

## SMALL CLAIMS PICKLIST ORDERS (Public)

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**COMMON DESK ORDER TERMS**

<b>D12</b>	<b>Extending or Shortening a Time Limit</b> <i>(R. 17(12); 16(6.1)(c))</i>	Pursuant to Rules 16(6.1)(c) and 17(12), [ <i>party name</i> ] shall [ <i>describe action</i> ] on or before [ <i>date</i> ].
<b>G10</b>	<b>Permit Any Person to Attend Court by Electronic Communication and Provide Supporting Materials</b> <i>(R. 17(16.1))</i>	<p>Subject to the discretion of the presiding judge, [<i>name</i>] may attend the [<i>trial / settlement conference / trial conference / application hearing</i>] by [<i>specify method: telephone / video conference / other means</i>].</p> <p>[<i>name</i>] must comply with the requirements set out in <i>Notice to the Profession and Public - Remote Attendance in the Provincial Court</i> (<a href="#">NP 21</a>).</p> <p>On or before [<i>date</i>], [<i>name</i>] must provide all other parties [<i>specify method of delivery if required</i>] with one copy each of all documents, records and other supporting materials to be referred to at the court appearance, and file with the court two copies of the same documents, records and supporting materials.</p>
<b>G10A</b>	<b>Pay costs of attendance</b> <i>(Rule 16(7.30))</i>	Pursuant to Rule 16(7.3), [ <i>name of applicant requesting to change another person's method of attendance</i> ] must pay to [ <i>name of person whose method of attendance was changed</i> ] reasonable costs for attending the trial.
<b>G11</b>	<b>Witness may attend trial by telephone, video conference or other means</b> <i>(R. 9(3.1); R. 17(16.1))</i>	<p>Subject to the discretion of the presiding judge, [<i>name of witness</i>] may attend the trial by way of [<i>select method: telephone, video conference or some other means of electronic communication</i>].</p> <p>[<i>name</i>] must comply with the requirements set out in <i>Notice to the Profession and Public - Remote Attendance in the Provincial Court</i> (<a href="#">NP 21</a>).</p> <p>On or before [<i>date</i>], [<i>name</i>] shall provide all other parties [<i>specify method of delivery if required</i>] with one copy, and file with the court two copies of any records and other things which [<i>name</i>] intends to refer to at the trial.</p> <p>Pursuant to Rule 9(5.1)(b)(i), [<i>name of witness</i>] shall return any money provided them pursuant to Rule 9(2) for travelling expenses.</p> <p>Pursuant to Rule 9(5.1)(b)(ii), [<i>name of party calling the witness</i>] must pay to [<i>name of witness</i>] reasonable costs for attending the trial. (<i>you can specify if this is for</i></p>

		<i>travelling expenses, telephone call, video conference or other reasonable expenses, or set out a dollar amount)</i>
<b>G12</b>	<b>Hearing required to change method of attendance (desk order process not suitable) (R. 17(16.3))</b>	<p><i>Where a judge directs that a hearing is required to consider the application, in addition to checking the “Hearing Required” tick box, the judge may also wish to add the following terms:</i></p> <p>Pursuant to Rule 16(6.2), <i>[name of applicant]</i> shall attend at a hearing to explain why the order sought should be made.</p> <p>Pursuant to Rule 16(6.3)(a), <i>[name of applicant]</i> shall serve the application in Form 17 on <i>[name of party or affected person]</i>.</p> <p>Pursuant to Rule 16(6.3)(b), <i>[name of applicant / any person for which notice is required to be given]</i> shall attend the hearing <i>[in person or by some other method]</i>.</p>

## **AMENDMENTS**

<b>A1</b>	<b>Amending a Small Claims Court Document (R. 8(1)(b)) or a Notice of Civil Resolution Tribunal Claim document (R. 8(1.1))</b>	On or before <i>[date]</i> , <i>[name]</i> may file with the court an amended <i>[describe document]</i> and serve the amended document on <i>[other party]</i> .
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## **SUBSTITUTIONAL SERVICE**

