

ME JOHANNE CLOUET  
Faculty of Law, Université de Montréal  
Maximilien-Caron Pavillon, Office A-7484  
3101 Chemin de la Tour, Montreal, Quebec H3T 1J7  
p: 514-343-3099|e: [johanne.clouet@umontreal.ca](mailto:johanne.clouet@umontreal.ca)

---

### **PROFESSIONAL AFFILIATIONS**

Member of Chambre des notaires du Québec 2017-...  
Member of Barreau du Québec 2005-15

### **ACADEMIC AFFILIATIONS**

**Notarial Chair – Université de Montréal** 2018-...  
Full-time researcher

**Study on the financial and human costs of justice** 2017-...  
ADAJ project – Access to law and justice  
Role: Co-investigator  
Principal investigator: Professor Dalia Gesualdi-Fecteau (Faculty of Law – UQÀM)

**The legal characteristics of the socialization of beings: The civil function of private law** 2018-...  
Role: Co-investigator  
Principal investigator: Professor Vincent Forray (Faculty of Law – McGill University)

**PratiquO – Continuing Professional Development Centre of the Faculty of Law** 2018-...  
**of the University of Ottawa**  
Facilitator and contributor

### **FORMATION**

**Postdoctoral degree in law** 2017-18  
**Université Laval – The Antoine-Turmel Research Chair on the Legal Protection of Seniors**

Research subjects:

(1) Protection of seniors via the *Charter of Human Rights and Freedoms*

This research project focuses on the right to protection and security which must be provided to elderly individuals by their families or persons acting in their stead, as referred to in Article 48(2) of the *Charter of Human Rights and Freedoms*. The project suggests clarifying the concepts of this provision to better define the scope of protection prescribed and to assess its effectiveness.

(2) Advance health care directives for seniors

In an aging population context, this research project aims to develop knowledge on the wishes expressed by seniors regarding their healthcare in anticipation of invalidity. The project aims primarily to answer the following questions: Does the social/family network of seniors have an influence on their decision to express their advance health care directives? Does knowledge of healthcare and the healthcare system have an influence on their decision to express their advance health care directives?

**Master in Notarial Law (LL.M.)**

2015-16

**Université de Montréal – Faculty of Law**

Research internship with the President of the Chambre des notaires du Québec

Key responsibilities: Review and update a document on the protection mandate; participate in drafting a brief submitted by the Chambre des notaires during the Committee on Citizen Relations' consultations on Bill 115 – *An Act to combat maltreatment of seniors and other persons of full age in vulnerable situations*; suggest areas of reform to the Advisor relating to persons of legal age as part of a brief submitted by the Chambre des notaires on Bill 96 – *An Act to amend the Civil Code, the Code of Civil Procedure, and the Public Curator Act as regards the protection of persons*.

**Doctor of Law (LL.D.)**

2009-15

**Université de Montréal – Faculty of Law**

Research director: Alain Roy / Co-director: Jean-François Gaudreault-DesBiens

Graduated in 2015 with a Citation of Excellence

Thesis jury: Robert Leckey (McGill University), Martine Valois (UdeM), and Benoît Moore (UdeM)

Research funded by the Social Sciences and Humanities Research Council (SSHRC)

Title: The influence of a judge's identity markers in decisions related to child custody after a separation

A "child's best interest" is a basic concept of family law and a determining factor in any decision concerning the child. As a highly undefined concept, its interpretation is left to the discretion of the court with the judge specifying the content in the light of the law as it applies to the facts of each case. In cases where judges are faced with a "neutral" situation once all the facts and law are considered (i.e. where both sole and shared custody are conceivable), can it be said that a judge leaning toward one or the other might be influenced by something other than the law and the facts presented in court? This was the question at the core of our research.

**ATLAS Forum (Association of Transnational Law Schools)**

June 2011

**University Deusto (Spain) – Faculty of Law**

The ATLAS Forum is a consortium of faculties of law with the mission to foster intellectual exchanges between their respective academic communities.

