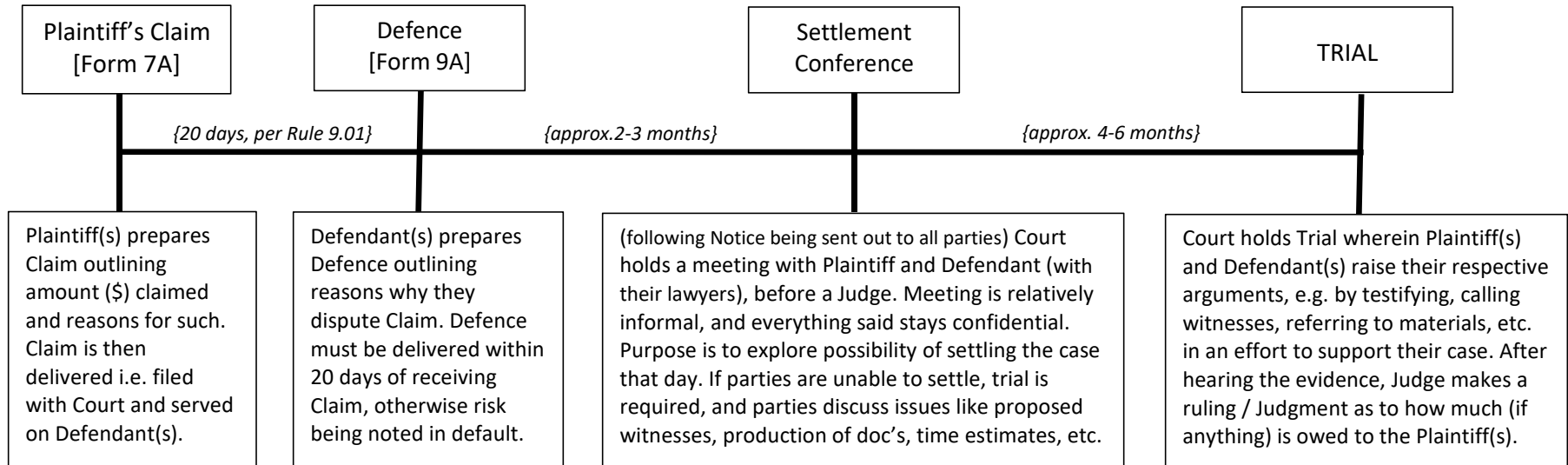




THE CIVIL COURT PROCESS – *Small Claims Court*



Note: If a Defendant does not file a Defence within the prescribed 20-day period, they may be “noted in default”. The Plaintiff may then seek to obtain a Default Judgment (i.e. the Defendant forfeits their right to defend the case [unless the default is set aside] and the Plaintiff may be awarded Judgment without need to argue at trial).

Note: Following trial, if the Defendant does not pay the amount owing under the Judgment, the Plaintiff can take steps to enforce the Judgment, e.g. garnishment, writs, etc.

Note: Claims can be settled at any stage in the above process provided parties agree to terms. (some) Legal costs may be awarded to the successful party in the lawsuit.

Note: The actual Small Claims Court process and timeframes may differ from that above, depending on several factors (e.g. jurisdiction, number of parties, any Defendant's Claims, motions, default judgments, etc.). Further, documents and witness lists should be exchanged prior to trial, and witnesses subpoenaed, in accordance with the Rules.

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