<b>B1</b>	<b>Substitutional Service</b>  <i>For Certain Documents – cross-reference R. 18(12)</i>	<i>[name]</i> may serve <i>[name 2]</i> with the following documents, along with a copy of this order:
<b>B1A</b>	<b>Notice of Claim (R. 18(8)(a))</b>	A copy of the Notice of Claim filed <i>[date]</i>
<b>B1B</b>	<b>Reply Form 2</b>	A blank Reply form in Form 2
<b>B1C</b>	<b>Notice of claimant’s address</b>	Notice of the claimant’s address for service
<b>B1D</b>	<b>Blank Address for Service Form 38</b>	A blank Address for Service form in Form 38 <b>or</b>
<b>B1E</b>	<b>Summons Payment Hearing Form 12</b>	A Summons to a Payment Hearing in Form 12

<b>B1F</b>	<b>Summons Default Hearing Form 14</b>	A Summons to a Default Hearing in Form 14
<b>B1G</b>	<b>Summons to Witness Form 8 (Rule 9(2))</b>	A Summons to a Witness in Form 8
<b>B1.1</b>	<b><i>Sub Service Method</i></b>	by the following method(s):
<b>B1.1A</b>	<b>Email attachment</b>	As an attachment to an email sent to [name] at [email address].
<b>B1.1B</b>	<b>Text message</b>	As an attachment to a text message sent to [name] at [number].
<b>B1.1C</b>	<b>Facebook Messenger</b>	As an attachment to a message sent to [name 2] by way of Facebook Messenger.
<b>B1.1D</b>	<b>Envelope at door</b>	by posting the required documents in a sealed envelope addressed to [name] to the door at [address].
<b>B1.1E</b>	<b>Envelope to person</b>	by leaving the required documents in a sealed envelope addressed to [name of other party] with any person who appears to be aged 19 years or over at [address].
<b>B1.1F</b>	<b>Newspaper</b>	by posting a notice in [how many editions?] of a newspaper with regular circulation in [specify area].
<b>B1.1G</b>	<b>Fax</b>	by fax sent to [fax number].
<b>B2</b>	<b>Effective Date of Service by email</b>	Service by email is deemed effective as prescribed by Rule 18(18).
<b>B3</b>	<b>Effective Date of Service by any other alternative electronic methods other than email.</b>	Service is deemed effective on the date as prescribed by Rule 18(18) even if service did not occur by email.
<b>B4</b>	<b>Substitutional Service – Proof of service by <u>email or text</u> (R. 18(8)(a) and 18(14)(c.1))</b>	Proof of service will be a Certificate of Service in Form 4 stating that the required documents were sent or delivered in the required manner, and attaching copies of the documents served and the email / text message sending the documents.
<b>B5</b>	<b>Substitutional Service – Proof of service by <u>posting to door</u> (R. 18(8)(a))</b>	Proof of service will be a Certificate of Service in Form 4 stating that the documents were delivered in the required manner, attaching a copy of the documents served and a photograph showing the documents posted to the door as required.  Service of each of the required documents will be effective the day after they are posted to the door.

<b>B6</b>	<b>Substitutional Service – Proof of service by <u>advertisement</u></b> <i>(R. 18(8)(a))</i>	<p>Proof of service will be a Certificate of Service in Form 4 confirming that the notice was published in a newspaper as required, providing the name of the newspaper, the date(s) of publication and attaching a copy of the newspaper advertisement.</p> <p>Service of each of the above document(s) will be effective the day after the (last) day of publication of the notice.</p>
<b>B7</b>	<b>Substitutional Service – Proof of service by <u>fax</u></b> <i>(R. 18(8)(a))</i>	<p>Proof of service will be a Certificate of Service in Form 4 stating that the required documents were sent or delivered in the required manner, and attaching a copy of the required documents for service, a copy of the fax cover page and the fax transmission confirmation.</p> <p>Service of each of the above documents will be effective the day after the transmission of the documents by fax.</p>

