

Registry at:	Magistrates Court of Western Australia (Civil Jurisdiction) Minor Case Claim Form 4	Case number: Date lodged: Service Type:
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Claimant	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	
	Claimant reference number:	
	Related file numbers:	
	<input type="checkbox"/> The claimant elects to have this case heard and determined under Part 4 of the <i>Magistrates Court (Civil Proceedings) Act 2004</i> as a Minor Case.	

Defendant	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	

Claimant's Address for Service	<input type="checkbox"/> Residential or principal place of business address:
	<input type="checkbox"/> Registered office address:

Method of Service	Method of Service
	<input type="checkbox"/> Claimant; or
	<input type="checkbox"/> Bailiff

Claim Details	Amount of claim:	
	Court filing fee:	
	Service fee:	
	Travelling fee:	
	Total claimed:	
	Re-issue	
	Total claimed:	

Claimant or Lawyer Signature:		Date:	
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Court Seal

Fees Paid

Lodgement of Claim

\$ Rec No: Date:

Lodgement of Counter/Third Party Claim

\$ Rec No: Date:

\$ Rec No: Date:

\$ Rec No: Date:

Applications

\$ Rec No: Date:

\$ Rec No: Date:

\$ Rec No: Date:

Assessment of Costs

\$ Rec No: Date:

Other

\$ Rec No: Date:

\$ Rec No: Date:

\$ Rec No: Date:

Summary of Facts Relevant to the Claim:

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Documentary Evidence in Support of Claim:

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The Remedy Or Relief Claimed:

1.
2.
3.
4.

Part B – Claimant’s copy

Registry at:	Magistrates Court of Western Australia (Civil Jurisdiction) Minor Case Claim Form 4	Case number: Date lodged: Service Type:
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Claimant	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	
	Claimant reference number:	
	Related file numbers:	
<input type="checkbox"/> The claimant elects to have this case heard and determined under Part 4 of the <i>Magistrates Court (Civil Proceedings) Act 2004</i> as a Minor Case.		

Defendant	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	

Claimant’s Address for Service	<input type="checkbox"/> Residential or principal place of business address:
	<input type="checkbox"/> Registered office address:

Method of Service	Method of Service
	<input type="checkbox"/> Claimant; or
	<input type="checkbox"/> Bailiff

Claim Details	Amount of claim:	
	Court filing fee:	
	Service fee:	
	Travelling fee:	
	Total claimed:	
	Re-issue	
	Total claimed:	

Claimant or Lawyer Signature:		Date:	
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Court Seal

Part C – Information for Claimant

Please Read this Form Thoroughly

The following information is a guide only. A fact sheet containing detailed information on court procedures is available from any Magistrates Court Registry or the Magistrates Court website at

<https://www.magistratescourt.wa.gov.au/>

Lodgement of all documents must be done at <https://ecourts.justice.wa.gov.au/eCourtsPortal/>

Claimant	Your full name or the name of your company or business.
Defendant	The full name or the name of the company or business you are issuing the claim against.
Method of Service	You may choose to have the claim served by a bailiff (fees will apply) or you may choose to serve the claim yourself. If you elect to serve the claim yourself you should obtain information from a registry of the Magistrates Court as to the methods to serve a claim and/or refer to fact sheet 8, which can be found from the above mentioned website.
Summary of Claim	If claiming monetary relief then you must state the value of your claim. The court will assess the fees applicable for the issue of the claim. This will be added to your claim amount to reveal a total amount of claim.
Status Conference	If the defendant has given notice of intention to defend your claim, you will be given notice by the court along with a copy of the defendant's response. Upon lodgement of the Intention to Defend, the Registrar of the court must list the claim for a Status Conference before the Magistrate. The Registrar will then notify all parties of the hearing date, by sending a written notice in accordance with your preferred method of service.
Signature	It is necessary for you to sign each copy of the claim form within this package.
Address for Service	This is the address to which the court and the defendant will send/serve documents and notices on you. A document lodged in relation to a case must contain a residential or business address for service or in the case of a corporation, registered office or principal place of business.
Legal Representation	As you have elected that the case be dealt with under the Minor Cases Procedure, lawyers are not allowed to represent you before the court, unless the court gives leave.