- Present thesis project
- Attend various seminars on methodological and theoretical approaches to comparative and international law

---

**Master of Laws (LL.M.)** 2006-08  
**McGill University – Institute of Comparative Law**

Research director: Shauna Van Praagh  
Graduated in 2008 with a Citation of Excellence  
Thesis evaluation by Evan Fox-Decent (McGill University)

Title: Domestic child labour in Haiti as viewed through the lens of legal pluralism

Domestic child labour is a practice whereby children are placed in domestic service where, in addition to performing household duties with an adverse impact on their education, they are generally abused and mistreated physically and psychologically. The key objective of this research was to highlight existing standards of education and the integrity of young domestic workers to assess their importance in the conduct of families using child labour and to identify the actions most likely to improve the quality of life of young domestic workers. Inspired by legal pluralism, the approach used combined theoretical and empirical research.

**Chinese Law Study Program Graduation Certificate** June 2002  
**China University of Political Science and Law (Beijing)**

Basic training on the Chinese legal system, organized by the Faculty of Law at the Université de Montréal with the China University of Political Science and Law.

**Bachelor of Laws (LL.B.)** 2001-04  
**Université de Montréal – Faculty of Law**

### **PROFESSIONAL EXPERIENCE**

#### Teaching Experience

#### **Université de Montréal – Faculty of Law**

DRT 1224 – Personnes physiques et famille (*Natural persons and family*)

The first part of this course focuses on the conditions needed to be considered a juridical personality, how filiation can be established, and the resulting effects. The second part relates to the conditions for the formation and legal effects of marriage, civil union, and common-law union, as well as the consequences of the dissolution of those different types of union.

DRT 3803 – Droit de l'enfant (*Right of the child*)

This course focuses on the legal status of the child in Quebec private law. Besides the overview of a status report on children's rights internationally, the course is divided into two main parts: the first part is devoted to the description and analysis of the basic concepts in the Quebec legal system applicable to the child (parental authority, minority, guardianship, and the child's best interest), while the second part addresses the main fundamental rights accorded to the child (right to life and right to personal integrity).

**DRT 2902 – Développement des habiletés du juriste II (*Skills development for jurists II*)**

The overall objective of the course is to help students to develop the research and writing skills relevant to legal drafting and to foster a good understanding of issues related to the research subject.

**Université du Québec à Montréal – Département des sciences juridiques**

**JUR 2521 – Droit des personnes et de la famille (*Jus personarum and family law*)**

An overview of the basic principles of family law. A study of the legal effects of parental authority, the conditions required to establish a marriage, and the consequences resulting from the dissolution of that union.

**JUR 3516 – Méthodologie de la recherche juridique II (*Methodology of legal research II*)**

This course aims to support students in: framing a legal research problem and defining its criteria; developing research and drafting skills; and adopting a critical approach to the legal matter at hand.

**Université du Québec à Montréal – Département de science politique**

**JUR 665N – Droit de l'enfant et droit international (*Right of the child and international law*)**

An introductory overview of the international framework on child protection aiming to educate students on the usefulness of international law in law practice in Quebec. The course combines practical and theoretical approaches: the basic principles and guidelines of law are taught essentially through lectures, and completed by experiences and practical cases shared by guest lecturers.

**Institute of Science, Technology, and Advanced Studies of Haiti (ISTEAH)**

2017-...

**IST 6050 – Femmes et sciences (*Women and science*)**

This course addresses the relationship between science, women, and society. It reflects on women's access to scientific careers and their contributions to science.

Other Work Experience

**Revue juridique Thémis de l'Université de Montréal (RJTUM)**

2015-16

Edition Editor

- Read and edited submissions for publication
- Followed up with authors and various stakeholders

**Université de Montréal – Faculty of Law**

2009-10

Research Assistant (to Professor Alain Roy)

- Conducted a doctrinal and precedential research on alimonies
- Analyzed relevant court judgments to draw a portrait of changes in legislation over the past years

---

**Ministère de l'Emploi et de la Solidarité sociale** 2008-09  
Counsel – Laws and Regulations

- Provided training to companies that are subject to the *Act to Promote Workforce Skills, Development and Recognition*
- Ensured compliance in the application of the law and its regulations
- Prepared information guides for employers
- Participated in the work on eventual legislative and regulatory amendments

**Desjardins Ducharme, S.E.N.C.R.L.** 2003-06  
Law Student, Student-at-Law, and Lawyer

Key Responsibilities as Student/Intern

- Carried out doctrinal and precedential researches
- Made court appearances
- Prepared legal opinions, research papers, and various legal proceedings

Key Responsibilities as Lawyer (assigned exclusively to the *Commission of Inquiry into the Sponsorship Program and Advertising Activities* [the “Gomery Commission”])