### **ADJOURNING A TRIAL DATE**

<b>C1</b>	<b>Changing, postponing or adjourning the date of a trial - application is made <u>30 days or more</u> before trial</b> <i>(R. 4 (7); 9 (6); 16(6)(a); 16(6)(k.1)); 17(5.1))</i>	<p>The trial in this matter currently set for [date] is cancelled.</p> <p>The matter is adjourned to the judicial case manager to set a new date/new dates for trial.</p>
<b>C2</b>	<b>Changing, postponing or adjourning the date of a trial - application is made <u>less than 30 days</u> before trial</b> <i>(R. 4 (7); 9 (6); 16(6)(a); 16(6)(k.1); 17(5.1))</i>	<p>The trial in this matter currently set for [date] is cancelled.</p> <p>The [claimant/defendant] shall within 14 days pay to the court registry the prescribed fee to postpone or adjourn the trial or hearing.</p> <p>If the fee is paid as required, the [claimant/defendant] may request the judicial case manager to set a new date for trial and notify the parties of the new date.</p>
<b>C3</b>	<b>Failure to Pay Rescheduling Fee (Currently \$100 per Schedule A, Registry Service item 14)</b> <i>(R. 17(5.4))</i>	<p>If the fee is not paid as required, [name of other party] may apply to a judge (for an order under Rule 17(5.4) / to dismiss the claim / to strike out the reply, counterclaim or third party notice / to make a payment order against the defendant / or for any other order the judge thinks is fair).</p>

**PROCEDURAL ORDERS**

<b>D1</b>	<b>Permitting a third party claim to be made if a conference or mediation session has been held (R. 5(1)(b); 16(6)(b))</b>	The Defendant [ <i>name</i> ] is permitted to file a Form 3 Third Party Notice against [ <i>name of third party</i> ] on or before [ <i>date</i> ].
<b>D2</b>	<b>Serving a Third Party Notice</b>	On or before [ <i>date</i> ], the Defendant shall serve the filed Third Party Notice on the Third Party and on all other parties of record, and unless the Third Party has filed a Reply, file with the court the Form 4 Certificate of Service of the Third Party Notice.
<b>D3</b>	<b>Third Party Notice – Renewal if Certificate of Service Not Filed within 30 days (R. 5(5.1); 16(3))</b>	Pursuant to Rule 5(5.1), the Third Party Notice is renewed and the Form 4 Certificate of Service of the Third Party Notice must be filed with the court on or before [ <i>date</i> ], failing which the Third Party Notice expires / unless further renewed by the court.
<b>D4</b>	<b>Permission to file Reply after hearing date set (R. 6(8); 16(6)(d))</b>	Pursuant to Rules 6(8) and 16(6)(d), [ <i>name</i> ] may file a Reply to the Notice of Claim / Counterclaim filed [ <i>date</i> ], which must be filed with the court on or before [ <i>date</i> ].
<b>D5</b>	<b>Transferring a claim to the Supreme Court (R. 7.1(1) and 16(6)(c.1))</b>	Pursuant to Rules 7.1(1) and 16(6)(c.1), this claim shall be transferred to the Supreme Court of British Columbia for all purposes.
<b>D6</b>	<b>Extending the time for serving an Offer to Settle (R. 10.1(2) (b); 16(6)(c.2))</b>	Pursuant to Rules 10.1(1) and (2)(b), [ <i>name of party making the offer</i> ] may serve a Form 18 Offer to Settle on [ <i>name of other party</i> ] on or before [ <i>date</i> ].
<b>D7</b>	<b>Permitting the late filing of a Reply (R. 6 (8); 16(6)(d))</b>	Pursuant to Rules 6(8) and 16(6)(d), [ <i>name of party</i> ] may file a Form 2 Reply in this proceeding on or before [ <i>date</i> ].
<b>D8</b>	<b>Medical examination (R. 7(12); 7.5(13.1); 16(6)(e))</b>	[ <i>Name of claimant</i> ] shall attend with [ <i>name of medical practitioner or another person who is authorized under the Health Professions Act to practise a designated health profession</i> ] on [ <i>date and time/ or at such time as to be arranged by the parties</i> ] for an examination, to be paid for the [ <i>name of defendant</i> ].
<b>D9</b>	<b>Setting a Place for a Trial (R. 7(19); 16(6)(f))</b>	Pursuant to Rules 7(19) and 16(6)(f), all further steps in this claim will take place at [ <i>name and address of new</i>