Summary of Facts Relevant to the Claim:

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Documentary Evidence in Support of Claim:

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The Remedy Or Relief Claimed:

1.
2.
3.
4.

Registry at:	Magistrates Court of Western Australia (Civil Jurisdiction) Minor Case Claim Form 4	Case number: Date lodged: Service Type:
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Claimant (Party ID:)	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	
	Claimant reference number:	
	Related file numbers:	
<input type="checkbox"/> The claimant elects to have this case heard and determined under Part 4 of the <i>Magistrates Court (Civil Proceedings) Act 2004</i> as a Minor Case.		

Defendant (Party ID:)	Legal Name:	
	Address:	
	Email Address:	
	Telephone number:	

Claimant’s Address for Service	<input type="checkbox"/> Residential or principal place of business address:
	<input type="checkbox"/> Registered office address:

Method of Service	Method of Service
	<input type="checkbox"/> Claimant; or
	<input type="checkbox"/> Bailiff

Claim Details	Amount of claim:	
	Court filing fee:	
	Service fee:	
	Travelling fee:	
	Total claimed:	
	Re-issue	
	Total claimed:	

Claimant or Lawyer Signature:		Date:	
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Court Seal

Part E – Information for Defendant

Please Read this Form Thoroughly

The following information is a guide only. A fact sheet containing detailed information on court procedures is available from any Magistrates Court Registry or at www.magistratescourt.wa.gov.au For legal advice you should see a lawyer.

Lodgement of all documents must be done at <https://ecourts.justice.wa.gov.au/eCourtsPortal/>

You must lodge a response to this claim on the eCourts Portal within 14 days of service of the claim on you, unless your address for service is outside Western Australia, in which case you have 21 days. Failure to do so may result in the claimant obtaining a default judgment against you.

The Court must give a copy of your response to the other party.

Paying the Claim	If you elect to pay the claim in full, the payment must be made direct to the claimant.
If you admit the claim and are unable to pay in full	<p>You should tick the relevant box, which states your admission of the claim when lodging the Form 15A – Response to Minor Case Claim on the eCourts portal.</p> <p>You may wish to contact the claimant to confirm acceptance of your offer to pay by instalments.</p> <p>The court will give notice of admission and a copy of your response to all parties. It is the decision of the claimant as to whether your offer to pay by instalments is accepted.</p> <p>If the claimant does not accept your admission to pay by instalments they may proceed to enforce payment against you without further notice.</p> <p>All instalment payments made must be paid direct to the claimant.</p>
If you admit liability for an un-liquidated claim but dispute the amount	<p>You should tick the relevant box within the admission part of Form 15A – Response to Minor Case Claim, which states you admit liability and make application to the court to determine the amount that should be awarded for the claim.</p> <p>The Registrar will list the case for a status conference and notify you and the other parties in writing.</p>
If you admit to part of the claim	<p>You may wish to contact the claimant to see whether a settlement can be arranged by consent. If you reach agreement, you should both complete a memorandum of consent order form and lodge it on the eCourts Portal.</p> <p>If you cannot reach agreement to settle the claim, you should lodge a Form 15A – Response to a Minor Case Claim on the eCourts Portal, and tick the relevant box stating you admit liability for part of the claim made and intend to defend the balance of the claim. You are required to state the amount you offer as full satisfaction and need to attach a statement outlining the basis upon which you admit part of the claim.</p> <p>The court will give notice of part admission, notice of intention to defend the balance of the claim and a copy of your response to all parties.</p>
If you respond by: Giving intention to defend the claim; or Lodging a counterclaim or third party claim	<p>If you intend to defend this claim, you are required to tick the relevant box within the Intention to Defend section of Form 15A- Response to a Minor Case Claim when lodging on the eCourts Portal. This includes responding to the claim and providing your defence.</p> <p>If you have responded by giving notice of intention to defend, the court will give notice of your intention to defend and a copy of your response to all parties. Failure to respond to the claim within the prescribed time may result in the claimant obtaining a default judgment against you.</p> <p>If you intend to make a counterclaim and/or third party claim, you must tick the relevant box stating your intentions (complete Part I and lodge it together with your response). Your intentions stated on this document will be dealt with by a Magistrate at a status conference.</p> <p>If you wish to make an application for the proceedings in the case to be conducted at another place in the state of Western Australia you must tick the relevant box in the intention to defend section and complete the “name of proposed venue” field. You are also required to complete and upload an affidavit in support of your application for a change of venue.</p> <p>A Registrar must within 14 days after you lodge your response to claim, list the case for a status conference before a Magistrate. The Registrar will then notify all parties of the hearing date, by sending a written notice in accordance with your preferred method of service.</p>
Address for Service	<p>This is the address to which the court and the claimant will send/serve documents and notices on you.</p> <p>A document lodged in relation to a case must contain a residential or business address for service or in the case of a corporation, registered office or principal place of business.</p>
Legal Representation	As the claimant has elected that the case be dealt with under the Minor Cases Procedure, lawyers are not allowed to represent you before the court, unless the court gives leave.

