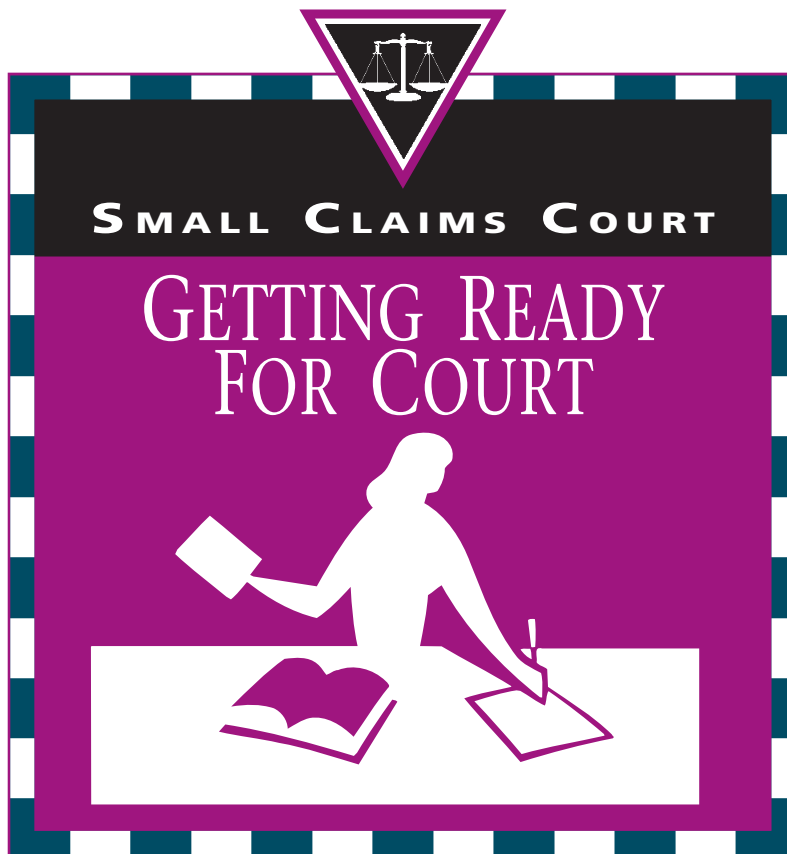


SUMMONS TO WITNESS



PROVINCIAL COURT OF BRITISH COLUMBIA

TO SUMMON A WITNESS

You do not need to issue a summons if a witness will appear voluntarily.

REGISTRY FILE NUMBER

What is the registry file number and location shown on the Notice of Claim?



Step 1

COMPLETE the SUMMONS TO A WITNESS. To complete the form, use a typewriter or print clearly. If you accessed this form from the Ministry of Justice website, you may also complete it at the computer, and then print it. There are 3 copies, so be sure all copies are legible. For more help there is a booklet called "Getting Ready for Court".



Step 2

SERVE the witness with the summons at least 7 days before the court date. If you choose to use ordinary mail, you will have to put the summons in the mail at least 21 days before the hearing date.

The purpose of "Service" is to make sure the witness knows about the requirement to come to court. You should bring your completed certificate of service to court with you.

For more help with service there is a booklet called "Serving Documents".



Step 3

AND THEN the witness must appear on the date set unless a judge has cancelled the summons. If a witness does not appear, the judge may issue a warrant for the arrest of the witness.

If you want the witness to bring some specific records (invoices for example), list them here so the witness will know what is required.

The amount you provide for travelling expenses must be enough to enable the witness to get to court. This could mean busfare. The money must be delivered with the summons.

SUMMONS TO WITNESS

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION

TO:

Fill in the name and address of the person you are requiring to come to court.

NAME _____
ADDRESS _____
CITY, TOWN, MUNICIPALITY _____ TEL. # _____
PROV. _____ POSTAL CODE _____

FROM:

Fill in the name of the party who requires the witness to attend.

You have been summoned as a witness by

In the case between:

Copy the names of all parties in the case as shown on the Notice of Claim.

_____ **CLAIMANT(S)**
and

_____ **DEFENDANT(S)**

Fill in the date and place of the hearing.

You are required to attend the Provincial Court of British Columbia

on _____ at _____ or as soon after this time as the court schedule allows.
date time am / pm
at _____
court location

You are required to bring the following records and other things:

If you want the witness to bring to court any records or other things list them here.

What must you do if you are served with a summons?

You must

- attend court at the time and place stated on the summons, and
- bring to court any records and other things required by the summons.

Can the summons be cancelled?

If you are not needed as a witness or it would be a hardship for you to attend court, a judge may cancel the summons.

What happens if you do not attend?

A judge may issue a warrant for your arrest.

You must provide the witness with reasonable travelling expenses.

The amount of \$ _____ is attached for use as travelling expenses to enable you to come to the Court.

Sign and date your summons.

date

signature of person issuing summons

SUMMONS TO WITNESS

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION

TO:

NAME _____
ADDRESS _____
CITY, TOWN, MUNICIPALITY _____ TEL. # _____
PROV. _____ POSTAL CODE _____

FROM:

This is the person who requires you to attend court to provide information relating to a lawsuit.