		<i>registry</i> ], except as provided in Rule 16(11) and Rule 17(8).
D10	<b>Cancelling a Summons to Witness</b> <i>(R. 9(5); 16(6)(g))</i>	Pursuant to Rules 9(5) and 16(6)(g), the Summons to Witness issued to [ <i>name</i> ] and dated [ <i>date</i> ] is cancelled.
D11	<b>Change or Cancel an Order made in the Absence of a Party</b> <i>(R. 17(1); 16(6)(i))</i>  <i>Possible related orders:</i>	Pursuant to Rules 16(6)(i) and 17(1), the order of The Honourable Judge [ <i>name</i> ] dated [ <i>date</i> ] is cancelled / changed as follows: [ <i>set out changes in numbered paragraphs</i> ]
D11A	<b>Schedule Settlement Conference</b>	The Court Registry shall schedule this matter for a settlement conference.
D11B	<b>File Form 2 Reply</b>	On or before [ <i>date</i> ], [ <i>name of applicant</i> ] shall file a Form 2 Reply in this proceeding on or before [ <i>date</i> ].
D12	<b>Extending or Shortening a Time Limit</b> <i>(R. 17(12); 16(6.1)(c))</i>	Pursuant to Rules 16(6.1)(c) and 17(12), [ <i>party name</i> ] shall [ <i>describe action</i> ] on or before [ <i>date</i> ].
D13	<b>Renew a Notice of Claim if not served within 12 months</b> <i>(R. 2(7))</i>	Pursuant to Rule 2(7), the Notice of Claim filed [ <i>date</i> ] by [ <i>name</i> ] is renewed and will expire on [ <i>date</i> ] if the claim has not been served or further renewed by order of this court.
D14	<b>Mediation - Exemption</b> <i>(R. 7.3(28) and (29))</i>	Pursuant to Rules 7.3(28) and 7.3(29), this claim is exempt from mediation under Rule 7.3 /or/ [ <i>name of party</i> ] is exempt from attending the mediation session.
D15	<b>Mediation – After Cancelling Dismissal or Default Order</b> <i>(R. 7.3(42); R. 6(6)(j))</i>	Pursuant to Rules 7.3(42) and 16(6)(j), the dismissal order / default order dated [ <i>date</i> ] is cancelled.  <i>Additional Possible Orders Pursuant to Rule 7.3(42)</i>  The disputed claims will proceed to mediation / on the following terms [ <i>set out terms</i> ]  The disputed claims will proceed to / a settlement conference scheduled by the court registry / a trial scheduled by the judicial case manager.  On or before [ <i>date</i> ], [ <i>name of party who did not attend a mediation</i> ] will pay to [ <i>name of party who attended mediation</i> ] expenses in the amount of \$[ <i>amount</i> ].

**CIVIL RESOLUTION TRIBUNAL CLAIMS**

<b>E1</b>	<b>CRT – Notice of Civil Resolution Tribunal Claim – Claim for Deposit (R. 1.1(40) and (41); CRTA s. 56.3)</b>	[name] shall pay into court a deposit in the amount of [amount not exceeding the amount of the CRT award].
<b>E1A</b>	<b>Payment in Full</b>	The deposit shall be paid into court on or before: [date]. <b>or</b>
<b>E1B</b>	<b>Payment in Installments</b>	The deposit shall be paid into court by way of installments as follows: 1. The sum of [amount] payable on or before [date]. <i>Repeat as required.</i>
<b>E2</b>	<b>CRT – Notice of Civil Resolution Tribunal Claim – Renewal of Claim if not served within 28 days (R. 1.1(17))</b>	Pursuant to Rule 1.1(17), the Notice of Civil Resolution Tribunal Claim filed [date] by [name] is renewed and will expire on [date] if the claim has not been served or further renewed by order of this court.
<b>E3</b>	<b>CRT – Permission to make Third Party Claim (R. 1.1(35))</b>	Pursuant to Rule 1.1(35), [name of defendant] may make a claim against another person, which claim must be filed with the court and served on the other person on or before [date].

**SETTLEMENT CONFERENCE ORDERS**

<b>F1</b>	<b>Payment of Expenses Because a Party Not Prepared for Settlement Conference (R. 7(6))</b>	Pursuant to Rule 7(6), on or before [date], [name of unprepared party] shall pay to [name of other party] expenses in the amount of \$[amount] because [name of unprepared party] was not prepared for the settlement conference.  The court registry will schedule a further settlement conference.
<b>F2</b>	<b>Defendant may request medical report (R. 7(12))</b>	Pursuant to Rule 7(12), [name of claimant] shall attend with [name of medical practitioner or another person who is authorized under the Health Professions Act to practise a designated health profession] on [date and time/ or at such time as to be arranged by the parties] for an examination, to be paid for the [name of defendant].



