

STATEMENT OF CLAIM

IN THE LOCAL COURT  
AT \_\_\_\_\_

Claim No. \_\_\_\_\_

BETWEEN

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Plaintiff

and

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant

TO THE DEFENDANT

This statement of claim has been brought against you by the plaintiff for the claim set out below.

IF YOU INTEND TO DEFEND this claim **YOU MUST, NOT LATER THAN 28 DAYS** after being served with this statement of claim —

- (a) file a notice of defence with a Registrar of the Local Court at Darwin; and
- (b) serve a copy on the plaintiff.

IF YOU DO NOT file and serve a notice of defence, the plaintiff may OBTAIN JUDGMENT AGAINST YOU on the claim without further notice.

THE PLAINTIFF CLAIMS

\_\_\_\_\_ *(set out concise statement of the nature of the claim)*

particulars of which are set out below, and seeks

\_\_\_\_\_ *(set out statement of amount, relief or remedy sought)*

\*If you pay the amount of \$ \_\_\_\_\_ and costs of \$ \_\_\_\_\_ to the plaintiff or the plaintiff's legal practitioner without filing and serving a notice of defence you may avoid further costs.

PARTICULARS OF CLAIM

*[signature of plaintiff  
or legal practitioner]*

Filed: \_\_\_\_\_

Registrar

**Do not ignore this notice.** If you do not understand this notice or need help contact a Registrar of the Local Court, a legal practitioner or your local legal aid office.

1. This statement of claim was filed —  
\*by the plaintiff in person.  
\*for the plaintiff by \_\_\_\_\_
2. The address of the plaintiff is — \_\_\_\_\_
3. The address for service of the plaintiff is — \_\_\_\_\_
4. The address of the defendant is — \_\_\_\_\_

\* Delete if inapplicable.

## WHAT TO DO WHEN YOU GET A STATEMENT OF CLAIM

The person called the plaintiff has a claim against you and wants the Court to decide it.

You can:

1. File a notice of defence.

You must fill out the form headed "NOTICE OF DEFENCE" that came with this claim explaining why you are not responsible for part or all of the amount the plaintiff claims. This form should be filed with a Registrar at the Court and a copy served on the plaintiff.

2. Pay the amount of the claim and the plaintiff's legal costs.

If you intend to do this you should contact the plaintiff or the plaintiff's legal practitioner immediately and make arrangements to pay. Make sure you get any agreements in writing.

3. File an application for an instalment order.

If you admit you owe the amount claimed but cannot pay it all at once you may apply to the Court for an instalment order. Forms for this are available from the Court office. You must file the original with the Court and serve a copy on the plaintiff. If you make an offer to pay the money owing, you need to attach a Declaration of Financial Circumstances (Form 47C). These are obtainable from any Court Registry. It is important that you fill the form out completely and attach it to your offer to pay. If the form is not attached, the Registrar will NOT make an instalment order.

**Warning: DO NOT IGNORE THIS FORM OR A JUDGMENT MAY BE MADE AGAINST YOU FOR THE WHOLE AMOUNT OF THE CLAIM AND ADDITIONAL LEGAL COSTS.**

If you do not understand what you have to do or need help contact:

- . A legal practitioner — look under "solicitors" in the Yellow pages.
  - . Law Society of the Northern Territory — they will refer you to a legal practitioner who can help with your particular matter (Phone: 89815104)
  - . Northern Territory Legal Aid Commission (Phone: Darwin 89993000, Alice Springs 89515377, Katherine 89738704)
  - . Aboriginal Legal Aid (Phone: Darwin 89815266, Alice Springs 89522933)
  - . A Registrar of the Court.
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**AFFIDAVIT OF SERVICE**

IN THE LOCAL COURT  
AT DARWIN

Claim No.

BETWEEN

\_\_\_\_\_

Plaintiff

and

\_\_\_\_\_

Defendant

NAME OF DEPONENT:  
DATE SWORN:

I,  
*(full name)*  
of  
*(address)*

say on oath

I did at *(time)* on *(day) (date) (month) (year)*

serve the defendant

*(full name of defendant)*

with this statement of claim by delivering a true copy of the statement of claim to the defendant at

*(address)*

I identified the defendant as follows:

Sworn at *(place)* on *(date)*

before me

\*Justice of the Peace/Commissioner for Oaths\*

\*Commissioner for Affidavits or Declarations or Notary Public (*for service under Service and Execution of Process Act 1992*  
(Cwlth))

\* Delete if inapplicable.

Filed by — \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_