

[Translated from the original French by Google Translate]

Superior Court, Canada

Province of Quebec, District of Laval

No. 540-17-015737-249

Date: May 21, 2024

Under the Presidency of the Honorable Louis Charette, J.C.S.

Laval Integrated Health and Social Services Center, Applicant

vs.

Juba Mahiou (1992-07-03)

And

Hacene Mahiou, Implicated (father)

Safeguard Order

1. The Court is seized of a legal request to obtain authorization to provide the care required by the state of health of the defendant, Juba Mahiou, all in accordance with article 16 of the Civil Code of Quebec
2. Considering the request for postponement made by the defendant
3. Considering the request for a safeguard order made subsidiarily by the applicant
4. Considering the evidence submitted to the Court,
5. Considering the emergency
6. Considering that the plaintiff has demonstrated an appearance of right that the defendant is incapable of giving informed consent to the care required by his state of health, that he categorically refuses the proposed care plan and that care is required and that they will be beneficial,
7. Considering that in the absence of treatment, the defendant is exposed to serious or irreparable harm, in particular due to the severity and the invasion of his psychotic symptoms which continue to this day,
8. Considering that it is appropriate and beneficial for the defendant to receive the treatment required by his state of health and that the associated risks are not out of proportion to the expected benefit, so that the balance of disadvantages militates in favor of the issuance of the safeguard order sought by the applicant,
9. Considering the reasons stated verbally and recorded digitally

For these reasons, the court:

10. Allows the request for a safeguard order,
11. Takes note of the defendant's commitment to produce his second opinion report(s) no later than August 13, 2024 - (and orders compliance with it)
12. Postpones the hearing on the merits of this case until September 10, 2024 at 2:00 p.m.,
13. Orders that this safeguard order is immediately enforceable until the hearing on the merits,
14. Authorizes the professionals and stakeholders of the establishments which have provided, are providing or will provide care to the defendant, to exchange, to communicate, to transmit any document and information contained in the defendant's files when this is necessary for the care to be provided in accordance with the judgment,

15. Authorizes professionals and workers from establishments that have provided, are providing or will provide care to the defendant to exchange with a member of the defendant's family to collect information without revealing confidential information,

16. Authorizes the plaintiff and any doctor and health professional working within its facilities, to provide the defendant with the following treatment plan, according to the dosage, frequency and type of administration to be prescribed and adjusted by its treating doctors according to the tolerance of the defendant, and more particularly:

- an antipsychotic medication in oral or intramuscular form, alone or in combination, notably haldol, clopixon, fluanxol, zyprexa, abilify, maintena, invega sustena, risperdal, clozapine, at the lowest effective dose,
- treatment with a mood stabilizing medication, in particular epival, lithium, tegretol or lamictal, at the lowest effective dose,
- medication aimed at reducing side effects that cannot be addressed by dose adjustment, which could include antiparkinsonian, anticholinergic or hypoglycemic medication, in particular congentin, kemadrin, cabergoline, or bromocriptine,
- paraclinical assessments including blood tests, laboratory examinations, electrocardiograms, at the frequency deemed useful, depending on the defendant's condition or medical protocols, in order to determine the impacts of the treatment and ensure the defendant's safety ,
- follow-up in an outpatient psychiatric clinic, including multidisciplinary follow-up according to the defendant's needs, as well as intensive care in the community.

17. Authorizes the plaintiff to hospitalize the defendant, against his will, until the attending physician judges the defendant's condition sufficiently stabilized to allow him to obtain a safe discharge,

18. Authorizes the plaintiff to rehospitalize the defendant, against his will, in the event of any deterioration in his state of health, in order to evaluate and stabilize his mental state, for the shortest duration required which may not, however, exceed 30 days,

19. Orders the defendant to comply with the treatment plan mentioned above,

20. Authorizes any peace officer and any ambulance driver or other resource to assist the applicant in the execution of this authorization and order by using reasonable and proportional force, if necessary, upon simple verbal request from the applicant, and this, wherever the defendant is located,

21. Authorizes the applicant to entrust the authorizations mentioned above to any other health establishment, in which case this establishment will exercise such authorizations in the same way as if it were named in these conclusions, with the necessary adaptations,

22. Everything at no cost.

Louis Charette
Superior Court Judge