<p><b>F3</b></p>	<p><b>Party may attend trial by telephone, video conference or other means (R. 7(14.1))</b></p>	<p>Pursuant to Rule 7(14.1), [name] may attend the trial by way of [select method: telephone, video conference or some other means of electronic communication].</p> <p>On or before [date], [name] shall provide to all other parties with one copy [specify method of delivery if required], and file with the court two copies of any records and other things which [name] intends to rely upon at the trial.</p>
<p><b>F4</b></p>	<p><b>Settlement with Release</b></p>	<p>On or before [date], [Defendant name] shall provide to [Claimant name] with (1) a draft release of claims /and confidentiality agreement (2) a draft Notice of Withdrawal and (3) a copy of a cheque payable to [Claimant name] in the amount of \$[amount].</p> <p>After receipt of these items and subject to approval of the terms of the release of claims / and confidentiality agreement, [Claimant name] will return the executed release of claims / confidentiality agreement / and Notice of Withdrawal to [Defendant] (specify time limit if required).</p> <p>Upon receipt, [Defendant] shall forthwith provide the payment [specify certified cheque or bank draft if required] for [amount] to [Claimant] [specify method of delivery if required]</p> <p>[Claimant] shall confirm receipt of the payment in writing to [Defendant] / immediately / within three (3) business days of receiving payment/, and thereafter [Defendant] shall file the Notice of Withdrawal with the court registry.</p> <p>Any disputes regarding the settlement, including the wording of the release of claims form / and confidentiality agreement/ can be brought before [name of settlement conference Judge] who is seized of any disputes regarding this settlement.</p>
<p><b>F5</b></p>	<p><b>Settlement – Provide Executed Release Before Getting Payment (Defendant provides release of claim)</b></p>	<p>On or before [date], the Defendant [name] shall provide to the Claimant [name] a draft release of claim form for review.</p> <p>Upon receipt of the agreed upon release of claim form, [Claimant] shall, within [specify number] business days after receipt, provide the executed form to the Defendant(s), and the Defendant [name] shall /</p>

		<p>immediately / within [<i>specify number</i>] business days of receipt of the executed release form / pay to the Claimant the sum of \$[<i>amount</i>].</p> <p>If the payment is received as set out, the Claimant shall / immediately / within [<i>specify number</i>] business days of receipt of the payment / file a Notice of Withdrawal form with the court and provide a copy of the filed Notice to the Defendant.</p>
F6	<b>Settlement – make a Payment before Claim is Withdrawn</b>	<p>Upon payment by the Defendant [<i>name</i>] to the Claimant [<i>name</i>] of the sum of \$[<i>amount</i>] on or before [<i>date</i>], the Claimant will / immediately / within [<i>specify number</i>] business days after receipt of the payment / file a Notice of Withdrawal with the court and provide to the Defendant a copy of the filed Notice of Withdrawal.</p>
F7	<b>Settlement for Reduced Sum</b>	<p>The Claimant(s) agree(s) to accept the reduced sum of \$[<i>amount</i>] to be paid by the Defendant(s) on or before [<i>date</i>].</p> <p>If the payment is made as agreed, the Claimant(s) will / immediately / within [<i>specify number</i>] business days after receipt of the payment / file a Notice of Withdrawal with the court and provide to the Defendant(s) a copy of the filed Notice of Withdrawal.</p>
F8	<b>Settlement of a Default Order by Paying a Lesser Sum Over Time</b>	<p>The Default Order dated [<i>date</i>] remains in effect.</p> <p>The Claimant agrees to accept the following payment(s):</p> <ol style="list-style-type: none"> <li>1. The sum of \$[<i>amount</i>] payable on [<i>date</i>] and continuing on the 1<sup>st</sup> day of each month thereafter up to and including [<i>last payment date</i>]</li> <li>2. [<i>list any other payments</i>]</li> </ol> <p>Time is of the essence and all payments must be made on time.</p> <p>If all payments are made as required, which payments total \$[<i>total sum due</i>], then the Claimant accepts this as full and final settlement of the amount due in the Default Order.</p> <p>If any payments are not made as required, the agreement by the Claimant to accept a reduced sum is cancelled and, pursuant to Rule 7(20)(b), [<i>name</i>] may</p>