- Analyzed evidence presented at the Gomery Commission
- Participated in drafting the claim for the recovery of funds
- Assisted in the preparation of witness interviews

**Quebec Court of Appeal** Fall 2004  
Researcher for the Honourable Joseph R. Nuss, Justice

- Analyzed appeal briefs filled by appellants and respondent parties
- Prepared draft judgments

**SPONSORED PROJECTS AND RESEARCH**

**PratiquO – Continuing Professional Development Centre of the Faculty of Law of the University of Ottawa**

Granting agencies: Government of Quebec – Secrétariat du Québec aux relations canadienne (SQRC) and Government of Ontario – Office of Francophone Affairs

Granting period: 2018-19

**Protecting seniors through the *Charter of Human Rights and Freedoms***

Granting agency: The Antoine-Turmel Research Chair on the Legal Protection of Seniors

Role: Principal Investigator

Granting period: 2017-18

**Advance healthcare directives for seniors**

Granting agency: Chambre des notaires du Québec

Role: Principal Investigator

Granting period: 2017-20

**LEGISLATIVE WORK**

Co-author of the brief filed by the Chambre des notaires du Québec on Bill 115 – *Act to combat maltreatment of seniors and other persons of full age in vulnerable situations* to the Committee on Citizen Relations, November 2016.

**PUBLICATIONS**

**Book and Fascicle**

*Décisions judiciaires en matière de garde d'enfants : contribution à l'étude des marqueurs identitaires du juge*. Montreal: Éditions Thémis, 2017 (Foreword by Alain Roy).

“Registre et actes de l'état civil” in *JurisClasseur Québec – Coll. Droit civil, Personnes et famille*, fasc. 9. Montreal: LexisNexis Canada (annual update).

**Peer-reviewed Publications (Journals and Collective Works)**

“De la communauté parentale: éléments de droit positif et postulats scientifiques.” 10 *Revue scientifique de l'AIFI* 31 (2016).

“Commentaire de jurisprudence: transsexualité et droit de garde.” 117 *R. du N.* 217 (2015).

“Le statut juridique du beau-parent en droit civil québécois. Perspectives législatives et jurisprudentielles” in CARON, Vincent, BERTHOLD, Gabriel-Arnault, DESLAURIERS-GOULET, Charlotte and TORRES-CEYTE, Jérémie (ed.). *Les oubliés du Code civil du Québec*, Montreal: Éditions Thémis, 2015.

“L'influence des marqueurs identitaires des juges dans les décisions relatives à la garde des enfants.” 48 *R.J.T.U.M.* 57 (2014).

“La domesticité juvénile en Haïti: une vision à travers la lentille du pluralisme juridique.” *Lex Electronica* 18:1 (2013).

CLOUET, Johanne and LACROIX, Mariève. “De l'‘être’ vers l'‘avoir été’: muabilité du corps humain au moment du décès.” *Lex Electronica* 15:2 (2010).

**Non-peer-reviewed Publication**

GUAY, Gérard and CLOUET, Johanne. *Le mandat de protection*. R.D./N.S. – Mandat Doctrine. Montreal: Chambre des notaires du Québec, 2017.

## Research Report

ROY, Alain and CLOUET, Johanne. “Étude des tendances jurisprudentielles et législatives en matière de pensions alimentaires.” Report on jurisprudential and legislative trends in alimonies presented to the Direction de la perception des pensions alimentaires of Revenu Québec as part of a research project entitled “Analyse prospective de la clientèle du Programme de perception des pensions alimentaires. Première étape,” 2010.

## COMMUNICATIONS

“Procréation assistée et filiation: les limites du droit civil québécois sous la poussée de l’évolution des relations sociales et conjugales.” Lecture on assisted reproduction and filiation in Quebec civil law presented at a joint conference from the Faculty of Law at the Université de Montréal and the Department of Law and Anthropology of the Max Planck Institute for Social Anthropology – *Nouvelles réalités sociales et enjeux éthiques : les défis de l’encadrement juridique de la procréation médicalement assistée*. Faculty of Law, Université de Montréal. Montreal, August 27, 2018.

Presentation to the ministers of the Francophonie on the partnership between the Université de Montréal and the University of Ottawa as part of the PratiqO Project (Continuing Professional Development Centre, Faculty of Law, University of Ottawa) – 23<sup>rd</sup> Ministerial Conference on the Canadian Francophonie. Whitehorse, Yukon, July 5, 2018.

