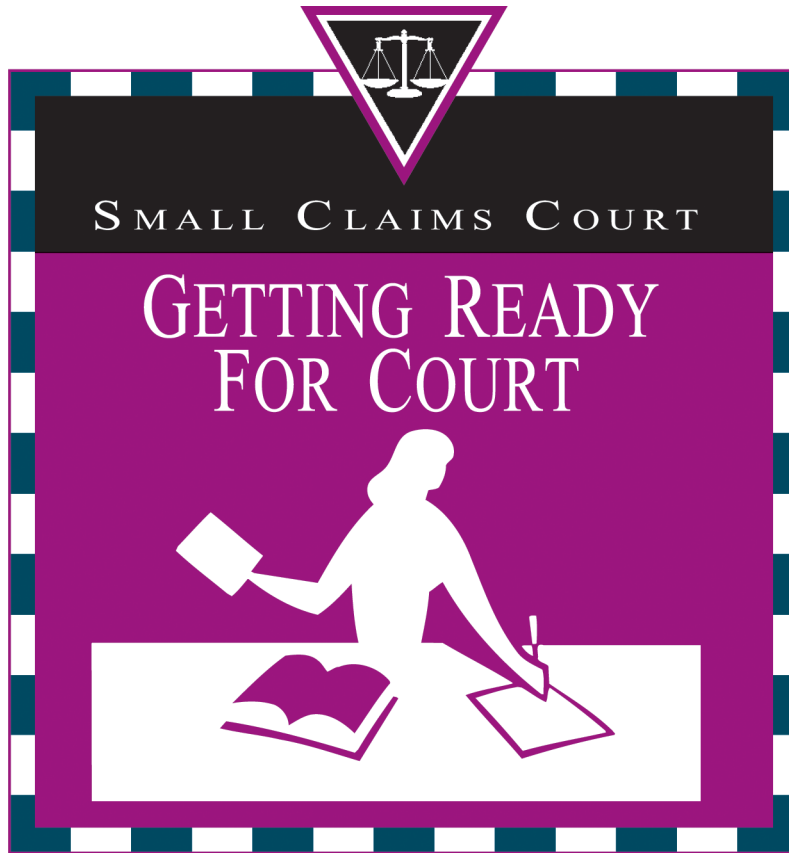


SUMMONS TO WITNESS



PROVINCIAL COURT OF BRITISH COLUMBIA

TO SUMMON A WITNESS

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



Step 1

COMPLETE the SUMMONS TO A WITNESS. Please print clearly and firmly as there are 3 copies and all must be legible. If you accessed this form from the Government of BC website, you may also complete it using a computer, and print 3 copies. For more help there is a booklet called "[Getting Ready for Court](#)" on the Government of BC website: www.gov.bc.ca/smallclaims.



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

IF SERVED the witness must attend on the date set out in the summons unless a judge has cancelled the summons. If a witness does not attend, the judge may issue a warrant for their arrest.

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

If the court has ordered that the witness may attend by another method of attendance, you must include how the court ordered the witness to submit the documents

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

REGISTRY FILE NUMBER

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



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 attend 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

NAME _____

In the case between

Fill in the names of all parties in the case.

NAME _____ **CLAIMANT(S)**

and

NAME _____ **DEFENDANT(S)**

and

NAME _____ **THIRD PARTY(IES)**

You are required to attend the Provincial Court of British Columbia

Fill in the date, time and method of attendance for the hearing.

on _____ at _____
date time am / pm

or as soon after this time as the court schedule allows

in person at _____
court location

by another method of attendance, as specified
The registry will send within 24 hours before the hearing date noted above the link to connect by MS Teams, including a dial-in conferencing number to be used by any party that is unable to use MS Teams or has problems with their video connection. If you have not provided your email address or telephone number to the registry on your Address for Service ([Form 38](#)), you must contact the registry to obtain the telephone conference or MS Teams conference information.

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

You are required to bring the following records and other things

If the court made an order that the witness attend in a way other than in person, include the terms of the order made by the judge.

WHAT MUST YOU DO IF YOU ARE SERVED WITH A SUMMONS?