		file with the court registry an affidavit of non-compliance and apply for a payment order in the amount of \$ <i>[original default order amount]</i> .
F9	<b>Settlement Not Complied With – Payment Order (R. 7(20))</b>	Pursuant to Rule 7(20), if the terms of the settlement agreement are not complied with, then the settlement agreement is cancelled and <i>[name]</i> may file with the court registry an affidavit of non-compliance and apply for a payment order in the amount of \$ <i>[amount]</i> .
F10	<b>Confidentiality Term</b>	<p>The terms of this settlement agreement are confidential. Neither party will disclose the terms to any person unless required by law, court order or for the purposes of any further court or enforcement proceedings if the terms of the settlement agreement have not been complied with.</p> <p>The following exceptions are permitted:                  (a) the parties may disclose the settlement terms to their immediate family members [<i>NOTE: consider naming specific persons instead</i>], or to their accountant or tax advisor if required for financial or tax purposes;                  (b) the parties may disclose the fact that the claim has been resolved without disclosing the settlement terms or amount of any payment.</p>

## **TRIAL PREPARATION ORDERS**

G1	<b>Trial Preparation – Witness Lists</b>	On or before <i>[date]</i> , each party shall provide the other with a list of the names of the witnesses they will be calling for the trial, each witness' contact information and a short summary of what each witness is expected to testify at trial.
G2	<b>Trial Preparation – Provide Documents</b>	<p>On or before <i>[date]</i>, each party is to provide the other with a copy of all documents, photographs, videos or other forms of evidence they intend to rely on at trial.</p> <p>Each party will bring to the trial for the court's use two copies of all documents, photographs, videos or other forms of evidence that the party intends to rely on, and shall retain a third copy for their own use.</p>
G3	<b>Consequences for Failure to Disclose</b>	Failure to comply with the disclosure orders may result in adjournment and costs per Small Claims Rules 7(15) and 20(6).
<b><i>For the purposes of document preparation for trial, use only one of G4, G5 or G6</i></b>		
G4	<b>Trial Preparation – Prepare Binders for court</b>	For the purposes of trial, each party will organize their documents in a binder with an index, with documents

		<p>separated by a tab and each page numbered consecutively.</p> <p>Two weeks prior to trial, each party will provide the other with a copy of their document binder index.</p> <p>At the commencement of the trial, each party is to provide the court with two identical binders of their materials, for the court’s use, and retain a third binder for their own use.</p>
<b>G5</b>	<b>Trial Preparation – in Accordance with Trial Brief to be sent to the Parties</b>	<p>The parties shall prepare their documents for trial in accordance with the instructions set out in a Trial Brief instruction sheet, which the court registry will provide to the parties.</p>
<b>G6</b>	<b>Trial Preparation – Detailed Trial Preparation Order</b>	<p>The parties will prepare their documents for trial as follows:</p> <ol style="list-style-type: none"> <li>1. Each party will prepare three-ring binders setting out all documents they intend to rely on at the trial (or trial preparation conference). Pleadings (for example, Notice of Claim and Reply) are not required for the binder.</li> <li>2. The number of binders to be prepared must be such that there is one copy for the claimant, one copy for each defendant and third party if any, and two copies for the court.</li> <li>3. Each document is to have a separate numbered tab in the binder.</li> <li>4. Each binder is to have an index listing and describing the document at each tab.</li> <li>5. Each party shall deliver one binder to each other party no later than 30 days prior to the date of the trial (or trial preparation conference).</li> <li>6. Along with any binder they have received from any other party, each party will bring to the trial (or trial preparation conference) the following number of binders as prepared by that party:             <ol style="list-style-type: none"> <li>7. one binder to be given to the judge to refer to.</li> <li>8. a second binder containing originals of documents, if available, but otherwise copies of the documents. This binder will be used by witnesses who testify in the witness box. This binder may be marked as a court exhibit at trial.</li> <li>9. a last binder will be used at trial by the party who prepared the binders.</li> </ol> </li> </ol>

		All binders are to be identical in every respect.
<b>G7</b>	<b>Trial Preparation – Inspect and Copy Documents (R. 7(14)(g)(ii))</b>	10. Pursuant to Rule 7(14)(g)(ii), the parties will arrange for a date, which shall be no later than [date], to permit [name] to inspect and copy the documents and records of [name of other party]. The cost of such copies will be paid by [inspecting party name], and such cost may be claimed as an expense if [inspecting party name] is successful at trial.
<b>G8</b>	<b>Document Translation</b>	If at any court appearance, a party intends to rely on any document that is not in the English language, that party must have an English translation of the document prepared by a certified court interpreter. The party relying on the document must provide a copy of the original document and the translated document to all other parties at least [number of days] days before the court appearance, and bring two further copies of the documents to the court appearance for the court's use.
<b>G9</b>	<b>Inspection of Property Damage (R. 7(14)(h))</b>	On or before [date], [name of party with damaged property claim] will allow [name of inspector or person chosen by other party] to examine [description of damaged property].