“Pension alimentaire entre conjoints: pertinences et impertinences.” Lecture on alimonies between spouses presented as part of a symposium hosted by the Unité de droit familial of the Université Libre de Bruxelles. Faculty of Law, Université Libre de Bruxelles. Brussels, December 14, 2017.

“Les enjeux contemporains de l’obligation alimentaire entre ex-conjoints en droit québécois.” Lecture on contemporary issues related to alimonies between spouses presented as part of a symposium hosted jointly by the Notarial Chair and the Jean-Louis Baudouin Civil Law Chair – *Mouvances et tendances en droit de la famille belge et québécois*. Faculty of Law, Université de Montréal. Montreal, September 29, 2017.

“L’intérêt de l’enfant.” Lecture on the child’s best interests presented as part of a symposium on the report submitted by the Advisory Committee on Family Law, hosted jointly by the Notarial Chair and the Jean-Louis Baudouin Civil Law Chair. Faculty of Law, Université de Montréal. Montreal, May 5, 2016.

CLOUET, Johanne, GOUBOUT, Élisabeth, POITRAS, Karine, and BLANCHET, Jennifer. “Le litige en matière de garde d’enfant: Regards croisés sur la pratique des juges et des experts.” Lecture on litigation involving child custody presented as part of the Annual Convention of the Société québécoise pour la recherche en psychologie. Delta Hotel, Trois-Rivières, April 2, 2016.

“Le statut juridique du beau-parent en droit civil québécois. Perspectives législatives et jurisprudentielles.” Lecture on the legal status of step-parents from legislative and jurisprudential standpoints presented as part of a symposium hosted by the Jean-Louis Baudouin Civil Law Chair for the 20<sup>th</sup> anniversary of Code civil – *Les oubliés du Code civil*, Faculty of Law, Université de Montréal, May 1, 2014.

“L’influence des marqueurs identitaires des juges dans les décisions relatives à la garde des enfants.” Lecture on the influence of identity markers in court decisions pertaining to child custody presented as part of “Nouveaux chercheurs” lecture series hosted by the Jean-Louis Baudouin Civil Law Chair, Faculty of Law, Université de Montréal, October 17, 2013.

“Éléments d’une approche sociojuridique des décisions relatives à la garde des enfants.” Lecture on the social-legal approach to child custody decisions presented as part of the 2<sup>nd</sup> edition of Colloque franco-québécois de l’équipe de recherche Ruptures – Les séparations conjugales : décisions judiciaires et incidences familiales, Faculty of Law, Université de Montréal, October 29, 2012.

“Pensions alimentaires entre conjoints de faits.” Lecture on alimony between common-law spouses presented as part of a conference hosted jointly by the Notarial Chair and the Jean-Louis Baudouin Civil Law Chair – *Droit patrimonial de la famille : des personnes et des biens*, Faculty of Law, Université de Montréal, January 18, 2012.

“La domesticité juvénile en Haïti: une vision à travers la lentille du pluralisme juridique.” Lecture on domestic child labour in Haiti from a legal pluralism standpoint presented at the 2<sup>nd</sup> edition of Colloque annuel de l’Association des cycles supérieurs en droit – *Le droit dans tous ses États*, Faculty of Law, Université de Montréal, March 14, 2011.

“Tendances jurisprudentielles et législatives en matière de pensions alimentaires entre conjoints.” Lecture on legal and legislative trends regarding alimonies between spouses presented at a conference on marriage and common-law union hosted by the National Institute of Scientific Research (INRS), Montreal, April 15, 2011.

“The Influence of the Judge’s Identity in Decisions Pertaining to Child Custody.” Lecture presented as part of Forum Atlas, University Deusto. Bilbao, Spain, June 8, 2011.

### **JOINT PUBLICATIONS**

CHARPENTIER, Élise, LANCTÔT, Sébastien, MOORE, Benoît, and ROY, Alain. *Code civil du Québec. Annotations – Commentaires*. Cowansville: Éditions Yvon Blais, 2016-2017 (drafting of comments relating to support obligation and child custody – articles 585-596.1 and 605 C.c.Q.)

ROY, Alain, JARRY, Jocelyne, LAPIERRE-ADAMCYK, Évelyne, and LE BOURDAIS, Céline. *Regards empiriques sur les pensions alimentaires entre ex-époux : Analyse statistique exploratoire et application simulée des Lignes directrices facultatives en matière de pensions alimentaires pour époux*. Report submitted to Quebec Department of Justice – Direction des orientations et politiques, June 2011.

