



PROVINCIAL COURT OF SASKATCHEWAN - CIVIL DIVISION

DEFENDANT INFORMATION

Note: This material is for informational purposes only. It is not to be construed as legal advice. It is intended to give a general overview of matters involving civil claims in the Provincial Court (Civil Division).

Should you require advice specific to your situation, please consult a lawyer.

A civil claim has been made against you. You now have the following options:

1. MAKE A PROPOSAL FOR SETTLEMENT

If you agree with the claim and you do not wish to go through court proceedings, you can contact the plaintiff and arrange settlement. It is also possible to structure payments over time by installment. This can be agreed to or set by the judge. If installments are set up, no further action can be taken as long as the payments are being met on time.

2. DISPUTE THE CLAIM

If you dispute the claim, you should complete the attached Dispute Note listing your reasons and then file it at the Provincial Court (Civil Division) **no later than 3 days before** the date set for your case management conference.

In addition to filing your Dispute Note, you may believe the plaintiff in fact owes you money. For example, the plaintiff may be suing you for an unpaid repair bill on your car. You are defending the claim because you believe the work done was unsatisfactory. If, in addition, you had to pay someone else to fix the car properly, you would want to claim this amount back from the plaintiff. This is known as a **counterclaim**. If you wish to make a counterclaim, you should attend at the Provincial Court and obtain a counterclaim form which you should complete and serve on the plaintiff no later than 3 days prior to your case management conference.

3. PREPARING FOR YOUR CASE MANAGEMENT CONFERENCE

- a. The purpose of the case management conference is to discuss possible settlement of any or all issues between the parties. **IT IS MANDATORY TO ATTEND. FAILURE TO DO SO MAY RESULT IN JUDGMENT BEING ENTERED AGAINST YOU.**
- b. Organize and bring all the documents you intend to use (preferably in order by date). You should also make two copies of the documents to be provided to the judge and other party.

- c. Only you are required to attend the case management conference. **NO WITNESSES APPEAR AT THIS STAGE.**
- d. If you have a lawyer, he or she may attend with you at the case management conference.
- e. If a trial is necessary, an information package will be provided at the conclusion of the case management conference entitled **PREPARING FOR TRIAL.**

4. ASSISTANCE

Should you require further assistance, please contact the Provincial Court (Civil Division) at the city or town shown in the Notice of Claim.