## ORDERS FOR REMOTE ATTENDANCE

<b>G10</b>	<b>Permit Any Person to Attend Court by Electronic Communication and Provide Supporting Materials (R. 17(16.1))</b>	<p>Subject to the discretion of the presiding judge, [name] may attend the [trial / settlement conference / trial conference / application hearing] by [specify method: telephone / video conference / other means].</p> <p>[name] must comply with the requirements set out in <i>Notice to the Profession and Public - Remote Attendance in the Provincial Court</i> (<a href="#">NP 21</a>).</p> <p>On or before [date], [name] must provide all other parties [specify method of delivery if required] with one copy each of all documents, records and other supporting materials to be referred to at the court appearance, and file with the court two copies of the same documents, records and supporting materials.</p>
<b>G10A</b>	<b>Pay costs of attendance (Rule 16(7.30))</b>	Pursuant to Rule 16(7.3), [name of applicant requesting to change another person's method of attendance] must pay to [name of person whose method of attendance was changed] reasonable costs for attending the trial (you can specify if this is for travelling expenses,

		<i>telephone call, video conference or other reasonable expenses, or set out a dollar amount).</i>
<b>G11</b>	<b>Witness may attend trial by telephone, video conference or other means (R. 9(3.1); R. 17(16.1))</b>	<p>Subject to the discretion of the presiding judge, [<i>name of witness</i>] may attend the trial by way of [<i>select method: telephone, video conference or some other means of electronic communication</i>].</p> <p>[<i>name</i>] must comply with the requirements set out in <i>Notice to the Profession and Public - Remote Attendance in the Provincial Court</i> (<a href="#">NP 21</a>).</p> <p>On or before [<i>date</i>], [<i>name</i>] shall provide all other parties [<i>specify method of delivery if required</i>] with one copy, and file with the court two copies of any records and other things which [<i>name</i>] intends to refer to at the trial.</p> <p>Pursuant to Rule 9(5.1)(b)(i), [<i>name of witness</i>] shall return any money provided them pursuant to Rule 9(2) for travelling expenses.</p> <p>Pursuant to Rule 9(5.1)(b)(ii), [<i>name of party calling the witness</i>] must pay to [<i>name of witness</i>] reasonable costs for attending the trial. (<i>you can specify if this is for travelling expenses, telephone call, video conference or other reasonable expenses, or set out a dollar amount</i>)</p>
<b>G12</b>	<b>Hearing required to change method of attendance (desk order process not suitable) (R. 17(16.3))</b>	<p>Where a judge directs that a hearing is required to consider the application, in addition to checking the “Hearing Required” tick box, the judge may also wish to add the following terms:</p> <p>Pursuant to Rule 16(6.2), [<i>name of applicant</i>] shall attend at a hearing to explain why the order sought should be made.</p> <p>Pursuant to Rule 16(6.3)(a), [<i>name of applicant</i>] shall serve the application in Form 17 on [<i>name of party or affected person</i>].</p> <p>Pursuant to Rule 16(6.3)(b), [<i>name of applicant / any person for which notice is required to be given</i>] shall attend the hearing [<i>in person or by some other method</i>].</p>

<b>G13</b>	<b>Require In-Person Attendance or Another Method of Attendance, and Reschedule Court (R. 17(16.3))</b>	Pursuant to Rule 17(16.3), the conference / hearing set for [date] is adjourned to [new date], and [name] must attend [in person or by some other method] at that time.
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## **PAYMENT ORDER**

