

# Magistrates Court (Civil Jurisdiction) Rules 2004—Form 4 Small Claims Court

(see s 416 (3) and s 419 (2))

## Conference notice

Application No \_\_\_\_\_ of [*year*], between [*applicant*] and [*respondent*].

\* To [*name*], the applicant:

\* To [*name*], the respondent:

## Conference details

I have directed a conference to be held before me at [*place*] on [*date*] at [*time*].

## Objectives

The objectives of the conference are:

- to determine what are the real matters in dispute between the parties;
- to assist the parties to reach a compromise in the dispute by means of conciliation;
- to streamline any later inquiry by:
  - ensuring that the parties do everything they can to enable such an inquiry to take place expeditiously; and
  - assessing the time likely to be required for any such inquiry.

## **Dispute settlement**

If agreement is reached between all parties as to terms of settlement of the dispute, a consent judgment application in the form provided on the other side of this notice should be filled in and signed by the parties.

The consent judgment application should then be lodged with the registrar at [*address of registrar's office*].

## **Nonattendance**

*\* To the applicant:*

If you do not attend the conference, the Registrar may dismiss your application.

*\* To the respondent:*

If you do not attend the conference—

- The Registrar may enter a default judgment against you in favour of the applicant for any specified amount of money claimed;
- the Registrar may make an interim order against you in respect of any unspecified amount of money claimed by the applicant, and in respect of any other order claimed by the applicant. The Registrar would then direct an inquiry to be held to determine what judgment should be given against you.
  - If you were not to attend that inquiry, judgment might be given against you in the terms applied for by the applicant.
  - On the other hand, if you were to appear at that inquiry to contest the application or the orders sought by the applicant, the Court might in any case direct a conference to be held, and require you to pay the costs of the proceedings.

### **Further information**

If you have any questions about what you should do, please talk to a Registry officer at [address] or by telephone on [telephone number] between 9 am and 4 pm, Monday to Friday.

Date:

Registrar

\* *Strike out where inapplicable*

## Endnotes

- 1 This form was originally in the *Magistrates Court (Civil Jurisdiction) Act 1982* (the *authorising Act*), schedule 2. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 471 of that Act (see amdt 1.2791, amdt 1.2793).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.

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