You must

- (a) attend court at the time and by the method stated on the summons, and
- (b) bring to court (or if not attending in person, submit and serve as directed) 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, you may apply to a judge to cancel the summons. You may also apply to a judge to change your method of attendance from what is listed on the summons.

WHAT HAPPENS IF YOU DO NOT ATTEND?

A judge may issue a warrant for your arrest.

You must provide the witness with expenses related to their method of attendance at court.

\$ _____ is attached for reasonable expenses related to the method of your attendance at 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 _____ PROV. _____ POSTAL CODE _____ TEL. # _____

FROM:

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

You have been summoned as a witness by

NAME _____

In the case between

These are the parties in the case.

NAME _____ **CLAIMANT(S)**

and

NAME _____ **DEFENDANT(S)**

and

NAME _____ **THIRD PARTY(IES)**

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

in person at _____ court location _____

by another method of attendance, as specified _____
The registry will send within 24 hours before the hearing date noted above the link to connect by MS Teams, including a dial-in conferencing number to be used by any party that is unable to use MS Teams or has problems with their video connection. If you have not provided your email address or telephone number to the registry on your Address for Service (Form 38), you must contact the registry to obtain the telephone conference or MS Teams conference information.

You are required to bring the following records and other things

WHAT MUST YOU DO IF YOU ARE SERVED WITH A SUMMONS?

You must

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WHAT HAPPENS IF YOU DO NOT ATTEND?

A judge may issue a warrant for your arrest.

\$ _____ is attached for reasonable expenses related to the method of your attendance at court.

_____ date _____

_____ signature of person issuing summons _____

SUMMONS TO WITNESS

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 _____ PROV. _____ POSTAL CODE _____ TEL. # _____

FROM:

You have been summoned as a witness by

NAME _____

In the case between

SERVICE COPY

CLAIMANT(S)

NAME _____

and

DEFENDANT(S)

NAME _____

and

THIRD PARTY(IES)

NAME _____

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

in person at

_____ court location _____

by another method of attendance, as specified

The registry will send within 24 hours before the hearing date noted above the link to connect by MS Teams, including a dial-in conferencing number to be used by any party that is unable to use MS Teams or has problems with their video connection. If you have not provided your email address or telephone number to the registry on your Address for Service (Form 38), you must contact the registry to obtain the telephone conference or MS Teams conference information.

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 by the method stated on the summons, and
- (b) bring to court (or if not attending in person, submit and serve as directed) 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, you may apply to a judge to cancel the summons. You may also apply to a judge to change your method of attendance from what is listed on the summons.

WHAT HAPPENS IF YOU DO NOT ATTEND?

A judge may issue a warrant for your arrest.

\$ _____ is attached for reasonable expenses related to the method of your attendance at court.

_____ date _____

_____ signature of person issuing summons _____

CERTIFICATE OF SERVICE

REGISTRY FILE NUMBER

REGISTRY LOCATION

CERTIFICATE OF SERVICE

Fill in:

Who served the document(s)?

the **name of the party** served;

When were the document(s) served?

Where were the document(s) served?

I certify that

I, _____

served _____

on _____

Day/Month/Year

at _____
Street address or location, city, province

with _____

LIST and ATTACH ALL document(s) that you served.

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

by

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.

Insurance Corporation of BC (ICBC);

- Mailing a copy of it by registered mail to the legal department at the Insurance Corporation of British Columbia (ICBC).
 Leaving a copy of it at the legal department at the Insurance Corporation of British Columbia (ICBC).

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 within the meaning of the *Societies Act*;

- Mailing a copy of it by registered mail to the mailing address of the society's registered office on file with the Registrar of Companies.
 Leaving a copy of it at the delivery address of the society's registered office on file with the Registrar of Companies
 with a director, officer, receiver manager or liquidator of the society.

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
 with a director, officer, liquidator, trustee in bankruptcy or receiver manager of the corporation.

ordinary mail (and fill in the date mailed);

- Mailing a copy of it by ordinary mail to that person's address on _____
Day/Month/Year

(NOTE: The date the documents are presumed served (above) is 14 days after this date.)

- (Indicate other service method or instructions given by a judge or registrar for service.)**

OTHER SERVICE method or alternate method ordered by the Court.

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>).