Form 1　　　　　Originating claim

Court Procedures Rules 2006

(see r 50 (Originating claim—content etc))

In the *[Supreme/Magistrates] Court of the Australian Capital Territory

No *[SC/MC]　　　　of (*year*) (*Court to complete*)

*(*if proceeding in Magistrates Court, name and provision number of law under which Magistrates Court has jurisdiction to decide claim*)

(*name*)
Plaintiff

(*name*)
Defendant

The plaintiff claims against the defendant relying on the facts claimed in the attached statement of claim.

Nature of claim

(*tick appropriate box*)

[ ]　　　debt or liquidated demand
[ ]　　　motor vehicle death or personal injury
[ ]　　　employment death or personal injury
[ ]　　　other death or personal injury
[ ]　　　other (*please specify*)

Filed on behalf of the plaintiff by:
(*the plaintiff's address for service and telephone number (if any) or, if the plaintiff is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

Relief claimed—general

Relief claimed (*if a claim is for exemplary damages or aggravated damages, this must be specified—see r 50 (5) (a) (Originating claim—content etc)*):

*Interest claimed:

*Interlocutory relief claimed:

Summary judgment *[is/is not] to be applied for.

Plaintiff

*(*if the plaintiff is an individual*)

Full name:

*[Home/Business] address:

*(*if the plaintiff is a corporation*)

Name:

(*if the corporation is a company or registered body within the meaning of the Corporations Act 2001 (Cwlth)*)

*[Australian Company Number/Australian Registered Body Number]:

Type of body:

Address of *[registered office/public officer]:

*Representative capacity in which plaintiff sues:

*(*if the plaintiff is represented by a solicitor*)

Solicitor's full name:

(*if the solicitor practises in a firm of solicitors*)

*Solicitor's firm:

Solicitor's full business address:

Solicitor's telephone no:

*Name, address and telephone no of solicitor's agent:

Address for service of documents

(*set out plaintiff's address for service*)

(*if represented by a solicitor the following information may be given*)

*Document exchange box no:

(*if postal address different from address for service*)

*Postal address:

*Fax:

*Email address:

Defendant *(so far as known)

*(*if the defendant is an individual*)

Full name:

*[Home/Business] address:

*(*if the defendant is a corporation*)

Name:

(*if the corporation is a company or a registered body within the meaning of the Corporations Act 2001 (Cwlth)*)

*[Australian Company Number/Australian Registered Body Number]:

Type of body:

Address of *[registered office/public officer]:

*Representative capacity in which defendant is sued:

Date:

(*signature of plaintiff or plaintiff's solicitor*):

(*name of plaintiff or plaintiff's solicitor*)

Notice to defendant

You must file a defence, or a notice of intention to respond and a defence, to the originating claim in the Court within 28 days after the day the claim is served on you (see rule 102 (Notice of intention to respond or defence—filing and service).

> If you do not file a defence, or a notice of intention to respond and a defence, within this time—
> • the proceeding may be heard in your absence; or
> • default judgment may be entered, or an order made, against you.

(*Include the following statements if relevant to the claim*)

*Endorsement
(*complete this section if the claim is an action under the Civil Law (Wrongs) Act 2002, pt 3.1*)

This claim is made for the benefit of the following people:

1.   (*Name of person*)   (*relationship to deceased person*)
2.   (*Name of person*)   (*relationship to deceased person*)

*Certificate that claim has reasonable prospects of success
(*complete this section if the Civil Law (Wrongs) Act 2002, s 188 applies to the action*)

I, (*solicitor's full name*) certify that I believe, on the basis of provable facts and a reasonably arguable view of the law, that this claim has reasonable prospects of success.

Date:

(*signature of plaintiff's solicitor*)

(*name of plaintiff's solicitor*)

**omit if, or whichever is, inapplicable*