### **PEER REVIEW FOR SCIENTIFIC JOURNALS**

Journal: Cahiers de droit (Université Laval)  
Director: Professor Louise Langevin



**MEDIA OUTREACH**

“Maintenir le critère souple de l’intérêt de l’enfant.” *Le Devoir*, July 28, 2016.

Interview with journalist Roxane Léouzon about a petition filed by citizens to the Quebec National Assembly requesting the establishment of the legal presumption of shared custody for an article entitled “Pour éviter que les parents s’entredéchirent,” *Journal Métro*, April 27, 2016.

Interview with journalist Louise Leduc about shared custody for an article entitled “Garde partagée : dans le cœur des parents,” *La Presse*, November 25, 2013

**AWARDS AND ACADEMIC DISTINCTIONS**

<b>Excellence Award – The Antoine-Turmel Research Chair on the Legal Protection of Seniors</b> (\$15,000)	2017
<b>Thémis Award for the best doctoral thesis</b>	2017
<b>Excellence Award – Chambre des notaires du Québec (Master in Notarial Law)</b> (\$20,000)	2015-16
<b>Citation of Excellence – doctoral thesis (Université de Montréal)</b>	2015
<b>End-of-study Scholarship – Faculty of Graduate and Postdoctoral Studies (FESP)</b> (\$12,000)	2013-14
<b>Andrée Lajoie Award</b> (\$5,000)	2013
<b>Research Partnership Award <i>Séparation parentale, recomposition familiale</i></b> (\$10,000)	2012-13
<b>Social Sciences and Humanities Research Council (SSHRC) Doctoral Fellowship</b> (\$40,000)	2011-13
<b>Réjane-Laberge-Colas Scholarship in Family Law</b> (\$2,000)	2011 and 2014
<b>Award for Excellence in Research Dissemination from the Association des cycles supérieurs en droit</b> (\$1,000)	2009
<b>Monique-Ouellette Award</b> (\$3,000)	2009
<b>Doctoral Award – Faculty of Graduate and Postdoctoral Studies (FESP)</b> (\$10,000)	2009-11

Source : SITE WEB FACULTÉ DE DROIT, UdeM /Corps professoral

---

**Nomination for the best master’s thesis as part of a competition of the Association des professeurs et professeures de droit du Québec (APDQ)** 2009

**Citation of Excellence – master’s thesis (McGill University)** 2008

**Research Scholarship - Fay Cotler Fund for Human Rights (2 000 \$)** 2007

**Dean’s Honour Roll (Bachelor – Université de Montréal)** 2001

**ACADEMIC AND SOCIAL INVOLVEMENT**

**PratiquO (Continuing Professional Development Centre of the Faculty of Law of the University of Ottawa)** 2018  
Member of the Advisory Committee

**Association des cycles supérieurs en droit (ACSED)** 2015-16  
Vice-President of Research

- Organized the student conference as part of Research Month (March 2016)  
Topic: Law and Temporality

**Annual Public Health Days (JASP)** 2013  
Member of CURA’s Scientific Committee on parental separation and blended families and the Institut national de santé publique du Québec (INSPQ)

- Attended the Committee’s meeting to determine the scientific programming for a thematic day on “United through separation: concerted efforts to support separated and blended families”
- Co-wrote an article on the topics discussed during the thematic day

**GRAHN-Haïti (Groupe de Réflexion et d’Action pour une Haïti Nouvelle)** 2012-16  
Member of the committee on state, governance, and justice (*État, Gouvernance et Justice*)

- Participated in discussions on actions most likely to foster a Haitian society based on law, solidarity, shared values, education, and respect for the environment
- Organized a round table on the status of women in Haiti as part of International Women’s Day on March 8, 2015

**Fondation Québec-Haïti pour une scolarisation universelle de qualité (QHASUQ)**

2008-15

Vice-President of the Board

- Took part in decision-making involving human, material, financial, logistics, and organisational resources in the interests of addressing concerns related to quality education for all in Haiti

**Ministère des Affaires sociales et du Travail (MAST), Port-au-Prince, Haiti**

August 2007

- Participated in a workshop on the reform of Haiti's adoption laws to report on Quebec adoption laws