Summary of Facts Relevant to the Claim:

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Documentary Evidence in Support of Claim:

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The Remedy Or Relief Claimed:

1.
2.
3.
4.

Magistrates Court of Western Australia
(Civil Jurisdiction)

Response to Minor Case Claim
Form 15A

Registry:	Case Number:
Claimant:	
Defendant:	

(Must enter full name of party responding)

I,

Part F – Admission of Minor Case Claim

Tick [✓] appropriate box

admit to the total amount claimed and I offer to pay the amount admitted by way of:

instalment amounts of \$ weekly; or fortnightly; or monthly

First instalment (date) ;

OR payment in full on or before (date)

Un-liquidated claim only:

admit liability and make application to the Court to determine the amount that should be awarded for the claim.

(a registrar must list the case for a status conference and notify all parties in writing)

or

Part F – Intention to Defend Minor Case Claim

Tick [✓] appropriate box

(If selected, complete Part H – Response to Claim over page)

intend to defend the full amount of this claim; or

admit liability for part of the claim made and intend to defend the balance of the claim.

I offer the sum of \$ as full satisfaction of the claim.

Part G – Application for Change of Venue

Tick [✓] appropriate box if applicable

(If selected, complete Part G - Affidavit in Support of Change of Venue Application over page)

make application to the Court for an order that the proceedings in this case be conducted at another venue within the State of Western Australia:

Name of proposed Court venue:

Defendant Signature:		Date:	
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Responding party must complete the below address for service and contact information

Address for Service:	Telephone:
Lawyer's Ref:	Fax:
Email:	

Magistrates Court of Western Australia
(Civil Jurisdiction)

Response to Minor Case Claim
Form 15A

Registry:	Case Number:
Claimant:	
Defendant:	

Part G – Application in Support of Change of Venue Application

The defendant makes an application to the Court for an order that the proceedings in this case be conducted at the registry of the Court.

Affidavit in Support of Change of Venue Application

I (*full name*)

Of (*residential address*)

(*occupation*)

(*Select as applicable*) Having been duly: sworn or affirmed, say on: oath or affirmation, the following:

Sworn or Affirmed

at

this day of 20

in the presence of (*witness name*)

Registrar/Justice of the Peace/other authorised witness

Deponents signature

Unless the court orders otherwise, the attendance of the parties is not required for this application.

In the event attendance is required, the court will provide notice to parties.

If you have been served with an application for Change of Venue you must, at least three working days before the hearing of the application, lodge and serve a response to the application stating whether you consent or object to the order sought in this application.

If you do not consent to the order sought in this application, you must also lodge an affidavit supporting your response.

The application to change venue will be determined at Magistrates Court held at

on day the .day of .20 .at am pm

**Magistrates Court of Western Australia
(Civil Jurisdiction)**

**Response to Minor Case Claim
Form 15A**

Registry:		Case Number:	
Claimant:			
Defendant:			

Part H – Response to Claim

I (*full name*)

Of (*residential address*)

(*occupation*)

say the following:

**Magistrates Court of Western Australia
(Civil Jurisdiction)**

**Response to Minor Case Claim
Form 15A**

Registry:	Case Number:
Claimant:	
Defendant:	

Part I – Request for Counterclaim or Third Party Claim

make application to the Court for the defendant to bring a Counterclaim or Third Party Claim.

If selected complete Part I – Details in Support of Counterclaim or Third Party Claim.

Part I – Details in Support of Counterclaim or Third Party Claim