

**MAGISTRATES COURT of WESTERN AUSTRALIA
(CIVIL JURISDICTION)
FORM 36 - LIST OF DOCUMENTS**

Registry:	Case number:
Claimant	
Defendant	

(* Delete as applicable)

The following is a list of the documents relating to the matters in question in this case which are or have been in the possession, custody, or power of the *claimant/defendant and which is lodged and served in compliance with Rule 30 of the Magistrates Court (Civil Proceedings) Rules 2005.

1. The * **claimant/defendant** has in his/hers/its possession, custody or power the documents relating to the matters in question in this case listed in the first schedule.
2. The * **claimant/defendant** objects to produce the documents listed in Part II of the first schedule on the grounds that:

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3. The * **claimant/defendant** has had, but has not now, in their possession, custody or power the documents relating to the matters in question in this case listed in the second schedule.
4. The documents in the second schedule, were last in the * **claimant/defendant** possession, custody or power on the dates set out in that schedule. *[Provide details as to what's become of the documents and in whose possession they are now in]:*

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5. Neither the * **claimant/defendant** nor lawyer nor any other person on their behalf, has now, or ever had, in **his/hers/its possession**, custody or power any document of any description whatever relating to any matter in question in this case, other than the documents listed in the first and second schedules.

The first schedule

PART I

[Provide a list of the documents (or bundles of documents if of the same nature, such as invoices), in a convenient order, that are in the possession, custody or power of the party in question that the party does not object to produce, with a short description of each document or bundle sufficient to identify it.]:

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PART II

[Provide a list of the documents in the possession, custody or power of the party in question that the party objects to produce]:

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The second schedule

[Provide a list of the documents that have been, but at the date of service of the list are not, in the possession, custody or power of the party in question.]:

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NOTICE TO INSPECT

[This section must be completed by the lodging party]

Take notice that the documents listed in Part I of the first schedule, may be inspected at the office/location of the
* **Claimant/Defendant** at: *(insert address for inspection)*

on the day of 20.....

between the hours of: am / pm and am / pm

Date:

Claimant/defendant or lawyer:

To: The *Claimant/defendant/lawyer
(address for service)

To: The *Claimant/defendant/lawyer
(address for service)

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Lodging party must complete all fields below including the address for service.

Lodged by	<input type="checkbox"/> Claimant or Claimants Lawyer <input type="checkbox"/> Defendant or Defendants Lawyer <input type="checkbox"/> Other			
Address for service				
Contact details	Telephone:	Lawyer's ref:	Fax:	E mail: