)

Le nouveau Code de procédure civile : son impact sur votre pratique en assurance invalidité,

- Presentation given at the “Gestion des réclamations et litiges en assurance invalidité” symposium organized by the Institut canadien de Montréal (2015)
- *Les stratégies pour faire vos expertises*, Presentation given jointly with Dr. Françoise Chagnon at the “Gestion des réclamations et litiges en assurance invalidité” symposium organized by the Institut canadien de Montréal (2015)
- *Comment aborder une enquête avec un syndic*, Presentation given at the “Droit disciplinaire” symposium organized by the Institut canadien de Montréal (2015)
- *Revue jurisprudentielle 2013 : y a-t-il une lumière au bout du tunnel?* (2014)
- Presentation given at the “Gestion des réclamations et litiges en assurance invalidité” symposium organized by the Institut canadien de Montréal (2014)
- *Gestion du dossier d'assurance et questions d'accès : à quoi l'assuré a-t-il droit ?* Private mini-symposium, Lévis (2013)
- *Leçons à tirer des décisions récentes de nos tribunaux pour la gestion future de vos dossiers d'invalidité : revue jurisprudentielle québécoise 2012*. Presentation given at the “Gestion des réclamations et litiges en assurance invalidité” symposium organized by the Institut canadien de Montréal (2013)
- *La responsabilité et l'indemnisation dans le domaine des services financiers*, Jeune Barreau du Québec (2013)
- *La solidarité des défendeurs en matière de responsabilité médicale et hospitalière : où en sommes-nous ?* Judith Rochette and Julie Savard. Presentation given at the symposium on medical liability organized by Les Éditions Yvon Blais in Montréal and Quebec City (2012)
- *Les obligations du pharmacien sous la loupe de la Cour d'appel*, Presentation given at the AQPP congress (2011)
- *Lever du rideau sur les ressources non institutionnelles* (2011), Symposium organized in partnership with the Association québécoise des établissements de santé et de services sociaux (AQESSS). Member of the steering committee (2011)
- *Protection des renseignements personnels : accent sur le droit d'accès* (2011), Presentation given at the conference for lawyers organized by the Canadian Life and Health Insurance Association (CLHIA), Quebec City (2011)
- *Gestion du dossier d'assurance et questions d'accès : à quoi l'assuré a-t-il droit ?* (2010), Presentation given to the Association des femmes d'assurance de Québec (2010)
- *Les comités et conseils professionnels relevant du conseil d'administration d'un établissement (de santé) : un leadership à partager* (2009-2010), One-day symposium in Quebec City and Montreal organized in partnership with the Association québécoise des établissements de santé et de services sociaux (2009-2010)
- *Jurisprudence récente en matière d'assurance invalidité*, Presentation given at the “assurance

invalidité” symposium organized by the Institut canadien (2009)

Les assurances dans le domaine de la construction (2009), Training session given at a luncheon meeting organized by the Association des femmes d’assurance de Québec (AFAQ) (2009)

La gestion de l’information en situation de crise : quoi, quand et comment communiquer (2008), One-day symposium in Quebec City and Montreal organized in partnership with the Association québécoise des établissements de santé et de services sociaux. Speaker and member of the organizing committee (2008)

Soins à domicile et en hébergement : entre légalité et légitimité (2007-2008), One-day symposium given on three occasions in Quebec City and Montreal in partnership with the Association québécoise des établissements de santé et de services sociaux (AQESSS). Speaker and member of the organizing committee (2007-2008).

Concept « milieu de vie » : comment concilier les demandes des familles ou des usagers et les contraintes des établissements (2006), Half-day mini-symposium in Quebec City and Lévis for managers in the healthcare network (2006)

Code de procédure civile, de la mise en demeure au jugement : impact du nouveau CPC (2003), Presentation given to the Association des femmes d’assurance de Québec (AFAQ) (2003)

La controverse entourant l’utilisation de la contention (2002), Presentation given at the symposium on seniors’ rights organized by the Institut universitaire de gériatrie de Sherbrooke (IUGS) (2002)

Formation en droit de la santé (2002), Seminar given for nurses in the Lac-Mégantic region (2002)

La controverse entourant l’utilisation de la contention (2002), Presentation given at the “L’état mental et l’inviolabilité de la personne” symposium organized by the Université de Sherbrooke (2002)

Achat d’assurances et gestion municipale (1999), Training day given for the Corporation of the Chartered Municipal Officers of Québec, Hôtel Québec (1999)

Urgence Sinistres An 2000 : réflexion sur différents scénarios et questions de couverture d’assurance (1999), Participation as a resource person (1999)

Meeting of members of the Insurance Bureau of Canada (IBC) (1999)

Comment le nouveau Code civil affecte la façon de régler les sinistres (1999), Presentation given at a convention of Groupe Ultima insurance brokers (1999)

L’industrie de l’assurance et le Bogue de l’an 2000 : reste-t-il quelque chose à faire ? (1999), Presentation given to the Association des femmes d’assurance de Québec (AFAQ) (1999)

Les implications légales du passage à l’an 2000 (1999), Presentation given at a symposium organized by the Order of chartered administrators, property sector, Quebec City region (1999)

L’industrie de l’assurance et le passage à l’an 2000 (1999), Presentation given to the Association des femmes d’assurance de Montréal (AFAM) (1999)

Achievements

- Ms. Rochette is a guest facilitator at the Université de Sherbrooke's training seminar on trial advocacy where she leads and participates in demonstrations
- Ms. Rochette taught the insurance and sales course at the Barreau du Québec's Bar School in 1995
- She taught the civil liability insurance course at the Institut d'assurance de dommages in 1999
- She taught the health law course for the certificate in law at the Université de Montréal in 1997
- She designed and taught a health law course for healthcare network managers in the spring and fall of 2000
- She taught the legal segment of the health law course at the Université de Sherbrooke faculty of nursing from 2001 to 2004
- She taught the healthcare sector professional law course in the master of health law program at the Université de Sherbrooke in the winter of 2001
- She taught the civil liability course in the bachelor of laws program at the Université de Sherbrooke in the winter of 2001

Professional and community activities

- Member of the board of directors of Violons du Roy since 2013, and Vice-President since 2015
- Member of the *Barreau du Québec's* petitions committee (2010-present)
- Chair of the board of directors of the *Syndicat de la copropriété du Boisé-de-Sillery* (2010 to 2016)
- Member of single expert subcommittee (2007-2008)
- Member of the Superior Court committee (2005-2008)
- Member of the *Barreau du Québec's* discipline committee (1999-2003)
- Member of the *Association des Femmes d'Assurance de Québec* (AFAQ) since 1991, and President from 1995 to 1997

Education

- LL.M., *Université de Sherbrooke*, 1990 (Master in Health Law)
- LL.B., *Université Laval*, 1988
- Membre of *Barreau du Québec* since 1988

Specialities

 Certified mediator