<b>H1</b>	<b>Payment Order (Form 10)</b>	[name] shall pay to [name] the sum of \$[amount] plus expenses (\$), Filing Fee (\$), Service Fee (\$) and contract interest of (\$) / interest calculated under the Court Order Interest Act from [date of loss/damage] to the date of judgment.
<b>H2</b>	<b>Payment Schedule - Monthly (R. 11(4)(5); Form 10)</b>	The judgment amount shall be paid in installments of \$[amount] payable starting the [date] of [month, year] and continuing on the [date] of each month thereafter until the judgment amount and any interest, including post judgment interest due pursuant to the Court Order Interest Act is paid in full.
<b>H3</b>	<b>Payment Schedule - Lump Sum Installments (R. 11(4) and (5); Form 10)</b>	The judgment amount shall be paid as follows:
<b>H3A</b>	<b>Lump Sum</b>	a) The sum of \$[amount] is payable on or before [date].
<b>H3B</b>	<b>Installments</b>	b) The sum of \$[amount] is payable on or before [date]. -repeat as necessary
<b>H3C</b>	<b>Balance and Interest</b>	c) The balance of the judgment amount and any interest due pursuant to the Court Order Interest Act is payable on or before [date].
<b>H4</b>	<b>If No Payment Schedule Made, Set a Payment Hearing (R. 11(5))</b>	The court registry will set a date for a payment hearing and provide written notice of the hearing date to the parties.
<b>H5</b>	<b>Following Judgment, Submit Claims for Expenses (R. 20(2)(c))</b>	On or before [date], [the successful party] shall submit any claims for reasonable charges or expenses, along with supporting documentation, to the court for consideration and approval, with a copy provided to [the unsuccessful party].  If [the unsuccessful party] wishes to make submissions on [the successful party's] claim for expenses, [the unsuccessful party] shall file their submissions with the

		<p>court and provide a copy to [<i>the successful party</i>] no later than 14 days after receipt of [<i>the successful party's</i>] claim.</p> <p>[<i>The successful party</i>] may file with the court a response to [<i>the unsuccessful party's</i>] submissions, and provide a copy to [<i>the unsuccessful party</i>], within 7 days after receipt of [<i>the unsuccessful party's</i>] submissions.</p>
H6	<b>Cancelling or Changing Terms of a Payment Schedule</b> (R. 17(3); 16(6)(k))	The order of The Honourable Judge [ <i>name</i> ] dated [ <i>date</i> ] is cancelled / changed as follows: [ <i>set out changes in numbered paragraphs</i> ]
H7	<b>Permitting a Creditor to ask for a Payment Hearing Despite an Order for Seizure and Sale</b> (R. 12(4); 16(6)(h))	Pursuant to Rules 12(4) and 16(6)(h), [ <i>name of creditor</i> ] may file with the court registry a Summons to a Payment Hearing in Form 12 to set a payment hearing.

## **FINANCIAL DISCLOSURE**

J1	<b>Order for Financial Disclosure for Payment or Default Hearing</b> (R. 12(9)) or R. 13 <b>Default Hearing</b>	[ <i>name</i> ] shall [ <i>7 days prior to the hearing / on or before (date)</i> ] file with this court and [ <i>at least 2 business days before the hearing</i> ] provide to the other party a supporting materials cover sheet (Form 39) attaching the following:
J1-A	<b>Statement of Finances</b>	<ul style="list-style-type: none"> <li>A completed Statement of Finances (Form 40). (<i>not for use by a corporation or partnership</i>)</li> </ul>
J1-B	<b>Tax returns</b>	<ul style="list-style-type: none"> <li>Copies of complete tax returns, notices of assessment and notices of reassessment for the following taxation years: [<i>specify the years</i>].</li> </ul>
J1-C	<b>Bank and credit card statements</b>	<ul style="list-style-type: none"> <li>Copies of all bank and credit card statements issued to [<i>name of debtor</i>] / during the previous 12 months / from [<i>date</i>] to [<i>date</i>].</li> </ul>
J1-D	<b>Pay stubs and income statements</b>	<ul style="list-style-type: none"> <li>Copies of all pay stubs and income statements received / during the previous 12 months/ from [<i>date</i>] to [<i>date</i>].</li> </ul>
J1-E	<b>Corporate financial statements</b>	<ul style="list-style-type: none"> <li>Copies of all corporate financial statements prepared for [<i>name of corporate debtor</i>] for [<i>specify the years</i>].</li> </ul>
J1-F	<b>List of assets</b>	<ul style="list-style-type: none"> <li>A list of all assets owned by or disposed of by [<i>name of debtor</i>] during the period [<i>specify period</i>] including a description of the asset, its value, and any documentation in support of this information.</li> </ul>



		<p>During this period, if an asset owned by [<i>name of debtor</i>] was sold, transferred or otherwise disposed of, then provide the date that this occurred, the amount received, the name and address of the person who received the asset, and a copy of any documentation in support of this information.</p>
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