

SIMPLIFIED TRIAL
Richmond Small Claims Court Pilot – Rule 9.1

This fact sheet provides information on simplified trials and how to prepare for them. The simplified trial is a new process included in the provincial small claims court pilot project underway at the Richmond small claims court. The pilot is a joint justice reform initiative of the Provincial Court and the provincial government.

What is a simplified trial?

A simplified trial is a one-hour streamlined trial before an experienced lawyer who is a justice of the peace, and also is called an adjudicator. Starting November 2007, all claims up to \$5,000 filed at Richmond small claims court, except personal injury claims, will be set for simplified trials.

What must I do before the simplified trial?

The Richmond court registry will mail a notice of simplified trial, which will show the date of your trial, and a trial statement form (form 33).

The trial statement is a form which summarizes your case. Before the simplified trial, the adjudicator will review the trial statement filed by you and the other parties. **At least 14 days before** your simplified trial, you must file your trial statement at the court registry. You must serve the other parties with your trial statement **at least seven (7) days before** the simplified trial.

To complete your trial statement follow the directions on the form. You can also find the form at: www.gov.bc.ca – type “court services” in the search bar. You must attach a statement of facts in date order (the order in which the events occurred), a calculation of the amount claimed, copies of the relevant documents, and a list of witnesses you intend to call, with a brief summary of what each witness will say. Unless the nature of the document renders it impossible, the Trial Statement, and every document attached, must be reproduced on 8 1/2 inch x 11 inch paper, single-sided and unbound.

If you will need an interpreter for your simplified trial you must make arrangements beforehand for an interpreter to attend. Please contact the Richmond court registry for more information.

How is the simplified trial conducted?

At the beginning of the simplified trial the adjudicator will ask you take an oath or affirm that you will tell the truth. You will be asked to state the facts related to the claim, file any documents on which you rely, and respond to the other party. The adjudicator may ask you questions, ask you to swear to the truth of your trial statement, permit witnesses, allow you or your lawyer to ask questions of the other parties, and allow you or your lawyer to make submissions.

In most cases, the adjudicator will deliver a decision orally at the end of the trial. If you do not get a decision right away, then the adjudicator has 30 days from the end of the trial to deliver a decision.

What if I am not ready or not able to attend on the date set for the simplified trial?

If you cannot make the date set for your simplified trial you can request to have the date changed. You should first ask all the other parties to agree in writing to the change. If they agree, then you can file a consent order with their written consents at the Richmond court registry.

If you are unable to reach an agreement with all the parties, you may file an application to the registrar (form 16). The application must explain the reason you want to change the date and that you asked the other parties for their consent. The application must be filed with the court registry **at least seven (7) days prior** to the simplified trial date. If the application is granted by the registrar, a new date will be set for your simplified trial.

What happens if I don't attend the simplified trial?

If you do not attend the simplified trial and you are the claimant, your claim may be dismissed. If you are the defendant, a payment order may be made against you.

Is this pilot project being evaluated?

Yes. Starting in the fall 2008 and into early 2009, a research firm will conduct a telephone survey of some of the parties who have gone through Small Claims Court. No identifying information will be used in the survey report.

Although participation in the survey is optional, the evaluation will be very important in determining whether the changes to the small claims process will be used or modified in other parts of the province. It will be helpful, therefore, if you can take the time to provide feedback if contacted through the survey.

FOR MORE INFORMATION, REFER TO SMALL CLAIMS RULE 9.1

Available on the Court Services Branch website at: www.gov.bc.ca/ag

Type "court services" in the search bar

or contact the Richmond Small Claims Court Registry

Telephone: 604 660-6549 Facsimile (fax): 604 660-1797

If English is not your first language, please refer to the information available on the Court Services Branch website at www.ag.gov.bc.ca/courts/civil/smallclaims/pilot/translations/index.htm, or contact the court registry.

如果英语不是您的第一语言，请参见“法院服务分部”（Court Services Branch）网站上的资讯：www.ag.gov.bc.ca/courts/civil/smallclaims/pilot/translations/index.htm，或联系法院注册处。

ਜੇ ਅੰਗਰੇਜ਼ੀ ਤੁਹਾਡੀ ਪਹਿਲੀ ਭਾਸ਼ਾ ਨਹੀਂ, ਤਾਂ ਕ੍ਰਿਪਾ ਕਰਕੇ ਕੋਰਟ ਸਰਵਿਸਜ਼ ਬ੍ਰਾਂਚ ਦੇ ਵੈੱਬਸਾਈਟ www.ag.gov.bc.ca/courts/civil/smallclaims/pilot/translations/index.htm, ਉੱਪਰ ਦਿੱਤੀ ਜਾਣਕਾਰੀ ਦੇਖੋ ਜਾਂ ਕੋਰਟ ਰਜਿਸਟਰੀ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।

Nếu Anh Ngữ không phải là ngôn ngữ chính của quý vị, xin xem chi tiết trên website của Court Services Branch (Các Dịch Vụ Tòa Án) tại www.ag.gov.bc.ca/courts/civil/smallclaims/pilot/translations/index.htm, hoặc liên lạc với phòng lục sự tòa.

