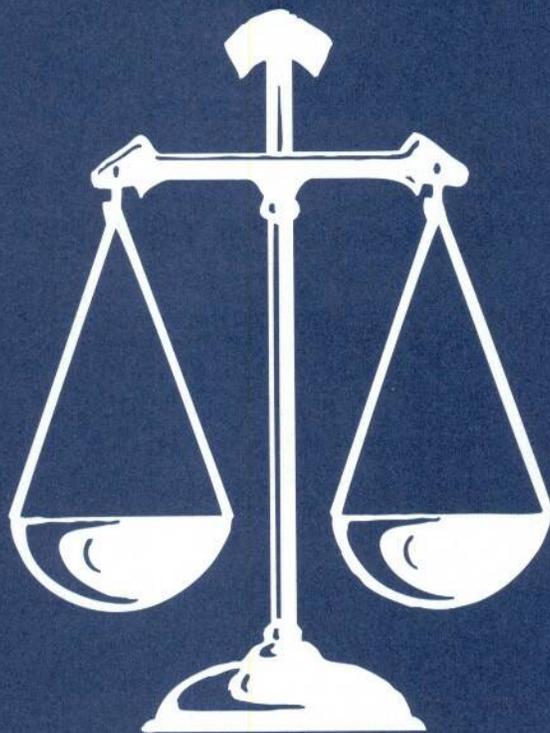




# SUMMONS TO A PAYMENT HEARING

Provincial Court of Newfoundland and Labrador



Small Claims Division

# TO SUMMON A PERSON TO PAYMENT HEARING

COURT FILE NUMBER

What is the court file  
number and location shown  
on the Statement of Claim?

## Step 1

**COMPLETE** the **SUMMONS TO A PAYMENT HEARING**. Complete form and print clearly. There are 4 copies, so be sure all copies are legible.



## Step 2

**FILE** the **SUMMONS TO A PAYMENT HEARING** by taking it to the Provincial Court (Small Claims Division). The staff will tell you the hearing date. Then they will check your form and when it is accepted for filing, return the copies so the person named can be served.



## Step 3

**SERVE** the party named in the summons with a copy of the summons at least 5 days before the hearing date. The purpose of "Service" is to make sure the person knows about the requirement to come to court. You should bring your completed certificate of service to court at least two days before the court date.



## Step 4

**AND THEN** the person named must appear on the hearing date. If the person does not appear, the judge may issue a warrant for arrest of the person.

You can require the person to bring records and other things that relate to:

- a) the income and assets of the debtor;
- b) the debts owed to and by the debtor;
- c) any assets that the debtor has disposed of since the claim arose;
- d) the means that the debtor has, or may have in the future, of paying the amount owed.

# SUMMONS TO A PAYMENT HEARING

IN THE PROVINCIAL COURT OF NEWFOUNDLAND (SMALL CLAIMS DIVISION)

COURT FILE NUMBER

COURT 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	

**You have been summoned to a payment hearing in the case between:**

	<b>CREDITOR</b>

**and**

	<b>DEBTOR</b>

Copy the names of all parties in the case as shown on the Judgement or Default Judgement

Fill in the date and place of the hearing

**You are required to attend the Provincial Court of Newfoundland**

on  month  day  year  time  M  Or as soon after this time as the court schedule allows.

at  court location

List what you want the person to bring to court.

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


### What happens at the payment hearing?

Evidence may be heard about any of the following:

- a) the income and assets of the debtor;
- b) the debts owed to and by the debtor;
- c) any assets that the debtor has disposed of since the claim arose;
- d) the means that the debtor has, or may have in the future, of paying the amount owed.

### Can the summons be canceled?

Any person who is served with a Summons to a Payment Hearing may apply to a judge who may

- a) cancel the summons if the person is not the right person to provide information on behalf of the debtor, and
- b) direct the court to issue a new summons to someone who is the right person to provide the information.

### What happens if the person summoned does not attend?

If the creditor asks, the Judge can issue a warrant for the arrest of the person.

month	day	year	by the court	

SUMMONS TO A PAYMENT HEARING