These are the parties in the case.

You have been summoned as a witness by

In the case between:

CLAIMANT(S)

and

DEFENDANT(S)

You are required to attend the Provincial Court of British Columbia

on at or as soon after this time as the court schedule allows.
at

You are required to bring the following records and other things:

What must you do if you are served with a summons?

You must

- a) attend court at the time and place stated on the summons, and
- b) bring to court any records and other things required by the summons.

Can the summons be cancelled?

If you are not needed as a witness or it would be a hardship for you to attend court, a judge may cancel the summons.

What happens if you do not attend?

A judge may issue a warrant for your arrest.

The amount of \$ _____ is attached for use as travelling expenses to enable you to come to the Court.

witness copy

SUMMONS TO WITNESS

IN THE PROVINCIAL COURT OF BRITISH COLUMBIA (SMALL CLAIMS COURT)

REGISTRY FILE NUMBER
REGISTRY LOCATION

TO:

NAME _____
ADDRESS _____
CITY, TOWN, MUNICIPALITY _____ TEL. # _____
PROV. _____ POSTAL CODE _____

FROM:

You have been summoned as a witness by
SERVICE COPY

In the case between:

_____ CLAIMANT(S)
and _____ DEFENDANT(S)

You are required to attend the Provincial Court of British Columbia

on _____ date _____ at _____ time _____ am / pm or as soon after this time as the court schedule allows.
at _____ court location _____

You are required to bring the following records and other things:

SERVICE COPY

What must you do if you are served with a summons?

You must

- a) attend court at the time and place stated on the summons, and
- b) bring to court any records and other things required by the summons.

Can the summons be cancelled?

If you are not needed as a witness or it would be a hardship for you to attend court, a judge may cancel the summons.

What happens if you do not attend?

A judge may issue a warrant for your arrest.

The amount of \$ _____ is attached for use as travelling expenses to enable you to come to the Court.

_____ date _____

_____ signature of person issuing summons _____

service copy

SUMMONS TO WITNESS

service copy

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I certify that

Fill in:
your name;
the name of the party or other person served;
the date service took place;
the street address or location, city and province where service took place.

I _____
served _____
on _____
Date
at _____

with _____

Name the documents that you served.

Tell how service took place by checking appropriate box(es) for:

ordinary mail and fill in the date mailed;

by mailing a copy by ordinary mail to that person's address on _____
Date

an individual;

- leaving a copy of it with him or her.
- mailing a copy of it by registered mail to him or her.

a company as defined in the *Business Corporations Act*;

- mailing a copy of it by registered mail to the registered office of the company.
- leaving a copy of it at the registered office of the company.
 at the place of business of the company, with a receptionist or a person who appears to manage or control the company's business there.
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the company.

an extraprovincial company as defined in the *Business Corporations Act*;

- mailing a copy of it by registered mail to the attorney shown in the corporate registry.
- leaving a copy of it with the attorney shown in the corporate registry.
- leaving a copy of it at the head office shown in the corporate registry if that head office is in British Columbia.
- mailing a copy of it by registered mail to the head office shown in the corporate registry if that head office is in British Columbia.

a partnership;

- mailing a copy of it by registered mail to a partner.
- leaving a copy of it with a partner.
 at the place of business of the partnership, with a person who appears to manage or control the partnership business there.
 with a receptionist who works at a place of business of the partnership.

a municipal corporation, regional district or other local government body;

- giving a copy to the clerk, deputy clerk or a similar official.

a young person;

- leaving a copy of the notice with the defendant's mother, father or guardian.

a society as defined in the *Society Act*;

- mailing a copy of it by registered mail to the address for service on file with the Registrar of Companies.
- leaving a copy of it at the address for service on file with the Registrar of Companies.
 with a director, officer, receiver manager or liquidator of the society.

an extraprovincial society as defined in the *Society Act* (if no attorney has been appointed, check one of the 2 preceding boxes for a society);

- mailing a copy of it by registered mail to the attorney of the society appointed under section 77 of the *Society Act*.
- leaving a copy of it with an attorney appointed under section 77 of the *Society Act*.

an unincorporated association or trade union;

- mailing a copy of it by registered mail to the registered office of the association.
- leaving a copy of it with an officer of the association or, in the case of a trade union, with a business agent.

a corporation incorporated outside British Columbia if it is not an extraprovincial company;

- mailing a copy of it by registered mail to a place of business or registered office of the corporation outside British Columbia.
- leaving a copy of it at a place of business or registered office of the corporation outside British Columbia with a receptionist or a person who appears to manage or control the corporation's business, or
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.

alternate service method ordered by the Court.

- (fill in any instructions given by a judge or registrar for service)

NOTE: You must give proof of service by REGISTERED MAIL by attaching one of the following:
1. a copy, produced by fax or otherwise, of the signature obtained by Canada Post at the time the document was delivered.
2. a print-out of the delivery confirmation made available on the Internet by Canada Post (<http://www.canadapost.ca>).

Date

Signature of person who served the document