

GENERAL INFORMATION:

CLAIMANTS UNDER 18 YEARS OF AGE: Claimants under 18 years must be represented by a parent or litigation guardian. Please advise the registry officer at time of filing.

NAMING PARTIES: A claim regarding a motor vehicle accident may be filed to determine liability. You must name the driver and registered owner of each vehicle involved in the accident.

DAMAGED VEHICLE CLAIM: If there was damage to the claimant's vehicle, the amount stated on the claim is for the amount of damages to the vehicle, or the deductible, whichever is less.

NO DAMAGE TO VEHICLE: If there was no damage to the claimant's vehicle, the claim would be for liability only.

MPI CLAIM NUMBER: You must state your MPI claim number on your claim.

DRIVER TO ATTEND: The driver of each vehicle should attend the hearing and bring any diagrams, photos and witnesses to support their claim. It is not necessary for the registered owner of the vehicles to appear unless he/she was a witness to the accident.

FAILURE TO APPEAR: If you do not appear at the hearing, default judgment may be given against you and you may not then appeal this decision unless you first obtain leave to appeal from a judge.

NOT LAWYERS: Court staff are not legally trained and so can provide procedural guidance only. Contents of the claimant's claim are solely those of the filer and are not to be construed as a direction by court staff.

FILING FEE: Fee for filing each claim is \$50 for claims \$5000 and under / \$75 for claims \$5000.01 to \$10,000, payable by cash or cheque (there is a \$20 charge for NSF cheques.) Upon claim being filed, the claimant is responsible for ensuring document is delivered to each defendant and that a declaration/affidavit of service on each defendant is filed 10 days before the hearing date. For further information, contact the Small Claims Court office.